



## **Robert Walton QC**

Call: 1999    Silk: 2019

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## **Expertise**

Planning, Public, Environment, Public Procurement

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## **Overview**

Robert Walton QC was called in 1999 and took silk in 2019. He has an extensive practice in all aspects of planning, public, environmental and compulsory purchase and compensation law. He undertakes work for private clients, central and local government, public bodies, private objectors and interest groups.

The latest edition of the *Legal 500* ranks Robert in tier 1 for planning, describing him 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 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. For further information on Robert’s planning work and examples of recent cases click on the link to the right.

## 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. Click on the link on the right for further information and examples of recent cases.

## Environment

Robert’s environmental work covers all aspects of environmental law, including regulatory and enforcement work. For further information and examples of recent cases click on the link on the right.

## 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 advises and acts for objectors. Robert specialises in compensation work, both for compensating authorities and claimants. For further information and examples of recent cases click on the link on the right.

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## Policy formulation

Current and recent caseload includes:

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

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## Promotion of development schemes

- **Aviation:** promoting 2<sup>nd</sup> runway at Gatwick Airport;
  - **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, Padworth;
  - **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:** Nationwide open market and affordable housing schemes, currently promoting 1,000 unit mixed used scheme in London, other recent examples include: Mount Pleasant, London; Braintree, Essex; Stroud, Gloucestershire; Harrogate, North Yorks; Clutton, Bath and North East Somerset; Godalming, Surrey; Exmouth, Devon; King’s Road, London; Berkhamstead; Promotion of strategic 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;
  - **Paragraph 55 houses:** Waverley, 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)
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## Enforcement

- 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: e.g. *Portland Stone Firms Ltd v Dorset County Council* [2015].
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## Public

Current and recent JR caseload:

- Second Paddington Cube judicial review fails
  - Paddington Cube judicial review fails
  - *R (Save Britain's Heritage) v Secretary of State for Communities and Local Government, Westminster City Council and Great Western Developments Ltd*
  - *R (Holborn Studios Ltd) v LB Hackney and GHJ (Eagle Wharf Ltd)*
  - Tottenham Hotspur redevelopment
  - Blossom Street, London
  - *Irving v Mid Sussex*
  - *R (Rushport Advisory LLP) v National Health Service Litigation Authority*
  - Keep Wythenshawe Special
  - *R (Preserve Aston Clinton Village Environment) v Aylesbury Vale DC*
  - *Cherkley Court Campaign Ltd v Mole Valley BC*
  - Henderson Global Investors Ltd
  - Airparks Services Ltd
  - *Berryvilla Ltd v Camden LBC*
  - *Moore v Mayor of London*
  - *Salford Estates v Durham County Council and Tesco Stores Ltd*
  - *Bull v Hastings Borough Council*
  - *Brown v Secretary of State for Communities & Local Government*
  - *David Clinton v Secretary of State for Communities & Local Government*
  - *R (Godfrey) v London Borough of Southwark*
  - *R (Fight the Flights) v London Borough of Newham*
  - *R (Clear Channel Ltd) v London Borough of Tower Hamlets*
  - *Satnam Urban Regeneration Ltd v Rotherham MBC*
  - *R (Cavanagh) v East Sussex County Council*
  - *James Fowler v Secretary of State & Ealing Council*
  - *Flattery v Secretary of State & Nottinghamshire County Council*
  - *Austin v Secretary of State & Portsmouth City Council*
  - *R (Coe) v East Sussex County Council*
  - *Sandwell MBC v Secretary of State & Patricia Cutler*
  - *Greenwood v Secretary of State & Bristol City Council*
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## Environment

Current and recent examples of 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.
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## Compulsory Purchase and Compensation

Current and recent caseload includes:

- Ideal Homes (Hayes) Ltf 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
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## Qualifications

Robert was awarded a major scholarship by Lincoln's Inn before being called to the Bar in 1999. Prior to that he was a scholar at BPP Law School. He studied History and English Literature at Edinburgh University, being awarded an MA(Hons) in 1995.

Robert sits as a member of the Council of the Inns of Court's Disciplinary Tribunal. He also sits as a member of the Inns Conduct Committee Panel.

Robert has been appointed by Lincoln's Inn as an advocacy tutor for its compulsory advocacy courses for pupil barristers and new practitioners.

Robert has also been appointed as a case reviewer for the Bar Pro Bono unit.

Robert is a member of PEBA and the Compulsory Purchase Association.

Robert is the co-editor of *Nationally Important Infrastructure Projects* – Lexis Nexis Planning Law Service.

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## Recommendations

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

The 2021 edition of *Chambers & Partners* states, "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."

The latest edition of the *Legal 500* describes him 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”,

Previous editions state:

“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.” (*Chambers & Partners*)

“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”.

## Undoubtedly one of the very best in his field

Legal 500

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### Cases

15 Nov 2020	Southend Airport – 10 test cases heard by Upper Tribunal
30 Jan 2020	Bleeding Heart judicial review dismissed
07 Jan 2020	Queens Park Rangers Judicial Review
15 May 2019	190 conjoined compensation claims
08 Feb 2019	Jopling v London Borough of Richmond-upon-Thames & Secretary of State for Housing, Communities and Local Government [2019] EWHC 190 (Admin)
14 Jan 2019	Satwick and Kramer v TfL
20 Sep 2018	High Court rejects Ryde School JR
01 Sep 2018	Challenges to adoption of Local Plan
09 Aug 2018	High Court throws out JR of £90m mixed use development
17 Jul 2018	Tunbridge Wells JR
11 Jul 2018	HS2 Petition
20 Mar 2018	Court of Appeal rejects challenge to Paddington Cube as abuse of process
02 Jan 2018	Second Paddington Cube judicial review fails
18 Dec 2017	Timbnet UK Ltd v Jackson VO
30 Nov 2017	Paddington Cube judicial review fails
15 Nov 2017	R (Imperial College Healthcare NHS Trust) v Westminster City Council and Great Western Developments Ltd
01 Nov 2017	R (Save Britain’s Heritage) v Secretary of State for Communities and Local Government, Westminster City Council and Great Western Developments Ltd

24 Oct 2017	R (Holborn Studios Ltd) v LB Hackney and GHJ (Eagle Wharf Ltd)
30 Jul 2017	Barker v Pinsent Masons LLP
12 Mar 2017	Ideal Homes (Hayes) Ltd v Transport for London
10 Mar 2017	Tottenham Hotspur judicial review thrown out
18 Jan 2017	Vue Entertainment Ltd V City of York
15 Dec 2016	Clearvalley v Transport for London
01 Jun 2016	Secretary of State consents to judgment over 220 house scheme
02 May 2016	Blossom Street, London
21 Mar 2016	R (Rushport Advisory LLP) v National Health Service Litigation Authority
10 Mar 2016	Irving v Mid Sussex
01 Feb 2016	Coulsdon compensation claims
07 Jan 2016	Keep Wythenshawe Special Ltd [2016]
13 Oct 2015	Skyrme v United Utilities
14 Sep 2015	R (Preserve Aston Clinton Village Environment) v Aylesbury Vale DC
27 Jan 2015	Transport for Greater Manchester
15 Dec 2014	Croydon CPO
27 Nov 2014	Cherkley litigation comes to an end
05 Dec 2013	BT Plc v Kent County Council
02 Dec 2013	Berryvilla Ltd v Camden LBC
12 Nov 2013	May v North Yorkshire CC
11 Nov 2013	Airparks Services Ltd
06 Nov 2013	Henderson Global Investors Ltd
15 Oct 2013	Cladding Consultants Ltd v Dorset County Council
09 Oct 2013	Cherkley Court Campaign Ltd v Mole Valley BC
08 Jul 2013	Treats Food Ltd v London Underground Ltd
26 Sep 2012	Permission refused for hydrocarbon exploration in Surrey
19 Sep 2012	Challenge to new Tesco store rejected
03 May 2012	Green light given for redevelopment of Cherkley Court
16 Jan 2012	Moore v Mayor of London
02 Jan 2012	Salford Estates v Durham County Council and Tesco Stores Ltd

15 Dec 2011	Bull v Hastings Borough Council
05 Dec 2011	Khurana v Transport for London
11 Nov 2011	Brown v Secretary of State for Communities & Local Government
10 Oct 2011	David Clinton v Secretary of State for Communities & Local Government
01 Jun 2011	Bridgeford Garden Centre v Highways Agency
26 May 2011	Launagrove Ltd v Crossrail Ltd
19 May 2011	R (Godfrey) v London Borough of Southwark
08 Apr 2011	Cosmichome Ltd v Transport for London
13 Feb 2011	Khurana v Crossrail Ltd
01 Nov 2010	Flattery v Secretary of State & Nottinghamshire County Council
02 Oct 2010	R (Fight the Flights) v London Borough of Newham
20 Aug 2010	Greenwood v Secretary of State & Bristol City Council
04 Jul 2010	Sandwell MBC v Secretary of State & Patricia Cutler
16 Jun 2010	Valley Heights Service Station, Merthyr Tydfil
07 May 2010	Heath v Borough of Lambeth
14 Dec 2009	Satnam Urban Regeneration v Rotherham MBC
03 Dec 2009	Gateshead CPO
02 Dec 2009	Abbey Investments Ltd v London Development Agency
01 Nov 2009	Austin v SSCLG and Portsmouth Council
01 Sep 2009	R(Coe) v Hastings Borough Council
01 Aug 2009	R(Coe) v East Sussex County Council
01 Jun 2009	James Fowler v SSLG and Ealing Council
01 Apr 2009	Ellis v Secretary of State for Communities & Local Government and Chiltern DC [2009] EWHC 634 (Admin)
01 Feb 2009	R (on the application of Paul Cavanagh) v East Sussex County Council
01 Jan 2009	R (on the application of Clear Channel UK Ltd) v London Borough of Tower Hamlets
01 Jan 2009	St John's School v Secretary of State and Forest of Dean Council
01 Jan 2009	Denwood Properties Ltd v Gateshead Council
01 Nov 2008	Regents Quarter Ltd v Secretary of State for Transport
01 Oct 2008	Axa Sun Life Plc & Freightliner Ltd v Secretary of State for Transport

29 Aug 2007	Bizzy B v Stockton on Tees Council
16 Jul 2007	Railtrack v Medway Council
28 Mar 2007	R (on the application of Gleeson) v Wealden DC
01 Jan 2007	Sorrenti v Secretary of State and Hastings BC
01 Dec 2006	Purfleet Farms Ltd v Secretary of State for Transport
30 Nov 2006	Pascoe v Liverpool City Council
01 Jan 2004	Grummitt & Sherlock v Secretary of State for Transport
01 Jan 2004	R (on the application of Bushell & Others) v Newcastle Licensing Justices & Others
01 Jan 2004	R (on the application of Essex County Council and others) v Secretary of State for Transport
01 Jan 2003	Cinderella Rockerfellas Ltd V Rudd (VO)
01 Jan 2003	Richards v Somerset County Council

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## Inquiries

19 Mar 2021	Kensington Forum Hotel redevelopment
22 Jan 2021	Permission granted on appeal for Class C2 Care Home
10 Dec 2020	South Oxfordshire Local Plan adopted
09 Dec 2020	Harrogate Local Plan adopted
19 Nov 2020	Landmark secures permission on appeal for second contemporary scheme in Dorset conservation area
30 Jul 2020	More C2 Extra Care success for McCarthy & Stone
23 Jun 2020	Permission granted for C2 / C3 scheme despite conflict with Neighbourhood Plan
20 Mar 2020	Planning permission granted on appeal for new retirement living scheme
22 Jan 2020	Secretary of State grants planning permission for 1300 new homes in London and awards Appellant full costs.
07 Jan 2020	Planning Permission granted on appeal for new residential development in London
19 Nov 2019	BP Petrol Filling Station approved on appeal
17 Jul 2019	Planning permission granted on appeal for C2 development in the Green Belt
28 Jun 2019	Spurs regeneration scheme approved
14 Jun 2019	Agri-tech inquiry opens
15 May 2019	Spurs inquiry



14 Jan 2019	Harrogate Local Plan EIP
22 Nov 2018	Major development scheme refused in AONB
11 Oct 2018	1350 new London homes - inquiry closes
20 Sep 2018	AONB and Heritage Coast inquiry closes
19 Jul 2018	Permission granted for contemporary scheme in Conservation Area
17 Jul 2018	Metro Bank gets planning permission in Oxford
20 Jun 2018	Poole retirement housing
16 May 2018	Ryde School
19 Apr 2018	World Heritage Site inquiry
12 Apr 2018	Planning permission granted for major mixed use scheme
20 Mar 2018	Welton Bibby planning inquiry opens
11 Jan 2018	Ripon Police Station inquiry
25 Nov 2017	Alfa Laval Tower inquiry
22 Sep 2017	Planning permission granted on appeal for new student accommodation in Canterbury
29 Aug 2017	McCarthy & Stone gets planning permission and full costs award
24 Aug 2017	New homes approved in Guildford Green Belt
24 Aug 2017	New £90m Hospital approved in the Green Belt
13 Jun 2017	Flooding concerns raised at Public Inquiry
06 Jun 2017	Secretary State refuses York Green Belt scheme
25 Apr 2017	B1 to C3 permitted development appeal
12 Apr 2017	Grade II* Fulham Town Hall redevelopment plans dismissed
15 Dec 2016	Housing Scheme in York
07 Dec 2016	Secretary of State confirms Tamworth regeneration CPO
02 Dec 2016	Secretary of State grants planning permission for new designer outlet centre at Scotch Corner
17 Oct 2016	Extension to Manchester's Metrolink
15 Jun 2016	Permission granted for new para.55 house
01 Feb 2016	New housing schemes, Newmarket and Reading
01 Oct 2015	New housing schemes, 35 units, Reigate
07 Jul 2015	Promoting new tramline, Manchester
15 Jan 2015	Planning permission granted at Dibden Purlieu

20 Dec 2014	2 week housing inquiry in Camden
08 Oct 2014	Leeds New Generation Transport (NGT)
16 Dec 2013	Village Green, Richmond
03 Dec 2013	Emirates Stadium
05 Nov 2013	Old Sarum, Wiltshire
15 Oct 2013	Clutton, Bath and North East Somerset
26 Jan 2012	Certificate of lawfulness appeal allowed with costs
01 Dec 2011	Gas extraction in the North York Moors
14 Nov 2011	Halcyon Waters
05 Oct 2011	Green Belt enforcement notice dismissed with costs
01 Oct 2011	Mushroom Farm, North Yorkshire
20 Jul 2011	Planning Permission granted for mixed use scheme in Haslemere
04 Jul 2011	Scrap yard permitted in residential area
01 May 2011	New House in the Green Belt rejected
01 Apr 2011	Hari Krishna wedding venue rejected
01 Mar 2011	Sheltered Housing, Chipping Ongar
01 Feb 2011	Inland Revenue Sorting Office scheme rejected
02 Nov 2010	Proposed new Motorway Service Area on the A1(M) in North Yorkshire
01 Dec 2009	Yorkshire MSA
01 Nov 2009	Waste composting
01 Oct 2009	Brandon Housing
18 Sep 2009	Inquiry into state-of-the art in-vessel composting facility at Wisley Airfield
31 May 2009	Stansted Airport
01 Apr 2009	Planning permission granted for new multi-sports facility in Surrey countryside site
26 Mar 2009	Farm Lane, Leckhampton
10 Mar 2009	Nottinghamshire Scrap Yard
01 Mar 2009	Upper Heyford, Bicester
10 Feb 2009	Houses in AA Milne Country
01 Feb 2009	Waste Management Compulsory Purchase Order
03 Jul 2008	East Gateshead CPO

01 Jul 2008	Regent Quarter
01 Jan 2008	McCarthy & Stone
01 Jan 2008	Isle of Man: housing
11 Jun 2007	Newbury Regeneration
09 Nov 2006	Maidstone MSA
08 Nov 2006	Channel Tunnel Rail Link
01 Jan 1970	Major development schemes refused because of impacts on World Heritage Site

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## Publications

30 Sep 2020	Permitted Development: disapplication and loss of permitted development rights - article 3
30 Sep 2020	Exclusion / Loss of Permitted Development Rights
30 Sep 2020	Permitted Development - Webinar
06 Jul 2020	Development affecting MOL, GB and Local Green Spaces in London
06 Jul 2020	Planning for investment in London - Webinar
24 Jun 2020	Overview of the PCRs
24 Jun 2020	Introduction to Public Procurement 1: How to run a lawful public procurement competition - Webinar
18 May 2020	Environment Bill - Waste & Resource Efficiency
18 May 2020	Current Issues In Environmental Law Part 3 - Webinar
14 May 2020	Developing In The Green Belt - Webinar
07 May 2020	Finney v Welsh Ministers - Webinar
07 May 2020	Alternatives To S.73
27 Nov 2018	Biodiversity post-Brexit
16 Oct 2017	Hearings - Planning Appeals
25 Sep 2017	Overriding Easements
22 Feb 2016	The Commissioner/Provider divide: statutory duties, commissioner requested services and contractual obligations
22 Feb 2016	The Commissioner/Provider divide