

# Landmark Chambers

## Barrister CV

Robert Walton KC



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# Robert Walton KC

Call: 1999 Silk: 2019

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Robert undertakes work for private developers, central and local government, public bodies, private objectors and interest groups.

## Expertise

Planning, Environment, Public and Administrative



## Contact Practice Managers

### Kevin Squires

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## Practice Summary

Robert is consistently rated as one of the top planning barristers in the UK in the Legal 500 and Chambers and Partners directories.

The latest edition of the *Legal 500* describes Robert as, “Astute and highly commercial. Fantastic with clients. Able to distil highly complex legal issues into crystal clear strategic advice. Undoubtedly one of the very best in his field and a pleasure to instruct and work with”.

### Planning

Robert’s planning work principally focuses on advising clients in preparation for, and appearing at public inquiries, hearings and in the higher courts. He also advises clients on all aspects of planning law, including policy formulation, development control and enforcement.

### Public Law

Robert has a wide ranging public law practice including all aspects of judicial review / statutory challenges, challenging and defending decisions of central and local government as well as other bodies whose decisions are amenable to challenge in the

courts.

## Environment

Robert's environmental work covers all aspects of environmental law, including regulatory and enforcement work.

## Compulsory Purchase and Compensation

Robert's compulsory purchase work centres on advising and representing acquiring authorities in respect of the making and securing of compulsory purchase orders. He also acts for private objectors to CPO schemes. Robert specialises in compensation work, both for compensating authorities and claimants.

# Planning

Robert works across the full spectrum of planning law, including policy formulation, promotion of development schemes and enforcement. Examples include:

## Policy formulation

Notable caseload includes:

- Advice / promotion through EiP in respect of Core Strategies / DPDs: Eastbourne; Hastings; West Berkshire; Wokingham; North Yorkshire; South Oxfordshire; Hastings, Harrogate.

## Promotion of development schemes

- **Employment:** Paddington Cube (Sellar Property Group), Severnside (Severnside Distribution Land Limited), Cuerden Strategic Site (Eric Wright Group), 500 White Hart Lane (Tottenham Hotspur), Welton Bibby (Midsomer Norton Retail Estates Ltd); Finsbury Tower, (Finsbury Tower Estates Ltd) Great Malborough Street (Hendersons).
- **Energy from Waste:** new plants at Shrewsbury, Cardiff and Bristol; Integrated Waste Recycling Facility, Berkshire.
- **Heritage:** Derwent Valley Mills World Heritage Site; Spitalfields regeneration; USAF Upper Heyford; the Gherkin; Waterloo regeneration; Elephant and Castle regeneration; residential development in Bath City Centre.
- **Housing:** Very extensive experience of promoting open market and affordable housing schemes across the country , e.g. 1,000 unit mixed used scheme in London, 600 unit scheme in Stevenage. Very extensive experience of promoting smaller schemes, e.g. 150 units in Wiltshire. Very extensive experience of promoting specialist housing and care facilities for numerous operators, including in the Green Belt in e.g. Cheshire and Solihull.
- **Housing allocations:** Berkhamsted (35 hectare urban extension site); Cole Green (proposed urban extension to Welwyn Garden City); Exmouth (350 dwellings, 1.5ha employment land); Brandon; Axminster; Liphook; Petersfield, South Oxfordshire.
- **Paragraph 80 houses:** Surrey, Cornwall.
- **Hydrocarbons / Oil:** West Sussex, Derbyshire.
- **Incineration:** Addenbrookes Hospital.

- **Mining:** Coal: Thoresbury Colliery (UK Coal); Portland Stone: (Portland); Potash (North Yorks, £1.7bn mine).
- **Transport Infrastructure:** Metrolink Manchester (Trafford Line extension, TWA application); Trolleybus scheme, Leeds (TWA application).
- **Retail:** retail outlet centres Scotch Corner; J27 M5; retail: Blossom Street London (British Land), Eden Walk Richmond (British Land).
- **Stadiums:** Tottenham, Arsenal.
- **Tourist destination facilities:** Eden Westwood J27, M5.
- **Wind farms:** North Norfolk (off shore), Powys (on shore).

## Compulsory Purchase and Compensation

Notable caseload includes:

- *Ideal Homes (Hayes) Ltd v Transport for London*
- *Clearvalley v Transport for London*
- *Tamworth Borough Council CPO*
- *BT Plc v Kent County Council*
- *May v North Yorkshire CC*
- *Treats Food Ltd v London Underground Ltd*
- *Cladding Consultants Ltd v Dorset County Council*
- *Khurana v Transport for London*
- CPO for Integrated Waste Recycling Facility, Padworth
- CPO for town centre regeneration, Newbury
- Objection to flood alleviation CPO, Marlow
- Objection to listed building CPO, Dewsbury
- *Axa Sun Life Plc and Freightliner Ltd v Secretary of State for Transport*
- *Valley Heights Service Station, Merthyr Tydfil*
- *Denwood Properties Ltd v Gateshead MBC*
- *Abbey Investments Ltd v London Development Agency [2011] RVR 18; [2011] J.P.L 76*
- *Launagrove Ltd v Crossrail Ltd*
- *Khurana v Crossrail Ltd*
- *Cosmichome Ltd v Transport for London*
- *Bridgeford Garden Centre v Highways Agency*

- ***Strollgate Ltd v Transport for London***
- ***Heath v London Borough of Lambeth***.

## Planning Enforcement and Injunctions

Enforcement notice / stop notices in respect of: change of use from retail to residential; cessation of scrap yard use; removal of island from a lake; demolition of “Class E” outhouse; alteration of dwellinghouse roof; cessation of restaurant use; removal of marquee; removal of stables; removal of houseboat; demolition of residential extension; cessation of residential use; cessation of garden use; removal of static caravans; cessation of equestrian use; and demolition of house. Injunctions: ***R (Cherkley Campaign Ltd) v Mole Valley DC*** [2014] EWCA Civ 567; ***Trillium v Tower Hamlets LBC*** [2011] EWHC 560 (Admin); ***West Sussex County Council v Lawson Hunt Developments Ltd*** [2011] Claim no: HC10CO1901. Revocation / modification orders: eg ***Portland Stone Firms Ltd v Dorset County Council*** [2015].

## Environment

Notable examples of Robert's environmental work:

- Advising Utilities Company in relation to claim for minerals compensation pursuant to Schedule 14 of the Water Industry Act 1991.
- Compulsory Purchase under the Water Industry Act 1991.
- Energy from waste incinerator at Addenbrookes Hospital.
- Enforcement action by Council, in conjunction with Environment Agency, in respect of industrial use of greenfield site in Wokingham.
- Habitats: Gatwick Airport, Ashdown Forest SAC.
- Noise abatement proceedings in respect of the East London Line Extension; noise impact case in relation to summertime concerts at the Emirates Stadium, London.
- Pollution prevention proceedings in respect of sewage discharge from caravan park.
- Environment Agency proceedings in respect of Oak Processionary Moths.
- Building Act 1984 proceedings in respect of demolition of Billingham House, Middlesbrough.
- Minerals extraction: Guildford, Nottinghamshire, West Berkshire, Somerset.
- Waste schemes at Newbury, Shrewsbury, Bristol, Cardiff and Guildford
- Wastewater Treatment Works, East Sussex.

## Public and Administrative

Robert has extensive experience of judicial review and statutory challenges in relation to national and local governmental decisions, in particular in relation to planning and environmental law. Examples include:

- Acting for developer, defending judicial review challenge to grant of planning permission for new green belt sports facilities
- Acting for local residents challenging Council's decision to grant planning permission for basement development in London
- Acting for local planning authority defending challenge brought to Council's decision to adopt development plan
- Acting for developer defending statutory review proceedings brought in respect of Inspector's decision to grant planning permission for new school facilities
- Acting for Council in respect of judicial review of decision to grant planning permission for new theatre and council offices
- Acting for developer defending challenge to grant of permission for major mixed use scheme in central London
- Acting for developer defending judicial review of Secretary of State's decision not to call in major planning application
- Acting for developer defending judicial review of Council's decision to grant permission for major mixed used scheme in London
- Acting for developer defending judicial review of Council's decision to grant permission for new housing scheme in London
- Acting for Council resisting statutory challenge to Inspector's decision to grant planning permission for hydrocarbon exploration in highly sensitive landscape.

## Qualifications

- Scholar at BPP Law School
- History and English Literature at Edinburgh University, being awarded an MA(Hons) in 1995

## Recommendations

"Robert provides commercially sound advice considering the wider picture." "He is really approachable and very clear in his advice." "Robert is very collegiate with instructing solicitors, and also very clear on the risks to clients."

**Planning, Chambers and Partners, 2024**

"Rob is technically excellent but pragmatic and practical, clear, responsive and firm."

**Planning, Legal 500, 2024**

"Robert Walton is consistently excellent and very user-friendly." "Rob has been brilliant, commercially aware, astute and highly capable." "Robert is brilliant with clients and professional teams. He provides excellent commercial advice delivered with good humour; a real team player." "He has a disarming manner as an advocate."

**Planning, Chambers and Partners, 2023**

"Robert is commercially astute, user-friendly, clear and concise in his legal points and very helpful." "Robert is very approachable, calm, and efficient. He has excellent advocacy skills."

#### **Planning, Legal 500, 2023**

"His speed of thought and turnaround of written work are phenomenal." "Robert is responsive, efficient and robust in his approach."

#### **Planning, Chambers and Partners, 2022**

"Highly personable and very hands-on; easy to work with and a source of sensible and commercial views in practical advice – but always based on good legal analysis."

#### **Planning, Legal 500, 2022**

"He can get on with a large team and is very communicative and easy to work with." "A very knowledgeable barrister who deals with clients and opponents in a pleasant, approachable manner."

#### **Planning, Chambers and Partners, 2021**

"Astute and highly commercial. Fantastic with clients. Able to distil highly complex legal issues into crystal clear strategic advice. Undoubtedly one of the very best in his field and a pleasure to instruct and work with."

#### **Legal 500, 2021**

"He gets in the thick of things, rolls up his sleeves and mucks in, and is very collaborative", and "He is very proactive and just brilliant at getting to the nub of the issue."

#### **Planning, Chambers and Partners, 2020**

"An absolute class act who ... just reads situations very well" and "thorough, articulate and brilliant at explaining complex legal situations. He has solid technical knowledge and good tactical ideas, and is also very approachable."

#### **Legal Directories**

## **Cases and inquiries**

15 02 24	Green Belt retirement village approved on appeal
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06 12 23	"Once in a generation" employment-led mixed use scheme consented
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16 11 23	Secretary of State grants permission on appeal for new £300m Category B prison to meet national need
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09 11 23	Continuing Care Community approved in South Downs National Park
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06 11 23	Care Home allowed on appeal despite breach of Neighbourhood Plan allocation
04 09 23	Major B8/B2 scheme allowed on appeal
25 08 23	Enforcement Notice appeal upheld
13 06 23	Inquiry into new B8 warehousing closes
01 06 23	24 unit scheme allowed on appeal
13 02 23	London C3 age restricted dwellings
13 02 23	HS2 compensation claim
13 02 23	Enforcement Notice appeal
13 02 23	Mixed unrestricted C3 and C2 Care Home
17 10 22	MoJ New Prison Programme
18 07 22	576 new homes allowed on appeal for second time
28 03 22	Appeal allowed: planning permission granted on appeal for the erection of an Extra-care facility (Use Class C2) in the Solihull Green Belt
15 01 22	Appeal allowed: planning permission granted on appeal for 150 new dwellings on greenfield site on the outskirts of Shrewbury, contrary to the development plan and where the Council could demonstrate a 5 year supply of housing
13 09 21	Appeal allowed: for design-led new employment and retail floorspace in Bethnal Green
31 08 21	Appeal dismissed and full award of costs in relation to appeal against enforcement notice requiring demolition of unlawful new building containing 10 residential flats.
31 08 21	Appeal allowed: 576 new dwellings in high rise scheme
31 08 21	Appeal allowed: Bicester Sports Association has secured permission on appeal for extensive new sports facilities in the open countryside on land at Akeman Stree, Chesterton



31 08 21	McCarthy & Stone has secured permission on appeal for the erection of 42 retirement living apartment and a new retail store with 5 flats above, on land at 42-46 New Road, Tadley
29 04 21	Legal challenge to South Oxfordshire Local Plan rejected for second time
19 03 21	Kensington Forum Hotel redevelopment
25 02 21	South Oxfordshire Local Plan adopted
25 02 21	Harrogate Local Plan adopted
22 01 21	Permission granted on appeal for Class C2 Care Home
19 11 20	Landmark secures permission on appeal for second contemporary scheme in Dorset conservation area
15 11 20	Southend Airport – 10 test cases heard by Upper Tribunal
30 07 20	More C2 Extra Care success for McCarthy & Stone
23 06 20	Permission granted for C2 / C3 scheme despite conflict with Neighbourhood Plan
20 03 20	Planning permission granted on appeal for new retirement living scheme
30 01 20	Bleeding Heart judicial review dismissed
22 01 20	Secretary of State grants planning permission for 1300 new homes in London and awards Appellant full costs.
09 01 20	Queens Park Rangers Judicial Review
09 01 20	BP Petrol Filling Station approved on appeal
09 01 20	Planning Permission granted on appeal for new residential development in London
19 07 19	Planning permission granted on appeal for C2 development in the Green Belt
28 06 19	Spurs regeneration scheme approved
14 06 19	Agri-tech inquiry opens
15 05 19	190 conjoined compensation claims

15 05 19	Spurs inquiry
16 04 19	Jopling v London Borough of Richmond-upon-Thames & Secretary of State for Housing, Communities and Local Government [2019] EWHC 190 (Admin)
14 01 19	Satwick and Kramer v TfL
14 01 19	Harrogate Local Plan EIP
22 11 18	Major development scheme refused in AONB
15 10 18	Major development schemes refused because of impacts on World Heritage Site
11 10 18	1350 new London homes – inquiry closes
20 09 18	High Court rejects Ryde School JR
20 09 18	AONB and Heritage Coast inquiry closes
18 09 18	Challenges to adoption of Local Plan
13 09 18	High Court throws out JR of £90m mixed use development
25 07 18	Permission granted for contemporary scheme in Conservation Area
17 07 18	Tunbridge Wells JR
17 07 18	HS2 Petition
17 07 18	Proposed new Motorway Service Area on the A1(M) in North Yorkshire
17 07 18	Ryde School
17 07 18	Poole retirement housing
17 07 18	Metro Bank gets planning permission in Oxford
26 06 18	Inquiry into state-of-the art in-vessel composting facility at Wisley Airfield
26 06 18	World Heritage Site inquiry

26 06 18	Planning permission granted for major mixed use scheme
26 06 18	Welton Bibby planning inquiry opens
26 06 18	Ripon Police Station inquiry
26 06 18	Alfa Laval Tower inquiry
26 06 18	Planning permission granted on appeal for new student accommodation in Canterbury
26 06 18	McCarthy & Stone gets planning permission and full costs award
26 06 18	New homes approved in Guildford Green Belt
26 06 18	New £90m Hospital approved in the Green Belt
26 06 18	Flooding concerns raised at Public Inquiry
26 06 18	Secretary State refuses York Green Belt scheme
26 06 18	B1 to C3 permitted development appeal
26 06 18	Grade II* Fulham Town Hall redevelopment plans dismissed
26 06 18	Housing Scheme in York
26 06 18	Secretary of State confirms Tamworth regeneration CPO
26 06 18	Extension to Manchester's Metrolink
26 06 18	Permission granted for new para.55 house
26 06 18	New housing schemes, Newmarket and Reading
26 06 18	New housing schemes, 35 units, Reigate
26 06 18	Promoting new tramline, Manchester
26 06 18	Planning permission granted at Dibden Purlieu
26 06 18	2 week housing inquiry in Camden

26 06 18	Village Green, Richmond
26 06 18	Emirates Stadium
26 06 18	Clutton, Bath and North East Somerset
26 06 18	Gas extraction in the North York Moors
26 06 18	Halcyon Waters
26 06 18	Mushroom Farm, North Yorkshire
26 06 18	Planning Permission granted for mixed use scheme in Haslemere
26 06 18	Scrap yard permitted in residential area
26 06 18	New House in the Green Belt rejected
26 06 18	Hari Krishna wedding venue rejected
26 06 18	Sheltered Housing, Chipping Ongar
26 06 18	Inland Revenue Sorting Office scheme rejected
26 06 18	Yorkshire MSA
26 06 18	Waste composting
26 06 18	Brandon Housing
26 06 18	Stansted Airport
26 06 18	Planning permission granted for new multi-sports facility in Surrey countryside site
26 06 18	Farm Lane, Leckhampton
26 06 18	Nottinghamshire Scrap Yard
26 06 18	Upper Heyford, Bicester
26 06 18	Houses in AA Milne Country

26 06 18	Waste Management Compulsory Purchase Order
26 06 18	East Gateshead CPO
26 06 18	Regent Quarter
26 06 18	McCarthy & Stone
26 06 18	Isle of Man: housing
26 06 18	Newbury Regeneration
26 06 18	Maidstone MSA
26 06 18	Channel Tunnel Rail Link
19 06 18	Paddington Cube judicial review fails
07 06 18	Grummitt & Sherlock v Secretary of State for Transport
07 06 18	R (on the application of Bushell & Others) v Newcastle Licensing Justices & Others
07 06 18	R (on the application of Essex County Council and others) v Secretary of State for Transport
07 06 18	Cinderella Rockerfellas Ltd v Rudd (VO)
07 06 18	Richards v Somerset County Council
06 06 18	Purfleet Farms Ltd v Secretary of State for Transport
06 06 18	Pascoe v Liverpool City Council
05 06 18	Bizzy B v Stockton on Tees Council
05 06 18	Railtrack v Medway Council
05 06 18	R (on the application of Gleeson) v Wealden DC
05 06 18	Sorrenti v Secretary of State and Hastings BC
04 06 18	Austin v SSCLG and Portsmouth Council

01 06 18	Satnam Urban Regeneration v Rotherham MBC
01 06 18	Gateshead CPO
01 06 18	Abbey Investments Ltd v London Development Agency
31 05 18	Khurana v Transport for London
31 05 18	Brown v Secretary of State for Communities & Local Government
31 05 18	Khurana v Crossrail Ltd
31 05 18	David Clinton v Secretary of State for Communities & Local Government
31 05 18	Flattery v Secretary of State & Nottinghamshire County Council
31 05 18	R (Fight the Flights) v London Borough of Newham
31 05 18	Greenwood v Secretary of State & Bristol City Council
31 05 18	Sandwell MBC v Secretary of State & Patricia Cutler
31 05 18	Valley Heights Service Station, Merthyr Tydfil
31 05 18	R(Coe) v Hastings Borough Council
31 05 18	R(Coe) v East Sussex County Council
31 05 18	Heath v Borough of Lambeth
31 05 18	James Fowler v SSLG and Ealing Council
31 05 18	Ellis v Secretary of State for Communities & Local Government and Chiltern DC [2009] EWHC 634 (Admin)
31 05 18	R (on the application of Paul Cavanagh) v East Sussex County Council
31 05 18	R (on the application of Clear Channel UK Ltd) v London Borough of Tower Hamlets
31 05 18	St John's School v Secretary of State and Forest of Dean Council
31 05 18	Denwood Properties Ltd v Gateshead Council

31 05 18	Regents Quarter Ltd v Secretary of State for Transport
31 05 18	Axa Sun Life Plc & Freightliner Ltd v Secretary of State for Transport
30 05 18	Cherkley Court Campaign Ltd v Mole Valley BC
30 05 18	Treats Food Ltd v London Underground Ltd
30 05 18	Transport for Greater Manchester
30 05 18	Croydon CPO
30 05 18	Cherkley litigation comes to an end
30 05 18	Permission refused for hydrocarbon exploration in Surrey
30 05 18	Challenge to new Tesco store rejected
30 05 18	Bridgeford Garden Centre v Highways Agency
30 05 18	Launagrove Ltd v Crossrail Ltd
30 05 18	Green light given for redevelopment of Cherkley Court
30 05 18	R (Godfrey) v London Borough of Southwark
30 05 18	Cosmichome Ltd v Transport for London
30 05 18	Moore v Mayor of London
30 05 18	Salford Estates v Durham County Council and Tesco Stores Ltd
30 05 18	Bull v Hastings Borough Council
29 05 18	Blossom Street, London
29 05 18	R (Rushport Advisory LLP) v National Health Service Litigation Authority
29 05 18	Irving v Mid Sussex
29 05 18	Coulsdon compensation claims

29 05 18	Skyrme v United Utilities
29 05 18	R (Preserve Aston Clinton Village Environment) v Aylesbury Vale DC
29 05 18	Keep Wythenshawe Special Ltd [2016]
29 05 18	BT Plc v Kent County Council
29 05 18	Berryvilla Ltd v Camden LBC
29 05 18	May v North Yorkshire CC
29 05 18	Airparks Services Ltd
29 05 18	Henderson Global Investors Ltd
29 05 18	Cladding Consultants Ltd v Dorset County Council
25 05 18	R (Save Britain's Heritage) v Secretary of State for Communities and Local Government, Westminster City Council and Great Western Developments Ltd
25 05 18	R (Holborn Studios Ltd) v LB Hackney and GHL (Eagle Wharf Ltd)
25 05 18	Barker v Pinsent Masons LLP
24 05 18	Ideal Homes (Hayes) Ltd v Transport for London
24 05 18	Tottenham Hotspur judicial review thrown out
24 05 18	Second Paddington Cube judicial review fails
24 05 18	Timbnet UK Ltd v Jackson VO
24 05 18	Vue Entertainment Ltd V City of York
24 05 18	Clearvalley v Transport for London
24 05 18	Secretary of State consents to judgment over 220 house scheme
10 05 18	Court of Appeal rejects challenge to Paddington Cube as abuse of process



15 11 17	R (Imperial College Healthcare NHS Trust) v Westminster City Council and Great Western Developments Ltd
05 11 13	Old Sarum, Wiltshire
26 01 12	Certificate of lawfulness appeal allowed with costs
05 10 11	Green Belt enforcement notice dismissed with costs

## Publications

Co-editor of *Nationally Important Infrastructure Projects* – Lexis Nexis Planning Law Service