

# Hugh Richards

Call: 1992

"He is good on strategy, dependable, offers practical advice and successfully navigates through difficult issues." "He is very user-friendly, to the point, and excellent at reading the decision maker."

Chambers UK 2022



Hugh Richards practice includes planning, environment and rights of way matters at inquiry and in the courts for developers, landowners, local authorities and government agencies.

He has particular experience and expertise in housing, development plan making, energy, waste, sports stadia, gypsy and traveller issues and planning enforcement. He talks regularly at seminars on a variety of topics including 'legal updates', localism, energy and housing planning policy, development plan making, giving evidence at planning inquiries, planning committee training and gypsy and traveller issues.

He is a multi-academy trust director, charity trustee, military museum trustee, churchwarden and a keen amateur actor and singer. He obtained planning permission to build his own house in the Green Belt.

Hugh was called to the Bar in 1992, having spent 12 years in the Army and read International Politics at the Universities of Wales (Aberystwyth) and California (Santa Barbara).

## Expertise

### Planning

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Hugh practices the following areas:

#### Compulsory Purchase

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- City centre regeneration in Birmingham – objector
- Urban regeneration in Northampton – objector
- Urban ring road in the Midlands – promoter
- Large regeneration project in the South West – promoter – Town Centre regeneration in the Midlands – objectors

#### Birmingham

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#### Bristol

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- Road schemes in Staffordshire – promoter

## Energy

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- Solar Farm: Local Authority in Northamptonshire; Objectors in South Wales
- Nuclear: for Local Authorities in Somerset and Anglesey
- Energy from Waste: EfW incinerators for Local Authority in Derbyshire, Shropshire and Leicestershire. For objectors in Hertfordshire (impact on important heritage assets)

## Planning Judicial and Statutory Reviews

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- Judicial Review of grants of planning permission / discharge of conditions on grounds including: inadequate consultation, procedural unfairness, defects in EIA process (screening, scoping, content of ES), failure to identify and apply policies in the development plan, failure to consider material considerations, legality of conditions, defects in planning obligation procedure and content, adequacy of reasons for the grant.
- Judicial review of designation of conservation areas and listing of buildings.
- Injunctions – particularly relating to gypsies and travellers including those in the green belt; non-compliance with enforcement notices; breach of planning conditions.
- Applications under s288 and s289 TCPA to quash appeal decisions relating to development management, lawful use and enforcement.
- Applications under s113 to quash DPDs (or parts thereof).

## Major Infrastructure

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- Hinkley Point C nuclear power station – Local authorities
- Wylva nuclear power station – Local authority
- Keuper underground gas storage – Local Authority
- Trunk road alterations – Local authorities.

## Minerals & Waste

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- Minerals: Quarrying applications for developers in Staffordshire and Lincolnshire; Processing plants in Lincolnshire and Leicestershire; ROMP applications.
- Waste: Energy from Waste: EfW incinerators for Local Authority in Derbyshire, Shropshire and Leicestershire. For objectors in Hertfordshire (impact on important heritage assets)

## Plan-making

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- Landowners: promoting housing allocations including in Hertfordshire, Cheshire East, Sussex, Lichfield, Birmingham, Cardiff, Central Bedfordshire, Oxfordshire, Warwickshire, Solihull.
- Developer: resisting allocations in minerals and waste local plan to prevent impact on housing site
- Local Authorities: advised and assisted LA bringing forward local plans and at examination: Worcestershire, Derby,

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Derbyshire, Leicestershire, Somerset, Shropshire, Staffordshire, Norfolk.

- Local Authorities: Gypsy and Traveller Local Plans in Leicestershire and Solihull.
- Somerset authorities: SPD for new nuclear power station at Hinkley Point.
- Developer: promoting new settlement of Northstowe in South Cambridgeshire Core Strategy, Area Action Plan and Development Control policies DPDs.
- Minerals and Waste Local Plans: advised LA in Leicestershire, Worcestershire.

## Planning Appeals

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### Retail:

- Local Authority: Superstores in Worcestershire, Nottinghamshire, Cornwall; food stores in Leicestershire, Derbyshire. Out-of-town retail park in Northamptonshire, Warwickshire, Motorway Services Areas.
- Developer: road-side PFS and retail

### Other:

- Energy from Waste: EFW incinerators for Local Authority in Derbyshire, Shropshire and Leicestershire. For objectors in Hertfordshire (impact on important heritage assets)
- Employment: offices in West Midlands, industrial units in Cheshire, Worcestershire and Staffordshire, multi-modal storage and distribution in Nottinghamshire, Leicestershire, Derbyshire
- Gypsies and Travellers: For Local Authorities in Solihull, Warwickshire, Worcestershire, Staffordshire, Shropshire, Flintshire, Cheshire, Yorkshire, Wiltshire. For Gypsies and Travellers in the South West and South East
- Minerals: Quarries for developers in Staffordshire and Lincolnshire; ROMP applications.
- Education: securing permission for a new school in the green belt; s106 contributions
- Leisure: quarry restoration to leisure park in Staffordshire; golf driving ranges, motocross scrambling.
- Agricultural: poultry houses, barns (including PD), barn conversions to residential, Alpacas.
- 5G phone masts

## Planning Enforcement

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- Gypsy and Traveller sites
- Lawful use by '10 year rule' and commencement of development authorised by planning permission.
- Development in breach of condition (including 'conditions precedent')

## Residential

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- For Developers: schemes of up to 500 houses in Northamptonshire, Leicestershire, Staffordshire, Worcestershire, Warwickshire, Gloucestershire, Nottinghamshire, Cheshire, Lancashire, Berkshire, Solihull; small schemes in 'back gardens'; barn conversions, extensions, agricultural dwellings, holiday caravan parks;
- For Local Authority: schemes of up to 5,000 houses in Derbyshire, Worcestershire, Wiltshire, Sussex, ; 'live-work' units in Warwickshire; rural/village conversions and extensions;

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## Qualifications

- BSc(Econ)

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