

## GARY GRANT

Year of call: 1985

Clerked by: Gary Smith Mark Ronson

AREAS OF EXPERTISE:

Administrative & Public Law Environment Planning



## Administrative & Public Law

Advising and appearing for and against Authorities involved in the promotion of highways and transportation projects. Promoted highways orders for the Secretary of State in 2003 and 2005, advised a County Authority in 2010 respect of objections to high speed rail links to Heathrow and in 2015 advised and appeared for Manchester United in respect of their representations to the Manchester Metro extension inquiry.

### Cases

2018/2019: Leading objection against Orders promoting Mixed Use Compulsory Purchase Order (including Student Housing) in Middlesborough Town Centre.

2016: Objection to the confirmation of a CPO under planning powers in respect of a leisure building at Seaton Carew seafront adjoining conservation area.

2015: Advising Manchester United Limited in respect of representations to the Manchester Metro extension Inquiry.

2011: Advising Highways Agency on various development proposals in South West and have an impact on trunk road network, including at North West Quadrant Plymouth and Swindon Gateway. Appearing at Inquiry.

2010: Advising Surrey County Council in respect of "Airtrack " proposals to extend high speed rail commuter services to Heathrow.

Public law challenges emerging from planning disputes. Recent instructions include resisting judicial review proceedings of LPA decisions not to take enforcement action and grant planning permission in respect of equestrian uses in Oxfordshire, Challenge to a Committees consideration of para 32 NPPF, resisting judicial review of use of Housing Act CPO powers and resisting judicial review of a decision to recommend main modifications to a Local Plan and consideration of the ambit of s113 of PPCA 2004.

### Cases

2018: Appeared for developer in support of Secretary of State resisting efforts of LPA to overturn appeal decision for 9 eco homes in countryside in Nottinghamshire.

2017: Challenge to decision of Secretary of State on interpretation of §118 NPPF and strategic policies of recently adopted LP in context of existence of 5 year land supply. Lichfield DC v SSCLG [2017] EWHC 2242(Admin).

2017: Resisting proceedings for judicial review on behalf of LPA in support of SSCLG. Novel case involving the scope of potential challenge to the presence of statuary (piers and urns of historic significance) on the list of Listed Buildings. Reported as Dill v SSCLG [2017] EWHC 2378(Admin).

2017: Resisting application for permission to proceed by way of judicial review of Committee decision to grant permission for Rugby Club raising procedural, ecological and policy issues.

2016: Drafting grounds of resistance for LPA on meaning of affordable housing policy in context of issue on aggregation of proposals. The case was successfully defended by the Secretary of State in New Dawn Homes Ltd v SSCLG [2016] 3314.

2016: Advising and drafting Pre- action in a case against the LPA involving procedural failings and misinterpretation of policy.

2015: Resisting judicial review proceedings (x2) of decision not to take enforcement action in respect of equestrian uses and impacts (Planning Court sitting in Birmingham).

2014: Judicial review proceedings on behalf of Claimant (led by Paul Tucker QC) challenging a planning committees consideration of para 32 of NPPF.

2014: Resisting judicial review of decision to proceed with the execution of compulsory purchase of property under Housing Act powers (for Derby

Council - Planning Court sitting in Leeds ).

2014: Resisting judicial review of decision to recommend main modifications to the Lichfield Local Plan involving the release of land from the Green Belt and consideration of the ambit of the statutory ouster under section 113 of PPCA 2004 reported at [2014] EWHC 2440 (Admin).

2013: s288 challenge on behalf of Woking Borough concerning inspector's misinterpretation of Green Belt policy.

## Profile

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Gary Grant of Kings Chambers is a specialist practitioner in Planning and Environmental Law. Gary is experienced in bringing and defending challenges to planning and environmental decisions in the Planning Court. Recent instructions in the High Court include retail, residential, sporting facilities, listed buildings, loss of employment use, green belt and plan making. Gary provides legal support to Plan Making Authorities including at EiP.

Gary acts for local authorities and developers at Planning Appeals and related Public Inquiries dealing with the full range of planning and environmental issues. Gary is recommended in the Legal 500 including in 2018 as *"a highly effective advocate"*.

Gary has presented papers to specialist training events held by RTPi, NAPE, ACSeS, LLG and others and is a qualified Civil and Commercial Mediator.

Gary has a wide level of experience of central government work from working on the AG's Regional Panel and has experience of highways, compulsory purchase, land, environmental, enforcement, contractual and regulatory matters associated with planning and environmental law.

**Year of Call:** 1985

## Areas of Expertise

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Administrative & Public Law

Environment

Planning

## Memberships

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Member of PEBA

Western Circuit.

## Appointments

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Attorney General's Regional Panel 2002-2015

## Qualifications

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MA (Oxon) Jurisprudence

Accredited Civil and Commercial Mediator.

## Recommendations

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### Legal 500 2020

"A calm, considered and skilled advocate. "

### Chambers UK 2020

"He focuses on the main issues and is popular with clients." "Really skilled, very calm and considered, really responsive and flexible."

### Chambers UK 2019

'A sound and sensible operator.'

### Legal 500 2018

'A highly effective advocate.'

### Legal 500 2016

" An excellent advocate with good interpersonal skills"

### Legal 500 2015

"His advice is always concise, practical and solution-orientated"



Gary A Grant

