

Legal

‘Our planning system is very liberal’: Meet Melissa Murphy, a leading Irish barrister in London

Dominic McGrath January 5, 2026



Melissa Murphy, King's Counsel photographed near her offices in Fleet Street, Central London. Picture: Daniel Lynch

It has become something of an accepted fact, on both sides of the Irish Sea, that the planning systems today are slow, dysfunctional and even defective.

Politicians of all stripes, and the bosses of Stripe too, have turned their ire on red tape and judicial reviews, urging a radical overhaul to get countries building again.

Sitting in a bustling café in the centre of London, one of the UK's top planning barristers has a different perspective though.

"There is a misapprehension that the system is so dysfunctional that it gives rise to unacceptable delays," Melissa Murphy, a King's Counsel (KC), tells me.

"That's not correct. I think at the moment you have a more liberal and flexible planning context than you've had in 20 years."



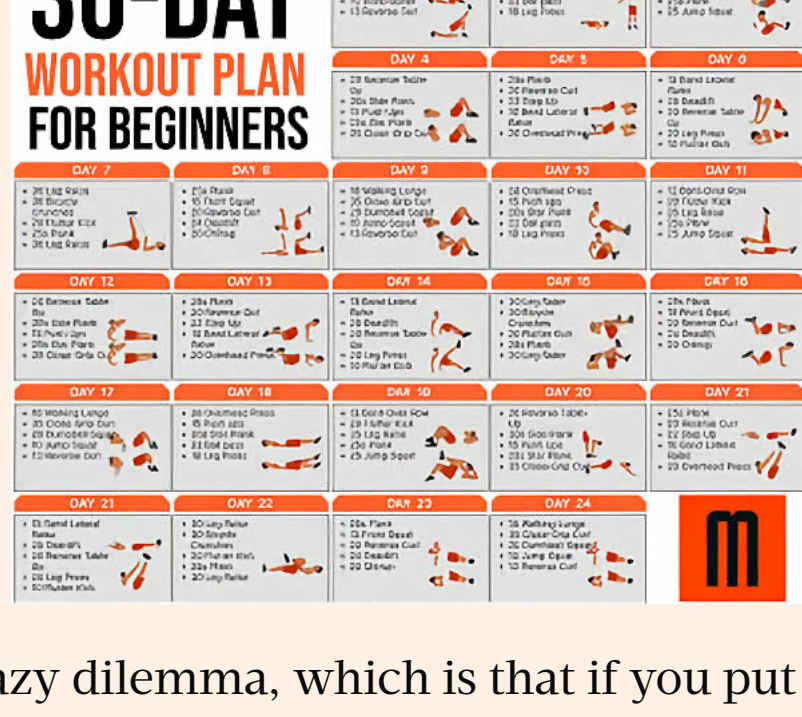
For anyone raising their eyebrows, Murphy's CV should give them pause for thought. The Irish KC, whose family left Greystones for the Peak District in northern England when she was 10, is widely recognised as one of the most successful planning advocates in Britain.

Former clients include the Mayor of London's office and the National Trust, while she's worked on cases involving everything from HS2, the high-speed railway connecting London and Birmingham that's under construction, to major Thames-side redevelopments.

She is under no illusions that there are problems, but that partly comes down to funding and under-resourcing. What's particularly frustrating, says Murphy, is that developers in the UK are grappling with an economic environment that's scarcely been worse in two decades.

From construction costs, to high interest rates to growing burdens on developers, Murphy says there is a "perfect storm" facing the wider property sector.

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"You've got this crazy dilemma, which is that if you put yourself in the shoes of a developer in this country, you can see that it should be the easiest time to get planning permission, but it's a very difficult time to actually go ahead and provide development."

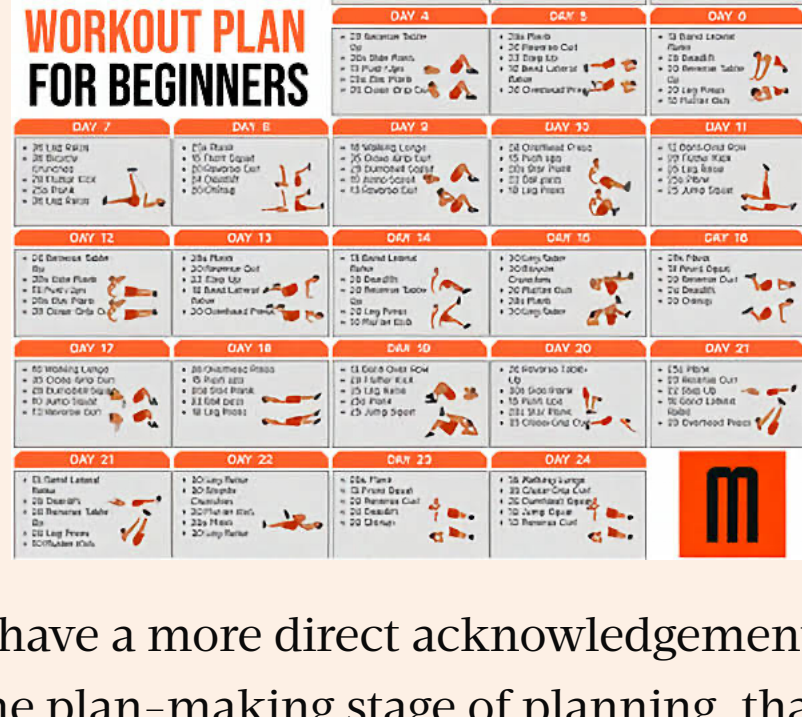
Solutions

In Dublin and London, ministers have for several years tried and mostly failed to square this circle, as developers point to ever-growing challenges around viability.

London in particular has been hit by this crisis, with house-building coming to an effective halt in recent months. Official data reveals the scale of the problem, with five different boroughs recording zero affordable housing starts between April and September.

In October, Labour promised a series of emergency measures to boost delivery, including removing design guidance on density and fast-tracking approvals for sites with at least 20 per cent affordable housing.

Murphy is happy that the problem is being recognised, but thinks that parts of the proposals could go further.



"One of them is to have a more direct acknowledgement that viability is not primarily for the plan-making stage of planning, that instead it would be for both – plan-making and decision-taking.



"And the reason I say that is because most local authorities in this country don't have an up-to-date local plan. Well, you don't have an up-to-date local plan, then your out-of-date local plan is setting out-of-date viability expectations."

Murphy is speaking to the *Business Post* not long after residents in Ranelagh prompted howls of frustration, by bringing a judicial review against the MetroLink. It comes as the government brings forward reforms designed at insulating major projects from legal challenges.

A self-described owner of a "liberal heart", she is adamant that, among all the problems blocking building, judicial review there is not to blame.

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"In this country you've got a system which is quite adept at picking out unmeritorious challenges.

"If you think about the grounds on which you've got a judicial review, if one of those truly has merit, why shouldn't a project be blocked? Actually, the very purpose of an administrative challenge is to ensure that administrative decisions are taken properly.

"We shouldn't be aspiring to poor quality decision-making. If you are troubled by the prospect of a decision being quashed, you better make sure it's bulletproof.

"In a sense, you get what you deserve if you fail to do that, and it's just as it should be in a mature democracy."

Politics

Murphy, who asks difficult questions for a living, is also a careful interviewee. She's also found herself in a reflective mood recently about her Irish upbringing.

Her mother was a solicitor and her father a hotel manager. There were fewer opportunities in the latter profession in the Ireland of the mid-1980s, with the family opting to bring Murphy and her two sisters to a small village in the north of England.

She remembers a post-Brighton bombing visit by Thatcher to the Buxton hotel her father worked at.

"There were armed police on the top of the Palace Hotel in the immediate run up to her stay. And the reason was because of the concern that a hotel manager, a Republic of Ireland hotel manager, might themselves be of suspicion, or that he would come under pressure."

Back then, she says, it was a "hoot" but looking back she's "slightly horrified".

"I have not felt that I've had a prejudice against me. I don't feel like I've suffered disadvantages as a result of it. In fact, quite the contrary. I felt that being something of an outsider has been hugely helpful, because nobody's been able to stick me into the correct category

In a recent, and uncharacteristic, post on LinkedIn, Murphy drew on her own immigrant experience to express her outrage at the angry demonstrations over the summer outside a hotel in Epping, north London where asylum seekers were being housed.

"I am grateful for what this country has done for me, happy to do what I can for this country," she wrote.

I asked her about what compelled her to post. "I'm very conscious that many, many people in this country are immigrants. Really, the question is the timeline. So, where do you go back to? Is it the French Huguenots, or do you have to go back beyond that?

"What I think I was reacting against in that post, and it's most unlike me to post on a political matter, I typically don't.

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"But this was so personal, and it was so hostile, and I was also troubled by the opportunism in it, that something which was very, a very local issue that people were upset about in my town was, I felt, exploited."

Labour's attempt to mollify anger at immigration, and stave off the threat of Nigel Farage's Reform, involves drastically speeding up housebuilding and getting new projects built.

Whether it'll be successful or not, it's a reminder that the planning system is at the heart of the social contract between states and citizen. When it fails to deliver, liberal democracies can start to fray.

It's little surprise to Murphy then that governments are taking a more active, front-footed role in planning systems. In many way, she says, this kind of certainty is a good thing developers.

And you get the sense it also appeals to the liberal, pragmatic lawyer who's about to dash off to another meeting.

"How we plan the places that we live really, really matters. I want to be part of something practical. I'm very impatient with things which are overly theoretical."

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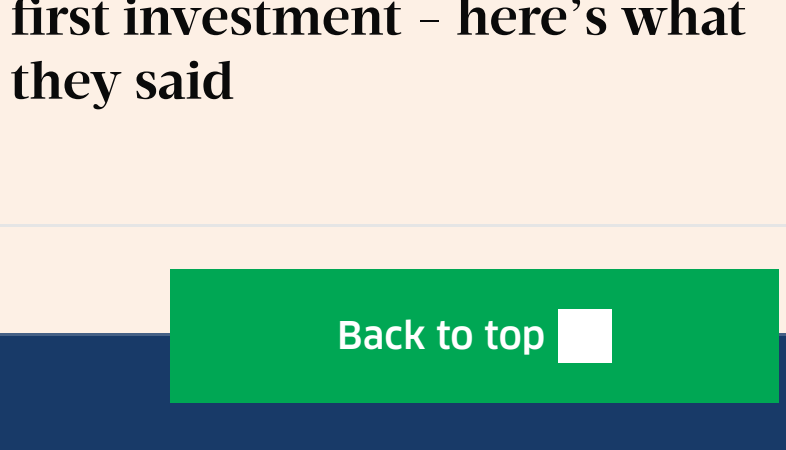
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