



Homes
England

Date: 06/03/2020

Our Ref: RFI2906

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

██████████
By Email Only

Windsor House
Homes England – 6th Floor
50 Victoria Street
London
SW1H 0TL

Dear ██████████,

RE: Request for Information – RFI2906

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

As a resident of Ifield West to whom your development would impact upon as per the FOI could you please send me the results of the wildlife survey which was conducted on the golf course and also the traffic survey for the surrounding area,

Response

We are able to inform you that we do hold the information that you have requested. However, we rely on section 22, exemption where information is intended for future publication under the FOIA.

The full text of the legislation can be found on the following link and we have quoted section 22 below for ease.

<https://www.legislation.gov.uk/ukpga/2000/36/section/22>

Section 22 - Information intended for future publication.

(1) Information is exempt information if:

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) the information was already held with a view to such publication at the time when the request for information was made, and
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

Section 22 is a qualified exemption. This means that in order to withhold information under this exemption, we must consider the public interest in disclosure.

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- Homes England support transparency and engagement with local residents and endeavour to share as much information as possible. Homes England carried out a number of public consultation events in January 2020 regarding the site and will be carrying out further consultations in Summer 2020 and beyond. As part of these consultations Homes England will be sharing our proposals and the information in relation to wildlife and traffic surveys. A report will be published following the public consultations and further updates will be posted on the council's website.
- Homes England will be submitting an Outline Planning Application in Autumn 2020 which will be supported by full technical information including surveys carried out on this site. The planning application will be available for the public to view on the council's website once the planning application has been validated.

Public Interest Test – Factors in favour of disclosure

- Homes England is compliant with the government agenda of transparency and recognises the benefit of publishing the information, particularly when it concerns how Homes England undertakes its work.
- Homes England recognises that it is in the public interest to be informed of plans for local land in order to enable public debate and further public understanding of development plans.

Public Interest Test – Factors in favour of non-disclosure

- The information to date is based on a high level of initial due diligence and early promotion of a potential development opportunity which has not yet been allocated in a Local Plan document. The land subject to this request will be promoted by Homes England through the Horsham Local Plan review, but will be considered alongside other potential strategic sites. Therefore, releasing working information before the Local Plan process has been concluded could prejudice both Horsham District Council and Crawley Borough Council's statutory role as Local Authority. If the information were released before the Local Plan has been allocated, it would jeopardise the ability of Homes England and the Local Council to respond to changes as they arise and put the allocation in a Local Plan at risk;
- Information including technical studies will be published by Horsham District Council and Crawley Borough Council following review and consideration by both councils. Releasing the information before it has been considered could give commercial advantage to speculative third party promoters looking to establish land interests in the area. This could put Homes England at risk of State Aid;
- A significant amount of land subject to the request is not yet in Homes England's control. Publicly sharing initial information that is not finalised would impact on Homes England's ability to negotiate effectively with any affected land owners. This would adversely affect value for public money; and
- Though we acknowledge the public interest in the information requested, we cannot identify a wider public interest in publishing the information ahead of schedule.

Therefore after careful consideration we have concluded that at this time, the balance of the public interest favours the non-disclosure.



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Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled you may request an internal review by writing to;

The Information Governance Team
Homes England – 6th Floor
Windsor House
50 Victoria Street
London
SW1H 0TL

Or by email to infogov@homesengland.gov.uk

You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

The Information Governance Team
For Homes England

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