

## Residential development projects

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Farrer & Co's real estate team: exhibits considerable skill in handling urban regeneration and high-end residential projects.

Chambers UK



## Expertise

Our expertise in delivering high quality residential projects for landowners is unrivalled. We have advised on prominent schemes across the country of all sizes, including the Duchy of Cornwall's flagship development at Poundbury, and have dealt with all the major housebuilders and a large number of small and medium sized developers. We are as experienced dealing with the creation of a new community of 3,000 homes as an infill development of 3 houses.

## Commerciality

Our focus is always on getting the job done without fuss. We balance this commerciality with the long-term view: the need for stewardship through design and quality control and protection of the development potential of adjoining land. When asked for advice, we give a view; we do not sit on the fence. We will not look for problems where they do not exist.

## Teamwork

We have 15 partners and as many assistants engaged in development work. We work in teams to ensure work is allocated at the correct level so it can be done cost-effectively and quickly. There will always be someone available to answer your call.

## Project stages

We advise on all stages of the development of greenfield sites for private and affordable housing, commercial premises, community facilities, infrastructure and private energy networks.

**Masterplanning:** Advice on the full planning process from the preparation, promotion and tendering of the masterplan to the grant of planning permission. Advice on development structures. Tailoring a strategy to suit your tax and other circumstances.

**Disposal:** Advice on strategy, including phasing and planning for possible future sales of adjoining land. Advice on price structuring and overage.

**Delivery:** Advice on construction contracts and the delivery of private and affordable housing. Advising on the provision, management and sale of schools, health centres, libraries or sports recreation facilities. Drafting structures for the enforcement of design codes, e.g. through estate covenants or community stakeholder covenants. Advising on the structuring of housing and commercial premises for retention as investment.

“ All of them are focused on client service delivery. In terms of getting the job done and delivering it in budget, they are great value for money.

- Estates and Private Property, Chambers



## Complete service

Our multidisciplinary team can advise on all aspects of a development project:

**Legal Structures:** Advice on the full range of development and payment structures, including build licences, development leases, promotion agreements, collaboration agreements, options, conditional sales and joint venture agreements.

**Design Control:** Establishment of a design control regime to ensure required standards of design and construction are maintained and advising on estate management following construction.

**Tax:** From CGT/IHT advice on capital receipts and available reliefs to SDLT/VAT advice on the exercise of options and Income Tax/CGT advice where the development might amount to trading. Setting up multi-landowner structures such as land pool trusts and cross options.

**Property Finance:** Advice on funding - including private placements, security and step-in rights.

**Charities:** Complying with Charities Act requirements and advising on trust restrictions. Setting up trading subsidiaries. Incorporating community trusts and advising on the fulfilment of their community functions.

**Planning:** Advice on making planning applications and appeals. Negotiating Section 106 and other planning agreements. Opposing town and village green applications and advising on public rights of way. Advice on planning compliance, CIL, sustainable housing codes and prototype construction.

**Affordable Housing:** Advising on modern affordable housing structures, to include advice on staircasing, clawback and direct provision by private Registered Providers.

**Construction:** Advice on project team appointments, CDM requirements, procurement, warranties and the provision of utilities and infrastructure, from highways to recycling centres, SUDs and heat and power projects.

**Landlord and Tenant:** Advising on obtaining possession from agricultural tenants under the Agricultural Holdings Act 1986 and the Agricultural Tenancies Act 1995.

**Reputation Management:** Advice on adverse and indeed positive media coverage.



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## Recent work

- **Development agreement** for a phased 500 home community near York, comprising private dwellings for disposal by a national housebuilder and affordable dwellings for retained ownership by a charitable trust.
- Advising a major Cornwall landowner on a 2500 unit **mixed use community project** near Dorchester and a 4000 home project at Newquay, including all aspects of development structuring and the disposal of land for residential, commercial and community uses and the delivery of infrastructure.
- Advising the promoters of **an urban extension project** of 5500 units near Plymouth, including acting in the agreements with the landowners, the disposal agreement and agreements with a third party investor.
- **Collaboration agreement** and **land pool trust for** a proposed 4000 unit development in Northamptonshire, including complex tax planning advice.
- **Promotion agreement** for a 2500 dwelling development in Devon, including a landowners' agreement to coordinate with two other landowners.
- **Conditional contract** for construction of over 50 dwellings on former village allotment site including provisions for overage.
- **Joint venture** for the construction and sale of 13 houses following the relocation of a tennis club.
- **Unconditional sale** with overage of land for 20 dwellings and the construction on retained land of four houses for investment purposes

## For further information please contact:



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