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Daisy Noble

Call: 2015

Practice areas:

Planning, Major Infrastructure Projects, Compulsory Purchase and Compensation, Local Government, Rating, Highways, Commons and Open Spaces, Environment, Public Law



Practice Profile

Daisy has been a member of Chambers since October 2018 and welcomes instructions across all of Chambers' practice areas. Daisy has been ranked as one of the top-rated planning barristers under 35 for the last two years (Planning Magazine 2021 and 2022). She has also recently been ranked as a "rising star" in Legal 500 (2022), gaining particular recognition for her work in major infrastructure planning and compulsory purchase and compensation.

Daisy has a First Class law degree from Cambridge, and a Masters' degree from Oxford. Daisy's areas of interest include:

- Planning and Environment
- Compulsory Purchase and Compensation
- Major Infrastructure Projects
- Public Law, Human Rights and EU
- Village Greens and Commons
- Local Government
- Rating/Council Tax
- Highways
- Advertising

Recent and current work includes:

Court Cases

- Acting as junior counsel to Douglas Edwards KC for the successful Appellant Lancashire County Council in *R (Lancashire County Council) v Secretary of State for the Environment, Food and Rural Affairs and another*, and *R (NHS Property Services Ltd) v Surrey County Council and another* (conjoined appeals) [2019] UKSC 58.
- Acting as junior counsel to James Pereira KC for Northumberland County Council in respect of an appeal from the decision of the Tribunal in *Leech Homes v Northumberland County Council* [2020] UKUT 150 (LC).
- Acting as junior counsel to Isabella Tafur for Worthing Borough Council defending an appeal against the High Court decision in *Worthing Borough Council v SSLUHC* [2022] EWHC 2044 (Admin).
- Acting for London Borough of Hackney in relation to two conjoined judicial reviews arising out of discharge of condition decisions (*Strongroom v Hackney LBC*).
- Acting as junior counsel to Michael Humphries KC for Bristol Airport in respect of the statutory challenge to the grant of planning permission for the Airport's expansion (*Bristol Airport Action Network Coordinating Committee v SSLUHC*).

Upper Tribunal (Lands Chamber)

- Acting for the acquiring authority in respect of the Tribunal case of *Golf Café Bars v West Yorkshire Combined Authority* [2021] UKUT 16 (LC).
- Acting as junior counsel to James Pereira KC for the successful respondent, Northumberland County Council, in respect of a CAAD appeal (*Leech Homes v*

Northumberland County Council [2020] UKUT 150 (LC)).

- Acting as junior counsel to Rebecca Clutten for Network Rail in respect of the Tribunal case of *Welcocks Skips Ltd v Network Rail Infrastructure Ltd* [2019] UKUT 162 (LC).
- Acting for a claimant engineering company in respect of a compensation claim arising out of the acquisition of its land for Crossrail.

Public Inquiries

- Junior counsel to Michael Humphries KC, acting for Bristol Airport Ltd in relation to the three month public inquiry into the expansion of the airport to 12 million passengers per year.
- Junior counsel to Hereward Phillpot KC, acting for the GLA in relation to the five week inquiry into the proposed tall building known as ‘the Tulip’ in the City of London.
- Junior counsel to James Pereira KC, acting for Royal Borough of Windsor and Maidenhead in relation to the promotion of the CPO of Nicholson’s Shopping Centre in Maidenhead.

Advisory

- Instructed by EDF to advise in respect of the proposed nuclear power station at Sizewell C.
- Instructed by Heathrow Airport Ltd to advise in relation to matters arising from proposals for a third runway.
- Advising a London Borough in relation to a proposed CPO of land within an identified “opportunity area”.

Daisy is happy to work on a pro bono basis in appropriate cases.

Planning

Daisy has already gained experience in a wide variety of planning issues. She has appeared at planning inquiries, enforcement inquiries and hearings. She has represented clients in the High Court in statutory and judicial review hearings, both in her own right and as a junior. She regularly advises landowners, local authorities and local interest groups in relation to matters of planning and environmental law.

Recent and notable work includes:

- Acting as junior counsel to Hereward Phillpot KC for the GLA in relation to the five week inquiry into the proposed tall building known as ‘the Tulip’ in the City of London.
- Acting as junior counsel to Saira Kabir Sheikh KC by East Hertfordshire District Council in relation to a 12 day public inquiry relating to an appeal against the refusal of planning permission for a major mixed use site.
- Acting for Bristol Airport (as a Rule 6 party) in relation to a two-week inquiry into an appeal against the refusal of planning permission for an off-Airport park and ride facility;
- Acting for Buckinghamshire Council in relation to conjoined appeals against two enforcement notices and the non-determination of an application for a certificate of lawfulness, involving the change of use of a farm to parking of commercial vehicles;
- Successfully resisting an appeal on behalf of Bedford Borough Council, against the Council’s refusal of planning permission for residential development in circumstances

where it could demonstrate no five year housing land supply.

- Successfully acting for an appellant in relation to an appeal against an enforcement notice requiring the conversion of five self-contained flats above a shop into a single dwelling. The enforcement notice was quashed following a public inquiry.
- Acting as junior to Alexander Booth KC for Central Bedfordshire Council in relation to a s.288 challenge brought by Gladman Developments. Permission for statutory review was refused on the papers and upheld at an oral renewal hearing.

Daisy spent a year undertaking a part-time secondment to the legal services department of a London Borough, during which she gained experience advising in relation to a broad range of issues.

Daisy has experience in providing advice on a range of matters, including:

- Certificates of Lawful Use or Development;
- Material change of use;
- Permitted development;
- Development in the Green Belt;
- Section 106 obligations;
- CIL;
- Planning conditions and conditions precedent;
- Appeals against enforcement notices;
- Injunctions;
- Housing land supply matters;
- Heritage assets and listed buildings;
- Screening and assessments under the Habitats Regulations;
- EIA;
- Private and statutory nuisance;
- Tree protection orders;
- Other development related issues such as covenants, easements and proprietary estoppel.

Daisy is one of the editors of McCracken, Jones and Pereira on Statutory Nuisance (4th edition).

Major Infrastructure Projects

Daisy has already worked for a number of clients in relation to infrastructure projects and has gained recognition for her work in this field.

Between 2020 and 2022, Daisy was instructed by EDF to advise in relation to the DCO application for the proposed nuclear power station at Sizewell C. This included providing advice at the pre-application stage in respect of the Environmental Statement and Habitats Regulation Assessment, as well as assistance with drafting the DCO. During the examination, Daisy was instructed to advise in relation to responding to the Examining Authority's written questions.

In 2021, Daisy was instructed by Bristol Airport Ltd as junior to Michael Humphries KC in respect of the ten week planning inquiry and related CPO inquiry into the expansion of the airport to 12 million passengers a year.

Daisy is currently advising Electricity North West in respect of several applications for necessary wayleaves and National Grid in respect of various ongoing projects.

Daisy is a member of the National Infrastructure Planning Association Early Years Practitioners' Steering Group.

Compulsory Purchase and Compensation

Daisy has already gained a great deal of experience advising in relation to both the promotion of CPOs and issues of compensation on behalf of both acquiring authorities and claimants. She has advised in relation to claims for compensation arising out of HS2, Crossrail, Thameslink and various road schemes.

Recent and current work includes:

- Acting as junior to Michael Humphries KC for Bristol Airport Limited in respect of the ten week inquiry into the expansion of Bristol Airport and the associated compulsory purchase order.
- Acting for the acquiring authority in respect of the Upper Tribunal decision in *Golf Café Bars v West Yorkshire Combined Authority* [2021] UKUT 16 (LC).
- Acting as junior counsel to James Pereira KC for the successful respondent, Northumberland County Council, in respect of a CAAD appeal (*Leech Homes v Northumberland County Council* [2020] UKUT 150 (LC) and the related appeal to the Court of Appeal.
- Acting as junior counsel to Rebecca Clutten for Network Rail in respect of the Tribunal case of *Welcocks Skips Ltd v Network Rail Infrastructure Ltd* [2019] UKUT 162 (LC).
- Instructed to advise a major landowner alongside Guy Roots KC, Alex Booth KC and Rebecca Clutten, in respect of the largest CPO compensation claim ever to have been subject to a reference to the Tribunal, arising out of HS2.
- Instructed by EDF to advise in respect of the proposed nuclear power station at Sizewell C.
- Instructed with Richard Turney to advise the Environment Agency on the Oxford Flood Alleviation Scheme compulsory purchase order.
- Advising a London Borough in relation to a proposed CPO of land within an identified "opportunity area".
- Instructed with James Pereira KC to promote a CPO of the Nicholson's Shopping Centre and surrounding area in Maidenhead.
- Instructed by Heathrow Airport Ltd to advise in relation to matters arising from proposals for a third runway.
- Instructed by Electricity North West in respect of various applications for necessary wayleaves.
- Advising Network Rail in respect of the application of the compulsory purchase code to rights under wayleaves.

Daisy has also gained experience advising clients in relation to a range of compulsory purchase and compensation issues, including:

- Complex development value claims;
- Claims for injurious affection;

- Business extinguishment claims;
- Issues arising out of compensation for temporary possession;
- Rule 6 claims by non-occupiers;
- Rights of mortgages to claim compensation under the Compulsory Purchase Act 1965;
- Valuation of ransom strips;
- Compulsory purchase of open space and the provision of exchange land; and
- The application of the Crichton Down rules.

Daisy sits on the Committee for the Compulsory Purchase Association Futures.

Local Government

Daisy has gained experience across a range of local government issues, such as:

- The conduct of public meetings under the Local Government Act 1972 as junior counsel to Douglas Edwards KC in *Forbes v Wokingham Borough Council* [2018] EWHC 2530 (Admin);
- The acquisition of surplus public authority land;
- Advising a local authority as to the compliance of their procedures for handling representations from the public with the GDPR;
- Disposal of land at an under-value;
- Schemes of delegation.

Daisy spent a year undertaking a part-time secondment to the legal services department of a London Borough Council, through which she has gained experience of many aspects of local government administration.

Rating

Daisy has experience advising both ratepayers and the Valuation Office Agency in relation to issues concerning non-domestic rating, and welcomes instructions in this area.

Daisy's work in this area includes:

- Advising HMRC in relation to an appeal arising out of the reinstatement of a property in the List as a result of the completion of reconstruction work following a fire. This appeal raised questions relating to the scope of a proposal and MCCs.
- Advising HMRC in relation to the treatment of office fitouts as increasing the value of hereditaments;
- Advising a ratepayer in relation to entitlement to empty rates relief for a nightclub in Plymouth.

During pupillage, Daisy gained experience assisting Cain Ormondroyd to advise both ratepayers and the VOA in relation to non-domestic rates matters, including on issues such as identifying hereditaments, list alterations, assessing rateable value, the application of transitional provisions, and exemptions and rates relief. One such case was that of *Merlin Entertainments*

Highways, Commons and Open Spaces

Village Greens and Commons

Daisy has experience advising in relation to village greens and commons and assisted with editing the most recent edition of Gadsden on Commons and Greens.

Daisy was instructed as junior counsel to Douglas Edwards KC and Jeremy Pike in relation to the Supreme Court appeal in *R (Lancashire County Council) v Secretary of State for the Environment, Food and Rural Affairs* [2018] EWCA Civ. 721 arising out of an application for registration of a town or village green.

Daisy acted as junior to Douglas Edwards KC on behalf of the interested party in judicial review proceedings in respect of Wokingham Borough Council's refusal of an application to register land as a village green (*Forbes v Wokingham Borough Council*).

Daisy has also recently provided written advice to a County Council in relation to a proposed judicial review challenge to their decision to deregister common land.

Highways

During her secondment to the legal services department of a London Borough, Daisy gained a broad range of experience advising in relation to highways issues.

Daisy is currently advising a local authority in respect of a proposed judicial review challenge relating to the use of experimental temporary traffic orders.

Daisy has experience advising in respect of footpath diversion, extinguishment and creation orders. Daisy is regularly instructed by Kent County Council to appear at footpath inquiries.

Environment

Public Law

Rights to Light

aisy has assisted in advising a number of clients in relation to rights to light issues, such as whether such rights exist, the subsistence of such rights on demolition of a building and the merits of a claim in nuisance to protect such rights.

Advertising

Daisy has had experience in assisting with a judicial review claim relating to a Council's redetermination of an application for advertising consent.

Daisy is currently instructed to advise a client in relation to the scope of deemed advertising consent for a new development.

Qualifications

- Brasenose College, Oxford University, BCL (Distinction) (2015-2016)
 - City Law School, BPTC (Very Competent) (2014-2015)
 - Corpus Christi College, University of Cambridge, BA (Hons) Law (First Class) (2011-2014)
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Scholarships and Awards

- Arden Scholarship, Gray's Inn
 - Brasenose College Prize, Oxford University
 - Ralph Chiles Prize for highest mark in Comparative Human Rights on the BCL
 - Bedingfield Scholarship, Gray's Inn
 - Avory Studentship, Corpus Christi College, University of Cambridge
 - Lawton Prize for Law Tripos
 - Nicholas Bacon Trust Award for Law Tripos
 - Avory Scholarship for Law Tripos
 - William Squire Scholarship for Law Tripos
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Professional Memberships

- PEBA
 - CPA
 - NIPA
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Privacy Notice

Quotes

"Daisy is an extremely bright and hardworking junior barrister. She has a really great written style in advice, pleadings and submissions and manages to get right to the heart of the problem with a precision that belies her junior years. Daisy is a clear and persuasive advocate who clients adore and opponents respect. Watch this space, she is a star in the making!"

The Legal 500, 2023

One of the top-rated planning barristers under the age of 35
Planning magazine, Planning Law Survey 2022
