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Charles Streeten

Overview



Year of call 2013

Charles Streeten has rapidly earned a reputation as one of the leading junior barristers in planning, environmental and public / administrative law. He was appointed to the Attorney General's panel of counsel ('C' Panel) at the first opportunity.

The 2017 Planning Law Survey listed Charles as one of the top 10 barristers under 35 and in 2018 he was nominated as the Young Pro Bono Barrister of the year.

Charles specialises in planning, environmental, licensing, EU and wider public/ administrative law. He regularly appears at public inquiries and is particularly highly regarded for his judicial review work. He has appeared before the Supreme Court and Court of Justice of the European Union, as well as in 20 reported cases before the Court of Appeal and High Court, more often than not as sole counsel. He acts for central government, developers, public/ local authorities, and other interested parties including pressure groups. His clients have ranged from Tarmac and Shell to Friends of the Earth and the Sheffield Tree Protesters. He has particular expertise in cases raising difficult points of public, EU, or international law (for example under the Aarhus Convention).

Recent / significant cases include:

Supreme Court

- **R (Hemming) v Westminster CC [2017] UKSC 50** (For the successful Defendant in the

leading case on the extent of a claimant's entitlement to restitution in public law.)

CJEU

- **C-316/15 Hemming v Westminster CC [2017] 3 W.L.R. 317** (Compatibility of licensing fees with the Services Directive.)

Court of Appeal

- **R (Shirley) v SoSCLG [2019] PTSR 1614** (leading case on the approach to Air Quality in planning.)
- **R (Goring-on-Thames PC) v South Oxfordshire DC [2018] EWCA Civ 860** (Sole counsel before the Master of the Roles, McCombe, and Lindblom LJ on the interpretation of 31(2A) Senior Courts Act and the requirement for reasons when permission refused without an oral hearing.)
- **R (Tarmac Aggregates Ltd) v SoS Environment [2015] EWCA Civ 1149** (Successful appeal for Tarmac in the leading domestic case on the definition of 'waste recovery' under Waste Framework Directive. Establishes that the use of waste to restore a quarry pursuant to a planning condition is a recovery operation.)

High Court/ Divisional Court

- **Goodman v SoSHCLG [2019] EWHC 2226 (Admin)** (Successfully resisted a challenge to an Inspector's approach to "identified housing need" in his decision letter)
- **Ikram v SoSHCLG [2019] EWHC 1869 (Admin)** (For the successful claimant an Inspector's decision to grant planning permission for a Mosque and secured the quashing of the permission even after the developer executed an ex post facto s 106 planning obligation designed to remedy the defect)
- **Swindon BC v SoSHCLG [2019] EWHC 1677 (Admin)** (Resisted a challenge to an Inspector's interpretation of the word "highway", which the court held required public access)
- **R (We Love Hackney Limited) v Hackney LBC [2019] Costs LR 463** (Successfully resisted a costs capping order and secured security for costs, following which the claim was struck out. Leading case on costs capping orders)
- **R (Lakenheath PC) v Suffolk CC [2019] EWHC 978 (Admin)** (Challenge to the decision to grant permission for a primary school near an RAF Air Base. Considers the proper approach to the Public Sector Equality Duty and establishes the test for the consideration of alternatives in EIA following Holohan)
- **R (Broad) v Richard DC [2019] EWHC 628 (Admin)** (Successfully resisted a claim for judicial review of a grant of planning permission where the proposed scheme had been amended without consultation)
- **R (ICAEW) v Lord Chancellor [2019] EWHC 461 (Admin)** (Successfully resisted a challenge by the Institute of Chartered Accountants for England and Wales to the Lord Chancellor's decision to reject their application to become an approved regulator)
- **R (LOGS) v Liverpool CC [2019] EWHC 55 (Admin)** (Successful claim for judicial review on the basis of misinterpretation of green wedge policy)
- **R (Rehman) v Wakefield Council [2018] EWHC 3664 (Admin)** (Successful claim for judicial review of Council taxi licence fees)
- **R (Becker) v Hertfordshire CC [2018] EWHC 1974 (Admin)** (Successfully resisted a challenge to the grant of planning permission for a green waste facility in the Green Belt. Acting for the Interested Party whose submissions were accepted in preference to the

argument advanced on behalf of the Defendant)

- **R (Newey) v South Hams DC [2018] EWHC 1872 (Admin)** (Succeeded in establishing that reasons were required for discharging conditions under delegated authority and that the Council had misconstrued NPPF policy on ground conditions.)
- **R (Spragge) v Westminster City Council [2018] EWHC 2058 (Admin)** (Succeeded in establishing that officer time is recoverable in judicial review and costs are payable to a Defendant where and a claim for judicial review is withdrawn following the grant of permission.)
- **R (Delta Merseyside Ltd) v Knowsley MBC [2018] EWHC 757 (Admin)** (Successful claim establishing illegality of policy restricting cross-boarder taxi licensing.)
- **R (KP JR Management Co Ltd) v Richmond Upon Thames LBC [2018] EWHC 84 (Admin)** (Successfully resisted a judicial review regarding marine development on the basis of the approach to the planning unit and the relevance of policy to material change of use.)
- **R (Bishop) v Westminster CC [2017] EWHC 3102 (Admin)** (Successful appearance for Westminster in a case establishing that planning permission should be quashed where a certificate negligently/ fraudulently obtained and the proper approach to consultation. Obtained an order awarding the Defendant its costs from the Interested Party.)
- **R (Rostron) v Guildford BC [2017] EWHC 3141 (Admin)** (Judicial review of the approach to setting taxi fares. Establishes the approach to EU freedom of establishment in this context and its relevance to judicial review on Wednesbury grounds.)
- **R (Qin) v Commissioner of Police for Metropolis [2017] EWHC 2750 (Admin)** (Successful judicial review overturning refusal of compensation for closing alleged brothels in Soho. Now the leading case on the approach to compensation for Closure Orders.)
- **R (Shirley) v SoSCLG [2017] EWHC 2306 (Admin)** (Leading case of approach to Air Quality in planning, Permission to Appeal granted.)
- **R (Working Title Films) v Westminster CC [2016] EWHC 1855 (Admin)** (Successfully resisting judicial review of planning permission for large central London development on grounds relating to provision of facilities under s 106.)
- **R (Dilliner) v Sheffield CC [2016] EWHC 945 (Admin)** (High profile judicial review, on behalf of Sheffield Tree Protestors, of Sheffield City Council's / Amey's felling of trees in Sheffield under 'Streets Ahead' PFI contract on grounds of consultation/ requirement for EIA.)
- **R (Harris) v Broads Authority [2016] EWHC 799 (Admin)** (Judicial review of decision to 'rebrand' the Broads as the 'Broads National Park'. Considers the 'Stanford Principle' and establishes that a decision to act in a way that is objectively misleading is unlawful.)
- **R (Lafarge Aggregates Ltd) v SoS Environment [2015] EWHC 2388 (Admin)** (Meaning of waste recovery, successful on appeal - see R (Tarmac Aggregates Ltd) v SoS Environment [2015] EWCA Civ 1149 above.)
- **Ware v McAllister [2015] EWHC 3086 (QB)** (Successfully obtained an injunction restricting publication of journalistic material regarding a developer. The court considered the correct balance between Articles 8 and 10 of the ECHR.)
- **R (Sainsbury's Supermarkets Ltd) v Hillingdon LBC [2015] EWHC 2751 (Admin)** (Upholding grant of planning permission for a supermarket where there was a readily inferable explanation for inconsistent decisions.)
- **R (Central Bedfordshire Council) v SoS CLG [2015] EWHC 2167 (Admin)** (Challenge to decision that CBC has failed to satisfy the duty to cooperate. Permission to appeal granted.)

Testimonials

"appears in high-profile judicial reviews" Chambers UK 2020

"Bright, hard-working and very thorough... he will go far" Chambers UK 2020

"very impressive and commercially sensitive to the client's needs" Chambers UK 2020

"a future star" Chambers UK 2019

"exceptional knowledge of EU constitutional law" Chambers UK 2019

"very bright and will cut straight through to the heart of the matter" Chambers UK 2019

Practice Areas

Public Law / Judicial Review

Planning / Infrastructure

Environment

Licensing / Gambling

Compulsory Purchase / Compensation

Appointments, Education, Scholarships & Achievements

Appointments

- Attorney General's C Panel of Counsel to the Crown (March 2018)

Education

- MA Literae Humaniores (Classics) Lady Margaret Hall, Oxford University
- Bar Professional Training Course (Outstanding) City University
- Graduate Diploma in Law (Commendation) City University

Scholarships

- Lord Haldane Scholarship, Lincoln's Inn
- Buchanan Prize, Lincoln's Inn
- Cholmeley Studentship, Lincoln's Inn
- Hardwick Scholarship, Lincoln's Inn

Achievements

In 2015 Charles won the final of senior UKELA Lord Slynn Mooting Competition judged by Lord Carnwath.

Publications

Charles regularly delivers lectures and seminars on topical issues in public and environmental law. Recent papers he has presented have concerned information law, developments in the law relating to protected species and the application of closure powers to combat extremism.

His publications include:

- A Fit Country? The Impact of the Great War on Town and Country Planning (2015) 5 JPL 544 (with Gregory Jones QC)
- Raise a toast to the 2003 Act, Journal of Licensing Issue 11 July 2015 (with Leo Charalambides)
- Street Traders and Peddlers - an update, Journal of Licensing Issue 11 March 2015 (with Leo Charalambides)
- Waste Not Want Not: Quarry Restoration and Waste Recovery (2016), Journal of the Institute of Quarrying
- POCA Face: What to Do When the Chips are Down, E-Law (forthcoming with Jeremy Phillips and John Jolliffe)
- Book Review: Cornerstone on Antisocial Behaviour, Journal of Licensing (forthcoming)

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