

Satnam Choongh

Call: 1994

"Satnam Choongh is an excellent advocate and able to understand and explain complex issues even at short notice." "Satnam is extremely good on his feet as an advocate." "A very persuasive advocate and carries out incisive cross-examination." "A passionate and trustworthy advocate, with an acute understanding of clients' needs, and how to get there."

Chambers UK 2024



Satnam Choongh is a highly regarded, leading planning and environmental law specialist, ranked Tier 1 by the Legal 500.

Satnam's experience of appearing at public inquiries and in the High Court and Court of Appeal stretches back almost 30 years, and during that period he has dealt with every aspect of planning and environmental law and policy, including that related to proposals for retail and residential development, mineral working, waste management and disposal, airport development and expansion, energy (including energy from waste, wind and nuclear), and highways and transportation (including motorway and roadside service areas). His expertise extends to enforcement, both planning and environmental (statutory nuisance, air, land and water pollution).

Satnam has experience of drafting and advising on legal instruments relating to the development of land, including s.106 and promotion agreements.

Satnam's list of clients include Persimmon Homes, Extra MSAs, KFC, ASDA, Sainsbury, Gallagher Developments, Richborough Estates, the Rosconn Group, St. Modwen Developments, Halsbury Homes and Gladman Developments.

Satnam has a D.Phil from Trinity College Oxford, and has held Professorial posts at the Chinese University of Hong Kong, the University of Birmingham and New York University (Abu Dhabi). He has published several articles on planning and environmental topics.

Expertise

Planning

In addition to regularly promoting large residential schemes both at inquiry and through the local plan (including new settlements in Sussex, Chelmsford and Norfolk), Satnam has appeared in a host of large scale, complex and varied planning cases, including promoting a 3.5 million square feet rail-freight interchange in the Green Belt; successfully securing planning permission for a waste incinerator; opposing an application for a 58 hectare resource recovery park and 95MW RDF Incinerator under the Electricity Act; opposing the expansion of Coventry Airport; promoting an alternative to the Govt.'s plans for the expansion of Heathrow Airport via a challenge to the National Planning Statement on Aviation; successfully securing planning permission for motorway services areas on the M42 and M62; opposing open cast coal-mining in Derbyshire and promoting it in Worcestershire; successfully opposing out of centre retail development

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in Bath and Congleton and successfully securing such permission in Bridgnorth; supporting Windfarms in Warwickshire; representing the HSE in an inquiry into de-commissioning a nuclear power station in the Snowdonia National Park and advising South Somerset planning authorities on Hinckley nuclear power station.

Notable Cases

R (on the application of Heathrow Hub Ltd) v Secretary of State for Transport [2019] WHC 1070 (Admin) and [2020]

EWCA Civ 213-27

(role of legitimate expectation in designating national planning policy statement; parliamentary privilege)

R (on the application of Finnegan) v Southampton City Council [2020] EWHC 286 (Admin)

(extent of LPA's powers to decline to determine a planning application under s.70C TCPA 1990)

South Gloucestershire Council v Burge and Burge [2017] EWCA 1313

(extent of compensatory regime for losses arising from refusal of TPO consent)

East Staffs BC v SSCLG and Barwood Strategic Land Ltd [2017] EWCA Civ 893

(ambit of the NPPF presumption in favour of sustainable development)

Woodfield v JJ Gallagher Ltd [2016] EWCA Civ 1007

(irrationality in adoption of local plan and extent of court's powers to order adoption of a particular policy)

IMI Properties v Lichfield DC [2015] EWHC 2077 (Admin)

(and see [2014] EWHC 240 (Admin)) (correct procedure for challenging development plans, releasing GB through the plan process)

Mackman v SoSE [2015] EWCA Civ 716 (EIA and screening opinions)

Bloor Homes v SoSCLG [2014] EWHC 754 (Admin)

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(correct approach to 5 year housing land supply, meaning of plans being silent or absent etc)

Hopkins v SoSE [2014] EWCA Civ 470

(procedural fairness at planning inquiries)

JB Trustees v SoSCLG [2013] EWHC 3555 (Admin)

(locus in statutory challenges)

William Davis v SoSCLG [2013] EWHC 3058 (Admin)

(how to apply the NPPF para.14 presumption)

Telford and Wrekin v SoSCLG [2013] EWHC 1638 (Admin) and [2014] EWCA Civ 507

(application of the retail sequential test and correct interpretation of CIL)

R (on the application of Telford Trustee No.1 /No.2) v Telford and Wrekin Council and Asda Stores Ltd [2011] EWCA Civ 896

(the duty to give reasons for planning permission)

R (on the application of Welcome group Limited and others) v Stroud District Council and another (2012) EWHCA 140 (admin)

(meaning of the CIL regulations)

Herefordshire District Council v White

(a Lands Tribunal case that helped clarify the Purchase Notice provisions of the 1990 Act)

Norris v SOSE and Stoke on Trent City Council [2006] EWCA Civ.12

(developed the law on the important subject of development in breach of condition precedent)

Attorney- General's Ref. No.5 of 2000 ([2002] Env.LR 5 at 139)

(Court of Appeal case on the complex matter of defining "waste" in European Union Law)

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Environment

Satnam's extensive planning practice merges seamlessly into his knowledge and application of environmental law. Almost all of the large scale projects that he has been involved with, whether at inquiry, during a local plan examination or in the High Court or Court of Appeal, have raised issues related to environmental assessment and protected habitats and species. National and local policies relating to climate change are increasingly relevant to the type of developments that Satnam promotes, especially in respect of those related to highways, transportation, waste, minerals and energy.

Notable Cases

R (on the application of Heathrow Hub Ltd) v Secretary of State for Transport [2019] WHC 1070 (Admin) and [2020] EWCA Civ 213-27

(Climate change)

Woodfield v JJ Gallagher Ltd [2016] EWCA Civ 1007

(Protected species)

Mackman v SoSE [2015] EWCA Civ 716

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Awards

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Qualifications

- LLB (Hons) (First Class) Warwick University D.Phil (Trinity College, Oxon)

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