



Graeme Keen QC

Call: 1995 Silk: 2018

Email: gkeen@landmarkchambers.co.uk

Practice Manager

Kevin Squires

Email: ksquires@landmarkchambers.co.uk

Phone: **0207 421 1351**

Jason Allen

Email: jallen@landmarkchambers.co.uk

Phone: **0207 421 1306**

Expertise

Planning, Public, Environment

Overview

Graeme is a specialist in planning, environmental, compulsory purchase and public law. He was called to the Bar in 1995 and appointed Queen's Counsel in 2018.

Graeme's clients include developers, landowners, local planning authorities and individuals and he is instructed by solicitors and planning consultants. His practice covers advocacy and advisory work and he frequently appears at Public Inquiries, Hearings and Examinations.

Graeme is currently instructed on a range of matters including: the promotion at appeal of several housing developments in

England, including in the Green Belt and AoNB, the promotion of major logistics development in Nottinghamshire, the Examination in Public of the Nottinghamshire Minerals Plan and the Cranbrook Plan in East Devon.

Graeme is thoroughly familiar with conducting virtual Appeals, Examination in Public and Development Consent Order hearings, (introduced by the Planning Inspectorate as a result of the COVID-19 restrictions).

Graeme is listed in Planning Magazine's Top Rated Planning Silks 2020.

Legal 500 2021 states that Graeme is *'very personable. Meticulous preparation. Excellent management of the appeal team to bring out the best in each. Excellent results.'*

Chambers & Partners 2019 states that he is *"an expert in both planning and environmental law whose experience ranges from local plan examinations through to major infrastructure projects. He also handles a number of cases relating to housing, retail and highways. Keen is frequently called upon to appear in compulsory purchase disputes and inquiries covering the full spectrum of planning law."*

"He offers outstanding attention to detail and extensive experience. He is a pleasure to deal with."

Legal 500 2018 notes Graeme's *"...fine attention to detail, with calm authority and excellent advocacy"*.

Planning

Graeme is a highly experienced Public Inquiry advocate who acts for developers, local government and other interested parties. His advisory and appeal work includes: housing; retail; heritage; highways; major infrastructure projects; compulsory purchase; and enforcement. Much of his Inquiry work has involved appeals recovered by the Secretary of State. Graeme also acts both for and against local planning authorities at Local Plan Examinations and appears at Development Consent Order hearings. His court experience ranges from the High Court work (including judicial review and statutory appeals) to the Magistrates Court (including defending prosecutions for breach of enforcement notices).

Graeme provides strategic advice on the preparation of development schemes and technical advice on the expert evidence required to support applications and appeals. He regularly works with large teams on projects, including expert witnesses in a wide range of disciplines.

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Chambers & Partners 2019 states that Graeme is: *"[a]n expert in both planning and environmental law whose experience ranges from local plan examinations through to major infrastructure projects. He also handles a number of cases relating to housing, retail and highways. Keen is frequently called upon to appear in compulsory purchase disputes and inquiries covering the full spectrum of planning law."* *"He offers outstanding attention to detail and extensive experience. He is a pleasure to deal with."*

In 2018: *"Very detail-oriented and gets on really well with clients and planning consultants. He produces very strong work and is both very commercially astute and a real problem solver... thoroughly pragmatic, intelligent and experienced... able to effortlessly pull on case law from memory. He is very experienced in housing land supply issues and major housing appeals generally."*

In 2018, Legal 500 stated that Graeme has a *"fine attention to detail, with calm authority and excellent advocacy."*

In 2017, Chambers and Partners stated: *"Excellent in all he does: he's very thorough, he gets the points very quickly and he provides very accurate advice to lay clients, who are helped to understand what to expect."* *"Thorough diligent and extremely hard-working."*

In 2016: *"Renowned for his handling of large public inquiries. He is also well known for the expertise he brings to matters involving CPOs... He is always a safe pair of hands, and is extremely knowledgeable and practical... He offers clear, concise advice, is sound in his tactics and takes a no-nonsense approach."*

On going matters -

Include: advising on the promotion of land allocated in two emerging Local Plans for large scale residential and commercial developments; the promotion (including at appeal) of several residential developments in, for example, Surrey, Wiltshire, Dorset, Devon, Northumbria (including sites in the Green Belt and AoNBs); the promotion of mixed use schemes in Surrey and

Hampshire; the promotion of major logistics development in Nottinghamshire, a highways DCO scheme; and compulsory purchase matters.

Environment

Graeme has been instructed on a number of high profile Public Inquiries involving environmental matters (including Dibden Bay, USAF Upper Heyford, and Culworth Solar Farm) and Examinations in Public of Local and Minerals Plans (including the Durham County Plan and the Nottinghamshire Minerals Plan), involving the assessment and scrutiny of Sustainability Appraisals etc. He regularly advises on Environmental Impact Assessments and the content of Environmental Statements. Graeme also has expertise in defending environmental prosecutions in relation to matters such as waste disposal and pollution.

Compulsory Purchase

Graeme has considerable compulsory purchase experience, in particular at Inquiry, where he has promoted CPOs for a wide variety of developments including: housing; an academy school; highways schemes; and regeneration projects. Graeme has also acted for objectors to CPOs, for example in relation to protecting commercial interests and heritage assets, including successfully opposing Manchester's CPO of the former London Road Fire Station.

Public

His public law practice predominantly relates to planning and environmental matters. He has represented local authorities and private clients in the High Court, on a wide range of issues, for example, judicial review, statutory appeals, and injunctions for breach of enforcement notices.

Other

Graeme is a member of the Planning and Environment Bar Association and the Administrative Law Bar Association. He regularly gives papers at Landmark Seminars and has conducted seminars on Planning Law at University College London, on the M.Phil. Town and Country Planning Course, lectured for the Local Government Group, Central Law Training, the RTPI summer school, PINS training week and various other organisations. He also provides training for council members and officers.

Graeme is a graduate of King's College London where he read Law. After graduation he attended the Inns of Court School of Law, Bar Vocational Course, and worked as a part-time lecturer in Constitutional Law at King's College London.

Graeme's main Practice Manager is Kevin Squires: 020 7421 1351; ksquires@landmarkchambers.co.uk

Qualifications

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Very commercially astute and a real problem solver

Chambers and Partners

Cases

14 Feb 2020	Westminster CC v Simit Sarayi
18 Apr 2017	Nottingham CC v Sneinton Markets
01 Apr 2017	Durham CC v Bradwell
27 Mar 2017	Yapton s.288 Challenge
08 Dec 2015	Liverpool City Council & Plus Dane Group v SSCLG & Save Britain's Heritage
06 May 2015	High Court quashes Cinderford superstore permission for the third time
09 Mar 2015	Long-running Cinderford supermarket dispute returns to the High Court
14 Oct 2014	R (on the application of Tesco Stores Ltd) v Forest of Dean DC [2014] EWHC 3348 (Admin)
25 Mar 2014	London Borough of Islington v Mayor of London [2014] EWHC 751 (Admin)
10 Mar 2014	R (on the application of Fox Strategic Land and Property Ltd) v Chorley BC [2014] EWHC 1179 (Admin)
17 Dec 2013	Aegon UK Property Fund & Scottish Widows plc v Cherwell DC & LXB [2013] EWHC 2572 (Admin) and 3968 (Admin)
19 Apr 2013	R (Evans) v Basingstoke & Deane Borough Council and Vitacress Salads Limited [2013] EWCA Civ 1635; [2013] EWHC 899 (Admin)
01 Dec 2012	R. (on the application of Zurich Assurance Ltd (t/a Threadneedle Property Investments)) v North Lincolnshire Council [2012] EWHC 3708 (Admin)
01 Jan 2012	R (Wetherell) v Westminster City Council
20 Jan 2011	Stafford Borough Council v Secretary of State for Communities and Local Government & McCluskey
07 Jul 2010	Basildon District Council v Anderson & Others
25 Jun 2008	High Court rejects judicial review of Fullbrook Windfarm
06 Mar 2008	Court of Appeal refuses permission to challenge Darwen Academy CPO
24 Jan 2008	High Court dismisses challenge to Darwen Academy CPO [2008] EWHC 62 QB
01 Oct 2007	Port of London Authority v Transport for London [2008] RVR 93
11 Jul 2007	R (Persimmon Homes Ltd) v Secretary of State For Communities & Local Government and Cherwell District Council
01 Dec 2004	Darlington BC v Lingfield Properties Ltd
01 Jan 2001	Stapel v. Bellshore Property Investments Ltd

Inquiries

03 Dec 2020	East Anglia One North and East Anglia Two Offshore Windfarms - Development Consent Orders sought by Scottish Power Renewables
19 Nov 2020	Cranbrook Plan
29 Oct 2020	Nottinghamshire Minerals Local Plan
14 Feb 2020	Westminster CC v Simit Sarayi
06 Feb 2020	Durham Local Plan Examination in Public
07 Jan 2020	Buriton Barn
17 Dec 2019	Former Wyevale Garden Centre Alfold
10 Sep 2019	National Express Coach Depot, Stansted
19 Aug 2019	Garden Hill, Steep
04 Jun 2019	Westleaze, Charminster Appeal
24 Apr 2019	Birches Crematorium Appeals
06 Sep 2018	Wycombe Local Plan Examination in Public
06 Jul 2018	Treetops, Guildford
30 Jan 2018	Earl Road, Handforth Dean
12 Dec 2017	Ford Lane, Yapton
28 Nov 2017	Sandwich Road, Dover
31 Oct 2017	Park Road, Willaston
11 Jul 2017	Barracks Mill Inquiry
23 May 2017	Moorfields, Willaston
16 May 2017	Wheeler St Nurseries
21 Mar 2017	Gibraltar Farm
01 Sep 2016	Cromwell Road Hearing
01 Jun 2016	Guildford College Hearing
01 May 2016	Harman Technologies Inquiry
01 Apr 2016	London Road and Abbey Road Inquiries
01 Mar 2016	Moor Street Inquiry
04 Feb 2016	Church Lane Wistaston
12 Jan 2016	Hoover Building
24 Nov 2015	Park Road, Willaston

07 Jul 2015	Clay Lane, Yapton
23 Jun 2015	Shaw Drive, Scartho
02 Dec 2014	Commissioners Road, Strood
18 Nov 2014	Allington Lane, Fair Oak
14 Oct 2014	West End Farm, Chipping Norton
17 Jun 2014	Liverpool Welsh Streets Planning and CPO Inquiries
28 Jan 2014	Chatham Waters
26 Nov 2013	Foreman Road & Kingston House, Ash
31 Oct 2013	Babbacombe Road, Torquay
01 Sep 2013	Woodgate Centre Public Inquiry
01 Oct 2012	Culworth Photovoltaic Park Inquiry (November 2011/March & October 2012)
01 Sep 2012	Freckleton Link Road CPO and SRO Inquiry
04 Jan 2012	The Curve Slough CPO Inquiry
12 Dec 2011	Sedgemoor Game Farm
01 Dec 2011	Bridlington AAP Examination
01 Oct 2011	Athelstan Way Inquiry
01 Jun 2011	London Road Fire Station CPO Inquiry
01 Sep 2010	Porthmadog Gas Works
28 May 2010	Preston Tithebarn Inquiry
10 Nov 2009	Carland Cross Wind Farm
21 Sep 2009	McMullens Brewery
01 Jul 2009	Land adjacent to Abercynon South railway station
03 Mar 2009	Kensington High Street
01 Oct 2008	Former RAF Upper Heyford, Bicester, Oxfordshire
30 Sep 2008	RAF Upper Heyford, Bicester, Oxfordshire
01 Jan 2008	Ifield Community College Public Inquiry (October and December 2007 and January 2008)
01 Jan 2007	Darwen Academy CPO Inquiry
01 Nov 2006	Chalfont Lodge Nursing Home Inquiry
01 May 2006	Burnham-on-Sea Tesco Inquiry
01 Jun 2004	Bristol CPO

01 Dec 2003	Promotion of the New Forest District Local Plan First Alteration (Sep-Dec 2003)
01 Dec 2002	Dibden Bay Deep Sea Container Terminal (Nov 2001 - Dec 2002)

Publications

11 Jan 2021	Virtual Inquiries: Top Tips - webinar
29 Sep 2020	s.106B appeals in relation to modifications and discharge of planning obligations
29 Sep 2020	The Variation and Enforcement of s.106 Obligations - Webinar
06 Nov 2018	The Practical Use of the NPPF at Appeals
