

# Councils set to launch legal challenge against mayor's Mount Pleasant decision

8 May 2015 | By Elizabeth Hopkirk

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## Islington and Camden plot judicial review bid over 'affordable' housing proportion

Islington and Camden councils are planning a legal challenge against Boris Johnson's decision to approve the Mount Pleasant housing scheme against their will.

The boroughs are set to lodge a formal request today for a judicial review of the mayor's decision to grant planning permission for 671 homes, shops and offices on the Royal Mail site which straddles the two north London authorities.

Senior executives at both councils were this morning due to authorise the move to pursue the action through the Administrative Court, part of the High Court. Both are fuming about the percentage of "affordable" housing contained in the scheme.

Camden fast-tracked the decision using a "special urgency notice" because the chance to lodge a request for a judicial review of the mayor's ruling expires on Monday.

In a report to members Camden's borough solicitor said: "Leading counsel has confirmed that the absolute final date for lodging of this judicial review claim is 11 May 2015, although Islington propose to issue proceedings on 8 May 2015. The Act does not allow for an extension of time to this deadline. There is therefore an urgent need for the council to consider whether to join with London Borough of Islington in the proposed judicial review."

Johnson approved the speculative 15-storey scheme - designed by Feilden Clegg Bradley, Allies & Morrison, Wilkinson Eyre and AHMM for Royal Mail - last year. There is currently no developer for the 3.5ha site. After a section 106 agreement was signed he formally granted planning permission in March.

The mayor justified calling in the scheme by accusing the boroughs of dragging their heels. Both Islington and Camden later confirmed they would have rejected the design on the grounds that it was poorly connected to the surrounding streets and contained insufficient "affordable" housing. They believe the latter reason made the mayor's decision unlawful.

Most of the councils' reasoning is contained in a secret appendix but Camden's solicitor wrote: "Alongside the legal merits in appealing this decision that have been set out in counsel's opinion, officers also consider that the claim raises important points of principle in relation to securing the maximum amount of affordable housing which it is in the councils' long-term interests (and in the wider interests of affordable housing generally in London) to pursue."

If the judicial review is successful the mayor's decision would be quashed and need to be retaken. If the councils lose, their liability for the mayor's legal costs would be capped at £10,000. They would consider appealing, said Camden's solicitor.

At the same City Hall meeting where he approved the Royal Mail scheme, Johnson encouraged its opponents to pursue an alternative proposal, designed by Francis Terry and Alexandra Steed and backed by lobby group Create Streets. The Mount Pleasant Association was awarded £150,000 from the mayor's Community Right to Build fund for this.

An early critic of the scheme was Thomas Heatherwick who in a letter to the two planning authorities described it as "cheap, bland and misconceived". But the Garden Bridge designer was given a public dressing down by the four architects and forced to apologise to them, details of which they revealed in a joint letter to BD. "When he wrote his letter, he had not examined the designs in any detail," they said.



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