

JOHN HUNTER

Year of call: 2002

Clerked by: William Brown Gary Smith Mark Ronson

AREAS OF EXPERTISE:

Administrative and Public Law Environment Local
Government Planning



Environment

John is recommended as a leading junior in planning by Chambers and Partners and the Legal 500. He is also in Planning Magazine's list of the top rated planning barristers nationally. He appears regularly in public inquiries, judicial reviews, statutory challenges, injunction proceedings and criminal prosecutions relating to planning and environmental law.

During the last twelve months, he has acted in several key cases relating to the interpretation of major elements of the Framework ([Suffolk Coastal](#), [East Staffordshire](#), [Cheshire East](#)) and appeared before the HS2 Select Committee in the House of Commons, as well as regularly appearing for developers and local authorities in a variety of planning appeals.

John is appointed to the Attorney General's Civil Panel. Between 2004-2005 he was judicial assistant to Lord Nicholls and Lord Rodger in the House of Lords.

Significant Reported Cases

[East Staffordshire Borough Council v. Secretary of State for Communities and Local Government and Barwood Land](#) [2016] EWHC 2973 (Admin) – presumption in favour of sustainable development; NPPF para.14.

[R \(Piffs Elm\) v. Tewkesbury Borough Council](#) [2016] EWHC (Admin) – local government; refusal of planning permission; apparent bias; alternative remedies.

[Suffolk Coastal District Council v. Hopkins Homes Limited; Cheshire East Borough v Secretary of State for Communities and Local Government](#) [2016] EWCA Civ 168 – meaning of “policies for the supply of housing”; NPPF para.49.

[Cheshire East BC v Secretary of State for Communities and Local Government and Renew Developments](#) [2016] EWHC 571 (Admin); [2016] PTSR 1052 (Admin); [2016] JPL 909 – presumption in favour of sustainable development; NPPF para.14.

[R \(Jedwell\) \(No.2\) v. Denbighshire County Council](#) [2016] EWHC 458 (Admin); [2016] 2 CMLR 49; [2016] Env LR 24 – environmental impact assessment; cross-examination; reasons; discretion as to relief.

[R \(Noquet\) v. Secretary of State for Communities and Local Government](#) [2016] EWHC 209 (Admin) – certificates of lawful use or development; change of use; mixed use premises; pubs and bars.

[R \(Jedwell\) v. Denbighshire County Council](#) [2015] EWCA Civ 1232; [2016] Env LR 17; [2016] JPL 459; [2016] PTSR 715I [2014] EWHC 1633 (Admin); [2015] Env LR D2 – environmental impact assessment; cross-examination; duty to give reasons; discretion as to relief.

[R \(Robert Hitchins Ltd\) v. Worcestershire County Council](#) [2015] EWCA Civ 1060 – declarations; section 106 agreements; meaning of “implementation”.

[R \(Kelton\) v. Wiltshire County Council](#) [2015] EWHC 2853 (Admin) – local government; apparent bias; Habitats Directive; listed buildings.

[R \(Hubert\) v. Camarthenshire County Council](#) [2015] EWHC 2325 (Admin) – judicial review; wind energy; planning conditions; environmental impact assessment; biodiversity; interpretation of policy.

[R \(Williams\) v. Secretary of State for Energy and Climate Change and RWE Power](#) [2015] EWHC 1202 (Admin) – time limits; ouster; environmental impact assessment; Habitats Directive.

[R. \(Newhaven Port & Properties Ltd\) v. East Sussex County Council](#) [2015] UKSC 7; [2015] 2 WLR 601; [2013] 3 WLR 1389; [2013] 3 All ER 677; [2013] 2 P & CR 8; [2013] EWCA Civ 276 – local government; town and village greens; byelaws; statutory undertakers.

[Lawson Builders Ltd v. Secretary of State for Communities and Local Government and City of Wakefield Council](#) [2015] EWCA Civ 122; [2015] JPL 896; [2013] EWHC 3368 (Admin) – certificates of lawful use or development; implementation of permission; retrospective permission; magistrates'

courts.

R. (Timmins & anor) v. Gedling Borough Council & anor [2015] EWCA Civ 10; [2015] PTSR 837; [2015] 2 P&CR 12; [2015] JPL 816 – judicial review; cemeteries; interpretation of policy; whether material changes of use inappropriate development in the Green Belt.

R. (GRA Acquisition Ltd) v Oxford City Council [2015] EWHC 76 (Admin) – judicial review; conservation areas; ulterior purpose; irrationality.

IM Properties Ltd v Lichfield District Council [2015] EWHC 1982 (Admin) . interim applications; local plans.

R. (Redrow Homes North West Ltd) v. Knowsley Borough Council [2014] EWCA Civ 1433; [2015] 1 WLR 386; [2015] 2 All ER 228; [2015] RTR. 12; [2015] BLGR. 42; (2014) 158(43) SJLB 49 – judicial Review; highways; section 38 agreements.

Harrogate Borough Council v. Secretary of State for Communities and Local Government and another [2014] EWHC 1506 (Admin); [2014] JPL 1040 – statutory review; service of documents; extension of time; relief from sanctions in public law cases.

Winfield v. Secretary of State for Communities and Local Government [2013] 1 W.L.R. 948; [2012] EWCA Civ 1415; EWHC 469 (Admin) – advertisement control; deemed consent.

R (Hinds) v. Blackpool Borough Council [2012] EWCA Civ 466; [2011] EWHC 591 (Admin), [2012] JPL 1365 – judicial review; revocation of regional strategies; material considerations.

Compton v. Secretary of State for Communities and Local Government [2012] EWHC 351 (Admin) – statutory review; planning unit.

Isaq v. Secretary of State for Communities and Local Government [2011] EWHC 3052 (Admin) – Green Belt; listed buildings; enforcement.

Calderdale MBC v. Secretary of State for Communities and Local Government [2010] EWCA Civ 1268; [2011] 1 P&CR. 15; [2011] JPL 412 – s.38(6) PCPA 2004; presumption in favour of the development plan; reasons (High Court, Court of Appeal).

R (Elvington Park Ltd & Anor) v. York Crown Court [2011] EWHC 2213 (Admin) [2012] Env LR 10; [2011] LLR 833; [2012] JPL 173; [2011] ACD 121 – judicial review; appeal by case stated; statutory nuisance; fairness; article 6 ECHR.

R (Yorkcourt Properties Ltd) v. Wakefield Metropolitan District Council [2010] EWHC 2394 (Admin) – judicial review; conditions; uncertainty.

R (Samuel Smith Old Brewery (Tadcaster)) v. Secretary of State for Communities and Local Government and others [2009] EWCA Civ 333; [2009] JPL 1326 – judicial review; prospect of resumption of use; material considerations.

R (Lewis) v. Redcar and Cleveland Borough Council [2007] EWHC 3166 (Admin); [2008] JPL 1156; [2008] ACD 38 – judicial review; bias and pre-determination; Habitats Directive; appropriate assessment.

Nextdom (Bootle) Ltd v. Secretary of State for Communities and Local Government [2007] EWHC 3040 (Admin); [2008] J.P.L. 954 – compulsory purchase; human rights; fettering of discretion.

R (Younger Homes (Northern) Ltd) v. First Secretary of State [2003] EWHC 3058 (Admin); [2004] J.P.L. 950 – judicial review; environmental impact assessment; screening opinions.

Profile

John is recommended as a leading junior by Chambers and Partners and the Legal 500 in administrative & public law and planning law. He also features in Planning Magazine's list of the top rated junior planning barristers nationally. He has appeared in a number of leading cases in the High Court, Court of Appeal and Supreme Court.

John is appointed to the Attorney General's Civil Panel. Between 2004-2005 he was judicial assistant to Lord Nicholls and Lord Rodger in the House of Lords.

Year of call: 2002

Areas of Expertise

Administrative and Public Law

Environment

Local Government

Planning

Memberships

Planning and Environmental Law Bar Association

Administrative Law Bar Association

Northern Administrative Law Association

Appointments

Attorney General's Regional Panel (Civil)

Qualifications

John attended secondary school and sixth form college in the north-east. He studied Philosophy and Spanish Literature (BA Hons First Class & Gibbs Prize - The Queen's College, Oxford University). He studied European Literature as a postgraduate (MSt. Distinction - The Queen's College Oxford University) before deciding to convert to law (CPE Commendation - Northumbria University). He studied for the bar in London (BVC Very Competent - Inns of Court School of Law) and was awarded a Sir Thomas More scholarship by Lincoln's Inn.

Recommendations

Chambers & Partners

"One of the brightest men I know! He is really particular in his preparation and has a very detailed and careful presentation." (Chambers and Partners UK, 2020)

"A brilliant barrister - he is always very calm and has a very good manner with clients." (Chambers and Partners UK, 2020)

"He gives clear, definitive, invaluable advice." "He often sees points others haven't identified." (Chambers and Partners UK, 2020)

"He is extremely bright and very academic. His arguments are convincing and well structured." (Chambers and Partners UK, 2018)

"We have always found him to be helpful and proactive." "Extremely bright and very academic." (Chambers and Partners UK, 2018)

"He is extremely bright and very academic. His arguments are very convincing but also seem to be well structured. He presents very technical issues in a straightforward way. He is very persuasive and has boundless energy." (Chambers and Partners UK, 2018)

"He is very professional and his written work is very good. He understood and clarified our position perfectly and was able to summarise it in a really concise and clear manner that put our case across perfectly." "He is a very good advocate to work with, and has an incredibly good memory and a genuine interest and enthusiasm about the law and its detail." (Chambers and Partners UK, 2017)

"Very good advocate." "He is very, very straightforward. In terms of working with him, he is very reassuring. You know that he will support you." "Incredibly good memory and a genuine interest and enthusiasm about the law and its detail." (Chambers and Partners UK, 2017)

"He is always fully on board with us, is really quick-thinking and able to predict where a case is going." "The biggest benefit he brings is his ability to liaise with the client and understand what the client's requirements are." (Chambers and Partners UK, 2016)

"His advocacy in court is relaxed, but very effective. He asks pertinent questions that cut through any line of defence." "He is bright, intellectual and enthusiastic." "He's extremely bright, and when dealing with clients and solicitors he's always able to listen and then formulate the best possible case." "He provides clear and concise advice to clients, and he's very approachable." (Chambers and Partners UK, 2015)

"Recognised for his handling of appeals and challenges in a range of legal spheres including planning and environment, immigration law and prison law" (Chambers and Partners UK, 2014)

"Instructing solicitors report being 'absolutely delighted' with his performance, saying that 'he is very logical in the way he approaches a case, and he won't let go of points without a fight.'" (Chambers and Partners UK, 2013)

Legal 500

'Great at understanding clients' needs and objectives.' (Legal 500, 2020)

'A highly intelligent barrister.' (Legal 500, 2018)

'He is great at tailoring his advice to meet client needs.' (Legal 500, 2018)

'He has an excellent courtroom presence.' (Legal 500, 2017)

"Academically and practically effective." (Legal 500, 2015)

"Modest and approachable." (Legal 500, 2014)



John Hunter

