



Hogan
Lovells

German Public Building Law

Our expertise

2023

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The interaction is always polite, professional and business-oriented. They respond to the specific order and process it quickly and perfectly. The service concept is very important.

Legal 500, 2023



Our expertise in the field of German Public Building Law

Public building law forms the basis for successful real estate development. It determines how a property may be built on and used. When applying public building law, developers and public decision-makers are confronted with a multitude of complex regulations in a multi-level regulatory structure that offers considerable leeway in favor of convincing development concepts. Offers a broad spectrum regarding the development of promising concepts.

In 2023, the real estate industry will face challenges. After the ushering in of the Building Land not only in economic terms, but also in legal terms. After the Building Land Mobilization Act began, the focus is now on ESG requirements, an amended Renewable Energies Act and a new funding framework for new construction and refurbishment.

In addition, there is the digitization of planning and approval processes. According to the Online Access Act, one should be able to apply for building permits online everywhere from 2023. However, this goal has been missed in many places, as has the accelerated issuance of building permits.

Despite the tight market situation, those who seize their opportunity can benefit from robust trends - for example, in logistics, serviced apartments, and the refurbishment of office space - and take advantage of the simplification provided by the Building Land Mobilization Act, especially for residential construction.

Hogan Lovells has a highly specialized team to advise you on all matters of public construction and planning law, ensuring effective interlocking with all real estate law, public procurement law, public grants law, and other issues that arise in the life cycle of a property. Thus, you can benefit from the expertise of our team of specialists from the initial planning idea, via the creation of planning law, through to the signing of urban development and/ or the obtaining of building permits. You can also count on us in the case of existing real estate during

acquisition processes, refurbishment projects or the removal of the property. In addition to legal advice, you furthermore benefit from our years of experience in dealing with authorities and political decision-makers. You can rely on us to make your project a success.

Our main areas of advice particularly include:

- **Establishing building rights:** Extensive advising and representation building contractors and local authorities in the context of land-use planning and building permit proceedings.
- **Neighbourhood development:** Providing support during neighbourhood developments, in particular in connection with the preparation of project specific zoning plans and the conclusion of urban development contracts.
- **Serviced apartments & co-working space:** Legally secure designing of new forms of living and working.
- **Attracting logistics developments:** Comprehensive consulting services for settlement projects and purchases and sales.
- **Retail projects:** Advising and representing clients on the development and revitalisation of major retail projects.
- **Due diligence under real estate law:** Advising on a large number of real estate transactions.



Our experience

**A selection of
our experience**

A selection of our experience

Distinctive experience



Prologis

Ongoing advice on the acquisition, development, leasing and sale of logistics real estate in Germany.



Stadt Bonn

Advice in the pre-establishment phase of an urban development company.



ECE Group Services GmbH & Co. KG

Advice on the expansion of a retail location in Saxony.



ADAC

Advising ADAC in residential project development in Cologne.



Hessische Landesbahn GmbH

Planning and environmental law consulting for the construction of a railroad maintenance hall..



BPD Immobilienentwicklung

Advice on building law in the context of various residential developments in North Rhine-Westphalia and Lower Saxony.



REWE

Advise on the inadmissibility of a self-service market hall under building planning law.



Lukas Development 1.GmbH

Advice on building and planning law in connection with the realization of a residential quarter in Düsseldorf.



3M Deutschland GmbH

Construction and planning law consultation in connection with the development and expansion of a chemical park.



Redevco Services Deutschland GmbH

Advice and support in real estate transactions, in particular advice on the expansion of a trading area in the Rhein-Ruhr-Zentrum in Mülheim an der Ruhr.



IMS-Messsysteme GmbH

Advice on building planning and regulations in connection with the expansion of the company's headquarters.



Stadt Heiligenhaus

Construction law advice on the restructuring of an industrial park.



Terra Firma Capital Partners

Advising on various real estate and environmental law issues as well as the acquisition of Viterro Development.



Bundesverband der Gießereiindustrie e.V.

Advice on issues relating to planning and building regulations.



Autobahn Tank & Rast GmbH

Ongoing advice on the award of concessions for the construction and operation of ancillary facilities on federal highways and the planning and development of auto yard projects.



Smurfit Kappa Gruppe

Advice on building and planning law.



Bundesministerium der Verteidigung

Comprehensive advice on construction law in connection with the privatization of the German Army's maintenance facilities in Darmstadt, Doberlug-Kirchhain and St. Wendel.



Stadt Monheim am Rhein

Procurement and planning law advice in connection with the development of a retail park.



Löwen Entertainment GmbH und Tochtergesellschaften

Advice on building regulations for the realization of casino and sports betting office locations throughout Germany.



Deutsches Rotes Kreuz e.V.

Construction and real estate law advice on the construction, management and sale of an inpatient care facility in Düsseldorf.



Public Building Law
Our Team

Our Team



Prof. Dr. Thomas Dünchheim

Partner, Dusseldorf

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Prof. Dr. Thomas Dünchheim is the “Go to - Lawyer” for legal questions relating to municipal enterprises, public bank institutions, state-related transactions and gambling law. He has more than twenty years experience in the area of public law, especially public commercial law, municipal law, environmental law and construction law.

Thomas is Head of Global Regulatory Continental Europe, Head of the Hogan Lovells International Gaming Initiative and the Environmental Law Group of our law firm.

Thomas holds a diploma in public administration (Diplom-Verwaltungswirt) and studied law at the University of Cologne from 1994 to 1999. From 1999 to 2009, Thomas was mayor of the city of Monheim am Rhein. He headed the Legal Department, the Departments Human Resources and Administration, Urban Planning and the Department for the promotion of Trade and Industry Departments. Since 2016 he is a Professor for Constitutional and Public Commercial Law at the EBS University in Wiesbaden.



Damian Sternberg

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Damian Sternberg advises companies and the public sector on all issues of public building and planning law, historic preservation law and plant-related environmental law. In complex approval procedures, he represents both applicants and approval authorities. He negotiates urban development contracts and advises on the preparation of development plans. In addition, Damian Sternberg provides comprehensive advice on the regulatory framework of inpatient care facilities.

Due to his consistent specialization, Damian Sternberg has extensive experience in dealing with authorities and political decision-makers. Since 2019, he has held the title of specialist lawyer for administrative law. He is the author of publications on “Public Building Law” and gives lectures on his areas of expertise. Damian Sternberg studied law in Bonn and Vilnius. Before joining Hogan Lovells, Damian Sternberg worked for a law firm specializing in construction law in Bonn.



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Tobias Grossevollmer advises companies and the public sector in the entire field of public law. The focus of his practice is on public commercial law, with a particular emphasis on public construction law and public procurement law.

Tobias Grossevollmer studied law at the University of Cologne and in Bangalore (India). During his studies he worked with Prof. Dr. Dr. h.c. Hobe at the chair of international business law. After completing his First State Bar Examination, he was a research assistant in public construction law in a major international law firm in Düsseldorf. He completed his legal clerkship at the Higher Regional Court of Cologne, with stations at the Permanent Mission of the Federal Republic of Germany to the United Nations in New York (USA), in a major international law firm in Cologne and in the legal department of a DAX30 group in Frankfurt/Main. In addition, Tobias Grossevollmer earned a Master of Laws (LL.M.) degree with a focus on business law.



Dr. Viktoria Herold

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Dr. Viktoria Herold advises companies and the public sector on all aspects of public law. She studied law at the Ruprecht-Karls-University of Heidelberg. After completing her First State Examination, Viktoria Herold was a member of the interdisciplinary doctoral program “Digital Law” at the Faculty of Law of the Ruprecht-Karls-University Heidelberg as well as a doctoral scholarship holder of the Landesgraduiertenförderung. She researched and published on the interface between administrative automation and constitutional law and wrote her doctoral thesis on “Democratic legitimacy of automated administrative acts”.

Viktoria Herold completed her legal clerkship at the Regional Court of Wiesbaden, with stations at the Federal Financial Supervisory Authority, the Administrative Court of Wiesbaden, and an international corporate law firm in Frankfurt/Main.



What others say about us

Market recognition

Market recognition

A selection of awards and market recognition



The team covers all required aspects and if there are new challenges coming up, they are able to immediately find the right colleagues and bring them in.

Chambers Europe, 2023



Additionally has extensive regulatory expertise... [...] Has other strengths in PPP bidding and permitting processes.

Chambers Europe, 2019



The team is able to provide sufficient capacity to handle complex issues in an uncomplicated and timely manner and achieves the best consulting results even under high time pressure', raves one client.

Chambers Europe, 2022



Recognized practice in public commercial law [...]. Sector specific regulatory expertise also includes energy, transportation, healthcare, and infrastructure.

Chambers Europe, 2019



Another client says, 'The team excels at being hands-on, and is able to respond quickly and effectively to business needs'.

Chambers Europe, 2022



Hogan Lovells has an excellent reputation in public law, especially also in [...] planning law. In our perception, the firm stands out above all for delivering fast and practice-oriented advice of excellent quality.

Legal 500, 2022



With competitors, especially smaller law firms, the processes are often more cumbersome and we do not receive advice with the necessary speed. We can therefore recommend the firm without reservation.

Legal 500, 2022



Often recommended: Prof. Dr. Thomas Dünchheim ('brilliant, very close to clients', client)

JUVE Handbook, 2022/2023

Meet Global Regulatory

At a glance

600+	100+
Lawyers around the globe	Lawyers with government experience
4	4
Rules of Regulation	Dimensions of Regulatory Advice



The players brought by Hogan Lovells in our processes are characterized by a far above average level of commitment coupled with an experienced exclusive expertise.

Legal 500, 2022

Alicante
Amsterdam
Baltimore
Beijing
Birmingham
Boston
Brussels
Budapest*
Colorado Springs
Denver
Dubai
Dublin
Dusseldorf
Frankfurt
Hamburg
Hanoi
Ho Chi Minh City
Hong Kong
Houston
Jakarta*
Johannesburg
London
Los Angeles
Louisville
Luxembourg
Madrid
Mexico City
Miami
Milan
Minneapolis
Monterrey
Munich
New York
Northern Virginia
Paris
Philadelphia
Riyadh*
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Washington, D.C.

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