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Megan Thomas

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Area of expertise

Arbitration

Planning & Environmental

Public Law

Profile

Recommendations

"A great leveller who sees the bigger picture – she gives advice that may be unpalatable in a diplomatic and yet robust form."

"Extremely practical, persuasive, articulate and popular with the court and clients."

Leading Junior - Environment and Planning – Legal 500 [2019]

Nominated for Real Estate, Environment and Planning Junior of the Year

Legal 500 2018 and 2019 UK Bar Awards

"Her thoughtful and well-informed manner provides a calming and confident influence".

Legal 500 [2017]

□Very experienced in conservation issues□

□An expert on planning appeals□

Legal 500 [2016]

"She has a very practical approach, and an ability to distil legal complexities down to core commercial implications."

"She is prompt in giving advice, and tenacious on her feet in court."

Legal 500 [2015]

"...highly popular junior amongst instructing solicitors, who has notable experience in environmental and town and country planning matters. Her practice has a particular focus on major infrastructure projects".

"She is first-rate, very thorough and conscientious, and is always trying to help you through any problems you have."

Chambers & Partners UK Bar Guide [2014]

Appointments

Attorney General's list of Special Advocates (Environment Agency and Health and Safety Executive)

Called to Eastern Caribbean Bar in 2008

Committee Member of Planning & Environmental Bar Association

Works for the Planning Inspectorate from time to time

Profile

Megan Thomas is a specialist in planning, public and environmental law and has been consistently recognised as a leading junior in her field since she was called to the Bar in 1987. She has a thorough knowledge and understanding of planning law helped by the fact that she is also a decision maker in planning appeals. She is favoured by clients for finding the most practical solution to a planning or environmental problem and for being persuasive and succinct as an advocate.

She is instructed by leading developers, retailers and housebuilders as well as numerous local planning authorities. She is also experienced in compulsory purchase, highway and footpath law, stopping up orders and gypsy and traveller injunctions and inquiries.

Recent Notable Cases

R (Swan Quay LLP) v Swale Borough Council & Faversham Town Council [2017] EWHC 420 (Admin)

R (Swire) v Canterbury District Council & Pentland Homes CO/490/2017

R (Kent) v Kensington & Chelsea RLBC [2016] EWHC 2809 (Admin)

R (Lee Valley Regional Park Authority) v Epping Forest District Council [2016] EWCA Civ 404 (Court of Appeal and High Court)

R (XPL Ltd) v Harlow Council [2016] EWCA Civ 378 (Court of Appeal and High Court)

R (Pitt) v Secretary of State for Communities and Local Government [2015] EWHC 1931 (Admin)

R (Ghadami) v. Epping Forest District Council [2013] EWHC 4133 (Admin)

A4 Metals Recycling Ltd v Secretary of State for Communities & Local Government & West Berkshire Council [2014] EWHC 2524 (Admin) – consideration of fallback position by Inspector & approach to NPPF.

R (Padden) v Maidstone Borough Council & Harrison [2014] EWHC 51 (Admin) judicial review of decision to grant permission for fishing lakes with complex enforcement issues and hydrogeological issues.

R (Mouring) v West Berkshire Council [2014] EWHC 203 (Admin) – whether infrastructure project under Environmental Impact assessment Regulations, AONB.

Megan continues to be the advocate for Maidstone Borough Council at the Maidstone Local Plan Examination. The examination began in October 2016.

She has advised and appeared for Severn Trent Water Ltd in the first public inquiry under the Environmental Damage (Prevention & Remediation) Regulations 2009 following a pollution incident affecting land and water in a Site of Special Scientific Interest. The main ecological issue was whether or not there was a site integrity effect.

She has particular expertise in housing matters, having participated in many house building planning inquiries and having advised several local planning authorities on their 5-year land supply, Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments. She can advise on all typical planning considerations such as nature conservation particularly Ancient Woodland, hydrogeology, heritage, traffic management, landscape character and appearance, design, noise, outlook and light issues.

She has experience in the High Court and Court of Appeal as well as in Crown Court and Magistrates' Court matters. She is known for giving realistic advice in relation to judicial review challenges. She is particularly familiar with Environmental Impact Assessment issues, Conservation

issues and Development Plan issues. She has also appeared in Parliament petitioning against infrastructure bills. She has seconded as an in-house environmental and planning solicitor for local authorities where she gained a valuable insight into the workings of local government and particular expertise in negotiating section 106 agreements and advising on injunctions, prosecutions, advertisements, noise nuisance and other enforcement issues.

Megan has also recently acted in a Village Green Registration inquiry where she acted on behalf of the applicants for the Green. There were three different landowners on the application site and the main issue was whether or not the landowners had maintained fences and erected keep-out signs during the 20 year user period.

Throughout her career at the Bar she has advised on Compulsory Purchase and Compensation issues appearing at public inquiries into CPOs including highway schemes and appearing in the Upper Tribunal on compensation issues.

She is a member of the Eastern Caribbean Bar and has recently appeared in the British Virgin Islands High Court and Court of Appeal on environmental judicial review matters. Megan was called to the Eastern Caribbean Bar in 2008.

Planning

She appears at planning inquiries for both public sector and private sector clients. Her experience includes:

- Appearing at numerous wind farm inquiries and other renewable energy schemes;
- Promoting and objecting to Local Plans (including minerals and waste plans);
- Promoting and objecting to large infrastructure projects such as underground gas cavern and strata schemes, bypasses and town centre redevelopments; and
- Promoting and objecting to housing schemes.

Megan Thomas has been instructed by many leading UK firms including Severn Trent Water Limited, Wates Developments, JS Sainsbury, Tesco Ltd, Granada Leisure, Bovis Homes, British Telecom, Toyota UK, Eagle Star Properties, David Lloyd Leisure, Berkeley Homes and R Collard Ltd.

Environmental Law

Her particular experience in the environmental law field includes:

- Appearing at inquiry under the Environmental Damage (Prevention & Remediation) Regulations 2009
- Advising on waste and landfill issues;
- Advocacy in waste-related prosecutions in the Crown Court and Magistrates Court;
- Advice on licences for waste disposal;
- Dealing at inquiry with noise, odour and traffic issues; and
- Successfully attaining an order against nuisance (barking dogs) in the Magistrates' Court.

Other Notable instructions include:

Footpath Modification Inquiry for Sandwell Metropolitan Borough Council

Noise nuisance abatement notice prosecution (Tunbridge Wells 2014)

North London Waste Plan (2012)

Acting for a consortium of London Boroughs promoting the waste plan.

Witanhurst House, Highgate Inquiry (Ref 2119332 June 2010)

Inquiry into renovation & basement rooms development. Witanhurst is the largest house in London after Buckingham Palace and is a listed building.

Hilston Wind Farm Case (Ref 2130670 January 2011)

Planning Inspector refused planning permission for a three turbine scheme. Represented East Riding of Yorkshire Council who argued the scheme would result in undue harm to the landscape and character and visual amenity of the agricultural landscape when added to three other nearby schemes which had been permitted.

Kings Cross Underground Station (Ref: CTRL/09/1 June 2010)

Appeals under Channel Tunnel Rail Link Act for retention of Kings Cross tube entrance and vent shaft refused.

R v R Collard Ltd & Others (Guildford Crown Court 30 June 2009)

Crown Court prosecution pursuant to s.33 EPA 1990

Inter-gen plc and East Riding of Yorkshire Council

Planning inquiry into formation of underground gas caverns, brine outlet in north sea, pipelines to national transmission lines at Aldborough, Holderness, East Yorkshire.

Express Park Waste Wood Power station, Bridgewater

Planning inquiry into construction of waste wood fuelled power station including biomass storage building open air storage and condensers. Appeal dismissed.

Caythorpe Well Site, Rudston

Planning inquiry into conversion of power generation facility into underground natural gas storage facility in underground strata and construction of connection pipeline into NTS.

Numerous separate wind farm appeals: Hall Farm, Routh, Withernwick wind farm, Tedder Hill wind farm, Roos wind farm, Monkwith wind farm and Sixpenny Wood wind farm.

Humberfield Landfill Site and Composting Facility, Humberfield Farm, North Ferriby

Planning inquiry into integrated recycling facility, transfer station, household waste recycling facility.

Upper Heyford Planning Inquiry (Housing) for Environment Agency

Tower Hill Gardens compulsory purchase

Beef Island Leisure Resort judicial review in BVI

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