Falcon Chambers

Jonathan Karas KC

Called 1986 Silk 2006



Practice Summary

Jonathan is a barrister, arbitrator and CEDR accredited mediator. He has appeared in numerous leading cases.

His practice embraces all aspects of land law and related areas including:

- Complex commercial transactions and leases
- Rights over land including rights of light
- Planning and compulsory purchase
- Valuation disputes (including in the context of rating and taxation)
- Minerals, manorial rights, commons and greens
- Rural affairs (including agriculture and forestry)
- Water (including waterways, canals and sewerage and water infrastructure)

His expertise makes him a natural choice in cases where property, planning and public law issues coincide or collide.

Jonathan regularly acts for parties in arbitrations and in mediations (details of which are confidential) as well as being an arbitrator as FCIArb, member of the Agricultural Law Association Disputes Resolutions, and a member of Falcon Chambers Arbitration and being a CEDR accredited mediator.

Education

- MA (Oxon)
- Dip Law (City University)

Professional

FCIArb

CEDR accredited mediator

Member of:-

- Agricultural Law Association
- Chancery Bar Association
- Planning and Environmental Bar Association
- Property Bar Association
- Compulsory Purchase Association.

Before taking silk he served on the ‘A' Panel of Junior Counsel to the Crown (2000-2006) and before that on the Supplementary Panel of Junior Counsel to the Crown (Common Law) (now the ‘B' Panel) (1995-2000). He regularly acts for and advises public authorities.

Recent Cases

- **Manchester Ship Canal Company Ltd v United Utilities Water Ltd** (No. 2) [2024] UKSC 22. Jonathan led a team of counsel representing United Utilities in the leading case on the entitlement of owners of watercourses to maintain claims in nuisance against sewerage undertakers for discharges of polluting water into watercourses. The case also confirmed Marcic v Thames Water plc [2003] UKHL 66 remained good law and that the only remedy for sewer flooding due to the inadequacy of sewerage infrastructure was through the statutory scheme.
- **Grantor v Grantee** [2023] UKUT 23 (UK) (successfully representing the grantee in case concerning previously undecided issue of Upper Tribunal’s jurisdiction to award costs when exercising its arbitral functions in context of compensation code).
- **Manchester Ship Canal Company v United Utilities** [2019] EWHC 1495 Ch (successfully represented United Utilities in a case which reviewed the law of abuse of process and issue estoppel)
- **United Utilities (Eccles Wastewater Treatment Works) CPO 2016 Public Inquiry 2018-19** (working with James Strachan QC and junior counsel in successfully promoting the first use of compulsory purchase powers by a sewerage company to acquire new rights of discharge for a major WwTW).
- **R(Best) v Chief Land Registrar** [2016] QB 23 (represented Land Registry in leading Court of Appeal case on illegalility and land registration)
- **Wood v Waddington** [2015] EWCA Civ 538 (represented successful appellant in Court of Appeal in leading case concerning rights of way and section 62 of the Law of Property Act 1925)
- **Manchester Ship Canal Company v United Utilities** [2014] UKSC 40 (represented United Utilities in successful appeal to Supreme Court establishing continued lawfulness of discharges by sewerage undertakers into watercourses following privatisation)
- **R (Church Commissioners) v Hampshire County Council** [2014] 1 WLR 4555 (successfully represented Church Commissioners in opposing registration as village green of substantial area of land outside Winchester)
- **Wood Lane Quorn Public Inquiry** (2014-2015) successfully represented Tarmac Lafarge in opposing

development which prejudiced Mountsorrel quarry

- **HKR UK (CHC) II Ltd v Heaney** (retained in the Court of Appeal as leading counsel for respondent) [2011]
- Sheffield City Council v Wall and Ingham [2010] EWCA Civ 922 (leading case on statutory rights of succession, the setting aside of possession orders and overriding leases
- **R (Primary Health Investment Properties Ltd) v Secretary of State for Health** [2009] EWHC 519 (Admin) (successful challenge to the Valuation Office Agency's role in setting current market rents for NHS premises
- **R (Mayor of London) v First Secretary of State** [2008] EWHC 631 (Admin) (the first case considering the Secretary of State's powers to award costs planning inquiries against the Mayor of London)
- **Richard Parsons Ltd v Bristol City Council** [2007] EW Lands ACQ 190 2006 (Lands Tribunal decision on how onerous leases should be taken into account in the assessment of compensation on compulsory acquisition)
- **Oxfordshire County Council v Oxford City Council** [2006] UKHL 25 (leading House of Lords case on the law of town and village greens)
- **R (Sinclair Gardens Investments (Kensington) Ltd) v Lands Tribunal** [2006] 1 EGLR 7 (amicus to the Court of Appeal: decision on jurisdiction of High Court to review decisions of Lands Tribunal)
- **R (Whitmey) v Commons Commissioners** [2005] QB 282 (Court of Appeal decision on jurisdiction of local authorities to determine amendments to the commons register)
- **R (Ashbrook) v Secretary of State for Environment, Food & Rural Affairs** [2005] 1 ALL ER 166 (procedure for fencing commons)
- **R (Kind) v Secretary of State for Environment, Food & Rural Affairs** [2005] EWHC 1243 (vehicular rights over routes shown as bridleways)
- **Midtown Ltd v City of London Real Property Co Ltd** [2005] 14 EG 130 (leading case on rights of light in office premises)
- **R (Kanssen) v Secretary of State for Environment, Food & Rural Affairs** [2005] EWHC 1024 (duties of public authorities to make 'welfare inquiries' before seeking possession)
- **Hackney LBC v Side by Side (Kids) Ltd** [2004] 1 WLR 363 (leading case on the limits on jurisdiction to delay order possession)
- **Wandsworth LBC v Michalak** [2003] 1 WLR 617 (an important Court of Appeal case on discrimination in the context of landlord and tenant legislation and the application of the Human Rights Act 1998 in possession actions)
- **Commission for New Towns v J J Gallagher Ltd** [2003] 2 P & CR 3 (dedication of highways and presumptions applicable to land adjoining the highway; construction of section 62 of the Law Property Act 1925)
- **Fluor Daniel Properties Ltd v Shortlands Investments Ltd** [2001] 2 EGLR 103
- **Secretary of State for the Environment, Transport and the Regions v Baylis** (Gloucester) Ltd [2000] 2 EGLR 13 (statutory dedication of highways and the Land Registration Act).

Publications

"The Law of Rights of Light" (2nd ed., 2024). See a book review in the Landlord & Tenant Review: L. & T. Review 2025, 29(1), 48-52

"The Law of Rights of Light" 2016. Wildy, Simmonds & Hill Publishing. See a book review on Law Gazette: "Illuminating guide to a complex area of law"

Jonathan is subject editor of Hill and Redman's Law of Landlord and Tenant and author (with David Elvin QC) of Unlawful Interference with Land second edition (2002).

He has made a substantial contribution to Halsbury's Laws of England being a contributing editor to the Compulsory Acquisition title (1996), editor of the Distress title (2000, 2007 reissues), the Forestry Title (2007 and 2009 re-issues) and editor of Perpetuities and Accumulations volume (2013).

He has delivered Blundell Memorial Lectures on the award of damages in lieu of injunctions (2007) and the quantification of release fee damages (2014).

Articles of his may be found on the RICS website, in the Estates Gazette, the Journal of Planning and Environment Law and the New Law Journal.

Published Comments

"Jonathan is intellectually without parallel and technically absolutely on point; he's unbelievably intellectually bright. He was outstanding on his feet: so clear, so persuasive and so thoughtful, with well-structured arguments." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"On advocacy, he was just outstanding. So clear, so persuasive, so thoughtful and such well-structured arguments." *Chambers and Partners UK Bar Guide 2027 (Rating & Valuation)*

"Jonathan is clear with his advice and notwithstanding his level of expertise, he is approachable and good at picking up the phone so we can chew over the facts and get into the nitty-gritty of what we're trying to seek his opinion on." *Chambers and Partners UK Bar Guide 2027 (Agriculture & Rural Affairs)*

"Jonathan provided prompt and sage advice throughout the process and was accommodating of requests for advice often at short notice. He also provided the client with a clear indication of the judgements it would need to make in balance with its own commercial interests." *Chambers and Partners UK Bar Guide 2027 (Planning)*

"Clear and concise commercially focused advice that puts the needs of the client above all else. Very good at delivering practical advice to clients and working as a member of a team on complex litigation issues." *Legal 500 UK Bar Guide 2027 (Agriculture)*

"For public law and property law crossovers, he is a market leader. A master of the details. He is a first-class advocate." *Legal 500 UK Bar Guide 2027 (Planning)*

"Jonathan's forensic intellect is second to none. His detailed analysis of rights of light positions is superb, and he is my first port of call on such matters." *Legal 500 UK Bar Guide 2027 (Property Litigation)*

"He has extraordinary legal knowledge, including the most arcane areas of law, and his analytical powers are second to none at the bar." *Legal 500 UK Bar Guide 2027 (Valuation and Rating)*

"Jonathan Karas KC is a first-choice silk and is excellent with clients." *Chambers and Partners UK Bar Guide 2026 (Agriculture & Rural Affairs)*

"The way Jonathan addresses complex and novel legal arguments is unrivalled." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"Jonathan grasped a lot of complicated detail very quickly. He was hugely impressive." *Chambers and Partners UK Bar Guide 2026 (Rating & Valuation)*

"Jonathan is an incredibly bright specialist." *Chambers and Partners UK Bar Guide 2026 (Planning)*
"Karas is a go-to KC for minerals work. He is thorough, incisive and authoritative." *Chambers and Partners UK*

Bar Guide 2026 (Agriculture & Rural Affairs)

"He is extremely clever and talented." *Chambers and Partners UK Bar Guide 2026 (Agriculture & Rural Affairs)*

"Jonathan provides clear and commercial advice on rights of light issues, demonstrating he is a true expert in the field." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"He is a great advocate. You get very clear, definitive advice." *Chambers and Partners UK Bar Guide 2026 (Rating & Valuation)*

"An intellectual tour-de-force. He is exceptional when it comes to property litigation, especially where there are planning or public law aspects to the matter too." *Legal 500 UK Bar Guide 2026*

"Jonathan is exceptionally clever, and advises with a devilish vim in person. He engages his instructing solicitors and clients on the most technical matters." *Legal 500 UK Bar Guide 2026*

"'He excels at transforming complicated legislative frameworks into a clear, strategic roadmap for clients." *Legal 500 UK Bar Guide 2026 (Agriculture)*

"Jonathan Karas KC has a practice that is predominantly centred on commercial landlord and tenant law. He is also adept at handling cases with planning and agricultural law aspects and is an expert in right to light disputes. He is particularly active in land cases relating to infrastructure works." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Jonathan is very knowledgeable and forthright in his work." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Jonathan leaves no stone unturned and puts his heart and soul into his work." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Jonathan is a heavyweight KC who is terrifyingly bright. He is a go-to contact for tricky and intricate matters." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Jonathan Karas KC is a leading property and planning barrister with a focus on agricultural and rural land. Karas advises on technical matters regarding forestry related disputes, historic rights over common land, manorial mineral rights and planning and land development." *Chambers and Partners UK Bar Guide 2025 (Agriculture & Rural Affairs)*

"Jonathan is commercially aware and thoughtful." *Chambers and Partners UK Bar Guide 2025 (Agriculture & Rural Affairs)*

"Jonathan Karas KC of Falcon Chambers is a noted land law practitioner who regularly handles planning cases. He has particular expertise in highways law as well as cases concerning the compulsory acquisition of property rights." *Chambers and Partners UK Bar Guide 2025 (Planning)*

"Jonathan shows a high level of expertise and attentiveness and can provide advice in a very tight time frame." *Chambers and Partners UK Bar Guide 2025 (Planning)*

"Jonathan has a wealth of experience across a vast array of instructions; he's excellent at presenting to clients." *Chambers and Partners UK Bar Guide 2025 (Planning)*

"Jonathan combines his razor-sharp insight with an approachable manner so that clients feel that they can explore and understand the relevant issues fully." *Chambers and Partners UK Bar Guide 2025 (Planning)*

"His clarity of thought of thought is second to none. He computes and cuts through complex and technical

information with ease to give clients firm no-nonsense advice." *Legal 500 UK Bar Guide 2025*

"Wonderfully discriminating allied with sound commercial pragmatism." *Legal 500 UK Bar Guide 2025*

"Analytically superb, and without doubt one of the top advocates doing property work." *Legal 500 UK Bar Guide 2025*

"Jonathan Karas offers really practical advice on how to go about doing what we want to do and and he is very good." *Chambers and Partners UK Guide 2024 (Agriculture and Rural Affairs)*

"Jonathan Karas has a wealth of experience, and is a powerful and persuasive advocate." *Chambers and Partners UK Guide 2024 (Real Estate Litigation)*

"Jonathan Karas is the best for rights to light work." *Chambers and Partners UK Guide 2024 (Real Estate Litigation)*

"Jonathan Karas KC of Falcon Chambers is a noted land law practitioner who regularly handles planning cases. He has particular expertise in highways law, as well as cases concerning the compulsory acquisition of property rights." *Chambers and Partners UK Guide 2024 (Planning)*

‘An outstanding barrister. Jonathan is a passionate advocate, which goes down well with clients and solicitors.’ *Legal 500 UK Bar Guide 2024*

"Jonathan is very thorough, detailed and incisive. He is hugely well prepared for hearings and extremely comprehensive in his advice." *Chambers and Partners UK Guide 2023*

"Jonathan gives clearly written, excellently presented advice very efficiently. He is a fantastic advocate and a very hard worker." *Chambers and Partners UK Guide 2023*

‘Jonathan’s technical analysis, clear presentation of complex matters and his responsiveness is superb.' *Legal 500 UK Bar Guide 2023*

Jonathan Karas QC is a leading property and planning barrister with a strong focus on farms and other rural property. He has particular expertise in agricultural property relief. Karas also handles town and village green applications, farm business tenancies and potential development matters. He has recent experience of dealing with forestry-related disputes. Strengths: "He is excellent. He's really good on the detail and so hard-working." *Chambers and Partners UK Guide 2022 (Agriculture and Rural Affairs)*

Jonathan Karas QC is a noted land law practitioner who regularly handles planning cases. He has particular expertise in highways law, as well as cases concerning the compulsory acquisition of property rights. Strengths: "He is a force of nature and a real intellectual heavyweight." *Chambers and Partners UK Guide 2022 (Planning)*

Jonathan Karas QC has a practice that is predominantly centred on commercial landlord and tenant law. He is also adept at handling cases with planning and agricultural law aspects and is an expert in right to light disputes. He is particularly active in land cases relating to infrastructure works. "Jonathan is impressive at pulling the details out from the case." "He is a go-to person for property." *Chambers and Partners UK Guide 2022 (Real Estate Litigation)*

'He is a master of detail and is unafraid to challenge all of those involved in the case. He is able to get to the heart of the matter and is unswerving in his pursuit of the required outcomes. ’ *Legal 500 UK Bar Guide 2022*

Very intelligent, provides excellent clear, commercial advice and doesn't sit on the fence. ’ *Legal 500 UK Bar Guide 2022*

Has a practice that is predominantly centred on commercial landlord and tenant law. He is also adept at

handling cases with planning and agricultural law aspects, and is an expert in right to light disputes. He is particularly active in land cases relating to infrastructure works. Strengths: "A skilled tactician who leaves no stone unturned." "A master of detail and able to manage large-scale litigation on complex issues." "He gives clear advice which is legally thorough and commercially sensible. " *Chambers and Partners UK Guide 2021 (Real Estate Litigation)*

A leading property and planning barrister with a strong focus on farms and other rural property. He has particular expertise in agricultural property relief. Karas also handles town and village green applications, farm business tenancies and potential development matters. He is known for his in-depth expertise in rural minerals transactions. Strengths: "He knows not only about landlord and tenant issues but also planning, so he has crossover skills." *Chambers and Partners Guide 2021 (Agriculture & Rural Affairs)*

"He has an ability to slice through volumes of paper to identify the real issues in a case; he is authoritative and commanding in court." *Legal 500 UK Bar Guide 2021*

"He has excellent expertise, efficiency and personable nature." *Legal 500 UK Bar Guide 2021 (Agriculture)*

Has a practice that is predominantly centred on commercial landlord and tenant law. He is also adept at handling cases with planning and agricultural law aspects, and is an expert in right to light disputes. He is particularly active in land cases relating to infrastructure works. Strengths: "He has a razor-sharp intellect and a great understanding of clients' needs." "An incisive and forceful advocate who gives robust advice." "A strong cross-examiner who fights cases hard and inspires confidence." Recent work: Acted in Covent Garden Tenants Association v Covent Garden Market Authority, a case regarding traffic issues arising out of the £200 million redevelopment of New Covent Garden Market in Nine Elms, London. *Chambers and Partners UK Guide 2020 (Real Estate Litigation)*

"His advice is unambiguous and he is very direct." *Legal 500 UK Bar Guide 2020*

Jonathan Karas QC is recognised for his brilliant real estate practice. He is "great at thinking outside the box" according to peers, and regularly deals with matters relating to valuation and planning. *Who's Who Legal UK Bar 2019 Guide*

"Has a practice that is predominantly centred around land law. He specialises in the crossover of planning, agriculture and property law, and is an expert in right to light. He is particularly active in land cases relating to infrastructure works. Strengths: 'He has a razor-sharp mind and is an excellent advocate.' 'A clear leader in this field with excellent technical knowledge.' 'A great strategic thinker.' Recent work: Represented United Utilities in its long-running dispute with the Manchester Ship Canal Company, in fresh proceedings following the canal company's Supreme Court defeat, to prevent United Utilities exercising rights in relation to infrastructure over the canal." *Chambers UK Guide 2019 (Real Estate Litigation)*

"A leading property and planning barrister with a strong focus on farms and other rural property. He has particular expertise in agricultural property relief. Karas also handles town and village green applications, farm business tenancies and potential development matters. He is known for his in-depth expertise in rural minerals transactions. Strengths: 'He fights the client's corner cleverly and strongly.' 'He's just a very detailed person - he is someone who will read everything. Even if you send 100 files, he will read every single word in them'." *Chambers UK Guide 2019 (Agriculture & Rural Affairs)*

"Extremely tenacious and carries out implacable, text book cross-examination." *Legal 500 UK Bar Guide 2018 (Property Litigation)*

"Extremely diligent in his preparation and his advice is very direct." *Legal 500 UK Bar Guide 2018 (Agriculture)*

"Very good at distilling down a huge amount of information and arguments into a clear and concise approach." *Legal 500 UK Bar Guide 2018 (Planning)*