

# Landmark Chambers

## Barrister CV

Edward-Arash Abedian



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# Edward-Arash Abedian

Call: 2022

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Ed practises across all of Landmark's specialisms, including public, planning, environmental and property law. He appears regularly in the County Court, tribunals and Magistrates' Court, acting for both claimants and defendants.



## Expertise

Public and Administrative, Planning, Environment, Property, Rating and Valuation

## Contact Practice Managers

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## Practice Summary

Ed accepts instructions across all areas of public, planning, environmental and property law. He has acted for individuals, developers, local authorities and other public bodies, community groups and non-governmental organisations (NGOs).

His recent public law instructions include:

- Junior Counsel, led by [Fiona Scolding KC](#), in the UK Covid-19 Public Inquiry.
- Acting for the appellant in the Upper Tribunal (Social Entitlement Chamber) in a challenge to the Overlapping Benefits Regulations as they apply to payments of state pension and Carer's Allowance.
- Representing appellants in the First-tier Tribunal (Immigration and Asylum Chamber) in protection and human rights claims, and EU Settlement Scheme claims.
- Bringing a judicial review of a local authority's breach of the main housing duty under the Housing Act 1996.

- Drafting judicial review grounds to challenge a decision to revoke indefinite leave to remain following a successful human rights appeal against deportation. The Home Office granted the Appellant indefinite leave to remain in response.

His recent planning and environmental work includes:

- Appearing as sole counsel on behalf of a town council (Rule 6 Party) in a public inquiry into proposals to deliver 48 retirement living homes and convert a non-designated heritage asset to a community use.
- Acting for the developer at a planning inquiry involving a proposal for a mixed use 14-storey building, including a hotel, in Lambeth, London. Led by Neil Cameron KC.
- Acting for LB Islington in an appeal relating to a proposed temporary change of use of the existing buildings at Archway Campus to non-residential artist studios and exhibition space. Led by David Forsdick KC.
- Acting for the successful developer at a planning inquiry concerning a proposal for 296 dwellings in the Green Belt in Basildon, Essex. Led by Zack Simons.
- Acting for the Department of Environment, Food & Rural Affairs in a series of judicial review challenges to restocking notices issued under the Forestry Act 1967. Led by Zack Simons.
- Successfully prosecuting a 1-day trial in the Magistrates' Court for planning enforcement offences under the Town and Country Planning Act 1990.

Ed accepts pro bono instructions where appropriate. He undertakes pro bono work with Bail for Immigration Detainees and Advocate.

He is a member of the editorial team for the *Encyclopedia of Housing Law and Practice*.

Prior to the Bar, Ed was a senior analyst at an international cybersecurity company. He is therefore well placed to advise in relation to cases raising information rights and data protection issues.

The proud son of Colombian and Iranian parents, Ed speaks fluent Spanish and Farsi.

## Public and Administrative

Ed is building a broad public and administrative law practice. He is especially interested in matters concerning human rights, immigration, social security, housing, education, information and data.

His recent work includes:

- Junior Counsel to Fiona Scolding KC in the UK Covid-19 Public Inquiry.
- Representing appellants in the First-tier Tribunal (Immigration and Asylum Chamber) in protection and human rights claims, and EU Settlement Scheme claims.
- Bringing a claimant judicial review challenge to a decision to revoke indefinite leave to remain following a successful human rights appeal against deportation. The Home Office subsequently granted the Appellant indefinite leave to remain.

- Drafting a letter before claim and advising in respect of government housing allocation policies in British Overseas Territories and their compliance with equality and discrimination obligations under the Withdrawal Agreement.
- Appealing to the Upper Tribunal (Social Entitlement Chamber) in a challenge to the Overlapping Benefits Regulations as they apply to payments of state pension and Carer's Allowance.
- Judicially reviewing a local authority's ongoing breach of the main housing duty under the Housing Act 1996.
- Regularly representing parents and local authorities in First-tier Tribunal SEND appeals, particularly in respect of sections B, F and I of EHC plans.
- Advising a local authority on various data law matters, including domain-squatting.
- Advising on the merits of an appeal to the Upper Tribunal (AAC) against a decision made by the Information Commissioner regarding requests made under the Freedom of Information Act 2000 to a central government department.

Ed has previous immigration, asylum and nationality law experience having worked as a paralegal at an immigration firm. He was also children's adviser with the Refugee Council, where he provided a drop-in clinic for unaccompanied minors and acted as the Appropriate Adult during local authority age assessments. He undertakes pro bono work with Bail for Immigration Detainees.

During pupillage, Ed was supervised by Julia Smyth, a leading public law, European Union and ECHR specialist. He worked across a range of areas, including:

- **Immigration:** advising on the Secretary of State's powers to introduce secondary legislation under s.3A and 3B of the Immigration Act 1971; and working on a First-tier Tribunal appeal brought pursuant to s.40A(1) of the British Nationality Act 1981 against a deprivation of citizenship decision.
- **European Union:** working on Court of Appeal proceedings challenging the refusal of an application under the EU settlement scheme, and as a family member under the EEA Regulations 2006 and Appendix EU Immigration Rules.
- **Social security:** working on an appeal in the Upper Tribunal (AAC) concerning entitlement to the Limited Capability for Work and Limited Capability for Work-Related Activity elements of Universal Credit.

## Planning

Ed is developing a practice across all areas of planning, infrastructure and compulsory purchase.

His recent instructions include:

- Appearing as sole counsel on behalf of a town council (Rule 6 Party) in a public inquiry into proposals to deliver 48 retirement living homes and convert a non-designated heritage asset to a community use.
- Acting for the developer in a planning inquiry involving a proposal for a mixed use 14-storey building, including a hotel, in Lambeth, London. Led by Neil Cameron KC.
- Acting for LB Islington in an appeal relating to a proposed temporary change of use of the Archway Campus to non-residential artist studios and exhibition space. Issues included the implications of projected CIL contributions. Led by David Forsdick KC.

- Acting for the successful developer at a planning inquiry concerning a proposal for 296 dwellings in the Green Belt in Basildon, Essex. Led by Zack Simons.
- Acting for the developer in a planning inquiry concerning a proposal for 45 dwellings in the Green Belt in Colney Heath, Hertfordshire. Led by Zack Simons.
- Submitting written representations in support of planning applications before planning sub-committee meetings.
- Drafting a letter of objection to the onshore elements of a proposed wind farm on behalf of local residents.
- Defending and prosecuting planning enforcement actions brought under the Town and Country Planning Act 1990.

During pupillage, Ed was supervised by Guy Williams KC and worked on a range of matters, including:

- **Planning and enforcement:** advising on breaches of planning control in relation to a change of use from office building to nursery; advising on strategies to regularise unauthorised uses on land used for commercial waste oil operations; and advising on the correct interpretation of procedure for directions made under Art.4 and Sch.3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- **Compulsory purchase and land compensation:** working on the confirmation of orders made under s.226(1)(a) of the TCPA 1990 for the compulsory purchase and redevelopment of South Acton Estate (assisting Guy Williams KC) and Woolwich Exchange (assisting Reuben Taylor KC and Guy Williams KC).
- **Highways:** working on an appeal brought before the Court of Appeal against a local authority's refusal to remove a dropped kerb crossover providing vehicular access which was installed pursuant to s.184(11) of the Highways Act 1980.

Ed gained further experience in infrastructure, compulsory purchase and compensation issues during pupillage by:

- Assisting Tim Corner KC and Guy Williams KC in ***SoS for Transport v Curzon Park Limited*** [2023] UKSC 30, concerning the determination of certificates of appropriate alternative development (CAADs) in relation to HS2.
- Working with Lord Carnwath CVO on an early neutral evaluation dealing with the correct scope of s.10A of the Land Compensation Act 1961.

## Environment

Ed is developing a varied practice covering all aspects of environmental law.

His recent instructions include:

- Acting for the Department of Environment, Food & Rural Affairs in a series of judicial reviews challenging restocking notices issued under the Forestry Act 1967. Led by Zack Simons.
- Prosecuting offences committed under the Environmental Protection Act 1990 in the Magistrates' Court.
- Advising an environmental campaigner and NGO on sewage matters, water quality and safety concerns in respect of English beaches.
- Advising in relation to the review of mineral permissions concerning former mineral working sites.

- Advising a community interest group on the merits of challenging the grant of planning permission for the installation of a solar farm.

Ed gained experience of environmental judicial review during pupillage, including:

- Working on ***Protect Dunsfold Ltd v SSLUHC*** [2023] EWHC 1854 (Admin), an oral renewal hearing that sought permission to bring two legal challenges to the grant of planning permission by the Secretary of State for exploratory gas drilling in Surrey (supervised by Guy Williams KC).
- Marshalling with the Hon. Mr Justice Holgate in ***R (Together against Sizewell C Ltd) v SoS for Energy Security and Net Zero*** [2023] EWHC 1526 (Admin), a challenge to the decision to grant a Development Consent Order for the Sizewell C Nuclear Power Station.

Ed is a member of the Planning and Environmental Bar Association (PEBA) and the United Kingdom Environmental Law Association (UKELA).

## Property

Ed appears regularly in the County Court in possession proceedings.

He is a member of the editorial team for the *Encyclopedia of Housing Law and Practice*.

During pupillage, Ed was supervised by Justin Bates and Jonathan Wills. He gained experience in a range of matters, including:

- **Residential landlord and tenant:** working on an appeal to the Supreme Court concerning apportionment in residential service charge cases and the meaning and effect of s.27A(6) of the Landlord and Tenant Act 1985 (*Aviva Investors v Williams* [2023] UKSC 6).
- **Real property:** working on a successful objection to an application to discharge and modify restrictive covenants under s.84(1) of the Law of Property Act 1925, which proceeded to trial.
- **Human rights:** advising on breaches of A1P1 rights of landlords following a proposal to introduce a mandatory cap on rent increases on shared ownership leases.
- **Statutory trusts:** working on an application to judicially review the decision of a local authority to enter into an agreement for lease in breach of a statutory trust.

## Rating and Valuation

Ed is keen to build a varied practice covering all aspects of rating law.

His recent work includes advising on whether parking spaces located in a commercial car park are subject to non-domestic rates, and a challenge case seeking to delete a property from the Rating List as it was incapable of beneficial occupation.

During pupillage, he was supervised by Guy Williams KC and worked on the following:

- ***SSE Plc v Moore (VO)*** [2023] UKUT 24 (LC), an appeal concerning the correct mode or category of occupation of a long-term mothballed power station.
- ***UBB (Essex) Construction JV v Teagle (VO)***, an appeal in the Valuation Tribunal concerning whether a mechanical biological treatment facility should appear in the rating list as a hereditament and what its rateable value should be.
- Advising on whether buildings benefitted from an agricultural exemption from non-domestic rates under Sch.5 of the Local Government Finance Act 1988.

## Qualifications

- Inns of Court College of Advocacy – PGDip in Bar Practice (Distinction)
- City Law School – Graduate Diploma in Law (Distinction)
- University of Cambridge – MPhil Historical Studies (Distinction), BA History

Ed was raised in a non-English speaking household and attended a comprehensive school in London. He was the first in his family to go to university, and the first to enter the profession.