

Ref: 19433

One George Yard  
London EC3V 9DF30<sup>th</sup> November 2023

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Care of: Tim Cutter of Avison Young

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**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 4<sup>th</sup> 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

**Also at:**

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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