



Victoria Hutton

Year of call: 2011

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"One of her real strengths is to understand and advise clients, she cuts through the issue and provides excellent advice. She's developed a huge expertise....." Chambers and Partners 2023

Victoria is consistently rated as one of the leading juniors at the planning and environmental bar. She has been shortlisted as planning and environment junior barrister of the year by Chambers and Partners (2021) and was included in the Planner's Women of Influence list for 2020. Victoria is the co-author of 'Planning Policy' (Bloomsbury 2018 with Richard Harwood QC). She has extensive advocacy experience which includes appearing in a number of substantive appeals before the Court of Appeal in her own right. Victoria also appears regularly in the High Court, inquiries, informal hearings and local plan examinations. Victoria's work spans both England and Wales.

Areas of expertise

Planning

Environment

Energy and Natural Resources

Environment

Victoria has developed considerable expertise in the area of environmental law. Her cases span a variety of issues including waste, habitats, biodiversity, the marine environment and contaminated land. Victoria was nominated by Chambers and Partners as planning and environment junior of the year in 2021. Her environmental knowledge and expertise has been described as 'second to none' (Legal 500 2023).

Cases of note:

- ***R (Tarian Hafren Severn Shield Cyf) v Marine Management Organisation* [2022] EWHC 683 (Admin)** - Victoria represented (as junior to James Strachan KC) NNB Ltd (the developer of Hinkley Point C (HPC)) in this successful defence to a judicial review of a grant of a marine licence by the Marine Management Authority. The case raised issues of: statutory construction, habitats, the waste framework directive and the water framework directive.
- ***Hinkley Point C, Appeal against Environment Agency's Failure to determine a permit variation*** - Victoria and Stephen Tromans KC represented NNB, the developer of Hinkley Point C, in

a two week inquiry into NNB's appeal against the Environment Agency's failure to determine its application for a permit variation. The case concerned whether the variation of the permit would cause an adverse effect on the integrity of various protected sites. In particular, through its impact upon various fish species. The decision is awaited.

- **Nuclear waste disposal** – Victoria is currently acting for a client in relation to a significant project relating to nuclear waste disposal.
- **R (Keir) v Natural England [2021] EWHC 1059 (Admin)** - Victoria (with James Strachan KC) represented HS2 Ltd in successfully defending an urgent injunction application and a judicial review relating to the grant of a protected species licence at Jones Hill Wood. The claimant alleged that Natural England had not applied the precautionary principle in making its decision. The injunction was initially granted on the papers by Ms Justice Lang. However, HS2 Ltd succeeded in securing an urgent hearing before the High Court, after which the claim and application were dismissed by Mr Justice Holgate.
- **R (Good Law Project) v Secretary of State for the Environment, Food and Rural Affairs** - Victoria successfully represented the Secretary of State for the Department for Environment, Food and Rural Affairs (Defra) in a challenge to the government's response to Covid-19 in the sphere of air quality. The Good Law Project (and other claimants) argued that in accordance with the precautionary principle the government ought to have reviewed its air quality strategy in light of evidence linking poor air quality and Covid-19 outcomes. Victoria appeared as sole counsel in a one-day permission hearing before Mr Justice Garnham where the judge refused permission on all grounds.
- **Contaminated Land, Part 2A Inquiry** - Victoria and Stephen Tromans KC represented the successful appellant in an appeal against a remediation notice issued by Walsall Borough Council. The council alleged that Victoria's client (a housebuilder) had caused or knowingly permitted contamination on the site in the 1970s. The inquiry ran for two weeks and ended with the Secretary of State allowing the appeal, largely on the basis that the council's technical evidence had not shown the land to be contaminated.
- **Waste Permitting** - Victoria has acted for a number of clients on issues arising out of waste permitting (including appeals against enforcement notices). Victoria is currently advising a large landowner in relation to an application for a recovery from waste permit.
- **Water** - Victoria has developed particular expertise in cases involving water and the marine environment. She has advised represented clients in relation to: the variation of water discharge activity permits, flood risk activity permits and marine licenses.

Recommendations

- *"One of the rising stars of the Bar, her knowledge and expertise in environmental law is second to none and her work is always of high quality." Legal 500 2023*
- *"Victoria's knowledge and expertise in planning law is probably unrivalled by those of her age and experience." Legal 500 2023*
- *"Victoria is excellent. Incredibly bright, always thorough and prepared, and a delight to work with." Chambers and Partners 2023*
- *"One of her real strengths is to understand and advise clients, she cuts through the issue and provides excellent advice. She's developed a huge expertise in planning law, but is still very good value." Chambers and Partners 2023*
- *"She is a rising star of the Planning Bar. Excellent." Chambers and Partners 2023*

- *"She is very responsive, clear in the advice she gives and pragmatic."*Chambers and Partners 2022
- *"Victoria is well liked by clients for her commercial advice and technical knowledge."*Chambers and Partners 2022
- *"She is friendly, efficient and an expert in her field."*Chambers and Partners UK 2020
- *"She'll cut to the chase and she's very good at explaining quite complex issues to"*Chambers and Partners UK 2020
- *"Hard working, thorough and dependable. Effective advocate. Excellent with clients."*The Legal 500 2020
- *"She's very efficient and has a commercial acumen that isn't always present in juniors."*Chambers and Partners UK 2020
- *"Able to command the facts and deploy knowledge to convey the importance of the issues."*The Legal 500 2020
- *"She is fluid in her addresses to court and has an exceptional writing ability."*Chambers and Partners UK 2018

Memberships

- Planning and Environmental Bar Association (PEBA)
- United Kingdom Environmental Law Association (UKELA)

Qualifications

Education

- Oxford University, Brasenose College, Modern History MA (Hons)
- BPP Law School, Graduate Diploma in Law
- London School of Economics, LLM Public International Law (Distinction)
- BPP Law School, Bar Vocational Course (Outstanding)

Scholarships and Prizes

- Lord Haldane Scholarship, Lincoln's Inn
- Proxime Beit Prize, Oxford University
- Academic Exhibition, Brasenose College, Oxford University

Additional Information

Appointments

- Treasurer of the Planning and Environmental Bar Association
- Committee Member of the Joint Oxford Law Planning Conference

Languages

- French (Rusty)
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