

21 August 2019
Our ref: 5542780

Thank you for your request received on 6 August 2019, for the following information:

Is affordable housing negotiated through section 106 agreements

if your local plan suggests every new development must contain 40% affordable housing, must the developer first submit a planning appeal and then enter into negotiations and submit a viability assessment?

We have processed this request under the Environmental Information Regulations 2004.

Response

The council holds the information requested and the answers to your questions are below

Is affordable housing negotiated through section 106 agreements

Any planning application over 9 homes has to provide affordable housing. The S106 Agreements is the legal basis for delivering this and is part of the planning permission.

If your local plan suggests every new development must contain 40% affordable housing, must the developer first submit a planning appeal and then enter into negotiations and submit a viability assessment?

Planning Appeal can only be progressed or requested if a planning application is refused.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will 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.