

Anna Stein

Call: 2023



Anna Stein has a busy practice in planning, environmental and public law.

She has been instructed at all stages of the planning process, from advising developers at the pre-application stage, to representing appellants, LPAs and interested parties at appeal. She has experience of a broad range of development, including residential, commercial and renewable energy schemes.

Her practice increasingly encompasses judicial and statutory review proceedings, and she has been instructed by claimants and defendants at all stages of judicial review, and has appeared before the High Court and Court of Appeal.

She is also regularly instructed to advise on and act in enforcement proceedings on behalf of both appellants and LPAs.

Anna is also regularly instructed in environmental law and statutory nuisance proceedings, acting both for prosecutors and defendants. She has also acted in proceedings under the Water Industry Act 1991.

Anna comes to the Bar following a career in international aid in which she specialised in the protection of civilians in conflict. In the course of her career she worked in many countries including South Sudan, Yemen, Iraq, Iran and Afghanistan. She continues to maintain an interest in international humanitarian law, and has been instructed by government and non-governmental organisations to advise on aspects of International Humanitarian Law and the Protection of Civilians.

Expertise

Planning

Anna has participated in several planning inquiries and hearings.

Recent instructions include:

- Representing the LPA at a section 78 appeal in Devon
- Representing the LPA at 3 conjoined appeals in Stratford-upon-Avon
- Representing the LPA at a section 78 appeal in Leamington Spa (unled)
- Representing the LPA in an appeal against an enforcement notice in Devon (unled)
- Representing the LPA in an appeal against an enforcement notice in Stroud (unled)
- Representing the LPA in an appeal against the refusal of a CLEUD in Elmbridge (unled)
- Representing the Appellant at an appeal against an enforcement notice in North Lincolnshire (unled)
- Representing the Appellant at an appeal against the refusal of a major residential development in South Staffordshire (led by Thea Osmund-Smith)
- Representing the Appellant at an appeal against the refusal of a reserved matters application for a residential development in Bedford (led by Christopher Young KC)
- Representing the Appellant at an appeal against the refusal of planning permission for a Battery Energy Storage System (BESS) in

Birmingham

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Leeds (led by Thea Osmund-Smith)

- Representing the Appellant at a planning inquiry which considered a large-scale residential scheme in Nuneaton and Bedworth (led by Richard Kimblin KC).
- Representing the local authority at a planning inquiry at which permission was refused for a “big box” development in North Warwickshire (led by Christopher Young KC).
- Representing the developer at a planning inquiry which considered the application for a major residential development in Newcastle-under-Lyme (led by Thea Osmund-Smith).
- Representing the developer at a planning inquiry which will consider the application for a major mixed residential and commercial development in Wiltshire (led by Christopher Young KC).
- Representing an interested party at a planning inquiry which considered the application to construct a data centre in South Buckinghamshire (unled).

Judicial and Statutory Review

Anna has advised both claimants and defendants in all stages of judicial and statutory reviews and is regularly instructed to act in proceedings.

Recent experience includes:

- Acting as junior counsel challenging the grant of planning permission to a data centre in Buckinghamshire (led by David Wolfe KC and with Ruchi Parekh)
- Acting as junior counsel defending the grant of planning permission at Old Sarum Airfield (led by Christopher Young KC)
- Representing the claimant in an application for judicial review of a grant of planning permission in a case concerning self and custom-build provisions (unled)
- Written advice on for a householder of prospects of success of a statutory review, pursuant to section 288 of the TCPA.
- Defending a judicial review in the High Court on behalf of a local authority.
- Advising a local authority on prospects of successfully defending judicial review and on response to pre-action protocol letters
- Advising a local authority on mitigating risks of judicial review arising from errors in the grant of planning permission

Caravan Parks and Marinas

Anna is developing a particular expertise in advising on the planning and licensing regime as it impacts caravan site operators. She was instructed as junior (led by Richard Kimblin KC) in the Court of Appeal in Haytop Country Park Ltd v Amber Valley Borough Council, which provided significant clarity on the interaction between the two frameworks.

Additionally, she has advised the operators of several marinas on the interpretation and impact of their historic planning permissions.

Other Planning Matters

Anna has advised both developers and householders in a variety of planning matters, including:

- Affordable housing requirements
- Prospects of success at appeal
- Advising a local authority in relation to section 37 of the Highways Act 1980 and the adoption of a private highway

Major Infrastructure

Anna has acted for local authorities and NGOs, with recent instructions including:

- Advising a non-governmental organisation on challenges to data centres.

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- Advising a local community group on the application for an asphalt and waste recovery plant.

Planning Enforcement

Anna has been instructed by both local authorities and householders to advise on enforcement issues.

Recent instructions have included:

- Representing the LPA in an appeal against an enforcement notice in Stroud (unled)
- Representing the LPA in an appeal against an enforcement notice in Devon (unled)
- Representing an Appellant in an appeal against an enforcement notice in North Lincolnshire
- Advising a householder on prospects of challenging enforcement proceedings
- Advising on prospects of success in an appeal against a listed building enforcement notice in Cornwall
- Advice to a Local Authority in the Midlands on prospects of success where the development was in conflict with the permission granted.
- Advice to a householder in Brighton on prospects of success following enforcement action from a Local Authority

Environmental Regulation and Prosecutions

Anna has been instructed in several matters relating to environmental prosecution, including:

- Representing prosecuting local authorities in fly tipping proceedings.
- Advising prosecuting local authorities in fly tipping proceedings.
- Advising a local authority in respect of breaches of the Anti-Social Behaviour and Policing Act 2014
- Representing a defendant in a prosecution under the Water Industry Act 1991
- Representing prosecutors in statutory nuisance proceedings brought under section 82 of the EPA 1990
- Representing defendants in statutory nuisance proceedings brought under section 82 of the EPA 1990
- Representing defendants in statutory nuisance proceedings brought under section 80 of the EPA 1990

Injunctions

Anna has been instructed by a local authority to obtain injunctive relief in respect of an unauthorised breach of planning control, where she successfully secured a continuation of an ex parte order.

Awards

- Stephen Chapman Scholar 2020 – Honourable Society of the Inner Temple

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Memberships

- UK Environmental Law Association (UKELA)
- Planning and Environmental Bar Association (PEBA)
- Environmental Law Foundation (ELF)

Qualifications

- Trinity College Dublin, BA European Studies BA, First Class
- University of Oxford, MSc Refugee and Forced Migration Studies
- BPP, Graduate Diploma in Law, Distinction
- BPP, BTC, VerStephen Chapman Scholar 2020 – Honourable Society of the Inner Temple Competent

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