



Stephanie Bruce-Smith

Call: 2021

Practice areas:

Public Law, Planning, Highways, Commons and Open Spaces, Environment, Compulsory Purchase and Compensation, Licensing, Rating



Practice Profile

Stephanie has a busy practice across all of Chambers' practice areas, including planning, environmental and public law. She regularly appears in court and at inquiries, both in her own right and as junior counsel.

Stephanie has experience representing claimants, defendants, interested parties and interveners in court. She welcomes instructions across all of Chambers' practice areas.

In appropriate cases, Stephanie is happy to work on a pro-bono basis.

Recent significant cases include:

- , on the legality of the third National Adaptation Programme ("NAP3") under the Climate Change Act 2008 (led by Mark Westmoreland Smith KC alongside Charles Streeten)
- , on the jurisdictional limit of "land" under the Town and Country Planning Act 1990 (led by Richard Honey KC)
- , which considered whether access to the commons "on foot or on horseback for the purposes of open-air recreation" under the Dartmoor Commons Act 1985 includes the right to wild camp (led by Richard Honey KC alongside Ned Westaway and Esther Drabkin-Reiter)

Public Law

Stephanie has particular experience in cases raising difficult points of public and international law, including principles of statutory interpretation and the application of human rights to environmental law claims.

Recent public law work includes:

- Junior to Mark Westmoreland Smith KC and Charles Streeten in , a challenge to the legality of the third National Adaptation Programme (“NAP3”) under the Climate Change Act 2008
- Junior to Richard Honey KC in , a challenge regarding the jurisdictional limit of “land” under the Town and Country Planning Act 1990
- Sole counsel in , a challenge to the lawfulness of a traffic regulation order under the Road Traffic Regulation Act 1984
- Sole counsel in , a challenge to the grant of planning permission in circumstances where plans had been amended following the close of the consultation period

In addition to her court work, Stephanie regularly advises clients on public law matters. Examples of public law issues arising as part of Stephanie’s practice include:

- Adequacy of reasons
- Procedural fairness
- Apparent bias
- Duty of candour and the appropriateness of specific disclosure
- Mistake of fact
- Fair consultation
- The meaning and scope of the public sector equality duty

Stephanie also regularly speaks on public law topics. Recent talks include:

- Disclosure and the duty of candour in judicial review (FTB Public Law webinar, 22 November 2024)
- ADR in Judicial Review (FTB Public Law webinar, 17 February 2025)

Stephanie will be chairing a forthcoming update on judicial review costs and procedures on 4 June 2025 (see FTB’s for more details).

Planning

Stephanie’s planning practice covers all areas of planning law, including judicial reviews, planning statutory reviews and planning appeals. She also regularly advises clients at all stages of the planning process.

Court work

Stephanie has significant court experience for her year of call, both as sole counsel and as junior counsel. She is also regularly instructed to advise on prospects of success for both claimants and defendants.

Recent or significant planning court cases include:

- *R(Parkes) v Dorset Council [2024] EWHC 1253 (Admin)*, led by Richard Honey KC, which established that the sea bed was not “land” under the Town and Country Planning Act 1990
- *R(Gurajena and Benta v London Borough of Newham [2024] EWHC 1745 (Admin)*, which clarified the meaning of “adjoining” under the DMPO and the requirement to reconsult following the amendment of plans as part of a planning application

Inquiries and hearings

Stephanie is also regularly instructed as sole counsel and as junior counsel in planning appeals and public inquiries. Recent work includes:

- 1 Alie St, Aldgate (2025), a s.78 appeal against the refusal of permission for a change of use of part of a building from Class E use to flexible Class E / Class F1 use (sole counsel)
- Royal Mint Court, London (2025), a public inquiry regarding the redevelopment of Royal Mint Court for use as the new Chinese Embassy (led by Morag Ellis KC)
- Land at Icknield Way and Sears Drive, Tring (2024), a s.78 appeal against the refusal of planning permission for the erection of a Class E discount foodstore at Icknield Way (led by Craig Howell Williams KC)
- Land at the Former Animal Health Trust Research Centre, Kentford (2024), a s.78 appeal against the refusal by West Suffolk Council to grant a certificate of lawful use (led by Douglas Edwards KC)
- 7-15 Blount Street, London (2024) a s.78 appeal against the refusal of planning permission for purpose-built student accommodation (sole counsel)
- Land to the north of Rosthwaite Farm, Windermere (2024), a s.78 appeal against the refusal of planning permission for a farm diversification scheme (sole counsel)
- Land at New Oaks Farm, Ambleside (2023), an enforcement inquiry concerning the alleged unlawful change of use of a caravan to residential use (sole counsel)

Advisory work

Stephanie has a busy advisory practice, covering all aspects of planning law. She has recently advised clients on matters including:

- Changes to a planning permission under s.96A
- The lawful implementation of a planning permission
- Local occupancy conditions
- Costs in planning appeals
- Lawfulness of enforcement action
- Consultation obligations
- Incomplete developments
- Permitted development rights

Prior to becoming a barrister, Stephanie worked as a paralegal at a specialist planning law firm, where she gained exposure to a wide range of planning issues and assisted in the drafting of advice to clients on issues including:

- Implementation and interpretation of planning permissions
- Permitted development rights
- Material changes of use
- Certificates of lawfulness (CLEUDs and CLOPUDs)
- Section 106 agreements
- Enforcement time limits and concealment

Highways, Commons and Open Spaces

Stephanie has a keen interest in the law relating to highways, commons and open spaces, with particular expertise in traffic regulation orders.

Recent or notable cases include:

- *Darwall v Dartmoor National Park Authority [2023] EWCA Civ 927* - for the Open Spaces Society, led by Richard Honey KC alongside Ned Westaway and Esther Drabkin-Reiter, successfully arguing that “open-air recreation” under the Dartmoor Commons Act 1985 includes wild camping.
- *R(Wesson, Chair of Friends of Mill Road Bridge) v Cambridgeshire County Council [2024] EWHC 1068 (Admin)* - representing a local group of residents in an ongoing challenge to a traffic regulation order (‘TRO’) under the Road Traffic Regulation Act 1984.

She has a growing practice in public rights of way and has also assisted other members of chambers in areas including:

- The interpretation of “neighbourhood” in the context of a challenge to the de-registration of a town and village green;
- The diversion of bridleways under the Transport and Works Act 1992; and
- The nature and scope of obligations to maintain a bridge under a local Act of Parliament.

Environment

Stephanie’s environmental law practice is wide-ranging. From advising individuals concerned with the environmental impacts of local development to representing clients in challenges to government policy, Stephanie has a diverse and growing practice in this area.

She is particularly interested in the overlap between human rights and environmental law, having written on the topic and acting as junior counsel in the first case in which the landmark decision of the European Court of Human Rights, *Verein KlimaSeniorinnen Schweiz v Switzerland* was considered by UK Courts (, led by Mark Westmoreland Smith KC, alongside Charles Streeten).

Stephanie regularly advises on the adequacy of Habitat Regulations Assessments and has assisted other members of chambers on matters relating to the nature and scope of riparian rights and the interpretation of animal welfare regulations.

Stephanie writes and speaks on various environmental law issues. She regularly contributes to the FTB Environmental Law Blog and FTB’s Quarterly Environmental Law update. Recent topics have included:

- The implications of the recent High Court decision on the Whitehaven Coal Mine project;
- The overlap between human rights and environmental law;
- Changes to existing habitats protections in the Levelling Up and Regeneration Act 2023 and the Energy Act 2023; and
- Specific disclosure in environmental cases.
- Stephanie is a member of UKELA’s Marine Working Party.

Compulsory Purchase and Compensation

Stephanie is developing a solid practice in compulsory purchase and compensation.

She has assisted members of chambers on matters including the promotion of a scheme for compulsory acquisition and representing and objector at a CPO inquiry. Stephanie has also assisted in compensation matters, including experience of early neutral evaluation in a compensation claim.

Recent work includes:

- Junior to Richard Honey KC, alongside Caroline Daly, representing an acquiring authority in a compensation claim
- Junior to Rebecca Clutten, advising a client on the scope of provisions in the Acquisition of Land Act 1981
- Junior to Annabel Graham Paul, acting for an objector to a scheme

Stephanie also assisted with a range of compulsory purchase and compensation matters during her pupillage under the supervision of Rebecca Clutten. These included researching points of law and assisting with the legal review of documents in preparation for a CPO.

Stephanie will be joining Caroline Daly and Daisy Noble on 3 April 2025 at the next London Women in CPO event to provide an update on the Government's Compulsory Purchase and Compensation reform agenda.

Licensing

Stephanie has a busy licensing practice and is frequently instructed to represent parties at review hearings for a range of premises, including nightclubs, bars and off-licenses.

Rating

Stephanie has been instructed on several matters involving the non-payment of business rates and advising on an appeal to the Valuation Tribunal England on a Council Tax matter.

During her pupillage at Francis Taylor Building, Stephanie assisted on a range of rating matters under the supervision of Hugh Flanagan, including assisting with advice on the plant and machinery regulations and researching the scope of the public religious worship exemption.

Qualifications

- The University of Law, BPC (very competent) (2021)
- University of Oxford, BA Law (Jurisprudence) (First) (2020)
- University College London & SciencesPo Paris, BA European Social and Political Studies: Dual Degree (First) (2016)

Academic Awards, Scholarships and Prizes

- Mistress of Moots, The University of Law
- Wilfred Watson Scholarship, Gray's Inn
- Exhibitioner, Merton College, Oxford
- Fowler Prizes for performance in internal examinations, Merton College, Oxford
- Allen & Overy Second Year Law Prize, Merton College, Oxford
- Sessional Prize, University College London

Mooting, Debating and Other Advocacy Experience

- Winner UKELA Lord Slynn of Hadley (Senior) Moot (2021)
- Winner HSF Disability Mooting Championship: Oxford v Cambridge (2019)
- Quarterfinalist at the international rounds of the Price Media Law Moot Court, representing University of Oxford (2018-19)

Other Relevant Experience

Prior to commencing pupillage, Stephanie worked as a paralegal at Town Legal LLP, researching and assisting with the drafting of advice on planning issues including:

- Implementation of planning permissions;
- Interpretation of a planning permission;
- Permitted Development rights;
- Changes of use;
- Enforcement time limits.

While at Town Legal, Stephanie also worked on two enforcement appeals and a related judicial review challenge, gaining considerable experience in this area.

Memberships

- Planning and Environmental Bar Association (PEBA)
- Administrative Law Bar Association (ALBA)
- UK Environmental Law Association (UKELA)

Publications

- , FTB Environmental Law Blog, 24 October 2024
- , FTB Environmental Law Blog, 20 February 2024
- , FTB Environmental Law Blog, 20 December 2023
- , FTB Environmental Law Blog, 1 December 2023
- , FTB Environmental Law Blog, 21 March 2023
- , FTB Environmental Law Blog, 19 January 2023
- Book review “Dina Lupin Townsend: Human Dignity and the Adjudication of Environmental Law”, (2020) 121 UKELA E-Law 21
- ‘Open Doors and How to Shut Them: Omissions Liability for Public Authorities’ (2020) 9 OUULJ 55

Languages

Stephanie is fluent in Spanish and French, and speaks conversational Italian