

GREATER LONDON AUTHORITY

[REDACTED]
(By email)

Our Ref: MGLA280820-2448

03 September 2020

Dear [REDACTED]

Environmental Information Request - Homebase Manor Road Development

Thank you for your request for information about the Homebase Manor Road Development, which the Greater London Authority (GLA) received on 28 August 2020. Your request has been considered under the Environmental Information Regulations (EIR) 2004.

You requested:

I have been reviewing all documentation that is published by yourselves on the above. I am hereby requesting the following in electronic format:

*Trip Generation Assessment
Car Park Design and Management Plan
All assessments of impact on local amenities
Updates made following lessons from the COVID crisis and lockdown
Report on how issues raised by the public have been taken to account - as part of GLA officer's assessment of the application.*

Please find our response below:

- Trip Generation Assessment

I can confirm the trip generation details are contained within Section 6 of the revised Transport Assessment within the link below.

<https://data.london.gov.uk/dataset/manor-road-homebase-amended-consultation-documents>

- Car Park Design and Management Plan

Car park design and management is normally controlled by planning condition for latter approval should the Mayor/Deputy Mayor resolve to grant planning permission but other details on vehicle parking are found within the Transport Assessment above.

- All assessments of impact on local amenities

Assessments are also found within the link above and include a Daylight and Sunlight report, a Health Impact Assessment, a Noise and Vibration Impact Assessment, a Utilities Statement, a Wind Microclimate Assessment, an Air Quality Assessment and a Design and Access Statement among other documents.

- Updates made following lessons from the COVID crisis and lockdown

I can confirm that the GLA has been considering the response to Coronavirus within the Intend to Publish London Plan¹ (ItP LP). It is officers' view that none of the ItP LP policies require immediate change or review. The ItP LP provides a flexible framework with policies that are forward thinking and the Good Growth principles that underly the Plan address many of the priorities emerging from communities as a result of the pandemic. It is also recognised that London's recovery must be an inclusive, green recovery that enables all Londoners to walk and cycle around neighbourhoods.

- Report on how issues raised by the public have been taken to account - as part of GLA officer's assessment of the application.

GLA Planning officers make recommendations on planning applications to the Mayor to either grant or refuse planning permission for a scheme. Our detailed Hearing report will provide a summary of responses received and an assessment on all relevant material considerations. It is published 7 clear days before the hearing takes places². This is the same process for Local Planning Authorities in Councils where they report large planning applications to their planning committee with an officer's report. Therefore, we have decided that at this time, the report covered by your request is exempt from disclosure under Regulation 12(4)(d) of the EIR.

Regulation 12(4)(d) is engaged when the request relates to material that is still in the course of completion, unfinished documents or incomplete data. If the information in question falls into one of these categories, then the exception is engaged. This provision has been applied to withhold material in the course of completion. Guidance³ published by the Information Commissioner clarifies:

"The fact that the exception refers to both material in the course of completion and unfinished documents implies that these terms are not necessarily synonymous. While a particular document may itself be finished, it may be part of material which is still in the course of completion. An example of this could be where a public authority is formulating and developing policy."

This same guidance also clarifies that material which is still in the course of completion can include information created as part of the process of formulating and developing a policy, decision or recommendation. In this instance it is necessary that officers should have the necessary space to undertake discussions relating to planning applications and protecting the integrity of the decision-making process, and the free and frank exchange of ideas, options and suggestions that form part of that process.

¹ <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/intend-publish-london-plan-2019>

² https://www.london.gov.uk/sites/default/files/md1580_appendix_final_revised_hearing_document_pdf_3.pdf

³ https://ico.org.uk/media/for-organisations/documents/1637/eir_material_in_the_course_of_completion.pdf

In relying on the EIR exception provisions, the GLA is required to balance the public interest in order to decide whether the information should be withheld. Under regulation 12(1)(b), the public authority can only withhold the information if, in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information. Furthermore, under regulation 12(2), it must apply a presumption in favour of disclosure.

There is a public interest in the release of information that would inform and engage the public debate on issues pertinent to architectural design, however, the release of information which forms part of the hearing process would be likely to undermine the safe space required by the GLA beforehand to reach decisions on pending planning applications without undue influence.

If you have any further questions relating to this matter, please contact me, quoting the reference MGLA280820-2448.

Yours sincerely


Information Governance Officer

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>