

## Robert Williams



called: 2008  
education: LLB, University College London

clerk: Jason Savage

Rob's practice covers all areas of chambers' work, with a particular emphasis on:

- Public law (including local government law)
- Planning and Environment
- Housing
- Property (including Landlord and Tenant)

In March 2012 Rob was appointed to the Attorney General's 'C' Panel. As a result he regularly appears in the Administrative Court on behalf of Government departments. He has also appeared in the higher courts on behalf of claimants.

Planning Magazine has twice ranked Rob as one of the top planning barristers under the age of 35.

Recent examples of his work include:

- ***Leeds Group Plc v (1) Leeds City Council; (2) Secretary of State for the Environment, Food and Rural Affairs, (3) Jones [2012] 1 WLR 1561*** – A judicial review in which the appellant (unsuccessfully) argued that to apply the definition of a Town and Village Green brought in by the CROW Act 2000 to use of land prior to that enactment would be contrary to the presumption against retrospective legislation and breach their Protocol 1, Article 1 ECHR rights. Rob appeared for the

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interested party, making both written and oral submissions to the Court of Appeal.

- ***Abubakar v Entry Clearance Officer [2012] EWCA Civ 377*** – The Court of Appeal clarified the proper approach for assessing whether an applicant for entry clearance would be 'adequately maintained' for the purposes of the immigration rules. Rob appeared (as sole counsel) for the Appellant.
- ***R (on the application of Garner) v Elmbridge Borough Council [2011] Env LR 10*** – Rob appeared, as junior to James Findlay QC, in a leading case on the granting of Protective Cost Orders in judicial review challenges to planning permissions.
- **Hillgrove Paddocks Planning Inquiry (2012)** – representing the Local Planning Authority (South Downs National Park Authority) in a three-day planning inquiry. The central issue was whether there was an essential need for a rural worker to live on his farm. The Inspector accepted the Authority's submissions that the NPPF had not altered the substantive test to be applied.
- **Pond Farm Planning Inquiries (2011-2013)** - appearing for the Local Planning Authority (Chichester District Council) in a series of multi-day planning inquiries relating to the refusal of retrospective planning permission for numerous gypsy sites.
- **Whitstable Bay Estate CPO (2013)** - Rob is currently advising Canterbury City Council in relation to their proposed compulsory purchase of the Whitstable Bay Estate (part of a wider SSSI and RAMSAR site). The Council's proposals are being pursued in partnership with the RSPB and Natural England.
- ***Asghar v London Borough of Barnet v Minoan Investments Limited (2013; judgment pending)*** – Rob appeared for the London Borough of Barnet in a three-day trial in which the local authority (the mesne tenant) was defending a claim of damages from the tenant for an alleged breach of lease covenants, as well as making an additional (Part 20) claim against the freeholder for breach of covenants in the headlease.

Rob read law at University College London, graduating in 2006 with a first class degree (ranked 1st in his year). He was awarded the Lord Denning scholarship by Lincoln's Inn for the BVC and was called to the Bar in 2008. He joined chambers in October 2009 following successful completion of his 12-month pupillage.

## Planning

Since the commencement of his practice Robert has advised on and acted in a large number of planning matters, including:

- Acting, with Morag Ellis QC, on behalf of Brighton and Hove City Council in a seven-week inquiry into the proposed redevelopment of Brighton Marina.
- Appearing, with James Findlay QC, in *R (on the application of Garner) v Elmbridge Borough Council [2010] EWCA Civ 1006*, the leading case on the grant of Protective Costs Orders in judicial review challenges to planning permissions;
- Appearing for Chichester District Council in a number of multi-day planning inquiries regarding the

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use of land within the District for a gypsy sites. These inquiries raised issues *inter alia* of gypsy status, Article 8 of the ECHR, and impact on a European Protected Species

- Representing Wycombe District Council in a two-day planning inquiry into proposed residential development within the Green Belt (Green Belt policy; viability of employment use)
- Representing Merthyr Tydfil County Borough Council in a two-day planning inquiry into a proposed development of 65 residential units (Visual Amenity and Landscape; Highway Safety)
- Representing Wycombe District Council in a three-day planning inquiry into a proposed housing development (Visual Amenity and Landscape);
- Representing Brecon Beacons National Park Authority in an appeal relating to a proposed development of 7 house residential scheme in the National Park (Landscape Amenity; Density; Affordable Housing);
- Appearing for Neath Port Talbot County Borough Council in a two-day appeal against the LPA's refusal to approve details relating to a Biomass Power Station (Visual Amenity; Noise)
- Representing Brighton and Hove City Council in a four-day inquiry into a proposed 72 flat, residential scheme (Visual Amenity; Housing Land Supply; Private Amenity Space)
- Appearing for Thanet District Council in a two-day inquiry in relation to an application for a Certificate of Lawful Existing Use
- Acting for the interested party in the Court of Appeal in *Leeds Group Plc v (1) Leeds City Council, (2) Secretary of State for the Environment, Food and Rural Affairs, (3) Jones* [2011] EWCA Civ 1447, in which the appellants (unsuccessfully) argued that applying the new definition of a town or village green brought in by CROW Act 2000 to use of land prior to enactment would be contrary to the presumption against retrospectivity and breach their Article 1 Protocol 1 rights.
- Acting as part of a team of three barristers from chambers who advised on an application to the Infrastructure Planning Committee in relation to the development of a Nuclear Power Station
- Appearing for a number of local authorities in enforcement appeals.

During his pupillage Robert gained experience of a wide variety of planning matters including section 78 and enforcement appeals, judicial review of planning permissions, challenges to the validity of the plan-making process and section 187B injunctions.

Robert also presented a paper on Town and Village Greens at the seminar Planning and Local Government Issues for Wales in September 2009

## Cases

### Hillgrove Paddocks Planning Inquiry (2012)

Representing the Local Planning Authority (South Downs National Park Authority) in a three-day planning inquiry. The central issue was whether there was an essential need for a rural worker to live on his farm. The Inspector accepted the Authority's submissions that the NPPF had not altered the substantive test to be applied.

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## Associations

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- Member of the Constitutional and Administrative Law Bar Association
- Member of the Social Housing Law Association
- Member of the Planning and Environment Bar Association