



Armin Solimani

Call: 2023

Practice areas:

Planning, Public Law, Licensing, Highways, Commons and Open Spaces, Compulsory Purchase and Compensation, Environment, Rating



Practice Profile

Armin is building a busy practice across Chambers' practice areas. He is regularly instructed as junior counsel in the High Court, and has appeared as sole counsel at a two-day planning appeal hearing. He frequently appears as sole counsel before the Magistrates' Courts, licensing sub-committees, and the Crown Court.

Armin previously served as the Judicial Assistant to Sir Keith Lindblom, the Senior President of Tribunals, at the Court of Appeal. He assisted exclusively with appeals concerning planning, environmental, and local government law, including some of the most significant such cases of recent years. He therefore benefits from an unusual depth of experience in relation to Chambers' practice areas for a junior of his call.

Before his career at the Bar, Armin worked in the tech sector, and helped build the client services team at one of the UK's leading cybersecurity startups. His commercial background makes him particularly well-equipped for handling technical matters.

Planning

Armin has gained extensive exposure to planning work during pupillage. He is a member of PEBA's Consultation Working Party and assisted with preparing their response to the government's proposed changes to the NPPF. As a Judicial Assistant at the Court of Appeal, Armin's caseload focussed primarily on planning matters.

Armin's recent experience appearing at and assisting with planning matters includes:

- Acting as sole counsel for a Parish Council at a two-day planning appeal hearing concerning a speculative proposal to develop 89 homes, which raised issues concerning landscape, housing

land supply, the provision of local infrastructure, and the legal significance of the decision in *R (University Hospitals of Leicester NHS Trust) v Harborough District Council* [2023] EWHC 263 (Admin).

- Drafting closing submissions and a cross-examination of a noise expert in a s78 appeal concerning a restaurant.
- Preparing a cross-examination of a planning witness in a s.78 appeal on issues including the significance of the policies in an emerging plan.
- Preparing cross-examinations and examination in chief for planning and landscape witnesses, and the opening submissions, in a s.174 appeal concerning a caravan site.
- Assisting with the preparation of the heritage chapter in the forthcoming *NPPF Handbook*, in particular with research on how heritage harms are to be weighed in the planning balance
- Drafted a pre-action protocol letter defending a challenge concerning an officer's interpretation of local planning policy
- Conducted a plea in mitigation that resulted in a minimal fine despite a multi-year breach of planning control in a conservation area

Armin has advised, or prepared draft advice, on the following matters:

- Whether using a houseboat for leisure purposes, on a mooring with residential use permission, constituted an unlawful change of use
- Whether the siting of static residential caravans fell within a site's permitted use for "caravanning".
- Whether a static caravan was liable for CIL, and whether an LPA could lawfully refuse to determine a CLU application in light of a technical defect (failure to correctly fill in CIL Form 2).
- Whether the siting of a shipping container in a residential garden constituted "development" under the 1990 Act.
- On the effect of proposed LURA provisions on the scope of an LPA's "duty to cooperate".

As the Judicial Assistant to Sir Keith Lindblom at the Court of Appeal (2022/2023), Armin worked on some of the most significant planning cases of recent years:

- ***Persimmon Homes (Thames Valley) Ltd v Worthing Borough Council* [2023] EWCA Civ 762** – on the correct approach to giving "great weight" to development in the setting of AONBs, and whether the Inspector had failed to consider the emerging plan.
- ***R (oao) Save Britain's Heritage v Davies* [2023] EWCA Civ 723** – on the scope of Class B permitted development rights to demolish buildings.
- ***Braintree District Council v Secretary of State for the Home Department & Anor* [2023] EWCA Civ 727** – Whether the 1990 Act's prohibition on planning enforcement against Crown land prevented an LPA from applying for an injunction to prevent the change of use of a military barracks as asylum seeker accommodation.
- ***Kazalbash v Secretary of State for Levelling Up, Housing And Communities* [2023] EWCA Civ 904** – Whether an Inspector had taken an irrational approach to assessing the harms of a proposal on an area's character and appearance.
- ***Devine v Secretary of State for Levelling Up, Housing and Communities* [2023] EWCA Civ 601** – Whether an inspector was right to find that an unpermitted development had not been "substantially completed" in a ground (d) s.174 enforcement appeal, and the correct approach to the decision in ***Sage v Secretary of State for the Environment, Transport and the Regions* [2003] 1 WLR 983**
- ***East Quayside 12 LLP v The Council of the City of Newcastle Upon Tyne* [2023] EWCA Civ 359** – Whether an Inspector had taken a lawful approach, and given proper reasons, in assessing heritage harm to a grade I listed building.

- *CAB Housing Ltd v Secretary of State for Levelling Up, Housing and Communities & Anor [2023] EWCA Civ 194* – on the correct approach to prior approval under Class AA of Part 1 of Schedule 2 to the GPDO (right to add additional stories to dwellinghouses).
 - *R (oao) Whitley Parish Council v North Yorkshire County Council & Anor [2023] EWCA Civ 92* – Whether a planning officer had fettered the discretion of their committee by advising that they were not permitted to give any weight to a policy requiring that a proposal be the “Best Practicable Environmental Option” for pulverised fuel ash disposal.
 - *R (oao) Braithwaite And Melton Meadows Properties Ltd v East Suffolk Council [2022] EWCA Civ 1716* – On whether a CIL charge was invalidated by an LPA’s failure to serve a liability notice in good time, the true date at which time for making a judicial review claim expired, and the interpretation of Regulation 65 of the Community Infrastructure Levy Regulations 2010.
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Public Law

Armin is a member of the Attorney General’s ‘Junior’ Junior Scheme. He benefits from having worked closely with some of the field’s leading practitioners during pupillage, and from his experience as Judicial Assistant to the Senior President of Tribunals at the Court of Appeal.

Armin’s experience in judicial review litigation includes:

- Junior counsel for the claimant landowner, led by Gregory Jones KC, in a judicial review of a CPO confirmation, under s.23 of the Acquisition of Land Act 1981.
- Junior counsel for the Secretary of State for Transport, led by Mark Westmoreland-Smith KC, defending a judicial review of the decision to confirm the Development Consent Order relating to the Immingham Easter Ro-Ro Terminal.
- Junior counsel for the Secretary of State for Transport and HS2 Limited, led by Charles Streeten, defending a judicial review of DfT’s refusal to grant a private lease to property acquired for the HS2 project (**R (Holohan) v Secretary of State for Transport and HS2 Ltd [2025] EWHC 23 (Admin)**)
- Drafting summary grounds of resistance to a judicial review claim concerning the proper interpretation of a Council’s procedure for determining planning appeals, the requirement to give great weight to the views of statutory consultees, and the proper meaning of the exceptional circumstances test for development in AONBs.

He has advised, or prepared draft advice, on the following public law matters:

- On the scope of the Metropolitan Police’s spending powers under the Late Night Levy (Application and Administration) Regulations 2012.
- Whether the Public Sector Equality Duty applied to the making of a DCO application by a major commercial entity undertaking quasi-governmental infrastructure activities.
- Whether a local authority’s proposed procedures for licensing hearings were vulnerable to judicial review challenges on the basis of procedural fairness, and how they might be made more robust.
- What the proper relationship between statutory guidance and legislative duties is, and how that applies in the context of local authority licensing.
- Whether Natural England’s approach to designating protected landscapes remained lawful in light of significant legislative changes arising from s.245 LURA.
- Whether a government department’s investment strategy was vulnerable to judicial review, in light of duties arising under the Climate Change Act 2008 and the Paris Climate Agreement.

Armin has also prepared research notes on the following:

- Assisted with legal research into the principles of lawful consultation, in relation to a judicial review of licenses for mineral prospecting and mining.
- Prepared a training lecture on the principles of judicial review and lawful decision-making for an LPA's planning committee.
- Prepared a research note as to whether Natural England's "incidental powers" extended to pursuing injunctive relief and the bringing of private prosecutions.

As a Judicial Assistant at the Court of Appeal, Armin assisted with the following matters:

- ***R. (The Spitalfields Historic Building Trust) v London Borough Of Tower Hamlets [2023] EWCA Civ 917***
– on the scope of a local authority's power to restrict councillor participation in meetings by standing orders, under Schedule 12 to the Local Government Act 1972
- ***Braintree District Council v Secretary of State for the Home Department & Anor [2023] EWCA Civ 727***
– Whether the 1990 Act's prohibition on planning enforcement against Crown land prevented an LPA from applying for an injunction to prevent the change of use of a military barracks as asylum seeker accommodation.
- ***R. (Friends of the Earth v SSIT/UKF [2023] EWCA Civ 14*** – A landmark challenge to the government's investment in foreign LNG projects, concerning the extent to which the Secretary of State had to comply with the Paris Climate Agreement, the rationality of their determination that the investment was Paris compliant, and whether the Tameside duty required the SoS to make a quantitative assessment of Scope 3 emissions.
- ***R (oao) Braithwaite And Melton Meadows Properties Ltd v East Suffolk Council [2022] EWCA Civ 1716***
– Whether a public decision-makers failure to serve a notice on time rendered it legally invalid, and the true date at which time for making a judicial review claim expired.

Licensing

Armin is developing a busy licensing practice. He is frequently instructed to appear against leading barristers in the field, and has succeeded in a range of licensing hearings, including before the Old Bailey. The following are notable successes:

- Revocation of a nightclub licence on summary review (Concept Club, Mayfair), as reported in national media and by the Institute of Licensing .
- Revocation of a nightclub licence on standard review (Smade Lounge, Ilford)
- Revocation of a cocktail bar's licence on summary review (Stack Bar, Ealing)
- Suspension of a nightclub licence as an interim step on summary review (Louche Soho), as reported in the media .
- Refusal of an application to vary the hours of a nightclub (Arcadia Club, Bexley);
- Counter-notice to multiple TENs applications for a nightclub (Smade Lounge);
- Refusal of an application to transfer a licence, change DPS, and lift interim suspension (Club 701, Southwark);
- Refusal of an application for a new restaurant/club licence (Cabana LDN, Ilford);
- Reinstatement of a revoked taxi licence on appeal to the Crown Court, despite the driver's conviction under the Equality Act for refusing to carry an assistance dog; and
- Multiple reinstatements of revoked taxi licences on appeal to the Magistrates' Court, including a case concerning allegations of sexual assault.

Armin has given formal written advice regarding the Late Night Levy in his own right. He also assisted in the preparation of an advice concerning the lawfulness of a local authority's proposed procedures for licensing hearings. He has drafted research notes on procedural fairness in pavement licensing, and on the legal relationship between statutory guidance and legislation in the context of dog day-care licensing. He has also made submissions on the extent to which GDPR can justify an operator's refusal to hand CCTV recordings to the police.

Beginning in January 2025, Armin will be seconded on a part-time basis to Westminster City Council's licensing subcommittee, serving as their legal adviser.

Highways, Commons and Open Spaces

Armin gained substantial exposure to Highways issues during pupillage. His experience includes:

- Drafting a pre-action protocol letter resisting a judicial review claim against the making of a coastal path under the Marine and Coastal Access Act 2009.
 - Drafting a substantial opinion concerning whether a PROW had been dedicated under the Highways Act 1980, whether the evidence suggested the PROW had been sufficiently challenged by the landowner, and what the true date of challenge was.
 - Drafting an advice as to whether travel restrictions arising from the COVID-19 regulations constituted a legal "interruption" with regards to the prescription of public rights of way.
 - Drafting an advice as to whether a PINS advice note regarding the prescription of public rights of way was an accurate statement of the law.
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Compulsory Purchase and Compensation

Armin has gained substantial exposure to compulsory purchase matters during his pupillage, particularly during his supervision by Richard Honey KC and Hugh Flanagan. It is an area of personal interest that he is keen to develop.

Armin is instructed as junior counsel to Gregory Jones KC in a challenge to a compulsory purchase order concerning a major regeneration project in East London, under s.23 of the Acquisition of Land Act 1981.

His experience includes:

- Preparing a research note in respect of proposed changes to the Upper Tribunal Lands Chamber rules, which was appended to the report on the changes prepared by the Deputy President, Martin Rodger KC.
- Drafting a statement of case in a matter concerning injurious affection resulting from scheme works and a dispute over the hope value of reference land.
- Drafting a statement of case in a matter concerning the *Bishopsgate* principle, compensation for disturbance, and the reasonability of a claimant's efforts to mitigate loss.
- Preparing a research note as to the extent to which post-valuation date events can be taken into

account in injurious affection and severance claims in light of *Castlefield*

- Preparing a research note as to the scope of the *Pointe Gourde* principle and whether the hypothetical prospect of a privately built road scheme coming forward could influence compensation payable.
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Environment

Armin has a passionate interest in environmental law, and gained substantial experience in the field during his pupillage, particularly under the supervision of Richard Honey KC.

His experience includes:

- Drafting a pre-action protocol letter on the extent to which mitigation can be relied on in EIA screening opinions, and the proper approach to assessing cumulative environmental impacts
- Assisting in drafting an advice as to whether the Environment Agency owed a duty of care to a claimant who had been impacted by pollutants from their floodworks, and whether such a claim was out of time.
- Preparing a research note to inform a lecture on nutrient neutrality and the likely consequences for housebuilding, in light of the Dutch Nitrogen case.
- Drafting an advice as to a governmental department's compliance with the requirements of the Climate Change Act (Northern Ireland) 2022.
- Preparing a research note on the legal principles governing screening opinions in EIA assessment.

Armin is a frequent contributor to FTB's Environmental Law Blog. He has written on the environmental implications of the government's new infrastructure policies, judicial reviews against the adoption of Carbon Budgets, and on sewerage and water law.

Armin has also been published academically, in the *Journal of Water Law*, on the significance of the Supreme Court's decision in *Manchester Ship Canal v United Utilities Water* for private nuisance claims relating to the pollution of rivers. The article is available .

As a Judicial Assistant in the Court of Appeal, Armin assisted with the following environmental law cases:

- ***R. (Friends of the Earth v SSIT/UKF) [2023] EWCA Civ 14*** – A landmark challenge to the government's investment in foreign LNG projects, concerning the extent to which the Secretary of State had to comply with the Paris Climate Agreement, the rationality of their determination that the investment was Paris compliant, and whether the Tameside duty required the SoS to make a quantitative assessment of Scope 3 emissions. Armin is also a regular contributor to FTB's Environmental Law Blog, and in addition, . He has written the following:
- ***R. (Global Feedback Ltd) v Secretary of State for Environment, Food and Rural Affairs & Anor [2023] EWCA Civ 1549*** – on the scope of the Secretary of State's duty to prepare a Carbon Budget under section 13(1) of the Climate Change Act 2008
- ***R (oao) Whitley Parish Council v North Yorkshire County Council & Anor [2023] EWCA Civ 92*** – Whether a planning officer had fettered the discretion of their committee by advising that they were not permitted to give any weight to a policy requiring that a proposal be the "Best Practicable Environmental Option" for pulverised fuel ash disposal.

Rating

Armin is keenly interested in rating and council tax law. He gained valuable experience in the field as a pupil during his supervision by Hugh Flanagan.

Armin's recent experience includes:

- Drafting a skeleton argument in an appeal to the High Court as to whether the applicant was entitled to a Class K student exemption from council tax
- Drafting an advice as to whether rooms within a telecommunications exchange constituted separate hereditaments that could be added to the central list
- Drafting an advice note as to whether contractual options should influence the valuation of rateable land

Qualifications

- BPP – Bar Course (Dist.)
- BPP – Graduate Diploma in Law (Dist.)
- University College London (MA) – Legal and Political Theory (Dist.)
- University of Cambridge (BA) – Political Philosophy – 2.i

Scholarships and Awards

- Lord Denning scholarship (Major scholarship)
- Lord Bowen Scholarship (Most prestigious GDL scholarship offered by Lincoln's Inn)
- Career Commitment Scholarship, BPP
- Dean's List, UCL (Recognised as amongst the most outstanding students across the university)
- Second Prize, Bar Council Law Reform Essay Competition 2021 – 'I owe my soul to the graduate recruitment team: Rethinking penalty clauses in employment contracts'
- Best in Category (Access to Justice), vLex/Justis International Law and Technology Essay Competition 2020 – 'Let justice be done though the overheads fall: How online courts promote access to justice.'
- Merchant-Fisher Academic Scholar, George Watson's College (Full-fee scholarship and bursary, 2009–2015)

Other advocacy experience

- Winner, Lincoln's Inn Debating Shield, 2021/2022
- Finalist, Law Society Donald Dewar Schools Debating Tournament 2013
- Finalist, Auld Hoose Schools Debating Competition 2012
- Finalist (representing Scotland), Oxford International Schools Debating Tournament 2009

Other relevant experience

- Prior to commencing pupillage, Armin spent a year as the judicial assistant to Sir Keith Lindblom, the Senior President of Tribunals, at the Court of Appeal. Armin assisted exclusively with cases concerning planning, environmental, and local government law. These included some of the most significant cases of recent years, including *R. (Friends of the Earth v SSIT/UKF) [2023] EWCA Civ 14*, *R. (The Spitalfields Historic Building Trust) v LB Tower Hamlets [2023] EWCA Civ 917*, and *Tidal Lagoon (Swansea Bay) Plc v SSBEIS [2022] EWCA Civ 1579*. He also assisted with a number of cases concerning the lawfulness of planning decision letters and officer reports, and a major case concerning the proper interpretation of NPPF policies concerning National Parks and AONBs.
- His academic background is in political philosophy, which has prepared him well for matters concerning local and national governance.

Memberships

- ALBA
- PEBA
- UKELA