

PLANNING IN THE UK
AHEAD OF THE CURVE

ANTICIPATING RISK

FOCUSING ON
DELIVERY

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“Planning is a cornerstone of Bryan Cave Leighton Paisner’s practice. Our team’s focus is on anticipating risks against a constantly evolving legal and policy background and navigation of consenting and related processes to meet your commercial objectives. I give you my assurance that we will deliver for you.”

Tim Hellier
Partner, Head of Planning and Zoning UK

Introduction

Our team was the first stand-alone Planning and Environment practice in the City of London more than 30 years ago. Today we have 42 specialist planning lawyers providing advice to clients across the UK on the most significant UK planning schemes.

Ranked the number one Planning legal team in the legal directories for over 15 years, our team has been involved in the biggest and most innovative development and infrastructure schemes in the UK, including the Shard, Liverpool One, the Olympic Park, the “Walkie Talkie” and the Dome. Indeed, our work on the Thames Tideway Tunnel won the “Best Planning Project of the Year” award and “Overall Silver Jubilee Cup” at the RTPi Planning Excellence Awards 2015.

As you will see in this brochure, we have unparalleled experience of handling highly complex schemes whether it concerns London Towers, major infrastructure, retail/leisure/residential driven regeneration, signature schemes and multi arena sports facilities. Our expertise extends to all facets of public law, compulsory purchase, procurement, State Aid, best value and judicial review.

We have the experience and knowledge you need, all under one roof.

Tim Hellier
Partner, Head of Planning and Zoning UK

Our expertise extends across all development sectors:

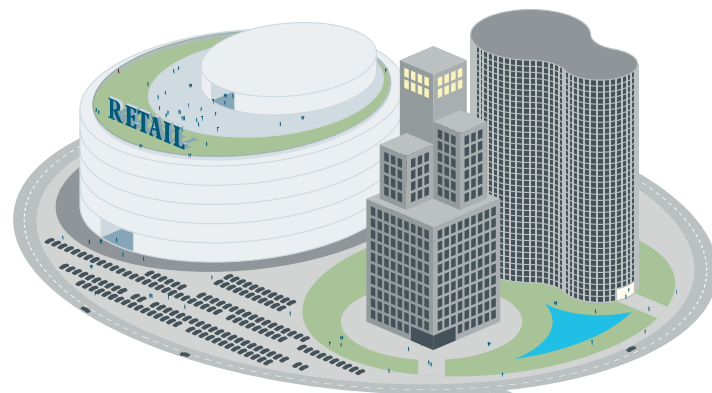
Development

Shopping Centres/Mixed-use - lead advisors to Westfield on its Westfield London Scheme and subsequent phases, proposals for redevelopment of the Whitgift Centre, Croydon (Westfield/Hammerson JV); also advising on Westfield Stratford scheme and Westfield's national portfolio.

Housing - extensive experience advising on both urban housing/residential schemes (e.g. Wood Wharf, Tower Hamlets) and major urban extensions and new settlements (e.g. Ebbsfleet, Northstowe in Cambridgeshire and Barking Riverside); advised on numerous schemes for the Homes and Communities Agency, Taylor Wimpey and Frontier Estates.

Town Centre Regeneration - advising on some of the most complex schemes in the UK including CPO driven schemes such as Liverpool One and Croydon Whitgift.

Commercial - advising on major office and mixed use schemes such as The Shard, London Victoria, the Scalpel, Wood Wharf, Two Snow Hill and a number of schemes for Great Portland Estates and Land Securities.



Sports and Leisure - advising the Olympic Delivery Authority on the delivery of the Olympic Park and other Olympic venues and post games and latterly London Legacy Development Corporation on legacy projects; Greenwich Peninsula / The Dome.

Funds and Property Companies - advising on planning aspects of development and investment for clients which include Blackrock, AXA, Land Securities and Great Portland Estates.

Lenders - longstanding advisors to RBS and Barclays on planning and real estate matters.

Energy

Oil/Gas - advising on the promotion of major infrastructure e.g. securing a Development Consent Order for an underground gas storage facility in Lancashire (Halite Energy) and development of LNG Terminal in Milford Haven, Pembrokeshire (Dragon LNG - JV between BG Group, Petronas and 4Gas).

Electricity - advising National Grid on some of its largest infrastructure projects including Mid-Wales and North Wales electricity connections.

Carbon Capture and Storage - advising National Grid on the promotion of a DCO for its Humber CCS Project.

Retail and Leisure

Retail - 25 years of experience advising Tesco on successful development of its store network across the entire UK.

Transport

Airports - lead planning advisor to Heathrow Airport on proposals for a new runway; secured consent for development of Robin Hood airport, Doncaster.

Road - advising on major road schemes e.g Bexhill to Hastings Link Road for East Sussex County Council.

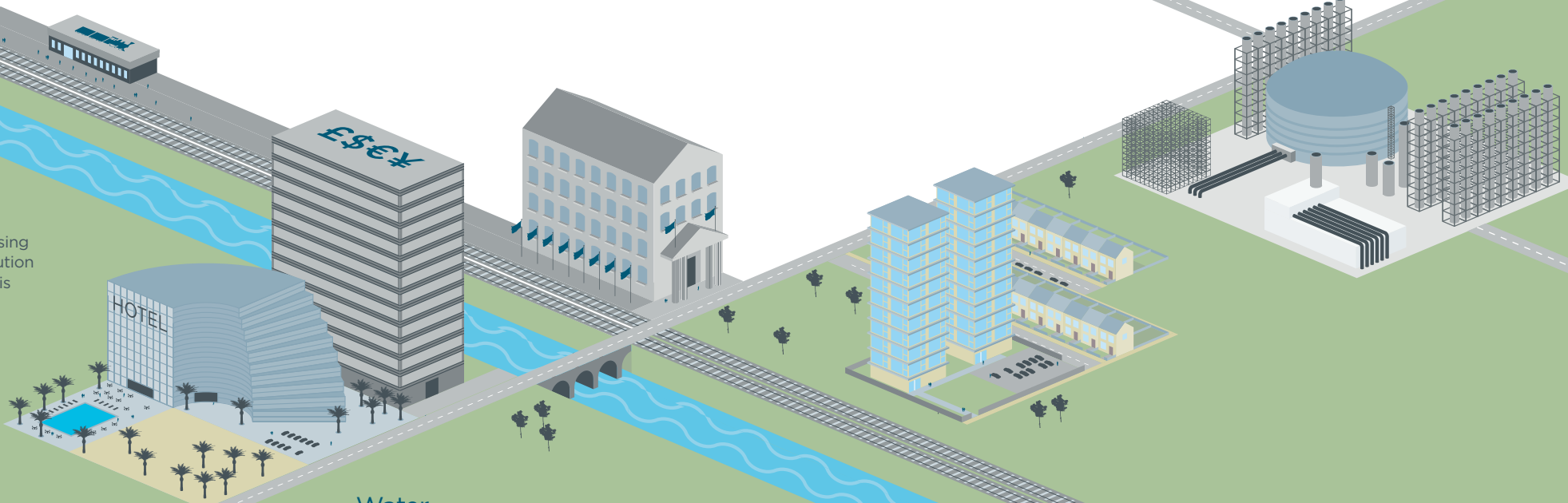
Crossrail & HS2 - advising a number of clients on compensation claims arising out of Crossrail and HS2.

Ports and Harbours - advised on the development of Shell Haven (London Gateway) on the River Thames and also Harbour schemes at Hayle and Poole.

Transport Bodies - advising TfL on a wide variety of matters and Highways England in connection with Brent Cross, Cricklewood.



Logistics - wide experience advising in respect of storage and distribution uses, including work for Pro-Logis and Access Storage.



Water

Water supply - advising on promotion of major water infrastructure e.g. Abberton Reservoir for Northumbrian Water.

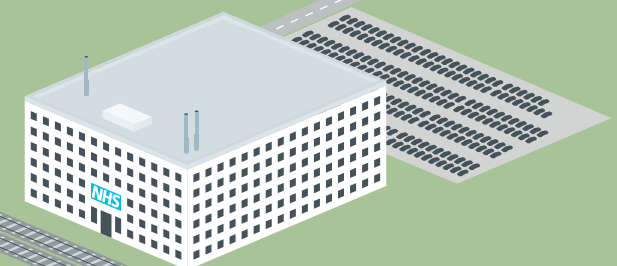
Wastewater - advising on the most complex waste water infrastructure projects in the UK including Thames Tideway Tunnel for Thames Water and Brighton and Hove Wastewater Treatment Works for Southern Water.

Public Sector

Local Authorities - Local Authorities that we have advised include Liverpool City Council, Bracknell Forest Council and Crawley Borough Council.

Universities - Universities we have advised include University of Cambridge, University of Brighton and UCL.

Hospitals/Healthcare - Acted for Royal Sussex County Hospital.



At a glance

The following facts and figures provide a quick introduction to Bryan Cave Leighton Paisner and our Planning team



Strong culture based around mutual support and shared experience that is brought to each one of our project teams.



We are ranked in the top five most innovative law firms in Europe by the Financial Times.



We had the first standalone Planning practice in London, established over 30 years ago.



Eight times winner of 'Law Firm of the Year' in a decade; more than any other firm.



We invest heavily in client service, resulting in 92% key client loyalty.



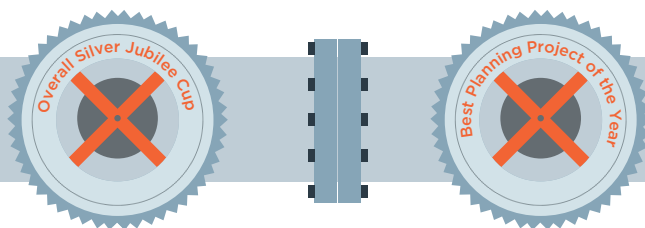
Principal planning advisor to Tesco for >25 years.



We have been ranked #1 by all leading legal directories for over a decade.



35 dedicated lawyers including 5 Partners in the UK.



At the RTPI Planning Excellence Awards 2015 for our work on Thames Tideway Tunnel.



Our expertise covers:

Promotion of development

Across all planning and public law processes, including where necessary appeals and inquiries.

Infrastructure / Development Consent Orders

We have been at the forefront of harnessing the infrastructure planning regime and have secured DCO's for some of the most complex and controversial schemes in the UK.

Compulsory purchase

All aspects of the CPO process including CPO compensation.

Parliamentary

Advising on defensive strategies and compensation for landowners arising out of promotion of Bills including HS2 and Crossrail.

EIA

Highly methodical and cost effective approach to legal risk review of environmental statements and other key planning application documents coupled with very successful record defending clients against legal challenges.

Nature conservation / Habitats

An increasingly fertile area for legal challenge in which we advise on all aspects including appropriate assessment and related processes.

Heritage

We have a deep understanding of heritage issues in the planning system and have the advantage of a former member of English Heritage (now Historic England) working within our team.

Rights of light

Overriding rights of light can be critical to realising development potential. We have successfully advised on use of special powers ('Section 237') in the City of London and elsewhere.

Judicial Review / Legal Challenge

Vast experience advising on legal challenges across all planning procedures, both defending and challenging planning decisions at all tiers of the UK and EU courts.

Community Infrastructure Levy

Advised on all aspects of this complex and ever evolving regime including strategies for minimising exposure to CIL and maximising discounts.

EU State Aid and Procurement

These are increasingly relevant areas of EU law in the context of major development proposals and we have wide experience advising on strategies to minimise risk.

Section 233/marriage value

Advising on legal implications of Section 233 Town and Country Planning Act 1990 in the context of land transfer arrangements between local authorities and developers.



They have real strength and depth, and a broad, impressive client base.

Chambers and Partners UK, 2017

Mainstream planning matters

Vast experience advising on mainstream planning matters such as Section 106 and Highways Agreements, defending Town & Village Green applications, rights of way and highways matters.

Due Diligence/Transactional support

Working closely with our leading Real Estate and Corporate teams, we bring the benefit of our vast development expertise to our planning and environmental DD work, which further enhances our commercial and focussed approach.

Environmental consents, regulations and liabilities

We have a team of leading environmental experts advising on matters such as environmental consents, contaminated land, waste, producer responsibility and environmental litigation.

Freedom of Information

Responding to freedom of information requests and proceedings before the Information Commissioner and First Tier and Upper Tier Tribunal.



They are top-class and top-drawer. They are knowledgeable, responsive to client needs and have a deep pool of resources and the ability to get the job done.

Chambers and Partners UK, 2018

Case study: Major investor

Based on promotion of mixed use town centre regeneration scheme we have recently advised on.

“They're brilliant to work with because of their knowledge of the planning system. The service level stands out and they have amazing depth on the planning team.”

Chambers and Partners UK, 2018

Challenge

We advised on the planning application process, promotion of compulsory purchase and of stopping up orders, section 237 powers to override rights of light, defending a judicial review of the planning permission and responding to various Freedom of Information requests. The challenge was navigating these overlapping procedures in a legally robust way, facing a number of well-resourced objectors, whilst ensuring a realistic and commercially acceptable programme was achieved.

Solution - controlling risk, time and money.

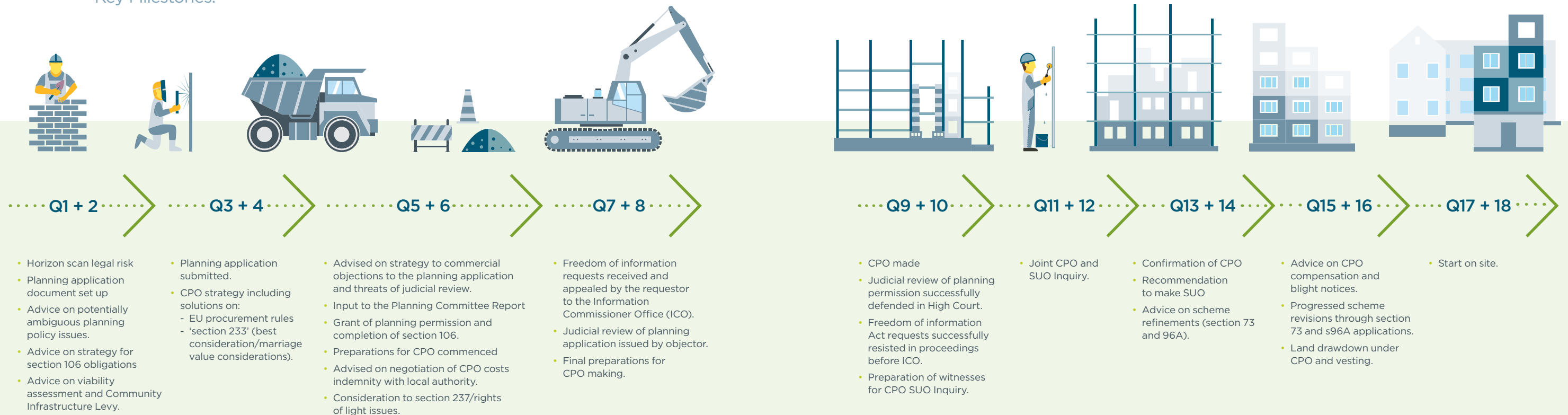
At the early stages of a project, it is critical to get the fundamentals right. We brought the wealth of our experience across all development sectors to stress test legal risk and develop a programme. To facilitate this, we led a horizon scanning exercise that tests a range of issues which we know can slow-down or de-rail a project if they are not anticipated and handled effectively and up-front in the process.

Having tested the project from all angles, we were able to move forward with a synchronised programme which aligned the various procedures. The depth in our team ensured we had the right level of resource throughout the project.

The Outcome

A successful outcome was achieved on all procedures, enabling the project to progress towards implementation. Aligning a very substantial CPO in the slipstream of a planning application process resulted in an accelerated programme that met the client's commercial objectives. This was a considerable achievement given the complexity of the site and the existence of well-resourced objectors seeking to slow down the process for negotiation purposes. A summary of the issues encountered and an indication of timescales is set out below.

Key Milestones:



Our Track Record

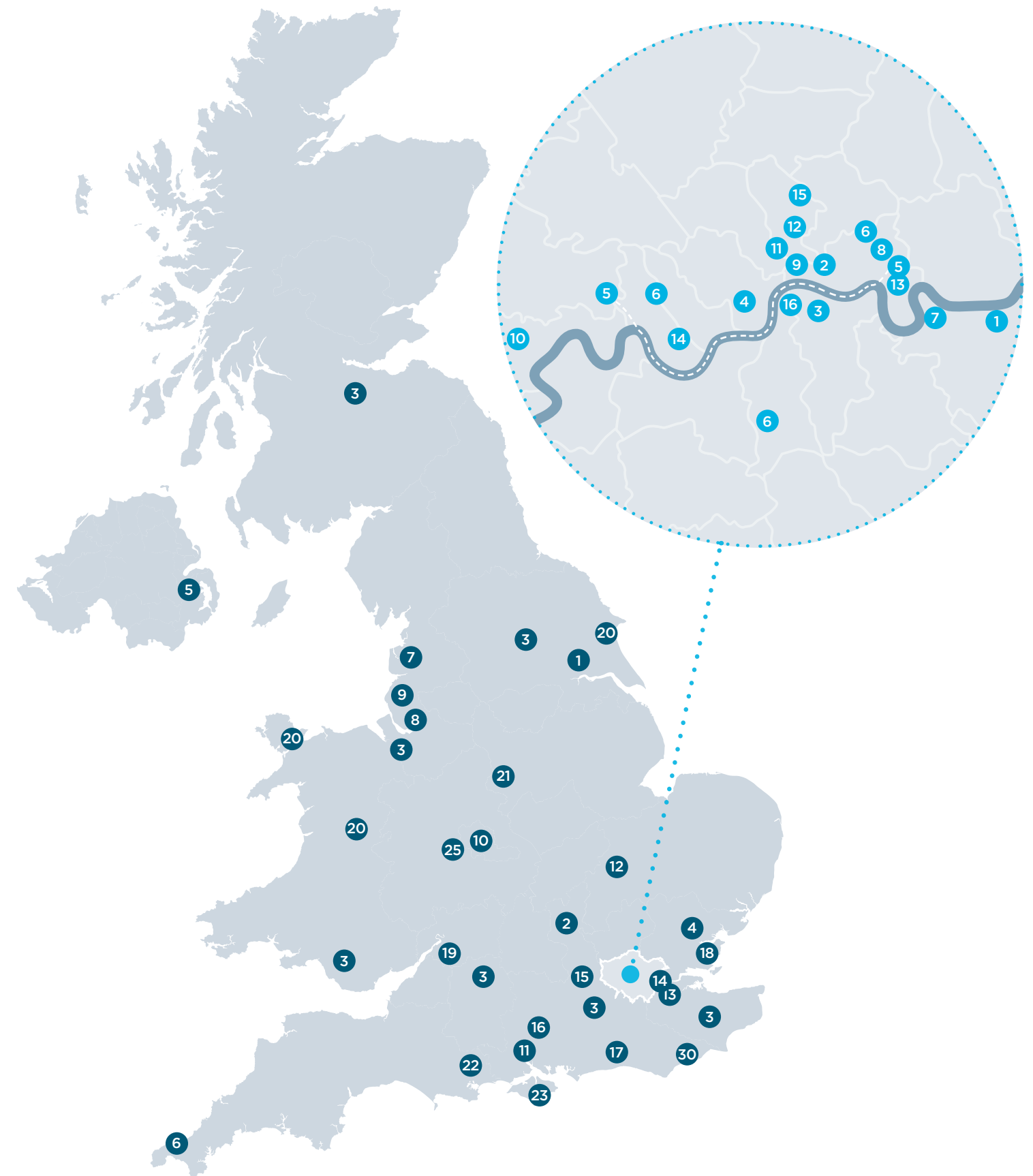
UK Projects

- 1 **Hull** - ING - Mixed Use Scheme
- 2 **Milton Keynes** -ING - Mixed Use Scheme
- 3 **McArthurGlen** - Designer Outlets - (1) York (2) Cheshire Oaks (3) Swindon (4) Ashford (5) Bridgend (6) Livingston
- 4 **Abberton, Essex** - Northumbrian Water - Reservoir
- 5 **Belfast, Victoria Square** - Department for Social Development - Retail/leisure scheme
- 6 **Hayle** - ING Real Estate Harbour Revision Order
- 7 **Preesall, Lancashire** - Halite Energy - Underground Gas Storage
- 8 **Liverpool One** - Grosvenor Estates and Liverpool City Council - Retail led Urban Regeneration Scheme
- 9 **Liverpool** - Liverpool City Council - Housing Market Renewal Program
- 10 **HS2 London to Birmingham** - Various clients on compensation matters
- 11 **West Quay, Southampton** - Hammerson - Retail Scheme
- 12 **Northstowe, Cambridge** - Homes & Community Agency - Housing/Urban Extension Scheme
- 13 **Ebbsfleet, Kent** - Land Securities - International Station Terminal and Urban Extension Scheme
- 14 **Barking Riverside** - Land Securities - New Settlement Scheme
- 15 **Bracknell** - Bracknell Forest DC - Retail led Urban Regeneration Scheme
- 16 **Winchester** - Winchester City Council - Retail led City Centre Regeneration Scheme
- 17 **Brighton** - Southern Water - Wastewater Treatment Works
- 18 **Shell Haven, Thurrock** - P&O / Shell / DP World - London Gateway Port Scheme
- 19 **Milford Haven**- 4Gas - LNG Terminal
- 20 **National Grid** - (1) Humber Carbon Capture & Storage (2) Mid-Wales Electricity Connection (3) North Wales Electricity Connection

- 21 **Derby** - Westfield - Shopping Centre
- 22 **Poole Harbour** - Poole Borough Council - Harbour Development Scheme
- 23 **Isle of Wight** -Wightlink Ferries - Ferry Services to Isle of Wight
- 24 **Bexhill to Hastings** - East Sussex County Council - Link Road
- 25 **Two Snowhill, Birmingham** - Hines plc - Office Development Scheme

London

- 1 **Woolwich Town Centre** - Tesco - Mixed Use Scheme
- 2 **Walkie Talkie, Fenchurch St** - Land Securities - Offices
- 3 **The Shard, London Bridge** - Sellar - Mixed Use Scheme
- 4 **Victoria Transport interchange (Nova)** - Land Securities - Mixed Use Scheme
- 5 **Thames Tideway Tunnel** - Thames Water - Wastewater Scheme
- 6 **Westfield** - White City, Stratford and Croydon - Retail led Mixed Use Scheme
- 7 **Greenwich Peninsular/Millennium Dome** - English Partnerships - Urban Regeneration Scheme
- 8 **Olympic Delivery Authority** - Olympic Park
- 9 **Scalpel, Lime St** - Office Tower
- 10 **Heathrow** - Heathrow Airport - Proposed New Runway
- 11 **Watermark Place, City** - Office Development - UBS
- 12 **Kings Place, Kings Cross** - Parabola Estates - Office Scheme
- 13 **Crossrail** - Compensation matters
- 14 **Old Oak Common** - Car Giant - Mixed Use Scheme
- 15 **Woodberry Down, Hackney** - Berkeley Homes - Residential Scheme
- 16 **London Eye**



Get in touch



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Getting in touch

When you need a practical legal solution for your next business opportunity or challenge, please get in touch.

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