
From: Tracy Breakell [REDACTED]
Sent: 12 May 2014 16:45
To: 'jonathan.lewis' [REDACTED]
Cc: 'Neil Milligan'; 'Councillor John Sargeant'
Subject: Nelson Hospital Site - 12/P0418

Dear Mr Lewis,

I understand that a Screening Opinion was adopted for the original Nelson Hospital application (12/P0418), but I have been unable to find a copy on Planning Explorer.

Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the council has a duty to place a copy of the Screening Opinion on the planning register. Please could you let me know where the planning register is kept? I have already asked at the reception of the Civic Centre but was told that all documents are held on Planning Explorer and that there are no other files that can be accessed by the public.

I would be grateful if you would also let me know where I can view the responses from statutory consultees and the response from Natural England.

Many thanks,

Tracy Breakell

From: Tracy Breakell [REDACTED]
Sent: 11 July 2014 14:59
To: [REDACTED]
Subject: FOI Request - Environmental Screening

FREEDOM OF INFORMATION REQUEST

Dear Sir/Madam,

I understand that the following information should be held by Merton Council on the planning register but I have been unable to find it under the relevant application on "Planning Explorer". I would be grateful if you could provide me with the following information:

1. Who, within Merton Council, has the delegated power to make Screening decisions under Regulation 5 of The Town and Country (Environmental Impact Assessment) Regulations 2011?
2. Please provide me with a copy of the Screening Opinion that Merton Council made under these same regulations for Application 12/P0418 (redevelopment of the Nelson Hospital site).
3. Was a standard checklist used as a means of assessing the application/project?
4. If a standard checklist was used, please provide me with a copy of that checklist.
5. Please supply a copy of any relevant information/reports used in producing the Screening Opinion (this need only be that information that is not already available on Planning Explorer under application 12/P0418).
6. In the case officer's report to the planning committee (report number 1447, dated 6 September 2012), paragraph 7.25 refers to a noise survey that was carried out in May 2012. This survey does not appear to be available on Planning Explorer - please provide me with a copy.

Please respond by email if possible.

Many thanks,

Tracy Breakell
[REDACTED]

From: Rosalind Girdlestone [REDACTED]
Sent: 06 August 2014 12: [REDACTED]
To: [REDACTED]
Subject: Your information request (F4127)

Dear Ms Breakell

**Freedom of Information Act 2000 / Environmental Information Regulations 2004
Information request**

Thank you for your request for information, which was received on 14th July 2014. We have now considered your request as set out below.

You asked:

1. Who, within Merton Council, has the delegated power to make Screening decisions under Regulation 5 of The Town and Country (Environmental Impact Assessment) Regulations 2011?
2. Please provide me with a copy of the Screening Opinion that Merton Council made under these same regulations for Application 12/P0418 (redevelopment of the Nelson Hospital site).
3. Was a standard checklist used as a means of assessing the application/project?
4. If a standard checklist was used, please provide me with a copy of that checklist.
5. Please supply a copy of any relevant information/reports used in producing the Screening Opinion (this need only be that information that is not already available on Planning Explorer under application 12/P0418).
6. In the case officer's report to the planning committee (report number 1447, dated 6 September 2012), paragraph 7.25 refers to a noise survey that was carried out in May 2012. This survey does not appear to be available on Planning Explorer - please provide me with a copy.

Our response:

1. The Council's Scheme of Management authorises the Head of Public Protection and Development to determine all planning applications and associated applications and sets out a list of exceptions. A request for a Screening Opinion is judged to fall within the scope of an "associated application" insofar as it seeks a formal decision of the Council as local planning authority. Under Regulation (5) of the Environmental Impact Assessment Regulations (2011) the Council is required to issue its screening opinion within 3 weeks of the receipt of a request. It is not considered to fall within the scope of the list of exceptions.
2. I attach a copy of the Council's Screening Opinion issued on 12th March 2012.
3. Part 2 Regulation 4 of the Regulations sets out the general provisions relating to screening. This requires that where a local planning authority or the Secretary of State has to decide under these Regulations whether the development requires an Environmental Impact Assessment they shall take into account in making that decision such of the selection criteria set out in Schedule 3 as are relevant to the development. Schedule 3 of the Regulations provides a detailed set of criteria and this has formed the basis of the Council's decision making process.
4. The checklist (or criteria as referred to in the Regulations) are set out at Schedule 3 of the Regulations:
http://www.legislation.gov.uk/ukxi/2011/1824/pdfs/ukxi_20111824_en.pdf
5. Regulation 5 (2) provides that a request for a screening opinion in relation to an application for planning permission shall be accompanied by (a) a plan sufficient to identify the land; (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and (c) such other information or representations as the person making the request may wish to provide or make.

The application was accompanied by a request for a Screening Opinion.

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000076000/1000076214/12P0418_Environmental%20Impact%20Assessment%20Screening%20Opinion%20Request.pdf

This provided a detailed list of the various reports that were to be used to assess the impact of the proposals including matters that could impact on the environment and an assessment of the impact of the proposals based on the relevant criteria set out in the Regulations.

This concluded:

“We do not consider that the nature, scale and location of the development are such that is likely to give rise to any significant environmental effects. We therefore consider that it is reasonable to conclude that EIA is not required and that any subsequent planning application for the proposed development need not be supported by an Environmental Statement.”

The application was submitted with a number of detailed reports and these are published on the Council's on-line planning Explorer.

6. The report is available at the following web site location.

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000076000/1000076214/12P0418_Supplementary%20Noise%20Report%20Dated%2010th%20May%202012.pdf

If you have any queries or concerns about this please contact me.

If you are dissatisfied with the handling of your request please contact Karin Lane, the Head of Information Governance at Merton Council, Civic Centre, Morden, SM4 5DX or e-mail foi@merton.gov.uk

If you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:

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

Telephone:0303 123 1113 Website: www.ico.org.uk

There is no charge for making an appeal.

Yours sincerely

Rosalind Girdlestone
Information Officer
Information Governance Team



www.merton.gov.uk