Jonathan Powell

Year of Call: 1984



Practice Summary

Jonathan specialises in Planning, Environmental and Property Law.

Member of the Planning & Environment Bar Association, Administrative Law Bar Association, Ecclesiastical Law Society, Agricultural Law Association, Built Environment Working Group of the UK Environmental Law Association and Environmental Law Foundation's referral panel. Author of practice guides on Judicial Review, Enforcement, Prosecution, Injunctions, Planning Agreements and Human Rights and Expert Witness Training. Contributing case editor to the Journal of Planning & Environment Law.

Qualified to Accept Public Access Instructions

All aspects of development agreements. Work on numerous large proposals entailing property disposal and planning gain exceeding £70M. Reclaiming derelict land, enforcement related phasing arrangements, amending deeds, open space, establishing trusts, social housing, nomination agreements. Highways agreements, new roads and traffic calming, bonding. Crown land.

Usual areas, inappropriate agricultural diversification, caravans, scrapping, advertisements. Extensive experience of tipping and aggregate reprocessing, major enforcement schemes including call-in. Mineral extraction and backfilling.

Large prosecution cases. Extensive advisory work on evidence. Long unauthorised use of land and issue of certificates of lawfulness.

Green Belt, both opposing and promoting development. Extensive experience of over 20 "Called-in" applications. Retail, out of centre food and non-food retail warehousing, town centre and inappropriate uses. Housing esp. PPGs 3 &13 compliance. Conservation areas, design and tree issues. Development Plans - promoting plans for authorities, e.g. for South Norfolk Council (October 1998 - May 1999), North Wiltshire DC (June September 2005) and for objectors - largely house-builders' objection sites. Enforcement and long use. Highways. Compulsory Purchase, Certificates

of Appropriate Alternative Development. Lands Tribunal business.

Other work

Outdoor AdvertisingSee RB Kensington & Chelsea v. Harvey Nichols, Megaprofile & Versace [2002] JPL 175 CA, Westminster CC v. H&M Hennes [2002].

InjunctionsHigh Court and County Court, cases include Green Belt, tipping, storage and operations – see LB Hillingdon v Guinea Enterprises Ltd. (1998) 76 P & CR 338. Extensive advisory work on tactics and procedure.

NoiseIndustrial noise and BS 4142, aircraft and traffic noise and statutory nuisance. Noise generated by superstore Sunday trading. Experience in planning agreements, inquiries and High Court.

WasteReclamation of land, creation of 200 acre parkland site. Waste transfer, special waste, incineration, pollution of groundwater.

High CourtAdministrative Court – challenging decision letters, acting for first and second defendants, judicial review using reformed procedures see R oao Sammakia &Others v. RB Kensington & Chelsea. [2001] EWHC Admin 2533.

Areas of Expertise

- Commercial
- Planning Environment