



City of Westminster

Mr Mark Armstrong

GPH - Planning & Place Shaping
Westminster City Council
64 Victoria Street
London
SW1E 6QP
Telephone 020 7641 3921
Email foi@westminster.gov.uk

Our ref: 12412574

Your ref:

Date: 5 December 2019

Dear Mr Armstrong

Freedom of Information Act 2000

Thank you for your recent Freedom of Information request. You asked to be provided with the following information:

*I would like to request any pre-application/outline planning inquiries related to the site below and I would like to see the existing/proposed plans, officer feedback/notes/discussions and any other associated documents. I would also like to know about any potential rights of way, listings or covenants on the site.
Address is: 12-12a Brick Street W1J 7ET / W1J 7HQ / W1J 7DF*

Response

I would like to request any pre-application/outline planning inquiries related to the site below and I would like to see the existing/proposed plans, officer feedback/notes/discussions and any other associated documents.

I can confirm that Westminster City Council holds the information you requested. However, we are withholding that information since we consider that the following exemptions apply to it.

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Anyone wishing to make a planning application, may make a pre-planning submission for advice from planning officers. This is a non-compulsory advisory service, subject to a fee, and therefore the applicant may consider that the submissions they make, and the advice given to them, is in confidence and not to be made available to the world at large by way of disclosure under FOI. As such, a disclosure of information within pre-planning submissions and related correspondence would be considered an actionable breach of the confidence in which these documents are provided to the council, and it is thereby exempt from disclosure under section 41.

• Regulation 12 (5) (f) of EIR

Where the information is caught by the definition of “environmental information” the council considers it is entitled to refuse the information under the exception at regulation 12 5 (f) of the EIR: Voluntary Supply of the Information, for the reasons set out above.

This response therefore acts as a refusal notice under section 17 of the FOI Act and regulation 14 of the Environmental Information Regulations.

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In order to obtain the information as mentioned above, you are required to submit a Con29 Enquiries of the Local Authority (2016) application form to Westminster Local Land Charges. Please note there will be a charge for this information.

Please use the link below to contact the Council’s Local Land Charges department

<https://www.westminster.gov.uk/local-land-charges>

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Information Management Team
64 Victoria Street
London
SW1E 6QP
foi@westminster.gov.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information is also available from the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 or 01625 54 57 45
Fax: 01625 524510
Web: www.ico.org.uk

I will now close your request as of this date.

Yours sincerely

Growth Planning and Housing