

Gary Grant

Year of call 1985

✉	gsmith@kingschambers.com
☎	0345 034 3444



Gary Grant of Kings Chambers is a specialist practitioner in Planning and Environmental Law. He has been consistently ranked within the legal directories for Planning Law. He is very experienced and his practice is split between court work, inquiries and work involving the support of plan making authorities, including at pre-submission stage.

Gary also has an extensive advisory practice within his fields of expertise including recent experience of complex points arising in the plan making context and pre-application advice on tall-building proposals.

Gary is an experienced trainer and has presented papers to specialist training events held by RTPI and many other organisations. He 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.

Expertise

Administrative and 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.

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

- Presently instructed on a controversial felling of protected trees in Wellingborough raising issues in respect of the relationship between tree protection, exemptions and the planning development management and regulatory frameworks. The challenge is proceeding to hearing by way of judicial review in the Planning Court in the spring of 2024 and Gary is instructed for the Defendant authority.
- Appeared at appeal and defended for the LPA in the Planning Court and Court of Appeal the approach of an authority refusing a certificate of lawfulness in respect of an application for non-seasonal permanent residential use of a caravan park. Royale Parks Ltd v SSHCLG, Bournemouth Christchurch and

- Poole Council [2021] EWCA Civ 1101, [2020] EWHC 3105 (Admin).
- (Led by Paul Tucker KC) was instructed on behalf of the Claimant in a judicial review proceedings in respect of a joint approach within a group of planning authorities to calculating five year land supply which were eventually compromised [2021].
 - Injunction proceedings for interim planning injunction in the QBD for Claimant (Central Beds v McCarthy [2021] 6 WLUK 177) and Defendants (Baslidon DC v Anderson and others) [2020] EWHC 3382 QB.
 - the LPA in a novel listed building case before Singh J – in Dill v SSCLG [2017] EWHC 2378(Admin).
 - Appeared for developer in support of Secretary of State resisting attempt of LPA to overturn a decision to allow 9 eco homes in countryside in Nottinghamshire [2018] 7 WLUK 462.
 - IM Properties v Lichfield DC [2014] EWHC 2440 (Admin) – ouster, release of Green Belt, bias – for the Defendant
 - R (on the application of Gazelle Properties v BANES [2010] EWHC 3127 (Admin) – expediency.
 - R (on the application of Enstone Uplands and District Conservation Trust) v W Oxfordshire DC [2008] 3275 (Admin, [2009] EWCA Civ 1555 – noise assessment, conditions, decision of members.

Notable Administrative and Public Law 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.

Environment

Advising upon and dealing with development proposals within a wide range of environmentally sensitive designations including AONB, SACs, Ramsar sites and conservation areas, including cases involving issues of sensitive design.

Enforcement appeals and environmental prosecutions, including in 2015 a prosecution of a noise abatement notice in respect of a clay pigeon shoot.

Notable Environment cases

2017

Resisting proposals at a planning appeal into proposals for a new Care Village on the site of a disused Poultry Farm in Wychavon, opposed on grounds which included the impact of major development in the AONB.

2016

Planning appeal at Public Inquiry in Stratford for housing in rural village raising impact on county level grassland habitat and the evaluation of mitigation proposals.

2015

Great Heck: advising local planning authorities on nationally publicised environmental concerns and enforcement issues arising from storage and management of waste at site in Yorkshire.

2015

Prosecuting a noise abatement notice breach in respect of clay pigeon shooting before the Lay Bench.

2014

Appeal inquiry for Magna Business Park (Poole) raising issues of nightjar habitat within SPA SAC and Ramsar and employment policy (for LPA).

2013

Enforcement appeal inquiry concerned with conversion works of barge hull to large houseboat on the foreshore of SSSI ,SAC and Ramsar at Hayling Island (Havant) (for LPA).

R

(on the application of Gazelle Properties Ltd) v BANES [2010] EWHC 3127 (Admin).

Planning

Gary has expertise in Section 78, Call In and other Inquiries dealing with the full range of planning and environmental issues and covering a wide range of land uses. Recent inquiries include urban extensions (housing and mixed use), retail proposals, waste recycling proposals, business park proposals and housing in a national park.

Gary provides legal support for development plan examinations and for CIL examinations both for the Plan Making Authority and for objectors.

Advising, drafting and appearing in planning related litigation including injunctions.

Cases

Housing and Mixed Use appeals

- 2024 appeal inquiry for LPA raises issue of scale of extension to village, landscape, policy, and land supply (Oxfordshire) commencing March 24 (120

homes)

- 2024 appeal inquiry for LPA raising issues of policy interpretation, compliance with the spatial strategy and consistency (Preston CC area). (51 homes).
- 2023 appeal inquiry for LPA over 2 weeks, raising issues of land supply, heritage, extension masterplanning of a new settlement and spatial approach (Oxfordshire) (240 homes)
- 2023 appeal inquiry for A (led by Christopher Katkowski KC) appeal inquiry in respect of tall building proposal in central Watford for a mixed use scheme. (247 buy to rent units)
- 2023 appeal inquiry for LPA raising issues concerned with loss of Country Park outside Wiltshire town (61 units)
- 2022 appeal inquiry for LPA raising issues of integrated masterplanning and highways in Wiltshire ((91 homes)
- 2022 appeal inquiry for A (led by Christopher Katkowski KC) appeal inquiry in respect of tall building in central Manchester made by Fusion Manchester Devco Ltd raising issues of design, heritage, need, amenities, and wind microclimate. Scheme for PBSA (534 students).
- 2022 appeal inquiry for LPA – viability in sheltered scheme [2022] 6 WLUK 632, [2022] P.A.D 39
- 2019 appeal inquiry for A – viability in sheltered scheme [2019] 4 WLUK 590, [2019] PAD 24

Development Plan Examination

- 2023 Legal support for examination of the Blackburn with Darwin Local Plan
- 2022 Appeared for Homes England and Miller Homes in support of a strategic urban extension allocation promoted within the examination of the Warrington Local Plan (4200 homes).
- 2022 Legal support for the key strategic sites in the Bassetlaw Local Plan
- 2021 Legal support for examination of the Blackpool Local Plan Part 2.
- 2019: Legal support for examination of the Wiltshire Site Allocations Plan heard in the Spring of 2019.
- 2018: Legal support for examination of the Wyre Local Plan heard over 3 weeks in the summer of 2018.
- 2017: Legal support for EIP of Hartlepool Local Plan which was examined in public over 3 weeks in September-October 2017.
- 2016: Legal Support for EIP of the Main Modifications to the Stratford Local Plan (Core Strategy) which proceeded to adoption in July 2016.
- 2016: Legal support for CIL Schedule examination for Stratford.
- 2015: Represented successful objector to CIL Schedule at CIL Examination in Bournemouth.
- 2015: Legal support with David Manley KC in respect of the Stratford Local Plan EIP.

Environment/Minerals and Waste

- 2023 appeal in respect of change of use of recovery depot Macclesfield (for A)
- 2022 enforcement appeal /s78 appeal in respect of recycling facility Hertfordshire (for A)
- 2015 Enforcement appeal in respect of waste recycling facility in the Hampshire Countryside (for MWPA)

Retail:

- 2023 appeal inquiry for A (led by Christopher Katkowski KC) for Aldi at Caterham
- 2018: Led by Paul Tucker KC for A: Call in Inquiry into retail proposals by Orbit Investments at Handforth Dean consolidated with proposals by CPG – 4-week inquiry
- 2017: Public Inquiry: Led by Paul Tucker KC in relation to proposals for a foodstore in Somerset (for A)
- 2016: Bicester Gateway, Public inquiry into retail proposals for 2 major retailers at Bicester (for LPA)

Advisory

- Recent advisory work includes scope of non-material amendments, Clean Air legislation, environmental impact, part 1 and part 2 plans, strategic joint planning, Green belt release, very special circumstances, conditional control of aircraft noise, various tall building proposals, legality of conversion of

agricultural buildings, scope of planning obligations, logistics proposals, retail proposals, PBSA proposals and shared living proposals.

Memberships

- Member of PEBA
- Western Circuit.

Qualifications

- MA (Oxon) Jurisprudence
- Accredited Civil and Commercial Mediator.

Appointments

- Attorney General's Regional Panel 2002-2015

Recommendations

Legal 500 2023

"Gary provides calm, clear, and commercial advice, which is invaluable to clients. He can always be relied on to engage with clients sensitively, and to depose opponents' arguments elegantly, but definitively."

Chambers UK 2021

"He provides detailed and forensic advice and builds good rapport with clients."

Legal 500 2021

"He combines a calm but effective advocacy style at planning inquiries with excellent written advice and a good rapport with clients."

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.'

Accreditations

