



## **Stephen Morgan**

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## **Expertise**

Planning, Environment

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## **Overview**

Stephen has always specialised in planning and related fields of law, having graduated in both law and planning. His experience, both as adviser and advocate, covers the range of planning and related topics, including major infrastructure projects and in particular waste and energy facilities; his work covers the regulatory aspects (under the various regimes and Directives) as well as the planning issues. This also includes extensive experience of village greens, highways, advertisements, heritage assets and compulsory purchase and compensation. This work is for both the private and public sectors. It covers hearings, inquiries, criminal and civil courts, including advising and appearing in judicial review and statutory challenge proceedings.

Stephen employs a strategic and practical approach to advising and representing clients and seeking solutions that might avoid expensive litigation. He prefers to adopt a calm but firm approach to this but adjusted to fit the circumstances. Stephen is also

keen on making full use of modern technology to research problems and find information and solutions and delivering these to his clients and, as far as possible, being contactable and available at their convenience.

Stephen is recommended by *Chambers & Partners* as a leading planning law junior, which states that, "He is extremely thorough, ensures that nothing is overlooked and operates with clarity and courteous conviction." "Stephen has a down-to-earth, pragmatic approach and his preparation is meticulous." The *Legal 500* also ranks Stephen as a leading junior in planning law, stating, "Stephen has built up a very thorough understanding of the complexities of statistical arguments relating to housing land supply; retail impact assessments and economic need without losing sight of the bigger picture of how those arguments can be used as part of an overall case."

Stephen's experience covers the whole range of residential, retail, leisure/community and commercial developments (including urban extensions as well as major regeneration schemes), as well the other specific types of development and projects. His work spans all aspects including – developing strategy before and after the necessary consents are sought; in relation to development plan proposals; advising on responding to officers and other consultees; getting around objections; considering conditions or covenants to cover concerns; legal agreements; assisting in written representations as well as hearings, including appearances and in preparing for and appearing at inquiries. Stephen is very familiar with the "technical" aspects including the sequential approach in terms of town centre development as well that in respect of flooding as well as other technical aspects of development such as highways, noise, air quality, contamination and archaeology. He has also has extensive experience in design issues in relation to the whole range of development types. As well as promoting schemes, Stephen has also always worked with local authority teams – including in relation to applications, appeals and formulation and promotion of development plans.

This work covers not just planning application appeals and call-ins but also enforcement notice appeals, certificate of lawfulness appeals, listed buildings enforcement notices. Stephen's village green work involves him in advising registration authorities and sitting as an inspector; advising and appearing at inquiries on behalf of applicants and objectors; he also appears in the High Court in relation to these matters.

Stephen is also very familiar with the Welsh planning legal and policy context, having been involved in several major development schemes there. Additionally, he has gained extensive experience of other jurisdictions in the above fields. Stephen has in particular extensive experience of the Isle of Man planning system, including appearing at numerous inquiries on the Island.

Stephen regularly gives presentations on both as part of the Landmark Chambers seminar series but also at other major events. Recently these have covered the proposed reforms to village green legislation and procedure, enforcement, energy projects, localism and neighbourhood planning – Stephen has a particular interest on how those new powers can be used and the opportunities and implications they may bring.

Stephen is married with three children and spends his leisure time following Southampton FC, bird watching, playing squash and being a general roadie for his son's band. Stephen also has a passion for music both live and recorded.

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## Qualifications

Stephen gained his LLB (Hons) at Warwick University and went on to obtain an M.A. in environmental planning (MRTPI course) from Nottingham University in 1981.

He is a member of the Planning and Environment Bar Association.

**Delivers a silk-level performance in court and provides highly reliable advice**

Legal 500

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## Cases

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23 Nov 2007	R (Sainsburys & Dean) v Secretary of State & West End Green
01 Jan 2003	Wandsworth LBC v. Secretary of State & Tesco Stores (2003) 09 EG 196

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## Inquiries

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01 Jan 2007	Major retail schemes
01 Jan 2007	Advising London Borough on application of the Procurement Directive and the Public Contracts Regulations 2006 (S.I 2006 No.) to regeneration schemes including affording housing developments and section 106 agreements generally
01 Jan 2007	Compulsory Purchase
01 Jan 2007	Edgware Road - Major redevelopment near to Paddington Green Police Station
01 Jan 2007	Involved in the formulation of strategies, layout and promotion of major settlements/urban extension in South Wales, Lincoln and Wellingborough
01 Jan 2007	Major retail schemes
01 Jan 2007	Advising London Borough on application of the Procurement Directive and the Public Contracts Regulations 2006 (S.I 2006 No.) to regeneration schemes including affording housing developments and section 106 agreements generally
07 Dec 2006	Liquid gas importation and storage facility - David Holgate QC leading Stephen Morgan for the promoter
29 Jun 2006	Energy case in particular involved in preparation for a major liquid gas importation and storage facility
01 Jan 2006	Village Green Cases
06 May 2004	Work on the Isle of Man
01 Jan 2001	Promoted a road closure and stopping up order on behalf of a South Wales authority (Merthyr) to enable the carrying out of a very extensive and contentious land reclamation scheme

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## Publications

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15 Nov 2021	Development Plan challenges 2021
15 Nov 2021	Part 2 - Planning High Court Challenges - webinar series
23 Nov 2020	Development Plan challenges
23 Nov 2020	Planning High Court Challenges Annual Conference, Part 2 - webinar
04 Jun 2020	Progressing Plans in a COVID 19 World

04 Jun 2020	Development Plan Issues - Webinar
04 Nov 2019	Development Plans Current Legal Issues
17 Sep 2018	Plan Making: Green Belt reviews
10 Sep 2018	The 2018 NPPF and Neighbourhood Planning
30 Apr 2018	Getting a Neighbourhood Development Plan made and avoiding High Court challenges
19 Apr 2018	Revised NPPF: Neighbourhood planning
05 Mar 2018	Plan Making: Interaction with Neighbourhood Development Plans
19 Feb 2018	Part X of the Town and Country Planning Act 1990: Powers and Procedure
19 Feb 2018	Alteration to public rights of way to enable development to be carried out (Presentation)
13 Nov 2017	Neighbourhood Planning in the High Court
16 Oct 2017	Planning Appeals High Court Challenges
03 Oct 2016	Community Infrastructure Levy: A Practical Update
03 Oct 2016	Community Infrastructure Levy: A Practical Update
26 Sep 2016	Neighbourhood Plans: Progress so far and what next (Presentation)
26 Sep 2016	Neighbourhood Plans: Progress so far and what next
22 Apr 2013	The end of New Town and Village Greens?
30 Mar 2012	The Localism Act- Neighbourhood Planning
22 Mar 2011	Issues in an Application for Planning Permission for Energy Recovery Facilities
14 Jan 2011	The Localism Bill- Neighbourhood Planning
01 Jan 2009	Recent High Court Challenges to Compulsory Purchase Orders