



## Andrew Kelly QC

Year of call: 1978 (QC 2000)



### Practice Profile

Throughout his practice in planning, local government and parliamentary work, Andrew Kelly QC has appeared successfully on behalf of local authorities, developers and private individuals alike concerning a wide range of development proposals including infrastructure, retail, transportation, housing, sustainable urban extensions, town centre redevelopment, minerals, waste and compulsory purchase matters both at public inquiries, in the High Court and the Lands Tribunal.

He has been rated consistently among the top Planning Silks.

*Andrew Kelly QC enjoys 'broad support from solicitors who are impressed by his "thorough preparation"'*

*'He is "well known on planning issues" and is a "nice smooth operator".'*

*'Andrew Kelly QC's advice is widely respected'*

Chambers & Partners

### Cases of Note

- Church Fields, Daventry - Urban extension including 4,000 dwellings - instructed by Croudace Strategic and Charles Planning Associates
- Lakeside, Theale - high density residential development - Instructed by SJ Berwin and Turley Associates
- Peruvian Wharf - redevelopment proposals on safeguarded River Thames wharf - Instructed by Rosalind Packham (Solicitor) (Manches)
- South Leighton Buzzard Urban Extension - regeneration proposals - Instructed by South Bedfordshire District Council
- Ryarsh Brickworks - Green Belt major development - Instructed by David Hicken Associates
- Fingringhoe Quarry - mineral development with sustainable waterborne transport - Instructed by Rosalind Packham (Solicitor) (Manches)
- Weirside, West Berkshire - waste recycling and recovery centre - Instructed by Barton Willmore
- Terminal 5 Heathrow - Counsel for British Airways - Instructed by Linklaters
- Waterside, BA headquarters - Counsel for British Airways - Instructed by Linklaters

### Experience

#### PLANNING

##### Planning Inquiries

Recent clients include

- Urban extension for 750 dwellings and infrastructure at Lydney. Instructed by Robert Hitchens Ltd
- Port of London Authority, Aggregate Industries and Cory Environmental - Thames-side development proposals
- Croudace Homes Limited and Christ Church, Oxford - urban extension
- Enodis plc - residential development and LDF representation - Instructed by Dundas and Wilson

- Aldi Stores Ltd - retail development - Instructed by Planning Potential
- British Land - residential development
- Countryside Properties - LDF representation
- Kier Group - LDF representation
- Bedfordshire County Council - landfill proposal
- Taylor Woodrow - greenfield housing development
- Gateshead Metropolitan Council - Metro Centre retail development
- South Bedfordshire District Council - regeneration scheme
- Lewisham Borough Council - 'Big Yellow' warehouse development
- Swan Hill Homes - residential development on urban greenspace
- Lisnagelvin Retail Park, Londonderry - planning condition removal
- 'The Mount' Chepstow - Listed Building - instructed by Harris Lamb
- Cranfield Airfield - Housing development - Instructed by Hives Planning
- Residential development in conflict with LDF, allowed on appeal at Over, Cambs. Instructed by RPS.
- Mr. Kelly QC has also appeared regularly at Inquiries concerning Amusement Centres

### High Court

Appearances in the High Court include the following reported cases:

- *Enodis v. Secretary of State for Communities and Local Government*
- *The Fairfield Partnership v. Huntingdonshire District Council*
- *R. v. Surrey County Council*
- *Robert Leonard Estates v. Tendring District Council*
- *Bryant Homes v. Secretary of State for the Environment*
- *R. v. Dartford Borough Council ex p Taywood Homes*
- *Thornfield Roadside v. Secretary of State for the Environment*
- *Hall Aggregates v. New Forest District Council*
- *R. v. Secretary of State for the Environment ex p. Tendring District Council*
- *Cynon Valley Borough Council v. Secretary of State for the Environment*
- *Ravebuild v. Secretary of State for the Environment*

### Advisory Work

In addition to routine advisory work in relation to local government and planning matters, Andrew Kelly QC has advised

- British Land and Countryside Properties concerning section 73 Appeals instructed by Turley Associates
- Arbitration proceedings for Crest Nicholson plc instructed by Davies Arnold Cooper
- Lands Chamber proceedings for Cemex UK Ltd instructed by Osborne Clarke
- Mayor of London - Air Quality Strategy, Waste Strategy, Adaptation to Climate Change Strategy and Climate Change Mitigation and Energy Strategy
- Persimmon Homes - s106 and s278 Agreements
- Torbay Borough Council - planning permissions, conditions and obligations
- Radcliffes Le Brasseur - written representations on B1 development in London Borough of Camden
- Peak District National Park Joint Planning Board - minerals development
- Total Oil - refinery terminal application
- Harrow London Borough Council concerning an urban regeneration project including 800 dwellings and related infrastructure
- London Development Agency - compulsory purchase

- North Wiltshire District Council - implementation of planning permission
- Barratt Homes - S 106 Agreement and affordable housing
- Bracknell District Council - restrictive covenant instructed by Berwin Leighton Paisner

Andrew Kelly QC has also advised and appeared at retail inquiries on behalf of Tesco, Sainsbury, Safeway and Lidl as well as local planning authorities.

Andrew Kelly QC has also advised and appeared at mineral, coal mining and waste inquiries on behalf of Surrey County Council, Bedfordshire County Council, Durham County Council and the Joint Peak Park Planning Board as well as mineral operators and third parties.

## Qualifications and Appointments

- Date of Call to Northern Ireland Bar - 1982
- MA (Oxon) (Christ Church)
- He was invited to join the Attorney General's Supplemental List of Counsel in 1987
- He is a member of the Planning and Environmental Bar Association and of the Administrative Law Bar Association