

Nicola Allan

Call 1999

Nicola worked as a Chartered Town Planner for 12 years in local government and the private sector before being called to the Bar in 1999. She has an extensive practice in Town & Country Planning, compulsory purchase, local government and administrative law and Chancery.

EXPERTISE

- Town & Country Planning
- Chancery Law
- Administrative and Public Law

Planning Appeals

Local Plan Examinations

Other Areas

- Judicial Review
- Drafting s.106 and other legal agreements
- Injunctions and interim remedies
- s.210 Injunctions and s.215 Amenity Notices
- Breach of advertisement regulations
- Breach of condition on planning permissions

Chancery

- Lands Tribunal matters
- Property disputes including boundaries, easements and restrictive covenants

Village Greens & Commons

- Registration, upgrading and modification of public rights
- S.16(9) applications to de-register and exchange common land

Nicola worked as a Chartered Town Planner for 12 years in local government and the private sector before being called to the Bar in 1999. She has an extensive practice in Town & Country Planning, compulsory purchase, local government and administrative law, acting in public inquiries and the courts.

Nicola has advised and appears for a wide range of private clients, developers and Local Authorities on all planning matters and Judicial Review. She also advises all parties in criminal cases arising from planning breaches.



Expertise

Planning

Property

Regulatory

Administrative & Public Law

Nicola specialises in rights of way, village greens and commons law; acting for all parties at highway inquiries and in applications to modify definitive maps, applications to register village greens and applications to the relevant Minister under s.194 of the Law of Property Act 1925 and exchange common land under s.16(9).

Nicola acted for the East Riding of Yorkshire Council over a 6 year period in numerous hearings in planning inquiries, the High Court and Court of Appeal to successfully remove 73 park homes unlawfully placed on land and used as permanent accommodation by vulnerable people.

Nicola also advises local authorities in relation to unauthorised encampments by Gypsy and Traveller groups and is successful in securing emergency interim injunctions to prevent occupation taking place.

Nicola has a substantial number of private sector clients with land and moors in the north Pennines, advising on development required for recreational shooting and agriculture.

MEMBERSHIPS

- Member of the Royal Town Planning Institute
- Chartered Town Planner
- Planning and Environmental Bar Association

LECTURES & SEMINARS

Nicola regularly talks at seminars to private clients and local authorities on planning issues including renewable energy environmental protection. She also delivers bespoke in-house training for local authority officers and members.

Nicola is a Bar Council accredited lecturer and has lectured in planning practice at the University of Newcastle upon Tyne and Durham University and to the Local Government Association on numerous topics.

EDUCATION

- BA (Hons) Town & Country Planning – University of Newcastle upon Tyne.
- BVC – University of Northumbria.

ADDITIONAL INFORMATION

Nicola accepts Licensed Access and Direct Access cases.

Notable Cases

Cases

R (on the application of Tesco Stores Ltd) v Allerdale Borough Council [2022] EWHC 2827

Lakeminster Park Ltd & Alan Coates v SSCLG & East Riding of Yorkshire Council [2017] EWCA Civ 940

Lakeminster Park Limited v SSCLG & ERYC [2016] EWCA Civ 371 – a sixyear legal battle culminated in the clearance of 73 park homes from a site in the East Riding of Yorkshire

Salford Estates (No.2) Ltd. v Durham County Council 2012 EWHC 2512 – successfully defended Judicial Reviews of planning permission for a Tesco superstore at Peterlee and superstore at Dalton Park

Persimmon Homes v Blyth Valley BC [2008] EWCA Civ. 861

Clerking team



Steve Walker
Lead Civil Clerk
0191 245 9589



Josh Stewart-Tilling
Lead Employment Clerk
& Civil Clerk
0191 300 9359



Paul McNab
Civil & Criminal Silks'
Clerk
0113 3235 955



Aimee Bloxham
Civil Clerk
0191 245 9556



Chris Gibbin
Clerk
01642 247 569

Martin v. Childs [2002] EWCA Civ. 283

Nicola has acted on behalf of a private client, securing planning permission from the Secretary of State for a Biomass power station in East Yorkshire. The £30m scheme will generate 20 Mw energy from the burning of straw, supplying electricity into the National Grid to power the equivalent of 20,000 homes. She has also advised on a 50 Mw liquid biomass scheme at Avonmouth Docks in Bristol.

She has advised private sector clients on “grand design” zero carbon country houses and an eco-holiday village in Northumberland.