



Nicola Allan

Call: 1999
Specialisms: Administrative and Public, Agriculture, Business, Chancery, Planning, Regulatory

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Nicola Allan

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SPECIALISMS

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

AREAS OF WORK:

Planning Appeals

- s.78 Appeal against planning decisions
- s.77 Secretary of State recovered jurisdiction
- s.97 Revocation & Modification orders
- s.174 Appeal against Enforcement notices
- s.215 Proper maintenance of land notices

Local Plan Examinations

Other Areas

- s.106 drafting legal agreements
- Injunctions and interim remedies
- s.210 Injunction for breach of Tree Preservation Order
- Breach of advertisement regulations – prosecute and defend
- Breach of condition on planning permissions – prosecute and defend

Chancery

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

Village Greens

- Registration, upgrading and modification of public rights

Nicola has 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 and related local government and administrative law, acting in public inquiries and the courts.

Nicola has advised and appears for a wide range of Local Authorities, developers and private clients on various projects including house building, mixed use regeneration, renewables, conservation and listed buildings. She also advises all parties in criminal cases arising from planning breaches.

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.

CASES

Martin v. Childs [2002] EWCA Civ. 283(Easement)

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

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 (with Patrick Clarkson QC).



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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 is also advising three private sector clients on “grand design” zero carbon country houses and an eco holiday village in Northumberland.

Nicola acted for East Riding of Yorkshire Council in successfully upholding more than 80 enforcement notices to secure removal of an unlawful Park Home scheme in the open countryside.

Nicola has extensive experience of promoting DPDs and Local Plans through the Examination process.

Nicola has advised a local authority on judicial review of a major retail scheme on the north east and represented North Yorkshire County Council at the A1 D2B public inquiry into the upgrading of the A1 to motorway in North Yorkshire.

APPOINTMENTS

Attorney General's Regional Panel of Counsel.

MEMBERSHIPS

- Member of the Royal Town Planning Institute
- Chartered Town Planner
- United Kingdom Environmental Law Association
- Planning and Environmental Bar Association
- Agricultural Law 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 village greens and commons and Freedom of Information.

EDUCATION

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

ADDITIONAL INFORMATION

Prior to becoming a barrister, Nicola worked in local government, as a team manager in a multi disciplinary consultancy and subsequently ran her own planning consultancy.