

Year called 1983

Silk 2002

peter.village@39essex.com



“Whenever I want something really clear, punchy and commercial, he is my first port of call. He is enormous fun to work with.” Chambers and Partners 2019

“Absolutely on the detail of the case: very commercial, a clear thinker, and huge fun to work with.” Legal 500 2018

The principal areas of Peter Village QC’s practice are planning and environmental law, compulsory purchase and related public law and commercial disputes. His planning practice covers the full range of developments including residential, retail, airports and infrastructure projects.

Peter has been a planning and environmental law litigator since he started at the bar. He was recognised by Chambers and Partners as their **‘Planning & Environment Silk of the Year’** in 2012. He is acclaimed for his tenacious and robust advocacy and his determination to see his clients win.

PRACTICE AREAS

- Planning, Environment & Property

SECTORS

- Aviation & Aerospace

PRACTICE AREAS

PLANNING, ENVIRONMENT & PROPERTY

"He is very good in court, and his ability to cross-examine and forcefully argue is very impressive." Chambers and Partners

Peter played a central part in the most important planning litigation of recent years – CALA Homes – and masterminded the successful challenge to the Secretary of State's decision to revoke Regional Strategies (CALA No 1). He also led the CALA team in CALA No 2, (Court of Appeal – materiality of the impending revocation of Regional Strategies) and CALA No 3 (successful challenge to the Secretary of State's decision to refuse planning permission on the appeal). Peter acted at the planning appeal and advised on the redetermination. This all culminated in the grant of planning permission to CALA in October 2012 for its 2000 dwelling and associated retail development in Winchester.

Peter acts for the UK's leading volume house builders including Taylor Wimpey, Persimmon, Barratt, Berkeley Group, and Redrow. He also acts for specialist developers such as City and Country and Commercial Estates Group. In 2012, in addition to CALA, he successfully acted for the developers of land north east of Harlow (1,100 units) and he successfully acted for Persimmon and Taylor Wimpey on their proposals at North East Sector, Crawley (1,900 units). He has unrivalled experience in large scale residential development in the UK and has been at the forefront of the leading cases on affordable housing: see eg *Blyth Valley v Persimmon Homes* [2008] EWCA Civ 861 in which he acted for the successful developer.

During 2011 he acted for the developers in three separate housing development appeals for volume housebuilders in Leeds, at Boston Spa, Allerton Bywater and Grimes Dyke. In each case the appeal was allowed with costs.

Peter also acts for retailers and on retail developments. In 2012 he acted for the Fitwilliam Malton Estate in its proposals for the redevelopment of the cattlemarket site in Malton, North Yorkshire, in the teeth of opposition from the Council (that had resolved to grant planning permission for a larger edge of centre store on its own land). The appeal was allowed with an award of costs in his client's favour.

Peter is leading counsel of choice for many clients seeking to challenge the grant of planning permission by judicial review. He is presently acting for Commercial Estates Group on its development proposals in Lancaster.

Peter also acts in planning related commercial cases, usually involving high value land disputes. In 2012 he acted for landowners in a multi-million pound claim for misrepresentation and breach of contract. The trial settled on confidential terms after six weeks and at the end of Peter's cross-examination of the Defendant's witnesses of fact. In 2011 he successfully acted for Hampshire County Council on its claim for a declaration in respect of re-payment of money due under a s.106 Agreement against Beazer.

With respect to environmental law, Peter continues to act in the most high profile cases. He successfully appeared for the Environment Agency in its defence of the claim by Tiny Rowland and his wife with respect to public rights of navigation on the River Thames (*Rowland v Environment Agency* [2003] EWCA Civ 1885); and he recently successfully acted against the EA in a claim by his clients, the Manchester *Ship Canal Company and Peel Holdings* [2012] EWHC 1643, with respect to a challenge to the flood mapping as undertaken by the EA, which had the effect of sterilising Peel's very substantial land holdings. (The Court of Appeal will hear the EA's appeal in 2013.) He also acted twice in judicial review claims (both times successfully) on behalf of Capel Parish Council

and local residents, in resisting proposals for a waste incinerator In Capel.

Peter also acted for the successful Defendant in the case of *Morgan & Baker v Hinton Organics*, a claim for nuisance arising from an organic waste composting site operated by the Defendant, which was dismissed after a trial lasting two weeks.

Peter acts in many compulsory purchase and compensation cases. He acted for Birmingham City Council and Hammerson in promoting the Bull Ring CPO case. He successfully appeared for Guinness in the Guinness v Railtrack “ransom” arbitration and subsequent Court of Appeal proceedings.

CASES

The Manchester Ship Canal Company Ltd & Anor, R (on the application of) v Environment Agency
Jun 2012, Judicial review

Threadneedle Property Investments Ltd & Anor v Southwark Borough Council & Anor
Mar 2012, Planning appeals – High Court, Judicial review

Ashley, R (on the application of) v Secretary of State for Communities and Local Government & Ors
Mar 2012, Planning appeals – High Court

Taylor Wimpey (South West Thames) Ltd. v Secretary of State for Communities and Local Government & Anor
Oct 2011, Planning appeals – High Court

R (Cala Homes (South) Limited) v. Secretary of State for Communities and Local Government (Cala Homes II)
Feb 2011, Planning appeals – High Court

Great Trippetts Estate Ltd v Secretary of State for Communities & Local Government & anr
Jan 2011, Planning appeals – High Court, Local government bodies

R (Cala Homes (South) Limited) v. Secretary of State for Communities and Local Government (Cala Homes I)
Nov 2010, Planning appeals – High Court

Taylor Wimpey & Persimmon
Sep 2010, Planning inquiries

Barratt Developments Plc v The City of Wakefield Metropolitan District Council & Anor
Jul 2010, Planning appeals – High Court

Great Trippetts Estates Ltd. V SSCLG
Jun 2010

Robert Hitchins Ltd v Secretary Of State For Communities And Local Government
May 2010, Planning appeals – High Court

Brown, R (on the application of) v Stobart Air Ltd.
May 2010, Planning appeals – High Court

Ashtenne Industrial Fund Ltd Partnership & Anor v Secretary of State for Communities and Local Government &

Anor

Jul 2009, Planning appeals – High Court

Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities & Ors

Mar 2009, Planning appeals – High Court

Capel Parish Council v Surrey County Council

Mar 2009, Planning appeals – High Court, Judicial review

Taylor Wimpey UK Limited and Beazer Homes Reigate Limited v Crawley Borough Council

Oct 2008, Planning appeals – High Court

West Midlands International Airport Ltd v Secretary of State for Communities and Local Government & Ors

Oct 2008, Planning appeals – High Court

Persimmon Homes (North East) Ltd., Barratt Homes Ltd and Millhouse Developments Ltd v Blyth Valley Borough Council

Jul 2008, Planning appeals – High Court, Judicial review

Samuel Smith Old Brewery (Tadcaster) (an Unlimited Company) v (1) The Secretary of State for Communities and Local Government (2) Selby District Council (3) Uk Coal Mining Limited

Jun 2008, Judicial review

Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities and Local Government & Ors

Jun 2008, Planning appeals – High Court

MA Holdings Ltd v George Wimpey UK Ltd, R (of the Application of) & Anor

Jan 2008, Planning inquiries

George Wimpey UK Ltd v Tewkesbury Borough Council

Apr 2007, Planning appeals – High Court

George Wimpey UK Ltd., R (on the application of) First Secretary of State

Feb 2007, Planning appeals – High Court

George Wimpey Southern Ltd v Arun District Council (2007)

Jan 2007, Planning inquiries

Coventry Airport Inquiry

Jan 2006, Planning inquiries

Regina (Martin Grant Homes Ltd and Another) v Wealden District Council

Nov 2005, Planning appeals – High Court, Judicial review

George Wimpey UK Ltd (R on the application of) v First Secretary of State & Castle Morpeth Borough Council

Sep 2004, Planning appeals – High Court, Judicial review

National Carparks Ltd v Baird (Valuation Officer)

Jul 2004, Human rights & civil liberties, Local government bodies, Rating

Berkeley Homes, Potters Field, Southwark

Jul 2004, Planning inquiries

Isle of Man: housing

Apr 2004, Planning inquiries

Village Green

Apr 2004, Planning inquiries

Evans v First Secretary of State and London Metropolitan University

Oct 2003, Environmental impact assessment, Planning appeals – High Court

Railtrack v Guinness PLC

Feb 2003, Compulsory purchase

R (Orchard) v Secretary of State for the Home Department

Jan 2003, Planning appeals – High Court

Peel Investments, RAF Finningley

Jan 2003, Planning inquiries

Rowland v Environment Agency

Dec 2002, Human rights & civil liberties, Judicial review, Highway law, Rights of way

R (Adriano) v Surrey CC

Nov 2002, Environmental impact assessment, Judicial review

R v Selby DC ex p Samuel Smith Old Brewery

Jul 2000, Planning appeals – High Court, Judicial review

Tesco Stores Ltd v North Norfolk District Council

Sep 1997, Planning appeals – High Court

SECTORS

AVIATION & AEROSPACE

Peter is very experienced in aviation matters, having acted for the successful promoters of Robin Hood Airport, Doncaster. He also acted for TUI in its successful defence of enforcement proceedings relating to the operation of Coventry Airport. And more recently, in 2011, he acted for London Ashford Airport in its proposals to lengthen the runway and introduce commercial passenger operations. A result in that case is awaited.

He is presently acting for TAG Aviation resisting a claim under Section 1 Land Compensation Act said to arise out of works at Farnborough Airport.

RECOMMENDATIONS

Peter is recommended as a Leading Silk (Band 1) in Planning Law by Chambers and Partners. The Legal 500 also recommends him as a Leading Silk in Planning Law.

He is a top ranked Silk in the annual Planning Magazine Survey.

"Whenever I want something really clear, punchy and commercial, he is my first port of call. He is enormous fun to work with." Chambers and Partners 2019

"A formidable opponent with a hugely impressive success rate in the Planning Court." Chambers and Partners 2019

"Absolutely on the detail of the case: very commercial, a clear thinker, and huge fun to work with." Legal 500 2018

"A top-notch leading counsel with strong cross-examination skills, whose commitment is exceptional." Chambers and Partners 2018

"A very effective advocate with a good strategic brain, who is very commercial in his dealings with clients." Chambers and Partners 2018

"Has a great ability to get on top of a huge volume of factual information" Legal 500 2017

"A force of nature – the man to go to if you have a very difficult case." Chambers and Partners 2017

"Very robust and committed to the client's cause. A real street fighter when the chips are down." Chambers and Partners 2016

"Very forceful and effective." Legal 500 2016

"He provides excellent advice and assistance." Legal 500 2016

"He can always be trusted to commit fully to the client's interests and to be robust in his arguments." Legal 500 2015

"Simply fantastic to work with, and delivers an excellent service to clients." Legal 500 2015

"A passionate and effective advocate, who is enthusiastic and committed to his clients' cause." "He is very robust. He doesn't take any nonsense, is user-friendly, is very direct and to the point, and quickly gets to the nub of the issue." Chambers & Partners 2015

"A highly skilled advocate who quickly identifies the relevant issues." Legal 500

"He is very good in court, and his ability to cross-examine and forcefully argue is very impressive." (Chambers and Partners 2014)

"He is an extremely robust planning and public law QC." Chambers and Partners 2014

"received unanimous praise from interviewees for being a 'highly skilled advocate who quickly identifies the relevant issues and works well within a team.'" (Chambers and Partners 2013)

"Always a favourite for residential clients" (Chambers and Partners 2013)

"His "robust advocacy" means he "remains a go-to presence at the Bar"; (Chambers and Partners 2013)

"He is fiercely loyal to his clients and regularly delivers work of the highest quality." (Chambers and Partners 2013)

"A highly skilled advocate' who 'quickly identifies the relevant issues' and 'works well within a team'" (Legal 500, 2012)

"a tenacious and outstanding advocate, and as robust as ever" (Legal 500, 2012)

Peter was named **Planning and Environment Silk of the Year at the Chambers and Partners Bar Awards 2012.**

"a tenacious advocate with a keen eye for weaknesses in the opposition's arguments." (Chambers and Partners 2011)

"absolutely excellent, [he] has the ability to dissect an argument from the other side's point of view and always has a well-rounded view of case" (Chambers and Partners 2011)

"a fiercely loyal and highly effective advocate who performs to a consistently high level for many extremely important clients" (Chambers and Partners 2010)

"quite simply a winner, devastating on his feet, and absolutely compelling, [he has] brilliant cross examination skills and can absorb rooms full of documentation with ease" (Chambers and Partners 2009)

"tenacious and determined" (Legal 500, 2009)

"a tremendous and aggressive advocate, who doesn't beat around the bush, and is hands-on from the start. As one client put it: in my darkest hour he never lost his determination to win the case for me" (Chambers and Partners 2008)

"extremely talented... special expertise in large-scale residential development work" (Legal 500, 2008)

"(he) is regarded as a heavy hitter in the planning market who fights his corner incredibly strongly" (Chambers and Partners 2007)

"impressive commercial acumen, he is seen as a "go to" guy for any significant housing development" (Legal 500, 2007)

"an exceptional advocate, both capable and thorough" (Chambers and Partners 2006)

APPOINTMENTS

Appointed by the Chairman of the Bar to the Bar Council/Law Society Joint Tribunal on Fees Disputes.
Governor, Repton School.

MEMBERSHIPS

- ALBA
- PEBA
- Compulsory Purchase Association

QUALIFICATIONS

Repton
Leeds University
Inns of Court School of Law

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,
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
