



# Section 106

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Removing the mystery!



# What is Section 106?

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- Town and Country Planning Act 1990
- Agreements may be restrictive or require the developer to provide something
- Mitigate the impacts of a development and ensure necessary infrastructure is provided
- Also known as planning obligations, planning gain, planning benefits, community benefits





## Obligations must be:

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- Necessary
- Relevant to planning
- Directly related to the proposed development
- Fairly and reasonably related in scale and kind to the proposed development
- Reasonable in all other aspects

There is a fundamental principle that planning permissions must not be bought or sold





# What sort of development does Section 106 apply to?

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- Our policies cover residential
- May also include retail and office developments





## Open space

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- Generally applied to residential developments
- 20 dwellings plus – on site
- Up to 20 – off site contribution
- Upfront payments





# Carlton Meadow Park



Waveney District Council  
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# Allocation and expenditure of off site open space contributions

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- Within vicinity of the development
  - Open Space Needs Assessment
  - Town/Parish Councils comments
  - Consultation data
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- Expenditure on improving open space facilities



# Off site improvements





# Affordable Housing

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*Housing that is provided, with subsidy, for people who are unable to resolve their housing needs in the local private sector market because of the relationship between housing costs and incomes*

- 30% of residential development
- Preferred for provision to be units on the site itself
- Off site contributions are used within the district





# Affordable Housing



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# Other obligations

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- Education
- Highways
- Community facilities
- Pedestrian and cycle links
- Public transport
- Other recreational



# Beccles Pedestrian Scheme



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# What funds do we already have?

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- 1.4m highway improvements (Relief Road)
- £650k affordable housing
- £400k open space (£270k allocated, £130k in upfront payments)
- £100k in industrial, pedestrian, highway and cycleway improvements





# What happens to the interest?

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- Applied to contributions if written into the agreement
- Covers admin and technical staff time





# How can others be involved?

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- Planning consultation
- Parish plans
- Contact the Section 106 Officer!





Any questions?

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# Contact details

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