



## Katherine Barnes

Year of call: 2014

Email: katherine.barnes@39essex.com

Phone: (0)20 7832 1111

*"Katherine is a brilliant advocate."* Chambers and Partners

*"Katherine is an excellent barrister and a pleasure to work with. She is dedicated and works hard. She is responsive, insightful, and you can trust her to get the best possible results."* Legal 500

Katherine is a public law specialist. She has an exceptionally diverse practice which ranges from commercial regulatory work (including planning, environment and procurement) to public interest and human rights matters.

She is recognised by Chambers and Partners and/or Legal 500 in the fields of public law, civil liberties & human rights, planning, environment, community care and education.

Katherine graduated from Queens' College, Cambridge with a first class degree in French and Spanish before converting to law. She then obtained an LLM with distinction in public law and human rights from the London School of Economics.

She has appeared as sole counsel in the Court of Appeal, High Court, Upper Tribunal, Court of Protection, County Court, Crown Court and Magistrates Courts.

As former co-chair of Young Legal Aid Lawyers, Katherine is committed to access to justice and legal aid work. She is also a member of the Equality and Human Rights Commission's panel of counsel.

## Areas of expertise

Planning

Environment

Energy and Natural Resources (including nuclear)

Administrative and Public

Education

Community Care and Mental Health

Healthcare

Regulatory, Disciplinary and Licensing

## Planning

---

Katherine is listed by Legal 500 and Chambers and Partners in the field of planning and her experience includes:

- Judicial review and statutory appeals
- Planning inquiries and hearings
- Rights of way inquiries
- Strategic planning, including local plan examinations
- Infrastructure
- Enforcement
- Highways
- Village greens
- Assets of community value
- Related information law issues

She is listed by The Legal 500 and Chambers and Partners in the field of planning. Recent Inquiry/hearing work of particular interest includes Land West of Kingfisher Grove, Reading APP/X0360/W/22/3304042 - a successful appeal against the non-determination of an application for 49 dwellings in the vicinity of a nuclear site (inside the Detailed Emergency Planning Zone) - and Land East of Ashford Road, Kingsnorth APP/E2205/W/23/332254 - a successful appeal against non-determination in relation to a medical centre and 15 dwellings in the vicinity of the Stodmarsh Lakes SPA, SAC, SSSI and Ramsar sites, thus requiring the demonstration of nutrient neutrality.

### Cases of note:

- ***R (Faherty) v Bournebouth, Christchurch and Poole Council* [2023] EWHC 1395 (Admin)** - Acted for claimant in a judicial review of a planning permission based on heritage grounds.  
[Judgment](#)
- ***R (Cathie) v Cheshire West* [2022] EWHC 2148 (Admin)** – Acted for the Claimant in a judicial review of a decision to approve an odour management plan. The judgment includes a summary of the principles governing the discharge of planning conditions.  
[Judgment](#)
- ***Bansal v Secretary of State for Housing, Communities and Local Government* [2021] EWHC 1604 (Admin)** - Acted as sole counsel in a s.289 statutory appeal against an enforcement notice, in which the court considered the correct approach to establishing change of use to a dwellinghouse following the subdivision of an existing dwellinghouse for the purposes of s.171B TCPA 1990.  
[Judgment](#)
- ***R (Stubbs) v Lake District National Park Authority* [2020] EWHC 2293 Admin** - Acted as sole counsel in a judicial review of the Authority's refusal to make a traffic regulation order restricting 4x4s on two roads in the Lake District National Park.  
[Judgment](#)
- ***R (Hemms) v Bath and North East Somerset Council* [2020] EWHC 2721 (Admin)** - Acted as sole counsel for the successful Defendant in a challenge to the local authority's refusal to

make an order pursuant to s.102 of the TCPA 1990. The case considers the application of Article 8 to the planning context as well as delegated powers under the local authority's constitution.

Judgment

- ***R (Risby) v East Hertfordshire DC* [2019] EWHC 3474 (Admin)** - Acted for the Claimant in a judicial review of the decision to grant planning permission for a multi-storey car park in a Conservation Area. The case considers the consistency principle and the treatment of a previous quashed planning decision.

Judgment

- ***R (Brommell) v Reading District Council* [2018] EWHC 3529 (Admin)** - Acted as sole counsel for the Claimant in a judicial review of a grant of planning permission for a school on public playing fields.
- ***R (Buckley) v Bath and North East Somerset District Council* [2018] EWHC 1551 (Admin)** – Acted for the successful Claimant in a judicial review of the decision to demolish a major council estate. The decision was quashed on equalities grounds.

Judgment

- ***R (NHS Property Services Limited) v Surrey County Council* [2016] EWHC 1715** - Acted for the Defendant in a judicial review concerning the “statutory incompatibility” doctrine in town and village green cases.

Judgment

## Recommendations

---

Katherine is listed by Chambers and Partners and The Legal 500 in public law, civil liberties & human rights, planning, environment, community care and education:

*“She gives strategic advice, is very pleasant to work with and is very helpful with the client.”* Chambers and Partners 2022.

*“She is extremely thorough, has great attention to detail and an exceptional understanding of the core issues in her cases. She is also a pleasure to work with.”* Chambers and Partners 2022.

*“Her strengths are clarity of advice, willingness to think outside of the box, and her ability to resolve an issue expediently.”* The Legal 500 2022.

*“Katherine is an excellent barrister and a pleasure to work with. She is dedicated and works hard. She is responsive, insightful, and you can trust her to get the best possible results.”* The Legal 500 2021.

## Memberships

---

- Administrative Law Bar Association (ALBA) (committee member)
- Association of Regulatory and Disciplinary Lawyers (ARDL)
- Education Law Association (ELAS)
- Human Rights Law Association (HRLA)
- Planning and Environmental Bar Association (PEBA)
- United Kingdom Environmental Law Association (UKELA)
- Young Legal Aid Lawyers (YLAL) (former co-chair)

## Qualifications

---

## Education

- Queens' College, University of Cambridge, BA(Hons) French and Spanish (First Class) (2010)
- City University, GDL (2012)
- The London School of Economics, LLM Public Law and Human Rights (Distinction) (2013)
- BPP University, BPTC (2014)

## Scholarships and prizes

- Foundation Scholarship, Queens' College, University of Cambridge (2010)
- Lord Haldane Scholarship, Lincoln's Inn (2011)
- Hardwicke Award, Lincoln's Inn (2012)
- Lord Mansfield Scholarship, Lincoln's Inn (2013)

## Additional Information

In her free time, Katherine enjoys travel, theatre and reading novels. She also sings with Voce Chamber Choir, whose concerts have ranged from Tallis to Poulenc to singing with the Rolling Stones at Glastonbury.

## Languages

- French (fluent)
- Spanish (fluent)

### 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