



James Pereira KC

Call: 1996 KC: 2014 **Public Access**

Practice areas:

Planning, Environment, Compulsory Purchase and Compensation, Public Law, Major Infrastructure Projects, Highways, Commons and Open Spaces, Local Government



Practice Profile

James Pereira K.C. specialises in planning, environmental, local government and administrative law, compulsory purchase and compensation. He enjoys both contentious and non-contentious work, loves advocacy of any kind, and finds a great deal of pleasure working with others to realise his clients' ambitions.

James is consistently ranked among the top silks in his field. He was nominated as Real Estate, Environment and Planning Silk of the Year by the Legal 500 Bar Awards for 2016, 2017 and 2019, and regularly ranked in the top planning silks in Planning Magazine review of the UK planning bar. Before taking silk he was the number one in Planning Magazine's survey of the Junior Planning Bar for three consecutive years (2012, 2013 and 2014), and twice named 'Junior Barrister of the Year' in Planning and Environmental Law by Chambers and Partners Directory of the UK Legal Profession.

James is the Consultant Editor for the Planning Law volumes of Halsbury's Laws and the co-author of leading text books in compulsory purchase, compensation, infrastructure planning and environmental law. For many years he was a Visiting Professor of Law at King's College, London.

James is dedicated to optimising professional performance. He is a certified coach with the International Coaching Federation. He is trained in systemic coaching for businesses and individuals, family therapy and NLP. In 2018 he founded a niche coaching practice for lawyers, law firms and other professionals (www.thelibrapartnership.com), to provide individual and organisational coaching and skills training services. For nearly half a decade he has co-written a regular column in The Lawyer entitled "Loving Legal Life", giving advice on leadership, professional performance and workplace well-being. He has written on the same topics in the Bar's own journal, Counsel Magazine. He is in demand as a speaker on these topics. He tweets as @JamesPereiraKC.

James understands that the decision to instruct Leading Counsel is an important one. He is always willing to meet potential clients to discuss how best he can meet their needs, prior to a decision to instruct him.

James is happy to provide details of his experience in specific areas and references as appropriate.

Planning

James is ranked as a top silk in the main directories and has been shortlisted for Silk of the Year for Real Estate, Environment and Planning on three times. The Directories describe him as “not only technically brilliant but an absolute delight to work with” “offers a lovely mix of intelligence, charm and calming control” “a great team player who puts everyone at ease and navigates the unpredictable”, “a very astute operator who never disappoints on the day” and “a very persuasive man to put in front of a High Court Judge.”

He is the consultant editor of the 3-volume Halsbury’s Laws on Planning, the authoritative text on planning law in England and Wales.

His practice as an inquiry advocate is underpinned by regular court appearances, and he has acted at all levels of the domestic courts and appeared in the European Court of Justice on planning matters twice. His opinion is regularly sought on a range of advisory matters. His expertise covers all areas of planning, including promoting and resisting compulsory purchase orders.

James is in demand as a speaker on planning matters and has addressed both the Oxford Planning Conference and the PEBA Annual Conference.

Recent Experience

James’ experience is wide, including major housing, industrial, leisure, waste, energy, transport infrastructure, town centre regeneration, urban extensions, adult gaming centres, retail, listed buildings, tall buildings, R&D, I&L – details of specific experience can be provided on request.

- Highested call-in inquiry: acting for the LPA in the longest running planning inquiry of the modern era (March–October 2025): major housing, urban extensions, industrial and logistics, strategic road infrastructure, European nature conservation sites, ancient woodland, National Landscape, over 100 listed buildings, research and development.
- Muckingford Lane, Thurrock – 850–1000 home urban extension; agent of change principle
- Uxbridge Town Centre Extension, for St Modwen
- Gatwick Green, Crawley – major industrial and logistics development successfully allocated despite Gatwick airport safeguarding
- Chalgrove Airfield, Oxfordshire – advising Homes England on promotion of c.3,500 new homes, involving an emerging allocation, CPO and major planning application.
- *R (Ashchurch Rural PC) v Tewkesbury BC* [2023] EWCA Civ 101 – phased development and EIA requirements
- [2021] EWCA Civ 198 – interpretation of green belt safeguarding policy.
- *R (Shirley) v Secretary of State* [2019] EWCA Civ 22 –EU air quality standards and planning.

Environment

James is ranked as a band 1 silk in environmental law by Chambers and Partners. He has appeared in

the European Court of Justice twice on EU environmental law matters, and was a visiting Professor in Environmental law at King's College, London for several years. He is a co-author of 'Statutory Nuisance: Law and Practice' (5ed., Bloomsbury, 2026), and a former council member of the United Kingdom Environmental Law Association.

Chambers and Partners describe him as "a strong and unflappable environmental law advocate", "highly effective, very client-friendly and offers excellent legal knowledge"

His practice spans a wide range of areas of domestic and EU environmental law, including IPC regulation, contaminated land, water resources, species and habitats protection, pollution control, statutory nuisances and environmental impact assessment. He has been involved in many leading court cases involving the application of European Law in the UK courts. He also has extensive experience of public inquiries involving environmental issues, including the promotion of Water Resources Management Plans and Local Plans involving European sites.

He has acted in several private law environmental claims, including those involving Group Litigation Orders, PCOs and the application of the Aarhus Convention.

His work also covers novel forms of environmental regulation, such as promoting the UK's first congestion charging scheme in London, proposals for the Central London Low Emissions Zone, Emissions related Congestion Charging and EU Carbon Emissions Trading.

Recent Experience

Below is a list of recent experience; examples of cases in specific areas can be provided on request

- Pembroke Power Station – part of successful team securing abstraction consent for RWE
- *Brookhouse v Environment Agency* – ongoing – multi-million pound litigation for claimant against EA for damage arising from flood mitigation works
- Statutory Nuisance – numerous recent cases including busking in Leicester Square (ongoing appeal for Westminster CC), music festivals, train noise and vibrations, manufacturing noise
- *R (Ashchurch Rural PC) v Tewkesbury BC* [2023] EWCA Civ 101 – phased development and EIA requirements
- *R (Shirley) v Secretary of State* [2019] EWCA Civ 22 – EU air quality standards and planning
- *Canterbury City Council v Secretary of State* [2019] EWHC 1211 (Admin) – on the exercise of discretion for failure to carry out an appropriate assessment under the Habitats Directive

Compulsory Purchase and Compensation

James has broad experience of compulsory purchase and compensation work, and has been involved in many of the leading Tribunal cases of recent years. Chambers and Partners have described him as "a star of the CPO world".

He is an editor of the on-line encyclopaedia 'Compulsory Purchase and Compensation Service' (Bloomsbury Publishing), and a co-author of the leading text 'The Law of Compulsory Purchase' (now in its 5th edition).

He acts for both claimants and acquiring authorities in compensation claims, having gained invaluable early experience handing the compensation claims arising from the Olympic Park acquisitions and the

acquisitions for the Channel Tunnel Rail Link. As well as regular advocacy, he has a strong advisory practice in these areas, with particular focus on strategic case planning to maximise or minimise compensation as appropriate to the client.

Recent Experience

Below is a selection of recent work; more specific experience can be provided upon request

- *Curzon Park Ltd and Others v Secretary of State for Transport* [2023] UKSC 30 on proper approach to CAAD applications
- *Curzon Park v Secretary of State* – ongoing complex CAAD appeals
- *Bashir v LB Newham* [2024] UKUT 303 (LC) – first decision on Tribunal’s new costs powers (also acted in underlying CAAD appeal)
- *Castlefield v Highways Agency* [2024] UKU 301 (LC) – leading case on compensation for severance and injurious affection
- *Brookhouse v Environment Agency* (hearing Q1 2026) – multi-million pound compensation claim against EA under Water Resources Act 1991
- *IM Properties v HS2* (2022, Upper Tribunal, settled during hearing) – for claimant, complex multi-million pound claim for land taken, severance and injurious affection.
- *Leech Homes v Northumberland Council* [2021] EWCA Civ 198 and [2020] UKUT 150 (LC) – successful defence of negative CAAD decision, upheld by the Court of Appeal.
- Maidenhead Nicholson Centre Regeneration (2023) confirmed following high court quashing)
- Barking Vicarage Field Regeneration (2022)
- Chalgrove Airfield, Oxfordshire, new homes and community for Homes England
- Major estate/ town centre regeneration CPOs: Hackney, Wandsworth, Harrow, Thamesmead, Brentford, Maidenhead, Barking.

Public Law

James regularly acts both for and against public authorities in a broad range of public and administrative law areas beyond the planning and environmental law field. He is a former committee member of the Administrative Law Bar Association (ALBA). For cases related to planning and environmental law, please click on the relevant Practice Area links.

Cases include

- *R (Piffs Elm Ltd) v Local Government Ombudsman* – (2021 – ongoing) – challenge to LGO’s decisions and lawfulness of non-refund of application fees (for interested party).
- *R (Tewkesbury BC) v Secretary of State* [2019] EWHC 3227 (Admin) on the justiciability of challenges to reasons in decisions where the decision itself is not challenged.
- *R (Piffs Elm Ltd) v Tewkesbury BC* [2016] EWHC 3248 (Admin) – on apparent bias and remedial discretion.
- *NEXUS Quality Contract Scheme* (2015) – public inquiry into the first Quality Contract Scheme under the Transport Act 2000.
- *Phelps v ODA* (2012) – successfully advised the Olympic Development Authority in respect of challenges to traffic regulation orders for the 2012 Games.
- *Qinetiq v Portsmouth City Council* (2012) – £800,000 costs application arising from judicial review proceedings (partial award and indemnity costs award secured against the Defendant despite the

claim never being granted permission).

- *Transport for London v Bug-Bugs and others* [2007] EWHC 2987 (QB), establishing it is not an abuse of process to seek a declaration to overturn a High Court judgment concerning the licencing of pedicabs in London.
 - *R (Transport for London) v The Parking Adjudicator* [2007] RTR 39, on the power of parking attendants to serve tickets by post when conventional service has been frustrated.
 - *Davey v Aylesbury Vale* [2007] EWHC 116 (QB), on the scope of pre-permission costs allowable in a defendant's costs order.
 - *R (Haw) v Westminster City Council* (2006), a judicial review by the famous anti-war protester Brian Haw concerning the relationship between the right to Freedom of Expression and the licensing of loudhailers to make protests.
 - *R (Walmsley) v PATAS* (2006) RTR 15, concerning the power of the Parking Adjudicator to consider non-statutory grounds of challenge when considering appeals.
 - *R (RYA) v Secretary of State* (2004), a successful judicial review challenge to the legality of Yachting Safety Regulations.
 - *R (Westminster CC) v Mayor of London* [2003] BLGR 611, junior counsel acting on behalf of the Mayor of London and Transport for London in the successful defence of the legality of the Central London congestion charging scheme.
 - *R (Balchin) v Parliamentary Commissioner* [2002] EWHC 1876, junior counsel in a successful challenge to a decision of the Parliamentary Commissioner, in a case that eventually led to six-figure awards of compensation to the complainants.
 - *R (Kent County Council) v Terril* (2001) ACD 27, a leading case on contempt of the Coroner's Court by non-attendance of witnesses.
 - High profile advisory work such as for the Mayor of London and Transport for London, acting as junior counsel advising the Congestion Charging Scheme, Emissions related Congestion Charging and the Low Emissions Zone.
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Major Infrastructure Projects

James has extensive experience of acting in cases involving major infrastructure projects, across a broad range of sectors. He is consistently ranked as one of the top silks for Major Infrastructure Projects in Planning Magazine's annual survey of the Bar. He is an editor of *The Infrastructure Planning Handbook* (2ed., Bloomsbury Publishing).

His specialist knowledge of planning, environmental law, compulsory purchase and compensation brings valuable experience to any infrastructure case. Chambers and Partners have described his Development Consent Order work as "first class".

Examples of the range of infrastructure projects James has been involved in include

- Manufacturing and Industrial: International Advanced Manufacturing Park (IAMP), advising promoting authority.
- Waste: Whitemoss Landfill. Acted or the successful waste planning authority resisting the extension of the major landfill site at Brogborough, Bedfordshire. Promotion of Waste Local Plans.
- Pipelines: Willington C gas pipeline.
- Energy projects: acted on behalf of Galloper Windfarm for major proposals of the Suffolk Coast; acted on behalf of DONG energy for part of the Burbo Bank windfarm project; acted for RWEN in respect of the Pembroke CGT power station and Tilbury C power station; Cory Riverside Energy Park

DCO 2020.

- Roads: Heysham Bypass: objections on behalf of Lancaster and Morecombe College.
- Airports: Stansted G2 Project – instructed by BAA as one of the team of counsel promoting the proposals for a second runway at Stansted Airport.
- Multimodal facilities: West Midlands Gateway SRFI DCO.
- Railways: Docklands Light Railway Extension – instructed as junior counsel to promote the DLR extension to Dagenham Dock.
- Community facilities: one of the team of counsel who successfully promoted the CPO for the Olympic Park in order to facilitate the 2012 Olympic Games.
- Ports and Harbours: Great Yarmouth Harbour CPO.

James's court experience includes defending, or challenging, decisions relating to infrastructure projects including

- *R (Scarsbrick) v SSCLG* [2017] EWCA Civ 787 – successful defence of challenge to Whitemoss Landfill DCO.
- *Holiday Extras v Crawley BC* [2016] EWHC 3247 (Admin) – challenge to policies relating to parking provision at Gatwick Airport.
- *Griffin v Tower Hamlets LBC* [2011] EWHC 53 – successfully acting for London City Airport resisting a challenge to the increase in flight caps.
- *Barbone v Secretary of State* [2009] EWHC 463 (Admin) – acted on behalf of Stansted Airport defending a challenge to the planning permission to expand the capacity of Stansted (the G1 consent).
- *R (Friends of the Earth) v Sussex County Council* [2008] EWHC (Admin) – challenge to a waste incinerator permission.
- *Bown v Secretary of State* [2003] EWHC 819 Admin, a challenge to a by-pass CPO for failure to comply with the Wild Birds Directive.

Highways, Commons and Open Spaces

Local Government

Qualifications & Appointments

- Called to the Bar in 1996 (Middle Temple), took silk 2014
- MA, St. Catharine's College, Cambridge (1993).
- LL.M, King's College, London (1995).
- BA Level Diploma in translation (Portuguese-English), University of Westminster (1996).
- Visiting Professor in Environmental Law, King's College, London (2017-2022)
- Council member of the United Kingdom Environmental Law Association (2011-2013)
- Committee Member of the Administrative Law Bar Association (2005-2007).
- Former Judicial Assistant to the Court of Appeal.

- Fellow of the Royal Society of Arts.
- Member of the Society of Neuro-Linguistic Programming
- Other: Gourmet Essentials certificate, Le Cordon Bleu, London (2010); Leith's Sauce Workshop (2012); Grade 8 piano (currently self-teaching jazz improvisation); Creativity Workshop, Lisbon (2017); Voice and Communication Workshop (London 2017); Ironman 70.3 Triathlon finisher (2016, 2017).

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Quotes

"James is not only technically brilliant but an absolute delight to work with."
Chambers and Partners, 2026

"James is a great team player who puts everyone at ease and navigates the unpredictable."
Legal 500, 2026

"He is highly effective, very client-friendly and offers excellent legal knowledge."
Chambers and Partners, 2026

"James offers a lovely mix of intelligence, charm and calming control."
Chambers and Partners, 2026

"James is a strong and unflappable environmental law advocate."
Chambers and Partners, 2026