



Christiaan Zwart

Year of call: 1997

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"Excellent" The Legal 500 2022

An *"insightful and steely streetfighter"* with over 20 years' experience, Christiaan is ranked as a Leading Junior in Tier 1 and was shortlisted for Planning Junior of the Year by The Legal 500 2022.

Christiaan is an Infrastructure (including DCO), Planning and Heritage, Compulsory Purchase, Environment, Energy, and Tax lawyer practicing in multiple jurisdictions, namely England, Wales, Jersey and Hong Kong. Christiaan also advises on these areas within the Transport, Construction, Commercial, Inquiries, Judicial Review, and Investigations, Regulatory and Disciplinary, Administrative and Public, and Information and Media spheres.

Christiaan has represented an impressive range of clients, such as Exxon Mobil, BP, Swift Energy, Bouygues, Stanstead Airport, The Environment Agency, Historic England, Natural Resources Wales, HMRC, developers including housebuilders such as Bellway, a number of well-known Retail giants, local authorities such as The City of Westminster and Uttlesford District Council, and government agencies.

As an Infrastructure Barrister Christiaan has significant expertise in DCOs, their promotion and regulation, advising the Examining Authority and Secretaries of State, objecting to them, at Hearings and the Courts.

As a Planning, Environment and Energy Barrister Christiaan has considerable experience in all development and regulatory matters..

As a Tax Barrister, Christiaan's expertise encompasses development and environment-related Taxes including CIL, VAT, Landfill Tax, and Aggregate and Climate Change Levies.

Christiaan's practice includes the following areas of expertise:

- Planning and Property
- Environment
- Energy and Natural Resources
- Construction
- Administrative and Public
- Inquiries and investigations
- Commercial
- Regulatory and Disciplinary
- Information and Media

Areas of expertise

- Art and Cultural Property
- Aviation and Aerospace
- Compulsory Purchase and Compensation
- Development Consent Orders and Infrastructure
- High Court Planning Challenges
- Highways, Footpaths and Rights of Way
- Planning Policy Making
- Planning Applications
- Planning Appeals, Hearings and Inquiries
- Planning Enforcement

Energy and Natural Resources

- Biomass and Energy from Waste
- Electricity
- Nuclear Energy
- Oil and Gas
- Renewables
- Water

Environment

- Biomass and Energy from Waste

Christiaan has an established practice in Biomass and Energy from Waste projects. Christiaan regularly acts on these types of projects, examples of which include:

- Christiaan represents The Environment Agency on its environmental permitting of a proposed biomass development in Cumbria. Two component parts of this contentious development are described as the world's largest recuperative multi-fuel thermal oxidizers, one run on meat and bonemeal solid biomass. The biomass emissions are conveyed at such high temperatures that result in no material capable of engendering high intensity offensive odours. The energy produced was fed back into the plant. Christiaan's advice included issues relating to whether the environmental permit had been lawfully granted, integrated pollution control, the relation between environmental permitting and planning development control, and European legislation on the incineration of hazardous waste.
- Christiaan acted for the developer in the promotion and consenting of an Energy from Waste facility under permitted development rights. The facility used hazardous medical waste from a range of hospitals in South West England.
- Advising The Environment Agency on the environmental permitting controls for the waste inputs to an Energy from Waste facility in England, primarily fuelled by incinerator bottom ash. Christiaan advised on the legal and technical controls of the ash fuel, and related permitting control issues to avoid litigation.
- Acting for the landowner residential developer in the Rookery South (Resource Recovery Facility) Development Consent Order 2011 for an Energy from Waste facility. Issues included the financial depreciation of land values due to stack emissions affecting land down-wind, and the lawfulness of the baseline for the proposal.

- The underlying lawfulness of Energy from Waste development in the green belt under the Town and Country Planning regime. Christiaan advised Bath and North East Somerset as the permitting local planning authority, on the lawfulness of a pre-existing but unlawful Energy from Waste facility situated above a landfill at Queen Charlton Quarry in 2022.
- Christiaan acts on a range of environmental permitting appeals relating to biomass and Energy from Waste facilities, including in-depth scrutiny and testing of environmental permit controls to avoid nuisance, including odour, plume effects, other detailed environmental impacts.

Recommendations

- "Christiaan consistently delivers KC quality at Junior rates"
- "Really insightful"
- "A streetfighter ... goes through brick walls for clients"
- "Thinks outside of the box to secure the client's objective"
- "Always packs a punch and our clients love him"

Qualifications

- Bar Vocational Course, Inns of Court School of Law, Scholarship Inner Temple
- CPE, City University
- RIBA Part III, & double first in Architecture, Newcastle University

Memberships

- CPA
- SCL
- NIPA
- PEBA
- UKELA
- TECBAR
- COMBAR

Appointments

Appointed to the Attorney General's (Treasury) B panel in March 2010

Appointed to the Attorney General's (Treasury) C panel in March 2004

Prince of Edinburgh Scholar, Inner Temple

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