

# Sarah Reid KC

Year of call 2004 | Year of silk 2022

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Sarah Reid KC specialises in all areas of **Town and Country Planning**. She is consistently rated highly by all the leading directories and publications (Legal 500, Chambers and Partners, The Planner's Women of Influence List and Planning Magazine).

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.

She has a particular specialism and extensive experience in large scale housing schemes and has represented many of the national developers and land promoters in this capacity. Recent examples in 2021/2022 include successfully representing Bloor Homes in an inquiry to secure permission for 662 homes at Rochford; successfully representing the developer in an inquiry relating to a greenfield site in Maldon to secure permission for 232 dwellings together with a full award of costs; and successfully representing the only Appellant to achieve planning permission in a combined inquiry relating to 6 greenfield sites promoted by different developers at Goosnargh Preston and Longridge (instructed by Emery Planning).

Sarah also has significant experience in promoting schemes relating to specialist accommodation for the elderly, including, by way of example, on behalf of developers such as McCarthy and Stone and Churchill Retirement Living.

Sarah has extensive experience in other complex planning matters. By way of example, she has acted in 2 significant MSA inquiries in the last year, one for an Appellant and the other for a LPA. She also represented one of the LPAs in the called – in inquiry at Parkside – a proposal for a link road between the A49 and M6 to open up a green belt site for major logistics development and SRFI.

Sarah frequently advises on Local Plan preparation and appears at Local Plan Examinations. Within the last year (2021/2022), she has represented a major developer promoting a proposed employment allocation through the Local Plan process and is providing ongoing advice to three LPAs on their emerging Local Plans.

Sarah also specialises in highways and rights of way matters, and prior to taking Silk was the Assistant Editor of the leading practitioner's text on the subject (the Encyclopedia of Highway Law and Practice).

Prior to taking Silk, Sarah was appointed as Junior Counsel to the Crown on its leading "A Panel", regularly advising and appearing on behalf of the Secretary of State in the most complex of planning matters and statutory challenges. A recent example is *Sefton v SSCHLG and Doherty* [2021] EWHC 1082, where the Court accepted Sarah's submissions relating to the correct interpretation of Green Belt policy.

Sarah was instrumental in establishing Women in Planning North – West and has sat on its committee since its inception. She also sits on the committee for the Planning and Environmental Bar Association (PEBA). She has provided training to Planning Inspectors in that capacity on numerous occasions and was also Chair of the PEBA – PINS Working Group, which sought to establish protocols for virtual hearings and inquiries during the pandemic.

Sarah has held the posts of Director of Pupillage Training and most recently Head of Recruitment in Chambers.

## Recent Planning Appeals

Represented Richborough, at appeal, successfully securing permission for 475 homes in Hinckley (2023).

Represented Roebuck Land & Planning Ltd, at public inquiry, successfully securing permission for 175 homes in Sutton Courtenay, Vale of White Horse (2023).

Represented Blenheim Estate, at public inquiry, successfully securing permission for 180 homes in Woodstock, West Oxfordshire (2023).

Represented Richborough Estates, at public inquiry, successfully securing permission for 155 dwellings in Deal, Dover (2023).

Represented Bellway Homes Ltd (Manchester Division, at public inquiry, successfully securing permission for 108 dwellings in Chorley (2023).

Represented Richborough Estates at Appeal, successfully securing permission for 65 dwellings in Launton, Cherwell (2022).

Represented Kler Group, at public inquiry, regarding proposed development of 221 dwellings in Tiptree.

Represented Think Green Land, at public inquiry, successfully securing permission for 232 dwellings in Burnham-on-Crouch, Maldon (2022).

Represented Bloor Homes, at public inquiry, successfully securing permission for 662 dwellings in Rochford (2022).

Represented Churchill Retirement Living at appeal, successfully securing permission for 39 apartments for older people in Handforth, Cheshire East (2022).

Represented McCarthy and Stone, at public inquiry, successfully securing permission for 36 retirement living apartments for older people in Tonbridge (2022).

Represented Adlington Golf Centre at appeal, successfully securing permission for the construction of an adventure golf course (2022).

Represented Warrington Borough Council, at public inquiry, regarding the proposed development of a MSA (2022).

Represented Applegreen Ltd, as junior to Christopher Katkowski KC, at public inquiry, regarding the proposed development of a MSA (2021).

Successfully secured permission, after a 4 week conjoined public inquiry that included 8 appellants for 40 homes in Goosnargh, Preston (2021).

#### **Recent Court Work**

[2021] EWHC 3092 (Admin) – Ribble Valley BC -v- SOS & Oakmere Homes (Sarah acted for the successful claimant).

[2021] EWHC 1082 (Admin) – Sefton MBC -v- SOS & Jerry Doherty (Sarah acted for the successful Defendant).

#### **Recent Local Plan Examinations**

Represented Warrington Council at their Local Plan Examination (2023).

Instructed by Sheffield Council on their Local Plan Examination (2023).

Represented Caddick at Wakefield Local Plan (2021).

## Expertise

### Administrative & Public Law

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### Environment

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## Local Government

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## Planning

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# Significant Cases

### Examples significant cases in 2020 – 2021:

- Eutopia Homes – Appeal (City Centre regeneration scheme for 480 homes, a hotel, 1,480sq m business/commercial floor space. Recovered by the Secretary of State).
- Parkside Inquiry – Appeal (proposal for a link road linking the A49 and M6 to open up a green belt site for major logistics development and SRFI. Called in by the Secretary of State).
- Advising a Local Planning Authority in relation to a Development Consent Order for a nationally significant infrastructure project (gas storage).
- Advising a Local Planning Authority in respect of its proposal to establish a Clean Air Zone.
- Advising 3 Local Planning Authorities in respect of their emerging Local Plans.
- Manor Oak Homes – Appeal (housing scheme, greenfield land).
- Manor Oak Homes and Catesby – Statutory Challenge (adoption of a neighbourhood plan).
- Asda (Judicial Review, retail).
- Asda (Court of Appeal, retail, concerning the interpretation of national retail policy. Junior Counsel to Paul Tucker KC R (*on the application of Asda Stores Limited v (1) Leeds City Council (2) CDP [2021] EWCA Civ 32*).
- Hollins Strategic Land: Challenge to the lawfulness of an Inspector’s interpretation of paragraph 11 NPPF (Secretary of State consented to Judgement).
- Hollins Strategic Land – 2 Appeals (housing, schemes for 61 units and 40 units).
- Representing the Secretary of State in respect of various Statutory Challenges, including a case concerning the correct interpretation of Green Belt policy in the NPPF.
- Ribble Valley Council – Statutory Challenge (interpretation of development plan policy).
- Calderdale Council – Statutory Challenge (advertisement consent).
- Bloor Homes: Appeal (housing scheme, 92 units, greenfield land).
- Strategic Land Group: Appeal (housing scheme, 79 units, greenfield land).

### Examples significant cases in 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 KC)
- Manchester City Council – Listed Building Appeal
- British Blind and Shutters Association – Judicial Review of Building Regulations 2018 (Junior Counsel to A Singer KC)

#### 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 Ecclestone, 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 KC) (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:

##### 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
  - 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
  - Successfully obtaining planning permission in a recovered inquiry for a scheme for 180 units on land at Coleford, Gloucestershire
  - Successfully 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 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.

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

## 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.
- *R (on the application of Horner) v Lancashire County Council* [2007] EWCA Civ 784, Court of Appeal, EIA development (Junior Counsel to Frances Patterson KC)
- *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

# Qualifications

- 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

## Appointments

- 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
- Director of Pupillage Training 2018-2022
- Head of Recruitment 2022 – 2024
- Deputy Head of Planning Team 2023 –
- Member of Lincoln’s Inn, Northern and North Eastern Circuits

## Publications

- Assistant Editor of the Encyclopedia of Highway Law and Practice

## Recommendations

### Legal 500 (2023,2022, 2020, 2019, 2018)

“Extremely thorough and leaves no stone unturned in ensuring the best possible outcome.”

“Sarah is very approachable and takes a hands-on approach to appeal work, truly becoming part of the team, offering support and advice throughout the process. Inspectors are happy for her to participate in the hearings themselves and that allows her to make full use of her knowledge of technical matters and case law. She also has excellent peripheral vision of any planning cases elsewhere that may assist her clients.”

“She leaves no stone unturned in a case”

“A formidable advocate”

“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.”

“Particularly experienced in environmental matters.”

### Chambers UK (2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016)

“I have found Sarah to be exceptional in all areas.”

“Sarah is very experienced and knowledgeable. She gives clear advice and is approachable.”

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

“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”

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

“Very effective cross-examiner.”

“Makes technical issues accessible to those who aren’t as academically astute as her.”

“Good with handling clients and witnesses.”

“Very approachable and confident in her approach to cases”

“Very sharp. Her cross – examinations are good”

“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”

“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”

“She puts witnesses at ease and she’s very easy to work with.”

“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 (2020, 2019, 2018)**

“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”.

“I have had the privilege of working with Sarah over the last two years. Her attention to detail is second to none and she always goes that extra mile, putting her head and shoulders above many of her fellow barristers.”

“Sarah is considered to be a ‘silk in the making’. She is a formidable advocate ...”

“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.”.

“...a superb role model for others entering the profession and has been instrumental in establishing and promoting the group ‘Women in Planning’. She is now an established member of the Planning and Environmental Bar Association.”

**Planning Magazine Top Rated Junior List (2020), (2019), (2018)**

## Accreditations

