

# Peter Goatley KC

Call: 1992 | Silk: 2020

"Peter Goatley is excellent at cross-examination."

Chambers UK 2026 (Planning)



Peter Goatley KC is Joint Head of Chambers.

Peter Goatley KC specialises in planning and environmental work and has significant expertise in both public inquiries and High Court litigation including judicial review and statutory challenges.

Peter acts for a wide range of clients including developers, retailers, construction companies, community groups, house builders, local authorities and government agencies.

Peter was called to the Bar in 1992, having previously been a partner in a medium sized commercial solicitors practice.

## Expertise

### Planning

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He is joint head of the Planning Group at No5 Chambers and is a regular contributor to its conference and seminar programme. He also provides in-house training on planning and environmental matters to Planning Consultancies, Solicitors, local authorities and professional bodies.

#### Planning Inquiries

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Peter Goatley regularly appears at public inquiries throughout England and Wales. In respect of housing, often this includes the detailed examination of objectively assessed need, housing land supply and affordable housing provision. Peter is also presently promoting three Garden Villages.

#### Local Plan Examinations

#### Birmingham

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#### Bristol

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Peter has been involved in many Local Plan examinations including, recently:

- The West Oxfordshire Local Plan
- North Hertfordshire Local Plan
- Melton Mowbray Local Plan
- Luton Local Plan

## Awards



## Memberships

- Peter is a member of the Planning and Environmental Bar Association (PEBA)

## Qualifications

- MA (Oxon)

## Notable Cases

### **Stroud DC v SoS [2015] EWHC 488 (Admin)**

Leading decision upon what constitutes a “valued landscape” pursuant to paragraph 109 of the NPPF. Peter successfully argued that this required a site to have “demonstrable physical attributes”.

### **R(Crematorium Management) v Welwyn Hatfield DC [2018] EWHC 382 (Admin)**

Successfully quashed a grant of planning permission for a new crematorium where the officer’s report significantly misled members as to the extent of available crematorium capacity in the locality

### **Codex Land Promotion Ltd v SoSCLG and Wychavon DC**

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## 2016

Successfully argued (on behalf of the LPA) that the Appellant was required to comply with a Grampian condition requiring a link to the adjacent site. This was also the subject of subsequent litigation in CO/6516/2016 in which the Planning Court also upheld the local authority's argument.

### **Forest of Dean District Council v SOSCLG and Anor [2016] EWHC 2429 (Admin)**

This upheld and followed the Stroud case on valued landscapes.

### **Forest of Dean District Council v SoSCLG and Anor [2016] EWHC 421 (Admin)**

**04 March 2016**

The first leading case on the operation of the tilted balance involving designated heritage assets and paragraph 134 of the NPPF. At the subsequent redetermination appeal (see earlier above) successfully demonstrated development complied with that test.

### **Stroud DC v SoS [2015] EWHC 488 (Admin)**

Leading decision upon what constitutes a "valued landscape" pursuant to paragraph 109 of the NPPF. Peter successfully argued that this required a site to have "demonstrable physical attributes".

### **Fox Land and Property Ltd v SoSCLG [2015] EWHC Civ 298**

**03 March 2015**

Leading case on the considering the green belt status to land where the principal green belt policy had been revoked.

### **Trafford Borough Council v SoSCLG and Anor [2014] EWHC 424 (Admin)**

Successfully defended the grant of planning permission (following public inquiry) by the Secretary of State for the Barton Power Station Biomass proposal.

### **Cotswold District Council v SoSCLG and Anor [2013] EWHC 3719 (Admin)**

Appeared for successful Appellant who had received permission following an earlier inquiry. The case raised a multiplicity of points including the definition of "persistent under-delivery of housing". Peter's clients prevailed, and the permission was upheld.

### **Lawson Builders Ltd and Ors v SoSCLG and Anor [2013] EWHC 3368 (Admin)**

Leading case on the interrelationship between section 73 and section 73A of the Town and Country Planning Act 1990 in respect of retrospective applications for permission.

### **Welcome Break Group Ltd and Ors, R (on the application of) v Stroud District Council and Anor [2012] EWHC 140 (Admin)**

Leading case on the operation of CIL regulation 122 and whether the planning obligation provided by the site developer was necessary, directly related to the development, fairly and reasonably related in scale and kind to the development proposed.

### **Hinde v Rugby Borough Council and Ors [2011] EWHR 3684 (Admin)**

The leading case on the (then) change in the timeframe for bringing a challenge to the adoption of a development plan document. Peter acted for the Interested Party who successfully argued that the claim was one day out of time.

### **Gavin, R (on the application of) v London Borough of Haringey and Anor [2003] EWHC 2591 (Admin)**

Successfully defended the grant of planning permission, which was being challenged for a number of errors made by the local planning authority in processing the application.

### **R (on the application of Holding and Barnes plc and Alconbury Developments Limited) v SoSETR [2001] UKHL 23; [2003] 2 AC 295; [2001] 2 WLR 1389; [2001] 2 All ER 929**

The application of the Human Rights Act 1998 to the planning system.

### **Varey v United Kingdom (2000) 30 EHRR CD39**

Successful pursuit of a claim for compensation against the UK Government for the breach of a gypsy's human rights by reason of two

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unwarranted refusals of planning permission made by the Secretary of State.

**Staffordshire County Council v Riley and others [2001] EWCA Civ 257; [2002] PLCR 5**

Leading case on the irrelevance of intention in respect of the implementation of planning permission.

**Stirk and Ors v Bridgnorth District Council [1996] EWCA Civ 701**

Important case establishing the need for conscientious examination of an objector's case to a local plan inquiry particularly where the local authority was both proposer and decision maker and thereby under an enhanced obligation to deal thoroughly, conscientiously and fairly with any objection.

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