



James Burton

Year of call: 2001

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“He is very impressive, very good on his feet, easy to work with and very personable; he has got everything.” Chambers and Partners

James specialises in environmental law, planning law and linked compulsory purchase order (CPO)/compensation work (including Part I Land Compensation Act 1973), related areas (including energy, aviation, traffic regulation and highways/public rights of way (PRoW)) and also civil liability. His work often involves the overlap between his practice areas (e.g. environmental law, common law nuisance and Part I claims; planning protection for heritage assets and occupiers' liability).

James' work is primarily domestic, but internationally he has specific expertise in large scale toxic torts.

James appears regularly at public inquiry and in the High Court and Court of Appeal. He is equally comfortable working alone or as part of a team.

In addition to major planning, CPO/Part I and high-value catastrophic civil claims, James has substantial experience of very heavy group litigation (the Abidjan Group Litigation and, more recently, the Jalla Litigation (both toxic tort dumping/spillage claims), the Accident Group Litigation (insurance) and the criminal proceedings into the Hatfield rail disaster).

James' administrative law experience includes considerable work petitioning parliament (HS2) and also appointments as an investigating officer into allegations of misconduct in public office.

James was named Environmental and Planning Junior of the Year at the Chambers UK Bar Awards 2015.

Areas of expertise

- Planning
- Aviation
- Compulsory Purchase and Compensation
- Examination in Public
- High Court Planning Challenges
- Highways, Footpaths and Rights of Way

-- Planning Appeals, Hearings & Inquiries; Planning Enforcement & Planning Application
Environment
Personal Injury and Civil Liability

Environment

"A very senior junior who always steps up to the mark and has the ability to understand, interpret and explain massively complicated statutes" (The Legal 500, 2022) *"... a keen eye for detail"* (Chambers and Partners 2022)

James' environmental work spans permitting issues, greenhouse gas reporting, nuisance, trespass, contaminated land, decisions concerning sites of special scientific interest (SSSIs) under the Wildlife and Countryside Act 1981, the application of the Environmental Damage Regulations, waste, unauthorised discharge and general environmental crime. This is in addition to the 'environmental' aspects of his planning work, and other complementary areas (such as claims under Part I of the Land Compensation Act 1973, aviation, traffic regulation/highways/PRoW and large-scale toxic torts).

James is instructed for operators/alleged offenders and also for regulators (the latter including many instructions for Natural England).

Cases that fought to trial/hearing/inquiry of note include:

- ***Patels v Barnet LBC [2020] EWHC*** - a heavy case in the Technology and Construction Court (TCC) concerning flooding from a historic pipe, successfully pursued for the claimants, with whom the local authority ultimately accepted responsibility for the pipe and then settled on excellent terms (halfway through trial).
- **The Benty Grange public inquiry (2017)** - into an appeal against Natural England's decision to vary a consent for farming activities on a SSSI under the Wildlife and Countryside Act 1981 (appeal successfully seen off for Natural England).
- ***Environment Agency v Mick George Ltd (2015)*** - Crown Court sentencing of company following discharge to waters in breach of permit and guilty plea (submissions regarding basis of plea and mitigation accepted and favourably reflected in sentence).
- ***R (Chanter) v Natural England [2015] EWHC*** - successful appearance for Natural England in one of the first cases to reach the High Court concerning the EIA (Agriculture) Regulations.
- ***R (Heath & Hampstead Society) v City of London & Environment Agency [2014] EWHC*** - challenge to the decision making of the City of London regarding works to the ponds to address flood risk.

Recommendations

James was named Environmental and Planning Junior of the Year at the Chambers and Partners Bar Awards 2015.

He is ranked in Chambers and Partners as a leading junior in Planning Law and Environment and in The Legal 500 as a leading junior in Planning Law, Environment and Personal Injury.

- *"He is very precise and thorough, extremely user-friendly and always enthusiastic."* *"He has a keen eye for detail."* Chambers and Partners 2022
- *"A very senior junior who always steps up to the mark and has the ability to understand, interpret and explain massively complicated statutes."* The Legal 500 2022
- *"Very approachable and technically accurate."* The Legal 500 2022

[QUOTES FROM 2021 TO 2017?]

- *"I am impressed by his breadth of knowledge, efficiency and thoroughness. He is extremely committed and hard-working, as well as personable, always approachable and patient in explaining complex matters to clients."* Chambers and Partners 2017
- *"An excellent planning barrister, with strength in associated areas, who is a good all-rounder."* Chambers and Partners 2017
- *"He is very personable and puts a lot of time and effort into cases."* Chambers and Partners 2017
- *"Very thorough and intellectually bright," "he demonstrates meticulous preparation and has a keen eye for detail."* Chambers and Partners 2017
- *"Produces work of impeccable quality."* The Legal 500 2016
- *"Highly motivated, and has an excellent sense of strategy and tactics."* The Legal 500 2015
- *"He is very impressive, very good on his feet, easy to work with and very personable; he has got everything."* Chambers and Partners 2014
- *"He is a brilliant planning junior and one to watch."* Chambers and Partners 2014
- *"He is always very clear and decisive."* Chambers and Partners 2014

Memberships

- UK Environmental Law Association (Council Member 2012-2020, now member of EDI Forum)
- Planning and Environment Bar Association
- Personal Injury Bar Association

Education, qualifications and scholarships

- BVC Sunley scholarship Lincoln's Inn
- BVC: Very Competent: 2001 (Inns of Court School of Law)
- CPE scholarship Lincoln's Inn
- CPE: Commendation: 2000 (City University)
- Double-first, BA Joint Honours Ancient and Modern History, University of Oxford (New College) 1998
- Scholar of New College, Oxford
- Secondary Education: St. Ignatius, Enfield

Publications

- Encyclopedia of Environmental Law (co-editor) Sweet & Maxwell
- Environmental Impact Assessment; Tromans – 2nd ed. (Contributor)
- Shackleton on the Law and Practice of Meetings (currently at 13th Edition) (Sweet & Maxwell)
- Accidents Abroad Sweet & Maxwell (Co-author) 24 October 2009

Languages

James has conversational level Spanish.

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