



Brian Ash KC

Year of call: 1975 | Silk: 1990

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"An excellent advocate, particularly for CPO matters; his cross-examination is very effective." The Legal 500 (2015)

Following a career in television journalism, Brian Ash KC was called to the bar in 1975 and took silk in 1990. The main area of his practice is within the broad ambit of Public Law, with a particular focus on Planning, Compulsory Purchase and Compensation, Highways and Local Government administration. The focus on his main area of expertise began in about 1977 and he has had a continuous, busy practice since that time with projects and hearings too numerous to cite in detail.

Areas of expertise

Planning

Compulsory Purchase and Compensation

Administrative and Public

Planning

Appearances at a substantial number and variety of planning inquiries, including Stansted T4, Heathrow T5, London Heliport, numerous regional or local airport aviation and other proposals; Manchester sub-regional shopping and many superstore, retail warehousing and other retail schemes (including proposals in Northern Ireland); Cambridge new settlements, London Bridge major office development on Thames frontage near Tower Bridge, and a new opera house at Tower Bridge. Numerous structure plan, local plan and UDP inquiries and examinations in public representing the plan-making authority or objectors or supporters.

Appearances at several of the major highways inquiries, including M25 line and compulsory purchase orders, and M25, M20, M3 and M40 MSAS.

Advising Sunderland ARC Regeneration Company on large scale proposals for the redevelopment of strategic sites in Sunderland City Centre, including the promotion at a public inquiry of a mixed-use scheme on the 'Vaux' site.

Cases of note

- ***Bolton Metropolitan District Council v SOSE [1996] 71 P&CR 309*** - House of Lords considers degree of particularity with which material planning considerations need to be set out and

assessed in planning appeal decisions.

- ***Bolton Metropolitan District Council v SOSE* [1995] 1 WLR 1176** - House of Lords sets out principles to be applied for the awards of costs to multiple successful parties in legal challenges to planning decisions.
- ***Thrasyvoulou v SOSE* [1990] 2 AC 273** - House of Lords decides that the private law principles of res judicata and issue estoppel apply in the field of public law generally and specifically in the case of planning enforcement.

Recommendations

- *"Highly recommended for judicial reviews."* The Legal 500 (2018)
- *"His ability to grasp quite difficult technical issues, such as those relating to noise, daylight and air quality concerns, is impressive. He has a great way of undermining the other side's witnesses."* Chambers and Partners (2018)
- *"He spots the issues and delivers cases calmly and strongly – he is also very approachable."* Chambers and Partners, (2014)
- *"Exceptional advocate... he possesses fantastic people skills and attracts instructions as a consequence of his bright and inspector-friendly disposition"* (2009)

Qualifications

Education

1960-64 / New College, Oxford / BA (modern languages)

Scholarships and Prizes

1960/Open Exhibition, New College, Oxford

Additional Information

Appointments

- 1986 / Chairman EIP Panel, Devon County Structure Plan, First Alteration

Languages

- French
- German
- Spanish (relatively basic)
- Italian (relatively basic)

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