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Lord Banner KC



Call: **2004 (2010 Northern Ireland)** Silk: **2019**

"Super bright, responsive and client-friendly. Charles is an all round superstar of the Bar in more ways than one. He has unrivalled Supreme Court experience, making him the go to for court advocacy"

Legal 500 UK Bar, 2025

Clerk Details

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Practice Overview

Charlie Banner KC was called to the Bar of England & Wales in 2004 and to the Bar of Northern Ireland in 2010. He was appointed Queen's Counsel in 2019 (at the age of 38, the youngest of the 2019 silks). Since 2024 he has been a Working Peer in the House of Lords, in which capacity he sits as a legislator in the upper house of the UK Parliament. He also has significant judicial experience, having sat part-time as a Justice of the Astana International Finance Centre Court in Kazakhstan from 2019 until 2025 and thereafter in the Judicial Greffe in Jersey as an Appeals Inspector hearing planning-related cases.

He has a heavyweight practice principally focused on (i) planning & environmental law, (ii) public law, government contracts, public procurement and subsidy control and (iii) commercial disputes, especially in the context of development, infrastructure, construction, energy & real estate. He also has considerable experience of human rights and EU law in these contexts.

He is recommended as a leading silk in a total of 8 practice areas by Chambers & Partners (Band 1 for planning) and Legal 500. He was voted the No. 1 planning KC in Great Britain in the 2025 and 2026 editions of Planning Magazine's annual Planning Legal Survey. He has been the recipient of multiple legal industry awards. In April 2024, he was featured as The Times's Lawyer of the Week. He received the "Highly Commended" accolade in the "Barrister of the Year" category at The

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Lawyer Awards 2025.

His advocacy experience includes over 250 reported cases, including 19 appeals in the UK Supreme Court. He has appeared in 13 cases before the EU Courts (Court of Justice and General Court), 9 cases before the UNECE Aarhus Convention Compliance Committee, 4 cases before the European Court of Human Rights as well as UK Parliamentary Select Committee hearings. He has also appeared in over 250 planning and environmental inquiries/examinations.

From 2015 until taking silk in 2019, he was a member of the Attorney General's A Panel of Junior Counsel to the Crown, in which capacity he represented the UK Government in some of its most challenging and high profile cases in the domestic courts and internationally.

He also acts as a dispute resolver. He accepts appointments as an Arbitrator (FCIArb & FHKIArb), Mediator (ADR Group Accredited) and Expert.

In February 2024, he was appointed by the Prime Minister to undertake an Independent Review of Legal Challenges to Nationally Significant Infrastructure projects. The Banner Review's report was published in October 2024 (Lord Banner KC review proposes roadmap to speed up delivery of national infrastructure - GOV.UK). Its recommendations were taken forward by the Planning and Infrastructure Act 2025 and in updates to the Civil Procedure Rules, as well as being relied upon in the Nuclear Regulatory Taskforce's Nuclear Regulatory Review in November 2025.

He is the creator and co-presenter of the high profile cross-chambers planning themed weekly discussion show, 'Have We Got Planning News For You', which was nominated for 'Best Use of Social Media' at the Legal Cheek Awards 2021.

His practice has an international dimension. In addition to his judicial work in Kazakhstan, he has rights of audience in the Dubai International Finance Centre Court (Part II Registered since 2015), and has also undertaken work in or originating from Hong Kong, Saudi Arabia, Cambodia, the British Virgin Islands, the Bahamas and Trinidad.

Alongside his private practice at the Bar, Charlie has held the following non-executive board positions:

- Advisory Board, the Arora Group, 2026-present.
- Advisory Committee Chair, SAV Group, 2022-2026.
- Chair of the Joint Nature Conservation Committee, the statutory UK nature conservation advisory body, 2023-2024 (previously Deputy Chair 2021-23 and Board Member 2017-2021). Appointed by the Secretary of State for the Environment.
- Standards and Regulation Board, Royal Institution of Chartered Surveyors, 2020-2023.
- UK Member, European Union Fundamental Rights Agency Management Board, 2017-2020. Appointed by the UK Secretary of State for Justice.

He was an elected Committee Member of the Planning and Environment Bar Association from 2020 to 2026. He has also been a Council Member and Trustee of the UK Environmental Law Association (2016-2020) and a College Lecturer in Law at the University of Oxford (2010-2015, holding weekend classes in EU law and administrative law at Lincoln, Oriel and Regent's Park Colleges). In 2005-06 he spent a year on secondment as Judicial Assistant to the Appellate Committee to the House of Lords (the predecessor to the UK Supreme Court) and the Judicial Committee of the Privy Council.

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Practice Areas

Commercial Dispute Resolution

Charlie has a substantial advisory and disputes practice relating to commercial and contractual issues affecting the development, energy, infrastructure, leisure & hospitality, real estate and finance sectors – as well as commercial claims brought by or against government or other public authorities. He also has substantial experience of advice and litigation concerning economic sanctions. Since joining Keating Chambers in 2020 he has also acquired increasing experience of construction disputes, particularly those involving a planning-related aspect. He is a contributor to *Keating on Construction Contracts* (12th Edition, Sweet & Maxwell, 2024).

He also acts as a resolver of commercial disputes. He sat part-time for 6 years between 2019 and 2025 as a Justice of the Astana International Finance Centre Court common law court in Kazakhstan. He accepts appointments as an Arbitrator (FCIArb & FHKIArb), Mediator (ADR Group Accredited) and Expert.

Recent and ongoing cases include:

- Ongoing litigation in the Chancery Division concerning a dispute over the promotion agreement for a strategic housing development and an associated asset management agreement on a £200m+ site (2025-present).
- Acting for the successful claimant in ***Romal Capital (CO2) Limited v Peel L&P (Ports) Limited*** [2025] EWHC 3016 (Ch) concerning a development agreement relating to the Liverpool Waters scheme, which is the subject of the largest outline planning permission in England. Damages, costs and interest of c. £15m awarded after a 15 day hearing in May-June 2025.
- Acting for an English local authority in relation to a high value mixed planning and construction matter concerning the development of an affordable housing led scheme on publicly-owned land (leading Adam Walton) (2024-2025).
- Arbitrator in a commercial dispute in Saudi Arabia (2024).
- Construction dispute concerning a major residential development in Oxfordshire (2023-24).
- Dispute concerning a development agreement between a developer and a local authority in London (2023).
- Arbitrator in commercial dispute in Dubai (2022-24).
- Dispute concerning a hotel construction project in the Bahamas (2022-23).
- Dispute relating to alleged defects in a hotel construction project in the UK (2022).
- Judge in multiple commercial and construction disputes in Kazakhstan, heard in the Astana IFC Court (2022-present).
- Acting in relation to defects claims under a series of highway adoption agreements (2021).
- Advising on a high value construction dispute concerning planning-related delay to a student accommodation development (2020).
- Advising on force majeure and frustration issues arising out of the COVID-19 crisis in relation to development funding and building contracts relating to large development projects that had stalled due to the pandemic (2020).

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- A substantial claim in the Bahamas Supreme Court arising out of a marine accident (2020-2022).
- Arbitration concerning a high value contractual dispute between a statutory water undertaker and a high profile public body (2019-ongoing).
- Arbitration concerning the interpretation of a contract concerning the maintenance and repair of the tidal defence gates at a major UK harbour (2017-2019).
- A substantial and vigorously contested Chancery Division claim between the Arora Group (which has 6 hotels and substantial land interests at London Heathrow Airport) and Heathrow Airport Ltd (the operator of Heathrow Airport) concerning real estate, planning and competition issues regarding Arora's proposed 9 storey multi storey passenger car park at Heathrow. The trial is awaiting listing but the case has already produced two reported judgments from contested interim applications: ***Arora Management Services Ltd v. Heathrow Airport Ltd*** [2019] 5 C.M.L.R. 24 and ***Arora Management Services Ltd. Heathrow Airport Ltd*** [2020] EWHC 79 (Ch).
- Advising Her Majesty's Treasury on the application of the Libya (Financial Sanctions) Regulations 2016 to complex corporate structures (2019-ongoing).
- A £10m+ Commercial Court claim relating to alleged contamination in food supplied to one of the largest commercial pig farms in the UK (2018-2019, settled).
- Arbitration concerning the ownership of London's main roads (and in particular the valuable rights in relation to land above, below and adjacent to the road surface), which following an appeal under s.69 of the Arbitration Act 1996 proceeded to the UK Supreme Court: ***Southwark LBC v. Transport for London*** [2018] 3 W.L.R. 2059.
- Acting for a services provider in a £100m+ contractual dispute with a NHS regional clinical commissioning group over the interpretation of a contract for the provision of health services to NHS patients, in expert determination proceedings before a former Supreme Court Justice (2017-2019).
- A multi-jurisdictional dispute concerning contracts for the exploitation of mineral resources in China (2016-2019).
- Case T-715/14 ***NK Rosneft a.o. v. European Council*** ELCI:EU:T:2018:544 & Joined Cases T-735/14 & T-799/15 ***Gazprom Neft v. European Council*** ELCI:EU:T:2018:548 – proceedings before the EU General Court in which the Russian energy companies Rosneft and Gazprom sought the annulment of EU sanctions targeted at the Russian oil sector in the light of Russia's actions destabilising the situation in Ukraine (Council Decision 2014/659/CFSP as amended and Council Regulation (EU) 833/2014 as amended). Sole counsel for the United Kingdom, whose submissions were endorsed by the General Court. The issues included whether the sanctions were in breach of the EU's obligations under GATT and GATS.
- Advising the UK Office of Financial Sanctions Implementation on issues relating to the financial sanctions imposed on the former President of Ukraine, Viktor Yanukovych (2017-2018).
- ***R (Ezz) v. HM Treasury*** [2016] EWHC 1470 (Admin) concerning the 'reasonable legal fees' exemption to the standard form of EU financial sanctions.
- ***Minerva (Wandsworth) Ltd v. Greenland Ram (London) Ltd*** [2017] EWHC 1457 (Ch) – acting for the Greenland Group in the 13-day Chancery Division trial of a high value claim relating to overage provisions in a contract for the £135m purchase of the Ram Brewery development site in Wandsworth.

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- ***Manchester Ship Canal Company Ltd. v. Environment Agency*** [2017] EWHC 1340 (QB) – a £13 million claim against the Environment Agency under a contract agreed in 1963 by the Manchester Ship Canal Company and the Mersey River Board (a predecessor of the EA) and subsequently confirmed in Schedule 2 of the Mersey River Board Act 1964. MSCC claimed damages under the contract in respect of flood damage caused to the Manchester Ship Canal during the high profile, extreme Boxing Day Floods of 2015. Acted for the EA in its successful application for summary judgment.

Development Contracts

Charlie has career-long expertise in advising and litigating about development contracts, including development agreements, overage, option agreements, promotion agreements, section 106 agreements and undertakings, development finance contracts and asset management agreements. As a specialist both in planning and commercial dispute resolution, he is one of the very few leading silks at the bar with a deep understanding both of the planning and development context of such agreements as well as of the legal principles relating to their interpretation and application, and the procedural avenues for resolving disputes (whether litigation, arbitration, expert determination or mediation).

An experienced arbitrator (FCIArb & FHKIArb) with judicial experience (as a part-time judge in Jersey and in the Astana IFC Court), he is also well-placed to act as arbitrator or expert in relation to disputes arising out of development contracts.

Much of his work in this area is confidential. Some public and anonymised highlights include:

- Ongoing litigation in the Chancery Division concerning a dispute over the promotion agreement for a strategic housing development and an associated asset management agreement on a £200m+ site (2025-present; leading Jonathan Chew of Wilberforce Chambers).
- Acting for the successful claimant in ***Romal Capital (CO2) Limited v Peel L&P (Ports) Limited*** [2025] EWHC 3016 (Ch) concerning a development agreement relating to the Liverpool Waters scheme, which is the subject of the largest outline planning permission in England (alongside Joanne Wicks KC and Emer Murphy of Wilberforce Chambers). Damages, costs and interest of c. £15m awarded after a 15 day hearing in May-June 2025.
- Advising on a seven-figure overage dispute arising out of a land sale contract for a major development site in the West of England (2024-2025).
- Dispute concerning a development agreement between a developer and a local authority in London (2023).
- Appointed expert to determine a high value dispute concerning a development agreement concerning a strategic housing development in the London & South-East region (2021-23).
- Advocate in expert determination concerning a promotion agreement concerning a c.300 home development in Surrey (2021-2022)
- Advising on force majeure and frustration issues arising out of the COVID-19 crisis in relation to development funding contracts relating to large development projects that had stalled due to the pandemic (2020).
- ***Minerva (Wandsworth) Ltd v. Greenland Ram (London) Ltd*** [2017] EWHC 1457 (Ch) – acting for the Greenland Group in the 13-day Chancery Division trial of a high value claim relating to overage provisions in a contract for the £135m purchase of the Ram Brewery development site in Wandsworth.

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Energy & Natural Resources

Charlie's practice covers a wide range of issues affecting the energy and natural resources sector, both within the UK and internationally, including planning & environmental regulation of new energy infrastructure, energy markets regulation, contractual disputes, international trade & investment law (including the Energy Charter Treaty), project finance and public procurement. He is recommended as a leading KC in Energy-related work by *Legal 500 UK Bar 2026.*

Significant work includes:

- Acting for EP UK Investments Ltd in relation to a judicial review concerning regulatory and planning matters relating to the South Humber Bank Power Station (2025-26, ongoing).
- ***EP NI Energy Limited's Application for Leave to Apply for Judicial Review*** and ***EP NI Energy Ltd v. Northern Ireland Authority for Utility Regulation*** (2025-26, ongoing) – two related proceedings, one an application for judicial review and the other an appeal under Article 44 of the Energy (Northern Ireland) Order in relation to a £100m+ regulatory dispute concerning Kilroot Power Station. Leading a multi-counsel team including two silks (2025-2026, ongoing).
- ***R (SaferWaterS & CPRE) v. DEFRA*** [2025] EWHC 1885 (Admin), a judicial review concerning the DEFRA Secretary of State's decision to approve Thames Water's and Affinity Water's Water Resources Management Plans that enshrine the principle of a new 150Mm3 reservoir in Abingdon, Oxfordshire.
- Advising on public procurement issues relating to a power station in Northern Ireland (2024).
- Acting for Fenland DC in a judicial review challenge to the DCO for an Energy from Waste facility in Wisbech (2024).
- Litigation in the High Court of Northern Ireland concerning the regulation of the Islandmagee underground gas storage project (2023-24)
- Litigation in the High Court and Court of Appeal concerning 'nutrient neutrality' and the effect of new development on protected watercourses: ***CG Fry & Son Ltd v. Secretary of State for Housing, Communities and Local Government*** [2025] P.T.S.R. 1823.
- Successfully promoted **Recharge One** at a public inquiry – a roadside electric vehicle charging station powered by biogas, with accompanying facilities including overnight eco-lodge accommodation, in the South Downs National Park (2023).
- Litigation in the Northern Ireland High Court concerning the Arc 21 Energy From Waste Project in Co. Antrim – a £240m strategic Energy From Waste facility. The case raises significant constitutional, public law, environmental law and planning law issues (2022-ongoing).
- Acting for a consortium of residents affected by National Grid's East Anglia Green project (East Anglia GREEN | National Grid ET) which would involve the construction of 180km of new pylons in the East of England (2022-ongoing).
- ***Minister for Infrastructure v. Safe Electricity A&T Ltd*** [2022] NICA 61 – judicial review challenge to the Northern Ireland Minister for Infrastructure's grant of planning permission for the North-South Interconnector – Northern Ireland Electricity's proposed 400kv strategic interconnector between Tyrone in Northern Ireland and Cavan in the Republic of Ireland, regarded as Northern Ireland's most significant energy infrastructure project to date. Previously acted for the Department for Infrastructure concerning the project for several years since 2013, including at a high profile public inquiry and in various High Court proceedings.

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- Advising the UK Government on the EU energy law and international trade & investment law implications of Brexit for the All-Ireland Single Electricity Market (including in relation to GATT, GATS and the Energy Charter Treaty).
- Arbitration concerning a high value contractual dispute between a statutory water undertaker and a high profile public body (2019-ongoing).
- Case T-715/14 ***NK Rosneft a.o. v. European Council*** ELCI:EU:T:2018:544 *&* Joined Cases T-735/14 & T-799/15 ***Gazprom Neft v. European Council*** ELCI:EU:T:2018:548 – proceedings before the EU General Court in which the Russian energy companies Rosneft and Gazprom sought the annulment of EU sanctions targeted at the Russian oil sector in the light of Russia's actions destabilising the situation in Ukraine. The issues included whether the sanctions were in breach of the EU's obligations under GATT and GATS.
- A multi-jurisdictional dispute concerning contracts for the exploitation of mineral resources in China (2016-2019).
- Acting for the UK Government (leading a 3-counsel team) successfully defending a heavyweight commercial judicial review claim concerning changes to the rules relating to energy markets: ***R (Eider Reserve Power Ltd) v. Secretary of State for Business, Energy & Industrial Strategy*** (CO/393/2018).
- Promoting nationally significant energy infrastructure through the development consent process in England, including: the Keuper Gas Storage Project Development Consent Order (a joint venture between Ineos and the Solvay Group for a 19-cavity underground gas storage facility in Cheshire); the Norfolk Vanguard Development Consent Order (one of the UK's largest offshore windfarms, with an approximate capacity of 1.8GW which would meet the electricity needs of 1.3m homes); Runcorn Energy From Waste for Ineos and Viridor).
- Proceedings before the UNECE Aarhus Convention Compliance Committee in Geneva relating to an open-cast coal mine in Merthyr Tydfil which is to extract several million tonnes of coal over c.15 years as part of the Ffos-y-Fran Land Reclamation Scheme (sole counsel for the operator).

Environmental Law

Charlie undertakes a wide range of environmental litigation and advisory work in the domestic, EU and international law spheres. His is recommended as leading KC in environmental law by the 2026 editions of both *Chambers & Partners UK Bar* and *Legal 500 UK Bar*. His environmental law practice is evenly split between commercial clients, private clients, environmental NGOs and public authorities including the Environment Agency and the Northern Ireland Department for Infrastructure.

He has acted in some of the most important environmental cases in the English High Court and appellate courts since 2000, including the first Supreme Court case to consider the application of the Aarhus Convention within the UK (***Edwards***), the Supreme Court's landmark judgment on strategic environmental assessment and environmental impact assessment in the context of a Parliamentary development consent process (***HS2 Action Alliance No. 1***), the Supreme Court's recent high profile ruling on the application of the Habitats Regulations to reserved matters and discharge of conditions (***CG Fry***), important Court of Appeal judgments on climate change (***Plan B Earth*** concerning Heathrow Expansion), the scope of the 'project' for the purposes of environmental impact assessment (***Larkfleet***) and the distinction in EU law between 'waste recovery' and 'waste disposal' (***Tarmac***), as well as many of the other principal authorities on strategic environmental assessment (***Save Historic Newmarket, Ashdown Forest, HS2 Action Alliance No. 2*** and ***Larkfleet Homes***). He has also acted in one of the most

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significant cases in the Northern Ireland High Court regarding Environmental Impact Assessment and habitats (***Newry Chamber of Commerce***).

Internationally, he has appeared on multiple occasions before the UNECE Aarhus Convention Compliance Committee in Geneva, in a series of cases before the CJEU regarding EU environmental legislation (including most recently a challenge by the silicones industry to the high profile ban on 'microbeads' in wash-off cosmetic products, as well as the groundbreaking ***Holohan*** case on habitats protection) and in the European Court of Human Rights in App. No. 39714/15 ***Austin v. UK*** (2017) 65 E.H.R.R. SE16 (concerning the circumstances in which Article 8 ECHR applies in cases of alleged environmental pollution and whether protection against adverse costs orders is required to achieve compliance with the right to an effective remedy under Article 13 ECHR).

He is the Editor of *The Aarhus Convention – A Guide for UK Lawyers* (Hart Publishing, 2015), the first book to be published concerning the implementation of the Aarhus Convention in the UK, and for many years was the co-author of the chapter on strategic environmental assessment in *Garner's Environmental Law*.

In 2017, Charlie was awarded 'Environment and Planning Junior of the Year' at the Chambers UK Bar Awards. In the same year, he was shortlisted for 'Real Estate, Environment and Planning Junior of the Year' at the Legal 500 UK Bar Awards.

From 2016 until 2020 he was a Trustee and Council Member of the UK Environmental Law Association. In 2017, he was appointed by the Secretary of State for Environment, Food and Rural Affairs as an independent member of the Joint Nature Conservation Committee, of which was later Deputy Chair (2021-23) and Chair (2023-2024).

A working peer, he regularly contributes to the work of the House of Lords relating to environmental protection and regulation.

His most significant environmental cases include the following:

Aarhus Convention

- Nine cases before the UNECE Aarhus Convention Compliance Committee in Geneva. This includes an ongoing communication (ACCC/C/2017/156 ***RSPB & others v. UK***) raising the fundamental question of whether the application by the UK courts, in environmental judicial and statutory review proceedings of the *Wednesbury* standard of review is consistent with Article 9(2) of the Aarhus Convention in relation to the review of the substantive legality of certain environmental decisions, acts and omissions.
- Advising DEFRA, DECC and the Ministry of Justice on Aarhus Convention compliance in the light of recent Compliance Committee and CJEU findings about the costs regime in environmental judicial review proceedings in the UK.
- ***R (Edwards & Pallikaropoulos) v. Environment Agency*** [2011] Env. L.R. 13, concerning the approach to be taken in considering whether the costs of environmental litigation are "prohibitively expensive" contrary to Article 9(4) of the Aarhus Convention, as implemented into EU law by Article 10a of the EIA Directive.

Environmental cases before the EU courts

- Case T-226/18 ***Global Silicones Council & others v. European Commission*** ELCI:EU:T:2021:403 : application to the General Court to annul Commission Regulation (EU) 2018/35 which introduces an EU-wide ban, effective 31st January 2020, on silicone 'microbeads' in wash-off cosmetic products, due to their polluting effect on river and marine ecosystems.

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- Case C-528/16 ***Confédération Paysanne v. Premier Ministre*** ELCI:EU:C:2018:53 (CJEU Grand Chamber): a reference from the French Conseil d'État regarding the scope and interpretation of the provisions of EU environmental legislation regulating to genetically modified organisms.
- Case C-461/17 ***Holohan v. An Bord Pleanála*** ECLI:EU:C:2018:649 (CJEU), a reference from Ireland's High Court concerning the required content of an appropriate assessment under the Habitats Directive and the consideration that an environmental statement under the EIA Directive needs to give to alternatives to the proposed development.

Climate Change

- ***R (Plan B Earth & Friends of the Earth) v. Secretary of State for Transport*** [2020] P.T.S.R. 1446, the high profile environmental law challenge to the Airports National Policy Statement endorsing the principle of a 3rd runway and associated infrastructure at London Heathrow Airport, in which the Court of Appeal held that the APNS was unlawful because the Secretary of State for Transport had not had regard to the Paris Agreement on climate change, subsequently reversed by the Supreme Court.
- ***Abbotskerswell Parish Council v. Secretary of State for Housing, Communities and Local Government*** [2021] Env. L.R. 28 on climate change and EIA.

Strategic Environmental Assessment

- ***R (Plan B Earth and others) v. Secretary of State for Transport*** [2020] P.T.S.R. 1446: one of two counsel credited in the judgment as persuading the Court of Appeal that the *Wednesbury* standard of review is sufficient in relation to challenges to evaluative decisions in the context of strategic environmental assessment and sustainability appraisal.
- ***R (HS2 Action Alliance Ltd.) v. Secretary of State for Transport*** [2014] 1 W.L.R. 324 (Supreme Court), the high profile legal challenge to the Government's White Paper *HS2 – Decisions and Next Steps* (Jan 2012) on the grounds (inter alia) that the White Paper should have been and was not subject to SEA pursuant to the Strategic Environmental Assessment Directive.
- The two leading cases regarding the duty for the Environmental Report / Sustainability Appraisal accompanying a draft plan or programme to explain what reasonable alternatives to the proposed plan policies have been considered and why they were rejected: ***Save Historic Newmarket Ltd v. Forest Heath District Council*** [2011] J.P.L. 1233 and ***Ashdown Forest Economic Development LLP v. Wealden District Council*** [2016] Env. L.R. 2.

Environmental Impact Assessment

- ***Mooreland and Owenvarragh Residents Association's Application for Judicial Review*** [2022] NIQB 40 – successfully defended a JR brought on EIA, habitats and other grounds challenging the grant of planning permission for the grant of a new stadium at Casement Park, Belfast.
- ***Abbotskerswell Parish Council v. Secretary of State for Housing, Communities and Local Government*** [2021] Env. L.R. 28 concerning the level of detail needed in an Environmental Statement at the outline planning stage in circumstances where further details of the development and its environmental effects will be provided at the reserved matters stage.
- Case C-461/17 ***Holohan v. An Bord Pleanála*** [2019] P.T.S.R. 1045, a reference from Ireland's High Court concerning the consideration that an environmental statement under the EIA Directive needs to give to alternatives to the proposed

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development.

- ***R (Larkfleet Limited) v. South Kesteven DC*** [2016] Env. L.R. 4 (Court of Appeal), a judicial review challenge to the grant of a relief road to enable a large-scale urban extension on the grounds that the road and the urban extension should have been assessed as a single 'project' under the EIA Directive or alternatively that the cumulative environmental effects of the road taken together with the urban extension were not assessed in accordance with the requirements of the Directive. One of the lead domestic authorities on the scope of the 'project' for the purposes of EIA and the approach to be taken to assessing in-combination effects.
- ***R (Bucks CC & others) v. Secretary of State for Transport*** [2014] 1 W.L.R. 324 (Supreme Court), on whether the proposed Hybrid Bill procedure for obtaining development consent for HS2 from Parliament was incompatible with the requirements of the EIA Directive having regard to the conditional exemption under the Directive where development consent is to be granted by a legislature.

Habitats

- ***CG Fry & Son Ltd v. Secretary of State for Housing, Communities and Local Government*** [2025] P.T.S.R. 1823 - on whether the National Planning Policy Framework requires applications for discharge of conditions precedent on a planning permission to be subject to appropriate assessment of their effect on Ramsar Sites (even though such sites are not directly protected by the Habitats Regulations), with the effect that they are subject to 'nutrient neutrality rules', even if the conditions in question have no nexus with nutrient pollution. Persuaded the Supreme Court to reverse the unanimous decisions below of the Court of Appeal, the High Court and Planning, following c.4 years of litigation.
- Extensive advice on water neutrality (2022-25).
- ***Mooreland and Owenvarragh Residents Association's Application for Judicial Review*** [2022] NIQB 40 – successfully defended a JR brought on EIA, habitats and other grounds challenging the grant of planning permission for the grant of a new stadium at Casement Park, Belfast.
- ***Abbotskerswell Parish Council v. Secretary of State for Housing, Communities and Local Government*** [2021] Env. L.R. 28 , concerning the level of detail needed in an Appropriate Assessment at the outline planning stage in circumstances where further details of the development and its environmental effects will be provided at the reserved matters stage.
- ***R (Plan B Earth and others) v. Secretary of State for Transport*** [2020] P.T.S.R. 1446: one of two counsel credited in the judgment as persuading the Court of Appeal that the *Wednesbury* standard of review is sufficient in relation to challenges to evaluative decisions in the context of the Habitats Regulations/Directive.
- Case C-461/17 ***Holohan v. An Bord Pleanála*** ECLI:EU:C:2018:649 (CJEU), a reference from Ireland's High Court concerning the required content of an appropriate assessment under the Habitats Directive.
- 3 week inquiry in April – June 2019 regarding a proposed 1210 dwelling urban extension at Newton Abbot, Devon, where the main issue was Natural England's objection concerning the alleged impact of the development on Greater Horseshoe Bats and the consequent impact on the South Hams Special Area of Conservation. Substantial ecology evidence was called and cross-examined.

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- Two 3 week public inquiries concerning environmental permit applications for water abstraction, which had been refused by the Environment Agency on habitats grounds (commercial agricultural abstraction near Catfield Fen, Norfolk, and public water supply abstraction from the Rivers Test and Itchen).
- ***Newry Chamber of Commerce's Application for Judicial Review*** [2015] NIQB 65, concerning the assessment of cumulative effects under the Habitats Directive and Habitats Regulations and the Court's discretion not to quash in circumstances where even if there had been a technical breach of the Directive and Regulations there was no evidence that there was a real rather than hypothetical risk of harm to the designated habitat(s) which should have been considered. One of the leading Northern Ireland authorities on EIA.

Water resources

- ***R (SaferWaterS & CPRE) v. DEFRA*** [2025] EWHC 1885 (Admin), a judicial review concerning the DEFRA Secretary of State's decision to approve Thames Water's and Affinity Water's Water Resources Management Plans that enshrine the principle of a new 150Mm3 reservoir in Abingdon, Oxfordshire.
- Test case litigation concerning 'nutrient neutrality' and the effect of new development on protected watercourses: ***CG Fry & Son Ltd. v. Secretary of State for Levelling Up, Communities and Local Government*** [2024] P.T.S.R. 2000 (CA), heard before the Supreme Court in February 2025 and awaiting judgment.
- Extensive advice on water neutrality (2022-25).
- Two 3 week public inquiries concerning environmental permit applications for water abstraction, which had been refused by the Environment Agency on habitats grounds (commercial agricultural abstraction near Catfield Fen, Norfolk, and public water supply abstraction from the Rivers Test and Itchen).

Waste

- Litigation in the Northern Ireland High Court concerning the Arc 21 Energy From Waste Project in Co. Antrim – a £240m strategic Energy From Waste facility. The case raised significant constitutional, public law, environmental law and planning law issues (2022-2023)
- ***R (Tarmac Aggregates Ltd) v. (1) Secretary of State for Environment, Food and Rural Affairs and (2) Environment Agency*** [2016] Env. L.R. 15, concerning the approach to determining whether an activity is "waste recovery" under Article 3(15) of the Waste Framework Directive as opposed to "waste disposal".
- Acting for the Environment Agency at public inquiries into appeals against the refusal of environmental permit applications relating to (1) a proposed landfill at Birks Quarry, Oldham, and (2) a proposed quarry restoration scheme involving the use of inert waste at Methley Quarry, Leeds.
- ***R (Residents Against Waste Site Ltd) v. Lancashire CC*** [2008] Env. L.R. 27, on the meaning and application of the "relevant objectives" under the Waste Framework Directive for considering proposals for the disposal or recovery of waste.

Access to Environmental Information

- Acted for Heathrow West Ltd (an Arora Group Company) in Environmental Information Regulations proceedings concerning whether Heathrow Airport Ltd (the operator of London Heathrow Airport) is a 'public authority' subject to the Regulations'

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information disclosure obligations (2019-2020).

Infrastructure

Infrastructure

Charlie has considerable experience of providing advice and representation in relation to large-scale infrastructure projects in a range of legal contexts, both within the UK and internationally, including the development consent order ('DCO') process, Parliamentary proceedings, environmental regulation and other regulatory issues, contractual disputes, project finance and public procurement. He has particular experience of infrastructure work in the transport, energy and natural resources sectors.

The breadth of his practice means he is unusually well placed to assist clients over the lifetime of their project, from environmental and planning consenting, to public procurement, regulatory and project finance issues, to commercial disputes arising during or after the construction of the project.

His experience includes being integrally involved in proceedings relating to three of the most significant infrastructure projects in the UK in recent years: High Speed 2 ('HS2'), the proposed 3rd runway and associated expansion at London Heathrow Airport, and the North-South Ireland Electricity Interconnector. He has also acted in litigation in Northern Ireland concerning many of most significant recent infrastructure projects in that jurisdiction including the North-South Interconnector, Casement Park stadium, and the Arc21 Energy from Waste project.

He was voted Great Britain's No.1 infrastructure planning KC in the latest (2026) edition of Planning Magazine's annual *Planning Law Survey*.

In 2024 he was appointed by the Prime Minister to undertake a review into planning and delivery of national infrastructure projects: see (Lord) Banner KC to lead review on national infrastructure – GOV.UK (www.gov.uk). Its recommendations were taken forward by the Planning and Infrastructure Act 2025 and in updates to the Civil Procedure Rules, as well as being relied upon in the Nuclear Regulatory Taskforce's Nuclear Regulatory Review in November 2025. He regularly speaks on infrastructure-related matters in the House of Lords, including in the recent debate concerning the National Networks National Policy Statement.

He is a member of the UK National Infrastructure Planning Association.

Significant infrastructure work includes the following:

Transport infrastructure

- **London Heathrow Airport 3rd Runway and associated expansion**: acting over several years for the Arora Group, one of the principal landowners at and around Heathrow Airport and the promoter of the 'Heathrow West' proposal pursuant to which it seeks to construct and operate a new terminal and associated infrastructure at Heathrow in competition with the existing terminals operated by Heathrow Airport Limited. Appeared in the Heathrow third runway litigation for Arora as Interested Party in 2019-2020. Currently retained alongside Lord Pannick KC and a team of juniors by Heathrow West Ltd, an Arora Group company, in relation to a range of different workstreams arising out of the Government's November 2025 announcement regarding Heathrow expansion and the June 2026 draft Heathrow Expansion National Policy Statement.
- Advising a local highway authority in relation to a new junction on the M5 (2022-ongoing).

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- **High Speed Two:** acted for HS2 Action Alliance and affected landowners in the Parliamentary Select Committee proceedings established to consider objections to the proposed route and details of Phase 1 of HS2; prior to that, appeared in the high profile and long running litigation relating to HS2 including two Supreme Court appeals ***(R (HS2 Action Alliance Ltd) v. Secretary of State for Transport*** and ***R (Heathrow Hub Ltd) v. Secretary of State for Transport*** [2014] 1 W.L.R. 324) and proceedings before the UNECE Aarhus Convention Compliance Committee in Geneva (Communication ACCC/C/2014/100).
- **London Heathrow Airport passenger car parking**: a substantial and vigorously contested Chancery Division claim between the Arora Group (which has 6 hotels and substantial land interests at London Heathrow Airport) and Heathrow Airport Ltd (the operator of Heathrow Airport) concerning real estate, planning and competition issues regarding Arora's proposed 9 storey multi storey passenger car park at Heathrow. The trial is awaiting listing but the case has already produced two reported judgments from contested interim applications: ***Arora Management Services Ltd v. Heathrow Airport Ltd*** [2019] 5 C.M.L.R. 24 and ***Arora Management Services Ltd. Heathrow Airport Ltd*** [2020] EWHC 79 (Ch).
- **London Stansted Airport expansion**: acted for the Secretary of State for Transport in defence of a judicial review brought by Stop Stansted Expansion contending that a proposal to construct additional infrastructure at London Stansted Airport and to raise the annual cap on passenger transport movements at the airport by 8million passengers per annum should have been subjected to the DCO regime under the Planning Act 2008 as a nationally significant infrastructure project, rather than being left to the local planning authority to determine pursuant to the conventional planning regime under the Town and Country Planning Act 1990. See ***R (Ross & Sanders acting on behalf of Stop Stansted Expansion) v. Secretary of State for Transport*** [2020] EWHC 226 (Admin).
- **Bristol Airport expansion**: providing extensive advice to North Somerset Council in relation to its consideration of an application for planning permission for significant expansion of Bristol Airport to enable a throughput of 12 million passengers per annum (2019-2020).
- **London Southend Airport**: long-standing advisory role for London Southend Airport Limited, part of the Stobart Group, in relation to their plans for the future of London Southend Airport.
- **Manston Airport DCO**: advised the Secretary of State and the Planning Inspectorate on legal and procedural issues relating to the DCO application concerning the proposed development of Manston Airport into an airfreight hub with complimentary passenger and engineering services.
- **A5036 Port of Liverpool Access Scheme**: acted for Highways England in defence of a judicial review challenge to the decision on its decision on a preferred route for an improved road link to the Port of Liverpool, following non statutory pre-DCO consultation: ***R (Sefton MBC) v. Highways England*** [2018] EWHC 3059 (Admin).
- **Arbitration concerning the ownership of London's main roads** (and in particular the valuable rights in relation to land above, below and adjacent to the road surface), which following an appeal under s.69 of the Arbitration Act 1996 proceeded to the UK Supreme Court: ***Southwark LBC v. Transport for London*** [2018] 3 W.L.R. 2059, with subsequent arbitration proceedings in 2021-2022.
- Promoted one of four competing proposals for a new **Motorway Service Area** on the A1(M) in North Yorkshire at a three month 'beauty parade' public inquiry and in subsequent High Court proceedings (2010-2012).

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- Successfully promoted **Recharge One** at an inquiry in 2023 – a roadside electric vehicle charging station powered by biogas, with accompanying facilities including overnight eco-lodge accommodation, in the South Downs National Park.
- Defended the Secretary of State for Transport in the High Court against a judicial review challenge to his decision to grant c.£53 million of funding towards a new link road between Bexhill and Hastings.

Energy & natural resources infrastructure

- Acting for EP UK Investments Ltd in relation to a judicial review concerning regulatory and planning matters relating to the **South Humber Bank Power Station** (2025-26, ongoing).
- ***EP NI Energy Limited's Application for Leave to Apply for Judicial Review*** and ***EP NI Energy Ltd v. Northern Ireland Authority for Utility Regulation*** (2025-26, ongoing) – two related proceedings, one an application for judicial review and the other an appeal under Article 44 of the Energy (Northern Ireland) Order in relation to a £100m+ regulatory dispute concerning Kilroot Power Station. Leading a multi-counsel team including two silks (2025-2026, ongoing).
- Judicial review proceedings concerning the DCO for the **Medworth Energy from Waste** facility in Wisbech (2024).
- Advising on public procurement issues relating to a power station in Northern Ireland (2024).
- Proceedings in the High Court of Northern Ireland concerning the regulation of the **Islandmagee Undersea Gas Storage Project** (2023-2024).
- Advising on regulatory issues relating to underground gas storage in Northern Ireland (2023-2024).
- Litigation in the Northern Ireland High Court concerning **the Arc 21 Energy From Waste Project** in Co. Antrim – a £240m strategic Energy From Waste facility. The case raises significant constitutional, public law, environmental law and planning law issues (2024).
- Acting for a consortium of residents affected by **National Grid's East Anglia Green** project (East Anglia GREEN | National Grid ET) which would involve the construction of 180km of new pylons in the East of England (2022-2026, ongoing).
- ***Minister for Infrastructure v. Safe Electricity A&T Ltd*** [2022] NICA 61 – judicial review challenge to the Northern Ireland Minister for Infrastructure's grant of planning permission for the **North-South Ireland Electricity Interconnector** – Northern Ireland Electricity's proposed 400kv strategic interconnector between Tyrone in Northern Ireland and Cavan in the Republic of Ireland, regarded as Northern Ireland's most significant energy infrastructure project to date. Previously acted for the Department for Infrastructure concerning the project for several years since 2013, including at a high profile public inquiry and in various High Court proceedings.
- **Keuper Gas Storage Project DCO**: concerning a joint venture between Ineos and the Solvay Group for a 19-cavity underground gas storage facility in Cheshire. Sole counsel for the promoter.
- **Norfolk Vanguard DCO** – one of the UK's largest offshore windfarms, with an approximate capacity of 1.8GW which would meet the electricity needs of 1.3m homes.
- **Runcorn Energy From Waste** – 2 week public inquiry for Ineos and Viridor concerning their EfW plant which treats c.850,000 Tonnes of refuse derived fuel per year, generating c.130MW p.a.

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- Advising the Northern Ireland Department for Infrastructure in relation to the **Curraghinalt Gold Project**, an underground gold mine estimated to produce approximately 1.36Moz of gold and 0.38Moz of silver over an initial mine life of 10.5 years.
- **Shale gas 'fracking' and exploration**: advising the UK Government on fracking regulation; advising Nottinghamshire County Council in connection with its determination in November 2016 of a high profile application by IGas Energy for consent to undertake shale gas exploration at Mission Springs; ***Europa Oil & Gas v. SSCLG*** [2014] J.P.L. 21 on whether exploration for hydrocarbons constitutes "extraction" for the purposes of national planning policy relating to development in the green belt.
- Proceedings before the UNECE Aarhus Convention Compliance Committee in Geneva relating to an open-cast coal mine in Merthyr Tydfil which is to extract several million tonnes of coal over c.15 years as part of the **Ffos-y-Fran Land Reclamation Scheme** (sole counsel for the operator).
- A multi-jurisdictional dispute concerning contracts for the exploitation of mineral resources in China.

Port and harbour infrastructure

- Providing planning & environmental legal and strategic advice to the owners of one of the Freeports announced in the Chancellor's March 2021 budget (2021-2026, ongoing).
- Arbitration concerning the interpretation of a contract concerning the maintenance and repair of the tidal defence gates at a major UK harbour (2017-2019).
- Acting as sole counsel for the Secretary of State in ***Grafton Group Ltd v. Secretary of State for Transport & Port of London Authority*** [2017] 1 W.L.R. 373, a challenge to the confirmation of a compulsory purchase order made by the Port of London Authority of Orchard Wharf on the River Thames in order to secure its reactivation for wharf use. This was the first case examining the PLA's powers of compulsory acquisition associated with its port and harbour functions.

Sports Infrastructure

- ***Mooreland and Owenvarragh Residents Association's Application for Judicial Review*** [2022] NIQB 40 – successfully defended a JR brought on EIA, habitats and constitutional grounds challenging the grant of planning permission for the grant of a new stadium at Casement Park, Belfast.
- Advising on planning and procurement issues relating to the extension of Old Trafford Cricket Ground.

Utilities infrastructure

- ***R (SaferWaterS & CPRE) v. DEFRA*** [2025] EWHC 1885 (Admin), a judicial review concerning the DEFRA Secretary of State's decision to approve Thames Water's and Affinity Water's Water Resources Management Plans that enshrine the principle of a new 150Mm3 reservoir in Abingdon, Oxfordshire.
- Acting for a consortium of residents affected by **National Grid's East Anglia Green** project (East Anglia GREEN | National Grid ET) which would involve the construction of 180km of new pylons in the East of England (2022-ongoing).
- Arbitration concerning a high value contractual dispute between a statutory water undertaker and a high profile public body (2019-2020).

- Acting for a consortium of affected landowners in opposition to Thames Water's DCO application for the 16-mile Thames Tunnel "Super Sewer", including successfully achieving the narrowing of the safeguarding direction issued to protect the proposed route.

Planning

Charlie was voted Great Britain's No. 1 planning KC in the last two editions (2025 and 2026) of Planning Magazine's annual *Planning Legal Survey*. In the 2026 edition he was also voted the No. 1 barrister in each of the three specialist tables: residential, retail and infrastructure, in what Planning Magazine described as "*a clean sweep*". He is the only barrister ever to have been ranked over the progression of their career as No.1 in all three of the Under 35, Juniors and Silks categories of the *Planning Legal Survey*. He is also ranked in Band 1 of leading planning KCs in *Chambers UK Bar 2026* and as one of the leading planning KCs in *Legal 500 UK Bar 2026*. Prior to taking silk, he was unanimously rated as the No.1 planning junior in all three publications. Commentary in the directories includes: *"a real jewel in the planning Bar crown", "tremendously respected"* and *"one of the best court advocates I've seen"*.

His practice covers the full range of advisory, inquiry and High Court work in the planning field. He has acted in many of the most significant planning court cases and inquiries over the last 15 years, including the Supreme Court appeals in ***Hillside*** (on the relationship between multiple planning permissions for development on the same site), ***Sainsbury's Supermarkets*** (on material considerations in planning and CPO decision-making), ***HS2*** (on EIA and SEA) and ***CG Fry*** (on nutrient neutrality, the Habitats Regulations, and the range of material considerations at the discharge of conditions stage). In ***CG Fry***, he achieved a famous victory for the Appellant before the Supreme Court in 2025, winning their appeal in the face of three unanimous adverse decisions below over a period of over 3 years: in the Court of Appeal in 2024, in the High Court in 2023, and before a Planning Inspector in 2022 – a vindication of his strategic vision, resilience and perseverance in the most difficult litigation.

Charlie has unrivalled appellate court experience across the Planning Bar, having appeared in a total of 19 Supreme Court appeals, and dozens of cases before the Court of Appeal. He is often brought in to lead cases that have failed at earlier stages, typically working with the previously instructed team to explore new angles for arguing the case. For example, in December 2025, having been brought in to challenge a high profile decision of an Inspector (following an inquiry in which he did not appear) concerning the definition of "Grey Belt" in the December 2024 National Planning Policy Framework, the effect of which was significantly to limit the amount of land that could be Grey Belt, his submissions led to the Secretary of State and the Local Planning Authority to consent to judgment (Boscabel Lane, Bishop's Wood, South Staffordshire / AC-2025-LON-004572 ***Boningdale Homes Ltd v. SSHCLG & South Staffordshire DC***).

In 2025, he acted for the successful appellants in all 13 of the inquiry and hearing planning appeals in which he appeared.

He has worked on a range of different high profile matters with a number of the leading architects in the UK and globally, including Foster & Partners, Ian Ritchie CBE RA, Niáll McLaughlin MBE RA, Elsie Owusu OBE RA and Francis Terry – from urban regeneration schemes to tall buildings, to commissions by private and institutional clients, to policy initiatives.

A member of the House of Lords since March 2024, he is the Co-Chair (with Danny Beales MP) of the Policy Liaison Group on Housing Market and Housing Delivery. In February 2024, he was appointed by the Prime Minister to undertake an Independent Review of Legal Challenges to Nationally Significant Infrastructure Projects: see (Lord) Banner KC to lead review on national infrastructure – GOV.UK (www.gov.uk). The Banner Review's report was published in October 2024 (Lord Banner KC review

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proposes roadmap to speed up delivery of national infrastructure - GOV.UK). Its recommendations were taken forward by the Planning and Infrastructure Act 2025 and in updates to the Civil Procedure Rules, as well as being relied upon in the Nuclear Regulatory Taskforce's Nuclear Regulatory Review in November 2025. He participated in all the House of Lords debates concerning the Planning and Infrastructure Act 2025, the provisions of which include various concessions and amendments that he secured during those debates. He regularly speaks on infrastructure-related matters in the House of Lords, including in the recent debate concerning the National Networks National Policy Statement.

He is the creator and co-presenter of the high profile cross-chambers planning themed weekly discussion show, 'Have We Got Planning News For You', featuring guest appearances from some of the UK's most well known figures in planning, architecture and government and was nominated for 'Best Use of Social Media' at the Legal Cheek Awards 2021. As of December 2025, HWGPNFY has over 300,000 views and is the leading podcast relating to planning and the built environment, recent guests including the current Planning and Housing Minister Matthew Pennycook MP.

He sits part-time as an Appeals Inspector in the Judicial Greffe in Jersey, Channel Islands, hearing planning appeals in that jurisdiction.

Having held non-executive roles with developers (SAV Group, 2022-2026; Arora Group 2026-present) and having undertaken a modest level of development and land promotion work himself, he understands the practicalities and commercialities of development projects to a degree that most lawyers are not fortunate enough to benefit from.

Regularly commended in the legal directories for his personable and approachable manner, and for the energy with which he commits himself to each client's cause, he relishes the team-work that is central to planning practice. He is just at home cross-examining on complex technical issues at an inquiry as he is making submissions on difficult legal issues in the High Court and appellate courts, or providing strategic advice as a part of a multi-disciplinary team.

His planning practice is international. He has worked on various planning matters in Hong Kong, where he spent a 3 month secondment with Mayer Brown JSM's planning litigation team in 2008, and has acted in relation to planning related disputes in the Bahamas, Montserrat and Gibraltar. For his planning-related work in Northern Ireland, please see the separate 'Northern Ireland' sub-page.

Listed below are examples of his most significant work arranged sector-by-sector in the following order: (1) Major urban development; (2) residential; (3) specialist older persons' accommodation (4) commercial, industrial, retail and regeneration; (5) sports, tourism and leisure; (6) private client work; (7) enforcement; (8) heritage assets; (9) Green Belt development; (10) Planning procedure and practice. Please scroll down to see each sector. See the separate Energy & Natural Resources and Infrastructure pages for his planning work in these fields.

Major urban development

- **Central London Developments (2025-26, ongoing)**: advising Battersea Project Land Company Ltd on the next phases of Battersea Power Station; acting for the Inter-Parliamentary Alliance on China and the Royal Mint Court Residents' Association in their high profile opposition to the proposals for a new Chinese Embassy near the Tower of London; advising the USA Government and Hammerspur Ltd on the redevelopment of the former US Embassy in Lees Place, Mayfair; advising Arada London in relation to its proposal for 1,485 dwellings across 20 tall buildings at Great North Leisure Park, North Finchley; acting for Blue Orchid Hospitality in relation to the conversion of the Grade II listed Atlas House in the City of London into a boutique hotel; advising the developer of a major residential development in Knightsbridge, RBKC (details

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currently confidential); advising the developer of a major commercial development in St James' Park, Westminster (details currently confidential); advising the objectors to a major development in Mayfair (UHNW private client dispute); acting for Medici Lifecare in relation to the redevelopment of Dean Bradley House in Westminster; acting for the SAV Group in relation to the redevelopment of More House and Pembridge Gardens, both in RBKC.

- **Central London Developments (pre-2025)**: Duke's Lodge adjacent to Holland Park (for Christian Candy's CPC Group), Chester Gate adjacent to Regent's Park (also for the CPC Group), the former Harrods Depository at 60 Sloane Avenue, South Kensington (a complex land use swap involving the relocation of existing offices to new bespoke office development in Kensal Green), 1 Campden Hill & 69 Campden Hill Road (a substantial Grade II listed property near Kensington High Street), Fulham Riverside (463 waterfront dwellings near Hurlingham Park) and Sotheron Place off the New King's Road (mixed commercial/residential scheme; extensive advice over several years on planning strategy in relation to a 500,000 sqft mixed use urban regeneration scheme at 15-16 Minories & 62 Aldgate in the City of London; acting for the Secretary of State in the litigation concerning the compulsory purchase order for the intended to facilitate the makeover of Shepherds Bush Market (***Horada v. Secretary of State for Communities and Local Government*** [2016] EWCA Civ 169); advising the Greater London Authority on strategic planning issues relating to the regeneration of Old Oak Common; successfully promoting a compulsory purchase order by Westminster City Council to deliver the comprehensive re-development of the Tollgate Gardens Estate in Kilburn in order to improve the quality and quantity of the Council's housing stock (a flagship project of the Council's Housing Renewal Strategy).
- **Tall Buildings** – recent casework includes two successful planning appeals in 2025 concerning tall building schemes in Milton Keynes (the Point; Orchard Lounge/Jaipur), Bristol (Broadwalk Centre; Premier Inn; Debenhams); advising Battersea Project Land Company Ltd on the next phases of Battersea Power Station; advising Arada London in relation to its proposal for 1,485 dwellings across 20 tall buildings at Great North Leisure Park; schemes in Exeter (Heavitree Road), Basildon (Eastgate Shopping Centre), Ealing (Dylon 2) and Harrow (Catalyst Housing); acting for the successful claimant in ***Romal Capital (CO2) Limited v Peel L&P (Ports) Limited*** [2025] EWHC 3016 (Ch) concerning the Liverpool Waters scheme – England's largest outline planning permission; and advising in relation to a proposed 29-33 storey development in the London Borough of Hackney. Previous experience includes litigation over the 36-storey tower at Greenland's Ram Brewery site in Wandsworth; providing extensive strategic advice in relation to tall buildings in Bedminster, Bristol; successfully defending the London Borough of Southwark's refusal of permission for a 12 storey tower at 6 Paris Garden & 20-21 Hatfields, Southwark, SE1; litigation in Hong Kong concerning building height control in Outline Zoning Plans; acting for the successful objectors to a proposed tower on the site of Mildmay Hospital, Shoreditch.
- **Build to Rent / Private Rented Sector / PBSA schemes:** acted on multiple large scale BTR/PRS schemes in London, Newcastle, Exeter, Bristol, Milton Keynes and Bath Spa – typically in relation to issues concerning building heights, design, amenity and alleged heritage impacts. Clients include Watkin Jones, Rengen, Student Roost, Legal & General, Galliford Try, Galliard and Crossman Group.
- **Urban Regeneration** – acting for SAV Group in relation to the regeneration and redevelopment of the Gracechurch Shopping Centre, Sutton Coldfield, Birmingham (2024-ongoing); acting at a 4-week inquiry in August 2022 for the promoters of the Eastgate Shopping Centre redevelopment in Basildon comprising up to 2800 residential units, new retail and commercial floorspace and reconfigured car parking (appeal allowed); advising the promoters of the refurbishment and

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redevelopment of the Martlets Centre in Burgess Hill (2021-2022); advising on an urban regeneration compulsory purchase order in Gibraltar (2021).

- **Hotels**: advising on several major hotel projects in and around London, including the Fairmont Windsor Great Park (for the Arora Group) and the hotel conversion of the Grade II listed Atlas House in the City of London (for Blue Orchid Hospitality) (2024-26, ongoing).
- **Acting for Homes England** at 3 week inquiry concerning its proposed 260 dwelling development at Brislington, Bristol (2023).

Residential

- **Grey Belt cases (2025-26):** acting for Boningdale Homes in their successful, seminal December 2025 legal case concerning the definition of "Grey Belt" and the "Footnote 7" exemption (Boscabel Lane, Bishop's Wood, South Staffordshire / AC-2025-LON-004572 ***Boningdale Homes Ltd v. SSHCLG & South Staffordshire DC***); successfully appearing for Lignacite Ltd in their August 2025 case concerning the proper approach to the Grey Belt provisions in the NPPF in the context of commercial development; successfully appearing for Beechcroft Developments Ltd at an inquiry appeal in January 2025 in relation to their proposed development at Wilton Park, Beaconsfield, an early test of the application of the GB Golden Rules in relation to affordable housing and green space; ***Castle Point Borough Council v. SSHCLG*** [2025] EWHC 3226 (Admin) concerning the PPG relating to Grey Belt and its application to villages; acting for the successful appellant promoting a pair of 'grand designs' architect-designed outstanding quality homes in the Green Belt in Bramley, Waverley District, allowed on Grey Belt grounds in November 2025 following a 2 day hearing earlier in the year.
- The first call-in inquiry pursuant to the Secretary of State's new call-in policy concerning 150+ dwelling planning applications that the Local Planning Authority is minded to refuse: Carpenders Farm, Three Rivers District (July 2026) – another grey belt case.
- **Promoting numerous residential developments at planning appeals (2023-2026)** - the volume of such cases is too great to list in detail here; in broad terms they include well over 10,000 homes allowed on appeal in the last 3 years, for developments ranging from c.50 to 2800 dwellings, in a wide range of locations across England, for clients including (in alphabetical order): Barratt David Wilson, Bewley Homes, Burlington Property Group, Cala, Dandara, Galliard, Galliford Try, Generator Group, Hollybrook Homes, Homes England, Infrared, the Mead Group, Merton College Oxford, Nixon Property, Persimmon, Rule Five Land, Seaward Properties, Sigma Homes, Taylor Wimpey, Vistry, Waddeton Park Ltd, and Wates.
- Flagship Housing Group's proposals for the regeneration of the 1,087-dwelling Abbey Estate in Thetford (including 500 new homes). Inquiry in November 2026.
- **Influential court cases** on wide-reaching issues of law and policy affecting residential development including the relationship between the NPPF and the PPG (***Mead Realisations Ltd v. SSHCLG*** [2025] P.T.S.R. 1158 (CA)), the reworded presumption in favour of sustainable development in para. 11 of the NPPF (***Monkhill Ltd. v. SSHCLG*** [2021] P.T.S.R. 1432), the interpretation of the NPPF and PPG provisions concerning the sequential test in flood risk policy ***(Mead Group & Redrow v. SSLUHC*** [2024] EWHC 279 (Admin), the interpretation of NPPF para. 81 in relation to the economic benefits of housing development (***Bewley Homes v. SSLUHC***, hearing in March 2024); the NPPF definition of "Previously Developed Land" (***Dartford BC v. SSCLG*** [2017] P.T.S.R. 737, the 'second homes ban' in the St Ives Neighbourhood Plan (

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R (RLT Built Environment Ltd) v. Cornwall Council [2017] J.P.L. 378); whether student accommodation can be included in a LPA's 5 year housing land supply (***Exeter City Council v. SSCLG*** [2015] EWHC 1663 (Admin)), the duty to give reasons in relation to 5 year housing land supply (***East Riding of Yorkshire Council v. Secretary of State for Levelling Up, Housing and Communities*** [2022] J.P.L. 742) and whether neighbourhood plans can allocate sites for residential development (***R (Larkfleet Homes Ltd) v. Rutland County Council*** [2015] P.T.S.R. 1369).

- **Promoting major allocations through the local Plan EiP process** including a career total of over 80,000 dwellings. Recent examples (2019-2026) include promoting allocations for Chippenham Riverside in Wiltshire, Monkhill Ltd in Waverley District, Taylor Wimpey in Basildon District, Wates Developments in Hart District, Royal Borough of Windsor & Maidenhead and Waverley District, for Estates & Agency Strategic Land in Brentwood District, for L&Q in North Essex, and for Merton College in Cherwell District.
- **Bringing and defending challenges to local plans**: Charlie acted for the claimants in the challenge to the Waverley Local Plan Part 2 (***House v. Waverley BC & SSLUHC*** [2023] EWHC 3011 (Admin); for Grosvenor in the challenge to the Examining Inspectors' recommendation that West Oxfordshire DC's Salt Cross Area Action Plan is sound (***Rights Community Action v. SSLUHC***, hearing in November 2023); for Avant Homes in the challenge to the Leeds Site Allocations DPD (***Aireborough Parish Council v. Leeds City Council*** [2020] EWHC 1461 (Admin)); and for Wates in the challenge to the Royal Borough of Windsor and Maidenhead Local Plan (***Hill v. RBWM*** [2022] EWHC Admin).
- **Acting for the promoters/landowners of new settlements, including Garden Communities**, **at concept stage, Local Plan Examination, at the planning application stage and in relation to implementation thereafter**. Examples include: Oxfordshire Garden Village aka Salt Cross (acting for the promoter, Grosvenor, at the Area Action Plan EIP in June-July 2021), High Leigh Garden Village, Fawley Power Station (Fawley Waterside), Deenethorpe Airfield (Tresham Garden Village), West Tey, Dunsfold Aerodrome, West Horndon and Barton le Clay.
- **Promoting custom and self build schemes** including successfully acting for the appellant in the first inquiry into a major custom/self build scheme, at Great Dunmow, Uttlesford District; and acting for the successful appellant in relation to a custom/self build scheme at Dunsfold, Waverley, at a hearing in November 2022 (extensive evidence called in relation to assessing custom and self build need and supply, with favourable findings by the Inspector).
- **Extensive experience of financial viability issues in the planning context** – including handling the in-depth interrogation at EIP of the viability of some of the allocations mentioned above, as well as viability issues on appeal including most recently in relation to Holburne Park, Bath (March 2021) and the former Homebase Site, Finchley (December 2022). Charlie was a member of the RICS Standards & Regulation Board that approved the 2019 Financial Viability Planning Professional Statement and subsequent 2021 FVP Guidance Note.
- **Successfully defending East Riding of Yorkshire Council's 5 year housing land supply in 4 high profile appeals in 2017-2019** relating to proposed residential developments in South Cave, Holm on Spalding Moor, Pocklington and Hutton Cranswick – the Council successfully resisted each of the appeals, including two with costs awards in their favour.
- **Successfully defending High Court challenges to major residential planning permissions** including (1) c.800 homes in the St Albans Green Belt for CALA, Redington and Taylor Wimpey: ***Keep Chiswell Green v. SSHCLG*** [2025] EWCA Civ 958; (2) the Secretary of State's grant of planning permission 1200 dwellings on appeal at Wolborough Barton in

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Teignbridge District (***Abbotskwerswell Parish Council v. Secretary of State for Housing, Communities and Local Government*** [2021] Env. L.R. 28; (3) a 1200 dwelling phase of Newcastle Great Park, jointly instructed by Taylor Wimpey and Persimmon, (4) a 55 dwelling Taylor Wimpey development at Pool in Wharfedale Leeds; (5) ***Stroud BC v. SSCLG*** [2017] EWHC Admin (LPA's challenge to an Inspector's decision to allow an appeal by Persimmon Homes relating to a 188 dwelling scheme in Berkeley); (6) ***Exeter City Council v. SSCLG*** [2015] EWHC 1663 (Admin) (LPA's challenge to 120 dwellings near Exeter); (7) ***R (Leicestershire Police and Crime Commissioner) v. Blaby DC*** [2014] EWHC 1719 (Admin) (a challenge by Leicestershire Police to a 4,250 dwelling Lubbesthorpe Urban Extension in Blaby District).

- **Regularly advising on option agreements and development agreements** relating to residential proposals, and where necessary acting in associated expert determination or arbitration proceedings.

Specialist older persons' accommodation

- Promoting a proposed 95 unit assisted living developments alongside a 75 bed care home, at Wilton Park, Beaconsfield, at inquiry in January 2025.
- Obtained permission on appeal for Care UK in relation to proposed care homes in Stafford and High Wycombe (2022-2024; main issues – highways, arboriculture, design).
- Obtained permission on appeal for Lifestory for 44 retirement apartments in Lymington, New Forest District following a 2 week planning appeal inquiry in May 2021 (main issue: townscape, design and heritage).
- Obtained permission on appeal for Porthaven Planning for a proposed care home in Harpenden, St Albans District following a hearing in May 2021 (main issues: alleged conflict with local plan policy safeguarding B class land, design, landscaping and occupier amenity).
- Acting for Lifestory in a planning appeal concerning a 54-unit sheltered housing scheme in Solihull (2 week inquiry in May 2022; main issue – heritage).
- Acted for Elmbridge Borough Council at a 2 week inquiry appeal in March 2021 in relation to a c.220 unit extra care scheme in Walton-on-Thames, concerning issues of general importance to extra care proposals including the use of prevalence rates in needs assessment and the contribution such a scheme would make to the vitality and viability of the town centre.
- 4 day inquiry in January 2019 for New Forest District council relating to Churchill Retirement Living's proposal for 43 retirement apartments in Hythe (main issues: design and heritage).
- Obtained permission on appeal for a 60 bed residential care home, 47 assisted living apartments and 55 age restricted dwellings at Exeter Road, Topsham for Waddeton Park Ltd following a 2 week appeal in 2016 (together with an award of costs); acted for the same client at a further inquiry, also resulting in the grant of permission, in December 2018 relating to a proposed 64-bedroom residential care home and 155 market housing units.
- 5 day inquiry for Henley Healthcare Ltd in 2014 regarding its proposal for a community mental hospital at its residential care home premises at Apple Hill, near Maidenhead, and in an associated appeal against the enforcement of a condition restricting the age of occupants of the care home to "the elderly".

Commercial, industrial, retail and regeneration

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- Advising on several proposed multi-£bn data centre developments (2024-26, ongoing).
- Acting for SAV Group in relation to the regeneration and redevelopment of the Gracechurch Shopping Centre, Sutton Coldfield, Birmingham (2024-26, ongoing).
- Acting for Lignacite Meadgate in a successful planning appeal concerning their major brickworks site in Epping, a key test case concerning the application of the 2024 NPPF 'Grey Belt' rules in the context of a commercial development (2025)
- Promoting an electric vehicle charging station combined with eco-lodge accommodation adjacent to the A3 at Buriton, in the South Downs National Park (2 week inquiry in 2023).
- Advising the promoters of Thames Enterprise Park (a joint venture between Greenergy and iSec, part of the Marcol Group), which would be the UK's first truly multi-modal superhub, creating c. 4,500 jobs (2019-2021).
- Acting for Pinewood Studios in relation to its proposals for *Screen Hub UK*, a global growth hub for the screen industries including 350,000sqft of new production facilities, an educational training and skills hub, a creative industries growth hub and a green campus in the Buckinghamshire Green Belt (2021).
- Acting for Peking HSBC Business School promoting the extension and upgrading of its UK Campus in the Oxfordshire Green Belt (2021-2022).
- Acting for Whitstable Oyster Company in an enforcement appeal relating to alleged breaches of planning control associated with trestles on Whitstable Beach which it uses for commercial oyster farming (2018-2021; 3 week inquiry in July-August 2021 resulting in the company's appeal being comprehensively allowed).
- Securing planning permission on appeal for an extension to Liverton Business Park, in Teignbridge District (hearing in May 2021).
- Acting for the successful appellant in the first English planning appeal concerning a proposed all-electric vehicle charging station, at Lower Slaughter in Cotswold District (November 2020).
- Promoting a concrete batching plant and associated development at Waterside Way industrial estate, Wimbledon (for Express Concrete); advising London Concrete & Aggregate Industries on planning issues relating to another London concrete batching plant (both 2019).
- Securing a favourable planning policy framework for Jaguar Land Rover's long-term business plans in the UK.
- Successfully promoting Porsche Cars (Great Britain) Ltd's proposals for the remodelling and extension of the flagship Porsche Sales Centre on the A4 in Chiswick.
- Several High Court planning challenges to planning permissions and compulsory purchase orders for retail and commercial development including ***R (Sainsbury's Supermarkets Ltd.) v. Wolverhampton City Council*** [2011] 1 A.C. 437 (for Sainsbury's in its successful Supreme Court challenge to the grant of a CPO to facilitate a large Tesco store in Wolverhampton on the basis that the Council took into account immaterial considerations), ***R (Midlands Co-Operative) v. Birmingham City Council*** [2012] B.L.G.R. 393 (successfully defending Birmingham City Council's decision to make a CPO to facilitate proposals by Tesco for the retail-led regeneration of Stirchley), ***Newry Chamber of Commerce's Application for Judicial Review*** [2015] NIQB 65 (appearing for the developers of a 80,000sqft convenience goods scheme in Newry, Northern Ireland, successfully resisting a JR challenge by rival retailers), ***Re Ellen Doyle's Application for Leave to Apply***

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for Judicial Review [2014] NIQB 82 (for the Northern Ireland Planning Appeals Commission successfully defending the grant of permission to the University of Ulster for a key element of a £300m mixed use regeneration scheme described in the decision as "the most important regeneration in North Belfast over the next 5-10 years"), ***Horada v. Secretary of State for Communities and Local Government*** [2016] EWCA Civ 169 (appearing for the SSCLG in a challenge to the CPO made by the London Borough of Hammersmith and Fulham to facilitate the multi-million pound makeover of Shepherds Bush Market).

Sports, tourism and leisure

- A special development order for a new theme park (2024-2025).
- Advising on planning issues concerning a high profile, major multi-£bn leisure development (2024-2026, ongoing).
- Acting for the promoters of an innovative carbon-neutral eco-lodge tourism development (2025-26, ongoing).
- Promoting a hotel scheme in the Grey Belt in Denham, Berkshire (2025-26, ongoing).
- Acting for Blue Orchid Hospitality in relation to the conversion of the Grade II listed Atlas House in the City of London into a boutique hotel (2025-26, ongoing).
- Acted for the Northern Ireland Department for Communities, successfully defending a judicial review challenge to the grant of a new GAA stadium at Casement Park, Belfast, which was brought on constitutional, EIA, habitats and planning law grounds: ***Mooreland and Owenvarragh Residents Association's Application for Judicial Review*** [2022] NIQB 40.
- Advising on plans for a new Center Parcs (2022-24).
- Achieving the successful resolution of high profile planning enforcement issues relating to the Fairmont Windsor Great Park 5* hotel (2023-2024).
- Promoting an electric vehicle charging station combined with eco-lodge accommodation adjacent to the A3 at Buriton, in the South Downs National Park (2 week inquiry in 2023).

Cultural

- The British Museum Masterplan (2026-ongoing).
- Heritage of London Trust's proposals for a David Bowie Museum in the London Borough of Bromley where he grew up.
- Successfully promoting (at inquiry in 2024-2025) an Ismaili Muslim funeral pavilion in Farnham designed by the Stirling Prize winning architect Niáll McLaughlin MBE RA.

Private client work

- Paragraph 84 outstanding homes proposals by Francis Terry in Little Tew, Oxfordshire and AR Design Studio in Bramley, Surrey (2024-2026; Bramley now allowed on appeal, Little Tew ongoing).
- Several other cases for HNW & UHNW individuals and well known personalities in relation to planning matters they encounter, typically in relation to their own domestic development proposals or objecting to proposals in the vicinity of their homes. The majority of these cases concern basement developments in prime London, heritage issues, permitted development, demolish & rebuild schemes or exceptional quality homes in the countryside. Most of these have ended up being resolved without the need for an appeal or litigation. Due to the sensitive subject matter it is not possible to give

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specific details of examples.

Enforcement

- Acting for Whitstable Oyster Company in an enforcement appeal relating to alleged breaches of planning control associated with trestles on Whitstable Beach which it uses for commercial oyster farming (2018-2021; 3 week inquiry in July-August 2021).
- ***Lignacite Ltd v. Secretary of State for Communities & Local Government Ltd*** (2021-22, settled) – concerning principles applicable to establishing whether a breach of condition is immune from enforcement action due to expiration of time.
- ***Ioannou v. SSCLG*** [2015] 1 P.& C.R. 10, the leading authority on the scope of the powers on an appeal against an enforcement notice to grant permission for a different or modified development to that enforced against, and on the scope of the deemed planning permission in cases of under-enforcement under s.173(11) of the Town and Country Planning Act 1990.
- ***Bowring v. SSCLG*** [2013] J.P.L. 1417, concerning the scope of requirements that can lawfully be contained in an enforcement notice against an unauthorised change of use.

Heritage assets

- Obtained planning permission on appeal for Persimmon / Charles Church for a 188 dwelling scheme in Berkeley in close proximity to the Grade I listed Berkeley Castle and several other listed buildings, and partially within the Berkeley Conservation Area – despite forceful objections from Heritage England and the owner of Berkeley Castle. Two week public inquiry in 2016; successfully defended a High Court challenge in 2017.
- Dozens of other planning appeals in a range of urban and rural contexts in which one of the main issues was alleged impact on one or more heritage assets.
- ***Mordue v. Secretary of State for Communities and Local Government*** [2015] EWHC 539 (Admin), concerning the burden of proof in planning claims alleging that the decision-maker has failed to comply with the duty under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the preservation and enhancement of listed buildings and their settings.

Green Belt development

- **Grey Belt cases:** acting for Boningdale Homes in their successful, seminal December 2025 legal case concerning the definition of “Grey Belt” and the “Footnote 7” exemption (Boscabel Lane, Bishop’s Wood, South Staffordshire / AC-2025-LON-004572 ***Boningdale Homes Ltd v. SSHCLG & South Staffordshire DC***); successfully appearing for Lignacite Ltd in their August 2025 case concerning the proper approach to the Grey Belt provisions in the NPPF in the context of commercial development; successfully appearing for Beechcroft Developments Ltd at an inquiry appeal in January 2025 in relation to their proposed development at Wilton Park, Beaconsfield, an early test of the application of the GB Golden Rules in relation to affordable housing and green space; ***Castle Point Borough Council v. SSHCLG*** [2025] EWHC 3226 (Admin) concerning the PPG relating to Grey Belt and its application to villages; acting for the successful appellant promoting a pair of ‘grand designs’ architect-designed outstanding quality homes in the Green Belt in Bramley, Waverley District, allowed on Grey Belt grounds in November 2025 following a 2 day hearing earlier in the year.

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- **Very special circumstances:** obtained permission on appeal on VSC grounds from the Secretary of State for 391 dwellings and a new school in the St Albans Green Belt (for CALA, Redington Capital and Taylor Wimpey) (2023-2024; subsequently defended in the High Court and Court of Appeal in 2024-25); obtained permission on appeal on VSC grounds from an Inspector after a lengthy inquiry in relation to a planning appeal for significant green belt residential development at Sarratt, Three Rivers District, including 87 dwellings and a new medical centre) (2023-24).
- Helped secure favourable local decisions in relation to significant green belt proposals for Pinewood Studios in Buckinghamshire and Peking HSBC Business School in Vale of White Horse District (2020-2022).
- Acted in a series of influential High Court cases over many years concerning the interpretation of Green Belt policy: ***R (Heath & Hampstead Society) v. Camden LBC*** [2008] All E.R. 80 (interpretation of PPG2 para 3.6 on replacement dwellings), ***West Lancashire BC. v. SSCLG*** [2010] J.P.L. 810 (interpretation of PPG2 para. 3.12 regarding material changes of use in the Green Belt), ***Knight v. SSCLG*** [2009] EWHC 3808 (Admin) (application of PPG2 in relation to previously developed land in the Green Belt), ***Hayden-Cook v SSCLG*** [2011] J.P.L. 90 (relevance of alternative, more acceptable forms of development in considering the 'very special circumstances' test), ***Europa Oil & Gas Ltd. v. SSCLG*** [2014] 1 P. & C.R. 3 (whether exploration for oil and gas constitutes "mineral extraction" under NPPF para. 90 and is thus capable of being appropriate development in the Green Belt), ***R (Privett) v. Gravesham BC*** [2016] EWHC 1276 (Admin) (regarding NPPF para. 89 on redevelopment of previously developed sites in the Green Belt) and ***Aireborough Development Forum v. Leeds City Council*** [2020] EWHC 1461 (concerning the 'exceptional circumstances' test for Green Belt release in Local Plans, and the standard of reasons required by Local Plan Inspectors in this context).

Planning procedure and practice

- ***Hillside Parks Ltd. v. Snowdonia National Park Authority*** [2022] 1. W.L.R. 5077 – leading for Hillside in this seminal case about the Pilkington principle concerning successive planning permissions on the same site.
- ***R (Stonewater) (2) Ltd v. Wealden District Council*** [2022] P.T.S.R. 455 concerning the interpretation of Regulation 49 of the CIL Regulations 2010 concerning mandatory social housing relief from Community Infrastructure Levy, as well as the relevance of s.106 planning obligations to claims for social housing relief, and the approach to interpreting such obligations.
- ***R (Plan B Earth) v. Secretary of State for Transport*** [2020] P.T.S.R. 1446 concerning the relevance of the Paris Agreement on climate change to National Policy Statements under the Planning Act 2008.
- ***R (Gleeson Homes Ltd) v. SSCLG*** [2014] P.T.S.R. 1226 concerning the time when a recovery direction takes effect and whether the Secretary of State has implied powers under the Town and Country Planning Act 1990 to correct obvious errors in appeal decisions (with Jonathan Swift QC).
- ***Garlick v. Secretary of State for Communities and Local Government*** [2013] EWHC 1126 (Admin) on the requirements of procedural fairness in the context of planning appeals under the written representations procedure.
- Various proceedings relating to the enforcement, modification and discharge of planning obligations, including the leading case of ***R (Renaissance Habitat Ltd) v. West Berkshire DC*** [2011] J.P.L. 1209 on the interpretation of the requirement under s.106A of the Town and Country Planning Act 1990 that in order for a planning obligation to be discharged the applicant must show that it "*no longer serves a useful purpose*".

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Planning – Current and Recent Casework

Charlie's current and recent planning casework as of mid 2026 includes:

- Two of the leading Supreme Court planning cases of the last decade: ***Hillside Parks Ltd v. Snowdonia National Park Authority*** [2022] 1 W.L.R. 5077 (on the relationship between multiple planning permissions on the same site) and ***CG Fry & Son Ltd v. SSHCLG*** [2025] P.T.S.R. 1823 (on nutrient neutrality & the status of the Habitats Directive in UK law post-Brexit).
- The two lead cases on national planning policy concerning flood risk: ***North Somerset Council v. SSHCLG*** [2026] EWHC 1430 (Admin) and ***Mead Realisations v. SSHCLG*** [2025] EWCA Civ 32 in the Court of Appeal.
- ***R (SaferWaterS & CPRE) v. DEFRA*** [2025] EWHC 1885 (Admin), a judicial review challenge to the DEFRA Secretary of State's decision to approve various Water Resources Management Plans that enshrine the principle of a new 150Mm3 reservoir in Abingdon without first holding a hearing or inquiry.
- Some of the leading early Grey Belt cases since the December 2024 NPPF, including successful inquiry appeals for Beechcroft at Wilton Park and Lignacite Ltd in Epping Forest, as well as court cases concerning the definition of Grey Belt (***Boningdale Homes v SSHCLG***), the PPG on its application to villages (***Castle Point v. SSHCLG*** [2025] EWHC 3226 (Admin)), and the interpretation of NPPF para. 155 (***OT15 v. SSHCLG***).
- The first call-in inquiry pursuant to the Secretary of State's new call-in policy concerning 150+ dwelling planning applications that the Local Planning Authority is minded to refuse: Carpenders Farm, Three Rivers District (July 2026).
- Securing 391 dwellings on appeal in the St Albans Green Belt at Chiswell Green, and defending a subsequent challenge in the High Court and Court of Appeal (***Keep Chiswell Green v. SSHCLG*** [2025] EWCA Civ 958), as well as 92 dwellings on appeal in the Three Rivers Green Belt at Sarratt (both on the basis of Very Special Circumstances).
- Obtaining permission on appeal for 350 homes at St Bridget Nursery, Exeter, and defending a subsequent High Court challenge by a neighbouring landowner seeking a ransom: ***Sandy Park Farm Partnership v. Secretary of State for Housing Communities and Local Government & Waddeton Park Ltd*** [2026] EWHC 422 (Admin).
- Several data centre projects, many with accompanying energy generation.
- Promoting several tall buildings in London, Milton Keynes, Bristol, Exeter and Basildon (6 inquiries & 4 judicial reviews).
- The next phases of the Battersea Power Station development.
- The judicial review of the proposed new Chinese Embassy at Royal Mint Court near the Tower of London.
- The redevelopment of the former US Embassy in Mayfair.
- The proposed expansion of London Heathrow Airport.
- Several dozen planning inquiry appeals concerning 5-year housing land supply (for schemes ranging up to 2800 dwellings).
- Acting for the promoters of a new settlement at Worcestershire Parkway.
- Flagship Housing Group's proposals for the regeneration of the 1,087-dwelling Abbey Estate in Thetford (including 500 new homes).

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- The successful resolution of high profile planning enforcement issues relating to the Fairmont Windsor Park 5* hotel.
- The British Museum Masterplan.
- Heritage of London Trust's proposals for a David Bowie Museum in the London Borough of Bromley where he grew up.
- An Ismaili Muslim funeral pavilion in Farnham designed by the Stirling Prize winning architect Niáll McLaughlin MBE RA.
- 'Paragraph 84 outstanding home' proposals by Francis Terry in Little Tew, Oxfordshire and AR Design Studio in Bramley, Surrey.
- 'Recharge One' (an electric vehicle charging station together with overnight eco-lodge accommodation) in the South Downs National Park.
- A judicial review challenge to the Development Consent Order for an Energy from Waste facility in Wisbech.
- Acting for community groups opposed to the National Grid's proposals for 160km of new pylons in East Anglia.
- Litigation in Northern Ireland concerning the Casement Park stadium redevelopment, the Arc21 Energy From Waste project, the North-South Interconnector, the Islandmagee underground gas storage project and Kilroot power station.

Public Procurement

Charlie has substantial experience of both advisory and contentious public procurement work in both England & Wales and Northern Ireland. He is recommended as a leading KC in public procurement by *Legal 500 UK Bar* 2026 (having been recommended in a succession of previous editions), which comments that he "c*learly absorbs masses of information and identifies concisely the main points" and has "excellent commercial awareness."* He is also ranked as a Global Leader and National Leader in Projects & Procurement and Government Contracts by Lexology (formerly Who's Who Legal) 2025. Who's Who Legal 2024 commented that he *"excels in the government contracts arena for his expert handling of development agreements and regeneration projects"* and *"is singled out by peers as "an excellent all-rounder".* He is an active member of the Procurement Lawyers' Association, a contributor to Keating Chambers' forthcoming book on public procurement law, and was a keynote speaker at the White Paper Public Procurement Law Conference 2025, discussing exclusion of suppliers for poor performance under the Procurement Act 2023.

Much of his public procurement work has been in the context of regeneration projects and development agreements. This has included the two leading cases on the circumstances in which such agreements trigger the need for procurement: most recently, he acted for the successful appellant in the ground-breaking case of ***R (Faraday Development Limited) v. West Berkshire Council*** [2019] P.T.S.R. 1346 in which, in addition to holding that a development agreement structured around an option to purchase the land in question was a public works contract requiring procurement, the Court of Appeal made the first ever declaration of ineffectiveness by an English court as well as imposing a civil financial penalty; prior to that, he acted for the successful defendant authority in ***R (Midlands Co-Operative) v. Birmingham City Council*** [2012] Eu L.R. 640 (defending a challenge to a development agreement for a retail-led regeneration scheme in Stirchley). He has advised on similar issues in the contexts of (amongst other things) the expansion of a world famous football stadium, the relocation of a municipal sports facility, retail-led regeneration proposals, and the construction of extensions to a well known London Underground station (project costs in excess of £100m). He has also lectured and published extensively on this subject, including an influential article cited in Prof. Sue Arrowsmith's leading book *Law of Public and Utilities Procurement*.

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His practice also includes procurement issues more broadly. His experience includes:

- Advising on public procurement issues relating to a £900m public transport contract (2025).
- ***River Ridge Recycling (Portadown) Ltd v. Arc 21 & Regen Waste Ltd*** [2024] NIKB 19 – on the meaning of 'manifest error' in the procurement context and the principles applicable to disclosure/discovery of documents in procurement proceedings.
- Advising on public procurement issues relating to a power station in Northern Ireland (2024).
- ***River Ridge Recycling (Portadown) Ltd v. Arc 21*** [2023] NIKB 86 – acting for the defendant in litigation in the Northern Ireland High Court concerning a challenge to the award of a contract to Regen Waste Ltd for the provision of services for the haulage, treatment, recovery and disposal of Belfast's municipal waste. Successfully resisted an application for an interim injunction (the contract having been entered into without a standstill period pursuant to the Dynamic Purchasing System Procedure) in June 2023.
- Advising the Cabinet Office on public procurement issues relating to the outsourced administration of civil service pensions (2019-2020).
- Litigation in the High Court of Northern Ireland concerning whether the award of a waste disposal contract was in breach of public procurement law (2019, settled).
- ***R (Wylde) v. Waverley Borough Council*** [2017] P.T.S.R. 1245 – on the extent to which persons other than 'economic operators' as defined in the Public Contracts Regulations have standing to bring a judicial claim alleging that a contracting authority has breached the Regulations.
- Advising a local authority in relation to the procurement of management services for its entire leisure and culture portfolio.
- Advising the Skills Funding Agency on procurement issues relating to services contracts awarded by it to skills training organisations.
- A dispute relating to the applicability of the Public Contracts Regulations to the Government's Start-Up Loans scheme set up to boost youth enterprise.
- Advising a housing association on procurement of housing stock from developers with planning permission for affordable housing.

Public Law and Human Rights

Charlie is recommended as a leading KC in administrative & public law in the latest editions of both *Legal 500 UK Bar* and *Chambers & Partners UK Bar* (having been ranked in both directories for many years previously). He has considerable experience across the whole spectrum of public law, including all aspects of central and local government, constitutional issues, freedom of information, immigration, community care, healthcare, mental health, prisons, public procurement, regulation, social security and transport.

He has worked on numerous cases before the Administrative Court in England & Wales and before the Judicial Review Court in Northern Ireland. His well-known appellate practice includes some of the leading public law appeals of the 2000s before the Supreme Court (where he has appeared 18 times) concerning issues such as the territorial application of UK Acts of Parliament

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(***Al-Skeini***), the circumstances in which the High Court's judicial review jurisdiction can be restricted by legislation or judicial policy (***Cart***) and the Court's jurisdiction to review the Parliamentary procedure for Hybrid Bills for compatibility with EU law (***HS2***). He has also worked on judicial review litigation in Hong Kong and Trinidad.

Prior to taking silk, he was a member of the Attorney General's A Panel of Junior Counsel to the Crown. He was also member of the Treasury Solicitor's Freedom of Information Panel until its incorporation within the Attorney General's main panels. For many years he was a contributor to the *Administrative Court Digest* and on the editorial team of the 'International Developments' section of the journal *Public Law*. He has published and spoken widely on court systems and the judiciary, and regularly speaks on constitutional issues in the House of Lords.

His recent leading public law cases include:

- ***R (SaferWaterS v. DEFRA)*** [2025] EWHC 1885 (Admin), a judicial review challenge to the DEFRA Secretary of State's decision to approve of Water Resources Management Plans that enshrine the principle of a new 150Mm^3 reservoir in Abingdon without first holding a hearing or inquiry.
- Test case litigation concerning the status and relevance of EU law in the domestic legal system post-Brexit: ***CG Fry & Son Ltd. v. Secretary of State for Levelling Up, Communities and Local Government*** [2024] P.T.S.R. 2000 (CA).
- Advising the UK Government on constitutional issues relating to proposed legislation (2022-2023).
- Advising the Trinidad and Tobago Government on constitutional issues (2022).
- ***R (Fratila & Tanase) v. Secretary of State for the Home Department*** [2022] P.T.S.R. 448 (Supreme Court), concerning the legality of the UK Regulations that, post-Brexit, disentitle EU citizens with Pre-Settled Status from access to means tested benefits.
- Two cases in Northern Ireland concerning the power-sharing arrangements under the Northern Ireland Act 1998 as amended, and specifically whether and if so in what circumstances the Minister for Infrastructure is required to refer major planning decisions to the Executive Committee: ***Minister for Infrastructure v. Safe Electricity A&T Ltd*** [2022] NICA 61 and ***Mooreland and Owenvarragh Residents Association's Application for Judicial Review*** [2022] NIQB 40.
- ***R (Plan B Earth and others) v. Secretary of State for Transport*** [2020] P.T.S.R. 1446, multiple judicial review challenges to the Airports National Policy Statement which endorsed the principle of expansion of London Heathrow Airport including a 3rd runway and 6th terminal.
- Appearing for the UK Government before the UNECE Aarhus Convention Compliance Committee in ***RSPB, Friends of the Earth and Leigh Day v. United Kingdom*** (ACCC/C/2017/156, heard on 5th November 2019) in which it is alleged that the *Wednesbury* standard of review of administrative decisions is insufficiently effective to secure compliance with the provisions of Article 9 of the Aarhus Convention regarding access to justice in relation to environmental decision making.
- A series of Supreme Court cases concerning the lawfulness of restrictions on access to social security benefits by economically inactive EU migrants: ***Fratila v. Secretary of State for Work & Pensions*** [2022] P.T.S.R. 448; ***Mirga v. Secretary of State for Work and Pensions*** [2016] 1 W.L.R. 481; ***R (HC) v. Secretary of State for Work and Pensions*** [2017] 3 W.L.R. 1486; ***St Prix v. Secretary of State for Work and Pensions*** [2013] 1 All E.R. 752; ***Patmalniece v. Secretary of State for Work and Pensions*** [2011] 1 W.L.R 783.

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- Two of the principal domestic cases on the duty under s.123 of the Local Government Act 1972 to obtain best consideration for the disposal of land interests and associated state aid issues: ***R (Faraday Development Ltd) v. West Berkshire Council*** [2016] EWHC 2166 (Admin) & [2018] EWCA Civ 2532 and ***R (Midlands Co-Operative) v. Birmingham City Council*** [2012] B.L.G.R. 393.
- A high profile challenge to Ofcom's decision not to uphold a complaint that Channel 4 had breached broadcasting standards in relation to the TV programmes *My Big Fat Gypsy Wedding* and *Thelma's Gypsy Girls*, a case raising important issues about the legality of Ofcom's procedures for determining complaints: ***R (Traveller Movement) v. Office of Communications*** [2015] EWHC 406 (Admin).
- Two of the most significant recent cases on standing to bring a judicial review claim in England & Wales (***R (Wylde v. Waverley Borough Council*** [2017] P.T.S.R. 125) and Northern Ireland (***Doyle's application for judicial review*** [2014] NIQB 82).

Charlie has also been recommended for several years as a leading KC in Civil Liberties & Human in *Legal 500 UK*. Much of his public law work involves issues under the Human Rights Act 1998 and/or the ECHR. He has experience of applications for declarations of incompatibility under s.4 of the Human Rights Act, judicial review of public authority acts on human rights grounds, damages claims under s.8 of the Human Rights Act and proceedings before the European Court of Human Rights. From 2017-2020 he was the UK Member of the EU Fundamental Rights Agency's Management Board (a Ministerial appointment by the Lord Chancellor and Secretary of State for Justice). Significant human rights cases include:

- Advising the UK Government on the compatibility of proposed legislation with the Convention Rights enshrined in the Human Rights Act 1998 (2022-2023).
- ***AM (Zimbabwe) v. Secretary of State for the Home Department*** [2020] 1 W.L.R. 1152 (Supreme Court), concerning the circumstances in which the expulsion of a seriously ill foreign national who did not have leave to remain in the UK would amount to inhuman/degrading treatment contrary to Article 3 ECHR, having regard to the recent judgment of the Grand Chamber of the European Court of Human Rights on this issue in *Paposhvili v. Belgium.*
- Acting for the United Kingdom in App. No. 39714/15 ***Austin v. United Kingdom*** (2017) 65 E.H.R.R. SE16 concerning the circumstances in which Article 8 ECHR applies in cases of environmental pollution.
- Case C-542/13 ***M'Bodj v. État Belge*** [2015] C.M.L.R. 16 and Case C-562/13 ***Centre public d'action sociale d'Ottignies-Louvain-La-Neuve v. Abdida*** [2015] 2 C.M.L.R. 15, two references from the Belgian Cour Constitutionelle concerning the scope of humanitarian protection under the EU Charter of Fundamental Rights for non-EU citizens suffering from serious illness whose removal to their country of origin would amount to inhuman or degrading treatment.
- Case T-715/14 ***NK Rosneft a.o. v. European Council*** 544 & Joined Cases T-735/14 & T-799/15 ***Gazprom Neft v. European Council*** ELCI:EU:T:2018:544 & 548 – proceedings before the EU General Court in which the Russian energy companies Rosneft and Gazprom sought the annulment of EU sanctions targeted at the Russian oil sector in the light of Russia's actions destabilising the situation in Ukraine, including on fundamental rights grounds relating to alleged infringement of Article 17 of the Charter of Fundamental Rights (right to property).

Northern Ireland

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Charlie was called to the Bar of Northern Ireland in 2010 and regularly provides advice and representation on matters within or relating to Northern Ireland, particularly in relation to planning and public procurement. He is a full member of the Bar Library in Belfast and regularly works from there (click here for more details).

His most significant work in Northern Ireland includes the following:

High Court cases and Court of Appeal cases

- ***EP NI Energy Limited's Application for Leave to Apply for Judicial Review*** and ***EP NI Energy Ltd v. Northern Ireland Authority for Utility Regulation*** – two related proceedings, one an application for judicial review and the other an appeal under Article 44 of the Energy (Northern Ireland) Order in relation to a £100m+ regulatory dispute concerning Kilroot Power Station. Leading a multi-counsel team including two silks (2025-26, ongoing).
- ***Islandmagee Energy Limited's Application for Judicial Review*** [2024] NIKB – on whether the Islandmagee Undersea Gas Storage Project requires 'Consent to Construct' from the Northern Ireland Utility Regulator.
- ***River Ridge Recycling (Portadown) Ltd v. Arc 21 & Regen Waste Ltd*** [2024] NIKB 19 – on the meaning of 'manifest error' in the procurement context and the principles applicable to disclosure/discovery of documents in procurement proceedings.
- ***River Ridge Recycling (Portadown) Ltd v. Arc 21*** [2023] NIKB 86 – acting for the defendant in litigation concerning a challenge to the award of a contract to Regen Waste Ltd for the provision of services for the haulage, treatment, recovery and disposal of Belfast's municipal waste. The plaintiff seeks £50m in damages. Successfully resisted an application for an interim injunction (the contract having been entered into without a standstill period pursuant to the Dynamic Purchasing System Procedure) in June 2023; trial in Spring 2024.
- Successful judicial review application concerning the Arc 21 Energy From Waste Project in Co. Antrim – a £240m strategic Energy From Waste facility. The case raised significant constitutional, public law, environmental law and planning law issues. The defendant consented to judgment shortly before trial. (2022-2023).
- ***Mooreland and Owenvarragh Residents' Association's application for Judicial Review*** [2022] NIQB 40 – acted for the Department for Communities, successfully defending a judicial review challenge to the grant of a new GAA stadium at Casement Park, Belfast, which was brought on constitutional, EIA, habitats and planning law grounds.
- ***Minister for Infrastructure v. Safe Electricity A&T Ltd*** [2022] NICA 61 – judicial review challenge to the Northern Ireland Minister for Infrastructure's grant of planning permission for the North-South Interconnector – Northern Ireland Electricity's proposed 400kv strategic interconnector between Tyrone in Northern Ireland and Cavan in the Republic of Ireland, regarded as Northern Ireland's most significant energy infrastructure project to date. A test case concerning the power-sharing arrangements under the Northern Ireland Act 1998 as amended, and specifically whether and if so in what circumstances the Minister for Infrastructure is required to refer major planning decisions to the Executive Committee. Previously acted for the Department for Infrastructure concerning the project for several years since 2013, including at a high profile public inquiry and in various High Court proceedings.
- ***Buttercrane Centre Limited's Application for Judicial Review*** [2017] NIQB: challenge to planning permission for the extension of The Quays retail centre in Newry, concerning the compatibility with Article 6 ECHR of the 'promptness' requirement for JR.

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- ***Kelvin Properties Limited's Application for Judicial Review*** [2016] NIQB: challenge to the Planning Appeal Commission's refusal of planning permission for a retail development in Coleraine (settled following leave hearing).
- ***Darren Crowe's Application for Judicial Review*** [2016] NIQB: challenge to the Planning Appeal Commission's refusal of planning permission for an onshore wind turbine development on the grounds of potential impact on species protected under the EU Habitats Directive (settled following leave hearing).
- ***Newry Chamber of Commerce's Application for Judicial Review*** [2015] NIQB 65: challenge to planning permission for a large scale retail-led redevelopment, raising issues under the Habitats Directive, EIA Directive and the Northern Ireland Act 1998.
- ***Doyle's Application for Judicial Review*** [2014] NIQB 82: challenge to the Planning Appeal Commission's grant of permission for a key element of the University of Ulster's £300m regeneration scheme in North Belfast, concerning standing for JR in the planning context.
- ***Department of Environment's Application for Judicial Review*** [2014] NIQB 4: challenge to Planning Appeal Commission's grant of permission for a large-scale airport car-park in the countryside, concerning the relationship between the different applicable Planning Policy Statements.

Planning inquiries and planning appeal hearings

- Appearing for the Department for Infrastructure at the two-stage public inquiry into the Northern Ireland element of the proposed North-South Ireland Electricity Interconnector, Northern Ireland's largest infrastructure project in recent years.
- Acting for Derry and Strabane District Council at an inquiry into a proposed 1,400 dwelling urban extension on the edge of Derry City.
- Several planning appeal hearings concerning appeals against enforcement notices served on operators of unauthorised airport car parks in the open countryside near Belfast International airport.

Advisory work

- Advising on regulatory issues relating to underground gas storage in Northern Ireland (2023).
- Advising on public procurement and environmental law issues in the context of municipal waste disposal in Northern Ireland (2021).
- Advising the Arc 21 consortium on constitutional and planning law issues relating to the redetermination of its application for a strategic Energy From Waste facility the permission for which was quashed by the Northern Ireland Court of Appeal in ***Buick's Application for Judicial Review*** [2018] NICA 26 on the basis that it had been outside the powers of the Permanent Secretary of the Department for Infrastructure to issue the permission in the absence of Ministerial Government.
- Advising the UK Government on the EU law and international trade law implications of Brexit for the all-Ireland Single Electricity Market.
- Advising the Department of Culture, Arts and Leisure on proposed restrictions to salmon fishing in the River Foyle on EU habitats grounds.
- Advising local planning authorities on planning applications for onshore wind turbine developments.

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Subsidy Control, Competition and EU-derived Law

Charlie has career-long experience of EU-derived law, including 13 appearances in the EU Courts (CJEU and General Courts) on EU law issues as diverse as:

- Environmental Regulation: T-226/18 ***Global Silicones Council v. European Commission***; Case C-528/16 ***Confédération Paysanne v. Premier Ministre****;* C-461/17 ***Holohan v. An Bord Pleanála***;
- Economic Sanctions: T-715/14 ***NK Rosneft a.o. v. European Council***; T-735/14 & T-799/15 ***Gazprom Neft v. European Council***;
- Employees' rights: C-214/16 ***King v. The Sash Window Workshop Ltd*** [2018] 2 C.M.L.R. 10;
- Free Movement of Persons: C-507/12 ***St Prix***; C-186/10***Oguz***;
- Refugee protection: C-490/16 ***AS v. Republic of Slovenia***; C-150/15***N***; C-542/13 ***M'Bodj v. État Belge***; C-562/13 ***Abdida***.

He has also been involved in some of the most significant cases in the English courts concerning the status of EU law in the domestic legal system both pre-Brexit (e.g. ***R (HS2 Action Alliance Ltd.) v. Secretary of State for Transport*** [2014] 1 W.L.R. 324 in the UK Supreme Court) and post-Brexit (***CG Fry & Son Ltd. v. Secretary of State for Levelling Up, Communities and Local Government*** [2023] Env. L.R. 30 on the status of Directives in the UK legal system following Brexit)

From 2017-2020 he was the UK Member of the EU Fundamental Rights Agency's Management Board (a Ministerial appointment by the Lord Chancellor and Secretary of State for Justice). He has published and lectured widely on EU law issues and was a College Lecturer in EU Law at Oxford University from 2010 to 2015, holding undergraduate classes at weekends (at Lincoln, Oriel and Regents Park Colleges).

He is recommended as a leading KC in EU law by Chambers & Partners UK Bar 2026 and Legal 500 UK Bar 2026. Comments in these directories include that *'Charles is simply superb. He is a great advocate, he has an uncanny ability to read to room and adjust his argument accordingly. He is always on top of his brief and clients love his clear, unambiguous advice.'*

He has considerable experience of advising both public and private sector clients on subsidy control and state aid issues, particularly in the context of state-funded environmental improvement measures and the sale of land interests by public authorities to the private sector. He has acted in this context in cases concerning the implications of the proposed financing of the redevelopment of a Premier League football stadium, of funding the remediation of a former mine, of central Government funding for a new relief road that will enable the development of a large scale urban extension, and of granting relief from the Community Infrastructure Levy to registered charities. Most recently, in 2025 he advised on subsidy control issues in relation to one of the largest development projects to be granted consent in that year, worth several £bn (the identity of which is confidential).

His competition law experience includes:

- ***R (Heathrow Hub Ltd) v. Secretary of State for Transport*** [2020] EWCA Civ 213, a competition law challenge to the Airports National Policy Statement endorsing Heathrow Airport Ltd's North West Runway scheme for Heathrow expansion ahead of Heathrow Hub's Extended Northern Runway proposal. The issues concerned (i) whether there had been a relevant 'state measure' under Article 106 TFEU taken with Article 102 TFEU, (ii) whether HAL had a dominant position in the relevant market (airport operation and associated services), and (iii) whether HAL had 'special or exclusive rights' so as to

fall within the scope of Article 106.

- A substantial Chancery Division claim between the Arora Group (which has 6 hotels and substantial land interests at London Heathrow Airport) and Heathrow Airport Ltd (the operator of Heathrow Airport) concerning real estate, planning and competition issues regarding Arora's proposed 9 storey multi storey passenger car park at Heathrow (ongoing).
- ***Arora Management Services Ltd v. Heathrow Airport Ltd*** [2019] 5 C.M.L.R. 24 (Ch) – an interlocutory dispute in the above proceedings, concerning which division of the High Court is appropriate for determination of competition disputes between private parties.
- Advising the Secretary of State for Transport concerning competition issues relating to the provision of ground-handling services at a major UK airport.
- Regularly advising a well known firm in the automotive industry on competition law issues over a period of several years.
- Advising a sports professional on competition issues in the context of a dispute with his sporting association.
- Whilst on secondment as Judicial Assistant to the Law Lords, he worked on the seminal case of ***Crehan v. Inntrepreneur Pub Co.*** [2007] A.C. 333 regarding beer ties in pubs.

Supreme Court Cases

CG Fry & Son Ltd v. Secretary of State for Housing, Communities and Local Government **[2025] P.T.S.R. 1823**
On whether the National Planning Policy Framework requires applications for discharge of conditions precedent on a planning permission to be subject to appropriate assessment of their effect on Ramsar Sites (even though such sites are not directly protected by the Habitats Regulations), with the effect that they are subject to 'nutrient neutrality rules', even if the conditions in question have no nexus with nutrient pollution. Persuaded the Supreme Court to reverse the unanimous decisions below of the Court of Appeal, the High Court and Planning, following c.4 years of litigation.

Hillside Parks Ltd. v. Snowdonia National Park Authority **[2022] 1 W.L.R. 5077**
Seminal planning case concerning the 'Pilkington principle' regarding the relationship between multiple planning permissions for development on the same site, and in particular whether the long standing industry practice of obtaining and implementing 'drop in' consents to alter elements of a wider development has the effect of precluding further reliance on the original planning permission for that wider development.

Fratila v. Secretary of State for Work & Pensions **[2022] P.T.S.R. 448**
Concerning the legality of the UK Regulations that, post-Brexit, disentitle EU citizens with Pre-Settled Status from access to means tested benefits.

AM Zimbabwe v. Secretary of State for the Home Department **[2020] 2 W.L.R. 1152**
Concerning the circumstances in which the expulsion of a seriously ill foreign national who did not have leave to remain in the UK would amount to inhuman/degrading treatment contrary to Article 3 ECHR, having regard to the recent judgment of the Grand Chamber of the European Court of Human Rights on this issue in *Paposhvili v. Belgium*.

Patel & Shah v. Secretary of State for the Home Department **[2020] 1 W.L.R. 228**
Concerning the approach to determining whether a non-EU citizen carer of a dependant EU citizen (usually, but not always, a non-EU parent of an EU citizen child) has a 'Zambrano' right of residence under EU law in their host EU member state – in

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particular following the CJEU's recent decision in Case C-133/15 *Chavez – Vilchez*.

Transport for London v. London Borough of Southwark **[2018] 3 W.L.R. 2059**

Concerning the extent of interests in London's roads that were transferred from London local authorities to TfL upon the latter's creation by statute in 2000, an issue which turns on important issues of highway law.

R (HC) v. Secretary of State for Work and Pensions **[2017] 3 W.L.R. 1486**

Concerning whether and in what circumstances a non-EU citizen with a Zambrano right to reside in the UK as the primary carer of a dependant EU national is entitled under EU law to social benefits to which UK citizens and EU citizens with a right to reside in the UK are entitled.

Mirga v. Secretary of State for Work and Pensions **[2016] 1 W.L.R. 481**

Concerning the rights of EU nationals to claim benefits in the UK and whether a fact-specific proportionality assessment is required prior to refusing benefits to an EU national who does not otherwise qualify.

R (Cornwall Council) v. Secretary of State for Health **[2016] A.C. 137**

Concerning the assessment of a vulnerable person's ordinary residence for the purpose of identifying which authority is responsible for funding their long term residential care and support under ss.21 & 24 of the National Assistance Act 1948.

R (Heathrow Hub Ltd.) v. Secretary of State for Transport **[2014] 1 W.L.R. 324**

Challenge to the Government's strategy for the High Speed 2 railway line, contained in the January 2012 Command Paper "High Speed Two: Decisions and Next Steps", on the ground that the rejection of a through route via. Heathrow Airport in favour of connecting to Heathrow via a 'spur' link should have been and was not subject to strategic environmental assessment pursuant to the SEA Directive.

R (HS2 Action Alliance Ltd.) v. Secretary of State for Transport **[2014] 1 W.L.R. 324**

Challenge to the Government's January 2012 Command Paper "High Speed Two: Decisions and Next Steps" on the ground that it should have been and was not subject to SEA pursuant to the Strategic Environmental Assessment Directive or, alternatively, that if the terms of the SEA Directive exempted a document of this nature from the requirement for SEA those elements of the Directive are contrary to Art 7 of the Aarhus Convention and should be invalidated.

R (New London College Ltd.) v. Secretary of State for the Home Department **[2013] 1 W.L.R. 2358**

Challenge to the legality of the sponsor licensing regime set up by the Government to regulate educational institutions that admit students from non-EEA countries.

St Prix v Secretary of State for Work and Pensions **[2013] 1 C.M.L.R. 38**

Whether a woman from an EU Member State who, having worked in the UK, gives up work due to the demands of pregnancy remains a "worker" for the purposes of Article 7 of the Citizenship Directive and therefore retains a "right to reside", bringing with it rights to certain benefits.

R (Munir) v. Secretary of State for the Home Department **[2012] 1 W.L.R. 2192**

Whether the Secretary of State has power under the Royal Prerogative to regulate immigration control in ways not provided for by the Immigration Act 1971 or the Immigration Rules produced pursuant to it; and whether the Secretary of State may grant leave under the 1971 Act to a person whose application does not meet the requirements of the Immigration Rules.

R (Alvi) v. Secretary of State for the Home Department **[2012] 1 W.L.R. 2208**

Whether s.3(2) of the Immigration Act 1971, which requires that all changes to the Home Secretary's practice in the

administration of immigration control should be laid in Immigration Rules before Parliament, precludes her from imposing new requirements for leave to enter and/or remain in policy statements that have not been laid before Parliament.

R (Cart) v. Upper Tribunal **[2012] 1 A.C. 663**

Seminal constitutional case concerning whether the Upper Tribunal is amenable to judicial review in cases where no statutory appeal is available, as was the case with the previous tribunals that the Upper Tribunal replaced.

R (Patmalniece) v. Secretary of State for Work and Pensions **[2011] 1 W.L.R 783**

Whether the imposition of a "right to reside" test for social security benefits within the scope of Council Regulation (EC) 1408/71 is compatible with EU anti-discrimination law.

R (Edwards) v. Environment Agency **[2011] 1 W.L.R 79**

Interpretation of the requirement of Article 9 of the Aarhus Convention, as implemented into EU environmental law by the Public Participation Directive 2003/355/EC, that environmental litigation should not be "prohibitively expensive" (referred to the Court of Justice of the European Union).

R (Sainsbury's Supermarkets Ltd) v. Wolverhampton City Council **[2011] 1 A.C. 437**

Concerning the scope of material considerations that may be taken into account by a local authority exercising compulsory purchase powers.

Cases before the Appellate Committee of the House of Lords:

R (Baiai) v. Secretary of State for the Home Department **[2009] 1 A.C. 287**

Test case regarding the compatibility with Article 12 ECHR (right to marry and found a family) to the legislative and policy scheme set up to restrict non-EU/EEA immigrants' ability to marry in the UK.

R (Al-Skeini) v. Secretary of State for Defence **[2008] 1 A. C. 153**

Concerning the extra-territorial effect of the ECHR and Human Rights Act 1998 in which the House of Lords ruled that the relatives of an Iraqi citizen who died whilst in British army custody in Basra in 2003 were entitled to bring proceedings in the English courts under the HRA.

Tribunal Appointments

Charlie has an established and growing practice as a dispute resolver. Since 2025, he has sat part-time in the Judicial Greffe in Jersey, Channel Islands, as an Appeals Inspector hearing planning-related cases. For six years from 2019 until 2025, he sat part-time judicially as a Justice of the Astana International Finance Centre Court in Kazakhstan, delivering 18 judgments and working alongside several distinguished former judges including the Court's three Chief Justices during his term of office: Lord Burnett of Maldon (former LCJ of England & Wales), Lord Mance (former Deputy President of the UK Supreme Court) and Lord Woolf of Barnes (former LCJ and former Master of the Rolls).

He was the Judge in the first AIFC Court case to involve a hearing (Court AIFC » NURSULTAN ALIYEV v PROPORTUNITY MANAGEMENT COMPANY LTD) and in the first AIFC Case to be transferred to the AIFC Court from the domestic courts of Kazakhstan (Court AIFC » SNAB INVEST GROUP LLP v PEASANT FARM BERKENOV ILDAR ZHAMBULOVICH).

He is a Fellow of the Chartered Institute of Arbitrators and a Fellow of the Hong Kong Institute of Arbitrators, with an Advanced Certificate in International Arbitration. He is on the Dubai International Arbitration Centre's Arbitrator List and the Saudi Center for Commercial Arbitration roster of arbitrators. He is an ADR Group Accredited Mediator. In his capacity as a member of the

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House of Lords, he participated in the UK Parliament's consideration and scrutiny of the Bill that became the Arbitration Act 2025.

In the early stages of his career, he spent a year on secondment as a Judicial Assistant to the Law Lords, assisting Lords Nicholls, Rodger and Brown in relation to appeals to the Appellate Committee of the House of Lords (the predecessor to the UK Supreme Court) and to the Judicial Committee of the Privy Council. He also spent 6 weeks as a Judicial Assistant to Stock JA in the Hong Kong Court of Appeal and Litton NPJ in the HK Court of Final Appeal, as a Pegasus Scholar in 2008.

Appointments include:

- Sole arbitrator in a commercial SCCA arbitration in Riyadh (2024).
- Member of a panel of 3 arbitrators in a DIFC-LCIA arbitration in Dubai concerning a £20m+ contractual dispute in the financial sector (2022-2025).
- 18 substantive judgments as Justice of the AIFC Court between 2019 and 2025, on issues ranging from construction contracts, to property disputes, banking and finance, the supply of goods, the status of judgments of the domestic courts of Kazakhstan in proceedings before the AIFC and the principle of ostensible/apparent authority to enter into contractual obligations. All his judgments are available online at Court AIFC » Judgments.
- Appointed expert to determine a high value dispute concerning a development agreement in England (2021-23).
- Expert in dispute relating to the provision of funding pursuant to a development aid agreement between the EU and a third country (2011).

Reported Cases

- Hillside Parks Ltd v Snowdonia National Park Authority [2022] UKSC 30 [2022] UKSC 30
- Planning Appeal Decision - Sarratt Appeal A Ref: APP/P1940/1/22/3311477 and Appeal B Ref: APP/P1940/W/22/3311479
- Chiswell Green Appeal allowed by Secretary of State
- Sandy Park Farm Partnership v Secretary of State for Housing, Communities and Local Government [2026] EWHC 422 (Admin)
- Romal Capital (C02) Limited v Peel L&P (Ports) Limited [2025] EWHC 3016 (Ch)
- C G Fry & Son Limited (Appellant) v Secretary of State for Housing, Communities and Local Government (formerly known as Secretary of State for Levelling Up, Housing and Communities) and another (Respondents) [2025] UKSC 35
- Lord Banner KC: Planning Inspectorate – Horsham Golf Club APP/Z3825/W/24/3355546
- Keep Chiswell Green v Secretary of State for Levelling Up, Housing & Communities & ors CA-2024-002732
- Planning Appeal Decision - Against North Somerset Council APP/D0121/W/24/3343144
- Keep Chiswell Green v Secretary of State for Levelling Up, Housing and Communities [2024] EWHC 2723

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- House v Waverly BC & Anor [2023] EWHC 3011 (Admin)
- Planning appeal decision against the decision of Bath & North East Somerset Council Appeal Ref: APP/F0114/W/22/3300847
- Planning appeal decision against the decision of Bristol City Council Appeal Ref: APP/Z0116/W/22/3308537
- Homes England Prevail In The Battle Of Brislington Meadows APP/Z0116/W/22/3308537
- A Recharge One' In The South Downs National Park Allowed On Appeal Appeal Ref: APP/Y9507/W/22/3308885
- Appeal Allowed For 140 Dwelling Development In Bramley, Hampshire Appeal Ref: APP/R3650/W/22/3300262
- Planning appeal decision against the decision of Waverley Borough Council Appeal Ref: APP/R3650/W/22/3300262
- Royal Borough Of Windsor and Maidenhead v Wates Development [2022]
- Planning appeal decision against the decision of Exeter City Council APP/Y1110/W/22/3296946
- Planning appeal decision against the decision of Chichester District Council APP/L3815/W/22/3291160
- Fratila v Secretary of State for Work & Pensions [2021] UKSC 53
- Planning Appeal Decisions: Whitstable Oyster Fishery Company
- R (Stonewater (2) Ltd) v. Wealden District Council [2021] EWHC 2750 (Admin)
- Abbotskerswell Parish Council v. Secretary of State for Housing, Communities and Local Government [2021] EWHC 555 (Admin)
- Monkhill Ltd v Secretary of State for Communities and Local Government [2021] EWCA Civ 74
- Fratila & Tanase v Secretary of State for Work and Pensions [2020] EWCA Civ 1741
- AM (Zimbabwe) v Secretary of State for the Home Department [2020] UKSC 17
- R (Fratila & Tanase) v Secretary of State for Work and Pensions [2020] EWHC 998 (Admin)
- R (Plan B Earth, Friends of the Earth, London Borough of Hillingdon & others) v. Secretary of State for Transport [2020] EWCA Civ 214
- R (Heathrow Hub Ltd) v. Secretary of State for Transport [2020] EWCA Civ 213
- R (Ross & Sanders acting on behalf of Stop Stansted Expansion) v. Secretary of State for Transport [2020] EWHC 226 (Admin)
- Patel & Shah v. Secretary of State for the Home Department [2020] 1 W.L.R. 228 (SC)
- RSPB, Friends of the Earth and Leigh Day v. United Kingdom ACCC/C/2017/156
- Arora Management Services Ltd v Heathrow Airport Ltd & Hillingdon LBC [2019] 5 C.M.L.R. 24 (ChD)
- Monkhill Ltd. v. Secretary of State for Housing, Communities and Local Government [2020] P.T.S.R. 240
- Arora Management Services Ltd. Heathrow Airport Ltd [2020] EWHC 79 (Ch)

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Other information

Education & Professional Career

- 2024 – House of Lords
- 2021 – Fellow of the Hong Kong Institute of Arbitrators
- 2020 – Fellow of the Chartered Institute of Arbitrators
- 2020 – Keating Chambers
- 2019 – Justice of the Astana IFC Court (part-time)
- 2019 – Appointed Queen's Counsel
- 2017 – Full Registered Foreign Lawyer, Singapore International Commercial Court
- 2016 – CIArb Advanced Certificate in International Arbitration
- 2015 – Part II Registered Lawyer, Dubai IFC Court
- 2015 – ADR Group Accredited Mediator
- 2010 – Called to the Bar of Northern Ireland
- 2008 – Pegasus Scholarship in Hong Kong (2 month secondment to Mayer Brown JSM's planning, environment, real estate and construction team, & 6 week secondment as a Judicial Assistant in the HK Court of Appeal and Court of Final Appeal)
- 2005-2006 – 12 month secondment to the House of Lords as a Judicial Assistant to the Law Lords
- 2004-2020 – Landmark Chambers
- 2004 – Called to the Bar of England & Wales
- 2004 – Postgraduate Diploma in EC Law, King's College London
- 2003 – Postgraduate Diploma in Law, City University London
- 2002 – BA(Hons) & MA(Oxon) Literae Humaniores, Oxford University

Additional Information

Charlie enjoys running, football, cricket, boxing, travel, theatre, contemporary art, rock music and cars (full member of the Goodwood Road Racing Club). He has run 11 London Marathons and has climbed two of the Seven Summits as well as several other mountains. He is a Fellow of the Royal Geographical Society. He skis badly but enthusiastically, much like his guitar playing. He is an ally of Sir Brian May's animal welfare charity, the Save Me Trust. As part of a British-Ukrainian family, he enjoys championing Ukrainian causes and is the Patron of the Restart Foundation, a charity focused upon improving mental health in Ukraine. He is a Trustee of Prism the Gift Fund (a facilitator for charitable giving by HNWs, groups and foundations).

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Memberships

- Administrative Law Bar Association
- Bar European Group
- Chancery Bar Association
- COMBAR
- Parliamentary Bar Mess
- Planning and Environmental Bar Association (Elected Committee Member, 2020-present)
- Procurement Lawyers' Association
- TECBAR
- UK Environmental Law Association (Trustee & Council Member, 2016-2020)
- UK National Infrastructure Planning Association
- UK State Aid Law Association

Recommendations

"Charles Banner is exceptional. He has a very good client-facing manner including very good access and rapid response times. This is backed up by extensive technical aptitude, excellent advocacy skills and commerciality."

Planning, Chambers & Partners UK Bar 2027

"Charles has a very impressive practice in written advice."

Planning, Chambers & Partners UK Bar 2027

"Charles is excellent on strategy. I think he is one of the foremost court advocates. He's also the most responsive and approachable and easy to deal with barrister at planning bar."

Planning, Chambers & Partners UK Bar 2027

"He is an excellent advocate, is able to make complex appeal simple and persuasive - the greatest skill of advocacy."

Planning, Chambers & Partners UK Bar 2027

"Charles Banner is exceptional. He has a very good client-facing manner, including very good access and rapid response times. This is backed up by his extensive technical aptitude, excellent advocacy skills and commerciality."

Environment, Chambers & Partners UK Bar 2027

"Charles Banner wants to be available and take on work. He is very happy to engage and direct matters."

Environment, Chambers & Partners UK Bar 2027

"Excellent public law specialist, very good with clients, super responsive and easy to deal with."

Public Procurement, Legal 500 UK Bar 2027

"Charlie is eminently approachable, indefatigably cheerful, unfailingly polite and easy to deal with. The range of matters upon which he is able to advise is broad and diverse."

Administrative & Public Law, Chambers & Partners UK Bar 2026

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"Charles is an impressive advocate on environment matters."

Environment, Chambers & Partners UK Bar 2026

"Charles is a very strategic thinker, incisive and user-friendly. He is very hard-working and clearly has a level of expertise way beyond anybody else."

European Law, Chambers & Partners UK Bar 2026

"Charles brings lots of energy. He's very bright and capable, as well as hard-working."

Local Government, Chambers & Partners UK Bar 2026

"Charles is accessible to his clients in a way that is rare at his level. He is very responsive to emails and calls."

Local Government, Chambers & Partners UK Bar 2026

"Charlie is an excellent advocate with deep awareness of how planning decisions can be influenced through a combination of forensic analysis, decisions in other cases, and compelling presentation."

Planning, Chambers & Partners UK Bar 2026

"Incredibly sharp and tenacious. As an advocate he is quick thinking and highly adaptable to suit the case, judge and his opponent. There are very few with more experience in the Supreme Court."

Legal 500 UK Bar

"Charles is a fantastic advocate. He is extremely responsive and very impressive with clients."

Administrative Law and Human Rights, Legal 500 UK Bar 2025

"He is super-bright and super-responsive."

Energy, Legal 500 UK Bar 2025

"Super bright, responsive and client-friendly. Charles is an all round superstar of the bar in more ways than one. He has unrivalled Supreme Court experience, making him the go to for court advocacy."

Planning, Legal 500 UK Bar 2025

"Very concise and to the point. Excellent ability to absorb large amounts of data and present a straight forward compelling analysis. Is also very good with clients."

Public Procurement, Legal 500 UK Bar 2025

"Charles is simply superb. He is a great advocate, he has an uncanny ability to read to room and adjust his argument accordingly. He is always on top of his brief and clients love his clear, unambiguous advice."

European Union Law, Legal 500 UK Bar 2025

“One of the real all-round talents at the Bar, he is an adaptable practitioner with a very strong profile”; “Charlie is at the top of the profession”; “Hugely energetic, enthusiastic and a real pleasure to work with.”

Legal 500 UK Bar

“Incredibly sharp and tenacious. As an advocate he is quick thinking and highly adaptable to suit the case, judge and his opponent. There are very few with more experience in the Supreme Court.”

Legal 500 UK Bar

”An undoubted intellect who quickly understands a problem and offers solutions.”

Legal 500 UK Bar

“Responsive, proactive, willing to lead to draft, great advocate and strategist. Charles is brilliant on all counts; excellent oral and written advice and outstanding advocacy skills. He is very likeable as well.”

Legal 500 UK Bar

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“A brilliant advocate”

Chambers & Partners UK Bar

“He’s superb. Great with clients: no jargon, no airs and graces, just got stuck in and understood the tactics. He’s brilliant.”

Chambers & Partners UK Bar

“Charles is adept with clients and has really good judgement.”

Chambers & Partners UK Bar

“He is very commercially aware and he thinks about the legal outcome as well as the real world commercial outcome.”

Chambers & Partners UK Bar

“One of the best court advocates I’ve seen”

Planning Magazine Legal Survey

"He can turn around anything and everything."

Administrative & Public Law, Chambers & Partners UK Bar 2025

"Charles is very versatile."

Administrative & Public Law, Chambers & Partners UK Bar 2025

"Charles provides very commercial, contextual advice and has a great understanding of the law."

Environment, Chambers & Partners UK Bar 2025

"I have been impressed with the depth and breadth of his thinking and the quality of his work."

Local Government, Chambers & Partners UK Bar 2025

"He gets to the heart of the matter quickly, is commercial and is always available."

Planning, Chambers & Partners UK Bar 2025

"Charles is an excellent strategist and a brilliant advocate."

Planning, Chambers & Partners UK Bar 2025

"Charles is always very easy to deal with and he's extremely accessible."

Planning, Chambers & Partners UK Bar 2025

"He probably has more Supreme Court experience than all the other planning barristers."

Planning, Chambers & Partners UK Bar 2025

"Charles is incredibly bright and personable."

Planning, Chambers & Partners UK Bar 2025