

Journal of Planning & Environment Law

2017

Publication Review

Restrictions on the Use of Land

William Webster

Robert Weatherley

Reviewed by Dr Ashley Bowes*

Subject: Real property

***J.P.L. 783** The adjudication of private rights and the supervision of executive power rely on quite different concepts but they frequently overlap in the determination of disputes arising from the development and use of land. As Sullivan LJ observed of one such overlapping field, the law of town and village greens:

"The underlying difficulty may well be the need to apply private law concepts in a public law context. The former focuses upon rights, the latter upon duties."¹

This book sets out to provide a single and accessible guide for those advising in these overlapping legal disciplines. It is arranged in six separate parts: (i) easements and profits; (ii) town and village greens; (iii) public rights of way; (iv) restrictive covenants; (v) assets of community value; and (vi) elements of planning law.

The result is a useful roadmap arranged in a practical and thematic style which will be valuable for those seeking an up-to-date overview and point of departure for these areas of the law. There would be scope for further coverage (commons, nuisance, plan-making, minerals for example) and merit in reducing the footnote commentary in some areas, or transferring that detailed analysis to theme-specific companion texts.

Overall, the book is the culmination of an impressive project to state the law of these wide-ranging fields in a single and accessible text, which will be a valuable guide for those engaged with the development and use of land.

Dr Ashley Bowes

J.P.L. 2017, 7, 783

*. General Editor, JPL. Barrister, Cornerstone Barristers.

1. [R. \(on the application of Barkas\) v North Yorkshire CC \[2012\] EWCA Civ 1373; \[2012\] 1 W.L.R. 1521](#) at [42].