

Request 9627 – Correspondence concerning planning application 20/05101/FUL

This is request for correspondence (both internal and external) concerning planning application 20/05101/FUL and the all correspondence (both internal and external) concerning the planning appeal that has been made in relation to application 20/05101/FUL.

Response

Further to your request above dated 2nd September 2021, and our subsequent correspondence explaining the application of s7.1 – Extension of time - of the Environmental Information Regulations (EIR), dated 11th October 2021.

The organisation has been able to review your request and consider exception regulation 12(4)(b) – “is manifestly unreasonable on the grounds of costs and diversion of resources” – applies.

The Information Commissioner’s guidance on this exception regulation - Manifestly unreasonable requests - regulation 12(4)(b) (ico.org.uk) provides that the organisation can take the following into account when considering applying this exception,

- the nature of the request and any wider value in the requested information being made publicly available;
- the importance of any underlying issue to which the request relates, and the extent to which responding to the request would illuminate that issue;
- the size of the public authority and the resources available to it, including the extent to which the public authority would be distracted from delivering other services; and
- the context in which the request is made, which may include the burden of responding to other requests on the same subject from the same requester.

All EIR exceptions are subject to a public interest test. Whilst it is in the public interest to show clear and open process, there is a balance to be had where requests may not be in the wider public interest and be additionally burdensome to the organisation. Our considerations of the public interest test are set out in our response below.

While the council recognise that the matter is part of an ongoing live process, is the subject of an appeal to the Planning Inspectorate and is part of a wider site development on Fews Lane which is and has been subject to legal challenge in the High Court, the council is of the view that the wider public interest in the material requested is extremely limited.

The Council is satisfied all relevant material is available in the public domain. This includes substantial appendices which have been sent to the Planning Inspectorate as part of the appeal process and a costs rebuttal (with associated appendices also).

The documents are available to you here: [View and comment on planning applications \(greatercambridgeplanning.org\)](https://greatercambridgeplanning.org) and the Planning Inspectorate case details can be found here: [Planning Inspectorate](#)

Searching for and identifying material that is not relevant to the matter is complex, time consuming and takes officers away from normal duties. The council feel that it is not in the public interest to place additional burden on the organisation, for material that the council is satisfied is not relevant, and that would interfere with officers normal duties.

The council is enabled by the EIR to consider the volume of requests received from a party on a similar subject. The authority have received in excess of 20 requests from you and your organisation since January 2021 via the FOI and EIR process and numerous other requests direct to the planning department and other areas of the council. The council believes it is not in the wider public interest to allow such a volume of requests to dominate resources to the point that they cause a drain on officer time, and begin to negatively impact our normal public functions.

We appreciate you may be disappointed in this response, however, we consider dealing with this request does not serve the wider public interest in this matter, and would be significantly burdensome to the organisation, therefore we consider exception 12(4)(b) – is manifestly unreasonable – is correctly applied and refuse your request.

We hope our explanations for the application of the exception are helpful to you. Should you consider the Regulations in this case, have not been applied correctly our appeals process is detailed below.