



GARDEN COURT CHAMBERS

Adrienne Copithorne

YEAR OF CALL: 2018, 2010, SOLICITOR - 2011, SOLICITOR ADVOCATE



Adrienne is not currently accepting instructions on new matters.

Adrienne is an experienced practitioner in public, environmental and planning law. Her clients are individuals, residents' associations, parish councils, charities and small businesses, all of whom are motivated by the desire to protect their local communities.

"Sensible, supportive and diplomatic; quietly effective."

CHAMBERS AND PARTNERS 2016

"Up and coming"

CLAIMANT ENVIRONMENTAL LAWYERS, CHAMBERS AND PARTNERS 2015-18

"Associate to watch"

CHAMBERS AND PARTNERS 2014

If you would like to get in touch with Adrienne please contact the clerking team:

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You can also contact Adrienne directly:

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ADMINISTRATIVE AND PUBLIC LAW

Adrienne has acted for many claimants in judicial review proceedings, challenging a wide range of administrative decisions in the High Court and Court of Appeal.

NOTABLE CASES

R (Plane Justice Ltd) v Civil Aviation Authority (2017)

This case concerned a change in flight paths at Gatwick Airport which resulted in dramatic increase in noise for residents under the flight path. The CAA agreed the decision to approve the change had been taken unlawfully due to a failure to consult the people affected and consented to quashing its decision.

R (Halebank Parish Council) v Halton Borough Council [2012] EWHC 1889 (Admin)

In the judicial review a parish council was successful in challenging a refusal to defer consideration of planning application to allow it to offer meaningful participation in the consultation process.

R (Macrae) v Herefordshire Council [2012] EWCA Civ 457

In this judicial review, the Court of Appeal addressed the meaning of 'lack of promptness' in bringing judicial review proceedings.

PLANNING LAW

Adrienne has advised and represented many residents, parish councils, charities and small businesses in planning matters whilst a solicitor with Richard Buxton Environmental & Public Law. The majority of her cases were brought on behalf of groups concerned by development in their local area and its potential effect on their environment.

NOTABLE CASES

***R (Mansell) v Tonbridge & Malling Borough Council* [2017] EWCA Civ 1314**

Case concerned a proposed development of executive homes on agricultural land in Kent. The judgment has been widely cited in relation to the proper interpretation of officer's reports to planning committees; the relevance of 'fall back' position of permitted development; and permitted development rights in agricultural context

***R (Halebank Parish Council) v Halton Borough Council* [2012] EWHC 1889 (Admin)**

In the judicial review a parish council was successful in challenging a refusal to defer consideration of planning application to allow it to offer meaningful participation in the consultation process.

***Ashley v SSCLG* [2012] EWCA Civ 559**

In this statutory appeal, the Court of Appeal determined what constituted fair consultation of the public in the hearing procedure of planning appeals.

***R (Macrae) v Herefordshire Council* [2012] EWCA Civ 457**

In this judicial review, the Court of Appeal addressed the meaning of 'lack of promptness' in bringing judicial review proceedings.

***R (Street) v Cardiff Council* [2010] EWCA Civ 613**

This judicial review concerned a proposal to erect a giant balloon ride on the last remaining green space in Cardiff Bay. The Court of Appeal granted permission for the claimant to argue that the Council had failed to apply its own policy on green space when approving the application and the Council conceded the claim.

PLANNING INQUIRIES

Acted for Hatfield House and coalition of local residents in Hatfield, Hertfordshire in "called in" inquiry into proposed "energy from waste" incinerator.

ENVIRONMENTAL LAW AND CLIMATE JUSTICE

Adrienne has a busy practice advising and representing clients in a wide variety of environmental matters, including environmental regulation and nuisance.

NOTABLE CASES

R (Plane Justice Ltd) v Civil Aviation Authority (2017)

This case concerned a change in flight paths at Gatwick Airport which resulted in dramatic increase in noise for residents under the flight path. The CAA agreed the decision to approve the change had been taken unlawfully due to a failure to consult the people affected and consented to quashing its decision.

R (Davies) v Carmarthenshire CC [2015] EWHC 230 (Admin)

Argued on behalf of local residents that planning permission for a wind turbine would cause harm to landscape with historical & cultural significance in poetry of Dylan Thomas, grounds considered the meaning of “significance” and local effects in Environmental Impact Assessment. Claim succeeded as permission was quashed.

R (Nicholson) v Allerdale Borough Council [2015] EWHC 2510 (Admin)

Judge agreed that a planning condition limiting noise from motorsport track failed to protect residents from excessive noise and therefore unlawful.

R (Prideaux) v Buckinghamshire CC [2013] EWHC 1054 (Admin)

Claim considered the proper approach to assessment of impact on protected butterfly species under the Conservation of Species (Habitats) Act.

Adrienne has advised a national park authority on drone flying in the park and the government of one of the Channel Islands on waste policy and legislation. She has also advised farmers affected by Nitrate Vulnerable Zone assessments.

Adrienne has significant experience advising local groups seeking to have land designated as a town or village green under the Commons Act 2006. In *R (“ABC”) v Bristol City Council (2012)* her clients were successful in persuading Bristol City Council to consent to quashing a decision not to designate land as a village green which was contrary to the recommendation of an Inspector. The claim attracted high levels of publicity as the land in question was intended to be the future home of a new stadium for Bristol City Football Club.

NUISANCE CLAIMS

Adrienne has acted for individuals affected by noise, vibration and odour nuisance arising from a waste transfer station, wind turbines, airplanes, small industrial units, demolition and construction and motorsports. The majority of these cases were successfully settled before trial.

Adrienne also has advised businesses who are seeking planning permission or objecting to a planning application on the basis that their business activities will generate noise which will give rise to future

complaints.

Adrienne has a particular interest in statutory nuisance, having advised and acted for individuals seeking to bring proceedings and those who are defending themselves from an abatement order.

BACKGROUND

Prior to joining the Bar, Adrienne was a solicitor and then partner at the boutique claimant environmental firm, Richard Buxton Environmental & Public Law. Her practice focussed on public law challenges in the environmental field, such as grants of planning permission and claims in noise and odour nuisance. Before studying law at Wolfson College, Cambridge, Adrienne worked in Indian Kashmir on a humanitarian mission with the International Committee of the Red Cross. Having moved to the UK, she then represented asylum seekers and refugees before the Asylum & Immigration Tribunal as a caseworker with the Refugee Legal Centre.

PUBLICATIONS

“Access to Justice for International Environmental Claims”, UKELA E-Law Journal, May/June 2017
Environmental Law Update for Solicitors Journal: Biannual publication 2012-2017

AWARDS

Sir David Williams Prize for highest marks in college in law finals (Wolfson College, Cambridge)
Hewlett Foundation Fellowship (University of California)
UBC Dean’s Honour List, UBC Scholarship, Roy Danielle Scholarship in Creative Writing, Joseph Richardson Scholarship, Ajaib S Sangha Prize, Vishwa Hindu Parishad Prize, Shastri Fellowship (University of British Columbia)

EDUCATION

BA (Law) Wolfson College, Cambridge
MA (South Asia Studies) University of California, Berkeley

PROFESSIONAL MEMBERSHIP

Administrative Law Bar Association

UK Environmental Law Association

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