

John Pugh-Smith

Associate member (Call Date: 1977)



John Pugh-Smith's principal practice area is town and country planning with related environmental, real estate, local government and parliamentary work. He is also an experienced alternative dispute resolver. As an active promoter of conflict resolution, particularly in the public sector, he is one of the specialist advisers to the All-Party Parliamentary Group on Alternative Dispute Resolution. In recognition of John's wide-ranging planning and mediation experience, he has been appointed to and a member of the Design Council's Highways England Design Review Panel. He is a Fellow of the Chartered Institute of Arbitrators and works in association with CI Arb's Dispute Appointments Service. He is also a member of the RICS President's Appointments Panel.



Court and tribunal experience

Recent appearances in the High Court, County Court, Upper Tribunal (Lands Chamber), Planning Inquiries and Hearings, and, Parliamentary Select Committees

Qualifications/Education

MA. (Oxon) (1976)
Bar Finals (1977)
Accredited mediator (CEDR - 2005)
Fellow of Chartered Institute of Arbitrators (2018)

Memberships/Appointments

Gray's Inn
Planning & Environment Bar Association (Member)
Compulsory Purchase Association (Member)
Civil Mediation Council (Registered Mediator)
Chartered Institute of Arbitrators (Fellow)
RICS DRS President's Panel (Member)
Bar Council ADR Committee (Member)

Publications/Articles

Planning, Property & Compensation Reports (Sweet & Maxwell): Joint Editor

How to Master Commercial Mediation (Bloomsbury): Contributor

Shackleton on the Law and Practice of Meetings (currently at 14th Edition) (Sweet & Maxwell): Joint Editor

Neighbours and the Law (currently at 5th Edition) (Sweet & Maxwell): Originating and co-author

Environmental Law (currently at 2nd Edition) (Oxford University Press): Joint editor and contributor

Archaeology in Law (Oxford University Press): Co-author

Cases

R (North Norfolk Planning Watch Ltd CIC) v North Norfolk District Council [2017] EWHC 3345 (Admin) – use of prescribed application form for demolition of an unlisted building in a conservation area.

R (Community Against Dean Super Quarry Limited) v Cornwall Council & Shire Oak Quarries [2017] EWHC 40 (Admin) – enforcement of EIA development-delay- inadequate consideration of Habitats Regulations – retrospective planning application – declaration of illegality refused

R (Roskilly) v Cornwall Council & Shire Oak Quarries Limited [2015] EWHC 3711 (Admin) – Environmental Impact Assessment. Planning permission with negative scoping opinion overridden by later positive screening direction.

Saunders v Caerphilly County Borough Council [2015] EWHC 1632 (Ch) – Compulsory Purchase Order compensation. Application of the Limitation Act 1980 ss.9, 29(5) to claim requiring Authority to refer matter to Upper Tribunal (Lands Chamber).
