



# Strategic Land

Business Legal Services



## Adrian Barlow

“Developing land to deliver new homes and communities can take many years; these ‘strategic land’ transactions are complex projects that require major investment; involve multiple partners and transactions, and often entail complicated and nuanced legal issues. It is therefore essential to have the right advisers to ensure projects are successfully delivered.”



# Introduction

---

Irwin Mitchell's long established Strategic Land team is experienced in taking greenfield and brownfield sites with medium to long term development potential, and working with clients from the acquisition and site assembly stages, through planning promotion and ultimately to disposal and development.





“Having worked with Irwin Mitchell on a number of high profile development sites I have found Irwin Mitchell brings experience and expertise to complex projects – deftly balancing the various interests and working with the professional teams, adding value and delivering a successful outcome for the client. They know what they are doing and spend time seeking solutions to issues, delivering successful outcomes with stamina, diligence, creativity and integrity, whilst always remaining caring, human and enjoyable people to work with.”

A man in a checkered shirt and jeans stands in a grassy field with cows in the background. He is holding a laptop. The scene is set during sunset or sunrise, with a warm glow. The background shows a line of trees and a fence.

**Simon Greenwood, Savills**

# Our strategic land offering

---

Our team combines the expertise of our Real Estate and Planning lawyers with our Construction, Public Law, Tax and Corporate specialists, to advise and guide our clients through each stage of their strategic land projects. Our services include:

## Structuring the Deal - Site Assembly

Strategic options
Conditional contracts
Land promotion agreements
Joint venture and collaboration agreements

## Planning

Comprehensive strategic advice on policy applications, viability and bringing development sites forward
Tactical and strategic planning promotion advice
Legal robustness health checking of planning applications (including Environmental Impact Assessment) and committee reports to guard against challenge
Dealing with both standard and complex section 106 agreements and infrastructure agreements
Advice relating to the Community Infrastructure Levy



Planning appeals and project management
Listed Buildings, Conservations Areas and Schedule Monument advice
Compulsory purchase
Environmental, ecological and contaminated land advice
Appealing or challenging decisions, or defending appeals and challenges in the courts

## Real Estate Advisory, Transactions and Disputes

Disposals, including phased disposals and disposals to multiple developers
Commercial and agricultural tenancies
Highways, public rights of way and town and village greens
Restrictive covenants and rights of way
Boundary issues
Heritage property: ancient monuments and listed buildings
Mineral rights
Securing vacant possession of built and unbuilt land
Rights to light



# Key contacts

---

Our Real Estate team is well known in the industry. In the past five years we have invested in recruiting partners who are leaders in their field and in this time have grown our National Real Estate Practice to 160 lawyers, becoming one of the leading providers of legal advice in the sector.



## Adrian Barlow

Partner  
Real Estate  
London

---

**T:** +44 (0)207 400 8738

**M:** +44 (0)7767 224 090

**E:** [adrian.barlow@irwinmitchell.com](mailto:adrian.barlow@irwinmitchell.com)

Adrian is the National Head of Real Estate at Irwin Mitchell. He has considerable experience in the real estate sector, advising both public and private sector organisations in project strategy and the implementation of portfolio and business change management from a legal perspective.



## Roy Beckett

Partner  
Real Estate  
Manchester

---

**T:** +44 (0)161 838 3150

**M:** +44 (0)7711 347 539

**E:** [roy.beckett@irwinmitchell.com](mailto:roy.beckett@irwinmitchell.com)

Roy specialises in real estate development and investment transactional work, including corporate real estate occupier work. He has been a real estate partner for over 25 years and acts for a variety of clients such as Bruntwood Estates, the Exchange Quay Master Trust, Manchester City Council, Northpoint Developments and Pemberstone.





## Carl Dyer

Partner  
National Head of Planning  
Gatwick

---

**T:** +44 (0)1293 742 888  
**M:** +44 (0)7775 950 513  
**E:** carl.dyer@irwinmitchell.com

Carl has nearly 35 years' experience in planning and development, with a particular focus on retail and mixed use regeneration projects. Carl also promotes housing, care homes, crematoria, and significant commercial developments - including the biggest print works in the world for News Group UK.



## Guy Sackett

Partner  
Real Estate  
Chichester

---

**T:** +44 (0)1243 813 164  
**M:** +44(0)7795 482 879  
**E:** guy.sackett@irwinmitchell.com

Guy is a Real Estate lawyer specialising in commercial and residential development. One of his key areas of focus is the delivery of complex strategic land projects, acting for developers, promoters and land owners. He also advises on large scale mixed use urban regeneration projects.



## Tina Webster

Partner  
Real Estate  
Chichester

---

**T:** +44 (0)1243 813 130  
**M:** +44 (0)7743 699 718  
**E:** tina.webster@irwinmitchell.com

Tina has considerable experience in real estate work, but has a particular focus on development projects in both the commercial and residential sectors. Tina has developed a specific expertise in strategic land schemes and college relocation work often involving urban regeneration.



# Our experience

---

**Project:** East Devon New Community at Cranbrook  
**Clients:** Hallam Land Management Limited, Taylor Wimpey Developments Limited and Persimmon Homes Limited

Our Strategic Land team has advised on all aspects of this flagship ‘eco town’ from initial site assembly, the promotion and development of the site and through to onward disposals. The site is now into the second phase of the initial development of around 3,000 homes. Ultimately it is envisaged that this site will deliver a new community of more than 10,000 homes and supporting infrastructure.

Irwin Mitchell’s involvement in the scheme dates back to 2000 when we advised on initial site assembly, which involved securing the client’s interest in the site through option agreements and acquisitions. We also advised on the joint venture arrangements which were, and continue to be, critical to the delivery of the scheme. A development of this scale also requires input from a number of other areas of expertise and Irwin Mitchell’s Planning, Construction and Finance teams have all been involved at various stages of development. We have acted on the application for planning permission, the securing of grant and private funding, the delivery of infrastructure and disposals to national house builders and commercial operators.

This project will deliver an important new community in an area of the country identified as having a particular housing shortage. The development also comprises retail and employment space and supporting infrastructure, including schools, community facilities, affordable housing and a new railway station.



**Project:** Henfield village green  
**Client:** Private landowners

We acted for private landowners in their bid to defeat an application to have ten acres of their farmland declared a 'village green'. The application was supported by statements from 66 residents all claiming that the land, which by now had planning permission for a 102 home redevelopment, had for many years been used for recreational purposes.

A thorough investigation of the land use and planning history revealed that many of the incidents were carried out with the landowners' permission or that the regularity of use had been overstated. Our defence of the village green application was described by the head of the Rights of Way team at West Sussex County Council (WSCC) as 'the most comprehensive package of response papers we have ever seen', and following WSCC's rejection of the application, our client was able to fulfil their objective of selling the site to a major housebuilder.



**Project:** Biddenham site sale  
**Client:** Hallam Land Management Limited and The Harpur Trust

We advised our long-standing client Hallam Land Management Limited and its joint-venture partner, The Harpur Trust, on a multi-million pound land sale to Bovis Homes and Linden Homes.

The sale of the site in Biddenham in Bedfordshire represented the culmination of 18 years of work which started with the acquisition of a small part of the site in 1997. Since then we have continued to work closely with Hallam Land to bring together the other parts of the site, on obtaining detailed planning permission and in liaising with Bedford Borough Council in respect of key infrastructure works. The disposal of the site to Bovis Homes and Linden Homes will result in the delivery of 700+ much needed new houses, a new school, playing fields and country park, as well as the long-awaited completion of the Bedford Western Bypass.

**Project:** West Sussex mixed use development  
**Client:** Landowners

Irwin Mitchell was initially instructed to advise landowners on the negotiation and completion of a land promotion agreement for a standalone housing development site. However as the planning climate changed, the land became strategically important for the access, housing and employment elements of a significantly larger scheme, and at this point we were able to provide specialist advice on the interpretation and construction of the land promotion agreement and the obligations of the landowners and the promoter as part of the larger scheme.

The land in question was farmed by a tenant and subject to a secure Agricultural Holdings Act 1986 tenancy. We advised on the available options that would enable our client to deliver vacant possession of the site and to meet the proposed timescales for the land being released for development,

and subsequently negotiated the surrender of the secure agricultural tenancy which was replaced with an up to date farm business tenancy thus allowing the landowners to obtain possession as and when the land was required for development.

The specialist agricultural and rural land expertise available within Irwin Mitchell's Strategic Land team ensured that the landowners were fully advised of their position in a complex and niche area of law.

**Project:**                **Mixed use scheme at North East Bridgwater, Somerset**  
**Client:**                **Hallam Land Management Limited**

We have advised Hallam Land Management Limited on all aspects of successfully achieving consent for, and the subsequent on-going delivery of 2,000 new homes and associated infrastructure at Bridgwater.

This project posed a number of challenges including securing appropriate rights for access and construction of a main link road, and the delivery of a bridge over the main Bristol to London railway line. Our detailed negotiations with Network Rail regarding underground and air rights for installation of infrastructure under and above its land, were critical to the scheme's success.

Completion depended on bringing together multiple parties and the delivery of infrastructure within the tight-timescales required. Transactions included disposals to Morrisons, David Wilson Homes, Taylor Wimpey and Mulberry, in addition to the provision of land for social housing to both Yarlinton Housing and the HCA.



# Our clients

We are proud to work with some of the most influential names in the strategic land sector and our clients include:


Ainscough Strategic Land	Martin Grant Homes
Artisan Real Estate Investors	New College, Oxford
Bloor Homes	Northern Trust Company
Floodline Developments	Persimmon Homes
Gladman	Roffey Homes
Hallam Land Management	Santon Group
Hanbury Properties	Seaward Properties
Henry Boot Developments	St Modwen
IDI Gazeley	Taylor Wimpey
JJ Gallagher	Welbeck Land
Landform Estates	William Davis



“On behalf of Hallam Land I am delighted that we have been able to successfully conclude this transaction after a significant amount of work over almost twenty years. Our long-standing relationship with Irwin Mitchell helped to ensure that the deal was concluded swiftly and smoothly, with them understanding our goals and working diligently to achieve them.”

---

**Nick Duckworth, Director of Hallam Land**

 0370 1500 100

 [www.irwinmitchell.com](http://www.irwinmitchell.com)

 @irwinmitchell