

# Christian Hawley

Call: 2013

"Christian is superb, his commerciality is excellent, and he is a superb advocate." "Christian Hawley is exceptionally talented."

Chambers UK 2025



Christian Hawley specialises in Planning and Environmental law.

Christian joined Chambers in 2015, and is also a Chartered Surveyor (Planning and Development). Prior to his change of career to the Bar, he was a Property Director at Lidl UK. His years of industry experience has provided Christian with a rich knowledge of property development and planning allied with a keen sense of commercial realism.

Christian regularly acts for developers, promoters, local authorities and interested parties across a wide range of planning and environmental matters both at Inquiry and in the higher courts. He also enjoys a busy advisory practice.

## Expertise

### Planning

#### Notable Cases

##### Inquiry - Land off Barff Lane, Brayton, Selby (2024)

Secured outline planning permission for up to 95 dwellings. Issues: (1) Impact upon Ancient Woodland / SINC, (2) Spatial Hierarchy / Strategy, (3) Landscape / Character, (4) Housing Land Supply.

##### Hearing - Land west of A275, South Chailey, Sussex (2023)

Secured outline planning permission for up to 56 dwellings (inc 40% affordable). Issues: (1) Location / Spatial Strategy, (2) impact upon landscape and character.

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### R (oak Moore) v Somerset Council [2023] EWHC 2544 (KB)

The proper interpretation of the relevant policies of an adopted development plan in relation to the grant of planning permission for a town centre redevelopment project.

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### Hearing - Hooton Hotel, Hooton Rd, Hooton, Ellesmere Port (2023)

Secured full planning permission for the erection of 18 dwellings, Issues: (1) Green Belt, (2) Location / Spatial Strategy / Sustainability, (3) Protected Species.

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### Hearing - Land off Melksham Rd, Hold, Wilts (2023)

Secured outline planning permission for up to 90 dwellings (inc 40% affordable). Issues: (1) Location / Spatial Strategy, (2) Landscape / settlement character and appearance, (3) sustainability.

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### Hearing - Land North East of 74 North Street, Biddenden, Kent (2022)

Secured outline planning permission for up to 50 dwellings (inc affordable housing). Issues: (1) Location / Spatial Strategy / Scale, (2) heritage impacts,, (3) impact upon landscape and character, (4) arboriculture (inc veteran trees).

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### Hearing - Land off Front Road, Woodchurch, Kent (2022)

Secured outline planning permission for up to 40 dwellings. Issues: (1) Location / Spatial Strategy / Scale, (2) impact upon character and appearance.

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### Inquiry - Land south of Arlesley Rd, Stotfold (2022)

Led by Christopher Young KC - planning permission for up to 181 dwellings, integrated Care Village (C2), and ancillary community facilities. Issues: (1) Housing Land Supply, (2) Location / Spatial Strategy, (3) effects upon landscape / character.

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### R (oao Danning) v Sedgemoor District Council [2021] EWHC 1649 (Admin)

A successful challenge to the LPA's failure to: (1) discharge its duty under s149(1) Equalities Act 2010 when determining a planning application which would involve the loss of a public house, (2) properly interpret its own development plan policies for consideration of the loss of community facilities.

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### Hearing – Land of Anchor Road, Coleford, Somerset (2021)

Secured planning permission for up to 63 dwellings. Issues: (1) scale of development, (2) outside settlement boundary (greenfield), (3) effects upon landscape and appearance.

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### Inquiry – Land to south of White Rock, adj Brixham Road, Torbay (2021)

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Led by Peter Goatley KC – secured permission for up to 400 dwellings. Issues: location (outside of established built up areas / not allocated), effects upon landscape character (in particular South Devon AONB).

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### R (oao Squire) v Shropshire Council and Matthew Bower [2019] EWCA Civ 888

The cope of Environment Agency Permits issued under the Environmental Permitting (England and Wales) Regulations 2016 and whether the LPA had properly considered the direct and indirect environmental impacts of the proposed poultry unit in terms of manure spreading as required by the Environmental Impact Assessment Regulations 2011.

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### Hearing – Land off Broad Street, Clifton (2019)

Secured planning permission for up to 80 dwellings, Issues: effect of proposed development on the character and appearance of the area and on the setting and identity of Clifton.

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### Inquiry – Former North Worcestershire Golf Club, Hanging Lane, Birmingham (2019)

Led by Christopher Young KC – secured permission for Bloor Homes for up to 800 dwellings, a primary school and associated development. Issues: 5YHLS, 'deliverability', meaning of 'windfall' sites.

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### Inquiry – Wooton Road, Charfield, Glos (2018)

Led by Jeremy Cahill KC – secured permission following a two-week public inquiry for Barratt Homes for up to 121 dwellings and a retail unit. The Main Issues were: (1) Prematurity (the Council contending that the proposal was premature in the context of the emerging West of England Joint Spatial Strategy), (2) Highways and connectivity, (3) Railway safety. The Council's subsequent challenge to that permission was refused permission.

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### Inquiry – Land at Harker, Carlisle (2018)

Advised and acted successfully for Carlisle County Council as Education Authority in seeking appropriate financial contributions to be made toward the provision of primary and secondary education arising from a proposal for 300 new dwellings.

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### Inquiry – Land North of Ashby Road, Tamworth (2018)

Led by Jeremy Cahill KC – secured permission for up to 1,000 dwellings. The application was called in for determination by the SoS. The Main Issues were: (1) Highways mitigation, (2) Education contributions, (3) Affordable Housing provision and (4) whether or not the proposal was required to make financial contributions towards leisure provision in the adjoining local authority area given its proximity to it.

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## Compulsory Purchase

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Christian advises landowners and local authorities in relation to all aspects of the CPO process including:

1. those affected by HS2,

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2. empty dwellings,
3. redevelopment schemes,
4. compensation (for example, in relation to a compensation settlement for a commercial car dealership arising from the construction of a new relief road).

## Planning Judicial and Statutory Reviews

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Christian regularly advises landowners / developers, local planning authorities and third parties in relation to potential challenges to planning decisions (and how to avoid them). Early engagement often allows for steps to be taken to secure the desired outcome without recourse to the courts.

Where an 'early' result is not achieved Christian has experience across the full range of planning matters which come before the courts.

## Plan-making

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Christian has appeared at numerous Local Plan EiPs representing the interests of landowners, developers and promoters at all stages of the plan-making process including consultation / evidence base submissions, call for sites, Examination submissions / advocacy, potential challenges. Christian has also advised extensively in relation to the preparation and adoption of SPDs (both for developers / landowners / promoters and local planning authorities).

## Planning Appeals

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Christian has extensive experience advising in relation to all aspects of planning appeals including appearing for appellants, local planning authorities and third parties at Hearings and Public Inquiries.

To maximise the prospects of a successful outcome it is critical to ensure early engagement in the process, Christian regularly advises in relation to matters yet to be appealed right through to the final disposal of a case and every point between.

Christian acts in relation to all planning matters including residential development (see Residential section for more details), enforcement (see Enforcement), certificates of lawfulness, employment / logistics, infrastructure (including Motorway Service Areas) and Gypsy and Traveller appeals.

## Planning Enforcement

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Christian has extensive experience in dealing with planning enforcement matters having acted for landowners and local planning authorities from the identification of planning issues through to enforcement appeals. Christian is also well-versed in dealing with related matters including requests for information, applications for certificates of lawfulness and addressing s215 'clean up' notices. Christian is able to advise at all stages and regularly appears in enforcement appeals and subsequent challenges.

Examples include:

1. Securing the quashing of an enforcement notice in relation to a large site which had been redeveloped to provide fishing

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- lakes. The notice alleged an unlawful material change of use including the winning, working, storage and sale of minerals; the unauthorised importation, storing, processing and deposition of waste materials; use of the land for the storage of plant (including crushers and processors); storage of plant (and parts) for hire; residential use; mechanical repairs and maintenance along with the unauthorised erection of various buildings, formation of lakes and creation of a haul road.
2. Securing the quashing of an enforcement notice in relation to the erection of a stable block / riding school waiting room. The notice alleged the unauthorised erection of a single-storey residential dwelling.
  3. Successfully defending an enforcement notice in relation to land associated with a residential development which the landowner had secured and sought to prevent access by the public. The notice was upheld requiring the cessation of use of the land as 'private open space' and returning it to use as public open space.

## Planning Injunctions

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Christian has extensive experience in dealing with planning injunctions acting for both landowners and local planning authorities including Gypsy & Traveller and Travelling Showpeople injunctions and injunctions requiring compliance with development control / enforcement action.

## Residential

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Christian regularly advises and acts for residential developers (both led and un-led) on a wide range of sites ranging from proposals for small developments through to schemes of 900 and 1,000 dwellings.

Christian also advises regularly on 'post-permission' issues such as the interpretation and discharge of planning conditions, the interpretation and effect of s106 agreements, revisions to existing consents, drainage and highways matters.

## Environment

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Christian has considerable experience in advising on the full range of matters falling under the broad umbrella of 'environmental issues' including EIA development, Habitats Regulations (with a particular understanding of the AA process and nutrient issues), Ancient Woodland, Flood Risk, along with the interaction between the planning system and the wider environmental permitting regime. From reviewing EIA documents prior to submission (and onwards into the planning process) through the acting in the courts in relation to legal challenges (both for claimants and defendants) Christian is able to assist in all environmental matters.

## Notable Cases

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R (oao Squire) v Shropshire Council and Matthew Bower [2019] EWCA Civ 888

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## Biodiversity Net Gain

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Christian regularly advises (often in conjunction with a wider range of matters dependent upon the particular case) in relation to Bio-diversity Net Gain and, in particular, cost-effective routes to demonstrating acceptable outcomes.

## Protected Habitats & Species

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Christian has significant experience in advising landowners / developers, local planning authorities and third parties in relation to protected habitats and species with a particular specialism in nutrient issues.

Christian regularly deals with such matters either on a standalone basis or as a discrete element of a wider proposal / case.

## Accreditations

- BPP / Broadway House Chambers Public Law Prize 2013
- College of Law / Freeth Cartwright Environmental Law Prize 2011

## Qualifications

- BPTC – Very Competent, BPP Leeds 2011-2013
- GDL – Commendation, College of Law Chester 2009- 2011
- Postgraduate Diploma in Surveying – Distinction, University of Reading 2009-2011
- BA (Hons) History and Politics – 2.1, University of York 1996-1999

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