



Richard Harwood OBE KC

Joint Head of Chambers

Year of call: 1993 | Silk: 2013

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"Richard is an outstanding advocate and knows the planning system like the back of his hand." Chambers and Partners 2022

Richard specialises in planning, environment, art and public law, acting for developers, landowners, central and local government, individuals and interest groups. He appears in the courts, inquiries, examinations and hearings, including frequently in the Planning Court and appellate courts. He has appeared in many of the leading cases of recent years.

His public law work includes local government, procurement and funding decisions. He also deals regularly with art law, particularly with a regulatory focus.

Richard is the author of the standard suite of planning law books Planning Enforcement, Historic Environment Law, Planning Permission and, as co-author, Planning Policy.

A member of the Bar Library, Belfast, he acts regularly in Northern Ireland. Richard is an Attorney-at-Law in Saint Lucia and has appeared recently in the Eastern Caribbean Court of Appeal.

Areas of expertise

Planning and Property

- Compulsory Purchase and Compensation
- Development Consent Orders and Infrastructure
- High Court Planning Challenges
- Highways, Footpaths and Rights of Way
- Planning Appeals, Hearings and Inquiries
- Planning Applications
- Planning Enforcement
- Planning Policymaking

Art and Cultural Property

Energy

Environment

- Environmental Assessment
- Administrative and Public
- Local Government
- Parliamentary

-- Planning Enforcement

Acts for local authorities, developers and third parties on enforcement matters, including appeals, injunctions and criminal cases. Appeared in the High Court on stop notices, temporary stop notices, revocation of lawful development certificates, discontinuance and failures to enforce.

Author of the standard work, *Planning Enforcement*, which is now in its third edition (2020).

Cases of note

- ***Dill v Secretary of State for Communities and Local Government* [2020] UKSC 20** - The Supreme Court affirmed the right of persons to challenge public law decisions in resisting enforcement. In that case, an inspector could consider whether lead urns were listed buildings in an enforcement appeal.
- ***Haytop Country Parks v Secretary of State for Levelling Up, Housing and Communities* (2017 onwards)** - Appearing for mobile home park operator in seven-day enforcement inquiry with one notice quashed and second challenged in High Court.
- ***Elvington Park v Secretary of State for Communities and Local Government* [2011] EWHC 3041 (Admin), [2012] J.P.L. 556** - Intensification of motor sports activity on an airfield.
- ***R(Sherdian) v Basildon District Council* [2011] EWHC 2938 (Admin)** - The Dale Farm travellers case, involving direct action against a large travellers site.
- ***Castelite Ltd v Secretary of State for Communities and Local Government* [2016] EWHC 1479 (Admin)** - Inspector's erroneous conclusion that permission had expired.
- ***R (Renaissance Habitat) v West Berkshire Council* [2011] JPL 1209** - Judicial review proceedings challenging the enforcement of planning obligations.

Recommendations

*"A superb technical lawyer. His opinions carry weight due to reputation and the various books that he has written on various aspects of the subject. He is also willing to be creative in finding solutions and to work with a team. A very strong litigator."*The Legal 500 (2021)

*"He is extremely knowledgeable and swift to provide assistance and advice."*Chambers and Partners (2022)

*"An acknowledged expert and brilliant on listed buildings and heritage issues, he is a superb technical lawyer whose opinions carry weight."*The Legal 500 (2021)

*"Top of the class knowledge of the subject combined with good pragmatic advice means Richard is a go-to barrister in this field."*Chambers High Net Worth (2022)

*"Richard is an outstanding advocate and knows the planning system like the back of his hand."*Chambers and Partners (2022)

*"He always gives excellent and clear advice."*Chambers and Partners (2022)

Memberships

- Administrative Law Bar Association
- Bar European Group
- Compulsory Purchase Association
- Institute of Art and Law
- National Infrastructure Planning Association
- Planning and Environment Bar Association
- Professional Advisers to the International Art Market
- UK Environmental Law Association

Qualifications

Education

- 1988-1992 Jesus College, Cambridge, Double First in Law, MA LLM

Scholarships and prizes

- 1990 Jesus College Scholarship
- 1990 E.C.S. Wade Prize for Administrative Law, University of Cambridge
- 1991 Squire Scholarship, University of Cambridge
- 1992 Astbury Scholar and Harmsworth Entrance, Middle Temple

Additional information

Appointments and offices held

- 2004-2010, Member, Advisory Panel on Standards for the Planning Inspectorate (appointed by the planning minister)
- 2007-2010, Deputy Chair, Advisory Panel on Standards for the Planning Inspectorate
- 2015-2016, Member, Local Plans Expert Group (appointed by the planning minister)
- 1998-2006, councillor in a London borough
- 2014: Awarded an OBE for services to planning and environment law decision-making
- 2019 - Joint Head of Chambers, 39 Essex Chambers

Publications

- Planning Enforcement (3rd Edition), Bloomsbury Professional, May 2020 (previous editions, 1996, 2012)
- Planning Policy (with Victoria Hutton), Bloomsbury Professional, January 2018
- Planning Permission, Bloomsbury Professional, February 2016
- Historic Environment Law, Institute of Art and Law October 2012, Supplement May 2014
- Contested Heritage – Removing art from land and historic buildings (with Catherine Dobson and David Sawtell), Law Brief Publishing, May 2022
- Journal of Planning and Environment Law – Case commentator Sweet & Maxwell 2000-2021 Halsbury's Laws of England, Planning (Vols 81, 82, 83) (consultant editor), 2018

- Local Government Contracts and Procurement (contributor) Tottel May 2007
- Planning and Compulsory Purchase Act 2004: A Guide to the New Law (co-author) Law Society 2005
- Contaminated Land: Property Transactions and the New Regime (co-author) EMIS 2000
- Archaeology in Law (contributor) Sweet & Maxwell 1996

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