



Francis Taylor Building  
Inner Temple  
London EC4Y 7BY

Francis Taylor Building

DX: 402 LDE

T: 020 7353 8415 F: 020 7353 7622  
E: clerks@ftbchambers.co.uk W: www.ftbchambers.co.uk

---

## Melissa Murphy

### Practice Profile



Year of call 2001

Melissa specialises in planning, administrative law, compulsory purchase and compensation. She is rated as a leading junior, in both Chambers and Partners and the Legal 500. She was named "top planning barrister under the age of 35" for two years running in the annual Planning Magazine survey' she now ranks highly among the "top rated juniors" in the 2019 edition.

### Testimonials

"She is very forceful, sticks to her guns and really does her best to represent her clients"  
Chambers and Partners, 2020

---

"She is very hard-working and has a prodigious memory and capacity for detail"  
Chambers and Partners, 2020

---

"Thorough, committed and enthusiastic", Legal 500, 2020

---

"Gives clear and robust advice with a good understanding of the commercial drivers in any case." Chambers and Partners, 2019

---

"She is excellent, tenacious and very good with clients." Chambers and Partners, 2019

---

"A very technically bright junior with a great understanding of the law who produces a very high standard of work." Chambers and Partners, 2018

---

"She anticipates the unexpected, is very measured and considered, and has very good relationships with solicitors." Chambers and Partners, 2018

---

"Recommended for compulsory purchase orders." Legal 500, 2018

---

"A real pragmatist. Especially on planning inquiries, she is very, very persuasive." Chambers and Partners, 2017

---

"Very pleasant and approachable, she has a detailed knowledge of the environmental aspects of planning in particular." Chambers and Partners, 2017

---

"She is technically excellent, has a quick grasp of the issues and is very user-friendly." Chambers and Partners, 2015

---

"Melissa Murphy maintains a strong presence in the planning arena, handling compulsory purchase, compensation and administrative law matters for clients." Chambers and Partners, 2014

---

"A strong advocate for promoting tricky compulsory purchase order matters." The Legal 500, 2014

---

The Legal 500, 2014

---

"Fighter" Melissa Murphy "doesn't give up - which is not quite as common at the Planning Bar as it should be." Chambers and Partners, 2013

---

"...earmarked as one of the rising stars amidst the younger generation at the Bar." Chambers and Partners, 2009

---

"Experienced in CPO inquiries." Chambers and Partners, 2015

---

"She is clear, methodical and gives good reliable advice." Chambers and Partners, 2015

---

"She's proactive, gives clear advice and is good at meeting deadlines" Chambers and Partners, 2014

---

"Her busy year saw her acting as junior to Simon Bird QC on the Pinewood Studios case, as well as receiving instructions to resist the making of the Salford Central CPO." Chambers and Partners, 2013

---

"She also "has the ability to make sure a team focuses on the real issues." Chambers and Partners, 2013

---

## Experience

# Experience

Planning  
CPO and Compensation  
Infrastructure / Parliamentary  
Administrative/Public Law

## PLANNING

Melissa is recognised as one of the leading juniors at the planning Bar and has extensive experience of planning matters. The following summaries give a flavour of that experience.

### Infrastructure

- Advice to EDF in relation to the proposed Sizewell C Development Consent Order application (with Hereward Phillpot Q.C.)
- Heathrow - Melissa was instructed as a junior to Craig Howell Williams Q.C. in relation to the Heathrow Airport Limited Cranford appeal.
- Manston Airport - with Suzanne Ornsby Q.C. Melissa was instructed by Bircham Dyson Bell to appear at an appeal inquiry on behalf of RiverOak Strategic Partners (promoters of the airport).
- HS2 - Melissa advised two local authorities along the HS2 route and presented the petition of South Northamptonshire District Council at the Select Committee. She has also been instructed in relation to accommodation works, most recently on a Transport and Works Act Order case (for an energy from waste operator); and an appeal for the London Borough of Hillingdon under Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017, which was the first such appeal, dealing with land in the Colne Valley.

### Housing and mixed use developments

- Promoting and resisting major residential and mixed use developments. Melissa has promoted the Aylesbury Estate redevelopment scheme for Southwark Council (see the Compulsory Purchase experience section for further details). As part of large multi-disciplinary teams, Melissa has also been instructed in relation to a new neighbourhood for Crawley; and 1,900 dwellings in the Green Belt proposed by Pinewood Studios.
- Numerous instructions in relation to housing in the countryside (in Wales and in England), involving consideration of the adequacy of the 5 year housing land supply; affordable housing; and impact on the landscape
- Experience of appeals concerning housing for the elderly, including residential care homes
- Significant experience of resisting development including housing in the Green Belt (on behalf of local authorities and third parties)
- Strategic advice dealing with the promotion of sites for housing through the local plan process, including substantial experience of dealing with Green Belt / AONB matters.

### Employment/mixed use/retail

- Various inquiries concerning the retention of employment land where higher value uses are proposed. For example, the development of a hotel on employment land in Norwich; the development of a Circle promoted private hospital in Test Valley; and logistics development on sites allocated for other employment purposes
- Part of a team promoting significant mixed use development in Polegate, East

## Sussex

- Strategic advice to Norwich City Council as landowner in relation to the promotion of a major mixed use development in its area
- Repeat instructions from Sainsbury's - including a rights of way inquiry to facilitate a store expansion on the Isle of Wight.

## Heritage

- Melissa's clients include The National Trust, but she is also happy to advise and represent much smaller organisations in relation to heritage matters.
- Particular expertise in relation to appeals concerning listed buildings and registered parks and gardens.
- Unusually for a planning specialist, Melissa's practice includes criminal work: she has both prosecuted and defended in the criminal courts, in relation to listed building and planning enforcement prosecutions. She has also appeared in the Court of Appeal (Criminal Division) recently, successfully defending the decision of a Crown Court judge to stay a prosecution brought by a London Borough.
- Melissa has undertaken numerous inquiries concerning the impact of development on listed buildings and the character and appearance of conservation areas.

## SA/SEA/EIA

- Melissa has a particular interest in the interrelationship of domestic and EU law. Given that interest, she has regularly conducted seminars addressing sustainability and environmental assessment, including the implications of Brexit, to private and public sector audiences
- Melissa advises developers and local authorities in relation to the adequacy of assessments at both a strategic and site level.

## Local plans

- Advice and representation in relation to local plans
- Melissa has appeared at numerous local plan examinations, for the most part as one of a team promoting the plan, but she has also appeared for objectors.

## Planning enforcement

- Melissa is well versed in planning enforcement matters. She has frequently appeared at public inquiries in relation to s.174 appeals, concerning a wide range of development, from Gypsy sites, to stables for polo ponies, to residential development in a national park. She has had considerable success in dealing with enforcement notice prosecutions.

## Statutory challenges

The majority of Melissa's **public/administrative law** practice is linked to her other specialist practice areas:

See, for example:

- *R. v. (1) Knightland Foundation (2) Friedman* [2018] EWCA Crim 1860
- *Hargrave House Limited v. Highbury Corner Magistrates' Court* [2018] EWHC 279 (Admin)
- *R. (on the application of Sainsbury's Supermarkets Limited) v. Hillingdon LBC* [2015] EWHC 2571 (Admin)
- *Delaney v. SSCLG* [2013] EWCA Civ 585 (High Court: [2012] EWHC 1303)
- *LB Hillingdon v. SSCLG* [2012] EWHC 1557
- *Chetwynd v. South Norfolk DC* [2010] EWHC 1070
- *Taylor Wimpey v. Crawley Borough Council* [2008] EWHC 2644
- *Thompson v. Secretary of State* [2004] EWHC 1492 (Admin)

## INFRASTRUCTURE / PARLIAMENTARY

Melissa is one of the few juniors at the planning bar with substantial experience of proceedings concerning major infrastructure projects.

Here are some good examples:

Development Consent Order work - advice to EDF in relation to the proposed Sizewell C DCO application (with Hereward Phillpot Q.C.)

Parliamentary proceedings - HS2 - Melissa appeared before the HS2 Select Committee and advised on representations to the Committee.

Public inquiry work - **Heathrow** - Melissa and Craig Howell Williams Q.C. appeared on behalf of the Mayor of London, Hillingdon LBC and Hounslow LBC in the Heathrow Airport Limited Cranford appeal inquiry.

Lands Chamber (compulsory purchase compensation) - **Thameslink** - Melissa has been instructed by Eversheds on behalf of Network Rail to deal with compensation issues arising from the Thameslink project.

Transport and Works Act 1992 proceedings re the Network Rail (Hitchin (Cambridge Junction)) Order inquiry, other TWAO work includes accommodation works for HS2; she has also dealt with CPO (highways), including for Cambridgeshire County Council.

Strategic advice to local authorities in relation to infrastructure projects

## COMPULSORY PURCHASE AND COMPENSATION

Melissa has attracted particular attention for her strength in promoting "tricky compulsory purchase orders". She is interested in and enjoys CPO work, with notable success in relation to the recent successful promotion of the Aylesbury Estate CPO, a controversial estate regeneration scheme in Southwark. She is presently advising on other estate regeneration proposals. In addition to town and country planning CPOs, she has also advised in relation to CPOs under the Highways and Housing Acts. As part of her major CPO/planning inquiry work, Melissa was part of a team representing Schroders and Stanhope plc, objecting successfully to Croydon Council's controversial proposals at the

Croydon Gateway site.

Recent clients include:

- Southwark Council (Aylesbury Estate)
- Basildon Council (Craylands Estate)
- Cambridge County Council (A605)
- Ralli Solicitors (Salford Central)
- Ceredigion County Council (Aberystwyth town centre).

Compensation

Melissa has considerable experience of disputes relating to compulsory purchase compensation. She has been instructed in Lands Tribunal proceedings by the London Development Agency, Dover District Council, Essex County Council and Kent County Council, as well as by private individuals.

Her work has included detailed consideration of matters such as valuation of the land taken; compensation for severance, injurious affection and disturbance; mitigation, betterment, planning assumptions and the application of statutory disregards and *Point Gourde* (on which she has lectured to both public and private sector audiences); and costs.

She appeared in the Lands Tribunal in the following reported cases:

- *Scotia Plastic Binding Limited (in administration) v. LDA* [2010] RVR 307
- *Essex Showground v. Essex County Council* [2006] RVR 336

Much compensation work, of course, is directed to ensuring that a negotiated outcome is achieved and often advisory work is all that is required. Recent instructions include advice to a private sector client, as junior to Michael Humphries Q.C.

## **PUBLIC/ ADMINISTRATIVE LAW**

Melissa advises on and appears in cases concerning public and administrative law matters, principally those with a planning/compulsory purchase focus.

Recent cases include:

- *R. v. (1) Knightland Foundation (2) Friedman* [2018] EWCA Crim 1860
  - *Hargrave House Limited v. Highbury Corner Magistrates' Court* [2018] EWHC 279 (Admin)
  - *R. (on the application of Sainsbury's Supermarkets Limited) v. Hillingdon LBC* [2015] EWHC 2571 (Admin)
  - *Delaney v. SSCLG* [2013] EWCA Civ 585 (High Court: [2012] EWHC 1303)
  - *LB Hillingdon v. SSCLG* [2012] EWHC 1557
  - *Chetwynd v. South Norfolk DC* [2010] EWHC 1070
  - *Taylor Wimpey v. Crawley Borough Council* [2008] EWHC 2644
  - *Thompson v. Secretary of State* [2004] EWHC 1492 (Admin)
-

## Professional Associations

Melissa is a member of the following professional bodies:

- Planning and Environment Bar Association (former committee member)
  - Constitutional and Administrative Law Bar Association
  - Compulsory Purchase Association
  - National Infrastructure Planning Association
- 

## In the News

**Aylesbury Estate: CPO Confirmed by Secretary of State** - the Secretary of State for Housing, Communities & Local Government has confirmed the London Borough of Southwark (Aylesbury Estate Site 1B-1C) Compulsory Purchase Order. In doing so, the... [More](#)

**Court of Appeal Refuses Permission to Appeal in Planning Enforcement Prosecution Case** - in an *ex tempore* judgment given by Lady Justice Hallett DBE (Vice President of the Court of Appeal Criminal Division), the Court of Appeal has today refused to grant leave to the London... [More](#)

***The Call of Duty***. With Craig Howell Williams Q.C. Article first published in the Journal of Planning & Environment Law. Issue 10 2016 pp 957-971.

Fulham Town Hall Appeal Dismissed April 2017

Aylesbury Estate CPO Decision: the Secretary of State Consents to Judgment April 2017

Privacy Notice

---

---