

Ref: 19433/Jr

20th February 2024

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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 initial offers were made between June and December 2022. One party accepted the initial offer.

Of the remaining 12 owners, a revised offer was made in December 2023. These offers were made at a fair and reasonable level. Since they were made, it has been confirmed that 3 owners have accepted the revised offers. A further 2 additional owners are also understood to be satisfied with the offer at surveyor level. However, we await their formal client confirmation on these.

Of the remaining outstanding individual negotiations, despite offers made at a fair and reasonable level, 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 potentially seeking an injunction as a legal remedy.

Also at:
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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 may be beyond one might find typical 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

Enc. Negotiation Tracker Timeline