

STEPHANIE HALL

Year of call: 2008

Clerked by: William Brown Gary Smith Mark Ronson

AREAS OF EXPERTISE:

Administrative & Public Law Environment Licensing Local
Government Planning



Environment

Planning Appeals

Stephanie has successfully represented appellants, local authorities and local residents' groups as sole counsel and as junior both at planning inquiries and hearings including:

- successfully representing a local authority with no five year supply in defending a s.78 housing appeal at a week-long inquiry
- successfully defending a refusal of permission for 325 homes
- successfully representing a local authority at a s.78 appeal hearing where permission had been refused for a residential conversion on the basis of the loss of a single parking space
- successfully representing a Council at a two week wind farm inquiry
- representing local residents who successfully objected to the erection of a wind turbine at two separate hearings

Stephanie has established a busy enforcement practice appears at a substantial number of enforcement inquiries concerning matters including sub-division of residential accommodation, change of use to A5 and change of use to a nightclub. Throughout all of Stephanie's enforcement appeals in 2016, 2017 and so far in 2018, where acting for the Council, all of the Notices were upheld by the Inspector.

She has experience of providing effective written submissions and has recently acted for the Royal Mail in this capacity both in persuading the LPA to grant permission for a scheme with substantial local objection and in initiating JR proceedings on behalf of Royal Mail Ltd.

Stephanie has also provided written advice and advice in conference in relation to a wide range of planning matters including CIL charging schedules, neighbourhood plans including advising clients and drafting objections, local plans including the lawful adoption of DPDs and SPDs and various aspects of the GPDO and 1990 Act.

Stephanie also has experience of advertising consent and has recently successfully represented a landowner after they were served with a removal notice by the local authority. After Stephanie's involvement, the Council agreed to withdraw the notice.

Stephanie's ongoing work includes representing a housebuilder at a large multi-disciplinary inquiry and representing a London LPA on a high profile enforcement case against a well known corporation.

Planning court work, JR and injunctions

Stephanie regularly appears in the Planning Court and Queen's Bench Division. She has experience of both bringing and defending proceedings including successfully defending challenges to Councils' decisions to grant planning permission and in bringing claims against such decisions. Recent cases include:

- successfully representing a neighbourhood forum in relation to a challenge to the decision to send the plan to referendum - *R(Legard) v RBKC* [2018] EWHC 32 (Admin)
- successfully representing LB Southwark in an application for a high court injunction - *LB Southwark v Hadjimina* [2018] EWHC 510 (QB)
- successfully representing Tonbridge and Malling BC in their applications to obtain an injunction and then later to commit the defendants for breach of that injunction - *Tonbridge and Malling BC v Smith & Others*
- successfully representing South Bucks DC and ensuring that permission was refused to challenge a decision to grant planning permission for a housing scheme
- successfully challenging a number of TPOs made by LPAs via s.288 of the TCPA 1990

Stephanie has a particularly busy practice in obtaining High Court injunctions on behalf of local authorities. Stephanie has thus far been successful in obtaining every injunction sought including seeking to halt the creation of Gypsy and Traveller sites and prevent unauthorised works to listed

buildings.

Infrastructure

Stephanie has experience and accepts instructions in relation to a variety of major infrastructure projects including those proceeding via all main consenting regimes i.e through Parliament, under the 2008 Act and TWAOs. She therefore has experience of a wide variety of infrastructure projects and the resulting compulsory purchase of land:

- HS2: Stephanie was instructed as sole counsel on two petitions at the Commons committee stage of the HS2 Bill; both clients obtained a successful outcome and for a client in the Lords where she successfully overcame the Government's challenge to the locus of the client and assisted in obtaining the desired outcome for the client overall.
- Silvertown Tunnel: Stephanie has ongoing instructions as sole counsel representing the London Borough of Southwark at DCO hearings and advising the Council on their written submissions throughout the Examination.
- Acting as sole counsel for two major commercial clients in relation to the Bank Station Capacity Upgrade TWAO, both of whom reached successful negotiated settlements.
- As junior to Robin Purchas QC, acted for Battersea Dogs and Cats Home in relation to the Northern Line Extension Transport and Works Act Order

Trees

Stephanie has a busy specialist tree practice after initially working closely with Charles Mynors prior to his appointment to the Law Commission. Stephanie has been successful in challenging a number of TPOs on behalf of developer clients via s.288 challenges where the TPOs were preventing the development of important sites. Stephanie has also successfully represented a number of defendants being prosecuted by LPAs in the Magistrates' and Crown Courts for carrying out works to trees on their land and regularly advises on all areas where trees interact with the development of land.

She has previously spoken at the Arboricultural Association annual conference on this niche area and has been invited to do so again in 2018. She is also a member and contributor to the UKTC online forum and regularly provides training to tree officers and arboricultural consultants.

Stephanie has advised both individuals and planning authorities on compensation, the extent of historic tree preservation orders, the removal of protected trees and the recovery of compensation for damage to trees on behalf of local authorities using the CAVAT system.

Compulsory Purchase

As part of Stephanie's work with a London local authority she has regularly advised the council in relation to their ongoing large redevelopment and CPO schemes. She has also advised and assisted a number of landowners in relation to objections to compulsory purchase schemes, compensation matters and counter notices.

Additionally, Stephanie assisted Guy Roots QC in the Court of Appeal hearing of *Lancaster City Council v Thomas Newall Ltd* [2013] EWCA Civ 802 relating to compensation awarded by the Upper Tribunal (Lands Chamber) for disturbance following compulsory acquisition of land.

Highways

Stephanie has recently advised a local authority in relation to traffic regulation orders and a shop owner in relation to goods being displayed on the highway in front of the premises and has also advised in relation to issues arising out of highway CPOs. She also has experience of advising highways authorities in relation to niche areas such as road hump notices and disabled badge exemptions.

Village Greens and Commons

Stephanie has represented both applicants and objectors to village green applications including at inquiry. Most recently, Stephanie successfully acted for a Council seeking to resist the registration of an area of adopted highway verge as a town or village green and has previously successfully represented a Council resisting registration of a Council-run sports ground.

Whilst under the supervision of Philip Petchey, Stephanie attended both Court of Appeal hearings in the matter of *Newhaven Port and Properties v East Sussex CC* [2013] EWCA Civ 276 and [2013] EWCA Civ 673 and assisted with the grounds of appeal to the Supreme Court. Stephanie also assisted Philip Petchey and Douglas Edwards QC who represented the landowner and objector at a lengthy village green inquiry in Essex.

Local Government

Stephanie's clients are predominantly local authorities, including Westminster City Council where she provided advice on a secondment basis and Slough Borough Council where she has also provided in house advice and training to both planning officers and solicitors. Having been employed as a Local Government Officer prior to coming to the Bar, Stephanie is well placed to advise on a range of issues facing Councils which arise in relation to planning and regeneration.

Whilst working for Westminster, Stephanie has advised on a large number of projects including the Garden Bridge project, various CPO and regeneration schemes in Westminster and numerous enforcement notices, appeals and judicial reviews and provided advice to the Licensing Sub-

Committee. She has had experience of advising in relation to a wide number of local government issues such as appropriation, acquisition of land for housing and planning purposes, housing matters and interference with easements.

Rating

Stephanie was instructed as junior to Guy Roots QC for Total Oil in relation to a challenge due to be heard in the Upper Tribunal.

Stephanie also has experience of advising and representing clients in relation to rating matters as sole counsel and regularly appears in the Magistrates' Court on rating matters. Stephanie recently successfully represented a client in the Magistrates' Court and obtained an award of costs against the local authority. She has advised in relation to a number of matters including charitable rate relief and rateable occupation.

Profile

Stephanie has a busy practice in predominantly planning and local government work which includes all areas of planning work from court challenges and inquiries to prosecutions. She acts for a variety of public and private sector clients and is qualified to accept instructions via public access.

Stephanie is ranked as one of the top 10 planning barristers under 35 and is also ranked within the top-rated planning juniors overall.

Stephanie lives in York and acts for clients throughout England.

Year of Call: 2008

Areas of Expertise

Administrative & Public Law

Environment

Licensing

Local Government

Planning

Memberships

Planning and Environment Bar Association

Compulsory Purchase Association

Parliamentary Bar Mess

Middle Temple

Qualifications / Education

Bar Vocational Course (Very Competent), BPP Law School 2008

MA (Cantab) Law (II.I), Selwyn College, Cambridge University, 2007