

What are Section 106 Agreements?

Section 106 agreements, or planning obligations, are legal agreements between Local Authorities and developers which are linked to a planning permission. Each agreement is associated with a particular development and as they are a legal charge on the land, they transfer automatically with any change in ownership.

They aim to balance the extra pressure created by new development with improvements to the surrounding area to ensure that, wherever possible, a development makes a positive contribution to the local area and community. They are used when it is considered that a development will have negative impacts on the local area that can't be mitigated by means of conditions attached to the planning permission.

Why and when Section 106 Agreements may be required

Potential Section 106 requirements are set out in the adopted Local Plan for the area. The former District Councils have different [adopted Local Plans](#) so they have different Section 106 requirements. The [Minerals Plan](#) and [Waste Core Strategy](#) cover the whole of Somerset and such development may also require Section 106 agreements.

The main relevant policies for each area are set out below although each Plan may also have further site-specific requirements and nutrient neutrality measures as required by the Conservation of Habitats and Species Regulations 2017.

Mendip

- General Development Contributions – DP19 of Mendip Local Plan Part 1
- Affordable Housing – DP11 and DP19 of Mendip Local Plan Part 1
- Rural Housing – DP12 of Mendip Local Plan Part 1
- Open Space – DP16 and DP19 of Mendip Local Plan Part 1
- Travel Spaces – DP9 and DP19 of Mendip Local Plan Part 1

Sedgemoor

- Affordable Housing – D6 of Sedgemoor Local Plan
- Highway / Infrastructure Improvements – D13 and D14 of Sedgemoor Local Plan
- Open Space – D30 and D34 of Sedgemoor Local Plan

Somerset West and Taunton – Taunton Deane

- Children's Play – CP5 of Core Strategy
- Public Art – D13 of Sites and Development Management Plan
- Open Space – CP5 of Core Strategy
- Affordable Housing – CP4 of Core Strategy

If you want to apply for funding, please contact the Planning Obligations Team – planningobligations@somerset.gov.uk

[Section 106 funding in Somerset West and Taunton](#)

Somerset West and Taunton – West Somerset

- Children's Play – CF1 of Local Plan
- Open Space – CF1 of Local Plan
 - R/5 of Local Plan
 - R/6 of Local Plan
- Affordable Housing – SC4

South Somerset

- Infrastructure Delivery – SS6 of South Somerset Local Plan
- Provision of Affordable Housing – HG3 and HG4 (HG4 is not currently applied) of South Somerset Local Plan
- Travel and Transport – YV5, TA1, TA3 and TA5 of South Somerset Local Plan
- Open space, play space, sports and cultural facilities – HW1 and HW2 of South Somerset Local Plan

Somerset – Minerals and Waste

- Proposals for the extraction of crushed rock. – Policy SMP3
- Provision of sand and gravel – Policy SMP4 of Somerset Minerals Plan
- Proposals for the extraction of building stone – Policy SMP5 of Somerset Minerals Plan
- Peat – Policy SMP6 of Somerset Minerals Plan
- Conventional and unconventional oil and gas development – Policy SMP7 of Somerset Minerals Plan
- Site reclamation – Policy SMP8 of Somerset Minerals Plan
- Safeguarding – Policy SMP9 of Somerset Minerals Plan
- Landscape and Visual amenity – DM1 of Somerset Minerals Plan
- Biodiversity and Geodiversity – DM2 of Somerset Minerals Plan
- Water resources and flood risk – DM4 of Somerset Minerals Plan
- Rights of way – DM6 of Somerset Minerals Plan
- Restoration and aftercare – DM7 of Somerset Minerals Plan
- Mineral operations and protection of local amenity – DM8 of Somerset Minerals Plan
- Minerals transportation – DM9 of Somerset Minerals Plan
- Recycling and reuse – WCS2 of Waste Core Strategy
- Disposal – WCS4 of Waste Core Strategy
- Location of strategic waste sites – WCS5 of Waste Core Strategy
- Sustainable construction and design – DM2 of Waste Core Strategy
- Impacts on the Environment and local communities – DM3 of Waste Core Strategy
- Site restoration and aftercare – DM4 of Waste Core Strategy
- Safeguarding – DM5 of Waste Core Strategy
- Waste transport – DM6 of Waste Core Strategy
- Water resources – DM7 of Waste Core Strategy
- Waste water treatment – DM8 of Waste Core Strategy
- Radioactive waste treatment and storage – DM9 of Waste Core Strategy