



Planning and Transportation Committee

SECOND ADDENDUM

Date: TUESDAY, 12 DECEMBER 2023
Time: 10.30 am
Venue: LIVERY HALL - GUILDHALL

8. **SALISBURY SQUARE DEVELOPMENT - APPROPRIATION FOR PLANNING PURPOSES**

Report of the City Surveyor.

For Decision
(pages 3-6)

Ian Thomas CBE
Town Clerk and Chief Executive

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PLANNING AND TRANSPORTATION COMMITTEE 12 DECEMBER 2023 – AGENDA ITEM 8

SALISBURY SQUARE DEVELOPMENT – APPROPRIATION FOR PLANNING PURPOSES

ERRATA & ADDENDUM

Main Report Paragraph 6 headed “Consultees”

The sentence commencing five lines up from the bottom of the page should be corrected as shown tracked and ~~struckthrough~~ below:

“In response to the three letters and one email response, replies were sent and the City has been open to counteroffers at all times ~~and further negotiations invited~~”

The words in brackets on the second line of the following page should be corrected as shown tracked and ~~struckthrough~~ below:

“(notwithstanding the content of the ~~three~~ four responses)”

Appendix 1 Paragraph 3.2.5.8

The paragraph should be corrected and added to, including reference to an additional **Appendix 5A** (attached) as follows:

*“The matters referred to by Delva Patman Redler at paragraphs 3.2.5.4, 3.2.5.6 and 3.2.5.7 of this report are set out in their letter of 12 September ~~1993~~ 2023 at **Appendix 5** of this report and in their letter of 30 November 2023 at **Appendix 5A** of this report”*

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Ref: 19433

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London EC3V 9DF30th November 2023

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City of London Corporation
Guildhall
PO Box 270
London
EC2P 2EJ
Care of: Tim Cutter of Avison Younginfo@delvapatmanredler.co.uk
www.delvapatmanredler.co.uk**Private and confidential**

Dear Tim,

**Rights of light progress to date considering the redevelopment of Salisbury Square
Planning reference: 20/00997/FULEIA**

As you are aware, Delva Patman Redler LLP (DPR) has been commissioned to conduct a comprehensive review and assessment of the potential light loss that could arise from the consented Salisbury Square development, particularly concerning its impact on adjacent properties.

Following the proactive and amicable engagement with 21 neighbours across 20 properties who are deemed to enjoy a right to light and may suffer a material loss of light to their demise post-development, we have been able to undertake internal surveys and update the technical assessment, which measures the light pre and post-development.

Of 21 properties, it was confirmed and communicated with 7 neighbours through their appointed surveyors their rights will not be infringed upon due to the technical results showing all rooms will remain well-lit post development or not see a material reduction in light.

The remaining 14 owners, whose demise is likely to suffer a material change in light, have been made an offer of compensation. The first offer made was in March 2021, which was accepted, and consequently, a deed of release has been agreed. The remaining offers were made between June and December 2022. One party presented an initial counteroffer, which equated to x33, the book value of the potential light loss. This figure is grossly outside what we would advise is reasonable.

It will be apparent from the date the initial contact letter was sent that each discussion with the relevant neighbouring owners has been done in a timely manner. Please refer to the attached progress tracker that indicates the dates for each task undertaken. However, despite offers made over a year ago, we have been unable to reach an amicable conclusion. This creates a considerable concern that the development will not be able to progress within the set timetable as planned. This could put the successful delivery of the development at risk.

Without a reasonable conclusion in the form of a deed of release, the site remains open to a neighbouring owner seeking an injunction as a legal remedy. As an example of potential intent, a letter addressed to The City of London from Bryan Cave Leighton Paisner ('BCLP') dated 4th October 2023 notes their client's willingness to consider legal remedies, which we have taken as their willingness to seek an injunction.

While it is understood it is still the full intent of the development team to seek a reasonable conclusion with neighbouring owners, the threat of a potential detrimental legal remedy and counter offers that are beyond

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30 November 2023

reasonable market figures leads us to conclude that, in the foreseeable future, negotiations are most unlikely to result in agreements to release rights to light.

Yours sincerely

Delva Patman Redler

Delva Patman Redler LLP

Attached – Neighbour Engagement Tracker