



Juan Lopez

Year of call: 2002

Email: juan.lopez@39essex.com

Phone: +44 (0)20 7832 1111

"A driven and incisive advocate." (The Legal 500 UK Bar)

"Particularly thorough and forensic in his approach, he is highly focused, diligent, confident and concise, and gets right to the heart of the issues." (The Legal 500 UK Bar)

"...accessible and tenacious practitioner who has achieved some spectacular results." (The Legal 500 UK Bar)

"He understands the client's needs and is very thoughtful, considered and calm when in conference with clients" (Chambers and Partners UK Bar)

Juan is a specialist in all areas of infrastructure and planning, and in construction, environmental and related commercial claims, disputes, and regulation, with particular emphasis on the energy, transportation, building, waste/recycling and mining/extraction sectors. He has extensive experience across the full breadth of compulsory purchase and valuation/compensation law, minerals, land contamination, highways, and related property, as well as agriculture. He also advises on environmental taxes/levies, including in the areas of energy efficiency, landfill and climate change. Beyond his advocacy, he has a heavyweight litigation and advisory practice, and is instructed in international, high value multi-jurisdictional disputes, often working as part of a multi-disciplinary team, commonly for majors, operators, contractors, private clients and professional teams. He appears before the courts, in inquiries and arbitrations, and examinations. He is ranked as a Leading Junior by Legal 500 UK and Chambers and Partners UK. He also acts in commercial ADR and is an accredited mediator. He is a contributor to leading infrastructure, construction, energy and environmental legal practitioner texts.



Areas of expertise

Planning

- Development Consent Orders and Infrastructure
- Compulsory Purchase and Compensation

Energy and Natural Resources

Construction, Engineering and Infrastructure Disputes

Environment

Commercial

Property

Planning

Juan is ranked as a Leading Junior by Legal 500 UK and Chambers and Partners UK. His practice has encompassed all areas of development promoted under the TCPA 1990. Over his extensive experience in s.78 appeals, he has represented a wide range of infrastructure bodies, developers, landowners/private clients and objectors, in relation to energy, waste/minerals and commercial development, luxury schemes, stadia/leisure uses, largescale regeneration, settlement housing (24 schemes since 2017) and care/extra care. He advises widely on s.106, CIL, option and development agreements and overage (principal and surety) in addition to heavyweight EIA/SEA, habitats, flooding, and water and air quality. He has appeared in 'Leading Planning' and many other influential Planning Court cases over recent years, including: *Mansell v Tonbridge and Malling BC* [2019] PTSR 1452 (planning fallback; planning judgment); *Mordue v SSCLG* [2015] EWHC 539 (Admin) (wind power) and *Aireborough Parish Council v Leeds City Council*[2020] EWHC 1461 (Admin) (plan-making).

Cases include:

- **Mining/Quarries/Waste:** Highborn (Northumberland, Banks Group) opencast mine (then, the largest UK opencast site; 3Mt/pa); Cragmill Quarry; Heidelberg Quarry; Hutch Bank Quarry (exempted aggregate disposals; extraction rights; restoration) (see: Infrastructure).
- **Marine/Flood and coastal risk/Shoreline management:** Southsea Coastal Scheme; Isle of Wight; Weymouth & Portland; other sea wall development.
- **Tall buildings:** Shell Centre SE1: co-promoting (junior to Douglas Edwards KC) 8 buildings (up to 37 storeys) for commercial, residential, leisure and retail uses; Thameside West: advising London Mayor on Direction for Tall Buildings (opportunity area) redevelopment, site clearance and flood defence.
- **Luxury/Iconic/Heritage:** Burberry Building, Haymarket, SW1: promoting for Principality of Monaco; 12 Hay Hill, Mayfair W1 (luxury members' club: promoting for consortium); Portland Place, Marylebone W1 (The King's Speech filmset: promoting residential conversion).
- **Stadia/Leisure:** Longines Global Champions Tour, Kensington Palace Gardens: inaugural equestrian tournament (promoting for consortium); Queen Elizabeth Olympic Park (promoting).
- **Residential:** 1,250 units, Kent: regeneration scheme of 50 ha+ of BMV agricultural land (promoting); 10+ luxury new schemes, amalgamations, basements: West London, Essex; Acted in 60+ urban extension, regeneration, new settlement, care/extra care appeals (promoting/opposing).
- **Horticulturist hubs:** Advising on viability of farm hubs and planning implications of crop rate of return, crop modelling, costs and pricing, yield and productivity, and usability of alternatives.
- **Festivals/shows:** Wireless Festival (promoting for Ticketmaster UK); Burberry fashion show.
- **TPO tree-felling:** Largest UK alleged unauthorised felling (132 TPO trees, Essex).

Enforcement: Juan has specialist experience of complex, high value and commercially sensitive enforcement, and regularly advises on the vires, constitutional propriety and procedural compliance of action. He advises in related commercial (liquidated/other) damages, estoppel and rights claims and has acted in local authority mediations, commonly for HNW/UHNW clients. Cases include: Hutch Bank quarry (U1 exempted aggregate disposals/for construction purposes); Waste facility, Suffolk (inert waste crushing, storage and transportation); Waste4Fuel, Kent (EA injunctioned illegal waste site); Largest UK (alleged) unauthorised TPO tree-felling prosecution, Essex (132 x TPO trees); Park Crescent, W1; Millennium Hotel,

W1; Portland Place and Howard de Walden Estate, W1; Tideway Wharf; Kensington W8 (amalgamations and double basement redevelopment; construction management breaches); Hampstead Garden Suburb (unauthorised residential development); The Source nightclub, Maidstone.

Influential High Court and Court of Appeal (Infrastructure and Planning): *Thornhill Estates Ltd v SSCLG* [2018] EWHC 3663 (Admin): planning benefits and mitigations; *R (oao Network Rail) v SSEFRA* [2018] EWCA Civ 2069: enablement in conjunction with exercise of HA 1980 powers; *Mansell v Tonbridge & Malling Borough Council* [2017] EWCA Civ 1314: Planning fallback implementation; presumption in favour of sustainable development; *Kendall v Rochford District Council* [2015] Env LR 21: Adequacy of environmental impact assessment (SEA/EIR); reasonable alternatives assessment; compliance with Statement of Community Involvement; *Cogent LLP v Rochford District Council* [2012] EWHC 2542 (Admin): SEA challenge; reasonable alternatives; *South Northamptonshire Council v SSCLG* [2013] EWHC 11 (Admin): Priority of statutory development plan in decision-making; national and regional need for onshore wind development; *R (oao Save Britain's Heritage) v SSCLG and Gateshead MBC* [2010] EWHC 2919: meaning of demolition in EIA development; 'salami-slicing' and phased regeneration; lawfulness of prior approval.

Local Plans: Juan has appeared for promoters and objectors at 15+ plan examinations, and advised on (found sound) aspects of the Leeds Site Allocations DPD (up to 2019; being the geographically largest SA-DPD for England and Wales) and acted in related s.113 PCPA 2004 Planning Court interim applications/challenge (*Aireborough Neighbourhood Development Forum v Leeds City Council* [2020] EWHC 1461 (Admin); [2020] EWHC 2183 (Admin) (Relief): proposed housing allocations/broad locations for growth).

Recommendations

Commentaries in The Legal 500 UK Bar and Chambers and Partners UK Bar, say:

- *"A driven and incisive advocate"* (The Legal 500 UK Bar [2024])
- *"A junior with a forensic approach to cases."* (The Legal 500 UK Bar [2024])
- *"Juan has an unfathomable ability to rapidly understand complex issues and provide a clear way forward, and is a pleasure to work with"* (The Legal 500 UK Bar [2024])
- *"He understands the client's needs and is very thoughtful, considered and calm when in conference with clients"* (Chambers and Partners UK Bar [2024])
- *"Particularly thorough and forensic in his approach, he is highly focused, diligent, confident and concise, and gets right to the heart of the issues."* (The Legal 500 UK Bar [2023])
- *"Very professional and diligent. A highly skilled advocate and able to turn the tables from friendly to challenging cross-examination at a moment's notice. Uses his experience to open up unforeseen opportunities during cross-examination. A real future star QC."* (The Legal 500 UK Bar [2023])
- *"Robust. Well-organised. Great presentation."*
- *"...a force in matters concerning climate change, flood alleviation, coastal defence schemes and ecology."*
- *"...commercially aware...extremely professional and diligent."*
- *"...accessible and tenacious practitioner who has achieved some spectacular results."*
- *"Very knowledgeable, concise, proactive and user friendly."*
- *"...a tenacious advocate who really fights his corner."*

Memberships

- Society of Construction Law (SCL)

- Technology and Construction Bar Association (TECBAR)
- National Infrastructure Planning Association (NIPA)
- UK Environmental Law Association (UKELA)
- Compulsory Purchase Association (CPA)
- UK Environmental Law Association (UKELA)

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com