

Planning & Development Case Study



► A residential development site with planning consent secured by our Planning & Development team for 175 dwellings within the Green Belt, on the edge of Ruddington in Nottinghamshire, has recently been sold in a multi-million pound deal to a national housebuilder.

In 2016, the Planning & Development team prepared and submitted an outline planning application to Rushcliffe Borough Council. Experts in technical matters including highways, drainage, ecology, landscape and visual impact, noise and archaeology were engaged by the team to assist in preparing the application.

The application was refused by Rushcliffe Borough Council in April 2017 for three reasons relating to planning policy, highways impact and noise impact.

On behalf of the client, the Planning & Development team submitted and co-ordinated a Planning Appeal against the Council's decision with a 4-day Public Inquiry held in April 2018. Prior to the Public Inquiry, the team successfully worked with Planning Officers to appropriately overcome the Council's noise impact reason for refusal.

In determining the appeal, the Planning Inspector irrefutably supported the case put forward by the team in respect of the very special circumstances that would justify the development within the Green Belt, and that the proposal would not result in severe cumulative impacts on the local highway network. The Inspector concluded:



An illustrative layout of the proposed development

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'In conclusion, there would clearly be harm to the Green Belt by inappropriateness, loss of openness and some incursion into the countryside to the south of the village. But such harm would be minimal in terms of the five purposes of the Green Belt set out in the

NPPF and the criteria in Core Strategy Policy 4. The harm would be less than that created by the development of the Council's preferred sites, which in themselves attest to the need to develop Green Belt sites on the edge of Ruddington. There is no other harm that would arise from the proposed development, given my conclusion that it would not result in severe residual cumulative impacts on the local highway network.

For these reasons, not only would the scheme accord with the development plan as a whole, but the balance of material considerations also weighs in its favour. Consequently, I conclude that the appeal should be allowed subject to conditions.'

Following the Appeal Decision, the Planning & Development team successfully achieved planning permission for an alternative site access, which was assessed to provide a

higher potential site value for the landowner client.

The site was marketed at the end of 2018 as a development opportunity with the benefit of planning permission. A Sales Information Pack was sent directly to developers with tender offers invited for the site. We received multiple offers from a range of national housebuilders, which were reviewed with the client and we then subsequently held interviews with a selected group of bidders. Following these interviews, we reviewed the best bids with the client, who selected their preferred purchaser.

The team then co-ordinated expert solicitors to draw up the appropriate legal agreements and worked with the national housebuilder to address the conditions of their offer; including reviewing any suggested deductions from the land value. The sale of the site was formally completed in February 2020.