

Failure to object foils tower challenge

A central London resident has lost a bid to quash an appeal decision granting permission for a 43-storey block after the Court of Appeal ruled that the claimant had no standing to bring the case.

The resident was concerned that the building would obscure his views of the London Eye and the Palace of Westminster and cast a shadow over his balcony. As a member of a local community group that had opposed the grant of permission at the inquiry, he asserted that he had sufficient standing to lodge a challenge to the decision.

Lord Justice Pill supported Judge Mole's decision in the High Court that the resident did not have adequate legal standing to bring the case because his participation in the planning process was insufficient. The claimant had not formally objected to the scheme either in writing or orally at the inquiry, he observed. He also rejected claims that the secretary of state had incorrectly concluded that the development could be completed at no cost to the public.

Ashton v Secretary of State for Communities and Local Government

Date 24 May 2010

Ref C1/2009/2187