

PAUL G TUCKER QC

Year of call: 1990
Year of silk: 2010

Clerked by: William Brown Gary Smith Mark Ronson

AREAS OF EXPERTISE:
Environment Local Government Planning



Environment

Recent Advisory Work

Paul regularly provides advice in his various fields of practice. Recent work has included:

Liverpool John Lennon Airport

Clean Air Zones - advising Birmingham City Council, Leeds City Council & Transport for Greater Manchester

Clean Air Zones - advising Nobu Hotel in London

Designer Outlet Villages - Successfully advised Cannock Chase DC, currently advising South Kesteven DC in relation to 2 proposed schemes.

Major Hotel redevelopment on the South Bank, London

Liverpool Waters,

Wirral Waters

Upton Park redevelopment (CIL issues)

Bolton Wanderers (ACV issues)

Redevelopment of Anfield Stadium and associated residential regeneration

Trafford Quays - very large residential scheme adjacent to the Trafford Centre (including CIL issues)

Stratford upon Avon CIL charging schedule - advised major allocation promoter, resulted in zero charging rate

Bicester Eco-town - advising on one of the first development parcels

Major redevelopment of a former USAF airfield to create new Settlement in Oxfordshire

Oxford Urban Expansion

Redevelopment of Headingley Cricket Ground and Leeds Rhinos ground & associated enabling development

Bicester Ecotown expansion

Braintree retail park

Humber Bridge Visitor Centre and viewing platform

St Michaels development, Manchester

White City Retail Park (secured confirmation of nil CIL contribution)

Logistics Schemes

Eddie Stobart National distribution centre - appeared for Appellant at recent planning inquiry

Hemington – j1 M6 large scale new logistics depot for St Modwen

Florida Farm, large scale logistics proposal in the GB

Midpoint Cheshire – Middlewich – ongoing advice and appearance at local plan examination

Thorne Doncaster. – advice on new logistics centre

Sherburn in Elmet – advice on new MSA and lorry park

Stoke M6 – advice on proposed new logistics centre for St Modwen

Airport City – advised on conditions

St Helens junction East Lancs & M6 advised & appeared on local plan objections

M42 J10 secured permission on appeal for major logistics development

IM Properties both secured permission and successful appeal for major mixed use site west of Stratford including large scale logistics development

SW Rugby – advising Tritax Symmetry on major new logistics park planning application adjacent to M46

South Milton Keynes – advising on major logistics site (57Ha) south of Milton Keynes recently refused permission and subject to appeal

Examination in Public/Local Plan

Paul has advised and appeared in numerous Local Plan inquiries and UDPs, as well as acting in leading cases upon local plan/examination issues. Recent work has included:

Mid Devon EIP (acting for Developer)

Cheshire East CIL examination (Acting for Developer)

Brighton CIL (Acting for Developer)

York EIP (promoting scheme for the University of York)

South Oxfordshire Local Plan (promoting scheme for Developer)

Braintree Local Plan (promoting scheme for Developer)

Lancaster Local Plan (acting for LPA)

Warrington Local Plan (advising LPA)

Liverpool Local Plan (advising LPA)

Cheshire East Local Plan (various objectors)

NE Leicestershire (objectors)

Tewksbury, Gloucester and Cheltenham joint core strategy (major retail objections)

Cheshire West CIL examination (objectors of very large allocation)

Stratford EIP (objectors)

Cherwell Valley (objectors promoting new settlement at former USAF airbase)

Ongoing advice for Local Authorities, including Liverpool, Leicester, Lancaster, Warrington, Stoke and Wyre

Lead counsel for the East Riding of Yorkshire Local Plan which won the 2017 Plan Making Award and Editors Award from Planning Magazine

Planning Appeals

Paul has acted for both the public and private sector in a range of planning inquiries across the country.

Residential – Paul has successfully promoted numerous residential schemes at appeal around the UK, for most of the national housebuilders as well as specialist student and older person accommodation providers (notably McCarthy and Stone). In addition Paul has successfully advised on numerous major schemes which have directly secured consent from the local planning authority. An example of recent appeals include:

Secured permission at public inquiry for IM Properties for the largest ever mixed use (850,000 sq ft) proposal in Stratford-upon-Avon

Secured permission at public inquiry for 258 dwellings for Bridgemere Land Plc and Redrow Homes in Hartford, Cheshire.

Secured permission for Peel Investments for the construction of a new Starbucks drive in facility at the Peel Centre Retail Park in Barnsley.

Secured permission at public inquiry for 40 dwellings for Pye Homes in Quainton, Aylesbury Vale.

Secured permission for 261 dwellings at Brindle Road, Bamber Bridge for Persimmon Homes (Lancs) Ltd.

Secured future of Grade II listed building on Historic England's "At Risk Register" in the Wirral for PJ Livesey.

Secured permission at appeal for Bmor Ltd for block of 34 apartments in a conservation area at Fulham Palace Road in West London.

Secured planning permission for Orbit Homes at public inquiry for the demolition of existing buildings and erection of five units to be used for Class A1 (non-food retail) purposes, and two units to be used for Use Class A1 (non-food retail or sandwich shop) and/or Use Class A3 and/or Use Class A5, creation of car park and provision of new access from Earl Road, together with landscaping and associated works at Handforth Dean, Cheshire.

Successfully appealed under s195 against the failure of East Dorset DC to give notice within the prescribed period of a decision on an application for an LDC

Successfully secured permission at public inquiry for David Wilson Homes Eastern for 120 dwellings at Hatfield Peverel in Braintree DC.

Successfully secured permission for 72 dwellings for Manor Oak Homes at Launton in Cherwell DC

CPO

Paul has advised on numerous CPO & urban regeneration projects for both the public and the private sector.

Most recently he has advised upon the post-HMRI regeneration around Anfield/Breck Road as well as advising upon multimillion pound claims arising out of the 2nd Mersey Crossing.

NOTABLE CASELAW

Paul regularly appears in the Administrative Court (usually the Planning Court) on a variety of planning and environmental cases. Recent & significant cases include:

Manor Oak v Secretary of State [2019] EWHC 1736 (Admin)

Thompson v Conwy BC [2019] EWHC 746 (Admin)

R (LOGS) v Liverpool City Council [2019] EWHC 55

R(Housiaux) v Staffordshire Moorlands [2017] EWHC 2157

St Modwen v Secretary of State [2017] EWCA 1643

Chelmsford City Council v Secretary of State [2016] EWHC 3329 (QB)

Cherwell Valley v Secretary of State and Gladman [2016] EWHC 2925 (Admin)

Cheshire v Secretary of State and Harlequin (Wistaston) [2016] EWHC 694 (Admin)

R (on the application of Redrow Homes Ltd) v Knowsley Metropolitan Borough Council [2014] EWCA Civ 1433

Gladman Development Ltd v Wokingham Borough Council [2014] EWHC 2320 (Admin)

PS v Greenwich LBC and Enderby [2016] EWHC 1967 (Admin)

St Modwen v Secretary of State and East Yorkshire [2016] EWHC 968 (Admin)

R(Timmins) v Gedling BC and Westerleigh [2016] EWHC 220 (Admin)

R(Milton (Peterborough Estates) v Ryedale and GMI Holdings [2015] EWHC 1948 (Admin)

(1) BDW Trading Ltd (T/A Barratt Homes) (2) Wainhomes Developments Ltd V (1) Cheshire West & Chester Borough Council (2) Stephen Robinson (The Counting Officer For CWCBC) & (1) Tattenhall & District Parish Council (2) Taylor Wimpey UK Ltd [2014] EWHC 1470 (Admin)

R (on the application of Zurich Assurance Ltd T/A Threadneedle Property Investments) V North Lincolnshire Council & Simons Developments Ltd [2012] EWHC 3708 (Admin)

R (on the application of Cheshire East Council) v Secretary Of State For Communities & Local Government [2014] EWHC 2824 (Admin)

R (on the application of Salford Estates (No 2) LTD) v Durham County Council & (1) Tesco Stores Ltd (2) Dalton Park Ltd [2012] EWHC 2512 (Admin)

Fox Strategic Land Company v Chorley [2014] EWHC 1179 (Admin)

R (on the application of Cbre Lionbrook (General Partners) Ltd) v Rugby Borough Council & Hammerson (Rugby) Ltd [2014] EWHC 646 (Admin)

(1) Jean Timmins (2) A W Lymn (The Family Funeral Service) LTD v Gedling Borough Council & Westerleigh Group Ltd [2014] EWHC 654 (Admin)

(1) Scottish Widows Plc (2) Scottish Widows Unit Funds Ltd (3) Aegon Uk Property Fund Ltd v Cherwell District Council & LXP RP (Banbury) Ltd (2) Prodrive Holdings Ltd (3) Prodrive Motorsport Ltd (4) Hundred Percent Properties Ltd (5) David Richards [2013] EWHC 3968 (Admin)

Winfield v Secretary of State for Communities and Local Government [2012] EWCA Civ 1415

Larkfleet Ltd v Secretary of State for Communities and Local Government [2012] EWHC 3592

Fox Strategic Land & Property Ltd v Secretary of State for Communities and Local Government [2012] J.P.L.

1. (on the application of Plunkett) v Sefton MDC [2011]EWHC 368 (Admin)
2. (on the application of D Morgan Plc) v Welsh Ministers [2011] EWHC 1680 (Admin)

Tesco Stores Ltd v Secretary of State for Communities and Local Government [2010]EWHC 1581 (Admin)

1. (on the application of Salford Estates (No.2) Ltd) v Salford City Council [2011] EWHC2097
2. (on the application of Hinds) v Blackpool BC [2011] N.P.C. 32

Fox Strategic Land & Property Ltd v Secretary of State for Communities and Local Government [2013] 1 P. & C.R. 6

1. (on the application of Zurich Assurance Ltd (t/a Threadneedle Property Investments)) v North Lincolnshire Council [2012] EWHC 3708
2. (on the application of Derwent Holdings Ltd) v Trafford BC[2011] EWCA Civ 832

R(on the application of Salford Estates (No 2) Ltd) v Durham County Council(Defendant) & (1) Tesco Stores Ltd (2) Dalton Park Ltd [2012] EWHC 2512(Admin)

Historic Cases include:

Derwent v Liverpool CC [2008] EWHC 3023

Derwent v Citybranch [2008] EWHC 1337

R (on the application of Stephen Walker) v Police Appeals Tribunal [2009]

Mohan v Secretary of State for the Home Department [2009] EWHC 1949

Roland Bardsley v Secretary of State [2008] EWHC 22

R (Stagg)v First Secretary of State [2005] EWHC 1170

R(Co-op Group) v Secretary of State [2004] EWHC 1932

Prophet v York City Council [2003] EWHC 1448

Liverpool and Lancashire v B&Q [2000] PLSCS 180

City park v Bolton [2000] RVR 343

R v Beard[1997] 1 PLR 64

R v Stoke on Trent exp Trent City Securities Limited and Total Fitness Limited, unreported,17th February 2000

R v Plymouth City Council exp Plymco [1993] PLR 76

R v Liverpool City Council exp Luxury Leisure Ltd (1999) LGR 345

R v Liverpool City Council and the Secretary of State for Trade and Industry exp Baby Products Association (2000) LGR 171

B & Q Plc v Liverpool & Lancashire Properties Ltd [2000] PLSCS 180

Profile

Paul Tucker QC practices in the fields of planning, local government, environmental, CPO, CIL, logistics, infrastructure and highways. He is Deputy Head of Chambers and Head of the Planning Department.

He is Vice Chair of the Planning and Environmental Bar Association.

He practices across the UK having acted in Wales, Scotland, the Isle of Man and England.

His private sector clients have included numerous national and regional developers, strategic land promotion companies, regeneration specialists as well as individuals. He has acted for most of the major national housebuilders, national retailers as well as large infrastructure providers. His public sector clients have included Government, Government Agencies, Development Agencies and very many local planning authorities.

His particular expertise relates to advocacy in planning and related appeals as well as challenges in the High Court and beyond.

Year of Call: 1990

Year of Silk: 2010

Areas of Expertise

Environment

Local Government

Planning

Memberships

PEBA (committee member)

ALBA

NIPA

UKELA

Appointments

Attorney General's Regional Panel 2007 to 2010

Head of Planning

Deputy Head of Chambers 2017 to date

Qualifications

MA (Cantab)

Recommendations

Legal 500, 2020

"He provides very commercial advice and is great with clients."

Chambers UK 2020

"He grasps extremely difficult points and then presents them in a way that people can understand." "He is very client-friendly and there doesn't seem to be anything that he can't do exceptionally well."

"Very straightforward, incredibly sharp and very personable." "He's a brilliant inquiry advocate, very good at cross-examining, and very good on his feet in the High Court."

Chambers UK 2018

"A very approachable individual who quickly builds a rapport with clients. He is decisive, to the point with his advice and an all-round excellent advocate." An outstanding advocate who is very in tune with clients and very personable."

"Personable, approachable and bright. He works well as part of a team and gives clients great confidence. He makes himself available and provides good pragmatic advice in a timely fashion."

Legal 500, 2018

'He has a knack for making complicated legal matters appear straightforward.'

'Brilliant with clients and skilled at straightening out complicated legal matters.'

'A highly accomplished advocate, who is excellent with clients.'

Chambers UK 2017

"He gives pragmatic advice and has a way of simplifying legal principles and practical ramifications so that clients are in a position to give instructions with confidence." "He is always very approachable and down-to-earth. He is direct in his advice, and is a hard-hitting QC who is very popular."

Legal 500, 2017

'Revered as a highly accomplished advocate.'

Chambers UK 2016

He is an excellent barrister. He is very thorough, and nothing is too much of a struggle for him: he'll come back to you at all hours." "An excellent advocate with an impressive character who provides thoughtful, analytical advice."

Chambers UK 2015

"He's bright, approachable and pragmatic - a team player." "He's very client-friendly. He gets into the skin of the client's business, and he's very effective."

Legal 500, 2014

"He thinks strategically, pragmatically and commercially"

Chambers UK 2013

"Highly accessible and easy to deal with, he is a lateral thinker who is quick off the mark".

Chambers and Partners, Band 1, Planning 2013: "undoubtedly already one of the leading planning barristers."

"He has a nationally based practice and is making a name for himself as a retail planning specialist."

Chambers UK 2012

"Paul Tucker QC is enjoying increased visibility in the market and his elevation to the level of silk is felt to be well deserved"

