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Ned Westaway

Practice Overview



Year of call 2009

Ned is a highly regarded junior who accepts instructions in a wide variety of work, in particular across all areas of planning and environmental law.

He is consistently rated as a leading junior by Chambers and Partners and the Legal 500 in three categories: planning law, environmental law and agricultural & rural affairs. Who's Who Legal 2019 lists him as one of the most highly regarded juniors for environment law.

Ned regularly appears in the senior courts and at public inquiries in planning, environmental and highways matters, as well as other related areas of public law such as animal health and CITES. He has experience of advising on, and appearing at, examination hearings for major infrastructure projects. Ned is on the Attorney General's B Panel of London counsel. He is a Trustee and Vice Chair of the United Kingdom Environmental Law Association and is standing counsel for the Campaign for National Parks. He regularly undertakes work pro bono and is accredited to take work on a direct public access basis. Ned is also a trustee of the Organic Research Centre.

Recent work in the senior courts includes the Supreme Court (*R (Lancashire CC) v SSEFRA* [2019] UKSC 58; [2020] 2 WLR 1), Court of Appeal (*CPRE Surrey v Waverley BC* [2019] EWCA Civ 1826) and High Court (*Tower Hamlets LBC v SSHCLG* [2019] EWHC 2219 (Admin), *R (Berks Bucks and Oxon Wildlife Trust) v SST* [2019] EWHC 1786 (Admin) and *R (MacDonald) v SSEFRA* [2019] EWHC 1783 (Admin); [2019] ACD 97). Recent work in the Upper Tribunal (Lands Chamber) includes flood compensation claims (*Fearon v Environment Agency*

[2019] UKUT 97 (LC); [2019] RVR 274) and land valuation for inheritance tax (*Thomas (Deceased) v RCC* [2020] UKUT 6 (LC)).

The main areas of Ned's practice are:

- Planning
- Environment
- Highways, rights of way, commons and village greens
- Compensation, rating and land valuation
- Public and local government law
- Land and property law

Please select 'Practice Areas' for further information under each of these headings.

Testimonials

"Ned takes complex cases in his stride. He knows the law inside out, he is responsive and he gives good advice." "He is very thorough in his advice and easy to work with. He is collaborative and receptive to ideas."
Chambers and Partners 2022, Planning

"He is great with clients and really easy to work with."
Chambers and Partners 2022, Environment

"He is very good at discerning which way the judge is leaning and what to focus on so as not to waste time."
Chambers and Partners 2022, Agriculture and Rural Affairs

"He is a polished advocate." "He is approachable, knowledgeable and genuinely interested in the work."
Chambers and Partners 2020, Agriculture and Rural Affairs.

"A fighter - he is very dogged and determined." "Ned very quickly grasps a point and knows the landscape of the law, but also the practical side."
Chambers and Partners 2020, Environment.

"He is technically very strong and very good in front of a court." "He was utterly dedicated from his first involvement and gets to grips with a mass of information quickly."

Chambers and Partners 2020, Planning.

"A real specialist, very bright and perceptive, his knowledge of the law is top-class and he will argue the case with vigour."
Legal 500 2020, Environment.

"Always great at delivering, he has an inquiring mind that chases down every possible route."
Legal 500 2020, Planning.

"A brilliant, very modern barrister." "He's very good technically on planning and environment work."
Chambers and Partners 2018, Planning

"He is enthusiastic, bright and gets to the point." "One of the best juniors in this area. He's always thought of a different angle to an issue that you haven't thought of."
Chambers and Partners 2018, Environment

"His written work in complex cases puts him on a par with many QCs."
and Partners 2018, Agriculture & Rural Affairs

"He provides competent and clear advice, and is one to watch"
Legal 500 2017, Environment

"He is very bright and very articulate"; "Very responsive, hard-working and bright";
"particularly good on flooding matters"
Chambers and Partners 2017, Environment

"He is extremely thorough and very good at picking out case law. His method of questioning and cross-examining is impressive, he's firm but fair."
Chambers and Partners 2017, Agriculture & Rural Affairs

"Very bright indeed, very articulate and not afraid to go to court with a case that is out of

the ordinary - he is very environmentally minded and has a good sense of the principles";
"Very reliable, personable and very good at what he does."
Chambers and Partners 2017, Planning

Practice Areas

Planning

Environment

Highways, rights of way, commons and village greens

Compensation, rating and land valuation

Public and local government law

Land and property law

Planning

Ned has a solid and practical knowledge of planning law from high profile development proposals, to technical enforcement and lawful development certificate work. He has acted for applicants, local authorities and third party objectors in many different contexts.

Ned also has experience of major infrastructure cases under the Planning Act 2008 and Transport and Works Act 1992. Work includes on three recent/current schemes: Manston Airport, Tilbury 2 and the Stonehenge tunnel. He appeared at examinations into the following DCO applications: A303 Stonehenge tunnel, Navitus Bay Wind Farm (where he presented the successful objection on behalf of Natural England), Thames Tideway Tunnel and Able Marine Energy Park on the Humber Estuary. Ned acted for Buckinghamshire CC in its representations on the Network Rail (East West Rail) (Bicester to Bedford Improvements) Order, for the MMO on the Northern Line Extension Transport and Works Act Order and for Natural England at the resumed inquiry into the Transport and Works Act Order for Chiltern Railway's Oxford-Bicester line upgrade.

Current and recent hearing and inquiry work includes hotel/office development on Farringdon Road in London ([2018] PAD 24), the Wisley Airfield inquiry into proposals for more than 2,000 homes in the Surrey Green Belt and the material change of use of land for swimming tuition. Chambers & Partners comments that Ned's "method of questioning and cross-examining is impressive, he's firm but fair".

Ned has considerable experience of housing land supply cases under the NPPF and local plan policies. He was counsel for the claimant in *CPRE Surrey v Waverley BC* [2019] EWCA Civ 1826, a case considering objectively assessed need and housing market areas. He has acted at numerous planning appeals and statutory challenges relating to housing development including a recent High Court challenge by Bovis and Miller Homes of the refusal to grant permission for 650 homes in Cheltenham (*Bovis Homes Ltd and Miller Homes v SSCLG* [2016] EWHC 2952 (Admin)). Ned has given advice on starter homes and the application of government policy to a number of clients, including the Ebbsfleet Development Corporation.

Ned is acting and has acted in a number of planning judicial reviews and statutory challenges, including *R (Becker) v Hertfordshire CC* [2018] EWHC 1974 (Admin), *R (Usher) v Forest Heath DC* [2017] EWHC 2511 (Admin), *Akhtar v SSCLG* [2017] EWHC 1840 (Admin), *New Dawn Homes Ltd v SSCLG* [2016] EWHC 3314 (Admin), *Kestrel Hydro v SSCLG* [2016] EWCA Civ 784, *Forster v SSCLG* [2016] EWCA Civ 609, *Doncaster MBC v SSCLG* [2016] EWHC 2876 (Admin), *R (Harper) v South Oxfordshire DC* [2014] EWHC 1331 (Admin), *R (Evans) v Basingstoke and Deane BC* [2013] EWCA Civ 1635, *R (Feeney) v SST* [2013] EWHC 1238 (Admin) and *R (U & Partners (East Anglia) Ltd) v Broads Authority* [2011] EWHC 1824 (Admin).

He has wide experience of lawful development certificate, planning enforcement, prosecution and committal proceedings. He recently obtained permission for the retrospective demolition of dwellings in a conservation area on appeal ? a decision upheld in the High Court (*Tower Hamlets LBC v SSHCLG* [2019] EWHC 2219 (Admin)). Other notable cases in these areas include *Kestrel Hydro v SSCLG* [2016] EWCA Civ 784 (on the scope and nature of the 'Murfitt principle'), *Ravensdale Ltd v SSCLG* [2016] EWHC 2374 (Admin), *Pathfield Estates Ltd v Haringey LBC* [2013] EWHC 2053 (Admin) and *Oxfordshire CC v Wyatt Brothers (Oxford) Ltd* [2012] EWCA Civ 1921.

Other cases of note include:

- Acted for East Devon District Council at an inquiry into proposed redevelopment of their offices in Sidmouth for the provision of extra care
- Acted for CPRE Kent in an important case on costs in planning cases (*CPRE ? Kent Branch v SSCLG* [2019] EWCA Civ 1230; [2020] 1 WLR 352)
- Acted for Barnet London Borough Council in committal proceedings for breach of an injunction under s.187B of the Town and Country Planning Act 1990
- Acted for Islington London Borough Council at the Chadwell Street Car Park inquiry, involving substantial basement development ([2017] PAD 22)
- Acted with Andrew Tait QC for the Garden Bridge Trust (twice) successfully resisting judicial review challenges (the latest of which was determined in October 2016: *R (O'Neill) v London Borough of Lambeth* [2016] EWHC 2551 (Admin))
- Appeared with Morag Ellis QC for Camden in *Athlone House Ltd v SSCLG* [2015] EWHC 3524 (Admin), a challenge to the refusal of an appeal for controversial redevelopment proposals on Metropolitan Open Land
- Acted for the promoter of a large inland marina at Ratcliffe-on-Soar on appeal against Nottinghamshire County Council's non-determination of the application
- Appeared for a local action group opposing wind development that would have had

an impact on Southwell Minster in Nottinghamshire

- Resisted a contested appeal against Kings Lynn and West Norfolk BC's refusal to issue a certificate of lawful use (reported at JPL 2012 (7) 858-876)
- Appeared with Keith Lindblom QC (as he then was) for the Friends of St Katharine Docks in their successful third party objection to major redevelopment proposals
- Made representations to the Examination in Public of the latest version of the London Plan, England's only surviving Regional Strategy
- Successfully acted for the appellant in a planning enforcement appeal regarding houseboats on the Driffild Navigation, Yorkshire (Planning Magazine, 22 October 2010, page 35) - his first planning inquiry

Ned is recognised as a leading junior in planning law by Chambers & Partners which has commented that he is "technically very strong and very good in front of a court" (2020), a "very talented lawyer" (2019), "a brilliant, very modern barrister" (2018), "very reliable, personable and very good at what he does" (2017), "he has a very, very good, sharp mind and adopts a very thorough approach to his preparation of cases" (2016), "he's excellent ... very calm and articulate, very quick on his feet, and thinks strategically" (2015) and "[he] is absolutely fantastic, does excellent work and is a roaring success" (2014). Ned is a member of PEBA.

Environment

Ned has considerable expertise and experience in environmental law, including nature conservation, nuisance, water, waste and contaminated land. He has acted for the Environment Agency, the Marine Management Organisation and Natural England and has a thorough understanding of pollution control, marine and habitats law.

Recent work includes advice on habitats issues, on geological disposal and on potential liabilities for flood alleviation projects under the Water Resources Act 1991. Ned was counsel to CPRE in its successful challenge of planning permission granted to major residential development in the Kent Downs AONB about the standard of reasons for EIA development in sensitive areas (*R (Campaign to Protect Rural England) v Dover DC* [2016] EWCA Civ 936 ? upheld in the Supreme Court in December 2017: [2017] UKSC 79).

Ned regularly advises on environmental and habitats assessment. He acted for the claimant in the challenge to the Oxford-Cambridge Expressway routing decision on EIA and HRA grounds (*R (Berks Bucks and Oxon Wildlife Trust) v SST* [2019] EWHC 1783 (Admin)). He was junior to Robert McCracken QC in *R (Evans) v Basingstoke and Deane BC* [2013] EWCA Civ 1635, a case that considered the compatibility of planning enforcement time limits with EIA law. He was instructed by Friends of the Earth in its Supreme Court intervention on the appeal of the Northern Ireland Court of Appeal's decision in *Central Craigavon Ltd's Application for Judicial Review* [2011] NICA 17. Ned also acted for Natural England resisting a challenge to a condition designed to protect EU habitats in *R (Feeney) v SST* [2013] EWHC 1238 (Admin).

On flooding, Ned is recognised by Chambers & Partners as "particularly good"; he regularly advises on the public, civil and criminal aspects of flood liability. He has acted both for public authorities resisting claims and for individual and insured parties bringing

them. He has also appeared at a planning inquiry where the main issue raised was the accuracy of flood modelling.

Other cases of note include:

- Acted for the Environment Agency resisting claim for compensation to interference with riparian rights (*Fearon v EA* [2019] UKUT 97 (LC); [2019] RVR 274)
- Acted for local residents successfully challenging decision to build homes on open space/parkland in Liverpool on heritage and policy grounds (*R (Liverpool Open and Green Spaces Community Interest Co) v Liverpool CC* [2019] EWHC 55 (Admin) (to be heard on appeal in Spring/Summer 2020)
- Acted for South Gloucestershire CC resisting a judicial review to the grant of a hazardous substances consent for the storage of liquefied petroleum gas adjacent to the Severnside Enterprise Area
- Acted with Douglas Edwards QC for Wandsworth LBC in the challenge to the decision to use Battersea Park for Formula E electric racing
- Acted with Craig Howell Williams QC for BAE Systems at the inquiry into and subsequent challenge to bird cull proposals at the Ribble and Alt Estuary Special Protection Area in Lancashire (*RSPB v SSEFRA* [2015] EWCA Civ 227)
- Appeared for Natural England at the inquiry into the called-in application for a 67 hectare solar array at Wroughton Airfield near Swindon
- Successfully challenged the grant of permission for the redevelopment of Hartley's Brewery in Ulverston due to inadequate consideration given to heritage protection (*R (Hughes) v South Lakeland DC* [2014] EWHC 3979 (Admin))
- Acted with Robert McCracken QC for INEOS ChlorVinyls at the inquiry into monitoring conditions for the waste incinerator at its Runcorn chemical plant
- Acted with Gregory Jones QC for the claimant in *R (U & Partners (East Anglia) Ltd) v Broads Authority* [2011] EWHC 1824 (Admin), a challenge to the Environment Agency's flood control works in Norfolk, which confirmed that the requirement of "promptitude" does not apply to judicial reviews under the EIA Directive

In respect of criminal work, Ned acts both for prosecutors and defendants. He represented the Wisely Golf Club in its prosecution by the Environment Agency for various alleged offences under the Thames Region Land Drainage Byelaws and the Wyatt brothers in their appeal against committal for contempt for breaching planning enforcement notices in the Court of Appeal.

Ned is rated as a leading junior in environmental law by Chambers & Partners which has commented that he "quickly grasps a point and knows the landscape of the law, but also the practical side" (2020), is "quick on his feet and extremely bright" (2019) is "one of the best juniors in this area" (2018), "very responsive, hard-working and bright" (2017), "clearly has a passion for the subject, is always in command of his papers and is good on his feet" (2016) and that "he will be one of the greats of the future" (2015). Ned regularly talks and writes on environmental law and has an LLM (environmental laws) from UCL, where he is a visiting researcher.

Highways, rights of way, commons and village greens

Ned has very considerable experience of the law of rights of way, common land and

village greens, fostered from his time as pupil to Philip Petchey in 2010. He regularly acts for Government and local authorities as well as landowners and amenity groups including the Ramblers' Association, British Horse Society, Trail Riders Fellowship and Green Lanes Association. He has appeared at inquiries under the Commons Act 2006, Wildlife and Countryside Act 1981 and Highways Act 1980.

He appeared in the Supreme Court for the applicant for village green registration in the important case of *R (Lancashire CC) v SSEFRA* [2019] UKSC 58; [2020] 2 WLR 1, on the concept of 'statutory incompatibility'. Other recent work in this area includes the Open Spaces Society's challenge to the decision to deregister common land at Blackbushe Airfield in Hampshire (heard in February 2020) and a challenge to an Inspector's decision to modify the definitive map and statement to upgrade a footpath passing under the M25 to a bridleway (heard in December 2019). Ned is acting for the Lake District National Park Authority resisting a challenge to its highly publicised decision not to regulate the use of certain byways to prevent motorcycles and four-wheeled vehicles. He acted for the *Secretary of State in Slough BC v SSEFRA* [2018] EWHC 1963 (Admin) a case on common law dedication and s.67 of the Natural Environment and Rural Communities Act 2006.

Ned has detailed understanding of village green law. In addition to Lancashire, he acted for Long Live Southbank in their challenge to Lambeth Council's interpretation of 'trigger events' to preclude a village green application for the 'Undercroft' skate park beneath Queen Elizabeth Hall. He also represented local inhabitants in two cases on the de-registration of town and village greens under section 14 of the Commons Registration Act 1965 in the Supreme Court: *Taylor v Betterment Properties (Weymouth) Ltd and Paddico (267) Ltd v Adamson*: [2014] UKSC 7. He has appeared at several village green inquiries both for landowners and local inhabitants.

He has a good understanding of the statutory regime relating to the England Coast Path. Ned acted for Natural England at the first inquiry into an objection to a proposal for the England Coast Path under the Marine and Coastal Access Act 2009, inland of the Fleet in Dorset (determination still outstanding).

Other recent advice includes on the extent of the highway, the lawfulness of the use of rights of way for events and the provision of cycle tracks.

Other cases of note include:

- Acted for Ealing London Borough Council in its successful application to deregister part of Haven Green in order to facilitate the retention of an award-winning cycle hub
- Successfully resisted a challenge to the refusal to register land as a village green (*Forbes v Wokingham BC* [2018] EWHC 1963 (Admin))
- Represented Kent County Council at the inquiry into its making of concurrent stopping up and creation orders along Faversham Creek, which were consented in March 2018
- Acted for Havering London Borough Council at an inquiry into a stopping up and diversion order under s.259 of the Town and Country Planning Act 1990
- Acted for Kent County Council at the inquiry into a network of footpaths and bridleways proposed by modification order in Aylesford and Burham

- Acted for Ashfield DC and Muse Developments Ltd in relation to the proposed diversion of a footpath at Hucknall to facilitate redevelopment of the Rolls Royce site
- Acted for Save Chaucer Fields at the inquiry to register the slopes to the south of the university in Canterbury as a village green, the case involved the determination of a preliminary issue about the retrospective effect of s.15(7)(b) of the Commons Act 2006
- Acted for East Sussex County Council and successfully upholding its objection to a definitive map modification order that sought to downgrade a restricted byway to a footpath in the parishes of Heathfield and Warbleton
- Successfully resisted the confirmation of a definitive map modification order to upgrade a footpath across the Squerryes Estate in Kent to a bridleway based on evidence from 1957-1977
- Acted for Linden Homes in its successful objection to an application to register the 'Public Square' outside of Willesden Green Library Centre as a town or village green
- Acted for Islington LBC in its successful objection to an application to register housing estate land at Marie Lloyd Gardens as a town or village green
- Acted for the successful landowner in the Rydens Way case (junior counsel to Douglas Edwards QC), the case was heard as a non-statutory inquiry on the legal point only and established that the doctrine of res judicata applies to prevent repeat village green applications in relation to the same area of land (reported at JPL 2012 (4) 497-520)
- Represented the Epping Forest Riders Association in their objection to Essex County Council's introduction of cattle grids to the Epping Forest
- Appeared for Shipbourne Parish Council in their successful opposition to the controversial proposed diversion of a footpath in the Kent Downs AONB

Ned regularly writes and advises on highways issues and has carried out training for the Planning Inspectorate on rights of way and commons matters. Ned is recognised as a leading junior in agriculture and rural affairs by Chambers & Partners which has commented that he "is a polished advocate" who is "approachable, knowledgeable and genuinely interested in the work" (2020), is "very pleasant to work with" he's measured, easy-going, and very good on the details" (2019) "his written work in complex cases puts him on a par with many QCs" (2018), "he is extremely thorough and very good at picking out case law" (2017), "he has a good command of the planning process and is very strategic..." and that "[h]e rolls up his sleeves and gets stuck in, and is easy to work with" (2016).

Compensation, rating and land valuation

Ned has acted at a number of compulsory purchase order inquiries, including on orders in Solihull and Enfield. He appeared with James Pereira QC for Hillingdon and the Canal and River Trust in the Southall Gas Works CPO inquiry.

Ned has advised on compensation matters, including as to CPO procedure and the quantum of damages for flood damage. He has considerable experience of the Upper Tribunal, including *Thomas (Deceased) v RCC* [2020] UKUT 6, *Fearon v Environment Agency* [2019] UKUT 97 (LC); [2019] RVR 274, *Palliser v Revenue and Customs Commissioners* [2018] UKUT 71 (LC), *Turnbull v Goodwyn School & Ors* [2016] UKUT 62 (LC) and *Chakravorty v Revenue and Customs Commissioners* [2014] UKUT 184 (LC).

He has acted for Newham London Borough Council in Upper Tribunal proceedings for CPO compensation. Ned was successful counsel for the local authority in *Edem v Basingstoke and Deane BC* [2012] EWHC 2433 (Admin), a case on council tax exemptions. He has also appeared at the Valuation Tribunal for England.

R (Dowley) v SSCLG [2016] EWHC 2618 (Admin), in which Ned was junior to Gregory Jones QC, was a case that addressed the relationship between compensation provisions and the right of access onto land under s.53 of the Planning Act 2008.

Public and local government law

Ned has wider and more general experience of a range of areas of public law including dangerous dogs (*Webb v Chief Constable of Avon and Somerset* [2017] EWHC 3311), animal health (*R (MacDonald) v SSEFRA* [2019] EWHC 1783 (Admin); [2019] ACD 97), the Convention on International Trade in Endangered Species (CITES) and zoo licensing.

In particular, Ned has a good understanding of local government law and regularly advises local authorities on a range of public law issues, including the extent of their duties and the scope of their powers. He recently advised Transport for London on the Mayor's proposal to introduce a direct vision standard for HGVs to reduce collisions involving vulnerable road users (the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (Amendment) Order 2019).

Ned has acted in housing possession and disrepair claims, advised on the funding arrangements for academies and drafted pre-action correspondence on the lawfulness of local authority constitutional arrangements. Recent advice includes on public space protection orders and oyster fisheries.

He has also been involved in a number of matters relating to the provisions in the Localism Act 2011, including *R (O'Neill) v London Borough of Lambeth* [2016] EWHC 2551 (Admin) (on, among other things, the general power of competence). He recently acted for Haywards Heath Golf Club successfully appealing in the First Tier Tribunal against the listing of their land as an asset of community value (?ACV?). He also acted for Ealing London Borough Council successfully resisting an appeal against its listing of allotment land as an ACV. He has advised generally on ACVs and has appeared at review hearings.

In licensing law, Ned has made representations before local authority committees and has appeared in Magistrates' Court appeals - for operators in Islington and Tower Hamlets, for a number of local authorities and for local resident objectors. Ned is a member of the Institute of Licensing and has experience of all aspects of the Licensing Act 2003, as well as closure notices, street trading licences, zoo licensing and dog licensing. He acted pro bono for Lincoln's Inn obtaining an extension to its premises licence for the Great and Old Halls.

Land and property law

There is an overlap in Ned's practice with discrete areas of property law, in particular nuisance, land covenants and easements. Ned regularly advises on these issues. A notable case was acting for Sussex farmers in their claim for breach of covenant,

easement and/or equitable estoppel for a blocked effluent pipe, the claim was settled at mediation in September 2017. Ned has also appeared at the in front of the Tribunal to the Land Registry and has dealt with boundary disputes in the Magistrates Court.

Awards and Education

- Winner, UKELA Lord Slynn of Hadley senior mooted competition (2009 and 2010), on both occasions before Carnwath LJ
 - Lord Denning Scholarship, Lincoln's Inn (2008)
 - LLM (environmental laws), University of London (2007)
 - DMH Stallard Prize for the best results on the Common Professional Examination (distinction) University of Sussex (2006)
 - BA Classics (first class degree), UCL (2004), recognised on the Dean's List
 - Brighton, Hove and Sussex VI Form College
 - Lewes Priory School
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Publications

- *Court dismisses bid to reduce £2m penalty* ENDS 2019, 535 42
- *Privacy ruling opens door to nuisance claims* ENDS 2019, 530 38
- *Public Participation in UK CCS Procedures* (with Meyric Lewis) chapter in *Carbon Capture and Storage: Emerging Legal and Regulatory Issues* (2nd ed. Hart Publishing 2018)
- *The History and Context of the SEA Directive* (with Robert McCracken QC) chapter in *Strategic Environmental Assessment Directive: A Plan for Success?* (Hart Publishing, 2017)
- *R (Champion) v North Norfolk District Council*, *Journal of Environmental Law* 2016 28 (3): 523-531
- *Dealing with "the domino effect"* *SJ* 2016, 160(3), 29
- *Coventry v Lawrence: nuisance redefined* *Env L Rev* 2014,16(3), 211-218
- *Judicial review: going the extra mile* *SJ* 2014, 158(4), 28
- *Likely significant effect on EU habitats: a quick update* *Env Law* 2013, 77, 18-19
- *The Ritz reformed? Costs in environmental and public interest cases* *JR* 2013, 18(4), 408-415
- *Why Central Craigavon was wrongly decided (and other problems with the incorporation of the Strategic Environmental Assessment Directive into domestic law)* (with Gregory Jones QC and Roger Watts) *JPL* 2013, 9, 1074-1088
- Case note on *Newhaven Port and Properties Ltd v East Sussex CC* in the Court of Appeal, *RWLR* 2013, May(15.3), 249-253
- *Room at the top? HS2 and the strategic environmental assessment of major infrastructure* (with Gregory Jones QC) *SJ* 2013, 157(17) Supp (Bar Focus), 18-19
- *Cattle grids: legal issues* *RWLR* 2013, Jan(4.1), 113-121

- *Private nuisance and statutory controls* Env L Rev 2012, 14(3), 224-223.
- Case note on *Newhaven Port and Properties Ltd v East Sussex CC*, RWLR 2012, May(15.3), 207-215
- *How to deal with candidate SACs and potential SPAs?* (with Gregory Jones QC) chapter in *The Habitats Directive* (Hart Publishing, 2012)
- *The year's hottest cases reviewed* (United Kingdom Environmental Law Association (UKELA) Conference 2011) published at ELM 2011, 23(4), 266-272
- Contributor to *The Law of Regulatory Enforcement and Sanctions* (Norris and Phillips eds.) (Oxford University Press, February 2011), the leading textbook on the Regulatory Enforcement and Sanctions Act 2008
- Chapter on public participation in UK CCS planning and consent procedures (with Meyric Lewis) in *Carbon Capture and Storage: Emerging Legal and Regulatory Issues* (Havercroft, Macrory and Stewart eds.) (Hart Publishing, July 2011)
- *Update: planning* SJ (2009) 153/47 25 (with Gregory Jones)
- Chapter on UK implementation in *The Aarhus Convention at Ten: Interactions and Tensions between Conventional International Law and EU Environmental Law* (Europa Law Publishing, November 2009) (with Prof. Richard Macrory)
- *Costs, Protective Costs and Environmental Cases: The Ongoing Saga* Env Law 52 (July 2009) 7
- *The new European Marine Strategy Directive* (legislative note) Env. L. Rev. 2008, 10(3), 218-224

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