

William Webster

Year of Call: 1975

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Overview

William Webster's practice comprises mainly town and country planning, traditional land-based Chancery, agriculture and construction.

William's particular areas of expertise are:

- Planning (including planning enforcement)
- Land and land-related professional negligence
- Land registration and alterations of the Register
- Conveyancing and boundaries
- Business and agricultural tenancies
- Easements and restrictive covenants
- Public and private rights of way
- Town and village greens and assets of community value (including regular sitting as a non-statutory inspector at TVG inquiries)
- Unfair prejudice petitions (particularly disputes involving valuable land assets)

Details of his practice and cases can be found in William's practice profiles below.

Direct Access

William is qualified to accept instructions directly from members of the public and professional clients under the Direct Access Scheme.

Recent publications

"Restrictions on the Use of Land – a Practitioner's Handbook" (2024: Second Edition)

Published in 2024 (as a second edition to the first edition published in 2016) by Wildy, Simmonds and Hill, this book was co-authored with Robert Weatherley, also of 3PB. The book runs to over 500 pages and contains lengthy chapters on the following topics: easements and profits; wayleaves; town and village greens; public rights of way; restrictive covenants; assets of community value; enforcement of planning control; and tree preservation orders, trees in conservation areas and hedgerows.

Both first and second editions contained a Foreword by Lord Neuberger of Abbotsbury who, at the time of the first edition,

was President of the Supreme Court. Lord Neuberger closed his Foreword to the First Edition (August 2016) as follows: "... *The consequence of the developments and changes resulting from this primary and secondary legislation and from these judicial decisions is that there is a great deal of complex law governing the use of land, much of it of recent origin. A book which analyses and explains this complex law in an authoritative, up-to-date, practical, and clear way is to be warmly welcomed. William Webster and Robert Weatherley deserve warm thanks for having produced such a timely book.*"

Lord Neuberger's Foreword to the second edition (May 2024) was equally fulsome, saying: *We inhabit a world which has increasingly urgent concerns about protecting and improving the environment, which is undergoing enormous and fast technological change, which is being subjected to ever-increasing regulation, and which has multifarious concerns about land ownership and property rights. It is therefore unsurprising that the subject of land use restrictions is even more significant in terms of public importance and interest and even more extensive in terms of legal complexities and implications than it has ever been. In particular, it is a topic which has seen many developments and changes since the first edition of this book was published in late 2016....Quite apart from this, the sheer number of cases on these subjects illustrates the contemporary importance of the topic of land use restriction. The authors of this second edition have done an impressively thorough job in updating and improving the excellent first edition, for which I wrote the Foreword. I am glad to report that I can greet this second edition with equal enthusiasm and praise.*"

Lord Neuberger of Abbotsbury, President of the Supreme Court

"Renewable Energy from Wind and Solar Power: Law and Regulation" (2021)

Published by Wildy, Simmonds and Hill in March 2021, the book runs to 310 pages and is the first comprehensive and authoritative coverage of the subject. [**Click here to read the author's preface.**](#) The book includes this foreword by Lord Justice Lindblom who is the senior planning judge in the Court of Appeal: "*William Webster has taken on, and performed, a formidable task. In describing and explaining the complex framework of regulation for electricity generation by the two principal sources of renewable energy in this country - solar and wind power - and in presenting a vast amount of law, policy and decision-making, he has filled an expanding gap in the literature on environmental and energy law. Indeed, he has produced the first comprehensive, and authoritative coverage of the subject in a legal textbook.*"

Rightly, the book places its examination of the relevant law and policy in the wider context of the United Kingdom's efforts to reduce reliance on fossil fuels, the legally binding targets for greenhouse gas emissions in the Climate Change Act 2008, the international obligations under the Paris Agreement of 2015, the IPCC's "Special Report on Global Warming of 1.5C" of October 2018, and the reports of the Committee on Climate Change in 2018 and 2019.

The book explores the arrangements for the approval of wind and solar energy projects in the planning legislation and the process of gaining consent under section 36 of the Electricity Act 1989. It connects that discussion to the legislation regimes for the protection of the environment, including the legislation for environmental impact assessment, with a particular focus on habitats and the historic environment. It illuminates the law on nationally significant infrastructure projects. It brings together the national policy and guidance bearing on wind and solar energy projects. And it devotes full chapters specifically to the development of wind farms, both onshore and offshore, and to the development of solar energy. All of this is lucid and thorough.

A feature of the book likely to be welcomed by practitioners is the series of case studies in chapters 8 and 10, which analyse recent decisions of the courts and of the Secretary of State, or an inspector and reporter, and draw out the salient principles - for example, on wind power or solar power development proposed in the Green Belt; or affecting important landscape or seascape, or a heritage asset or its setting; or biodiversity; or likely to harm the living conditions of local residents; or offering "community benefits"; or of a scale requiring a development consent order, with a wide range of implications for the local environment, and requiring powers for the compulsory acquisition of land. Here again the approach is both practical and meticulous.

William Webster's experience as a practitioner in this area of the law, the case he has taken in organising his material and the clarity of his text will, I am sure, bring this book the success it deserves."

The Right Honourable Lord Justice Lindblom,

Royal Courts of Justice

[Click here to read a review of the book by Dr Ashley Bowes, Editor of the Journal of Planning and Environment Law.](#)

"Planning Law: A Practitioner's Handbook"

This book runs to 766 pages and includes a foreword by Lord Justice Lindblom. The book was published by Wildy, Simmonds and Hill in February 2019. It covers a wide range of planning topics and planning-related topics within a single volume. Lord Justice Lindblom's foreword says: *"In an area of the law that is constantly changing, and constantly growing in complexity, a new text book will always be welcome – the more so if it is thorough, reliable and insightful. This one undoubtedly is. The challenges facing an author who aims to reflect recent changes to the legislative regime for planning, and to record the work of the courts in developing and clarifying the law, are formidable. Gathering the various themes into a clear and usable guide is no easy task."*

William Webster has managed to cover his subject fully, with a sure grasp of the law, and a facility to point out the salient principles where they occur. His discussion of the principles governing development control and plan-making, the interpretation of national planning policy, planning conditions and obligations, environmental impact assessment, the enforcement of planning control, listed buildings and conservation areas, town and village greens, the lawfulness of planning decisions, and a host of other topics, is thoughtful, lucid and comprehensive. The analysis is sound, and amply supported by relevant case law.

Practitioners looking for answers to the questions they meet in advising clients on the law, and when preparing argument in proceedings before the courts, can expect to find answers here. For judges too, both in the Planning Court and elsewhere, the text will be enlightening. I wish this excellent book the success it deserves.

The Right Honourable

Lord Justice Lindblom, Royal Courts of Justice

[Click here to read a review](#) of the book in Thomson Reuters by Dr Ashley Bowes, Editor of the Journal of Planning & Environment Law. Topics covered in the book include: Assets of community value; Town and village greens; Public rights of way and Gypsies and travellers (policy and enforcement). It is written for busy planning practitioners in the private and public sectors. The book is a single up-to-date reference book and contains a substantial body of footnotes covering the material primary and secondary legislation and case law.

Recommendations

"William Webster of 3PB Barristers is well known for his expertise in various areas of planning law, including village greens, assets of community value and public rights of way. He frequently acts for local authorities, landowners and developers." Strengths: "William Webster has all the experience for the big cases."

Chambers UK 2025/Planning/Western Bar/Band 1

Strengths: "He is a focused barrister." "William is always supportive."

Chambers UK 2024/Planning/Western Bar/Band 1

Chambers UK 2023/Planning/Western Bar/Band 1

'William's attention to detail is good, and he retains a good knowledge of matters. He can consider carefully a case and pick out relevant information.'

Legal 500 2025/Planning and Environment/Leading Juniors/Western Circuit – Ranked: Tier 1

'William is very experienced and knowledgeable in this area of law. He has good management skills in a public inquiry setting and communicates readily and clearly with all parties. His reports and recommendations are also extremely detailed and thorough.'

Legal 500 2024/Planning and Environment/Leading Juniors/Western Circuit – Ranked: Tier 1

'William is highly knowledgeable about planning law, and he focuses on the cases' key points. His communication with judges is both clear and persuasive.'

Legal 500 2023/Planning and Environment/Leading Juniors/Western Circuit – Ranked: Tier 1

Strengths: "He is very easy to work with and accessible, and has a wealth of experience."

Chambers UK 2022/Planning/Western Bar

'William is a recognised expert in town and country planning. He is efficient, knowledgeable and thorough.'

Legal 500 2022/Planning and Environment/Leading Juniors/Western Circuit

Strengths: "William is approachable, clear in his advice and puts the client at ease due to his thorough comprehension of complicated issues."

Chambers UK 2021/Planning/Western Bar

'His chain of thought is clear, precise and the advice covers all aspects that a client may wish to cover. William is strong in his area and also considers costs efficiency for the client without prejudicing the client's position.'

"Of particular note, William Webster is a specialist in the law of village greens having sat as an inspector at numerous non-statutory inquiries and has also appeared in the Court of Appeal and Supreme Court in leading village green cases. 'In a public inquiry setting, he has the ability to explain the issues to the applicants who have no legal knowledge and background in a way that avoids being patronising and conveys the meaning in a readily understandable way,' said one solicitor."

Legal 500 2021/Planning and environment

'He has superb planning knowledge.'

Legal 500 2020/Construction/Planning and Environment

'An expert in land law.'

Legal 500 2018/19 Construction/Planning and Environment

'A feisty and forceful advocate.'

Legal 500 UK 2017/ Construction/Planning and Environment

"A careful lawyer and an effective advocate."

Legal 500 UK 2016 /Construction/Planning and Environment

Recommendation from an instructing solicitor: *"Verdict on William Webster today – very good indeed, 120/10 thanks. I cannot thank you enough for the introduction to William Webster. Both my clients and myself were more than impressed with not only his hard work, the way in which he was able to absorb, in such a short time, all the papers in an extremely complex matter in which both my and his predecessors had made elementary mistakes."*

"His bedside manner with his lay clients was second to none. His conduct in court with both his opponent and the judge was exemplary. I have recommended 3PB to all in this firm.... and my daughter's new firm in London. Rest assured you will be my 1st port of call for all my southern work and Mr Webster in particular for ALL my property work."

Academic qualifications

- LLB, Bristol University, 1974

- Inns of Court School of Law, 1975

Professional qualifications & appointments

- Year of Call: 1975 (Middle Temple)

Professional bodies

- Western Circuit
- Chancery Bar Association
- Property Bar Association

Expertise

Property and Estates

Notable examples of recent work in the planning/public law sector:

Planning inquiry: acting for a Southern League football club where the proposal involved the owner's redevelopment of the ground.

JR challenge: by football club to the grant of replacement playing and other facilities arising from the closure of their ground which was sited in an area targeted for regeneration.

JR challenge by community group to a temporary grant allowing 90 modular units for homeless persons on a former school site in South Wales.

Successful renewal application on a statutory appeal based on a reasons' challenge to the decision of a PINS Inspector (case proceeding to full hearing)

Planning inquiry: acting for a developer in cross-boundary appeal where the proposal involved limited enabling development within an urban greenfield site with a view to funding (i) the eradication of what is thought to be the largest spread of Japanese Knotweed in the UK (notably a case involving enabling development resulting in enhancement to the natural environment rather than to heritage assets), and (ii) the establishment of a community park.

Planning inquiry: acting for LPA in the case of significant development on a redundant nursery site in the Green Belt.

Appeal hearing: Acting for developer at an appeal hearing which was primarily concerned with setting and the principle of consistency in local decision-making.

Disputed claim: to standing in Planning Court where neither appellant had made objections during the appeal process and had merely lived in neighbouring properties (*Crawford-Brunt v Secretary of State for Communities and Local Government* [2015] EWHC 3580 (Admin)).

Appeal hearing: Drafting written representations for developer in the case of an appeal involving infilling exception on a site in the Green Belt.

Planning enforcement

Traveller cases: Multiple appearances over many months at enforcement and committal proceedings involving members of the gypsy traveller community

Enforcement hearing: involving unlawful subdivision: the issue was whether children under the age of 18 counted as 'residents' for the purposes of a Class 4 use (*Paramaguru v Ealing LBC* [2018] EWHC 373 (Admin)).

Planning: advisory

Heritage: Multiple advices on heritage issues, including those of setting and fragmentation.

Schools: Advice on planning obligations which concerned developer delivery of school sites.

Neighbouring owner: Advising them in the case of a proposed 2-storey leisure centre (in the grounds of a Grade 2 listed hotel complex in a conservation area) involving significant impacts on habitats and the prospect of unacceptable light and noise pollution

Excessive height: Advice on tall buildings in Birmingham and London involving issues of excessive height and massing and adverse impact on the townscape, including the setting of heritage assets and harm to the historic environment (historic canals).

Heritage: Advice on development proposal within the site of a Scheduled Monument (buried Roman artefacts).

Development site: Advice on assessments made under the Habitats Regulations along with disputed mitigation contributions and design issues affecting a 100 plus residential development close to European sites.

Green Belt development: Drafting written representations for developer in the case of an appeal involving infilling exception on a site in the Green Belt.

Control of advertisements: advice given on the likelihood of consent to the siting of an elevated digital display unit on a building overlooking a large roundabout having five exits and four entrances.

Professional negligence: Advice on negligence against a planning consultant arising from failed applications for prior

approval for a Class O use.

Solar Farm development: Advising a Parish Council on the recovery of promised community benefits arising from the development of a solar farm.

Highways

Judicial Review: Acted for local authority in the case of a landowner's unsuccessful JR challenge to a provisional modification order (R (Monkton) v Staffordshire County Council [2022] EWHC 3049 (Admin)). The owner was found to have a suitable alternative remedy under the statutory procedure contained in Schedule 15 of the Wildlife and Countryside Act 1981.

Public Inquiry: Acted for highway authority at a disputed confirmation appeal at a DMMO public inquiry where there were objections to the closure and diversion to a PROW, including in relation to disability discrimination (the new path had steps). The appeal outcome was reported.

Compensation claims: Acting for local authority on claims for compensation arising out of highway works

Village greens

Inspector/Public Inquiries: regularly sitting over the last 15 years for a number of registration authorities as an inspector at non-statutory public inquiries dealing with village green applications (WW's recommendation to the registration authority not to register affirmed in Supreme Court in R (NHS Property Services) v Surrey County Council [2019] UKSC 58).

Assets of Community Value

Football: Acted for a Southern League football club on the owner's unsuccessful appeal against the listing of the ground as an asset of community value.

Football: Acted for the listing authorities on the listing of the stadia of Old Trafford and Anfield.

Landowners: Acting on multiple occasions for landowners at listing review hearings.

Landowners: Multiple advices (including drafting written submissions on law/fact to the listing authority) for owners of land affected by listing, including the listing of pubs in Somerset and Gravesend, both of which were listed buildings in conservation areas.

Other recent work

5-day construction hearing (2024): acting for Cs whose premises comprised a south London boxing club and community centre operating within former Church premises. Cs awarded damages of more than £400,000 (and 80% of their costs). Ds also ordered to carry out various works to remove trespass. The claim arose from the settlement of a flank wall abutting Cs' premises that occurred during unsupported excavations for a basement on Ds side. Damages included the amount required for reinforcement of Cs foundations by a 20-week programme of remedial works involving the installation of a new ground beam which will sit on nine piles whose function is to support the damaged wall.

Unfair prejudice proceedings: Acting for Petitioner in unfair prejudice proceedings. The land interest held by a connected company comprises a valuable development site.

Repair covenants and subsistence: Advising multiple tenants of long leases in a large building in relation to long-standing breaches of landlord's repairing covenants, including subsidence damage. Claim involved specific performance of repairing covenants and differing claims for damages for breach of covenant (including for loss of assessed rental value).

Land registration cases: Multiple cases involving land registration issues including, in one case, where a restriction had not even been registered against the holder of the unregistered title and, in another, where the deed containing the restrictions had not even been executed by the original covenantor.

Restrictive covenants: Multiple cases involving advisory work and the drafting of applications leading to hearings in the Upper Tribunal for orders for the discharge or modification of restrictive covenants under section 84 of the LPA 1925.

Land clean-up: Successful application to discharge an order made under section 215 of the TCPA 1990 (under which an authority may take steps requiring land to be cleaned up when its condition adversely affects the amenity of an area).

Land option: Acting for a local authority in the case of a disputed land option which did not run with the land and loss of

chance damages against the original covenantor.

Coastal protection works: Advice on liability in the case of loss arising from coastal protection works carried out by a coastal erosion management authority.

Coastal protection works: Advising on regulatory functions in the case of coastal protection works and the delivery of Shoreline Management Plan policies.

Waste Recycling: High value litigation between operators involved in the management, disposal, and recycling of household waste.

Traveller site ownership: TOLATA dispute: and accounts involving ownership of a traveller site.

Right of Way: Acting for freeholder in an action for an injunction and damages arising from the use of a vehicular right of way by a large garden centre for the sale of goods outside the range of goods permitted to be sold within the scope of the permitted right of way.

Right to light loss: advice on claim and assessment of quantum arising from overshadowing commercial development in an historic street in Bath.

Quiet enjoyment: Advice on breach of the covenant for quiet enjoyment/derogation from grant in the case of the acts or omissions of a commercial landlord.

Nuisance: Advice on nuisance arising from the shared use of a right of way (business) and the recovery of sums spent on improvements.

Business loss: Claim to set aside Tomlin Order (in a case involving a settlement of a number of claims and cross-claims by a business tenant and his landlord) which lacked prudent safeguards along with an associated trespass to goods claim arising from the removal by the landlord of externally located refrigeration plant which it was claimed resulted in severe financial loss to the tenant's business.

Local Authority powers: Advising a local authority on their powers to override easements and restrictive covenants under the Housing and Planning Act 1996 (ss.203-4) and in the case of the exercise of statutory powers, including advice on the authority's power of appropriation and sale where land is affected by third party rights.

Professional liability

William's experience in his field of chancery work allows him to examine, advise upon and conduct claims where professional negligence issues arise. His expertise in property issues lead him to be called in where there may have been negligence by professional advisers such as counsel, solicitors, surveyors or valuers.

Articles

Journal of Planning and Environment Law publishes a superb review of Webster and Weatherley's "Restrictions on the Use of Land".

In a review authored by Dr Ashley Bowes, the Journal of Planning and Environment Law has positively commented on "Restrictions on the Use of Land", William Webster and Robert Weatherley's planning law reference book.

Click below to read the review.

Published by Wildy, Simmonds & Hill [the book](#) covers the law and practice in a number of fields which impact the use of land and there is considerable focus on remedies for the infringement of rights in, on or over land. The areas covered include: easements, town and village greens, public rights of way, restrictive covenants, assets of community value and elements of planning law.

[View Article](#)

3PB Planning Barristers William Webster and Graeme Sampson summarise and analyse the government's Housing White Paper.

[View Article](#)

