



Falcon Chambers London Symposium 2026

Property Development: Removing the Roadblocks

Thursday, 7th May 2026



Raffles London at The OWO
57 Whitehall, London SW1A 2BX

Registration

14:00

Welcome from the Chairs

14:30

Adam Rosenthal KC and Tamsin Cox

The Government Proposals about Development: New Towns and the Planning and Infrastructure Act 2025

14:40

Barry Denyer-Green

Important contexts to the development or redevelopment of land and buildings are the planning and policy processes that are influenced by government. The present government has set out the following main themes to support the development of land:

1) Planning law reform; 2) New towns; 3) Use of CPOs; 4) Proposed reforms to the National Planning Policy Framework; and 5) New Homes Accelerator.

Each theme will be briefly discussed.

Mine or Yours?

15:00

Jonathan Gaunt KC and Kavish Shah

Your client has an option to buy a tasty development site and has applied for outline planning permission. Out of the blue, they get a letter from a party claiming to own the minerals beneath the site and saying that the development will constitute a trespass. What should you do?

The Right Way to Deal with Rights of Way

15:30

Stephanie Tozer KC and Philip Sissons

The speakers will share their top tips on how to deal with issues relating to rights of way which can impact on development. They will discuss:

1) Third party rights of way across the development site, and how to deal with those; and
2) Access issues, where a site is accessed via a private right of way, including the scope of prescriptive easements, the doctrine of excessive use, and ancillary rights.

Break

16:00



Throwing Shade on Waldram?

16:20

Elizabeth Fitzgerald

A look at the modern approach to interference with rights of light following the 'illuminating' decision of Fancourt J in *Cooper v Ludgate House Limited* [2025] EWHC 1724.

Wiping Out Restrictive Covenants in the Public Interest

16:35

Emily Windsor

To what extent can restrictive covenants stand in the way of the public interest? To include the likely approach of the Upper Tribunal upon an application for modification or discharge: and the separate powers of local and other authorities to override restrictive covenants under Section 203 of the Housing and Planning Act 2016.

From Fields to Foundations: Navigating Greenfield Development

16:50

Catherine Taskis KC and Joseph Ollech

Greenfield development brings particular issues, often in the form of an agricultural tenant. Recovery of possession must be managed alongside the challenge of securing access for investigations or surveys in the pursuit of planning permission. This talk will explore the practical and legal mechanics of notices to quit under the Agricultural Holdings Act 1986, Case B and section 27(3)(f), alongside strategies for obtaining lawful access for investigations and site assessments, to manage the legal hurdles that shape successful rural development.

Public Rights and Private Development

17:20

Jonathan Karas KC and Michael Ranson

This talk will cover public rights as overriding interests (in particular highways, town and village greens, open spaces); how local objectors "find" them to thwart development; what happens procedurally when these rights are raised; the extent to which they can delay development (even if they don't thwart it altogether) and what can be done where they are successfully established.

Q&A/Thank you from the Chairs

17:50

Drinks reception and canapés

18:00