

Planning Committee

6 May 2026

Report on Section 106 Agreements January to March 2026

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S106 Officers

Summary

This report informs Members on the amount of Section 106 funding received between January to March 2026 and sets out what the contributions must be spent on according to the Section 106 agreements. This report is submitted for information to assist the Planning Committee in monitoring the contributions which developers have agreed to as part of new development schemes.

1. Recommendation

- 1.1. The Committee is asked to consider and note the Section 106 funding received, those Section 106 agreements signed during the period January to March 2026 and Habitat Regulations contributions as set out in Appendices 1 to 3.

2. Budget and policy framework

- 2.1. The Cabinet has adopted the Supplementary Planning Document 'Medway Council Guide to Developer Contributions and Obligations 2018', which sets out the Council's S106 requirements for developments of 10 dwellings and above. This report and accompanying appendices list the Section 106 agreements which have been signed in the period January to March 2026 and itemises the obligations covered by these agreements.
- 2.2. Information relating to expenditure of S106 contributions in 2025/2026 will be updated when final accounts have been confirmed for that period.

3. Background

- 3.1. Section 106 of the Town & Country Planning Act 1990 provides that anyone with an interest in land may enter into a planning obligation, which is enforceable by a Local Planning Authority. An obligation may be created by agreement or by the party with an interest in the land making a unilateral undertaking.

3.2. Obligations may:

- Restrict the development or use of land;
- Require operations to be carried out in, on, under or over the land;
- Require the land to be used in any specified way; or
- Require payments to be made to the local planning authority, either in a single sum or periodically.

3.3. A planning obligation may only constitute a reason for granting planning permission if it is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonable related in scale and kind to the development.

3.4. The S106 Officer's responsibilities include:

- Monitoring agreements and their trigger dates to ensure that obligations are adhered to;
- Working with developers and internal services/partners to ensure a coordinated approach;
- Being first point of contact once an agreement is signed.

3.5. The Medway Guide to Developer Contributions and Obligations 2018 was approved at Cabinet on 8 May 2018 for adoption as a Supplementary Planning Document. This Guide sets out Medway Council's S106 requirements for developments of 10 dwellings and above. The Guide is updated on 1 April annually to reflect the increase in costs based on the retail price index.

4. Options

4.1. Not applicable.

5. Advice and analysis

5.1. Although an agreement is signed, it is not a guarantee that the obligations will be delivered. On occasions the approved development is not implemented and, therefore, no obligations would be delivered.

5.2. CIL Regulations require all planning authorities to publish an Infrastructure Funding Statement (IFS) annually. The IFS provides information on all S106 contributions agreed, received and spent, including the infrastructure/projects these contributions cover.

6. Risk management

6.1. The Section 106 Officer's responsibilities include monitoring developments to ensure that all obligations, including financial contributions, are met. Failure to pay contributions results in benefits to the community being lost. These benefits

include meeting the needs of the new residents regarding educational facilities, open space and play equipment, etc.

- 6.2. Contributions received must also be closely monitored to ensure that contributions are spent within the timescale specified by the agreement. Failure to meet payment deadlines will result in the contribution being returned to the developer/owner with interest at a specified rate (4% over base rate).

7. Consultation

- 7.1. Not applicable.

8. Financial implications

- 8.1. Many of the obligations are financial contributions to services which will support the new development to provide the infrastructure required, for example education, open space, transport, etc.
- 8.2. Service planning can be problematic for say education, where a contribution is expected and school expansion plans are produced, but if the development does not go ahead, it can have repercussions to provision in an area where several expected developments would, between them, fund a new school or expansion of that school.

9. Legal implications

- 9.1. Section 106 agreements are legal documents. Developers are expected to adhere to the obligations but failure to do so can result in enforcement action being taken.

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Appendices

- Appendix 1 S106 funding received between January to March 2026
- Appendix 2 Agreements signed between January to March 2026
- Appendix 3 Habitat Regulations: bird mitigation contributions received for developments of less than 10 units between January to March 2026

Background papers

Section 106 agreements signed between January to March 2026

[Medway Guide to Developer Contributions and Obligations May 2018 updated April 2023](#)

[Infrastructure Funding Statement](#)

Appendix 1: S106 funding received January to March 2026

App no. MC/	Site	Ward	For	Amount £
18/3659	Chatham Waterfront	Chatham Central and Brompton	Health: towards the improvement of facilities and infrastructure at Chatham Healthy Living Centre	53,550.00
18/2961	Land west of Town Road Cliffe Woods		Enhanced bus service	66,062.78
25/0753	Land at former St John Fisher School, 79 Maidstone Road, Chatham	Fort Pitt	Pedestrian accessibility: towards the provision of walking and cycling improvements along Maidstone Road within the vicinity of the Site to include but not limited to the provision of drop kerbs and tactile pavements to improve accessibility	20,000.00
			Open space: towards the provision of a play zone at the Maidstone Road Sports Ground	79,702.00
			Public realm: towards the provision of public realm improvements within central Chatham	15,000.00
			Travel - bus service infrastructure: towards the provision of improvements to signage/information and any relevant improvements/renewal of two bus stops/shelters on Maidstone Road within the vicinity of the Site to include but not limited to the provision of real time information	30,000.00
15/0079	Kitchener Barracks, Dock Road, Chatham	Chatham Central and Brompton	Community facilities contribution: towards the provision and improvement of community facilities within the vicinity of the site	13,532.74
15/0079 cont'd	Kitchener Barracks, Dock Road, Chatham		Education contribution: towards the provision of additional primary school places at St Mary's Island	166,834.42

App no. MC/	Site	Ward	For	Amount £
			Fort Amherst contribution: Towards the provision and improvement of facilities at Fort Amherst	11,122.36
			Great Lines Heritage Park contribution: towards improving the connectivity between Brompton and Fort Amherst (Spur Battery) to the Great Lines Heritage Park	24,737.26
			Health contribution: towards the provision and improvement of health care facilities through improvements to any of the following GP surgeries within one mile of the Site: Brompton Medical Centre, College Health – Boots, The Sunlight Centre, The Glebe Family Practice	46,321.72
			Public realm contribution: towards the provision and improvement of a public realm project to improve the connectivity between the Brook Theatre and the Civic Space/ City Centre	24,623.42
			Waste facilities contribution: towards the provision and improvement of waste and recycling facilities including the provision of bins, waste bags and sacks on the site, litter and dog bins within one mile of the site and towards a new graffiti removal vehicle	12,306.26
97/0224GL	Dockside	Chatham Central & Brompton	Retail	12,441.72

Appendix 2: agreements signed between January to March 2026

Plan app MC/	Location	Ward	Proposal	Towards	Amount £
25/0753	Land at former St John Fisher School, 79 Maidstone Road, Chatham	Fort Pitt	Aldi store	Open space: provision of a play zone at the Maidstone Road Sports Ground	79,702.00
				Travel - buses: improvements to signage/information and any relevant improvements/renewal of 2 bus stops/shelters on Maidstone within the vicinity of the site to include but not limited to the provision of real time information	30,000.00
				Travel - for walking and cycling improvements along Maidstone Road within the vicinity of the site to include but not limited to the provision of drop kerbs and tactile pavements to improve accessibility	20,000.00
				Public realm: for public realm improvements within central Chatham	15,000.00
				Non financial obligation: submit for approval employment strategy. To seek apprenticeships during construction and for the duration of the operation of the store	

Plan app MC/	Location	Ward	Proposal	Towards	Amount £
24/1333	Land at 69 – 71 High Street Rochester	Rochester West and Borstal	Conversion to 4 flats and felling of lime tree which is subject to a TPO	Provision of 2 street trees to be located along Chatham Intra or within the vicinity of the site	3,608.42
25/2080	Land to the west of 1 York Farm, Yard, Lower Twydall Lane, Twydall	Rainham North	Construction of a self-build detached dwelling with associated parking and landscaping	Self-build provisions	-
25/1112	Land adj to 91 Hawbeck Road, Parkwood	Rainham South East	Construction of a detached dwellinghouse with garage, associated landscaping and parking	Self-build provisions	-

Appendix 3: Habitat Regulations: bird mitigation contributions received for developments of less than 10 units between January to March 2026

Application no. MC/	Site address	Ward	For	Amount received £
25/2251	415 Canterbury Street, Gillingham	Gillingham South	7 units	2,362.43
25/2242	14 Ordnance Terrace, Chatham	Fort Pitt	2 units	674.98
25/2416	Miles Place Car Park, Rochester	Rochester East & Warren Wood	7 units	2,362.43
25/2305	97-101 High Street, Gillingham	Gillingham South	6 units	2,024.94
25/2357	31a East Street, Gillingham	Gillingham South	1 unit	337.49
25/1813	40-52 Napier Road, Gillingham	Gillingham South	6 units	2,024.94
25/2113	Gillingham Park House, 260-262 Nelson Road, Gillingham	Watling	16 units	5399.84
25/2354	128 Balmoral Road, Gillingham	Gillingham South	1 unit	337.49
26/0095	18 Shottenden Road, Gillingham	Gillingham North	6 units	2024.94
25/2309	73 London Road, Rainham	Rainham South West	6 units	2024.94

Application no. MC/	Site address	Ward	For	Amount received £
26/0055	7 Railway Street, Gillingham	Gillingham South	1 unit	337.49
26/0116	7 Camden Road, Gillingham	Gillingham North	5 units	1687.45
25/2292	50 Lime Court, Gillingham	Hempstead & Wigmore	1 unit	337.49
26/0123	8 Slatin Road, Strood	Strood North & Frindsbury	1 unit	337.49
25/2147	48 Franklin road, Gillingham	Gillingham South	2 units	674.98
26/0274	3 St George's Road, Gillingham	Gillingham North	5 units	1,687.45
26/0213	Land Adjacent To 4 Callis Way, Gillingham	Rainham South East	1 unit	337.49
26/0486	87 Wilson Avenue, Rochester	Fort Pitt	1 unit	350.16