



## Peter Village KC

Year of call: 1983 | Silk: 2002

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*"Whenever I want something really clear, punchy and commercial, he is my first port of call. He is enormous fun to work with."* Chambers and Partners

*"Absolutely on the detail of the case: very commercial, a clear thinker, and huge fun to work with."* The Legal 500

The principal areas of Peter Village KC's practice are planning and environmental law, compulsory purchase and related public law and commercial disputes. His planning practice covers the full range of developments including residential, retail, airports and infrastructure projects.

Peter has been a planning and environmental law litigator since he started at the bar. He was recognised by Chambers and Partners as their '**Planning & Environment Silk of the Year**' in 2012. He is acclaimed for his tenacious and robust advocacy and his determination to see his clients win.

## Areas of expertise

Planning and Environment

Aviation and Aerospace

## Planning and Environment

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*"He is very good in court, and his ability to cross-examine and forcefully argue is very impressive."* Chambers and Partners

*"A formidable opponent with a hugely impressive success rate in the Planning Court."* Chambers and Partners

Peter played a central part in the most important planning litigation of recent years - CALA Homes - and masterminded the successful challenge to the Secretary of State's decision to revoke Regional Strategies (CALA No 1). He also led the CALA team in CALA No 2, (Court of Appeal - materiality of the impending revocation of Regional Strategies) and CALA No 3 (successful challenge to the Secretary of State's decision to refuse planning permission on the appeal). Peter acted at the planning appeal and advised on the redetermination. This all culminated in the grant of planning permission to CALA in October 2012 for its 2000 dwelling and associated retail development in Winchester.

Peter acts for the UK's leading volume house builders including Taylor Wimpey, Persimmon, Barratt, Berkeley Group, and Redrow. He also acts for specialist developers such as City and Country and Commercial Estates Group. In 2012, in addition to CALA, he successfully acted for the developers of land north east of Harlow (1,100 units) and he successfully acted for Persimmon and Taylor Wimpey on their proposals at North East Sector, Crawley (1,900 units). He has unrivalled experience in large scale residential development in the UK and has been at the forefront of the leading cases on affordable housing: see eg *Blyth Valley v Persimmon Homes*[2008] EWCA Civ 861 in which he acted for the successful developer.

During 2011 he acted for the developers in three separate housing development appeals for volume housebuilders in Leeds, at Boston Spa, Allerton Bywater and Grimes Dyke. In each case the appeal was allowed with costs.

Peter also acts for retailers and on retail developments. In 2012 he acted for the Fitwilliam Malton Estate in its proposals for the redevelopment of the cattlemarket site in Malton, North Yorkshire, in the teeth of opposition from the Council (that had resolved to grant planning permission for a larger edge of centre store on its own land). The appeal was allowed with an award of costs in his client's favour.

Peter is leading counsel of choice for many clients seeking to challenge the grant of planning permission by judicial review. He is presently acting for Commercial Estates Group on its development proposals in Lancaster.

Peter also acts in planning related commercial cases, usually involving high value land disputes. In 2012 he acted for landowners in a multi-million pound claim for misrepresentation and breach of contract. The trial settled on confidential terms after six weeks and at the end of Peter's cross-examination of the Defendant's witnesses of fact. In 2011 he successfully acted for Hampshire County Council on its claim for a declaration in respect of re-payment of money due under a s.106 Agreement against Beazer.

With respect to environmental law, Peter continues to act in the most high profile cases. He successfully appeared for the Environment Agency in its defence of the claim by Tiny Rowland and his wife with respect to public rights of navigation on the River Thames (*Rowland v Environment Agency*[2003] EWCA Civ 1885); and he recently successfully acted against the EA in a claim by his clients, the Manchester *Ship Canal Company and Peel Holdings* [2012] EWHC 1643, with respect to a challenge to the flood mapping as undertaken by the EA, which had the effect of sterilising Peel's very substantial land holdings. (The Court of Appeal will hear the EA's appeal in 2013.) He also acted twice in judicial review claims (both times successfully) on behalf of Capel Parish Council and local residents, in resisting proposals for a waste incinerator in Capel.

Peter also acted for the successful Defendant in the case of *Morgan & Baker v Hinton Organics* a claim for nuisance arising from an organic waste composting site operated by the Defendant, which was dismissed after a trial lasting two weeks.

Peter acts in many compulsory purchase and compensation cases. He acted for Birmingham City Council and Hammerson in promoting the Bull Ring CPO case. He successfully appeared for Guinness in the Guinness v Railtrack "ransom" arbitration and subsequent Court of Appeal proceedings.

### Cases of note

- *The Manchester Ship Canal Company Ltd & Anor, R (on the application of) v Environment Agency* Jun 2012, Judicial review
- *Threadneedle Property Investments Ltd & Anor v Southwark Borough Council & Anor* Mar 2012, Planning appeals - High Court, Judicial review
- *Ashley, R (on the application of) v Secretary of State for Communities and Local Government & Ors* Mar 2012, Planning appeals - High Court
- *Taylor Wimpey (South West Thames) Ltd. v Secretary of State for Communities and Local Government & Anor* Oct 2011, Planning appeals - High Court
- *R (Cala Homes (South) Limited) v. Secretary of State for Communities and Local*

*Government (Cala Homes II)* Feb 2011, Planning appeals - High Court

- *Great Trippetts Estate Ltd v Secretary of State for Communities & Local Government & anr* Jan 2011, Planning appeals - High Court, Local government bodies
- *R (Cala Homes (South) Limited) v. Secretary of State for Communities and Local Government* (Cala Homes I) Nov 2010, Planning appeals - High Court
- *Taylor Wimpey & Persimmon* Sep 2010, Planning inquiries
- *Barratt Developments Plc v The City of Wakefield Metropolitan District Council & Anor* Jul 2010, Planning appeals - High Court
- *Great Trippetts Estates Ltd. V SSCLG* Jun 2010
- *Robert Hitchins Ltd v Secretary Of State For Communities And Local Governmen t* May 2010, Planning appeals - High Court
- *Brown, R (on the application of) v Stobart Air Ltd.* May 2010, Planning appeals - High Court
- *Ashtenne Industrial Fund Ltd Partnership & Anor v Secretary of State for Communities and Local Government & Anor* Jul 2009, Planning appeals - High Court
- *Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities & Ors* Mar 2009, Planning appeals - High Court
- *Capel Parish Council v Surrey County Council* Mar 2009, Planning appeals - High Court, Judicial review
- *Taylor Wimpey UK Limited and Beazer Homes Reigate Limited v Crawley Borough Council* Oct 2008, Planning appeals - High Court
- *West Midlands International Airport Ltd v Secretary of State for Communities and Local Government & Ors* Oct 2008, Planning appeals - High Court
- *Persimmon Homes (North East) Ltd., Barratt Homes Ltd and Millhouse Developments Ltd v Blyth Valley Borough Council* Jul 2008, Planning appeals - High Court, Judicial review
- *Samuel Smith Old Brewery (Tadcaster) (an Unlimited Company) v (1) The Secretary of State for Communities and Local Government (2) Selby District Council (3) Uk Coal Mining Limited* Jun 2008, Judicial review
- *Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities and Local Government & Ors* Jun 2008, Planning appeals - High Court
- *MA Holdings Ltd v George Wimpey UK Ltd, R (of the Application of) & Anor* Jan 2008, Planning inquiries
- *George Wimpey UK Ltd v Tewkesbury Borough Council* Apr 2007, Planning appeals - High Court
- *George Wimpey UK Ltd., R (on the application of) First Secretary of State* Feb 2007, Planning appeals - High Court
- *George Wimpey Southern Ltd v Arun District Council (2007)* Jan 2007, Planning inquiries
- *Coventry Airport Inquiry* Jan 2006, Planning inquiries
- *Regina (Martin Grant Homes Ltd and Another) v Wealden District Council* Nov 2005, Planning appeals - High Court, Judicial review
- *George Wimpey UK Ltd (R on the application of) v First Secretary of State & Castle Morpeth Borough Council* Sep 2004, Planning appeals - High Court, Judicial review
- *National Carparks Ltd v Baird (Valuation Officer)* Jul 2004, Human rights & civil liberties, Local government bodies, Rating
- *Berkeley Homes, Potters Field, Southwark* Jul 2004, Planning inquiries

- *Isle of Man: housing* Apr 2004, Planning inquiries
- *Village Green* Apr 2004, Planning inquiries
- *Evans v First Secretary of State and London Metropolitan University* Oct 2003, Environmental impact assessment, Planning appeals - High Court
- *Railtrack v Guinness PLC* Feb 2003, Compulsory purchase
- *R (Orchard) v Secretary of State for the Home Department* Jan 2003, Planning appeals - High Court
- *Peel Investments, RAF Finningley* Jan 2003, Planning inquiries
- *Rowland v Environment Agency* Dec 2002, Human rights & civil liberties, Judicial review, Highway law, Rights of way
- *R (Adriano) v Surrey CC* Nov 2002, Environmental impact assessment, Judicial review
- *R v Selby DC ex p Samuel Smith Old Brewery* Jul 2000, Planning appeals - High Court, Judicial review
- *Tesco Stores Ltd v North Norfolk District Council* /Sep 1997, Planning appeals - High Court

## Recommendations

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Peter is recommended as a Leading Silk (Band 1) in Planning Law by Chambers and Partners. The Legal 500 also recommends him as a Leading Silk in Planning Law.

He is a top ranked Silk in the annual Planning Magazine Survey.

- *"Whenever I want something really clear, punchy and commercial, he is my first port of call. He is enormous fun to work with."* Chambers and Partners
- *"Absolutely on the detail of the case: very commercial, a clear thinker, and huge fun to work with."* The Legal 500
- *"A top-notch leading counsel with strong cross-examination skills, whose commitment is exceptional."* Chambers and Partners
- *"A very effective advocate with a good strategic brain, who is very commercial in his dealings with clients."* Chambers and Partners
- *"Has a great ability to get on top of a huge volume of factual information"* The Legal 500
- *"A force of nature – the man to go to if you have a very difficult case."* Chambers and Partners
- *"Very robust and committed to the client's cause. A real street fighter when the chips are down."* Chambers and Partners
- *"Simply fantastic to work with, and delivers an excellent service to clients."* The Legal 500
- *"A passionate and effective advocate, who is enthusiastic and committed to his clients' cause." "He is very robust. He doesn't take any nonsense, is user-friendly, is very direct and to the point, and quickly gets to the nub of the issue."* Chambers and Partners
- *"received unanimous praise from interviewees for being a 'highly skilled advocate who quickly identifies the relevant issues and works well within a team.'" Chambers and Partners*
- *"His "robust advocacy" means he "remains a go-to presence at the Bar,"* Chambers and Partners
- *"He is fiercely loyal to his clients and regularly delivers work of the highest quality."* Chambers and Partners
- *"a tenacious advocate with a keen eye for weaknesses in the opposition's arguments."* Chambers and Partners
- *"absolutely excellent, [he] has the ability to dissect an argument from the other side's point of view"*

*and always has a well-rounded view of case*"Chambers and Partners

- *"a fiercely loyal and highly effective advocate who performs to a consistently high level for many extremely important clients"*Chambers and Partners
- *"quite simply a winner, devastating on his feet, and absolutely compelling, [he has] brilliant cross examination skills and can absorb rooms full of documentation with ease"*Chambers and Partners
- *"a tremendous and aggressive advocate, who doesn't beat around the bush, and is hands-on from the start. As one client put it: in my darkest hour he never lost his determination to win the case for me"*Chambers and Partners
- *"impressive commercial acumen, he is seen as a "go to" guy for any significant housing development"*The Legal 500

## Appointments

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- Appointed by the Chairman of the Bar to the Bar Council/Law Society Joint Tribunal on Fees Disputes.
- Governor, Repton School

## Memberships

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- ALBA
- PEBA
- Compulsory Purchase Association

## Qualifications

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- Repton
- Leeds University
- Inns of Court School of Law

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