

MARTIN CARTER

Year of call: 1992

Clerked by: William Brown Gary Smith Mark Ronson

AREAS OF EXPERTISE:

Administrative & Public Law Environment Local Government
Planning



Planning

Martin practises in all areas of planning and environmental law, with particular experience of housing where 5 year supply and /or needs assessment is in issue, renewable energy, retail, minerals and waste. He also undertakes work in relation to environmental law, particularly with regard to environmental impact assessment and strategic environmental assessment. Martin has promoted many Local Plans at examination and also appears for objectors at examination hearings. He also practises in the field of compulsory purchase. Martin accepts Instructions throughout England and Wales and in the Isle of Man.

Significant Reported Cases:

R (Larkfleet Homes Limited) v Rutland County Council [2014] EWHC 4095 (Admin) [neighbourhood planning].

Gladman Developments Limited v Wokingham Borough Council [2014] EWHC 2320 (Admin)[Local Plan challenge].

R (BDW Trading (trading as Barratt Homes)) v Cheshire West and Chester Council and others [2014] EWHC 1470 (Admin) [neighbourhood planning]

Hargreaves v Secretary of State for Communities and Local Government and another [2011] EWHC 1999 (Admin); [2012] Env LR 9 [2012] JPL 134 [Habitats Directive]

R (Woolley) v Cheshire East Borough Council [2009] EWHC 1227 (Admin)[European Protected Species]

Village Greens

Martin accepts Instructions to appear as advocate at inquiries into applications to register land as a Village Green. He is also regularly instructed by Registration Authorities to sit as an Inspector at inquiry and to report to the Authority with recommendations. He undertakes Court work in relation to Judicial Reviews on such matters and has appeared in the Supreme Court in a leading case on the proper interpretation of section 14 of the Commons Registration Act 1965.

Significant Reported Cases

Paddico (267) Limited v Kirklees Metropolitan Council [2014] AC 1072; [2014] 2 WLR 300; [2014] 1 P&CR 24; [2014] JPL 745.

Highways

Martin practises in all areas of Highway Law. Such work is advisory, at inquiry and in Court, and he has promoted road schemes, including motorway improvements for the Highways Agency. He regularly advises in relation to stopping up, diversion and the creation of public highways and the existence and extent of the highway authority's duty to maintain the highway.

Significant Reported Cases

R (on the application of Spice) v Leeds City Council [2006] All ER (D) 391 Feb [scope of sections 116 and 117 of the Highways Act 1980].

Profile

Martin undertook his pupillage at Kings Chambers and has spent his entire practicing career with chambers. He undertakes advisory work and appears at inquiries and the Courts at all levels, including the Supreme Court.

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Areas of Expertise

Administrative & Public Law

Environment

Local Government

Planning

Appointments

Junior Counsel to the Crown (Provincial Panel)

Memberships

Planning and Environmental Bar Association

Administrative Law Bar Association

Northern Circuit

North Eastern Circuit

Qualifications

MA (Oxon) BA (Oxon) Jurisprudence [First Class]

Recommendations

Legal 500 2020

"Exceptionally capable and personable."

Chambers UK 2020

"Martin impresses with his ability to manage inquiries and his overall working manner." "Quick to identify key points and concentrate on them very effectively."

Chambers UK 2019

"Responsive and pragmatic. His written advice is excellent and commercially focused." "He has a very easy manner and provides invaluable advice."

Legal 500 2018

'A very personable barrister, who builds excellent rapport with everyone he works with.'

Chambers UK 2017

"He works hard for clients and takes a pragmatic approach." "He is considered and calm, with a good eye for detail and sound judgement."

Chambers UK 2016

"Unflappable and completely focused when under the ultimate pressure." "A robust advocate who is very unpretentious and user-friendly."



Martin Carter

