

Peter Wadsley

Head of Public & Administrative Practice Group



YEAR OF CALL: 1984

INN: MIDDLE TEMPLE

SOLICITOR: 1979

“ Peter is excellent – he’s outstanding with cross-examination, very skilful on his feet and very easy to get along with.”

CHAMBERS UK, 2022

PLANNING

Practice Overview

Peter specialises in planning & local government law, environment law and licensing. He heads the Public & Administrative Law Practice Group at St John’s Chambers. He also has extensive experience in public rights of way inquiries and associated topics, as well as in judicial review proceedings. He frequently acts for developers, local authorities and third parties in many inquiries. He is described by Chambers UK as ‘the number one junior on the Western Circuit for planning and environmental work’ and Legal 500 as the ‘leading planning junior on Circuit.’

Peter is qualified to undertake public access work in appropriate cases.

Areas of Expertise

Public & Administrative Law

Administrative Law

As a senior barrister in the local government field, Peter has considerable experience in all aspects of planning and environmental work, including public inquiries, appeals to the High Court and Court of Appeal and in judicial review of local authority decisions.

He advises in all these areas assisting local authorities, developers and other bodies, including interest groups and other public bodies. Particular areas of interest and expertise include renewable energy (particularly wind farms and biomass); major housing inquiries (including three where viability in the present economic climate was in

issue); retail inquiries; all aspects of enforcement appeals; and listed building and conservation area issues (and appeals).

Peter has also acted for highway authorities and others in relation to the creation and extinction of public rights of way and consequent appeals to the High Court. A recent major rights of way inquiry was the Vixen Tor inquiry in Devon.

He regularly advises local authorities and others on local government issues, including advice to local authorities on their statutory functions and duties.

He has acted (with Leslie Blohm QC and John Sharples) for local authorities in Village Green cases.

He has spoken at many conferences and seminars including (2011) CLT Maximising the Opportunities for Landowners with renewable energy; CLT Planning Law update; CLT Licensing Conference; and a Local Government Law Conference (SJC).

Highways & Rights of Way

Peter specialises in planning & local government law, environment law and licensing. He heads the Public & Administrative Law Practice Group at St John's Chambers. He also has extensive experience in public rights of way inquiries and associated topics, as well as in judicial review proceedings. He frequently acts for developers, local authorities and third parties in many inquiries. He is described by Chambers UK as 'the number one junior on the Western Circuit for planning and environmental work' and Legal 500 as the 'leading planning junior on Circuit.'

Peter has also acted for highway authorities and others in relation to the creation and extinction of public rights of way and consequent appeals to the High Court. He has frequently advised on issues involving the formation and repair of highways and the liabilities of developers and the highway authorities in that connection. He was involved in the case of the footpath which collapsed into the River Severn and the legal consequences, including the right of the public to deviate; *R (Gloucestershire CC) v SSETR* (2001) 82 P. & C.R. 171.

His recent PROW applications dealt with have included:

- ▶ A footpath in South Wales which was litigated to the Court of Appeal.
- ▶ The much publicised Vixen Tor inquiry on Dartmoor.
- ▶ An unusual application in Devon to declare an ancient highway under section 59 Highways Act 1980, which involved issues going back to the beginning of the 19th century.

Judicial Review

As a result of his experience in the planning, environmental and public rights of way areas, Peter has obtained extensive experience in Judicial Review and in statutory appeals covering the same types of issues. He was successful in the leading CA case of *Trim v North Dorset District Council* which, inter alia, dealt with the use of challenges by declaration in private law proceedings under Part 8 CPR as an alternative to Judicial Review under

CPR54. Both before and since that case he has brought and defended many applications for Judicial Review in the planning, environmental and local government field generally, most recently (2016-17) being involved in challenges to planning permissions involving the interpretation of the National Planning Policy Framework.

He has also been involved in Judicial Review challenges in Town and Village Greens and many other cases.

Planning

Peter has undertaken a large number of major inquiries including (under the pre-2004 Act regime) a large number of Local Plan Inquiries for local authorities and developers all over the South West. These included Minerals and Waste LPIs.

Other inquiries have included a number of retail superstore inquiries in Stroud, West Wiltshire, North Devon and North Somerset; major motorway service area inquiries in Stroud and South Gloucestershire; highway inquiries in the South West including the Barnstaple Western By-pass (Devon CC) and the Gloucester South-West By-pass (Gloucestershire CC) and many major housing enquiries in the South West., including most recently 3 major inquiries where the consideration of viability in the present economic climate was a fundamental issue – primarily in relation to the provision of affordable housing.

Renewable Energy inquiries have included: thirteen Wind Turbine Inquiries: six in North Devon, one in Shoreham, Sussex, one in Stroud, one in Cornwall, two in Dorset and two in Torridge. Some of the more recent inquiries included an inquiry in the South Hams which resulted in the dismissal of the appeal, the rerun of the Denbrook inquiry and the Bickham Moor/Three Moors inquiries. There have also been two major inquiries in South Wales, one involving a wind farm and the other a major biomass plant. Another biomass inquiry in Devon has been recently concluded. The most recent (2012) were wind farms in Dorset and Torridge.

Minerals inquiries have included a gravel pit inquiry: Test Valley, Hampshire; a Ball-Clay Inquiry (Devon County Council); open cast coal Inquiry (Gloucestershire County Council); sand and gravel inquiry in Norfolk; Mineral Local Plan for Gloucestershire County Council.

Waste Inquiries include three in Norfolk, one in North Somerset and also the North Somerset and Gloucestershire Local Plan Inquiries.

Peter also has considerable experience of prosecuting and defending in regulatory work in planning and environmental work and also in trading standards and related areas.

Recent Cases

- ▶ [Clay v Welsh Ministers](#) [2018] EWHC 2104 Admin
- ▶ [Forest of Dean DC v Secretary of State](#) [2016] EWHC 2429 Admin
- ▶ [Forest of Dean District Council v Secretary of State for Communities and Local Government & another](#) [2016] EWHC 421 (Admin)

- ▶ *R (Freedman) v Wiltshire Council* [2014] EWHC 211 Admin
- ▶ *Trim v North Dorset DC* [2010] EWCA Civ 1446; [2011] 1 WLR 1901 (CA)
- ▶ *R (Bristol City Council) v Bristol Magistrates' Court* [2009] EWHC 625 Admin
- ▶ *Howells v SSCLG and Gloucestershire CC* [2009] EWHC 2757 Admin; [2010] JPL 741
- ▶ *R. (Egerton) v Taunton Deane BC* [2008] EWHC 2752 Admin
- ▶ *R. (on the application of Carroll) v South Somerset DC* [2008] EWHC 104 (Admin)
- ▶ *R. (North Devon District Council) v Secretary of State for Business Enterprise and Regulatory Reform* [2008] EWHC 1700 Admin
- ▶ *East Dorset DC v Eaglebeam Ltd* [2006] EWHC 2378 (QBD)
- ▶ *Hart District Council v Benford* [2006] EWHC 240 (QB)
- ▶ *R. (Port Regis School) v North Dorset District Council* [2006] EWHC 742 (Admin)
- ▶ *R. (Gloucestershire CC) v Keyway (Gloucester) Ltd* [2003] EWHC 3012 Admin
- ▶ *R (Gloucestershire CC) v SSETR* [2001] 82 P. & C.R. 171
- ▶ *Welton v North Cornwall DC* [1998] 1 WLR 1285 (CA)
- ▶ *Carey v Chief Constable of Avon & Somerset* [1995] RTR 405 (CA)

Recommendations

"His advice and opinions are pragmatic, sensible and strike the right note." "Peter's strengths are his ability to think on his feet and the fact that he is very user-friendly. His advice is provided clearly and succinctly, and he dedicates himself to the job."

CHAMBERS UK, 2021
PLANNING

"Peter's strengths lie not only in his client management skills but also his holistic strategic advice at the outset of the case. He is skilled in the art of cross-examination and has a wealth of knowledge on case law."

LEGAL 500, 2021
PLANNING AND ENVIRONMENT

"He is very able, courteous and friendly. 'He is a genuine master of his craft.'"

CHAMBERS UK, 2020
CONSTRUCTIVE, PLANNING AND ENVIRONMENT

"A real thinker on his feet. He is very persuasive when arguing points in court. He continues to be the number one junior on the Western Circuit for planning and environmental work."

CHAMBERS UK, 2019
PLANNING

"He has an encyclopedic knowledge of planning and environmental matters."

LEGAL 500 , 2018
PLANNING

"Peter has an aura about him, and is highly respected for his encyclopedic knowledge. 'Pragmatic, experienced and approachable.' 'A good advocate.' "

CHAMBERS UK , 2018
PLANNING

Professional memberships:

- ▶ Planning and Environmental Bar Association
- ▶ Western Circuit
- ▶ Formerly a practising solicitor and a partner in a commercial and licensing practice in Bristol

Qualifications & awards:

- ▶ MA, LLM (Cantab)
- ▶ Post-graduate Certificate in Environmental Law (Bristol University)

Contact Peter:

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