



## Celina Colquhoun

Year of call: 1990

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*“Celina is a skilful advocate who is able to build rapport with instructing solicitors and wider client teams. She is an impressive cross-examiner – she is thorough and thinks strategically.”* The Legal 500 2023 and 2024 - Tier 1

*“Celina is dedicated, very analytical and keen for precision...She is very much considered to be a leading figure in the legal planning world.”* Chambers Directory 2023 and 2024 - Tier 5

Celina Colquhoun specialises in all aspects of planning and environmental law, including in particular highways, DCO, and CPO matters and has experience in licensing as well. Her practice also involves a considerable degree of wider Administrative and Local Government Law.

Celina is consistently recognised by The Legal 500 and in Chambers Guide for Planning and is rated by Planning Magazine's Legal Survey as amongst the UK's top planning juniors. She was chosen by Planner Magazine as a Women of Influence in March 2022.

She appears extensively as an advocate in public inquiries and hearings as well as in the High Court and Court of Appeal.

Celina acts for and advises a very wide range of public bodies and private parties in relation to the to all forms of development, from application stage to appeal as well as planning enforcement matters and the promotion of or objection to development related Orders.

She is also a RICS Accredited Mediator.

In July 2020 Celina was appointed as a member of the six person panel constituting the Government's Independent Review of Administrative Law (IRAL) chaired by Lord Faulks. This reported to the Government in early 2021 leading ultimately to changes to Judicial Review legislation.

Celina is an elected member of the Bar Council. She is Co-Chair of the Bar Council's European Committee and Co-Vice Chair of the Bar Council's Law Reform Committee. She is also an active member of the Bar Council's Climate Crisis Working Group.

## Areas of expertise

## Planning and Property

- Aviation and Aerospace
- Compulsory Purchase and Compensation
- Development Consent Orders and Infrastructure
- High Court Planning Challenges
- Highways, Footpaths and Rights of Way
- Planning Policymaking
- Planning Enforcement and Lawful Development Certificates

## Environment

## Energy and Natural Resources

## Planning and Property

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Celina regularly acts for and advises local authority and private sector clients in all aspects of Planning and Environmental law including the Community Infrastructure Levy (CIL) regime, Highways Law, Sewers and Drains and National Infrastructure. She appears in Planning Inquiries representing appellants; planning authorities and third parties as well as in ; the High Court and the Court of Appeal in respect of statutory review challenges and judicial review cases. She also undertakes both prosecution and defence work in respect of planning and environmental enforcement in Magistrates' and Crown Courts as well as Enforcement Notice appeals. She specialises in all aspects of Compulsory Purchase and compensation, acting for and advising acquiring authorities seeking to promote such Orders or objectors and affected landowners. Her career had a significant grounding in national infrastructure, airports and highways projects and she continues those specialisms today.

### Cases of Note:

- ***Atwill v New Forest National Park Authority [2023] EWHC 625 (Admin)*** acted for successful claimant granting her claim for judicial review against the Authority's decision to grant permission purportedly pursuant to section 73 of the Town and Country Planning Act 1990 for an amended dwelling in the face of enforcement action against an existing one. The Claimant was successful on all but one of her seven grounds of claim which involved inter alia the impact of an unlawful building upon the question of lawful implementation (applying *Commercial Land* [2002] EWHC 1264 (Admin) ) : the remit of a s73 (applying the CA's judgement in *Finney* [2019] EWCA Civ 1868 and recent decision in *Armstrong* [2023] EWHC 176 (Admin); enforceability of conditions and application of a s73(5).
- ***R (oao AQUIND Ltd – v - Secretary of State for Business, Energy and Industrial Strategy and Portsmouth City Council [2023] EWHC 98 (Admin)*** – acted for Portsmouth as Interested Party having acted for them before the Examining Authority objecting to DCO for subsea and underground bi-directional electric power transmission link between the south coast of England and Normandy in France. S118 Planning Act 08 challenge by Aquind following SofS's decision to refuse to grant DCO. Matter is currently remitted to SofS following quashing of decision.
- ***R. (oao Braithwaite and Melton Meadows Properties Ltd) v East Suffolk Council Court of Appeal (Civil Division) [2022] EWCA Civ 1716*** – acted for housing developer appellant in JR challenge of CIL Liability Notice and Demand Notice issued after earlier notice had been issued late in breach of CIL Reg 65(1) but had not been challenged at the *(R (oao Trent) v Hertsmere Borough Council [2021] EWHC 907 (Admin)* was distinguished).
- **Appeal Ref: APP/M1005/W/22/3299953 - Land north west of Hall Farm, Church Street, Alfreton DE55 7AH decision December 2023** – acted for appellant promoting large solar farm of 49.9 MW on 75 Ha site. Issues raised included harm to designated and non designated heritage

assets; impacts upon special needs school; amenity and landscape impact approach.

- **Appeal Ref : APP/V3120/W/20/326546 Land at 31-33 The Causeway, Steventon OX13 6SE** acted for planning authority resisting outline self build scheme
- **Appeal Ref : APP/V3120/W/20/3261691- land off Lower Road, Chilton, OX11** – acted for planning authority resisting outline self build scheme.
- ***UBB v Essex County Council* [2019] EWHC 1924 (Admin)** – acted for UBB led by James Strachan KC in a successful JR challenge by waste developer/operator to Lawful Development Certificate decision in favour of Waste Authority – parallel contractual claim in Technology and Construction Court led by Martin Kingston KC; David Turner KC);
- ***Binning Property Corp Ltd v Secretary of State for Housing, Communities and Local Government* [2019] EWCA Civ 250 ;[2019] 2 WLUK 472;[2019] J.P.L. 844** – acted for appellant seeking to challenge an enforcement appeal decision under s289 of the TCPA 1990. Argued before the Court of Appeal that it had jurisdiction to consider an appeal against refusal of permission in the High Court in light of changes to s288 procedure and Aarhus Convention.
- ***R (oao Maynard) v Chiltern DC* [2015] EWHC 3817 (Admin)** – acted for Claimant challenging the making of a Neighbourhood Development Plan which had included his land as a protected community facility contrary to his objections and the examining Inspector's recommendations. The NDP was quashed and the policy designation removed subsequently.

## Recommendations

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Celina Colquhoun has been recognised as a leading junior by Chambers & Partners since 2008 and The Legal 500 since 2010

- *"Celina really doesn't waver and is really quick to think on her feet."* Chambers and Partners 2022
- *"She has an enormous breadth of knowledge and experience in planning law. She is a very good with the client, listening patiently and carefully and then explaining in a way that makes complicated law clear and understandable for the client. She is a good team member and to be recommended for all types of planning work."* The Legal 500 2022 – Tier 2
- *"She brings enthusiasm and commitment, with a good depth of knowledge in relation to infrastructure projects."* *"Celina is able to cut through the detail and provide excellent strategic advice to the client."* Chambers and Partners 2021
- *"Highly competent when faced with challenging circumstances."* (Tier 2 London; Tier 1 Midlands) The Legal 500 2020
- *"She is extremely knowledgeable and personable and is our go-to barrister for disputed planning matters."* *"She has been approachable, friendly, committed and effective. She has provided accessible and clear advice to clients. Her knowledge of the law is exemplary and she displays huge stamina during a case."* Chambers and Partners 2019
- *"Unfazed by a challenging situation."* The Legal 500 2019
- *"She is extremely good, particularly with clients and consultant teams, and deals with substantial volumes of work diligently."* *"She has an excellent sense of judgement and is excellent at dealing with senior players in the industry."* Chambers and Partners 2018

## Memberships

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- Planning and Environmental Law Bar Association PEBA
- Compulsory Purchase Association CPA
- National Infrastructure Planning Association NIPA

- Administrative Law Bar Association ALBA
- United Kingdom Environmental Law Association UKELA
- JUSTICE
- Parliamentary Bar Mess PBM - committee member
- BAR COUNCIL elected member – Law Reform Committee (Co-Vice Chair) and European Law Committee (Co-Chair)
- EUROPEAN CIRCUIT of the BAR
- European Law Institute

## Qualifications

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### Education

- 1988 - 89 Inns of Court School of Law (called 1990)
- 1986-1988 University of Buckingham – Law LLB
- 1985- 86 Institut Britannique, Paris

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