



The Rt. Hon. Lord Carnwath of Notting Hill

Email: clerks@landmarkchambers.co.uk

Overview

Lord Carnwath retired as a Justice in March 2020 after a distinguished judicial career which culminated in him spending 8 years sitting in the UK Supreme Court and as a member of the Judicial Committee of the Privy Council. During his tenure in the Supreme Court, he gave many leading judgements, particularly on issues relating to planning and the environment, property, rating, local government and administrative law.

As an Associate Member of Landmark Chambers, Lord Carnwath is available to undertake a range of professional engagements within his principal areas of expertise, including arbitrations, expert determinations, early neutral evaluations, and mediations.

He is also available to provide guidance and opinions on the merits of cases before the higher courts, including the Court of Appeal, the Supreme Court, and Privy Council, and to assist counsel with the preparation of applications or submissions, or by conducting mock hearings.

He is available also to accept instructions from government or other bodies to conduct inquiries or provide reports on issues of public importance.

Planning

The Health and Safety Executive v Wolverhampton City Council (Rev 1) [2012] UKSC 34 [2012] 1 WLR 2264 (revocation of planning permission)

Coventry & Ors v Lawrence & Anor [2014] UKSC 13 [2014] 1 AC 822 (planning control and nuisance) (concurring)

Trump International Golf Club Scotland Ltd & Anor v The Scottish Ministers [2015] UKSC 74 [2016] 1 WLR 85 (interpretation of planning permission) (concurring)

Suffolk Coastal District Council v Hopkins Homes Ltd & Anor [2017] UKSC 37 [2017] 1 WLR 1865 (NPPF housing policy)

Dover District Council v CPRE Kent [2017] UKSC 79 [2018] WLR 108 (adequacy of reasons)

London Borough of Lambeth v Secretary of State for Housing, Communities and Local Government and others [2019] UKSC 33 [2019] 1 WLR 4317 (successive permissions)

Samuel Smith Old Brewery (Tadcaster) & Ors, R (on the application of) v North Yorkshire County Council [2020] UKSC 3 [2020] 3 All ER 527 (Green Belt policy)

Dill v Secretary of State for Housing, Communities and Local Government and another [2020] UKSC 20 [2020] 1 WLR 2206 (listed building control)

Infrastructure

Walton v The Scottish Ministers (Scotland) (Rev 1) [2012] UKSC 44 [2013] Env LR 16 (statutory challenges and discretion) (concurring)

Cusack v London Borough of Harrow [2013] UKSC 40 [2013] 1 WLR 2022 (highway access)

HS2 Action Alliance Ltd, R (on the application of) v The Secretary of State for Transport & Anor [2014]

UKSC 3 [2014] WLR 324 (parliamentary Procedure – strategic environmental impact assessment)

Hastings Borough Council v Manolete Partners Plc [2016] UKSC 50 [2016] WLR 3059 (Building Act compensation)

Homes and Communities Agency v JS Bloor (Wilmslow) Ltd [2017] UKSC 12 (compulsory purchase compensation)

Environment

ClientEarth, R (on the application of) v The Secretary of State for the Environment, Food and Rural Affairs [2013] UKSC 25; [2015] UKSC 28 (air pollution)

Edwards & Anor, R (on the application of) v Environment Agency & Ors (No 2) [2013] UKSC 78 [2014] 1 WLR 55 (Costs – Aarhus Convention)

Sustainable Shetland v The Scottish Ministers & Anor (Scotland) [2015] UKSC 4 [2015] 2 All ER 545 (Birds Directive)

Champion, R (on the application of) v North Norfolk District Council & Anor [2015] UKSC 52 [2015] WLR 371 (environmental impact assessment)

Mott, R (on the application of) v Environment Agency [2018] UKSC 10 [2018] WLR 1022 (Human rights compensation for environmental controls)

Property

Day & Anor v Hosebay Ltd [2012] UKSC 41 [2012] 1 WLR 2884, (leasehold enfranchisement)

Barkas, R (on the application of) v North Yorkshire County Council & Anor [2014] UKSC 31 [2015] AC 195 (village greens) (concurring)

Newhaven Port and Properties Ltd, R (on the application of) v East Sussex County Council & Anor [2015] UKSC 7 [2015] AC 1547 (village greens) (concurring)

Arnold v Britton & Ors [2015] UKSC 36 [2015] AC 1619 (lease service charges) (dissenting) *Lynn Shellfish Ltd & Ors v Loose & Anor (rev 1)* [2016] UKSC 14 [2017] AC 599 (prescriptive fishing rights)

Regency Villas Title Ltd & Ors v Diamond Resorts (Europe) Ltd & Ors [2018] UKSC 57 [2019] AC 553 (easements) (dissenting)

Lancashire CC, R (on the application of) v SSEFRA & Anor [2019] UKSC 58 [2021] AC 194 (village greens)

Peninsula Securities Ltd v Dunnes Stores (Bangor) Ltd (Northern Ireland) [2020] UKSC 36 [2020] 3 WLR 521 (restrictive trade covenants on property) (concurring)

Rating

Iceland Foods Ltd v Berry (Valuation Officer) (Rev 1) [2018] UKSC 15 [2018] 1 WLR 1277 (rating of plant and machinery)

UKI (Kingsway) Ltd v Westminster City Council (rev 1) [2018] UKSC 67 (completion notice) *Telereal Trillium v Hewitt (Valuation Officer)* [2019] UKSC 23 [2019] WLR 3262 (rateable value of offices)

Cardtronics UK Ltd and others v Sykes and others (Valuation Officers) [2020] UKSC 21 [2020] 1 WLR 2184 (rating of ATM cash machines)

Career History

Lord Carnwath retired as a Justice in March 2020 after a distinguished judicial career over 25 years, in which he also served as Chairman of the Law Commission, and Senior President of Tribunals, and which culminated in him spending eight years sitting in the UK Supreme Court and the Judicial Committee of the Privy Council. Although he participated in all aspects of the work of the Supreme Court, his principal areas of expertise have been on issues relating to planning and the environment, property, rating, local government and administrative law. He has given many leading judgments on these subjects (some of which are listed on this profile).

Prior to his appointment to the High Court, he practised at the Bar for 24 years from the predecessor chambers of Landmark Chambers, specialising principally in planning, property and administrative law, taking silk in 1985. Between 1980 and 1985 he served as Junior Counsel to the Inland Revenue, and between 1988 and 1994 as Attorney-General to HRH Prince of Wales.

As a judge he has taken an active interest in advancing understanding of the law of the environment and climate change around the world (since 2005 as a member of a judicial taskforce set up by the UN Environmental Programme), and has spoken at judicial conferences in many parts of the world. In 2005 he was a founder member, and first Secretary General of the EU Forum of Judges for the Environment (EUFJE). He also took a particular interest in the law and legal systems of other Commonwealth jurisdictions and has been a regular speaker at conferences of the Commonwealth Magistrates and Judges Association and the Commonwealth Law Association.

In this country he is Honorary President of the UK Environmental Law Association and of the Planning and Environmental Bar Association. He also has strong academic connections, including Honorary Fellow of Trinity College, Cambridge; Visiting Professor of Oxford University; Honorary Professor of University College London; and Visiting Professor in Practice of the Grantham Research Institute on Climate Change and the Environment at the LSE.

Outside the law, he is a keen amateur musician and he is a former Governor of the Royal Academy of Music (Hon FRAM) and former Chairman of the Britten-Pears Foundation.

Publications

03 Feb 2022	Summary of Government Proposals
03 Feb 2022	Human Rights Act - the new Bill of Rights - webinar
22 Nov 2021	Part 3 - Planning High Court Challenges - webinar series
11 Oct 2021	Environmental Law Conference 2021 - webinar
24 Mar 2021	BIICL's webinar series - Rising Sea Levels: Climate Change Litigation before Domestic Courts
03 Feb 2021	Varying Planning Permissions - webinar

Landmark Chambers has updated its cookie policy. We use cookies to ensure that we give you the best experience on our website. This includes cookies from third party social media website if you visit a page which contains embedded content from social media. Such third party cookies may track your use of Landmark's website. If you continue without changing your settings, we'll assume that you are happy to receive all cookies on the Landmark website. However, you can change your cookie settings at any time. Find out more

Accept All

Cookie settings

✕ Close

Privacy Overview

This website uses cookies to improve your experience while you navigate through the website. Out of these cookies, the cookies that are categorized as necessary are stored on your browser as they are essential for the working of basic functionalities of the website. We also use third-party cookies that help us analyze and understand how you use this website. These cookies will be stored in your browser only with your consent. You also have the option to opt-out of these cookies. But opting out of some of these cookies may have an effect on your browsing experience.

Necessary

Necessary

Always Enabled

Necessary cookies are absolutely essential for the website to function properly. This category only includes cookies that ensures basic functionalities and security features of the website. These cookies do not store any personal information.

Non-necessary

Non-necessary

Any cookies that may not be particularly necessary for the website to function and is used specifically to collect user personal data via analytics, ads, other embedded contents are termed as non-necessary cookies. It is mandatory to procure user consent prior to running these cookies on your website.

SAVE & ACCEPT