

DAVID MANLEY QC

Year of call: 1981
Year of silk: 2003

Qualifications: Year of Call: 1981 (Inner Temple), Joined Chambers: 1981, University: Leeds, Degree: BA (Hons), QC: 2003

Clerked by: Gary Smith Mark Ronson

AREAS OF EXPERTISE:
Environment Planning



Profile

David specialises in planning and environmental law together with TVG and CPO work. He sits as a TVG Inspector and acts for landowners and developers in resisting TVG claims. His planning work significantly overlaps with environmental work and in the last twelve months, for example, he acted for Wiltshire DC at the Chippenham LP EiP where the adequacy of the SEA in respect of site selection was a key issue. Similarly, he sat through the two-day determination of the North Yorkshire CC fracking application giving legal advice to members. His success in the Butterley Reservoir Section 78 appeal on behalf of Yorkshire Water was notable and of national significance. His planning practice is extensive as he acts for both national and regional developers as well as LPAs and advised regularly in respect of EIA issues and Environmental Information issues.

Year of Call: 1981

Year of Silk: 2003

Areas of Expertise

Environment

David has both promoted and resisted proposals in many areas of environmental law including combined heat and power plants, rendering plants and landfill sites. He advises in respect of nuisance claims. Most recently he has had reported major appeals in respect of the Arpley landfill site and the Butterley Reservoir. In the last twelve months he advised Lancashire CC and North Yorkshire CC extensively in respect of fracking issues.

Significant Reported Cases

- (i) *Hughes v. South Lakeland DC* [2014] EWHC 3979 (Admin) - Approach to EIA screening;
- (ii) *Satnam Millennium Ltd v. Warrington BC* [2015] EWHC (Admin) - Approach to LPA SEA preparation.
- (iii) *R (on the application of Keith Lucas) v. Oldham MBC* [2017] EWHC 349 - Adequacy of ES and its consultation.

Planning Judicial Review:

David has an extensive practice covering CPO and Highways works, confidential information, Assets of Community Value (he represents a leading UK public house/restaurant chain) and TVG work. He regularly sits as an Inspector on TVG work and has acted for landowners/developers in resisting claims. His most notable reported CPO case was the successful conclusion of the Edge Hill Stage 3 CPO.

Planning

David has a broadly based general practice although the current climate dictates that housing related work both in public inquiries and the High Court tends to dominate. In the last twelve months he has conducted inquiries for one unit through to 750 units (Barrow Farm, Chippenham). At the time of writing he is preparing presentation of an appeal for 2,600 units in Swindon for Ainscough Strategic Land. He is also highly experienced in dealing with waste and renewable energy cases. His recent success in APP/32734/2/16/3155389 was notable establishing that an LPA cannot rely on National Policy promoting inclusive housing and a SHMA to control housing mix at Reserved Matters stage.

Significant Reported Cases

- (i) *Wainhomes (South West) Ltd v. SoSCLG* [2013] EWHC 597

- (ii) Hughes v. South Lakeland DC [2014] EWHC 3979 (Admin);
- (iii) R (on the application of Mid Counties Co-Operative Ltd v. Forest of Dean DC [2014] EWHC 3059 (Admin));
- (iv) Satnam Millennium Ltd v. Warrington BC [2015] EWHC (Admin);
- (v) R (on the application of Keith Lucas) v. Oldham MBC [2017] EWHC 349;

Environmental Law

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Recommendations

Chambers UK 2021

"He's a superb lawyer. He is very measured and his environment work is well regarded."

"He's very experienced and gives clear, direct advice." "He is amazing - top-notch."

Legal 500 2021

"David is one of the most insightful and forensic barristers I have had the pleasure to instruct. One of the best."

Legal 500 2020

"Very professional, courteous and approachable."

Chambers UK 2020

"He is very responsive and his style is very commercial, short and to the point, which is appreciated by clients."

"Very approachable and commercially minded." "He is very down to earth and good at concentrating on the key points."

Chambers UK 2018

"He's very personable and very able."

"His deep experience allows him to give excellent advice and guidance on the approach to planning applications. He is authoritative and balanced in presenting the case and in cross-examination." "An excellent advocate in inquiries."

Chambers UK 2017

"He is well prepared and analyses the issues, and provides punchy, straightforward advice." "He is an excellent source of local advice, an exceptional advocate and easy to talk to."

"He provides both pragmatic and extremely comprehensive legal advice. He is a highly effective advocate with a very client-focused approach." "He carries a lot of respect; when he speaks everybody listens and his reputation goes before him. He is very effective at thinking on his feet. Because of his experience and knowledge he is a force to be reckoned with."

Legal 500 2017

'A clear and strategic advocate.'

'Very knowledgeable and easy to work with.'

Chambers UK 2016

"He is absolutely excellent to work with. He delivers the goods." "He is top-draw, one of the best."

"A very forensic advocate." "He won't have anything of cutting corners. He knows what will happen under cross-examination."

Chambers UK 2015

"He's thorough, and gets to the point, and doesn't always just tell you what you want to hear. He explains the law accurately and in an understandable way. He's very personable, so it is always a good experience working with him." "He is a very strong advocate. He's confident and excellent at cross-examination. He gets to the bottom of every case and knows the detail."

"He's incredibly intellectual but very approachable as well - he gives very commercial advice, he's quick to respond and he's a brilliant advocate. Very client-friendly." "He's the king of inquiries."

Legal 500 2015

"Approachable and easy to work with"

"He has a great presence in the inquiry forum, both as an advocate and as an inspector"

Chambers UK 2014

David's preparation is thorough and he has a very sound approach to the analysis of planning cases. He is balanced in his presentation of cases at appeal and provides thoughtful advice in conference.

He has a keen eye for detail and what really matters in a case; he's a very polished advocate.

Chambers UK 2013

David Manley's QC practice covers all aspects of planning and environmental law work, and has a particular emphasis on the renewable energy sector. He is well known for his inquiry and judicial review work, and he recently appeared in the Todmorden public inquiry in relation to an application challenging the development of a wind farm.

David Manley QC is head of the planning team at the set and receives excellent client feedback for his "good knowledge" and the quality of his advocacy. "He has a good grip on the case before him and a certain commanding presence which puts people at ease. When he acts as an advocate he brings out a bit more of the terrier in him." Although primarily an inquiry practitioner, he also appears in judicial reviews on a regular basis.

