



19 June 2023

INFORMATION REQUEST REFERENCE 23-014

Thank you for your information request, received on 20 March 2023. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA):

In response to a few of the points in the letter:

1 - The planning permission content I am looking for does not appear to be publicly available. I am looking for the vibration tests that were undertaken at my property that LLDC relied upon to grant planning permission to Lendlease. I am not able to find that online. Please can you send that item (or help me understand how planning permission was granted without it)?

2 - Please can LLDC provide an estimate of the cost of complying with my broad email request. I would potentially be willing to cover the cost. If the cost is greater than I would cover, I can look to reduce the scope of the request.

An estimate was provided and it was agreed that the cost would be excessive so this aspect of the request was clarified as follows:

- All external and internal email correspondence in relation to Lantana Heights or Glasshouse Gardens between the Legacy Corporation and Network Rail or Lendlease regarding noise and vibrations from the adjacent train line between 1 January 2013 and 31 December 2014, and*
- All external and internal email correspondence in relation to Lantana Heights or Glasshouse Gardens between the Legacy Corporation and Network Rail or Lendlease regarding noise and vibrations from the adjacent train line between 1 January 2019 and 31 December 2020.*

3 - Is there any internal contact related to the Annex A report that sets out LLDC's responses to Lendlease? The report was a summary of another report, so it would be helpful to see LLDC's reasoning for accepting the findings of the summary report without seeing the underlying content.

I can confirm that the Legacy Corporation holds information which falls within the scope of your request. The information relevant to your request is below and our response follows your order:

Q1: The planning permission content I am looking for does not appear to be publicly available. I am looking for the vibration tests that were undertaken at my property that LLDC relied upon to grant planning permission to Lendlease. I am not able to find that online. Please can you send that item (or help me understand how planning permission was granted without it)?

The Legacy Corporation does not hold this information. There are conditions on the outline planning consent (Stratford City Planning Permission) which set the standard for internal noise levels in dwellings. As these standards would apply to all dwellings, the applicant would not necessarily have provided vibration information as it was a requirement to comply with the planning consent. The relevant conditions of the Stratford City Planning Consent are 08, 09 and 010.

Q2: All external and internal email correspondence in relation to Lantana Heights or Glasshouse Gardens between the Legacy Corporation and Network Rail or Lendlease regarding noise and vibrations from the adjacent train line between 1 January 2013 and 31 December 2014.

The Legacy Corporation does not hold this information. Searches were run across the email archive. No search results were found in the Legacy Corporation email archive regarding correspondence between the Legacy Corporation and Network Rail or Lendlease regarding noise and vibrations from the adjacent train line between 1 January 2013 and 31 December 2014 for Lantana Heights or Glasshouse Gardens.

Q2: *All external and internal email correspondence in relation to Lantana Heights or Glasshouse Gardens between the Legacy Corporation and Network Rail or Lendlease regarding noise and vibrations from the adjacent train line between 1 January 2019 and 31 December 2020.*

The searches were run across the email archive and the correspondence identified as relevant has been attached in **Annex A**.

Please note that information has been withheld under FOIA section 40.

Section 40(2) –personal information

*(2) Any information to which a request for information relates is also exempt information if –
(a) it constitutes personal data which does not fall within subsection (1), and
(b) the first, second or third condition below is satisfied.*

It is the standard practice of the Legacy Corporation to redact personal information for those members of staff under Head of Service level, and for non-Legacy Corporation personnel unless consent to release the information has been received. Phone numbers have also been redacted.

The section 40 exemption is absolute and is not subject to the public interest test. In this instance, the relevant condition that applies is section 40(2) whereby the information is defined as personal data within s.3(2) of the Data Protection Act 2018.

Please note:

- There is a degree of repetition within the correspondence where the emails have diverged at some stage during the email chain.
- The exemption being applied is shown within the redaction.

- All links within the emails have been deactivated.
- Any email attachments relevant to your request have been inserted behind the specific email.
- Where there is an email where the whole attachment has an exemption applied, then the attachment has not been inserted and the attachment link on the email has been marked with the relevant exemption.
- Where there is an email where the attachment is not relevant to the request, then this has been marked as “Extracted - not relevant”.
- Any attachments with the file extension *.png are just QEOP logos, or other images that are automatically linked to the email. These have not been included.

Q3: Is there any internal contact related to the Annex A report [FOI response 23-002] that sets out LLDC's responses to Lendlease? The report was a summary of another report, so it would be helpful to see LLDC's reasoning for accepting the findings of the summary report without seeing the underlying content.

The Legacy Corporation does not hold this information. The Officer responsible for this Planning Application would be the primary contact in relation to questions relating to specific planning applications. As notified in separate correspondence with you [requestor] with the Officer for this application, dated 20 March 2023, the Legacy Corporation did not receive the report from RSK referenced in the 23-002 response.

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

Deputy Chief Executive
London Legacy Development Corporation
Level 9
5 Endeavour Square
Stratford
E20 1JN

Email: FOI@londonlegacy.co.uk

Please note: requests for internal reviews received more than forty working days 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