

[REDACTED]

5 May 2020

INFORMATION REQUEST REFERENCE 20-013 & 20-014

Dear [REDACTED]

Thank you for your information request, received on 23 March 2020. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Environmental Information Regulations 2004 (EIR) in relation to the Planning Application 19/00590/AOD: Legacy House, Roach Road:

20-013

“What other examples are there where the LLDC has taken similar action in the planning area under its control?”

20-014

“How many other buildings under the LLDC’s planning control, built since planning consent was granted to Carpenter’s Wharf, have been required to have play facilities and have these been monitored and adhered to the same level of scrutiny? How many community play-facilities have been funded by developers that would bring together the children of private-ownership properties and social housing without trampling on the rights (including property) of private citizens?”

I can confirm that the Legacy Corporation holds information relevant to your requests however, with reference to your request as above, please be advised that the Legacy Corporation are refusing your request on the basis of EIR regulation 12(4)(b) manifestly unreasonable.

EIR regulation 12(4)(b) – manifestly unreasonable

12(4) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that—

(b) the request for information is manifestly unreasonable;

While there are no appropriate costs limit under the EIR, the exception at regulation 12(4)(b) of the EIR can apply if the cost or burden of dealing with a request is too great.

In assessing the cost or burden of dealing with a request, public authorities need to consider the proportionality of the costs involved and decide whether they are clearly or obviously unreasonable.

The Local Plan Key Performance Indicators (KPIs) monitor the provision of new local open spaces however this does not specify if these also include a play space area. The latest Open Space and Play Space Assessment (2018) lists only publicly accessible play spaces within the area. Planning permissions with obligations for play space can be identified in the Annual Monitoring Report (in the Schedule of Section 106 Legal Agreements signed that year – individual obligations breakdowns) however this will not capture planning permissions such as the 4 Roach Road (aka Carpenters Wharf) development where the play space is secured via condition. The only current way to obtain this information would be to check each s106/decision notice.

In order to provide the information, you have requested the Legacy Corporation would have to review every permission and s.106 for new residential developments.

The Legacy Corporation is not a large organisation and the time and resources taken to answer the questions as above would have a considerable impact on those resources.

The Legacy Corporation have considered the public interest in respect to their decision and appreciate that they must balance public interest with the effective, efficient and economic use of the resources that they have responsibility for as a public authority. In this instance, the Legacy Corporation cannot justify the disproportionate burden this request would place on the Legacy Corporation's limited resources or the impact it would have on delivery of its other responsibilities. While there is a presumption in favour of disclosure under EIR, responding to this request would place unreasonable demands on our resources and for this reason, the Legacy Corporation consider your request to be manifestly unreasonable under regulation 12(4)(b) of the EIR.

However, the Legacy Corporation recognise that under EIR we also have a responsibility to provide advice or assistance where it will help the requestor with their request. While we cannot provide the information requested as explained above, there may be information relevant to your request publicly available via our Planning Register:
<http://planningregister.londonlegacy.co.uk/swift/apas/run/wchvarylogin.display>.

Or in the Corporation's Planning Authority Monitoring Reports, which you can access via the link below:

<https://www.queenelizabetholympicpark.co.uk/planning-authority/planning-policy/brownfield-land-register>

If you are unhappy with our response to your request and wish to make a complaint or request an internal review of our decision, you should write to:

Deputy Chief Executive
London Legacy Development Corporation
Level 10, 1 Stratford Place
Montfichet Road
London, E20 1EJ

Email: FOI@londonlegacy.co.uk

Please note: complaints and requests for internal review received more than two months after the initial response will not be handled.

If you are not content with the outcome of the internal review, you may appeal directly to the Information Commissioner at the address given below. You should do this within two months of our final decision. There is no charge for making an appeal.

Further information on the Freedom of Information Act 2000 is available from the Information Commissioner's Office:

Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Telephone 08456 30 60 60 or 01625 54 57 45

Website www.ico.gov.uk

Yours sincerely

FOI / EIR Co-ordinator
London Legacy Development Corporation