



Ministry of Housing,
Communities &
Local Government

**Ministry of Housing, Communities & Local
Government**

Fry Building
2 Marsham Street
London
SW1P 4DF

T 030 3444 0000

www.gov.uk/mhclg

Mr Steve Wedgwood
Via email

Date: **20 June 2018**

Dear Mr Wedgwood

Environmental Information Regulations 2004 - 3790403

Thank you for your request for information which we received on 4 June 2018 and processed under the Environmental Information Regulations 2004(EIR). The EIR offers the same parallel access to information as the Freedom of Information Act 2000.

You requested:

"The planning application 16/02358/OUTM was sent to the Secretary of State for consideration to be called-in on the basis of a Sport England objection to the loss of Playing Fields, but (presumably after consideration of the evidence supplied in relation to that objection) it was not called in.

Please could you provide me with a copy of all documents supplied by City of York Council to the SOS pertaining to Sport England's objection to this planning application which were made available to be considered by the SOS in arriving at the decision not to call in this planning application."

I can confirm that we hold this information, but I am withholding it as explained below.

The Department is not obliged to comply with your request for information, by virtue of the exception at regulation 12(4)(b) of the Environmental Information Regulations, as we consider it to be "manifestly unreasonable". This is not to say that we think that you are personally being unreasonable but we are obliged to use the wording in the legislation. A request for information to which this exception applies must still be complied with, and the information requested made available, unless the public interest served by doing so is outweighed by that served by maintaining the exception.

Although it is right that the Planning process demonstrates transparency, this has to be balanced out by the amount of burden it would cause the department in

complying with your request. We hold a proliferation of documents, including plans, drawings and reports on this case. To give you some idea of the quantity we estimate that to send you all the documentation sought would involve sending around 16 emails to you. The attachments in each email would have to be read through to consider whether any personal data redactions were required. You may wish to consider making a new request asking for a smaller selection of documents. For example you may wish to refer to correspondence between specific parties such as Sport England and the Department and /or the local authority, or certain maps or drawings?

I therefore conclude that the public interest served by maintaining the exception outweighs the public interest served by complying with the request and making the information available.

Complaints procedure

If you are unhappy with this response, we will review it and report back to you. (This is called an internal review.) If you want us to do this, let us know by return email within two months of receiving this response. You can also ask by letter addressed to:

Ministry of Housing, Communities and Local Government
Knowledge and Information Access Team
1st Floor NW, Fry Building
2 Marsham Street
London, SW1P 4DF

If you are unhappy with the outcome of this internal review, you can ask the independent Information Commissioner to investigate. The Information Commissioner can be contacted at email address xxxxxxxx@xxx.xxx.xx or use their online form at ico.org.uk/concerns or call them on 0303 123 1113.

Yours sincerely

John Pierce