

12 December 2022

Planning Services Performance & Resources to Deliver New Housing

Ward(s): All affected

Portfolios: Councillor A Andrew – Deputy Leader of the Council, Regeneration

1. Aim

- 1.1 To respond to the requests made by Scrutiny Overview Committee in October 2022 relating to the following:
 - i. that Committee consider resources required to speed up the planning process to assist the delivery of new housing.
 - ii. report on steps to ensure that available land for housing development is utilised; and
 - iii. examine whether there is a need for increased competition in the social housing sector in Walsall.
- 1.2 To deliver improvements to performance and monitoring within the planning service area and enable an efficient and effective planning service for our customers and to bring forward housing more effectively.
- 1.3 To set out next steps in the development of the Walsall Local Plan.

2. Recommendations

- 2.1 That committee notes the additional resources made available within planning services to support further staff recruitment providing more resilience in the teams to speed up the planning application process and delivery of the Walsall Local Plan.
- 2.2 To note the progress made in improving performance in the planning service.
- 2.3 To support delivery of the local development plan and other regeneration proposals to ensure land is made available for housing development to meet future needs.

3. Report detail – know

- 3.1 *In terms of speeding up the planning process to deliver new housing* – Planning Performance is reported to Planning Committee twice yearly with the latest performance report having been considered on 1st December 2022. The report highlights key performance indicators in development management relating to the

speed and quality of decisions including the timescale for determination of applications, appeal decisions, enforcement cases and S106 Planning Obligations.

- 3.2 The timely delivery of planning permissions is key to the delivery of new housing. The latest performance figures represent a continuation of results exceeding national performance standards in all areas with the exception of minors in Q2 22/23. Major applications include those for over 10 new dwellings and minor applications include those for up to 10 new dwellings. These all contribute to the delivery of new housing in Walsall but are often located on infill windfall sites rather than those allocated within the development plan and there are many constraints to address that can delay determination. Performance on speed of decision making has slightly reduced for major and minor applications in quarters 1 and 2 of 22/23. This is partly due to the recruitment and retention issues experienced in the service and availability of experienced officers to deal with these types of applications coupled who are dealing with high caseloads of up to 70 cases per officer. There has also been a delay since April 2022 in determining those cases within 15km of the Cannock Chase Special Area of Conservation (SAC) Zone of Influence where impacts of new qualifying development, including new residential properties, could only be determined once Walsall Council joined the SAC Partnership and had an appropriate scheme of mitigation. The table below highlights recent performance.

Description	Target	Q1 Apr - Jun	Q2 Jul - Sep	Q3 Oct - Dec	Q4 Jan - Mar	Cumulative
22-23 Major	60%	67%	67%			
21-22 Major		100%	86%	100%	100%	97%
20-21 Major		100%	100%	86%	90%	94%
19-20 Major		100%	100%	100%	90%	98%
22-23 Minor	70%	78%	69%			
21-22 - Minor		85%	82%	79%	80%	82%
20-21 - Minor		96%	86%	78%	83%	86%
19-20 - Minor		91%	92%	98%	90%	93%
22-23 - Other	70%	93%	92%			
21-22 - Other		92%	86%	87%	82%	87%
20-21 - Other		93%	92%	93%	91%	92%
19-20 - Other		92%	92%	87%	90%	90%

3.3 The local planning authority has so far since January 2022 issued 32 permissions for new dwellings equating to consent for 392 new dwellings to be built. It is anticipated that improvements will be seen in the final 2 quarters as decisions start to be issued that were previously affected by the Cannock Chase SAC, following the recent introduction of additional agency staff to help progress these applications and the appointment of a Principal Planning Officer. The following table highlights all planning decisions made since January 2022 and demonstrated that the team is achieving a significant output of decisions:

RECEIVED:	1475
DETERMINED:	1524
Of determined that were GRANTED:	981
Of determined that were REFUSED:	113
Of determined that were ALL OTHER TYPES OF DECISIONS:	430
Presented to Planning Committee:	75

3.4 It is acknowledged that some delays to the determination of planning applications that help secure delivery of new housing have been due to capacity within the development management team, ability to complete S106 Agreements in a timely manner and the fact that some cases have been held pending the outcome of the Cannock Chase SAC mitigation scheme. The additional team members supported by additional resources will give resilience in the teams to determine applications more speedily and clear older cases to help deliver new housing. Amendments have also been agreed to the Council’s Constitution granting a wider range of delegation to officers that will allow speedier decisions on planning applications. The use of Planning Performance Agreements (PPAs) is also being explored to enable the LPA to agree time frames for project management of major proposals and determination of applications with developers including RPs. In addition, revised Supplementary Planning Guidance on S106 Planning Obligations has been prepared for consultation before the end of the year that gives developers greater transparency on the requirements and process from the outset. The use of outsourcing work to prepare new legal agreements will also increase capacity to conclude S106 Agreements in future. These changes are expected to be noted in future performance reports.

3.5 In November 2022 Cabinet/Corporate Management Team considered the latest quarterly planning service performance report and noted that whilst improvements have been made following feedback from Members and suggestions raised during the Peer Challenge in November 2021, progress on improving performance was slower than anticipated. This is due to difficulties experienced with recruitment and retention of staff (a currently prevalent national problem) to deal with more complex cases and continued high caseloads and backlog of older cases. In order to address these matters the report requested support for additional resources in development management and planning policy. The report was supported enabling officers to secure additional resources within operational delegations for a fixed term investment in the region of £132k for 22/23 and £273k for 23/24 to boost capacity in the planning team. This would be met by underspends in the wider Economy, Environment and Communities directorate and would enable the recruitment of further agency staff including 1 x Principal Officer and 3 x Senior Officers to help spread caseloads for these complex cases and give staff a realistic opportunity to focus on resolving them.

The additional investment will also give more resilience in the team to determine discharge of conditions applications and pre-application advice.

- 3.6 Following the withdrawal of Dudley from the Black Country Plan (BCP), the BCP is no longer proceeding, and all four authorities will now be focused on preparation of individual local plans. Whilst the Council has been working on the joint Black Country Plan since 2017, work will now progress towards developing a comprehensive Walsall Local Plan (WLP) as agreed by Special Cabinet on 2 November 2022. Preparation of a WLP will make use of as much of the technical work undertaken to date for the BCP, in order to benefit from the resources expended. However, in addition to the need to recruit to the team leader and principal planning policy officer vacancies and in order to ensure resilience in the team and timely delivery of a WLP, support has been agreed for a 3-year fixed term investment to create a 0.6FTE equivalent Local Plan Project Manager role at a cost of c.£35k per annum (G10 role). This would be funded through the BCP revenue budget. The recruitment to vacant positions in the planning policy team plus additional resource for a local plan project manager will enable greater capacity in the team as they begin to prepare a Walsall Local Plan that will identify land for new housing.
- 3.7 Officers continue to work in partnership with Registered Providers (RP's – commonly referred to as housing associations) including WHG where a series of major regeneration projects, notably Moxley and more recently Goscote, has seen innovative partnership models to successfully transform areas of the borough. There has also been close working to address challenging small sites across the borough which will see areas of dereliction and sites that suffer from anti-social behaviour being returned to a positive economic use with new affordable homes.
- 3.8 Steps to ensure available land for housing is utilised – Key housing regeneration is centred on the Walsall to Wolverhampton Corridor and the Council is developing master plans and delivery frameworks at Station Quarter in the Town Centre as part of the Town Centre Master Plan, Walsall Gateway (sites north of the Town Centre) building on the successful delivery of up to 1000 new homes currently on site at the former Caparo, Goscote Lane, Goscote Lodge Crescent and Hollyhedge Lane. These areas of focus will see up to 1,500 new homes delivered. Working closely with partners such as West Midlands Combined Authority, Homes England and key local RPs, the aim is to secure policy frameworks and funding to address land assembly, remediation, infrastructure requirements and address market failure in Walsall.
- 3.9 In accordance with national policy the Council publishes a Strategic Housing Land Availability Assessment (SHLAA) each year and updates the Brownfield Land Register as maintaining a supply of land is important to ensure there are enough homes for the growing number of people living in Walsall. These documents are available on line and aim to identify a five year supply of land suitable for housing development – see [Housing land supply | Walsall Council](#). The sites identified include those that are surplus to requirements and have housing development potential.
- 3.10 The Housing Delivery Test Action Plan published in 2021 includes a range of twelve measures to bring forward housing sites in Walsall. Updates since publication of this report include replacement of the Black Country Plan with

preparation of a Walsall Local Plan, publication of the SHLAA in September 2022 and proposals to deliver housing within the Willenhall Masterplan Framework agreed by Cabinet in February 2022.

- 3.11 Officers are currently scoping the new Walsall Local Plan including determining the content and scope of the Issues and Options document and necessary evidence required to prepare for a Regulation 18 consultation. The consultation is anticipated to take place following consideration by Cabinet after the elections in 2023. Alongside this work a review of the site selection process and further Call for Sites is anticipated to identify new sites to ensure that every opportunity to explore potential residential development sites is considered.
- 3.12 In terms of examining whether there is a need for increased competition in the social housing sector in Walsall - The SHLAA has been shared with RPs local to Walsall and various stakeholders continue to support these partners to investigate potential development for new housing. In addition, support has been provided to the main RP in Walsall, Walsall Housing Group, in the form of bi-monthly meetings to assist moving projects forward and problem solving where necessary particularly on planning related matters. Whilst working closely with WHG, Green Square Accord and Friendship Housing this does not preclude other RPs from working in Walsall. RPs are also invited to attend the Developers Forum set up in development management to help shape the way the service is delivered and work together to achieving the common goal of delivering new housing in Walsall.

4. **Financial information**

- 4.1 See table for implications in development management.

Development Team	22/23	23/24	24/25	Total	Funding Source
Under recovery of Planning App income	63,000	113,000	113,000	289,000	EE&C Wider Underspends
CMT Approved (£500k over 2yrs): 3 x 2yr Fixed Term & agency backfill	250,000	183,000	67,000	500,000	£500k Corporate Reserve
Additional agency staff: 1 x Principal, 3 x Snr	132,090	273,038	0	405,128	EE&C Wider Underspends
	445,090	569,038	180,000	1,194,128	

- 4.2 See table for implications in planning policy.

Walsall Local Plan (WLP)	22/23	23/24	24/25	25/26	Total	Funding Source
0.6 FTE Project Manager - 3yr Fixed Term	9,165	38,178	39,758	31,052	118,153	BCP Revenue Budget

5. *Reducing Inequalities*

All actions and processes will be carried out with due regard to the Public Sector Equality Duty and staffing changes will be included in this through HR practices. The delivery of new housing to address the social housing needs will enable residents to maintain or improve their health and wellbeing.

6. *Decide*

The existing and proposed improvements to the operation of the service will help deliver improved performance and a speedier planning service. This alongside continued collaborative working with RPs will help deliver new housing development. The plans in place for investment in the service will improve performance and measures are in place to monitor that performance.

7. *Respond*

Planning service performance monitoring is undertaken at regular intervals and reported to planning committee twice yearly. These reports will demonstrate the performance monitoring within the service to support delivery of new housing.

8. *Review*

Performance of the planning service is considered regularly within the EE&C directorate management structures and reported quarterly through corporate management team and cabinet/corporate management team. Ongoing monitoring will track evidence of the impact on performance following implementation of the additional resource and monitoring the effectiveness of measures introduced to support RPs to help deliver new social housing.

Background papers

Planning Services Performance Report to Planning Committee dated 1 December 2022
Housing Delivery Test Action Plan 2021

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