

Development Sector



Opportunities surface well before you start to dig



Development is a team game. Good players look further ahead and create opportunities.

Every phase has its challenges, and its potential for advantage

Property and land development solicitors demonstrate their true value through advice that turns uncertainties into the foundations of a successful project.

Taking the time to fully understand your business is key to the advice we provide through a team of specialist lawyers with experience throughout the development lifecycle.

Complex issues can arise at any stage from acquisition to disposal, but how you handle them can make a material difference to the outcome. Taking a far-sighted approach to planning, tax, investment and finance as well as construction improves the outlook for every project.

Sharp legal minds for developments of every size

In an evolving market with frequent changes in the regulatory landscape, we excel at offering clear, practical advice. We see every site as a source of potential. We act with equal vigour for national builders, PLCs, SMEs and independent developers, taking on your challenges and finding opportunities to realise the best possible outcome.

Our team of property development solicitors includes specialists in all the important areas:

- Strategic acquisition
- Finance
- Planning
- Environmental
- Construction
- Tax

Client testimonials



“The team are excellent at being able to apply either a detailed and technical approach or an ultra pragmatic approach, and knowing when which one is more appropriate.”

“Howes Percival deliver a remarkable standard of service. Their knowledge and understanding are beyond impressive and have successfully navigated some of the most tricky and legally complex situations.”

“They are a great group of specialist property lawyers who work well collaboratively and as part of a wider professional team.”

“This is a team that is helpful and delivers consistently. They have a tenacity and understanding to complement our internal teams.”

“The fact that timescales will be given and consistently met, great communication to keep me updated on progress, and any alterations to fees are always transparent with sound rationale provided. I wouldn't go anywhere else, and fully trust them to act in my best interest and always willing to break things down to ensure I fully understand the implications. Their team gives me excellent personal service and always respond in a timely fashion to my needs.”

- Client testimonials featured in The Legal 500

Some of our clients



A DEVELOPMENT
BUSINESS



Case studies



1. Davidsons Homes

We acted for a regional house builder on the acquisition of a 1,950 unit scheme which included ancillary commercial land uses as well as a school, open spaces and a retirement village.

The acquisition involved complex negotiations relating to the primary acquisition documents, division of the scheme across a number of different parcels and entities, dealing with the developer's collaboration agreements across the site and resolving a number of complex of issues throughout.

Post-acquisition we were retained to give ongoing planning advice and have been heavily involved in all aspects of the scheme, including serviced land disposals, setting up and establishing a service charge trust, infrastructure disposals and onward plot disposals to end users.

2. Turnstone Estates

We advised developer, Turnstone Estates, on the promotion and development of three leisure led schemes in Colchester, Ely and Southend. Each multi-million pound scheme comprised a multi-screen cinema, including other leisure and restaurant facilities.

We advised on a number of issues including planning agreements, funding arrangements, multiple agreements for lease, leases to statutory undertakers, the main building contract, numerous professional appointments and tenant/funder/local authority collateral warranties.

Planning advice has included strategic advice; application reviews and detailed advice concerning Environmental Impact Assessment; and in the context of Southend, a contentious planning appeal following which permission was secured.

We have also advised on the management of the development, and through the construction process.

3. This Land

We act for a regional developer on numerous sites across the East of England, that may deliver in excess of 1,500 homes.

Our firm has advised across the board, from land acquisition, through to planning, disposal (including affordable housing and plots) and regulatory.

This has included master developer site set up, with our planning team supporting on all aspects of the planning process, including strategic advice and section 106 agreements.

We continue to provide advice as the sites develop on a variety of property and planning related matters, and through the construction process.

4. Norwich University of the Arts

We advised Norwich University of the Arts on the redevelopment of their Bank Plain premises in Norwich to create a new bespoke exhibition space.

Advice included drafting, negotiating and finalising professional team appointments as well as drafting bespoke building contract amendments. In particular, we provided tailored advice as to fire safety risks and limits on liability.

5. Axis Land Partnerships and Pigeon Land and Investment

We are one of the main legal advisors for promoters Axis Land Partnerships and Pigeon Land and Investment. Our involvement has included property and planning advice on a large number of sites across the eastern region and beyond, that would collectively deliver in excess of 10,000 homes. This has included delivery of a large 5,000 dwelling urban extension and also acting on a multi-landowner promotion agreement for the proposed development of over 1,400 homes in Kent, and supporting throughout the planning process and section 106 agreements.

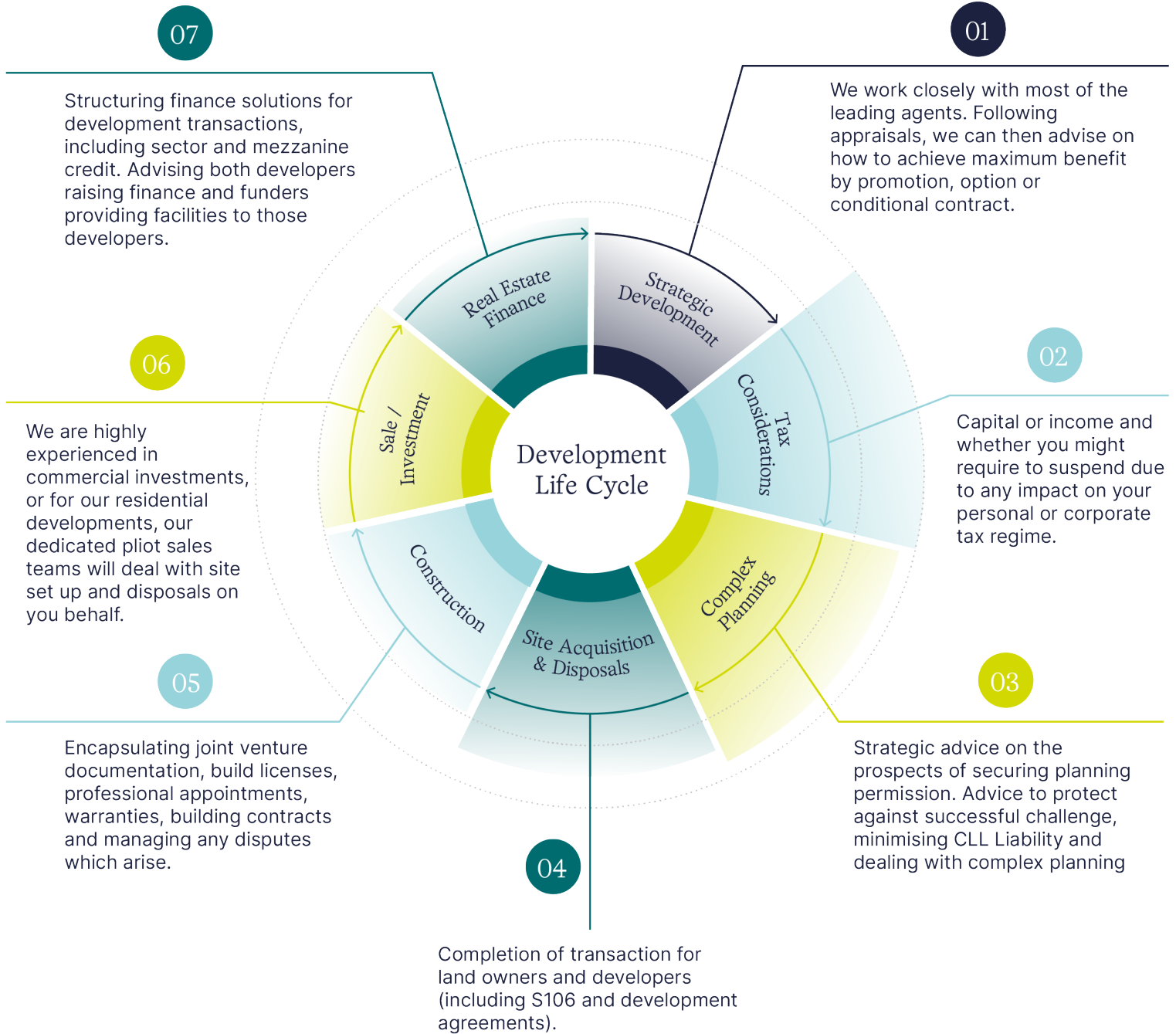
6.

Persimmon Homes

We regularly advise national housebuilder, Persimmon Homes Limited on new site acquisitions and strategic land matters across a number of their regions across the Eastern Region and Midlands.

Our work encompasses longer-term strategic land, mid-term proposals on allocated sites and more immediate acquisitions on outline and detailed consents. We often advise on detailed commercial terms including payment structures, infrastructure delivery and off-site mitigation.

Our planning advice has included strategic advice on prospects of securing planning consent; section 106 agreements; and legal reviews of planning applications. Our involvement has included acting on numerous large scale urban extensions and strategic housing allocations delivering thousands of new homes.



Meet the team

Strategic development



Nick James
Partner



Chris Cubitt
Partner



Michaela Henson
Partner



Lucy Lord
Partner



Jasmine Mason
Partner

Tax Considerations



Stuart Maggs
Partner



Alexandra Hornsby
Partner

Complex Planning



Jay Mehta
Partner



Paul Hunt
Partner



Jamie Childs
Partner



Marco Mauro
Partner

Site acquisition and disposals



Chris Cubitt
Partner



Michaela Henson
Partner



Nick James
Partner



Lucy Lord
Partner



Elizabeth Thomas
Partner



Jasmine Mason
Partner

Construction



Piet van Gelder
Partner

Sale / investment

Investment sales and purchase



Stuart Burns
Partner



Elizabeth Thomas
Partner



Nick James
Partner

Plot disposals Registered providers



Lucy Lord
Partner



Estelle Corner
Partner

Key contacts



Stuart Burns

Partner, Commercial Property

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Stuart has wide experience of all aspects of commercial property, including freehold and leasehold acquisitions and disposals, commercial and residential development, property finance and pension related matters, acting for both seller and buyer and landlord and tenant. He also has experience in dealing with the property elements of commercial transactions, both on company and asset sales and purchases. Stuart acts for a variety of clients, from local landowners and individuals to property development companies, investors, national retail companies and funds.



Jamie Childs

Partner, Planning

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Jamie is a specialist planning solicitor with a particular focus on securing legally robust and deliverable planning permissions for clients. Jamie's experience includes advising on a number of significant, high profile and contentious residential development projects. He is regularly instructed by national and regional housebuilders, land promoters, investors, landowners and local planning authorities. Jamie has substantial experience in judicial review matters and in providing specialist advice on Environmental Impact Assessment, permitted development rights, highways matters, rights of way, assets of community value and town and village greens.



Estelle Corner

Partner, Social Housing

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Estelle is a specialist social housing solicitor who advises registered providers/housing associations, their subsidiaries, local authorities and developers on all aspects of affordable housing acquisition, development and disposal. Estelle has gained broad experience in commercial property over 20 years of practice, acting for institutional landlords, real estate funds, Transport for London, NHS trusts, and national retailers before specialising more recently in social housing. Estelle acts on land led and S106 acquisitions advises on planning agreements and variations, easements, shared ownership site site-up and sales.



Christopher Cubitt

Partner, Commercial Property

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Chris is a commercial property law specialist with considerable experience in property development; property investment; commercial property finance; land acquisition and disposal; the acquisition and disposal of business premises; and commercial lettings. Chris has particular experience working with national and local developers; investors and funders including private individuals, corporates, banks and funds; landowners; and a wide variety of businesses and other organisations that own, lease or otherwise use property.



Michaela Henson

Partner, Commercial Property

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Michaela's specialisms are land development and promotion, commercial development and site assembly, property investment, landlord and tenant negotiations and advising on commercial property issues for investors, operational businesses, technology companies and charities nationwide. Michaela started her career at a West End law firm before returning to Cambridge in 1998.



Alexandra Hornsby

Partner, Private Client

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For over 14 years Alexandra has been advising wealthy individuals and business owners on estate planning and succession matters, including complex inheritance tax and capital gains tax issues. Alexandra is also experienced in advising trustees, drafting and administering trusts, and dealing with estate administration. She is a member of the Society of Trust and Estate Practitioners (STEP). Alexandra qualified as a solicitor in 2004 and subsequently worked for almost ten years in a specialist private client practice, gaining a wealth of experience in complex estate planning and trust matters.



Paul Hunt

Partner, Planning

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Paul has over 30 years of both contentious and non-contentious planning work in the public and private sectors. He specialises in large residential and mixed use schemes but works for a range of residential developers and commercial organisations.



Nick James

Partner, Commercial Property

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Nick has over 30 years of experience in real estate law and is a noted specialist in residential development. Since joining Howes Percival in 2009, he has assumed the dual role of leading the firm's Leicester Real Estate Team in the East Midlands and serving as Head of the Development Sector across all regions. He has a broad range of commercial property and development knowledge, with extensive experience in strategic land work including planning promotion, option, collaboration and equalisation agreements.

Nick manages relationships with a number of developer and investor/landowner clients across the country, advising on a wide range of matters including site assembly, strategic land acquisitions and disposals, funding agreements, conditional contracts and a full range of asset management work supported by Howes Percival's large Planning and Development Sector Teams. He is highly regarded by both businesses and individuals for his practical and commercial approach to technical and complex transactions.

Nick's Real Estate Team is ranked Tier 1 in The Legal 500 (2024 Edition).



Lucy Lord

Partner, Commercial Property

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Lucy has wide experience in real estate transactions including residential and commercial development work, acting for national and regional developers. She regularly deals with: all aspects of acquisition and disposal work including options and conditional contracts; freehold and leasehold portfolio acquisitions and disposals; landlord and tenant work; and property finance. Lucy also has extensive experience of corporate transactional support work.

Lucy acts for a wide range of clients including national and regional property developers, investors, financial institutions and banks. She joined Howes Percival in 2011.



Stuart Maggs

Partner, Tax

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Stuart has spent many years advising his clients on how best to arrange their affairs to keep them simple and understandable, while meeting their requirements and minimising tax implications. This includes strategic advice for families and trusts on their business and personal matters, including dealing with such arrangements for trustees and charities. He works closely with the property and corporate teams on arrangements with land, advising on the impact of SDLT, capital taxes and structuring deals to mitigate the tax impact and so maximise the value to all sides. Stuart is Head of Tax and is a Partner in the Estates team at Howes Percival, dealing with landowners, developers, high net worth individuals and business owners. He is a Chartered Tax Advisor and has spent many years devising planning arrangements that are suitable for the needs of his clients, ensuring they provide the right mix of tax efficiency and practicality.



Jasmine Mason

Partner, Commercial Property

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Jasmine advises clients on an extensive range of commercial property matters. Jasmine predominantly advises developer, promoter and landowner clients on residential and commercial developments and provides clients with invaluable and sound advice on site acquisitions and disposals, collaboration agreements, option/promotion agreements, overage deeds, social housing and all other development matters. Jasmine also acts for a number of landowner clients, advising them on a wide variety of matters including landlord and tenant matters and renewable energy option agreements and leases.



Marco Mauro

Partner, Planning

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Marco has over 17 years' experience gained in all areas of planning, acting for developers, landowners, housing associations, investors, financial institutions, occupiers and high net worth individuals. At his previous firm, Marco was Head of Planning for many years. His experience includes dealing with complicated planning obligations and infrastructure agreements, providing due diligence on property and corporate transactions, advising on and dealing with judicial review for both claimants and respondents. Marco is praised by his clients for his 'can do' approach and proactive manner, always looking for and finding solutions to problems, which makes him a recognised expert in his field.



Jay Mehta

Partner, Planning

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Jay is a specialist planning solicitor at Howes Percival. He is experienced in all areas of planning law and supports his clients with the delivery of large scale strategic developments across the country. Jay has also led on a number of high profile appeal and judicial review cases over the years, with landmark decisions secured from the High Court, Court of Appeal and the Supreme Court. Notable cases include: R (Champion) v North Norfolk District Council [2015] UKSC 52R; R (Lensbury Limited) v Richmond London Borough Council [2016] EWCA Civ 814; and CK Properties (Theydon Bois) Limited v Epping Forest District Council [2018] EWHC 1649. Jay is therefore well rehearsed in complex planning issues such as Environmental Impact Assessment and Appropriate Assessment and is relied on by his clients to ensure planning permissions for new development may be secured robustly. Recommended in the Legal 500, Jay's clients include national house builders, promoters and local planning authorities who describe him as having "excellent judgement and very good attention to detail".



Faye Meredith

Director, Banking & Finance

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Faye has a wealth of experience of advising both lenders (including banks, funds, alternative lenders and private capital) and borrowers on all aspects of banking and finance transactions including general corporate banking and acquisition, leveraged and real-estate finance. Faye's experience spans both domestic and cross-border banking transactions.



Elizabeth Thomas

Partner, Commercial Property

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Elizabeth is a commercial property specialist with a focus on working with commercial developers, landowners and property investors. She has in-depth experience across a range of commercial property matters, including conditional sales and purchases, development agreements, options agreements and agreements for lease. She acts for a number of regional and national developers and is currently advising on the development of a leisure park in Colchester with GDV of circa 70 million. She has experience of putting in place annuity lease arrangements between local authorities and pension providers and also acquiring space for clients looking to develop laboratory space in Cambridge.



Piet van Gelder

Partner, Construction

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Piet is a specialist construction & engineering lawyer who advises clients in the construction, engineering and renewable energy sector, and in respect of compliance with the new regime under the Building Safety Act.

Piet has experience over the whole lifecycle of projects, including compliance with building regulations, procurement and resolving commercial issues and project accounts. He has detailed working knowledge of drafting, amending, negotiating and litigating JCT, ICE, NEC3/4, IChemE Red/Green Book, IEE MF/1, FIDIC, GC/Works and PPC 2000 contracts.

This expertise also extends to the drafting and negotiation of contracts for wind turbine and anaerobic digester plant installations. Piet has been involved with many engineering projects outside the renewables sector including nuclear waste plants, process engineering plants, sequence batch reactors and waste to energy plants.

Get in touch

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