

# John Campbell K.C.

Door Tenant | Call 1981 | Silk 1998

John Campbell K.C. is a Scottish King's Counsel, qualified to practice throughout the UK.

## EXPERTISE

- Town & Country Planning
- Energy Law
- Administrative & Public Law
- Professional negligence
- ADR
- Public Inquiries

### Town & Country Planning & Environment

- Applications
- Policy writing
- Parties' written cases
- Presentations to Committees
- Appeals and Reviews, Public and other Inquiries
- Windfarms, hydro, biomass, waste and all renewable energy matters
- Judicial Reviews and Administrative Law particularly in Planning and Environmental issues
- Local Plans and Examinations in Public
- Planning Agreements
- Historic Buildings and Heritage questions
- National Parks
- EU Habitats and Birds Regulations, Environmental Law and related matters

### Property

- Compulsory Purchase and Valuations
- Lands Tribunal – valuation issues, rent reviews
- Property and Construction disputes
- Arbitrations, including fishing and farming disputes

### Negligence

- A number of cases involving solicitors' surveyors' and accountants' negligence

## APPOINTMENTS



## Expertise

Planning

Alternative Dispute Resolution (ADR)

Administrative & Public Law

Agriculture & Rural Affairs

Property

International & Offshore

## Clerking team



Paul McNab  
Civil & Criminal Silks' Clerk  
0113 3235 955



Steve Walker  
Lead Civil Clerk  
0191 245 9589



Josh Stewart-Tilling  
Lead Employment Clerk & Civil Clerk  
0191 300 9359

- Member of the Scottish Bar since 1981, KC Scotland since 1998
- Member, Dispute Review Board, Mersey Gateway Crossing 2015
- Hon RIAS (Royal Incorporation of Architects in Scotland)
- FCI Arb (Fellow, Chartered Institute of Arbitrators) until 2021

## LECTURES & SEMINARS

Regularly gives talks on Planning law and Arbitration to solicitors, local authority staff, students, clients and others and has written a number of articles on Listed Buildings and Built and Natural Heritage issues.

## EDUCATION

- LLB Edinburgh 1972

## ADDITIONAL INFORMATION

John Campbell K.C. graduated from Edinburgh University in 1972, and worked as a solicitor in Scotland until 1978. He was appointed as an Assistant Director of Legal Aid in Hong Kong where he worked in a range of public service legal jobs until appointed a Magistrate in 1980. He returned to Scotland in 1981. He passed Advocate that year, was called to Lincolns Inn in 1990, and took silk in 1998. He was a member of 40 King Street Chambers in Manchester throughout the 1990s.

He has worked in Family Law, both claimant and defendant Personal Injury and industrial disease work, and much earlier, in Crime. He has acquired a lot of agricultural experience, particularly for estates, farms and tenants and in landlord and tenant issues, and has worked widely in promoting arbitration and mediation for farmers, and in rent reviews both in Scotland and around the world. He has been a registered Construction Adjudicator and is currently a Member of a DRB.

He has worked in Town and Country Planning since the mid 1990s and has developed that speciality to include Environmental Law. He is particularly active in Renewable Energy work on behalf of communities, NGOs, third parties, developers and councils.

His practice today is mainly in Planning and Environmental Law, property and land law, and agriculture and energy work, and he has a specialised practice in all kinds of ADR work and its promotion. He has carried out about 200 public inquiries and a number of related judicial reviews. Outside the law, he was Chairman of Scotland's largest Building Preservation Trust until 2020 and is a Trustee of Berwickshire Housing Association, and chairs a University Micro-Computing Research Advisory Board.

## Notable Cases

### **This alphabetical list covers the period 2000-2021**

About 200 windfarm and other planning cases at Committee, in writing, on appeal to Inspectors and Reporters, and on Appeal and Judicial Review in Scotland, Cumbria, Northumberland, East Yorkshire, North Wales, West Wales, and Norfolk.

Avich & Kilchrenan Community Council – appearance before UN Economic Committee for Europe's Åarhus Convention Compliance Committee, Geneva, Switzerland

Beaully to Denny OHL Inquiry – major power line inquiry from Beaully (Inverness-shire) to Denny (Stirlingshire)

Bilfinger Berger Siemens CAF Joint Venture - training for Edinburgh Trams Mediation

Coastal Regeneration Alliance – Community Right to Buy under Land Reform (S) Act 2003 – wrongful refusal to register lawful interest by Scottish Ministers

Cotton Farm windfarm, Huntingdon, – noise statutory nuisance claim

David Bines v CNES – [2010] Otter control at a fish farm

Gloag v Perth and Kinross Council and The Ramblers Association – right to roam – right to erect a fence with out planning permission

Gordon & Macphail v The Moray Council – Land Tribunal Valuation dispute for loss of use of a spring feeding a malt whisky distillery

Gordon's Trustees – landlord's resistance to an informally created agricultural tenancy. Granton Central Dev Co v City of Edinburgh [2020] – successful defence of Appeal against Planning Decision

Grantown on Spey Caravan Park [2015] – Certificate of Lawful Use and Development against Planning Authority; success and costs awarded

HMA v Hyslop – farmer carrying shotgun and allegedly threatening 'lampers' on his own ground – unanimous acquittal

HMA v Reid – shaken baby death

ICE v Addison – professional body wrongfully expelling Chartered Engineer

Laird v Scottish Borders Council – Planning consent invalidated for ambiguity

Lidl Stores – Nine public inquiries for new stores

Macaskill Stornoway [2009] Lorry noise nuisance case

Nairn v Fife Council [2008] Listed Buildings and ransom strip at large Country House

Newton Mearns Residents Association [2014] CSOH – flooding issues, Protective Expenses Order

*Not Coul* - Public Inquiry [2018] into a proposal for an 18 hole golf course on an SSSI, SPA etc. Successful against developer team.

Packard v Scottish Ministers [2012] – judicial review of wind farm Planning decision – bias and pre-determination by Scottish Ministers alleged

Parry v Highland Council – Contested certificate of lawful use for a fish farm

Pentland-Clark v Maclehoose and Others – [2013] 10 year long Will dispute

Pirie and another v NEC – unlawful contract termination of TV distributor's agreements

Q-Park – Access through designated bridge Airspace valuation

RIAS v Mays – unlawful expulsion of architect from Membership of professional body – compensation

S and others – prolonged family dispute among four brothers following sale of a waste recovery business

Scott v McTear – auction house denying liability for compensation after burglary

TMSL v Rannoch Club – unlawful contract termination – compensation

Scottish Parliament Inquiry – 2004 – Inquiry into overspend on the Scottish Parliament Building

Trump International v Scottish Ministers UKSC [2015] Judicial Review of decision about the correct interpretation of a term in Electricity Act 1989 - to Supreme Court

William Grant & Sons, Distillers [2013] – judicial review of Planning Decision to consent a windfarm

Wilson and Another v Morton Fraser – Solicitors negligence claim, contested valuation of loss of profit