



## Richard Humphreys QC

Call: 1986 QC.: 2006



### Contacts

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### Area of expertise

Planning & Environmental, Public Law.

Richard has extensive experience in planning, environment, compulsory purchase and local government law, practising in courts at all levels, at public inquiries and related advisory work. **Planning** Planning practice includes extensive experience in substantial regeneration and infrastructure projects, including highways and aviation, development plan preparation, SA/SEA/HRA and EIA, residential, industrial/office, retail, heritage, leisure, agriculture, minerals and waste development, certificates of lawfulness and enforcement notices. Development Plans Richard has been instructed to advise upon and appear at a number of Development plans and has considerable experience of promoting and opposing plans as well as representing clients in Legal Challenges to adopted Local Plans. Recent instructions have related to Wiltshire Core Strategy, Lichfield Local Plan, Mendip Local Plan Part 1, West Lancashire Local Plan, Stafford Local Plan Parts 1 and 2, Hartlepool Local Plan, Cheltenham, Tewkesbury and Gloucester Plans and Harrogate Local Plan. Residential Richard has advised and/or represented a large number of developers (including Bellway Homes, Bovis Homes, Crest Nicholson, Redrow Homes, Barratts/BDW, Linden Homes, Orbit Homes and Orchard Homes) and Local Authorities at many public inquiries and through subsequent Legal Challenges. Richard therefore has a very good working knowledge of OAN, 5 year supply, employment, viability, Green Belt, heritage, landscape and EIA and Habitats Regulations issues. Retail Richard has represented large retailers including Asda, Tesco, Aldi, Sainsbury, the Co-op and B and Q as well as retail park operators and Local Authorities. Richard has extensive experience of convenience and comparison goods retailing, retail warehousing, warehouse clubs, and applications for certificates of lawful use in respect thereof. Recent examples include out of town retail developments in Sunderland and proposed new stores for Aldi at Fletton Close, Leicester and Great Barr, Birmingham. Industrial/Office/Commercial Richard has advised and /or represented numerous clients in relation to a wide range of such proposals, from Europe's largest bottle making and filling factory, office development in the grounds of a listed building, a multisports complex, holiday park development and a crematorium. Conservation Richard has many years' experience of projects which potentially affect heritage assets (both designated and non-designated). Examples include Nutfield, West Sussex enabling development, works affecting listed buildings, Dunstable and Eaton Bray, Harlestone, Northants enforcement inquiry, St



John's Wood, London Robert Adam residential development, Extension of listed building, St John's Wood Water Research Company office redevelopment, Medmenham, West Walls of Carlisle/Tesco retail inquiry, Milton Keynes Council – Tesco, Wolverton redevelopment, Weston Lane, Shavington, Cheshire, inquiries at Melksham and Semington, Wiltshire, Ticehurst, East Sussex and West Malling, Kent (Bellway Homes). **Infrastructure** Richard has been involved in some of the largest schemes considered at inquiry. He has experience of the DCO process under the Planning Act 2008, as well as substantial infrastructure development pursuant to the Town and County Planning Act 1990, the Transport and Works Act 1992, the Electricity Act 1989 and other infrastructure related legislation. Examples include the Thames Gateway Bridge, the City of London heliport, Redhill Aerodrome, Manchester Second Runway, Heathrow Terminal 5, London Gateway (Shellhaven) container port development, Carlisle Airport freight development, London Oxford Airport, telecommunication mast cases and wind turbine inquiries. Richard has advised and acted for the CAA in respect of numerous airports including Manchester, Stansted, Cardiff, Southampton and City Airport, London. **Agriculture** Richard has wide-ranging experience in agricultural development, from poultry processing to pig and cattle farming, to large scale greenhouse production and agricultural land classification. **Minerals and Waste** Richard has been involved in numerous cases involving mineral extraction (from tin to limestone to sand and gravel to gypsum to fullers earth; as well as waste development. He has represented some of the largest Quarry and Waste operators in the country, including Tarmac and Aggregate Industries. He has particular expertise in relation to issues concerning interpretation of permissions and conditions, review of minerals permissions, permitted development rights, environmental impact assessments requirements, viability of extraction, compatibility with residential development, sterilisation of minerals, assessment of reserves and resources, the sale of mineral product, the meaning of waste, waste delivery and the interpretation of supply agreements. Recent case examples include Former Fullers' Earth site, Bath; Cornelly Quarries near Bridgend and Mepal Quarry, Cambridgeshire. **Highways** Richard has advised and/or represented numerous clients in relation to Highways matter. Experience includes road improvement schemes, bypass inquiries, Motorway Service Areas, road bridges and footbridges, stopping up/ diversion of highways orders, and rights of way. **Enforcement** Richard successfully argued the still leading case of R v Wicks in the House of Lords (the scope of challenge to the validity of an enforcement notice when prosecuted for non-compliance). He has appeared at numerous enforcement inquiries and has in-depth knowledge of enforcement law. Recent instructions have included those from Wycombe DC (Babs Park, Bourne End), and from Nick Hood (Brush Garage, Walsall). **Environmental** Environmental work has included numerous advices and/or representation in respect of statutory and public/private nuisances, environmental protection (prescribed processes, substances and waste) regulations, and hazardous substances regulations, including in relation to Buncefield depot, Hemel Hempstead. Recent instructions include representing Cank Farm, Tanworth-in-Arden (nuisance case) in the High Court. **Compulsory Purchase and Regeneration** Compulsory purchase work includes section 17 inquiries (certificates of appropriate alternative development), section 226 TCPA 1990 inquiries/compulsory acquisition for development/planning purposes, compensation, section 84 Law of Property Act 1925 applications (restrictive covenants), and Lands Tribunal (Lands Chamber of the Upper Tribunal) work. Recent CPO work include the Network Rail (London to Corby) (Land acquisition, level crossing and bridge works) Order (Bovis Homes Ltd), and the promotion of the Manchester City (Brunswick) CPO. **Local Government** Local government work includes advising on the scope of statutory powers (including financial), the



constitution of committees and election law, Code of Conduct, EU procurement, State Aid, freedom of information, emergency powers, urgent works notices, rights of way, town and village greens, common land, charter and statutory markets and fairs, hackney carriage licensing. Richard also has experience in relation to Gypsy / Traveller matters.

### **Recommendations**

“He really tests the case and identifies weaknesses in good time for them to be addressed.”

### **Legal 500 [2019]**

“He is very thorough and has a mastery of the detail. Forensic would be the word that springs to mind.”

### **Chambers UK Bar Guide**

“I am most grateful for the time and immense care you have taken to review this case.”

### **Planning Consultant [2018]**

“Many thanks Richard: a thoroughly thorough opinion! Your advice, options and recommendation/s are understood and appreciated.”

### **Planning Consultant [2018]**

#### **Professional memberships**

Administrative Law Bar Association  
National Infrastructure Planning Association  
Planning and Environment Bar Association