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Gregory Jones KC

Call: 1991, 1997 (Ireland), 2003 (Northern Ireland) KC: 2011

Practice areas:

Planning, Major Infrastructure Projects, Compulsory Purchase and Compensation, Environment, Public Law, Ecclesiastical Law and Religious Liberty, Highways, Commons and Open Spaces, Rating, Council Tax and CIL,

Practice Profile

Gregory's practice covers all aspects of administrative law including judicial review and statutory challenges, town & country planning (including major house building), motor sports, major infrastructure projects (DCO consents), compulsory purchase, environmental law, Parliamentary, EU law and public procurement, education, and local government.

Regularly appearing at both public inquiries and in the higher courts, Gregory acts on behalf of developers, local planning authorities and third parties. Gregory has also developed a particular expertise in off shore marine spatial planning and EU environmental law.

Planning

Gregory Jones's planning practice spans a wide range of issues including major retail schemes, energy and transport infrastructure, housing development, and mineral and waste planning as well as proposed tall buildings.

Gregory has considerable experience of planning enforcement both at inquiry and in the high court in the context of injunction applications. He is regularly instructed by local planning authorities for complex enforcement cases. Gregory has also considerable experience acting for local planning authorities in respect of gypsy and traveller work. Gregory is also one of the few barristers with an expert knowledge of the criminal law as it applies to planning enforcement

Instructed on a number of listed building cases Gregory has expertise in enabling development proposals affecting listed buildings and in applying the guidance published by English Heritage concerning that subject.

With specialist knowledge of EU law Gregory is a particular expert in environmental impact assessment

and the habitats directive especially in respect of major planning schemes.

Selected Planning Cases

Court cases are listed first followed by planning inquires. The cases have been grouped into general subject headings although many cases overlap into more than one subject grouping.

Environmental Impact Assessment

- R (on the application of Brown) v Carlisle City Council and Stobarts Air Ltd [2010] EWCA Civ 523; Times June 24th, 2010, [2010] All ER (D) 181 (May) grant of planning permission for a freight distribution centre at an airport in breach of the EIA Directive where the environmental statement accompanying the planning application did not address the impact of other proposed works at the airport contained within section 106 agreement.
- R (on the application of Ardagh Glass Ltd) v Chester City Council [2009] EWHC 745 (Admin); [2009] Env L.R. 34; [2009] N.P.C. 59 mandatory requirement for local planning authority to take enforcement action and lawfulness of retrospective planning permissions for EIA development.
- R (on the application of Barker) v Bromley LBC (C-290/03) European Court of Justice (First Chamber), 4 May 2006; [2006] Q.B. 764; [2006] 3 W.L.R. 492; [2006] E.C.R. I-3949; Article 2(1) and Article 4(2) of the EIA Directive had to be interpreted as requiring an environmental impact assessment to be carried out if, in the case of grant of consent comprising more than one stage, it became apparent, in the course of the second stage, that the project was likely to have significant effects on the environment by virtue, inter alia, of its nature, size or location.
- Berkeley v Secretary of State for the Environment, Transport and the Regions (No.1) House [2001] 2 A.C. 603; [2000] 3 W.L.R. 420; [2000] 3 All E.R. 897; [2001] 2 C.M.L.R. 38. The limits of the powers of the court not to quash a decision taken in breach of the EIA Directive.
- R (on the application of Prophet) v York City Council [2002] EWHC 588 (Admin); requirement of environmental impact assessment and duty to give reasons.
- R (on the application of Bedford) v Islington LBC [2002] EWHC 2044 (Admin); [2003] Env. L.R. 22. When granting planning permission for a new stadium for Arsenal FC, the local authority had not been obliged to hold a public inquiry or to disclose the report of a company which had been appointed to assist it in negotiations with the club on land issues.
- Ron the application of)Terrafirma Properties Ltd v Manchester City Council [2002] EWHC 702 (Admin). EIA Cumulative impact and delegation of powers.
- R v Secretary of State for the Environment, Transport and the Regions ex p. Marson [1999] 1 C.M.L.R. 268; [1998] Env. L.R. 761; (1999) 77 P. & C.R. 202; [1998] 3 P.L.R. 90; [1998] J.P.L. 869; [1998] N.P.C. 81; Times, May 18, 1998. Whether the Secretary of State had a duty to give reason when exercising his discretion to determine whether an assessment was required.

Strategic Environmental Assessment

- West Kensington Estate Tenants and Residents Association v Hammersmith and Fulham LBC [2013] EWHC 2834 (Admin) whether housing SPD's should be subject to SEA.
- Oxford Diocesan Board of Finance v Secretary of State for Communities and Local Government [2013] EWHC 802 (Admin); [2013] J.P.L. 1285; [2013] A.C.D. 96; [2013] 17 E.G. 98 (C.S.) weight to be given to SPD's which not subject to SEA.
- Re Alternative A5 Alliance's Application for Judicial Review[2013] NIQB 30; [2014] N.I. 96, SEA required for the Northern Ireland Programme for Government 2008–2011, The Investment Strategy for Northern Ireland 2008/2018, and the Department for Regional Development Investment Delivery Plan for Roads 2008 relied upon in respect of A5 dualling scheme.
- Cogent Land LLP v Rochford DC [2012] EWHC 2542 (Admin); [2013] 1 P. & C.R. 2; [2013] J.P.L. 170

ability of planning authority to male good earlier defects in Environment Report for the purposes of SEA Directive.

- R. (on the application of Wakil (t/a Orya Textiles)) v Hammersmith and Fulham LBC2012] EWHC 1411 (QB); [2013] Env. L.R. 3; [2013] 1 P. & C.R. 13; [2012] J.P.L. 1334: SPD quashed due to lack of Environmental Report.
- Oxford University v Secretary of State for Communities and Local Government (2010) Challenge to South East Plan in respect of review of green belt boundaries and lack of proper SEA.
- Seaport (NI) Ltd v Department of Environment (No 2) (High Court, Northern Ireland) Re Seaport (NI) Limited application (Seaport No 2) Judicial review challenge as to whether open to the Department for the Environment to declare it "non feasible" for development plan to comply with SEA Directive high court (Weatherup J) referred series of question to the European Court of Justice (ongoing).
- Re Murdock Group Limited - application for judicial review in the high court in Northern Ireland challenging Newry Plan (2008) in respect of absence of SEA.
- Re Irwin Glenbank Limited - application for judicial review in the high court in Northern Ireland challenging Newry Plan (2008) in respect of absence of SEA Directive and challenging Craigavon Town Centre Boundaries and Retail Designations Plan 2010 (2008 No 7281/01) (judicial review of the decisions of the Department of the Environment (Northern Ireland) taken on the 30th June 2008 to adopt the Craigavon Town Centre Boundaries and Retail Designations Plan 2010) also associated case of Re Vico Kent Limited -application for judicial review in the high court in Northern Ireland challenging Craigavon Town Centre Boundaries and Retail Designations Plan 2010.
- Seaport (Investments) Ltd v Department of the Environment (No 1) (Court of Appeal in Northern Ireland and high court [2007] NIQB 62; [2008] Env. L.R. 23). Successfully acted for Seaport in landmark case on whether planning system in Northern Ireland fails to comply with the requirement of the SEA Directive. Reference made to the European Court of Justice.

Minerals

Gregory has a long and wide experience of mineral extraction acting both for the minerals operators and the regulator both in seeking consent and dealing with restoration. He is believed to be the only barrister to be awarded a Fellowship of the Institute of Quarrying. He has co-written the commentary on the Minerals section of the NPPF in the forthcoming text book on the NPPF.

2024-Currently acting for Kelly Sand and Gravel Ltd-the appellant is a minerals operator appealing two enforcement notices and seeking planning pemrisson for gravel extraction in Northern Ireland: case ongoing.

2024 Just instructed in the proposed film and TV studio project for the restoration of quarry pt Quest Pitt, Amphill Road, Bedfordshire.

2024 -Acting for Derry and Straban District Council in on going judicial review proceeding, judgment from the high court currently awaited he Council challenged the grant of three mineral prospecting licences by the Department, one to Flintridge Resources and two to Dalradian Gold, under the Mineral Development Act (NI) 1969. The total area covered by the licences was around 742 km2. Substantial parts of the licensed areas fall within the Council's area. The Council also owns land which is subject to the licences. The licensed areas contain a number of Special Areas of Conservation and Areas of Special Scientific Interest.

Selection of cases

- 2024-Currently acting for Kelly Sand and Gravel Ltd-the appellant is a minerals operator appealing

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- *The King (on the application of Coal Action Network) v Welsh Ministers and others* [2024] EWCA Civ. 168: Acting for the Welsh Govt. in coal action group V the Welsh Govt. and the authority in successfully resisting the challenge to the grant of a coal mining licence in Wales.
- 2020-2022 – Successfully promoted the West Cumbria Metallurgical coal mine, the UK's first deep shaft coal mine for 40 years through committee, call in public inquiry and judicial review challenges (appeal currently ongoing).
- *R (Tarmac Aggregates Ltd) v Secretary of State for Environment, Food and Rural Affairs and another* [2015] EWCA Civ. 1149, Gregory acted for the successful claimant Tarmac (formerly Lafarge) in Tarmac against the Secretary of State and the Environment Agency concerning whether the use of waste quarry material for the backfilling restoration of a quarry site was the disposal of waste material or waste reclamation. As a result of this case Gregory was instructed by a number of operators in respect of disputes concerning the licensing of minerals waste.
- *Secretary of State for Communities and Local Government and Peak District National Park Authority v Bleaklow Industries Ltd & MM C Midlands Ltd* [2009] EWCA Civ 206; (2009) 2 P. & C.R. 21; [2009] J.P.L. 1477; [2009] N.P.C. 46. Successfully acted for Peak District National Park on landmark case concerning the meaning of "winning" and "working" of minerals planning consent.
- *Associated British Ports v Hampshire CC and others* [2008] EWHC 1540; [2008] ALL ER (D) 83 Successfully acted for ABP in relation to Dibden Bay in a high court challenge to Hampshire Minerals Core Strategy. One of the first high court challenges to examine the meaning of the "soundness" test. Plan held to fail soundness test. Important high court guidance on the time period for bringing challenges to development plans.
- *R (on the application of Richardson) v North Yorkshire CC Court of Appeal* (Civil Division), [2003] EWCA Civ. 1860; [2004] 1 W.L.R. 1920; [2004] 2 All E.R. 31; [2004] Env. L.R. 34. Planning permission for extension to quarry. Model Code of Conduct for Councillors. Environmental Impact Assessment and duty to give reasons.
- *Swindon Borough Council v First Secretary of State and Hanson Products Ltd* [2003] EWHC 670 (Admin). Noise in relation to development of quarry minerals railhead.
- Promoted Bedfordshire and Luton Waste and Minerals Local Plan (2003).

Housing and Tall Buildings

- R (on the application of Havard) v South Kesteven DC, [2006] EWHC 1373 (Admin); [2006] J.P.L. 1734. Relevance of previous planning decisions and consistency of decision making.
- R (on the application of Megaclose Ltd) and East Midlands Technical Ltd v Nottingham City Council (CO/5207/06). Acted for claimants in judicial review of Supplementary Planning Document in respect of limits to student accommodation in city centre.
- R (on the application of Davey) v Aylesbury District Council and Mentmore Towers Limited [2006] J.P.L.1075; [2005] EWCA Civ 1322. Housing enabling development and listed building consent.

- R (on the application of Prophet) v York City Council [2003] EWCA Civ 1140. Approach to crime prevention in respect of housing development.
- R (on the application of Rank) v East Cambridgeshire DC, [2002] EWHC 2081 (Admin); [2003] J.P.L. 454; [2002] 42 E.G. 159 (C.S.); (2002) 152 N.L.J. 1561. Relevance of previous planning housing decisions and consistency of decision making.
- Coghurst Wood Leisure Park Ltd v Secretary of State for Transport, Local Government and the Regions [2002] EWHC 1091 (Admin); [2003] J.P.L. 206; [2002] 24 E.G. 145 (C.S.);[2002] N.P.C. 80.Estopel and legitimate expectation in respect of discharge of planning conditions in relation to holiday homes estate.
- R (on the application of the Organisation for Promotion of Environmental Needs) v Tower Hamlets LBC [2008] EWHC 3053 (Admin). Judicial review in respect of grant of planning permission for tall building in East London.
- Selby Coalfield: Gascoigne Woods - proposed redevelopment by UK Coal of Gascoigne wood inter modal rail and warehousing (2008).
- Residential applications by Barratt York and Wilson Connolly Northern Ltd, land East of Low Street, South Milford, planning inspectorate ref: app/n2739/v/03/1132007 & 1132009, Call-in inquiry acted for the successful local planning authority, case raised issues concerning brownfield status of former greenhouses (2007).
- Residential Planning Appeal by the Trustees of Size Check Ltd (site of Officer's Club) at Bassington Industrial Estate, Cramington, appeared at the public inquiry for Persimmon Homes (a third party objector) (2007).
- Goldhawk Road, Hammersmith. Planning inquiry, section 78 planning appeal, promoted proposal for 10 storey residential development in conservation area (2007).
- Planning inquiry into major residential redevelopment of former Scarborough Hospital, acted for the successful developer (2006).
- Planning appeal for residential development of land South of Top Farm, Yew Tree Land, Elkesley, Retford, Appeal Refs: APP/A3010/A/06/2015280/NWF. Acted for local planning authority (Bassetlaw DC) successfully resisting appeal.
- Riverside Mills, Leeds. Planning inquiry into major mixed office and residential redevelopment scheme in the Kirkstall Valley, acted for the successful local planning authority, Leeds City Council.

Retail, Business and Commercial

- Re House of Fraser application No. [2010] NIQB 105 challenge to lawfulness of minister's refusal to require further environmental information under the EIA regulations in respect of proposed Sprucefield retail (John Lewis anchor store) development and challenge based on appearance of bias.
- R (on the application of Cathco Property Holding Ltd) v Cygnor Gwynedd Council & Finneys Ltd [2008] EWHC 1462 (Admin). Acted for rival retail operator in judicial review of planning permission concerning correct interpretation of retail planning policy. Important guidance by court as to the contents and role of a planning officer's report to committee.
- R (on the application of Weir) v Camden LBC [2005] EWHC 1875 (Admin) Commercial restaurant development. Failure to take into account a material consideration (i.e. objection from neighbouring council), whether the status of objector are relevant considerations.
- R. v Hammersmith and Fulham LBC Ex p. CPRE London Branch (Leave to Appeal) (No.1) [2000] Env. L.R. 549; (2001) 81 P. & C.R. 7. Judicial review of the council's decision to grant outline planning consent and approval of reserved matters in respect of retail and leisure development for the Westgate Centre.
- Planning inquiry into Coach Parking at the Emirates Stadium by Arsenal AFC (2009). Press Coverage:

[url=http://www.thecnj.com/islington/2009/073109/inews073109_01.html]http://www.thecnj.com/islington/2009/073109/inews073109_01.html[/url].
- Application by UK Coal Mining Ltd for the retention and re-use of buildings, landscaping and infrastructure at former Riccall Mine, Selby Road, Riccall, York YO19 6QR (Planning inspectorate ref: app/n2739/a/06/2020337/nwf) (2008).
- Acted for Norwich City Council in a successful defeat of Tesco planning appeal inquiry.
- Hornsey Water Treatment Plant, acted for Thames Water Utilities in proposed extension to water treatment plant in Alexendra Palace Conservation Area to address increased bromate levels
- See below in Northern Ireland section for retail work carried out in Northern Ireland.
- Acting for John Lewis in respect of a series of sites including Waitrose Store at the site of the former Cherry Tree Pub, Bridge Road, Welwyn Garden City (2008) and Waitrose Store at Croydon (2010).

Development Plans and Core Strategies

See also under "Strategic Environmental Assessment" and "Northern Ireland" sections.

- Appeared before the examination in public into the London Plan (2010)
- Associated British Ports v Hampshire CC and others [2008] EWHC 1540 [2008] ALL ER (D) 83. Successfully acted for ABP in relation to Dibden Bay in high court challenge to Hampshire Mineral Core Strategy. One of the first successful high court challenges to examine the meaning of "soundness". Plan held to fail 'soundness' test of PPG 12. Important high court guidance on the new time period for bringing challenges to development plans.
- Fairfield Partnership v Huntingdon and Persimmon [2003] EWHC 2430 (Admin) [2004] JP.L. 1719. Acted for Persimmon in successfully resisting challenge to adoption of development plan.
- Stannifer Developments Limited v Cambridgeshire County Council and Peterborough City Council CO/6546/2003. Acted for local authorities in successfully resisting high court challenge to the adoption of Structure Plan. (2004).
- Northstowe Area Action Plan South Cambridge DPP, appeared for Cambridgeshire County Council at one of the first hearings into an AAP. (2007).
- Promoted the Cambridgeshire County Council and City of Peterborough Waste Local Plan (2002).
- Promoted the Bedfordshire and Luton Waste and Minerals Local Plan (2003).
- Appeared at London Plan Examination in Public objecting in relation to policies in London Plan in relation to River Thames and waste (2003) securing major amendments to London Plan in particular in connection with Blue Ribbon policies.
- Promoted the Selby District Local Plan (2001).
- Appeared for house builder in relation to objections to the Windsor and Maidenhead Local Plan (1997).

Wind farms

- Enertrag (UK) Ltd v Secretary of State for Communities and Local Government [2009] EWHC 679 (Admin). Assessment of impact of wind farms in relation to PPG 15. (Press coverage [url=http://www.planningresource.co.uk/news/ByDiscipline/Development-Control/897183/Norfolk-turbines-blocked/]http://www.planningresource.co.uk/news/ByDiscipline/Development-Control/897183/Norfolk-turbines-blocked/[/url]).
- R (on the application of Newcastle International Airport Ltd) v Wansbeck District Council and Hainsford Energy Blyth Harbour (CO/9992/2008). Acted for wind farm operator defending the grant of planning permission for re-powering of wind turbines at Blyth Harbour.
- Acted in the successful planning appeal by Hainsford Energy in respect of the re-powering of the wind farm at Caton Moor, Lancs.

- Re London Array Windfarm. Acted for the Faversham Oyster Fishery Company objecting to impact of power cables upon ancient shell fishing and oyster rights on sea bed.

Enforcement and Listed Buildings

- R. (on the application of Lady Hart of Chilton) v Babergh DC [2014] EWHC 3261 (Admin); [2015] J.P.L. 491 approach to substantial harm misapplication of the requirement to refer case to the secretary of state.
- Acted for Islington London Borough Council at pubic inquiry in successfully defeating an appeal proposal for residential enabling development by the Resurrection Manifestations Church to redevelop the Grade II* listed Art Deco-style Carlton Cinema building in Essex Road, Islington. (Planning Inspectorate: Refs 2127802 etc)
- R. (on the application of Garner) v Elmbridge BC [2011] EWHC 86 (Admin). Challenge to the Council's decision to permit the development including redevelopment of Hampton Court station on the grounds that it had failed to "have special regard" to preserving the setting of Hampton Court Palace as required by section 66(1) of the Planning (Listed Building and Conservation Area) Act 1990, had failed to apply the sequential tests for development in a flood plain, set out in Planning Policy Statement 25 "Development and Flood Risk", and failed to give sufficient reasons for granting permission. Gregory acted for the successful developer Network Rail Infrastructure Ltd.
- Bristol Park & Fly Ltd v Secretary of State for Communities and Local Government [2009] EWHC 3236 (Admin) [2009] All ER (D) 267 (Nov). [2010] J.P.L. 929. (Press coverage [url=http://www.thisisbristol.co.uk/news/Bristol-Airport-car-park-wins-court-battle-closure/article-1551724-detail/article.html]http://www.thisisbristol.co.uk/news/Bristol-Airport-car-park-wins-court-battle-closure/article-1551724-detail/article.html[/url]). Challenge to enforcement appeal in relation to airport parking and the approach to temporary planning permissions.
- Ardagh Glass Ltd v Chester City Council [2009] EWHC 745 (Admin); [2009] Env L.R. 34; [2009] N.P.C. 59. Case concerning mandatory requirement for local planning authority to take enforcement action in respect of largest glass manufacturing plant in Europe and lawfulness of retrospective planning permissions for EIA development.
- Haringey LBC v Secretary of State for Communities and Local Government [2008] EWHC 1201(Admin); [2008] WLR (D) 145. Successfully acted for Haringey LBC in challenge to grant of planning permission where inspector had made error of fact and breached the requirements of fairness. Important guidance given on the conduct of site inspections.
- Aylesbury Vale DC v Florent [2007] EWHC 724 (QB); [2008] J.P.L. 70; (2007) 151 S.J.L.B. 505. Injunction enforcing noise planning conditions in respect of clay pigeon shoot business and impact of article 8 of the European Convention of Human Rights.
- Beach v Secretary of State for the Environment, Transport and the Regions [2001] EWHC Admin 381; [2002] J.P.L. 185. Treatment of mixed uses of land, some of which had subsisted for a period exceeding 10 years prior to the issue of an enforcement notice.
- R v Elmbridge BC Ex p. Active Office Ltd (1998) 10 Admin. L.R. 561; (1998) 162 J.P.N. 828; (1998) 95(1) L.S.G. 24; Times, December 29, 1997. Enforcement notices; Listed buildings; Local authorities powers and duties; Prosecutions.
- R v Sandhu (CA Criminal Division) [1997] The Times January 2. Listed building prosecution evidence in strict liability planning offences.

Planning and Human Rights

- R (on the application of Adlard) v Secretary of State for Transport, Local Government and the Regions [2002] EWCA Civ 735; [2002] 1 W.L.R. 2515; [2002] H.R.L.R. 37, whether obligation under

article 6 of the European Convention of Human Rights to hold oral hearing when granting planning permission contrary to development plan .
- South Buckinghamshire DC v Porter (No.1) [2001] EWCA Civ 1549; [2002] 1 W.L.R. 1359; [2002] 1 All E.R. 425. Section 187b injunctions in respect of breaches of planning control by gypsies. Engagement of article 8 ECHR and proportionality.
- R. (on the application of McCallion) v Kennet DC; [2001] EWHC Admin 575; [2002] P.L.C.R. 9. Whether alleged failure to consider objection a breach of article 6 of the ECHR.
- R (on the application of Alconbury) v Secretary of State for the Environment, Transport and the Regions [2001] UKHL 23; [2003] 2 A.C. 295; [2001] 2 W.L.R. 1389; [2001] 2 All E.R. 929. Whether pursuant to article 6 of the European Convention of Human Rights a policy maker can also be a decision taker.

Green Belt and the Open Countryside

- R. (on the application of Lee Valley Regional Park Authority) v Broxbourne BC successful challenge to grant of planning permission in green belt which erred in treating the whole site as PDL and misdirected itself to the approach to openness in Green Belt,.
- Oxford University v Secretary of State for Communities and Local Government (ongoing). Challenge to South East Plan in respect of review of green belt boundaries and lack of proper SEA.
- Enodis Plc v Secretary of State for Communities and Local Government [2008] EWHC 2591 (Admin). Approach to enabling development in the green belt.
- Bridgewood Rochester Ltd v Secretary of State for Communities and Local Government [2008] EWHC 405 (Admin). Failure of decision maker to mention planning policy.
- Doherty v First Secretary of State [2003] EWHC 2117 (Admin) Caravan sites; Green belt; Gypsies; Planning permission; Planning policy guidance; Schools.
- Surrey Heath BC v Department of Transport, Local Government and the Regions [2002] EWHC 58 (Admin). Polo enclosure in green belt and approach to fall-back position. Admissibility of late evidence.
- Planning inquiry into appeal by Winchester Marine Limited against the decision of West Lindsay District Council to issue an enforcement notice relating to unauthorised storage on land at the former RAF Binbrook (used as location for Film Memphis Belle) now known as Binbrook Technical Park situated in Area of Outstanding Natural Beauty. Acted for Winchester Marine in successful appeal. Ref APP/N2535/C/08/2085832 (2009)
- Bliss Gravel (2008) planning call-in inquiry into major executive residential housing as very special circumstances for inappropriate development in the green belt
- ISKON v Hertsmere -appeared for the local planning authority at public inquiry successfully defeating proposal for what the Bucks Free Press described as "a massive cow shed" in the green belt . The buildings would have housed 44 sacred cows in the grounds of the Hare Krishna (or ISKON) Bhaktivedanta Manor in Aldenham. The Manor was purchased by former Beatle, George Harrision in 1973 who then gave it to ISKON.

Material Change of Use and Operational Development

- Beach v Secretary of State for the Environment, Transport and the Regions [2001] EWHC Admin 381; [2002] J.P.L.185. Material change of use and enforcement notices.
- R (on the application of Lowther) v Durham CC [2001] EWCA Civ 781; [2002] Env. L.R. 13; [2002] 1 P. & C.R. 22; [2001] 3 P.L.R. 83; [2002] J.P.L. 197; [2001] 22 E.G. 154 (C.S.); (2001) 98(23) L.S.G. 42; Times, June 22, 2001. Material change of use whether burning of hazardous waste in cement kiln as field amounted to material change of use.
- Millington v Secretary of State for the Environment, Transport and the Regions [1999] 3 P.L.R. 118;

[2000] J.P.L. 297; [1999] E.G. 95 (C.S.); (1999) 96(27) L.S.G. 35; [1999] N.P.C. 75; Times, June 29, 1999. Whether change of use; agricultural purposes; use of land for growing grapes to produce wine; public visits to site to buy wine; development of land.
- Stilwell v First Secretary of State [2003] EWHC 2854 (Admin); Change of use; Nursing homes; Planning permission; Use classes order.
- Planning inquiry into appeal by British Railways Residuary Body concerning demolition of Horspath, Oxfordshire and meaning of engineering operation. Acted for South Oxfordshire DC in successfully resisting appeal.

Section 106 Obligations

- R (on the application of Lichfield Securities Ltd) v Lichfield DC; [2001] EWCA Civ 304; (2001) 3 L.G.L.R. 35; [2001] 3 P.L.R. 33; [2001] P.L.C.R. 32; [2001] J.P.L. 1434 Times, March 30, 2001; duty of local planning authority to consult third parties in respect of section 106 agreement.

Trees

- Wilkson Properties Ltd v Royal Borough of Kensington and Chelsea [2010] EWHC 3274 (QB) Gregory acted for the successful claimant property company owned premises at which a London Plane tree was growing. Under the Council's procedures, TPOs were issued in the first instance by the Council's arboricultural officer and were then confirmed by the elected members after the subject of the order had had an opportunity to raise objections. The Council had served a TPO on the claimant in respect of the tree, and the members voted to confirm it at a meeting of its Planning Applications Committee. At the meeting, the arboricultural officer was promoting the order and the claimant was objecting to it. The committee chairman announced that he had visited the site with the arboricultural officer (but not with representatives of the claimant) prior to the meeting. Deputy High Court Judge Fraser held that objections had to be considered in an ‘open and even-handed manner' (at [78]). The confirmation of the TPO was quashed.

Motor Sports etc

- BBC TOP GEAR: Successfully acted at public inquiry for the owners of Dunsfold Airfield where BBC Top Gear filmed in obtaining relaxation of filming conditions in respect of car and aeroplanes at the site. For further motor sports nuisance cases see "Environment" section.

Outdoor Advertisements

Gregory is regularly invited to address the Association of Outdoor Advertisers and has appeared in numerous advertisement appeal hearings and criminal prosecutions before the Magistrates' and Crown Courts.

- London and Bath Estates v Secretary of State for Communities and Local Government [2009] EWHC 3181 (Admin). Advertising enforcement notices and visual amenity.
- R (on the application of Blow Up Media UK Ltd) v Lambeth LBC [2008] EWHC 1912 (Admin); [2009] 1 P. & C.R. 10. Advertisement control; Delegation; Enforcement; Local authorities' powers and duties; Local government officers; Proportionality; Protection of property; Sub-delegation.
- R (on the application of Van Wagner) v London Borough of Southwark (CO 745/2004) Judicial review of local authority decision to issue section 11 notice under London Local Authorities Act.
- JC Decaux Ltd v Secretary of State for the Environment, Transport and the Regions [2003] EWHC 407 (Admin); [2003] J.P.L. 1567. Advertisements; Material considerations; Planning inspectors; Reasons; Regional planning guidance.

- Hertsmere BC v Reid Estates Ltd (2001) 81 P. & C.R. 16; [2001] J.P.L. 336; [2001] A.C.D. 22; [2001] A.C.D. 134; [2000] E.G. 74 (C.S.); (2000) 97(25) L.S.G. 42; Justices' decision flawed as it focused on the reasonableness of the steps taken to clean the advertisement, rather than the requirement that the advertisement be clean to the satisfaction of the local planning authority (see Sch. 1 Para. 1 of the 1992 Regulations).
- O'Brien v Hertsmere BC (1998) 10 Admin. L.R. 445; (1998) 76 P. & C.R. 441; (1998) 162 J.P.N. 685. Advertisements; continued display pending appeal against conviction under Town and Country Planning Act 1990 s.224(3); whether appeal precluded conviction for continuing offence.
- R v O'Brien and Hertsmere BC (1997) 74 P. & C.R. 264. Display of advertisement without consent; burden of proof.

Planning Judicial Reviews before the Court of Appeal (Northern Ireland)

- Friends of the Earth Ltd's Application for Judicial Review, Re [2017] NICA 41 - failure to take effective enforcement action in respect of unlawful sand extraction in breach of EIA and Habitats Directives.
- Re SOS (NI) Ltd application [2003] NICA 15; [2003] NIJB. Judicial review challenge to planning permission granted for residential development at Dundonald, Belfast.
- Re Seaport Investments Limited application (Seaport No 1). Judicial review challenge on the compatibility of Northern Ireland town and country plan making system with the Strategic Environmental Assessment (SEA) Directive questions referred in 2009 by Court of Appeal to the European Court of Justice.

Planning Judicial Reviews before the High Court (Northern Ireland)

- Irwin's Application for Judicial Review, Re [2017] NIQB 75 whether case in respect of permitted development relating to exploratory drilling rendered academic.
- Friends of the Earth Ltd's Application for Judicial Review, Re [2016] NIQB 91 failure to take effective enforcement action in respect of unlawful sand extraction in breach of EIA and Habitats Directives.
- Alternative A5 Alliance's Application for Judicial Review, Re [2013] NIQB 30; [2014] N.I. 96; A5 dualling scheme. Breach of habitats and SEA directive
- Alternative A5 Alliance's Application for Judicial Review, Re [2012] NIQB 97 protective costs order.
- Re House of Fraser application [2010] NIQB 105 challenge to lawfulness of minister's refusal to require further environmental information under the EIA regulations in respect of proposed Sprucefield retail development and challenge based on appearance bias.
- http://www.courtsni.gov.uk/NR/rdonlyres/2CD1DF16-2CF3-4D4A-AA1E-410D9BD00037/0/j_j_GIR7962Final.htm
- Re CALNI application. Judicial review challenge to decision to approve Rose Energy's chicken waste incinerator at Glenavy without holding public inquiry into the planning application. [url=http://www.bbc.co.uk/news/uk-northern-ireland-11421505]http://www.bbc.co.uk/news/uk-northern-ireland-11421505[/url]
- Re Seaport Investments Limited application (Seaport No 1) [2007] NIQB 62; [2008] Env. L.R. 23 (re Judicial review challenge to compatibility of Northern Ireland town and country plan making system with the Strategic Environmental Assessment (SEA) Directive) and whether environmental report accompanying draft plan complied with SEA (Northern Ireland) Regulations 2004.
- Re Seaport (NI) Limited application (Seaport No 2) Judicial review challenge as to whether open to the Department for the Environment to declare it "non feasible" for development plan to comply with SEA Directive high court (Weatherup J) referred series of question to the European Court of Justice (ongoing).
- Re Seaport (NI) Limited (Seaport No3) (January 2009) (Weatherup J) judicial review challenge to decision by minister not to conjoin planning applications and require PAC hearing in respect of new

tourist centre at the Giant's Causeway [url=http://www.colerainetimes.co.uk/news/Sweeney-takes-Causeway-case-to.4869]http://www.colerainetimes.co.uk/news/Sweeney-takes-Causeway-case-to.4869[/url]...
- Re Murdock Group Limited - application for judicial review challenging Newry Plan (2008)
- Re Irwin Glenbank Limited - application for judicial review challenging Craigavon Town Centre Boundaries and Retail Designations Plan 2010 (2008 No 7281/01) (judicial review of the decisions of the Department of the Environment (Northern Ireland) taken on the 30th June 2008 to adopt the Craigavon Town Centre Boundaries and Retail Designations Plan 2010).
- Re Vico Kent Limited - application for judicial review challenging Craigavon Town Centre Boundaries and Retail Designations Plan 2010.
- Re Irwin Glenbank Limited - application for judicial review challenging retail planning permission granted to Turkington (2009). Judicial review of decisions of the Department of the Environment taken on the 12th November 2008 to grant J. H. Turkington & Sons Limited planning permission for a superstore with associated car parking and petrol filling station.

Major Infrastructure Projects

Gregory has a wide experience of both promoting and opposing national and major infrastructure projects. He is an expert in the field of Development Consent Order (DCOs). He served as co-head of the FTB Infrastructure Group and a member of the National Infrastructure Planning Association. He has previously sat on the Planning and Transportation Committee of the City of London. Gregory is also an Assistant Editor of the National Infrastructure Planning Service (published online by Bloomsbury and of the 2015 hardcopy book also published by Bloomsbury). His available papers include 'Business and Commercial DCOs - pros and cons over other regimes" at the FTB Annual Infrastructure Seminar on 25 February 2015.

DCO's

Include the following:

- Acting for the promotors of the EN1 and EN2 DCO for offshore wind turbines (2020, 2021 and ongoing)
- Acting for landowners opposed to the London Resort DCO (2021 ongoing)
- Acted for landowners opposed to the Sizewell C DCO (2021)
- Acted for Lafarge Tarmac in respect of the proposed East Midlands Gateway DCO (2015). Lafarge Tarmac seeks to protect its access arrangements to its mineral extraction activities.
- Successfully promoted the Able Marine Energy Park (AMEP) at North Killingholme AMEP is located centrally in the UK on the South Bank of the River Humber adjacent to Humber Sea Terminal and close to Immingham Port. It forms the UK's largest developable land bank with a deep-water frontage (320 hectares) designed for the needs of the Offshore Marine Renewables Sector, particularly Offshore Wind.http://infrastructure.planningportal.gov.uk/projects/yorkshire-and-the-h... (2012-2013)
- Successfully resisted the compulsory purchase of his client's land in the North Killingholme (Generating Station) DCO. (2013-2014)
- Advised a major national utility company promoting a unique national infrastructure project through DCO process. (2011-2013)

Highways

Include the following

- Advising Highways England on the application of the precautionary principles in respect of uncertainty on air quality assessments for major road schemes in connection with Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on Ambient air quality and cleaner air for Europe ("AQD") (2018)
- Advsing Highways Agency on proposed Road Orders to deliver changes to junction 1 of the M1 associated with the Brent Cross, Cricklewood Scheme. (25 April 2016).
- Advising the Welsh Government on Re: Article 3.2: Ramsar Notification implications on M4 (2014).
- Advising the Welsh Government on FoE judicial review challenge to the Welsh Minister's decision to adopt the "M4 Corridor Around Newport Plan" (dated 16 July 2014).
- Acted for the highways authority, Cambridgeshire County Council in respect of the Highways Agency's A14 Ellington to Fen Ditton TPI Scheme - £1.2 billion road improvements. (2017)
- Acted for the promoters of the new Cambridge Station Interchange Development. (2016).
- Acted for First West Yorkshire Bus and the Leeds City College of Art successfully opposing the Leeds Trolley Bus Transport and Works Act Order (Inquiry lasting from March – October 2014).

Other Major Infrastructure Projects

Include the following

- Acted for the Great Yarmouth Port Authority and the Great Yarmouth Port Company in promoting the Great Yarmouth Port Harbour Revision Order. (2013-14).
- Acted for the successful applicants in quashing the consent granted for the A5 Road Dualling scheme in Northern Ireland (the largest such scheme proposed in the history of Northern Ireland) in Re Alternative Alliance [2013] NIQB 30.
- Acted for Network Rail in successfully resisting a challenge to the vesting order orders required for the redevelopment of Birmingham New Street Station in R (Argos Ltd) v Birmingham City Council [2011] EWHC 2639 (Admin); [2012] J.P.L. 401.
- Acted for Network Rail in successfully resisting to a challenge to the redevelopment of Hampton Court railway station in R (Garner) v Elmbridge BC [2012] JPL 119.
- Successfully promoted the Cambridgeshire Guided Bus Transport and Works Order (longest guided bus in Europe) (2004).
- Successfully acted for the County Planning and Waste and Minerals authority at the call-in public inquiry into road and rail freight depot proposal at RAF Alconbury
- Successfully promoted the Fordham Bypass CPO at public inquiry (2002).
- Successfully acted for Northampton BC in R v Northampton Borough Council ex parte Northampton Rapid Transit System (Case No: CO/1616/2000).

Compulsory Purchase and Compensation

Gregory is a member of the Compulsory Purchase Association. He regularly acts both for acquiring authorities/developers and those resisting compulsory acquisition. He advises on compulsory purchase and valuation and compensation matters and appears in the high court, Lands Chamber and at compulsory purchase public inquiries.

Selected Compulsory Purchase and Compensation Cases include:

- Acting for the Royal School in connection with compensation claim against the Highways Agency arising from CPO in respect of works to A3. (2015 ongoing)
- Acting for the Great Yarmouth Port Authority resisting section 10 claim brought by Bourne leisure in respect of alleged nuisance caused by construction of Outer Harbour (2014 ongoing).
- Alternative A5 Alliance's Application for Judicial Review, Re [2013] NIQB 30 high court challenge to compulsory acquisition in connection with roads order.
- Acted for Able UK successfully resisting DCO Compulsory acquisition in relation to C/Gen proposed power generator (2013 ongoing).
- Acted for Everything Everywhere (Formerly Orange PCS Ltd) re proposed compulsory acquisition by Wolf Minerals Ltd to extend mining operations under Minerals (Mines and Working Facilities) Act 1966 (2013 ongoing).
- Acted for Battersea Power Station Group (developers of Battersea Power station) re TFL's TWAO for Northern Line Extension (2013).
- Acting for the Goldhawk Road Shopkeepers resisting Sheppard's Bush Market CPO (3 week CPO public inquiry) (2013).
- Acted for Able UK in successfully promoting Able Marine energy park on Humber estuary involving inter alia successful CPO of Network rail rights (2012-13).
- R(Argos) v Birmingham City Council and Network Rail [2011] EWHC 2639, successfully representing Network Rail in a judicial review of the compulsory acquisition of land for the re-development of Birmingham New Street Station.
- Successfully acted for TM Sutton Limited owner of the "Money Shop" in high court challenge to "Victoria Area, Westminster" CPO (2011).
- Resisting London Thames Gateway Development Corporation CPO of the 'Fatwalk' on behalf of the Lee Valley Regional Park Authority (2010).
- Successfully promoted for the Environment Agency: The Silk Stream flood alleviation scheme: Edgware, Middlesex, Compulsory Purchase Order 2005.
- Olympic CPO 2012 acted for the Lea Valley Regional Park Authority.
- Gavin v Doncaster MBC (ACQ206/205) (Lands Tribunal) Valuation dispute, human rights application of Pye v UK.
- Acted for claimant in dispute between Commercial & Warehouse Properties Limited and Union railways concerning return to claimant of land acquired but said by claimant to be unnecessary for the purposes of the Channel Tunnel Rail Link. (2004).
- Successfully promoted Cambridgeshire Guided Busway by TWOA order - longest guided busway in world involving extensive compulsory acquisition. (2004).
- Successfully promoted Fordham Bypass CPO at public inquiry (March, 2002).
- Appeared for the Society of Friends resisting the Paradise Street CPO at inquiry, Liverpool (2003).
- Titchmarsh v Surrey CC (Lands Tribunal) [1997] R.V.R. 218 compulsory purchase; compensation; car breaker's business; valuation forced sale.
- Acted for local authority in multi million pound valuation dispute hearing between Torbay Borough Council and Torbay Housing Association concerning the proposed involuntary transfer of the Council's housing stock (1996-1997).

Environment

Gregory's practice spans a wide range of areas of environmental law, including IPC regulation, contaminated land, species and habitats protection, water law, pollution control, statutory nuisances and strategic and environmental impact assessment. He is also one of the few specialist environmental law

practitioners also experienced in criminal environmental regulatory offences. Gregory is particularly acknowledged for his EU law expertise he has been involved in a number of leading court cases involving the application of European Law in the UK courts and has appeared in a number of leading cases on Environmental Impact Assessment before the European Court of Justice. He also has extensive experience of planning cases and public inquiries involving environmental issues, including the promotion of Waste and Mineral Local Plans.

Selected Environmental Law Cases

Court cases are listed first followed by planning inquires. The cases have been grouped into general subject headings although many cases overlap into more than one subject grouping. For cases involving EIA and SEA Directives see the Planning Law and National Infrastructure sections.

Habitats Directive and SSSI

- Smyth v Secretary of State for Communities and Local Government [2013] EWHC 3844 (Admin); approach to grant of planning permission for the construction of 65 dwellings on undeveloped agricultural land close to a special protection area for birds.
- Alternative A5 Alliance's Application for Judicial Review, Re [2013] NIQB 30; there was a failure to carry out an appropriate assessment of Special Areas of Conservation under the Habitats Directive 92/43 in connection with dualling of A5 road.
- R. (on the application of Morge) v Hampshire CC [2011] UKSC 2 [2011] 1 W.L.R. 268 [2011] P.T.S.R. 337 [2011] Env. L.R. 19
- R (on the application of Akester) v Department for Environment, Food and Rural Affairs [2010] EWHC 232 (Admin); [2010] N.P.C. 19. Conservation; failure to fulfil obligations; ferries; habitats directive.
- R (on the application of Boggis) v Natural England [2009] EWCA Civ 1061; [2010] 1 All E.R. 159; [2010] Env. L.R. 13; Times, December 8, 2009; (reversing) [2008] EWHC 2954 (Admin); Times February 25, 2009. Coastal protection; conservation; erosion; sea defences; sites of special scientific interest; special protection areas and habitats directive.

Nuisance

- Thames Water Utilities v Crest Nicholson & Redlands Lafarge (High Court. Technology & Construction Court) (No HT-11-256) (2013) Nuisance, negligence, Rylands v Fletcher and trespass actions for contamination of under groundwater supply of North London drinking water supply.Thomas v Merthyr Tydfil Car Auction Ltd [2013] EWCA Civ 815; 149 Con. L.R. 105; [2014] Env. L.R. 4. Claim for noise nuisance.
- Southern Water Services Ltd v BP Oil UK Ltd (High Court. Technology & Construction Court) (HT-09-229) (2009). Claim for damages in respect of work done to prevent damage to water supply in anticipation of nuisance.
- Thomas Smart v Patrick Filer (High Court, Technology & Construction Court) (HT-08-213) (2008). Claim for nuisance, negligence and Rylands v Fletcher for alleged land contamination.
- Cambridgeshire County Council v Arriva Plc, Shell U.K. Limited and Others High Court. Technology & Construction Court) (HQ07X02447) (2007). Claim for nuisance, negligence and Rylands v Fletcher for alleged land contamination.

Statutory Nuisance

- Thanet District Council v Prentis [2012] EWHC 956 (Admin). Appeal by way of case stated regarding date of service and jurisdiction to appeal statutory nuisance noise abatement notice.

- Youseff Aghnim v Maroush Co Ltd (Case No. 011003790652) (2011). Section 82 statutory nuisance proceedings regarding odour and noise in relation to Lebanese restaurant.
- Mansell Raceway v East Devon District Council (2009). Statutory nuisance noise abatement notice relating to noise of kart racing [url=http://www.thisisexeter.co.uk/news/Mansell-race-track-wins-noise-appeal/article-649404-detail/article.html]http://www.thisisexeter.co.uk/news/Mansell-race-track-wins-noise-appeal/article-649404-detail/article.html[/url]
- Roper v Tussards Theme Park (2008). Prosecution for alleged breach of an abatement notice under s.80 of the Environmental Protection Act 1990 and subsequent claim for costs following withdrawal of prosecution. Gregory successfully for the owners of Alton Towers before Deputy District Judge Neale Thomas Press coverage [url=http://www.thisisstaffordshire.co.uk/news/Couple-pay-legal-despite-case-collapse/article-330594-detail/article.html]http://www.thisisstaffordshire.co.uk/news/Couple-pay-legal-despite-case-collapse/article-330594-detail/article.html[/url]
- Roper v Tussauds Theme Parks Ltd [2007] EWHC 624 (Admin); [2007] Env LR 31 [2007] JPL 1635. Section 82 EPA criminal statutory nuisance noise proceedings in respect of Alton Towers.
- Express Contract Dry Cleaning Limited v Blaenau Gwent CBC (District Judge Richard Williams) (2007). Statutory nuisance abatement notice appeal in respect of alleged odour from food flavouring factory.
- East Dorset DC v Eaglebeam Ltd [2006] EWHC 2378 (QBD). Successfully obtained high court injunction restraining motocross activities in respect of noise created constituting both a statutory and a public nuisance.
- London Borough of Islington v Match EC1 (District Judge Roscoe) (2005) Prosecution for breach of a statutory nuisance noise abatement notice.
- Re Sainsbury 643-645, Holloway Road, Islington (2005) Noise nuisance caused by refrigeration equipment in supermarket store and/or structural defects in the premises.
- Anglian Water v Ipswich Borough Council (2005) Statutory nuisance appeal regarding odour from sewage plant.
- Cosmic Fireworks v East Staffordshire DC. (2005) Statutory nuisance appeal against noise abatement notice in relation to the destructive testing of fireworks.
- R v Kennet DC ex p Somerfield [1999] JPL 361; [1999] Env. LR D13. Relationship between statutory nuisance and adverse impact on amenity in town planning.

Control of Pollution Act 1974

- City & Country v Brentwood BC [2010] J.P.L. 1443 (Southend Crown Court) (2009) Acted for successful appellant in respect of section 60 notice.

Clean Water

- R (on the application of Amberley House Investments Ltd) v Environment Agency [2004] EWHC 2394 (Admin); [2004] All ER (D) 110 (Oct), [2004] 43 E.G. 143 (C.S.); [2005] J.P.L. 843-847. Acted for successful claimant in judicial review challenge regarding prohibition of development over watercourse.
- R (on the application of MWH&H Ward Estates Ltd) v Monmouthshire CC (No.2) [2002] EWHC 229 (Admin); [2002] E.H.L.R. 14. Land drainage
- Promoted for Southern Water at public inquiry confirmation of Drought Order (Worthing, Sussex) Drought Order 2007.

For waste water and sewage, see 'Waste'.

Contaminated Land

- R (on the application of Crest Nicholson) v DEFRA, the EA and TWUL [2010] EWHC 913 (Admin) and R (on the application of Redlands Lafarge) v DEFRA, the EA and TWUL. [2010] EWHC 561 (Admin).Challenges by way of judicial review to remediation notices issued under section 78E of the Environment Protection Act 1990.
- Cambridgeshire CC v Shell and Arriva (high court, construction and technology) (2009). £1million contaminated land claim.
- Southern Water v BP (high court, construction and technology) (2009). £1.5 million claim for water contamination.
- Ind v Plant Hire Co. [1999] Env LR D15 (high court). £3.5 million claim for contaminated land.
- St Leonards Court (2007) Three week public inquiry into appeals against special remediation notices served by the Environment Agency against Persimmon Homes and Lafarge in respect of alleged ground water contamination by bromate and bromide. This is the first public inquiry under the contaminated land regime. Appearing for Thames Water whose bore holes have been polluted supporting the EA and also making representation that the Secretary of State should exercise his discretion to impose additional obligations in the notice.
- Acted for land owner in successfully preventing service of remediation notice in respect of site at Ponts Hill, Littleport, Cambridgeshire (2006).

Planning (Hazardous Substances) Act 1990

- Acted for South Staffordshire DC in respect of Carver Wolverhampton Limited LPG Distribution Depot Gravelly Way Four Ashes planning application and hazardous substances consent application.
- The Environmental Permitting (England and Wales) Regulations 2010 (as amended)
- Appeal and judicial review by Lafarge Aggregates Limited against the refusal by the environment agency of an application for a standard rules environmental permit: Lafarge Aggregates Ltd v Environment Agency (2014 ongoing).

Waste

- R. (on the application of Thames Water Utilities Ltd) v Bromley Magistrates' Court [2013] 1 W.L.R. 3641 [2013] Env. L.R. 25 [2013] A.C.D. 69 meaning of 'deposit' of waste for the purposes of s.33 of the EPA 1990.
- Case C-252/05 R (on the application of Thames Water) v Bromley Magistrates' Court, Environment Agency (European Court of Justice). Whether escape of sewage from system exclude from definition of waste under directive 75/442/EEC.
- R (on the application of Thames Water Utilities Ltd) v Bromley Magistrates' Court, Environment Agency [2008] EWHC 1763 (QB); [2008] WLR (D) 264; Times August 28, 2008 (whether escaping waste water covered by other domestic legislation and whether controlled waste for the purposes of Environmental Protection Act 1990, s 33 and EC Council Directive 75/442/EEC (as amended), art 2).
- Skipaway Ltd v Environment Agency [2006] EWHC 983 (Admin); [2006] Env. L.R. 41; [2006] J.P.L. 1846 (controlled waste; waste management licences; waste storage, burden of proof).
- Acted for Daventry District Council successfully resisting judicial review claim in respect of pet incinerator: R (on the application of Thornby Farms Limited) v Daventry District Council and Timeright Ltd (2006).
- R. (on the application of Thames Water Utilities Ltd) v Dartford Magistrates Court [2005] EWHC 254 (Admin); Case concerning the applicability of the Sludge (Use in Agriculture) Regulations 1989 reg.7(1)(b)) in respect of the spreading of sewage on farm land.
- SemEuro Ltd v Petrolpus Milford Haven Holdings Limited (2008). Multi-million pound claim in

respect of sale of oil storage facility, issues concerned various liabilities sunder waste and health and safety at work legislation.
- Environment Agency v Shell (2008) Acted for Shell (UK) Ltd concerning multi million pound petroleum leak. Successfully resisted application by Environment Agency that sentencing powers of magistrates' court are too limited.
- Acting for Southern Water Services Ltd in respect of Water Resources Act 1991 Section 91 Control of Pollution (applications, appeals and registers) Regulations 1996 SI No 2971 appeal by Southern Water Services limited against conditions in discharge consent no. CPA/ 5847 (as modified on 13 July 2007) for Chichester wastewater treatment works, Chichester, West Sussex (app/wq/07/2644).

Gregory has acted in numerous prosecutions for waste related matters further details of which can be obtained upon request from his clerks (.(JavaScript must be enabled to view this email address)).

Public Law

Gregory has a wide public law judicial review practice with heavy emphasis on local government practice and all aspects of planning, education and environmental law. Many of his cases have an EU law element. In addition he has a pure local government practice.

Selected Administrative and Local Government Law Cases

Many planning, environmental, ecclesiastical and education law cases are also properly regarded as coming within the category of administrative or local government law for details of those cases see the respective sections.

Protective Costs Orders in Judicial Review

- Keith Garner v Elmbridge Borough Council [2010] EWHC 567 (Admin); [2010] WL 606065. Approach to protective costs order and Aarhus Convention.

Public Procurement

- Acting for claimant in Indigo (UK) Limited v Colchester institute - challenge to procurement process in relation to award of cleaning contract (2010 ongoing)
- Acting for Sunderland City Council in respect of challenges to development agreements in relation to the redevelopment of top centre concerning issues of public procurement and competition law (2009- onwards).
- Acted for Southampton City Council in major procurement infrastructure tender exercise (2004).

Ombudsman

- R(Turpin) v Commissioner for Local Administration [2001] EWHC Admin 503. [2003] B.L.G.R. 133; [2002] J.P.L. 326; [2001] A.C.D. 90. Acted for successful claimant where Ombudsman adjudged to have acted unfairly in refusing to disclose interview notes.
- R v Commissioner for Local Administration in England ex parte Smith (CO/2877/96) (1998). Acted for successful claimant against decision of Local Government Ombudsman.

Highways and Public Open Space

- Henner Properties Ltd v Westminster CC (High Court, Chancery Division) (ongoing). Acting for Henner in dispute with Westminster concerning powers of Westminster CC to charge for vehicular access across Pimlico Shrubberies. Case involves consideration of various Local Acts of Parliament.
- Acted for celebrity chef, Richard Corrigan of Bentley's, Swallow Street, London W1 regarding proposed stopping up order under the Highways Act 1980 by Westminster CC (2008).
- R(Manchester City Council) v Secretary of State for Environment, Food and Rural Affairs [2007] EWHC 3167 (Admin). A judicial review of the Secretary of State's decision not to confirm an order by the Council to extinguish a public right of way along a crime-troubled street. Discusses a public law decision-maker's approach to mandatory considerations.
- Acting for internationally famous blues venue Ain't Nothin But the Blues regarding gating order by Westminster City Council.
- Acting for Eclipse Bar, South Kensington regarding dispute as to extend of highways against Kensington and Chelsea LBC (ongoing)
- R v Secretary of State ex parte Slot (Case No: LTA 96/7776/D). Successful judicial review challenge to refusal of footpath diversion order.
- Torbay BC v Cross (1995) 159 J.P. 682 application of the de minimis principle to obstruction of the highway under Highways Act 1980 s.137

Housing

- R (on the application of Glen International Ltd) v Southwark LBC (CO-1169-2000). Housing authority empowered by the Housing Grants, Construction and Regeneration Act 1996 s.42 to withhold the grants but had no power to withdraw them, and a housing authority had no power to apply policy considerations, such as the convictions of the applicant, when deciding whether or not to withhold a grant.
- R v Greenwich LBC Ex p. Glen International Ltd [2000] E.H.L.R. 382; (2001) 33 H.L.R. 87; (2000) 97(17) L.S.G. 34; [2000] N.P.C. 29; Times, March 29, 2000 Local authorities powers and duties under Housing Act 1985 in respect of renovation grants and repairs notices
- Westminster v Glen International Ltd (HQ04X00425) Acted for the successful landowner in resisting a claim by Westminster City Council to recover substantial costs for works carried in default of compliance with enforcement notices issued under Housing Act 1985. The Council's claim was declared to be statute barred.

Residential Care

- R v Buckinghamshire CC ex parte Tillson Phillips: Judicial review of decision by local authority to impose charge for residential care of elderly person who had been sectioned under Mental Health Act
- R v Somerset CC Ex p. Harcombe (1997) 37 B.M.L.R. 1; [1998] C.O.D. 71; Times, May 7, 1997. Judicial review of a decision to take into account the value of an old person's home when calculating her contribution towards the cost of residential nursing accommodation under the National Assistance Act 1948 s.22 and s.26, with enforcement suspended while her son lived there.

Immigration

- R v Immigration Appeal Tribunal ex parte Jinadu (CO/2195/1999) (high court). Appeared for the Home Secretary to defend successfully judicial review against deportation order in respect of duty to give reasons and quality of evidence.
- R v Immigration Appeal Tribunal ex parte Svilpa (Jonas) (FC3 99/8017/C). (Court of Appeal) Appeared for Home Secretary regarding claim of persecution on grounds of sexuality.

Gregory was appointed to the Attorney General's Panel of advocates to appear before Special Adjudicators on behalf of the Home Office.

Ecclesiastical Law and Religious Liberty

Gregory has a wide experience of public law matters involving the Church of England including issues in relation to clergy discipline, church re-organisation and disposal of church assets. Gregory's practice includes all aspects of the faculty jurisdiction.

Selected Ecclesiastical Cases include:

Judicial Review

- R (on the application of B) v LB of Southwark and the Bishop of Southwark, [2003] EWHC 3438. Clergy conduct and child care issues. Successfully acted for the Bishop.
- R (on the application of Reeve) v the Deputy President of the Tribunal (2007).Clergy disciplinary issues and challenge to decision of the Tribunal. Successfully acted for the Chair of the Tribunal
- R (on the application of the Parochial Church Council of St Andrews Owelbur) v The Church Commissioners [2008] EWHC 3661 (Admin). Challenge to scheme to unify benefices. Successfully acted for the Church Commissioners.
- R (on the application of Robin Hewlett) v Pastoral Measure and the Redundant Churches Commission. Challenge to disposal of redundant church and Section 42(3) of the Pastoral Measure 1983. Successfully acted for the Redundant Churches Commission.
- R (on the application of the Parochial Church Council of St All Saints' with St Katherine and St Peter, Northampton) v The Rt Rev The Bishop of Brixworth (CO/2140/2010). Challenge to the suspension of a benefice. Successfully acted for the Bishop.

Court of Arches

- In Re St Peter, Shipton Bellinger [2015] WLR (D) 472 Petition for faculty for removal of font. Whether chancellor failing to apply written representations procedure correctly. Whether chancellor's approach to "Duffield" guidelines flawed. Whether judgment to be quashed. Faculty Jurisdiction Rules 2013 (SI 2013/1916), rr 13.1, 13.4. Successfully appeared for the Victorian Society.

Consistory Court

- Re St. Stephen Walbrook [2013] Nigel Seed Ch. (London) Petition for the disposal by sale of a painting by Benjamin West depicting 'Devout Men taking the body of St Stephen'. Chancellor "satisfied that the petitioners have made out the necessary financial need to dispose of this painting, that any connection it may be said to have had to the parish was illegally established and to the aesthetic detriment of the church and that it should be sold to be displayed in the Museum of Fine Arts in Boston". Successfully appeared for the Petitioners.
- Re St Mary's Churchyard, White Waltham [2010] Fam. 131; [2010] 3 W.L.R. 1545; [2010] P.T.S.R. 274 Jurisdiction to grant interim faculties. Successfully appeared for the Petitioners. Successfully appeared for the Petitioners.
- Re St Mary's Churchyard, White Waltham (No 2) [2010] Fam. 146 [2010] 3 W.L.R. 1560 [2010] P.T.S.R. 1689 burden of proof and development in open churchyards. Successfully appeared for the Petitioners.

- Re St. Michael's Churchyard, Sandhurst (2010) enforcement action in respect of a faculty to remove unauthorised grave memorial). Successfully appeared for the Archdeacon.

Highways, Commons and Open Spaces

- Henner Properties Ltd v Westminster CC (High Court, Chancery Division) (ongoing). Acting for Henner in dispute with Westminster concerning powers of Westminster CC to charge for vehicular access across Pimlico Shrubberies. Case involves consideration of various Local Acts of Parliament.
- Acted for celebrity chef, Richard Corrigan of Bentley's, Swallow Street, London W1 regarding proposed stopping up order under the Highways Act 1980 by Westminster CC (2008).
- R(Manchester City Council) v Secretary of State for Environment, Food and Rural Affairs [2007] EWHC 3167 (Admin). A judicial review of the Secretary of State's decision not to confirm an order by the Council to extinguish a public right of way along a crime-troubled street. Discusses a public law decision-maker's approach to mandatory considerations.
- Acting for internationally famous blues venue Ain't Nothin But the Blues regarding gating order by Westminster City Council.
- Acting for Eclipse Bar, South Kensington regarding dispute as to extend of highways against Kensington and Chelsea LBC (ongoing)
- R v Secretary of State ex parte Slot (Case No: LTA 96/7776/D). Successful judicial review challenge to refusal of footpath diversion order.
- Torbay BC v Cross (1995) 159 J.P. 682 application of the de minimis principle to obstruction of the highway under Highways Act 1980 s.137

Rating, Council Tax and CIL

Parliamentary and Transport and Works Act

Gregory is a member of the Parliamentary Bar Mess and undertakes work not only in relation to major infrastructure bills but in all aspects of Parliamentary work. His appearances before Parliamentary committees and advisory work include:

- Three Rivers Council Petition in respect of HSC Bill.
- EMI Petition in respect of the Crossrail Bill regarding the dislocation and noise arrangements in connection with EMI music studios in Soho.
- City Post AMP Limited Petition in respect of Crossrail Bill. Appeared of Petitioner and established ability of Petitioners to recover costs in hybrid bills.
- Orange and Vodaphone Petitions in respect of the London Local Authorities Bill (2007) in connection with proposed creation of criminal offence for telecommunications operators.

- Imperial Tobacco Limited Petitions in respect of the London Local Authorities regarding the London (prohibition of Smoking in Places of Work) Bill (2004/05) and Liverpool City Council (prohibition of smoking in places of Work) Bill (2004/05).
- Written representations on the scope of the "statutory authority defence" in the Planning Bill (2007).
- Promoted the Cambridgeshire Guided Bus Transport and Works Order (longest guided bus in Europe) (2004). [url=http://webarchive.nationalarchives.gov.uk/+/http://www.dft.gov.uk/pgr/twa/ir/cambridgeshireguidedbuswayin5647]http://webarchive.nationalarchives.gov.uk/+/http://www.dft.gov.uk/pgr/twa/ir/cambridgeshireguidedbuswayin5647[/url]

Education

Gregory has a wide education law practice with a particular emphasis on higher and further education including challenges of and representations to the Office of the Independent Adjudicator. His practice includes judicial review of decisions of colleges and universities as well as actions in contract and negligence. Gregory has recently been involved in a series of high court actions concerning the withholding of university degrees for non payment of fees or rent. His recent work has also included advising on the use of Regulation of Investigatory Powers Act 2000 in connection with local education authority investigations on parents claiming to reside within school catchment areas.

Selected Education Law Cases

Judicial Review

- R (on the application of Shelley Maxwell) v Office of the Independent Adjudicator (on going). Judicial review concerning the approach of the OIA to claims of disability discrimination.
- R (on the application of Budd) v Office of the Independent Adjudicator for Higher Education [2010] EWHC 1056 (Admin). Scope of exercise of powers of investigation of OIA.
- R (on the application of Siborurema) v Office of the Independent Adjudicator [2007] EWCA Civ 1365; [2008] E.L.R. 209; (2008) 152(2) S.J.L.B. 31; Times, January 10, 2008. Amenability of the OIA to judicial review, exercise of discretion and fairness.
- R (on the application of Griffiths) v Lewisham College [2007] EWHC 809 (Admin) [2007] All ER (D); Legal Action 2008, Jan, 26-28; Ed. L.M. 2007, May, 1-3. Fairness to a student subject to disciplinary proceedings and the use of final learning contracts.
- R (on the application of Gunasinghe) v Henley Management College [2006] EWHC 346 (Admin); Student exclusion and relationship breakdown.
- R (on the application of Varma (Amit)) v HRH Duke of Kent, Visitor of Cranfield University [2004] EWHC 1705; [2004] EWHC 1705 (Admin); [2004] E.L.R. 616; [2004] A.C.D. 81; Times, July 23, 2004.Powers of visitor, ability to delegate functions and fairness.
- R (on the application of Nash) v Chelsea College of Art and Design (No.2) [2002] EWCA Civ 69 and [2001] EWHC (Admin) 538; Times, July 25, 2001. Giving of late reasons.
- R (on the application of Haracoglou) v Department for Education and Skills [2001] EWHC Admin 678; [2002] ELR 177. Meaning of "ordinarily resident".
- R v Cambridge University ex parte Persaud [2001] EWCA Civ 534; [2000] Ed. C.R. 635; [2001] E.L.R. 64. Fairness and duties of disclosure when considering de-registration of PhD student.
- R v Chelsea College ex p Nash (No.1) [2000] ELR 686 QBD [2000] Ed. C.R. 571; [2000] E.L.R. 686. Fairness, disclosure of documents and ability of chair to make unilateral decisions.

Contract and Tort

- Conrad Nyamutata v The University of Lancaster (Claim No: HC09CO4585). Consumer Contract Regulations 1999 giving effect to EC Council Directive 93/13/EEC on Unfair Terms in Consumer Contracts whether it is lawful for a university to withhold the award of a student's degree on the basis of alleged monies owing.
- Maria Lavelle v Winchester University(High Court, Chancery Division). Whether it is lawful for a university to withhold the award of a student's degree on the basis of alleged monies owing to it in its capacity as a landlord of student residential accommodation. Press coverage: [url=http://www.independent.co.uk/news/education/education-news/rent-arrears-student-wins-right-to-graduate-1806887.html]http://www.independent.co.uk/news/education/education-news/rent-arrears-student-wins-right-to-graduate-1806887.html[/url]
- Georgaki v Greenwich University (County Court). Student alleging negligent supervision of MSc.
- Herglie v Ealing, Hammersmith and West London College. Claim for alleged breach of contract/negligence in respect of the quality of teaching provided by the Ealing College on a plumbing course.
- Samantha Lawal v The London Institute (Claim No 4CL05451). Claim for racial discrimination.

Publications and Conference Papers on Education Law Include:

- Legal Challenges to Institutions of Higher Education: paper deliver to Current Issues in Education Law, FTB Conference held at Southwark Cathedral, 6th November 2006.
- Jones & Pike: 'Better late than never? The giving of late reasons in public law'; E.P.L.I. 2002, 7(3), 50-52.
- Editor of the Education Case Reports (1998-2001).

European Union and Public Procurement Law

Gregory has a LLM in European Law. He was Jean Pierre Warner Scholar to the European Court of Justice. He was a Senior University Lecturer and head of EU law at South Bank University in EU law. He is a Fellow at the Centre of European law at King's College, London. He has appeared at all levels of court including the European Court of Justice.

Selected European Law Cases

Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora)

- AA5 application [2013] NIQB 30 – dualling scheme for A5 quashed for failure to Atlantic Salmon and protected rivers, Foyle and Fin.
- R (on the application of Akester) v Department for Environment, Food and Rural Affairs [2010] EWHC 232 (Admin); [2010] N.P.C. 19. Conservation; failure to fulfil obligations; ferries; habitats directive. (acted for successful harbour authority).
- R. (on the application of Morge) v Hampshire CC Supreme Court re meaning of disturbance of protected species (Bats) under the Habitats Directive[2011] UKSC 2; [2011] 1 W.L.R. 268.
- R (on the application of Boggis) v Natural England [2009] EWCA Civ 1061; [2010] 1 All E.R. 159; [2010]

Env. L.R. 13; Times, December 8, 2009; (reversing) [2008] EWHC 2954 (Admin); Times February 25, 2009. Coastal protection; conservation; erosion; sea defences; sites of special scientific interest; special protection areas and habitats directive.

EIA Directive (Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment)

- R (on the application of U & Partners (East Anglia) Ltd v The Broads Authority & The Environment Agency [2011] EWHC 1824 (Admin)) - promptitude rule incompatible with EU law rights generally.
- R (on the application of Brown) v Carlisle City Council and Stobarts Air Ltd [2010] EWCA Civ 523; Times June 24th, 2010, [2010] All ER (D) 181 (May) grant of planning permission for a freight distribution centre at an airport in breach of the EIA Directive where the environmental statement accompanying the planning application did not address the impact of other proposed works at the airport contained within section 106 agreement.
- R (on the application of Ardagh Glass Ltd) v Chester City Council [2009] EWHC 745 (Admin); [2009] Env L.R. 34; [2009] N.P.C. 59 mandatory requirement for local planning authority to take enforcement action and lawfulness of retrospective planning permissions for EIA development.
- R (on the application of Barker) v Bromley LBC (C-290/03) European Court of Justice (First Chamber), 4 May 2006; [2006] Q.B. 764; [2006] 3 W.L.R. 492; [2006] E.C.R. I-3949; Article 2(1) and Article 4(2) of the EIA Directive had to be interpreted as requiring an environmental impact assessment to be carried out if, in the case of grant of consent comprising more than one stage, it became apparent, in the course of the second stage, that the project was likely to have significant effects on the environment by virtue, inter alia, of its nature, size or location.
- Berkeley v Secretary of State for the Environment, Transport and the Regions (No.1) House [2001] 2 A.C. 603; [2000] 3 W.L.R. 420; [2000] 3 All E.R. 897; [2001] 2 C.M.L.R. 38. The limits of the powers of the court not to quash a decision taken in breach of the EIA Directive.
- R (on the application of Prophet) v York City Council [2002] EWHC 588 (Admin); requirement of environmental impact assessment and duty to give reasons.
- R (on the application of Bedford) v Islington LBC [2002] EWHC 2044 (Admin); [2003] Env. L.R. 22. When granting planning permission for a new stadium for Arsenal FC, the local authority had not been obliged to hold a public inquiry or to disclose the report of a company which had been appointed to assist it in negotiations with the club on land issues.
- R (on the application of)Terrafirma Properties Ltd v Manchester City Council [2002] EWHC 702 (Admin). EIA Cumulative impact and delegation of powers.
- R v Secretary of State for the Environment, Transport and the Regions ex p. Marson [1999] 1 C.M.L.R. 268; [1998] Env. L.R. 761; (1999) 77 P. & C.R. 202; [1998] 3 P.L.R. 90; [1998] J.P.L. 869; [1998] N.P.C. 81; Times, May 18, 1998. Whether the Secretary of State had a duty to give reason when exercising his discretion to determine whether an assessment was required.
- Re CALNI application. Judicial review challenge to decision to approve Rose Energy's chicken waste incinerator at Glenavy in alleged breach of EIA directive without holding public inquiry into the planning application. [url=http://www.bbc.co.uk/news/uk-northern-ireland-11421505]http://www.bbc.co.uk/news/uk-northern-ireland-11421505[/url]
- Re House of Fraser application No. [2010] NIQB 105 challenge to lawfulness of minister's refusal to require further environmental information under the EIA regulations in respect of proposed Sprucefield retail (John Lewis anchor store) development and challenge based on appearance of bias.

SEA Directive (European Parliament and of the Council Directive 2001/42/EC of the on the assessment of the effects of certain plans and programmes on the environment)

- Re Seaport Investments Limited application (Seaport No 1) [2007] NIQB 62; [2008] Env. L.R. 23 (re Judicial review challenge to compatibility of Northern Ireland town and country plan making system with the Strategic Environmental Assessment (SEA) Directive) and whether environmental report accompanying draft plan complied with SEA (Northern Ireland) Regulations 2004.
- Re Seaport (NI) Limited application (Seaport No 2) Judicial review challenge as to whether open to the Department for the Environment to declare it "non feasible" for development plan to comply with SEA Directive high court (Weatherup J) referred series of question to the European Court of Justice (ongoing).
- Re Seaport (NI) Limited (Seaport No3)(January 2009) (Weatherup J) judicial review challenge to decision by minister not to conjoin planning applications and require PAC hearing in respect of new tourist centre at the Giant's Causeway [url=http://www.colerainetimes.co.uk/news/Sweeney-takes-Causeway-case-to.4869127.jp]http://www.colerainetimes.co.uk/news/Sweeney-takes-Causeway-case-to.4869127.jp[/url]
- Re Murdock Group Limited - application for judicial review challenging Newry Plan (2008) on failure to comply with the SEA Directive.

Waste Framework Directive (Directive 75/442/EEC as codified by the Waste Framework Directive (Directive 2006/12/EC)

- Case C-252/05 R (on the application of Thames Water) v Bromley Magistrates' Court, Environment Agency (European Court of Justice). Whether escape of sewage from system exclude from definition of waste under directive 75/442/EEC.

Product Safety: (Council Directive 93/68/EEC)

- Acted for Golden Dragon, China Town re the "Duck Oven" dispute with Westminster City Council;
- http://www.dailymail.co.uk/news/article-1036578/EU-bans-Peking-Duck-forcing-council-snoopers-shut-restaurant-ovens-Chinatown.html; [url=http://www.mailonsunday.co.uk/news/article-1036578/EU-bans-Peking-Duck-forcing-council-snoopers-shut-restaurant-ovens-Chinatown.html]http://www.mailonsunday.co.uk/news/article-1036578/EU-bans-Peking-Duck-forcing-council-snoopers-shut-restaurant-ovens-Chinatown.html[/url]
- http://www.telegraph.co.uk/news/uknews/2437834/EU-mandarins-force-Peking-duck-off-the-menu.html

Public Procurement

- Acted for claimant in Indigo (UK) Limited v Colchester institute - challenge to procurement process in relation to award of cleaning contract (2010 ongoing)
- Acted for Sunderland City Council in respect of challenges to development agreements in relation to the redevelopment of top centre concerning issues of public procurement and competition law (2009- onwards).
- Acted for Southampton City Council in major procurement infrastructure tender exercise (2004).

Qualifications & Appointments

- Dates of Call: 1991 (Lincoln's Inn); 1997 (King's Inns, Ireland); 2008 (Inn of Court, Northern Ireland)
- King's Counsel, 2011

- Bencher Lincoln's Inn, 2020
- Bencher Inner Temple, 2021
- Welsh Government's Panel of King's Counsel (2015 onwards)
- Chancellor of Diocese of Manchester (2022 onwards) (Deputy Chancellor of the Dioceses of Exeter and Truro (2008) (ongoing)).
- Elected Alderman, City of London (2016 - onwards)
- New College, Oxford. MA (Oxon.), University College, London, LLM (EC Law) (Lond.)
- Fellow of the Royal Geographical Society
- Fellow of the Institute of European Law, King's College, London
- Fellow of the Linnean Society
- Distinguished Visiting Fellow, St. Stephen's House, Oxford University.
- Fellow of the Institute of Quarrying
- Fellow of the Royal Society of Arts
- Legal Associate of the Royal Town Planning Institute
- Member of the Guild Church Council of St Lawrence, Jewry, the church of the Corporation of London
- Former Member of the Bar Council
- Former Member of the Administrative Court User's Group
- Former School Governor, Colfe's School (2005-2011) and Leathersellers' Federation of Schools (2011-2019)

Personal

- Treasurer of the Oxford Union (HT 1989).
- President of the Oxford University Law Society (TT 1988).
- New College Rugby 1st XV (1986-88).
- British Debating Team Tour of the USA (English Speaking Union debating scholar) (21 universities across 19 states) (1989).
- Stagiaire European Commission (General Secretariat dealing with delegation of powers and written legal procedure) (1990).
- European Commission Young Professionals Study Tour of USA (1990).
- Jean-Pierre Warner Scholar to the European Court of Justice (Cabinet of Advocate General Jacobs) (1995).
- Senior Lecturer in EC Law at South Bank University (1993-1997).
- Naui Advanced Scuba Diver.

Publications

Planning

- Jones & A. Graham Paul: 'The Community Infrastructure Levy: how it will operate in practice' [2009] JPL 1267-1282.
- Jones: 'Strategic Environmental Assessment: The Seaport Investments case' (2008) 20 ELM 5 282.
- McCracken & Jones: 'Article 8 ECHR, gypsies, and some remaining problems after South Buckinghamshire' [2003] JPL 382.

- Jones & Pike: 'Proportionality and planning - a difficult and nice point to be decided' [2002] J.P.L.908.
- Jones & Phillpot: 'When he Who Hesitates is Lost: Judicial Review of Planning Permissions' [2000] JPL 564: R (oao Burkett) v Hammersmith LBC [2002] UKHL per Lord Steyn [41], [44],[49],[53]) and also cited and approved by Sykes J at para 107 of The Northern Jamaica Conservation Association and others v The Nature Resources Conservation Authority and the National Environmental and Planning Agency (Claim HCV 3022 of 2005) per Sykes J.
- Jones & Honey: 'Ex parte Beresford: further comment' R.W.L.R. 2004, Sep (15.3), 67-70.
- Jones & Meah: 'When is a house not a house?' S.J. 2003, 147(22), 642-644.
- Jones & Rai: 'Part of the plan.'S.J. 2003, 147(18), 530-531.
- Jones & Waite: 'How soon is too late? SJ 2002, 146(29), 688-689.
- Jones & Abrahams: 'Grampian and British Railways Board revisited - the use of negative pre-conditions in circumstances of uncertainty' [2001] J.P.L. 2001.
- Jones & Beck: 'Implied licence v. public use as of right' R.W.L.R. 2001, Nov (15.3), 29-32
- Jones: 'Planning for trees' S.J. 1999, 143(38), 937.
- Jones: 'Town and Country Planning (Cost of Inquiries etc) Act 1995' S.J. 1995, 139(48), 1263.

Environment

- The SEA Directive - A Plan for Success? (November 2014 forthcoming) Co-Edited by Gregory Jones KC and Dr Eloise Scotford.
- The Habitats Directive - A Developer's Obstacle Course? (1st edition) (Hart) November 2012. Edited by Gregory Jones KC.
- Statutory Nuisance Law and Practice (4th edition) (Bloomsbury Professional). First edition cited in Farley v Skinner [2001] UKHL 49 by Lord Steyn [30] and 3nd edition in R (oao Ethose Recycling Ltd) v Barking and Dagenham Magistrates' Court [2009] EWHC 2885 (Admin) [2010] P.T.S.R. 787.
- Environmental Law in Property Transactions (3rd Edition) (Tottel)
- McCracken and Jones: 'The Aarhus Convention' [2003] JPL 802 cited in Environmental Justice Report by the Environmental Justice Project (2004) at paras 61 and 70 on the impact of costs regime on access to justice.

Administrative and Local Government Law

- Jones: 'Some Practical Impacts of European Union Law upon the Procedure for Judicial Review [2010] JR 139'
- Jones & Rabinowicz: 'Acknowledgement of service: when a week is a long time in judicial review'[2005] J.R 121.
- Petchey & Jones: 'Judicial Review Costs': S.J. 2003, 147(48), 1451-1452
- McCracken and Jones: 'Leach and Permission Costs' [2002] JR 4 cited in (R on the application of Mount Cook) v Westminster City Council [2003] EWCA Civ 1346 per Auld LJ at paras 13 and 31).
- Jones & Chapman: 'The end of public law estoppel?' S.J. 2002, 146(25), 580-581.
- Jones & Grekos: 'Great expectations? The Ombudsman and the meaning of "injustice"' [2001] J.R. 20
- Jones & Patry: 'Appealing from adverse reasoning' [2000] J.R. 15.
- George & Jones: 'Legal aid: the legal merits test in judicial review'[1999] J.R. 14.
- Jones & Pretorius: 'Respondents evidence: the 56-day rule' [1998] J.R. 1998 71
- Jones: "Remedies in English law for breaches of EC Public Procurement Rules" - dissertation successfully submitted as part of award of masters' degree by University College, London University.

Privacy Notice

Quotes

"Mr Jones provides a very professional yet personal level of service with an excellent grasp of the law and legal procedure and a tactical approach."
Chambers and Partners, 2024

"He is a consistent practitioner in this field."
Chambers and Partners, 2024

"Gregory is a very good barrister who builds a great relationship with the clients."
Chambers and Partners, 2024

"He's a very, very skilled advocate with a lot of gravitas. There's nothing this man doesn't know about habitats."
Chambers and Partners, 2024

"Gregory is knowledgeable, a veracious lawyer and a good advocate. He can talk well to different areas of law."
Chambers and Partners, 2023

"He is very good at drawing analogies and helping formulate strategies."
Chambers and Partners, 2023

"He is very personable to work with, works well with clients, and is a very skilful advocate."
Chambers and Partners, 2023

"Excellent particularly in terms of his written work."
Chambers and Partners, 2023

"He's very good at drawing analogies and formulating strategies."
Chambers and Partners, 2023

"Gregory is a tenacious and determined advocate. He wins the respect of judges, other advocates and clients."
The Legal 500, 2023

"An excellent and natural barrister, his attention to detail and ability to provide clear, informative, strategic advice is second to none."
The Legal 500, 2023

"Gregory is extremely knowledgeable, technically very sound and has good understanding of the practical implications of what is needed in a case." "He is charming and highly intelligent. A pleasure to work with."
Chambers and Partners, 2022

"Greg consistently comes up with novel ideas to tackle complex issues and get the best results for clients."
Chambers and Partners, 2022

"Often first choice given his extensive expertise across planning, environment and public law, Greg consistently comes up with novel ideas to tackle complex issues. He fizzes with ideas on how to achieve

the best results for clients. Very easy to work with."
The Legal 500, 2022

"A very user friendly highly intelligent leading counsel and a supreme strategist who often displays flashes of brilliance."
The Legal 500, 2022

"He has a razor-sharp brain. His technical expertise is exceptional and he knows so much about the area."
Chambers and Partners, 2021

"A really imaginative, wide-thinking and successful practitioner." "He's very approachable, extremely user-friendly and responsive, and he immediately understands what solicitors are trying to do."
Chambers and Partners, 2021

"Very experienced and steeped in planning case law and knowledge. Willing to take on new ideas and develop novel arguments. Strong written work."
The Legal 500, 2021

"A real trailblazer who takes on matters from which others would run a mile and who easily wins the trust and confidence of clients."
The Legal 500, 2021

"A good team player with a razor-sharp brain whose technical expertise is impressive."
Chambers and Partners, 2021

"a really excellent silk"
Who's Who Legal, 2019

"The thinking man's KC." "Not just the meat-and-two-veg planning silk. He can deal very comfortably with European issues and complexity across the board."
Chambers and Partners, 2017

"He is very good at putting across his arguments to judges, and is a good courtroom practitioner." "Good with clients, he gives clear and innovative advice, and is tenacious in court."
Chambers and Partners, 2017

"He is masterful in his assembly of case law and knowledge of particular environmental regulations."
Chambers and Partners, 2016

"He is thorough, bright and has an engaging courtroom style."
Chambers and Partners, 2016

"Incredibly bright, and particularly good on complex areas of law with an EU or environmental bias."
The Legal 500, 2016

"A likeable, quick thinking advocate who is always fun to work with and who shows a deep understanding of the implications of EU environmental law on the UK planning system." "He has a very calm and reassuring approach, and his expertise in environmental impact assessment is invaluable."
Chambers and Partners, 2015

"An authority on environmental impact assessment, habitats directives and wider planning and environment issues. He is also renowned for his expertise in matters involving CPOs."

Chambers and Partners, 2015

"He has a very calm and reassuring approach, and his expertise in environmental impact assessment matters is invaluable."
Chambers and Partners, 2015

"A superb advocate",
The Legal 500, 2015

"Recommended particularly for High Court work, in which his qualities shine out to the full."
The Legal 500, 2015