

## SARAH REID

Year of call: 2004

Qualifications: LLB Law with Hispanic Law, Diploma in Spanish Law

Clerked by: Gary Smith Mark Ronson

**AREAS OF EXPERTISE:**

Administrative & Public Law Environment Local Government  
Planning



### Profile

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Sarah has over 15 years' experience practising in all areas of Town and Country Planning, and is consistently ranked as a Leading Junior in all of the leading publications (Legal 500, Chambers and Partners, The Planner's Women of Influence List and Planning Magazine's Top Rated Junior List). She also specialises in Highway matters, and is the Assistant Editor of the Encyclopedia of Highway Law and Practice.

Sarah has extensive experience across the full range of planning matters including large scale housing schemes, retail, renewable energy, waste, enforcement and compulsory purchase. She regularly appears in Planning Inquiries and Hearings, Enforcement Inquiries, Local Plan Examinations, Statutory Challenges and Judicial Review Proceedings.

Sarah also acts as Junior Counsel to the Crown, and is appointed to its leading "A Panel". She has represented the Secretary of State in numerous statutory challenges in this capacity.

Sarah specialises in highway and rights of way matters, and is the Assistant Editor of the leading practitioner's text on the subject (the Encyclopedia of Highway Law and Practice).

Sarah also has experience in licensing matters, including Premises Licence appeals, and has advised on various cases involving the interaction between Planning and Licensing.

**Year of Call:** 2004

### Areas of Expertise

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#### Administrative & Public Law

##### Administrative Law, Public Law

Statutory Challenges and Judicial Review.

Instructed by the Treasury Solicitor as Junior Counsel for the Crown (Provincial Panel).

Civil Penalties (Immigration).

Ethical Standards work. Previously represented the Ethical Standards Officer for the Standards Board for England and Wales at a number of Adjudication Panel Hearings.

#### Environment

#### Local Government

## Planning

### Housing

Representing Gladman Developments Ltd in respect of numerous housing appeals for schemes on greenfield sites in sensitive areas, including:

- Successfully obtaining consent for 95 units on land at Tutshill, Forest of Dean, and successfully challenging the Council's OAN and 5 year supply;
- Successfully challenging the Council's OAN and 5 year supply, and obtaining a costs award against Forest of Dean Council, in an appeal relating to Land at Huntley, Forest of Dean;
- Obtaining planning permission in a recovered inquiry for a scheme for 180 units on land at Coleford, Gloucestershire;
- Obtaining planning permission for 150 units on land at Grimsargh, Preston, and successfully challenging the Council's 5 year supply notwithstanding the very recent adoption of Preston's Local Plan;
- Representing Gladman Developments Ltd on a number of other matters, including a scheme for 80 units at Tysoe, Stratford upon Avon, and a scheme for 110 units at Bicknacre, Essex.

Successfully obtaining consent on behalf of Hollins Strategic Land for up to 50 dwellings on greenfield land in a proposed area of separation in Fylde. On the first day of the appeal, Sarah negotiated a concession from the Council that they did not have a five - year supply of housing land, contrary to the assertions made in their evidence.

Successfully obtaining planning permission on behalf of Metacre Ltd in a scheme for the erection of 93 dwellings and D1 space on land at Great Eccleston, Lancashire. Sarah also successfully argued that a significant transport contribution requested by the LPA and Highways Authority was not CIL compliant and should not be paid.

Successfully obtaining consent as Junior Counsel on behalf of Manor Oak Homes for up to 95 units in Steeple Claydon, Buckinghamshire.

Representing Catesby Estates Ltd as Junior Counsel in a planning inquiry and subsequent High Court challenge for up to 170 dwellings on land at Countesthorpe, Leicestershire.

Successfully representing Harrogate Borough Council in resisting an appeal against the Council's refusal to grant consent for up to 165 houses. The Inspector agreed that the scheme would cause "*serious*" and "*acute*" harm to landscape character and conservation interests that would "*fundamentally undermine the intentions of local and national policy concerning landscape protection*".

Resisting a S288 High Court challenge on behalf of Harrogate Borough Council. Sarah successfully argued before the High Court that paragraph 109 of the NPPF (Valued Landscape) was a specific policy of restriction within the meaning of Footnote 9, and that where there was conflict with this policy, the presumption in favour of sustainable development in paragraph 14 was disapplied.

Acted on behalf of Spitfire Properties LLP as junior Counsel in resisting a Section 288 challenge in respect of a grant of consent on land at Snitterfield, Stratford on Avon.

### Specialist Housing for Older People

Advising and representing McCarthy and Stone in respect of numerous sites throughout England and Scotland, and appearing on their behalf at various appeals (including sites at Wokingham, Frome and Grantham). Sarah is one of a select panel of barristers regularly instructed by McCarthy and Stone.

Successfully representing Blue Cedar Homes in respect of a scheme for specialist accommodation for the elderly in Kingston Bagpuize, and successfully arguing that no affordable housing contribution should be made on the basis of scheme viability.

Successfully representing Kirklees Council in a called in inquiry for a retirement village in the Green Belt.

### Heritage / Conservation

Successfully representing Shropshire Council in their opposition to the demolition of "The Stew", an unlisted building in a Conservation Area dating from the 1700s.

Representing North Yorkshire County Council in their opposition to a scheme involving arguments on Enabling Development and the impact of Minerals Development on a group of significant heritage assets.

Representing West Lancashire District Council in an inquiry into Enabling Development to restore the first Roman Catholic Seminary built in England since the Reformation.

Numerous housing appeals involving impact on heritage assets (for example, Tutshill, Tysoe, Harrogate above).

### Local Plans

Representing Cheshire West and Chester Council in the Examination Hearings into their Local Plan (Part One) Strategic Policies (Junior Counsel to Stephen Sauvain QC).

Representing Durham Council in the Examination Hearings into the County Durham Plan (Strategic Policies).

Successfully advising Gladman Developments Ltd on representations submitted in respect of a Neighbourhood Plan at Sandbach, Cheshire.

Advising various third parties (including developers and Parish Councils) in respect of their objections to emerging Local Plans.

### **Compulsory Purchase**

Representing Blackpool Council in a Compulsory Purchase Order Inquiry to acquire land for the comprehensive redevelopment of the Tyldesley Road area of Blackpool.

Successfully representing the lead objector in a Compulsory Purchase Order inquiry relating to the acquisition of land for the comprehensive regeneration of the Benwell Scotswood area of Newcastle.

Advising Stockport Council in the Travis Brow CPO (Highways).

Representing Burnley Council in a Housing Act CPO.

### **Energy and Waste**

Successfully representing Salford City Council in their opposition to a waste treatment and recovery scheme (including MRF, AD and gassification facilities) at Green Lane, Salford (Junior Counsel to David Manley QC).

Promoting a large wind farm in a sensitive part of Oxfordshire (Fewcott, Oxfordshire) (Junior Counsel to Paul Tucker QC).

### **Other**

Advising IOME/Shoprite in their claim that the planning decision of the Department of the Environment, Food and Agriculture (IOM) was procedurally unfair, and failed to take into account considerations material to retail policy.

Successfully representing the lead objector in a called in inquiry into a scheme for the comprehensive regeneration of the New Brighton waterfront, Wirral.

Representing Stoke On Trent City Council in a called in inquiry for a new Wedgwood Hotel, Stoke on Trent.

## **Publications**

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Assistant Editor of the Encyclopedia of Highway Law and Practice

## **Appointments and Memberships**

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Junior Counsel to the Crown ("A Panel")

National Committee Member for PEBA (Planning and Environmental Bar Association)

Committee Member for Women in Planning North West

Committee Member of the Bar Council's Education and Training Committee

Director of Pupillage, Kings Chambers

Member of Lincoln's Inn, Northern and North Eastern Circuits

## **Qualifications**

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LLB Law with Hispanic Law: University College London (First Class)

Hurst Prize, Andrews Prize, Simmonds Prize, UCL Dean's List (University College London)

Diploma in Spanish Law: Universidad Carlos III, Madrid

Bar Vocational Course: College of Law, London (Outstanding, ranked first in the year)

Lord Denning Scholarship, Megarry Scholarship, Buchanan Prize (Lincoln's Inn)

University Tutor, Property I, University College London 2003 - 2004

## Recommendations

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### Chambers UK (2021)

"She puts witnesses at ease and she's very easy to work with."

### Legal 500 2021

"Sarah is incredibly approachable and astute and we found these strengths made her particularly strong in planning appeal settings where situations change rapidly and can be turned to the clients advantage. It has meant she has turned potential losses into wins."

### Chambers UK (2020)

"Very effective cross-examiner." "Makes technical issues accessible to those who aren't as academically astute as her." "Good with handling clients and witnesses."

### Legal 500 2020

"Particularly experienced in environmental matters."

### Legal 500 (2019)

"She leaves no stone unturned in a case"

### Legal 500 (2018)

"A formidable advocate"

### Chambers UK (2019)

"Maintains a wide ranging planning practice...she is particularly well versed in planning matters pertaining to residential and retail developments"

"Very approachable and confident in her approach to cases"

"Very sharp. Her cross - examinations are good"

### Chambers UK (2018)

"Hard working and very keen to make sure she has fully understood the case and is mapping a way to the best result"

"Very thorough and diligent. She is also very approachable and very hands on"

### Chambers UK (2017)

"She is one of the most thorough lawyers that I have ever come across. She is extremely good on matters of detail and fact, very insightful when it comes to the law, and someone who manages to put the most complex of matters in ways that clients understand"

"She shows a very great attention to detail and is very, very focused"

"She is very good at motivating and is a good leader of a team"

"Attracts plentiful praise...she is noted for her expert strategy and effective advocacy style"

### Chambers UK (2016)

"She is extremely dedicated and motivated, and meticulous in how she goes about things"

"I would pick her out. She is very effective"

### The Planner's Women of Influence List (2019)

"Easily one of the best barristers I have worked with in my 20 years as a Planner".

"Outstanding advice to my local authority in support of the preparation of our local plan. She has been able to articulate the new policy requirements of the NPPF/PPG in a practical and clear way - not only to my team but to our specialist consultants".

"Sarah is an extremely professional and experienced planning barrister who has been beyond helpful at planning inquiries."

"Her friendly manner has built my confidence and influenced my experience of inquiries and giving professional evidence"

"She is always positive and encouraging, and will always take time to be supportive and provide assistance."

### The Planner's Women of Influence List (2018)

### Examples of instructions received for 2019:

- Gladman Developments Ltd – Appeal (280 units, 60 bed Extra Care home).
- Lovel Developments - Appeal (322 units)
- Hollins Strategic Land – Appeal (46 units)
- Manor Oak Homes – Statutory Challenge against dismissal of appeal for residential scheme, permission received.
- City Centre scheme, Birmingham (over 100 residential units and commercial)
- Local Plan representations on behalf of a land Promoter, residential development site, Shropshire
- Claimant – Appeal to Crown Court - Section 56 Highways Act, Croxden, Staffordshire
- Shropshire Council – Appeal against erection of A1 foodstore (Aldi) and associated works
- Tewkesbury Council – Appeal in relation to Land at Fiddington (850 units, primary school and local centre)
- Advising 2 Local Authorities on their emerging Local Plans
- Advising 3 Local Authorities on their 5 year supply in light of the new definition of deliverable in the NPPF and the requirements of the PPG.
- Advising 3 Authorities on their proposals to establish Clean Air Zones (Junior Counsel to Paul Tucker QC)
- Manchester City Council – Listed Building Appeal
- British Blind and Shutters Association – Judicial Review of Building Regulations 2018 (Junior Counsel to A Singer QC)

### Examples of significant cases in 2018:

- Gladman Developments Ltd – Appeal in relation to land at East Leake (195 units) (appeal allowed).
- Gladman Developments Ltd – Appeal in relation to land at Mildenhall Road Fordham (100 units). Sarah secured a concession from the Council’s noise witness that, contrary to the Council’s case, there was no legitimate reason for refusing the scheme on noise grounds (appeal allowed).
- Gladman Developments Ltd – Appeal in relation to land at Rockwell Green, Taunton (205 units and 60 bed apartments with care). Sarah secured a concession from the Council’s Planning witness in cross -examination that, contrary to the Council’s case, there was no legitimate reason for withholding consent. The Council subsequently withdrew the entirety of its case part way through the inquiry (appeal allowed).
- The Saxonby Group – Appeal in relation to land off Ellesmere Road, Shrewsbury (36 units) (appeal allowed).
- Angela Swift Developments – Appeal in relation to land at Strait Lane, Middlesbrough (60 bed Extra Care / Assisted Living development)
- Metacre Ltd – Appeal in relation to land at Great Eccleston, Wyre (93 units and D1) (appeal allowed)
- Metacre Ltd – Appeal in relation to 68 units Wesham, Fylde
- Manor Oak Homes – Appeal in relation to land off Blackthorn Road, Launton (72 dwellings) (Junior Counsel to Paul Tucker QC) (appeal allowed)
- Advising McCarthy and Stone on various sites throughout England and Scotland
- Ribble Valley Council – Land at Hammond Ground (50 units) (appeal dismissed)

### Other significant cases:

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- Representing Stoke-on-Trent City Council in a called in inquiry for a new Wedgwood Hotel, Stoke on Trent.
- *R (on the application of Horner) v Lancashire County Council* [2007] EWCA Civ 784, Court of Appeal, EIA development (Junior Counsel to Frances Patterson QC)
- *R (on the application of O'Brien v West Lancashire BC* [2012] EWHC (Admin), validity of planning applications
- *R (on the application of Blackpool Borough Council) v Secretary of state for Communities and Local Government*, heritage

