



Jonathan Darby

Year of call: 2012

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"Jon has a superb legal mind, an incisive way of getting to the heart of a problem, and is wholly unflappable. He has star quality." The Legal 500 2023

"...the moment he opens his mouth, people listen..." Chambers and Partners 2021

Jon's planning, environmental and property practice complements broader public and administrative law interests and his varied civil liability work. Jon appears regularly in all types of court and tribunal alongside undertaking pleading and advisory work for a wide variety of domestic and international clients, including developers, consultants, local authorities, and the Government Legal Department. He is a Member of the Attorney General's B Panel of Counsel and sits as a Chair on the Football Association's General Appeal Panel and the Lawn Tennis Association's Disciplinary Panel.

Before coming to the Bar, Jon taught Property and International Environmental Law at Cambridge University whilst completing a PhD in International Environmental Law at Queens' College.

Areas of expertise

Planning and Property
Environment
Energy and Natural Resources
Administrative and public
Information and Media
Civil Liability
Sport

Planning and Property

"One of the best junior barristers at the planning Bar." (The Legal 500, 2022)

Jon is ranked as a leading junior for planning law (Chambers and The Legal 500).

Frequently instructed as both sole and junior counsel, Jon advises a wide range of clients on all aspects of the planning process, including planning enforcement, planning appeals, development plan examinations, rights of way inquiries, injunctions, and criminal prosecutions under the Environmental Protection Act 1990.

Jon also provides advice and representation in nuisance claims (public and private), including advising in relation to the interaction between the nuisance and planning regimes, for example, ongoing representation of Strongroom Studios and Music Room London in relation to their objections to adjacent development proposals on noise and vibration grounds. Jon also advises and appears in relation to boundary disputes and Land Registration Tribunal matters.

Jon's wider public law practice provides him with a particular expertise in statutory challenges and applications for judicial review.

Recent Inquiries and cases of note:

- **Wathen-Fayed v Secretary of State for Levelling Up, Housing and Communities** [2023] EWHC 92 (Admin) (High Court) and CA-2023000388 (Court of Appeal) – Significant challenge to the grant of planning permission for development of a crematorium on a proposed development in the Metropolitan Green Belt in Surrey, which raised issues relating to the proper interpretation of the Cremation Act 1902 and the sequential test for flood risk.
- **Symmetry Park** – Six-day inquiry into two linked appeals relating to employment proposals at this important gateway sit at Swindon, acting on behalf of Swindon Borough Council.
- **Former Homebase site** - Two-week inquiry into the proposed redevelopment of the site adjacent to the Bath World Heritage Site to provide a new care community (Use Class C2) comprising care residences and care suites and ancillary communal, care and well-being facilities, acting on behalf of Bath and North East Somerset Council.
- **Former Hartwell Garage** - Two-week inquiry into a proposed mixed use redevelopment in central Bath (including up to 104 residential units (Class C3 Use), up to 186 student bedrooms (sui generis use) and a commercial retail unit (flexible A1/A3 Use), acting on behalf of Bath and North East Somerset Council.
- **Eccles Wastewater Treatment Works** - Seven-week compulsory purchase order (CPO) inquiry in relation to discharge rights, acting on behalf of United Utilities (as junior to James Strachan QC).
- **Huntingdonshire District Council v Johnson** - Appeared on behalf of the applicant local authority in contempt proceedings relating to unauthorised work to a listed building in which the respondent was given a six-week suspended custodial sentence and ordered to pay £25,000 towards the local authority's costs.
- **Air Studios** - Secured the withdrawal of a planning appeal relating to extensive basement extensions that would have threatened the viability of the historic studios at Lyndhurst Hall in Hampstead (itself of significant architectural and historical interest classified as Grade II* listed) – acted on behalf of the world famous studios.
- **Cornwall Council (St Austell to A30 link road) Compulsory Purchase Order** - Advising Cornwall County Council in relation to a major link road and side roads scheme, including the making of compulsory purchase order.

Recommendations

"Jonathan is an exceptionally bright barrister with sound judgement. "Legal 500 2024 (Environment)

"Jonathan is brilliant in his delivery and examination in inquiry, whilst maintaining a very approachable and

down-to-earth manner with his instructing legal officer and clients. His ability to put himself into the local authority's shoes and see a way forward is second-to-none."Legal 500 2024 (Planning)

"An excellent junior barrister: clever, confident and with sound judgement."Legal 500 2024 (Local Government)

"Jonathan is outstanding; he is just fantastic."Chambers and Partners 2023

"He showed excellent knowledge on some very esoteric points of CPO law. He was very willing to deal with ad hoc queries at short notice and is very client-friendly."Chambers and Partners 2023

"Jon has a superb legal mind, an incisive way of getting to the heart of a problem, and is wholly unflappable. He has star quality. He is a go-to choice when a specialist planning junior is needed, and he has worked on a number of high value, tricky cases."Legal 500 2023 (Planning)

"Jonathan is extremely knowledgeable, thorough, determined and passionate, and these all come across quite clearly in his advocacy."Legal 500 2023 (Local Government)

*"A great fighter and takes every point, you would always want him on your side."*Legal 500 2023 (Environment)

*"He is really hard-working and dedicated and has excellent written skills."*Chambers and Partners 2022

*"He's very commercial, pragmatic and very easy to work with."*Chambers and Partners 2022

*"One of the best junior barristers at the planning Bar. He has a superb legal mind and very sound practical judgement."*The Legal 500 2022

*"He's got extremely good judgement and an incredible ability to handle detail, and the moment he opens his mouth, people listen."*Chambers and Partners 2021

*"He's extremely responsive, very sharp and on the ball. He combines good technical advice with a high degree of commerciality."*Chambers and Partners 2021

*"Very good with clients and has a calm authority that puts clients at their ease. Good on technical issues where multiple parts of different law intersect."*The Legal 500 2021

"He has the ability to get to the root of the matter and simplify it with clarity. He is calm, measured and expert in his delivery." "He understands the stresses that clients are under and doesn't patronise them."
Chambers and Partners 2020

Memberships

- Middle Temple
- United Kingdom Environmental Law Association
- Planning and Environmental Bar Association
- Compulsory Purchase Association
- Personal Injury Bar Association
- Human Rights Lawyers Association

Qualifications

Education

- 2010-2011: BPTC, Very Competent, City Law School
- 2007-2011: PhD, International Environmental Law, Queens' College, Cambridge University
- 2006-2007: MPhil, Land Economy (Environmental Policy), Queens' College, Cambridge University
- 2003-2006: MA, Law, Queens' College, Cambridge University

Scholarships and Prizes

- 2010-2011: Middle Temple Astbury Scholar
- 2002-2008: Scaldwell Charity Educational Grant
- 1998-2002: Foundation of Thomas Roe Educational Grant

Additional information

Pro Bono

Jon is committed to pro bono work with a particular focus on projects and organisations in the planning and environmental fields. Jon has also volunteered extensively for a range of organisations in a legal advice and referral capacity, including the Environmental Law Foundation and the Legal Response Initiative.

Publications

- *"Planning Law: Practice and Precedents"* co-editor, Sweet and Maxwell,
- *"Shackleton on the Law and Practice of Meetings"*, contributor to the Thirteenth Edition, Sweet and Maxwell

Appointments

- 2022 – present: Attorney General's B Panel of Counsel
- 2016 – 2022: Attorney General's C Panel of Counsel
- 2023 – present: Member of the Lawn Tennis Association's Disciplinary Panel
- 2021 – present: Member of the Football Association's General Appeal Panel

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