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## Meyric Lewis

### Practice Profile



Year of call 1986

Meyric was described by The Lawyer as "standing out" for his expertise in planning and judicial review. He is listed as a Leader at the Bar in Chambers Directory and as a Leading Junior in the Legal 500. He specialises in all aspects of planning (including environmental assessment) and compulsory purchase both at inquiries and in the courts at all appellate levels. Clients range from substantial developers to public authorities and individual developers or objectors.

He is frequently reported in the specialist law reports in notable cases. His court practice ranges from judicial and statutory review in the higher courts to prosecutions and other regulatory proceedings in the Crown Court and Magistrates' Court. He has particular experience in proceedings relating to planning enforcement, statutory nuisance and land contamination.

He has widespread expertise in compulsory purchase and compensation law acting for and advising clients on CPO and major infrastructure proposals and the compensation issues arising from them.

He is Chambers' Pro Bono Champion.

Meyric served as B Panel Treasury Counsel 1995-2001 defending Secretary of State's planning decisions in the High Court

He has published many articles including **Expediency in Enforcement** [2003] JPL 1106, **The New Procedures for Planning Challenges in the High Court** [2008] JPL 1720, Enforcing Planning Obligations [2012] Local Government Lawyer and Planning and Proceeds of Crime Act [2014] JPL 972; The Sanctity of Contract - Enforcing Section 106 Obligations [2019] JPL 748.

He was the elected Chair of the Compulsory Purchase Association 2014 - 2016.

He is regularly invited to speak at specialist seminars including RTPI Planning Law Updates and the Planning Inspectorate's Enforcement Conference.

He is the author with Bob McGeady of Law Brief Publishing's Certificates of Lawfulness - A Guide (2018) and Planning Obligations Demystified (2019).

He is an Editor of the Sweet & Maxwell Compulsory Purchase Encyclopaedia.

## Testimonials

"What Meyric Lewis doesn't know about planning law isn't worth knowing" Chambers and Partners, 2011

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"He has an incredible attention to detail and his knowledge is impressive", Chambers and Partners, 2018

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"A very good advocate who knows the law and is able to apply it in resourceful ways to achieve good outcomes", Chambers and Partners, 2018

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"He is very good at adapting the theoretical to the realities of the case", Legal 500, 2018

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"His drafting of pleadings is excellent" Chambers and Partners, 2015

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"A recognised authority on compulsory purchase" Chambers and Partners, 2015

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"An excellent advocate, and his written work is easily understood by clients." Chambers

## Areas of Expertise

### PLANNING

Meyric has in-depth expertise in a wide range of specialist areas in planning. He is equally at home promoting and resisting housing, retail and general commercial developments both in urban and countryside locations. He also frequently appears for plan-making authorities and objectors in development plan examinations.

He has particular experience of development schemes in conservation areas or affecting listed buildings.

He regularly acts for appellants and planning authorities in complex enforcement cases.

Set out below is a list of some of the major inquiries and reported cases which Meyric has been involved in followed by more detailed lists of cases in specialist topic areas.

Highlight inquiries:

- **HS2** - 11 petitions in Parliament (Commons and Lords Select Committees)
- **Manor Place Oxford** - successfully resisting student accommodation proposals in setting of Grade I listed St Catherine's College and Magdalen College's Grade I registered park and within the Oxford Central (University and City) Conservation Area
- **Time Out Restaurant Spitalfields** - successfully resisting food market restaurant on grounds of impact on Fournier Street and Brick Lane Conservation Area
- **Aldeburgh Brickfields AONB** inquiry - market and affordable housing on former brickworks in the Suffolk Coast and Heaths AONB
- **Enterprise House** - tall building proposal at Aldgate in setting of listed buildings and with complex issues of assessment of adequate sunlight and daylight under BRE Guidelines
- **Great Cornard** - 2 week inquiry promoting Persimmon scheme for 170 houses in Gainsborough landscape and setting of Grade I listed building (following successful resistance of EU law Environmental Impact Assessment JR in Court of Appeal)
- **Witney** - 2 week inquiry resisting Gladman appeal for 270 houses in HSE hazardous installation notification zone
- **Sugar House Land CPO** - successful objection to taking of Stratford Sail advertising display on grounds of lack of prejudice to regeneration scheme to create new commercial/residential quarter for East London
- **St Katharine Docks, Tower of London Conservation Area** inquiry
- Persimmon HOmes, Sudbury (housing in setting of Grade I listed building (and historic Gainsborough landscape)

- **Snoasis Snowdome and wintersports development**
- **Kingsway Business Park CPO** (for North West Development Agency)
- World Society for the Protection of Animals (first ever mega-dairly inquiry)
- **Jersey Marine Swansea** (for Welsh Development Agency)
- **Greater Manchester retail** inquiries
- **M40 MSAs inquiry/M42 MSAs** inquiry
- **Sevenoaks Core Strategy** (for Sevenoaks District Council)
- **Surrey Minerals and Waste Plans** (objections on SEA and SPA/Habitats Directive grounds)
- **Aldford House, Park Lane** (residential scheme in Mayfair/Royal Parks conservation areas)
- **Carpenters Road, Stratford** (Olympics CPO Land Compensation Act appeal)
- **Numerous other developer, LPA and third party inquiries** (housing, retail, leisure)
- **Particular expertise in enforcement matters** (eg Kemble and Llanbedr Airfields, traveller cases, ten year rule, listed buildings, TPOs, criminal proceedings, injunctions and committals)

Highlight court cases:

- **Warners Retail** - success in Court of Appeal in important decision on interpretation of national policy on retail development (in Planning Magazine 2016 "top 10" cases)
- **R (Khodari) v. RBKC**, Court of Appeal - confirming planning agreements cannot prohibit holding of residents' parking permits
- **R (Maynard) v Chiltern DC** - JR of Neighbourhood Plan ruling on statutory "basic conditions" for validity of plans
- **R (Kohle) v. Westminster City Council** - successfully resisting high-profile JR challenge on Equality Act grounds to change of use of historic Africa Centre in Covent Garden
- **R (Stefanou) v. Westminster City Council** - complex JR on whether repointing of listed building facade sufficient "building" works to begin development and keep consent alive
- **R (Eatherley) v. LB Camden** - first JR on need for express consent for new basement (or whether permitted "enlargement/improvement")
- **Bolton MDC v. Secretary of State, House of Lords** - duty to give reasons in planning appeal decisions
- **R (Smith) v. Cotswold DC, Court of Appeal** - adequacy of reasons for granting planning permission (successfully resisting appeal against Richard Buxton and Co)
- **Bateman v. South Cambs DC, Court of Appeal** - adequacy of reasons in European/domestic context for not requiring environmental impact assessment
- **R (Goodman) v. LB Lewisham and Big Yellow Ltd, Court of Appeal** - environmental assessment (for Big Yellow)
- **Fairstate v. Secretary of State, Court of Appeal** - ten year rule in enforcement
- **R (Trillium) v. LB Tower Hamlets** - alleged "improper" designation of conservation area
- **B Panel Counsel for Secretary of State 1995-2001** defending planning decisions in the High Court

Many articles including **Expediency in Enforcement** [2003] JPL 1106 and **The New Procedures for Planning Challenges in the High Court** [2008] JPL 1720

## Residential

- **Laing Homes development of 180 units at the Triangle Site, Cambridge** - also successfully defended their development at Chertsey Bridge, Surrey
- **Advised Barratt Homes on substantial development in Gravesham**
- **Crossways Estate CPO inquiries** - compulsory purchase of former Council flats to create nearly 700 units
- **Appeal on behalf of Grosvenor Estate** - Aldford House, Park Lane (conservation implications of views from Royal Parks and Mayfair conservation areas)
- **Defended grants of planning permission in judicial reviews** on behalf of eg LB Tower Hamlets, Cotswold DC
- **Resisting residential developments** for eg Mendip DC, Wycombe DC, LB Croydon, LB Tower Hamlets

## Commercial

- **Welsh Development Agency** - substantial commercial/retail development on M4 near Swansea
- **Kingsway Business Park** - 170 hectare regeneration development of regional and national significance in Rochdale, Greater Manchester - instructed by Eversheds for North West Development Agency
- **Argent Estates plc footpath orders to facilitate implementation of regeneration development at Piccadilly Place accessed via the Manchester Curve Bridge, Piccadilly Station** - instructed by Lovells
- **Colchester United FC training ground**
- **Big Yellow Lewisham**
- **Premier Inns Leman Street**
- **Advised Tower Hamlets BC on planning gain aspects of Canary Wharf**
- **Advised Kent Police on terrorist/security implications of proposed Kent International Gateway Road/Rail Freight Depot**
- **Snoasis Snowdome and wintersports development inquiry**

## Listed Buildings and Conservation Areas

- **Aldford House, Park Lane** (Mayfair and Royal Parks conservation areas)
- **St Katharine Docks** - successfully resisting unsympathetic redevelopment of historic docks affecting listed buildings in the Tower of London conservation area, "an area of exceptional architectural and historic interest"
- **Daresbury Hall** inquiry (enabling development - for English Heritage)
- **R v. Secretary of State ex parte Bath and NE Somerset Council**, Court of Appeal - requirements for validity of planning/listed building consent applications

(for Bath and NE Somerset Council)

- **Cumberlow Lodge, Croydon and Burdett Road, Poplar** - controversial residential developments in conservation areas
- Advice to London Borough of Tower Hamlets on designation of **Redchurch Street and Hackney Road conservation areas**
- Numerous appeals - **Henbury House** Dorset, **St James's Church Derby**, **Downshire Hill Hampstead**, **Stoke Newington Church Street**, **Poplar High Street**, **St George the Martyr Bloomsbury**
- **5 day Crown Court trial for Warwick DC** - unauthorised alterations to listed building

## Major Transport Infrastructure

- **HS2** - petitions on behalf of British Car Auctions and International Automotive Components Ltd
- **Manchester Metrolink** - Airport Extension; Salford-Eccles Extension
- **Crossrail**
- **Merseytravel**

## Highways

- **Argent Estates plc** footpath orders to facilitate implementation of regeneration development at **Piccadilly Place, Manchester** - accessed via the Manchester Curve Bridge
- **R v. Secretary of State ex parte Slot**, Court of Appeal - natural justice in highway order proceedings
- Numerous footpath and bridleway inquiries

## Enforcement Notices and Injunctions

- **Fairstate Ltd v. Secretary of State** - ten year rule arguments through inquiry High Court and Court of Appeal
- **Kemble Airfield, Glos** - enforcement action on behalf of Cotswold DC
- **Ashford Borough Council** - long running enforcement action against illegal development transferred into ownership of off-shore company involving numerous appearances in court, an inquiry and two High Court challenges
- **Nottinghamshire County Council** - advising on enforcement to secure restoration of Bentinck Void and Tip site
- **Cotswold Water Park** - enforcement of "holiday use only" restrictions
- **Surrey Heath** - equestrian uses in Green Belt
- **Numerous injunction cases** - including Human Rights of Travellers
- **Committal proceedings for local authorities** eg LB Newham, Ashford BC, Kent County Council and Basildon DC where injunctions disobeyed by Defendants
- **General enforcement appeals:** taxi office in Whitstable; winter quarters for travelling show people (Jays Circus); house in Green Belt permitted to remain on grounds of fairness; ten year's use rights for commercial tennis coaching; ten year rule and container storage.

## Trees

- **Mills v. Secretary of State** - revocation of tree preservation order consent  
Successful defences of clients in tree-felling prosecutions

## COMPULSORY PURCHASE AND COMPENSATION

Meyric has practised in compulsory purchase and compensation law all his working life. He has widespread expertise, acting for and advising clients on CPO and major infrastructure proposals and the compensation issues arising from them. He was elected Chairman of the Compulsory Purchase Association 2014 - 2016.

Highlight cases include:

### Compulsory Purchase

- **HS2** - petitions on behalf of British Car Auctions and International Automotive Components Ltd
- **Thames Tideway Tunnel** - objections on behalf Surrey Quays Shopping Centre
- **Kingsway Business Park CPO** - promoted CPO for 170 hectare site in Rochdale, Manchester
- **Manchester Metrolink - promoted Salford-Eccles and Airport Extensions**
- **Crossrail - objection petition for Agrexco/Carmel**
- **London Borough of Tower Hamlets Crossways Estate CPOs and numerous other CPOs** (housing, empty properties)
- **Brick Lane CPO inquiry**
- **Oval Road CPO inquiry**
- **Collis v Secretary of State** - successfully defending CPO in High Court
- **Carpenters Road, Stratford - Olympics CPO Land Compensation Act appeal and four other appeals** concerning certificates of appropriate alternative development
- **Revocation and discontinuance orders** - eg Ashford Council, Hertfordshire County Council, South Oxfordshire District Council
- **Purchase notices**

### Compensation

- **Batchelor v. Kent CC** - successful ransom value claim of £2.15 million for less than an acre of land, Lands Tribunal then Court of Appeal twice
- **Stayley Developments v. Secretary of State**, LT - claim for £13 million in respect of the M66 motorway resulted in payment of only £1 million
- **JZT Limited v. Newcastle City Council** - £3 million Lands Tribunal claim (ultimately settled) for profits lost on extinguishment of business
- **RWE Npower plc v. Kent CC** - successfully resisting claim for £600,000 on basis of time bar under Limitation Act
- **Advising on Crossrail compensation claims**
- **Advising Greenwich RLBC on Kidbrooke Estate CPO compensation claims**

- **Advice to British Waterways Board on compensation payable by electricity companies for crossings over canals and waterways**
- **Lands Tribunal claim against Anglian Water plc for losses caused by laying of pipeline under development land**
- **Advice to Welsh Water in opposing claim for losses caused by laying of pipeline under development land**

## **ADMINISTRATIVE AND LOCAL GOVERNMENT LAW**

Meyric has a thorough-going knowledge of administrative law principles and procedures. He is frequently reported in the specialist law reports in notable cases. His court practice covers judicial and statutory review in the higher courts at all appellate levels. He is a Member of Administrative Law Bar Association and served as B Panel Treasury Counsel for the Secretary of State from 1995-2001 defending planning decisions in the High Court and Court of Appeal.

### **Statutory Review and Judicial Review**

Notable cases include:

- ***Bolton MDC v. Secretary of State, House of Lords*** - duty to give reasons for administrative decisions
- ***R v. Secretary of State ex parte Slot, Court of Appeal*** - natural justice in administrative decision-making
- ***R (Goodman) v. LB Lewisham and Big Yellow Ltd, Court of Appeal*** - environmental assessment
- ***Fairstate Ltd v. Secretary of State, Court of Appeal*** - lawful use rights and the ten year rule
- ***R v. Secretary of State ex parte Bath and NE Somerset Council, Court of Appeal*** - validity of planning and listed building consent applications
- ***R (Springhall) v. RLB Richmond, Court of Appeal*** - extent of delegated authority of planning officers
- ***R (Smith) v. Cotswold DC, Court of Appeal*** - reasons for and reasonableness of granting planning permission
- ***Collis v. Secretary of State*** - validity of CPO resolution
- ***R (Trillium) v. LB Tower Hamlets*** - alleged "improper" designation of conservation area
- ***Meyrick Estates Ltd v. Secretary of State, Court of Appeal*** - quashing National Park designation
- ***Newcastle City Council v. NE Barns Ltd, Court of Appeal*** - injunctions in statutory nuisance
- ***Manley v. New Forest DC, Divisional Court*** - best practicable means in statutory nuisance
- ***Circular Facilities (London) Ltd v. Sevenoaks DC*** - first ever case to reach the courts concerning a contaminated land remediation notice under Part IIA of the Environmental Protection Act 1990
- ***R (LB Barnet) v. Parking Adjudicator*** - validity of parking tickets in Greater London
- ***Bugbugs Ltd v. TfL*** - cycle rickshaws and hackney carriage licensing



## INFRASTRUCTURE

### Gas/Electricity

- **Electricity Act overhead line proceedings:** London Docklands; Barking Reach; Nidd Valley, North Yorkshire (all for National Grid)
- **Advised Transco on compulsory purchase compensation implications of acquisition of Kings Cross gas holders as a result of construction on Channel Tunnel Rail Link**
- Claim against British Gas as a result of pipeline laid under intended landfill site: *Whelan v. British Gas*

### Airfields

- **RAF Kemble**, Gloucestershire
- **RAF Llanbedr**, Snowdonia

### Water

- **Thames Tideway Tunnel** - objections on behalf Surrey Quays Shopping Centre
- **Instructions for eg Southern Water plc and Three Valleys Water plc in statutory appeal proceedings** under the Water Acts and generally in relation to development proposals on or affecting company land and environmental assessment
- **Advised British Waterways Board on compensation payable by electricity companies for crossings over canals and waterways**
- **Lands Tribunal claim against Anglian Water plc for losses caused by laying of pipeline under development land**
- **Advised Welsh Water in opposing claim for losses caused by laying of pipeline under development land**

## ENVIRONMENT

Meyric's practice covers the wide variety of environmental law proceedings.

### EIA/SEA/Habitats Directive

- **Bateman v. South Cambs DC**, Court of Appeal - adequacy of reasons in EU/domestic context for not requiring EIA
- **R (Goodman) v. LB Lewisham and Big Yellow Ltd**, Court of Appeal - correct classification under EIA Regs
- **Bewl Water-Darwell Pipeline ES**
- **Surrey Minerals Plan** - objection on SEA grounds leading to reconsideration by plan-making authority
- **Surrey Waste Plan** - objection to incinerator proposal on grounds of impact on Thames Basin Heaths SPA

## Waste

- ***Collins v Environment Agency*** - exempt activities
- ***Pearsons Ballast v Environment Agency*** - closure notice appeal
- ***Environment Agency v Knowl Hill Ltd*** - resisting EPA prosecution
- ***Surrey Waste Plan*** - objection to incinerator proposal on SPA/Habitats Directive grounds
- **General advice and advocacy in magistrates' and higher courts on EPA 1990 and Environmental Permitting Regulations**

## Energy

- **Electricity Act Overhead line proceedings:** London Docklands; Barking Reach; Nidd Valley, North Yorkshire (all for National Grid)
- **Advised Transco on compulsory purchase compensation implications of acquisition of Kings Cross gas holders as a result of construction on Channel Tunnel Rail Link**
- Claim against British Gas as a result of pipeline laid under intended landfill site: ***Whelan v. British Gas***

## Water

- **Instructions for eg Southern Water plc and Three Valleys Water plc in statutory appeal proceedings** under the Water Acts and generally in relation to development proposals on or affecting company land and environmental assessment
- **Advised Southern Water on form and content of Bewl Water to Darwell Pipeline ES**
- **Advised British Waterways Board on compensation payable by electricity companies for crossings over canals and waterways**
- **Lands Tribunal claim against Anglian Water plc for losses caused by laying of pipeline under development land**
- **Advised Welsh Water in opposing claim for losses caused by laying of pipeline under development land**

## Control of Pollution

- ***Collins v Environment Agency*** - exempt activities
- ***Pearsons Ballast v Environment Agency*** - closure notice appeal
- ***Environment Agency v Knowl Hill Ltd*** - resisting EPA prosecution
- ***Circular Facilities (London) Ltd v. Sevenoaks DC*** - first ever contaminated land remediation notice case under Part IIA of the Environmental Protection Act 1990
- **General advice and advocacy in magistrates' and higher courts on EPA 1990 and Environmental Permitting Regulations**

## Statutory Nuisance (including Noise)

- **General advice and advocacy in magistrates' and higher courts for local authorities and parties served with abatement notices**
- ***Manley v. New Forest DC***, Divisional Court - best practicable means in statutory nuisance: the "Howling Dogs" Kennels case (also appeared successfully in magistrates' court and Crown Court)
- Instructed by **Network Rail** on alleged statutory nuisance caused by railway "Whistle" signs

## Environmental Offences

- **Numerous appearances in the courts on EPA and similar offences**, eg *Environment Agency v Knowl Hill Ltd* - resisting EA prosecution; *Environment Agency v Daniel Thwaites plc*
  - **Also statutory nuisance proceedings** eg *Manley v. New Forest DC*, Divisional Court - best practicable means; and land contamination, *Circular Facilities (London) Ltd v. Sevenoaks DC*
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## General

### Restrictive Covenants/easements

- ***Chertsey Bridge Developments v. Laing Homes Ltd***
- ***Burrows v. Laing Homes Ltd***
- **General advice on restrictive covenants**, including in relation to Lands Tribunal proceedings under section 84 of the Law of Property Act 1925 and easements

### Commons and Village Greens

- General advice on commons and village greens, rights of prescription etc

### Ecclesiastical

- Consistory court: ***St George the Martyr, Bloomsbury*** and ***St Mary St Giles and All Saints, Canwell*** both for English Heritage

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