



## **PLANNING COMMITTEE**

**4<sup>th</sup> November 2021**

### **REPORT OF HEAD OF PLANNING & BUILDING CONTROL**

#### **Development Management Performance Update Report**

##### **1. PURPOSE OF REPORT**

To advise Members of the Planning Committee of the latest performance and outcomes during the 3<sup>rd</sup> and 4<sup>th</sup> quarters 20/21 (1<sup>st</sup> October to 31<sup>st</sup> December 2020 and 1<sup>st</sup> January to 31<sup>st</sup> March 2021) and the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2021/22 (1<sup>st</sup> April to 30<sup>th</sup> June 2021 and 1<sup>st</sup> July to 30<sup>th</sup> September 2021) and regarding development management matters and in particular to: -

- i) The performance figures for applications determined in Q3 and Q4 of 2020/21 and Q1 and Q2 of 2021/22.
- ii) The decisions made by the Planning Inspectorate on appeals made to the Secretary of State in Q3 and Q4 of 2020/21 and Q1 and Q2 of 2021/22.
- iii) An update of Planning Applications 'called-in' by Councillors in Q3 and Q4 of 2020/21 and Q1 and Q2 of 2021/22.
- iv) A progress report of enforcement proceedings.
- v) An update on Section 106 Agreements for the 2020/21 financial year (1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021) including Q1, Q2, Q3 and Q4 which forms the basis of the Council's Infrastructure Funding Statement for that period.

Details of previous planning performance in Quarters 3 and 4 of 2019/20 and Quarters 1 and 2 of 2020/21 can be found in the report to Planning Committee of 28<sup>th</sup> November 2019.

Details of previous Section 106 updates for the period Quarter 3 in 2019/20 (1<sup>st</sup> October to 31<sup>st</sup> December 2019) to Quarter 4 in 2019/20 (1<sup>st</sup> January to 31<sup>st</sup> March 2020) can be found in the report to Planning Committee of 4<sup>th</sup> February 2021.

##### **2. RECOMMENDATIONS**

That the Committee notes the report

##### **3. FINANCIAL IMPLICATIONS**

None arising directly from this report but where a planning appeal is accompanied by an appeal for an award of costs then if the appellant is successful the costs are payable by the Council. The briefing of members as to the outcome of individual

Planning Obligations together with the total sums collected within the year will help inform and assure members of the accounting probity and monitoring that is being followed by officers.

4. **POLICY IMPLICATIONS**

Within Council policy. All planning applications and enforcement proceedings relate to local and national planning policy and guidance.

5. **LEGAL IMPLICATIONS**

The briefing of members as to the outcome of individual appeals made by the Planning Inspectorate will enable members to keep abreast of planning issues as may be raised within individual cases. Appeal decisions are material considerations and should be considered in the determination of subsequent applications where relevant.

Planning Obligations are primarily negotiated as part of the determination of planning applications in accordance with the National Planning Policy Framework 2021 (NPPF), Community Infrastructure Levy Regulations 2010 (Regulation 122)(as amended), policy DEL1 of the Black Country Core Strategy, policy GP3 of Walsall Unitary Development Plan and adopted Supplementary Planning Documents.

6. **EQUAL OPPORTUNITY IMPLICATIONS**

None arising from the report. The Development Management service is accredited by an Equality Impact Assessment.

7. **ENVIRONMENTAL IMPACT**

The impact of decisions made by the Planning Inspectorate on the environment is included in decision letters and all planning applications are required to consider environmental issues where material to the proposed development.

8. **WARD(S) AFFECTED**

All.

9. **CONSULTEES**

Officers in Legal Services have been consulted in the preparation of this report.

10. **CONTACT OFFICER**

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11. **BACKGROUND PAPERS**

All published.

**Mike Brereton**  
**Group Manager, Planning**

## **PERFORMANCE UPDATE REPORT**

### **Development Management Performance Update Report**

- i) **Speed of planning applications determined in Q3 and Q4 2020/2021 (between 1<sup>st</sup> October to 31<sup>st</sup> December and 1<sup>st</sup> January to 31<sup>st</sup> March) and Q1 and Q2 2021/2022 (1<sup>st</sup> April 2021 to 30<sup>th</sup> June 2021 and 1<sup>st</sup> July 2021 to 30<sup>th</sup> September 2021)**

**Note that the table also includes figures for earlier years.**

Description	Q1 Apr - Jun	Q2 Jul - Sep	Q3 Oct - Dec	Q4 Jan - Mar	Annual Cumulative
21-22 - Major	100%	100%*			
20-21 - Major	100%	100%	85.71%	90.00%	93.92%
19-20 - Major	100%	100%	100%	90.91%	97.72%
18-19 - Major	100%	87.50%	100%	100%	96.87%
21-22 - Minor	85.00%	81.25%*			
20-21 - Minor	95.65%	86.05%	78.05%	83.33%	85.77%
19-20 - Minor	91.80%	92.11%	97.73%	90.00%	92.91%
18-19 - Minor	94.74%	92.68%	88.33%	92.73%	92.12%
21-22 - Other	92.00%	86.08%*			
20-21 - Other	92.80%	91.77%	92.55%	91.04%	92.04%
19-20 - Other	92.22%	91.78%	87.20%	90.22%	90.35%
18-19 - Other	93.14%	97.92%	90.73%	93.79%	93.89%

**\*Figures for quarter 2 of 2021/22 are draft at present.**

- 12.1 The latest performance figures represent a continuation of results exceeding national performance standards in all areas (majors 60% in 13 weeks, Minors 70% in 8 weeks and Others 70% in 8 weeks). Whilst performance has slightly reduced for minor and others in quarters 1 and 2 of 21/22 we anticipate that improvements will be seen in the final 2 quarters following a suite of measures introduced by the service area to help speed up decision-making.
- 12.2 As noted in previous reports, the challenge for 2020/21, and into 2021/22, has been to maintain these performance levels given the high case-loads of officers as a result of a number of staffing changes and absences experienced within the team. These issues have been compounded by the emerging Service Transformation Plan (STP), and the associated inability to recruit to vacant posts during this time. The ability to recruit experienced planning officers continues to prove to be difficult and coupled with a need for continued input from an agency contractor to assist with clearing backlog planning applications. This position is not unique to Walsall as other local authorities are in the same position. Officers continue to strive to keep this impact to a minimum.
- 12.3 A wider range of chargeable services has also been introduced from January 2021 which has been well received by customers, and has resulted in an increase in

paid-for advice and other services being applied for. This has contributed to the high workloads of officers, and the STP aims to address this through the implementation of a new structure with appropriate resources.

- 12.4 Since March 2020 officers have been working from home and this has accelerated a move to a largely paperless office and a greater shift towards the use of electronic communications.
- 12.5 Processes are being reviewed regularly to aim to improve the speed of decision making and the overall customer experience. This includes the introduction of a 'one revision' only policy for householder planning applications from June 2021. Work is also currently underway to roll out this policy to minor / other application types to speed up determination periods given that they make up the majority of the incoming workload to the LPA, but are usually accompanied by relatively low planning application fees (set nationally) thus do not always reflect the level of resource required from the LPA.
- 12.6 The LPA seeks to agree extensions of time (EOT) on planning applications in negotiations with applicant's and planning agent's where necessary to aim to work through any matters arising throughout the life of an application, and within an agreed timeframe to offer a level of certainty and commitment. Whilst there will be a continued role for EOTs in certain cases, it is anticipated that the introduction of the above measures will help to reduce the need for an EOT whereby additional resources, and a reduction in the number of accepted revisions, should help to speed up the decision making process.

ii) **Decisions made by the Planning Inspectorate in Q3 (between 1<sup>st</sup> October and 31<sup>st</sup> December 2020)**

Application Number	Site Address	Proposal	Council Decision	Appeal Decision
20/0166	Land Between No1 and No.3, Yew Tree Road, SHELFIELD, WALSALL, WS4 1RG	Erection of a three bedroom detached dwelling	Refused (Delegated Decision)	Dismissed
<b>Comments on:</b> Relationship of proposed dwelling and No.3 with limited spacing is at odds with the established pattern of development, would appear cramped and would result in harm to the character and appearance of the area. Would fail to provide a suitable level of accommodation for intended occupiers.				
<b>Target = no more than 10% determined contrary to Council's decision</b> Total number of qualifying appeals = 1 <b>0</b> qualifying appeals, not decided in accordance with Councils decision = <b>0%</b>  *Appeals against non-determination, conservation / listed building consent, adverts and those withdrawn are not included.				

**Decisions made by the Planning Inspectorate in Q4 (between 1<sup>st</sup> January and 31<sup>st</sup> March 2021)**

Application Number	Site Address	Proposal	Council Decision	Appeal Decision
20/0240	44, BLUEBELL ROAD, WALSALL WOOD, WALSALL, WS9 9EU	Single storey side and front extension and two storey side extension.	Refused (Delegated Decision)	Allowed
<b>Comments on:</b> Proposal would not detract from the character and appearance of the area and would not result in overbearing impacts to No.135 and No.137, nor any loss of privacy or significant additional shading to Nos 133 and 137A. Conditions imposed to secure implementation in accordance with submitted plans.				
20/0418	4, BADGERS CLOSE, PELSALL, WALSALL, WS3 5BX	Erection of detached domestic single garage to front of house	Refused (Delegated Decision)	Dismissed
<b>Comments on:</b> Impacts on character and appearance of the area and outlook to No.1 Mallard Close.				
20/0479	227, LICHFIELD ROAD, WALSALL WOOD, WALSALL, WS9 9PB	Recessed double garage into existing front raised garden with rear access via stairs to ground level	Refused (Delegated Decision)	Dismissed
<b>Comments on:</b> Highway safety and disruption to traffic flow of Lichfield Road and impacts to the character and appearance of the area.				
20/0837	169, LOWE AVENUE, DARLASTON, WEDNESBURY, WS10 8NT	Retrospective permission for a two storey side extension	Refused (Delegated Decision)	Dismissed
<b>Comments on:</b> Impacts to the character and appearance of the area.				
<b>Target = no more than 10% determined contrary to Council's decision</b> Total number of qualifying appeals = 4 (Appeals against non-determination, conservation / listed building consent, adverts and those withdrawn are not included). <b>1</b> qualifying appeals, not decided in accordance with Councils decision = <b>25%</b>				

**Decisions made by the Planning Inspectorate in Q1 (between 1<sup>st</sup> April and 30<sup>th</sup> June 2021)**

Application Number	Site Address	Proposal	Council Decision	Appeal Decision
19/1525	254, MILTON STREET, WALSALL, WS1	Two storey side and single storey rear extension	Refused (Delegated Decision)	Allowed

	4LR	(resubmission of refused planning application 19/0253)		
<b>Comments on:</b> Proposal would not look out of place with locality due to existing large additions to attached property, large plot and varied built form in locality. Proposal would not breach the 45 degree code, or result in an overly dominant form of development to No.89. Insufficient evidence to require a bat survey. Conditions imposed to secure implementation in accordance with submitted plans and to safeguard neighbours privacy.				
<b>19/1566</b>	34, NEW ROAD, BROWNHILLS, WALSALL, WS8 6AT	Outline application: Construction of 2no dwellings to rear of 34 New Road with all matters reserved	Refused (Committee Decision - against Officer recommendation to approve)	Allowed*
<b>Comments on:</b> Proposal would not result in a cramped form of development and would not result in unacceptable impacts to neighbours living conditions. Conditions imposed relating to future reserved matters submission.  *Costs awarded to appellant as reasons given related to Reserved Matters which could have been dealt with at a later stage.				
<b>20/0113</b>	17-18, NORTON ROAD, PELSALL, WALSALL, WS3 4AY	Demolition of existing public convenience and rear ground floor extension to 17 & 18 Norton Road and erection of 3 terraced houses on the site, conversion of the existing offices to residential houses	Refused (Delegated Decision)	Dismissed*
<b>Comments on:</b> Proposal fails to preserve or enhance the character and appearance of Pelsall Common Conservation Area and would harm character of surrounding area. Would fail to provide satisfactory living conditions in terms of outlook to Plot 1 - 3.  *Part award of costs to appellant due to mis-interpretation of revised plans and unclear justification for some refusal reasons leading to additional expenses incurred by appellant.				
<b>20/0361</b>	27, FEATHERSTON ROAD, STREETLY, SUTTON COLDFIELD, B74 3JW	Partial demolition of existing residential dwelling to provide two additional residential dwellings.	Refused (Delegated Decision)	Dismissed
<b>Comments on:</b> Proposal would have a cramped appearance, out of keeping with the area and would result in harm to the character and appearance of the area. Harm to intended occupiers of Plot 27b by way of noise, disturbance and light pollution.				

<b>20/0740</b>	48, WESTON CRESCENT, ALDRIDGE, WALSALL, WS9 0HB	Proposed detached garage	Refused (Delegated Decision)	Dismissed*
<p><b>Comments on:</b> Proposal would introduce a prominent and intrusive building forward of existing building line in an area of open frontages and would harm the character and appearance of the area.</p> <p>*Award of costs to appellant refused on the basis it was not unreasonable for the LPA to consider the 45 degree code in the wider assessment of the proposal.</p> <p><b>Target = no more than 10% determined contrary to Council's decision</b>  Total number of qualifying appeals = 5  (Appeals against non-determination, conservation / listed building consent, adverts and those withdrawn are not included).  <b>2</b> qualifying appeals, not decided in accordance with Councils decision = <b>40%</b></p>				

**Decisions made by the Planning Inspectorate in Q2 (between 1<sup>st</sup> July and 30<sup>th</sup> September 2021)**

<b>Application Number</b>	<b>Site Address</b>	<b>Proposal</b>	<b>Council Decision</b>	<b>Appeal Decision</b>
<b>20/1254</b>	17, RUSHALL CLOSE, WALSALL, WS4 2HQ	Two storey rear and first floor side extensions plus garage conversion	Refused (Committee Decision - against Officer recommendation to approve)	Allowed
<p><b>Comments on:</b> Proposal would not create a terracing effect, would appear subservient and reflects the mixed appearance of surrounding properties. Would not breach the 45 degree code, and would not result in significant additional loss of light to No.15 and No.19 or overlooking of gardens serving properties along Rushall Manor Close. Conditions imposed to secure implementation in accordance with submitted plans and to safeguard neighbours privacy.</p>				
<b>20/0664</b>	SADDLERS ARMS, FISHLEY LANE, BLOXWICH, WALSALL, WS3 3PS	Construction of two detached houses and car parking.	Refused (Delegated Decision)	Dismissed
<p><b>Comments on:</b> Proposed deep footprint of dwellings and contrived layout would result in harm to the character and appearance of the area. Harm to existing and intended occupiers amenity in relation to privacy and outdoor amenity space.</p>				
<b>20/1429</b>	41, Manor Road, Streetly, B74 3NG	First floor side extension, single storey and two storey rear	Refused (Delegated Decision)	Dismissed



		extensions, single storey front and porch extension and loft conversion with rear dormer		
<b>Comments on:</b> Proposal would close the gap with No.39 to the detriment of the spacious character of the area and result in a terracing effect.				
<b>Target = no more than 10% determined contrary to Council's decision</b> Total number of qualifying appeals = 3 (Appeals against non-determination, conservation / listed building consent, adverts and those withdrawn are not included). <b>1</b> qualifying appeals, not decided in accordance with Councils decision = <b>33%</b>				

- 12.7 To enable the Council to ensure it retains the ability to refuse the most harmful applications which may affect the people and businesses in the Borough, it is vital that robust reasons for refusal are given that state relevant National and Local policies. In this way decisions can be presented in the most robust manner possible to the Planning Inspectorate to optimise the Councils ability to defend refusal decisions most effectively at appeal, and minimise the risk of costs being awarded to appellants.

### iii) Called in Applications

- 12.8 Planning Committee requested information regarding the number of applications that have been called in and agreed that this should appear in this performance report as a regular item. The table below shows the following:

Period	Call Ins
Q3 2019/2020 (Oct-Dec 2019)	5 applications called in during 3 meetings
Q4 2019/2020 (Jan-Mar 2020)	5 applications called in during 3 meetings
Q1 2020/2021 (Apr-Jun 2020)	4 applications called in during 2 meetings
Q2 2020/2021 (Jul-Sept 2020)	6 applications called in during 3 meetings
Q3 2020/2021 (Oct-Dec 2020)	4 applications called in during 3 meetings
Q4 2020/2021 (Jan-Mar 2021)	4 applications called in during 3 meetings
Q1 2021/2022 (Apr-Jun 2021)	9 applications called in during 2 meetings
Q2 2021/2022 (Jul-Sept 2021)	7 applications called in during 3 meetings

- 12.9 The Call-in Procedure is set out in paragraph (12) of Part 3: Responsibility for Functions of the Constitution.

#### (12) Call-in procedure

(a) Notwithstanding the terms of reference of Planning Committee any planning application can be called in by a Councillor for determination by the Committee;

(b) Prior to a Councillor calling in an application he/she must inspect the submitted plans and discuss the application with the Development Control Team Leader or his/her deputy or Head Of Service/Service Manager.

(c) The call-in will be activated by the completion of an appropriate form which must give a planning reason why it should be determined by the Committee;

(d) The form must be received by the Planning Department within 10 working days from the receipt of the weekly list by Councillors (one day will be allowed for delivery following date of dispatch)

(e) The Committee report will identify the Councillor who called in the application along with the reason given.

12.10 For details of applications previously called in please refer to the previous performance reports.

Q3 2020/2021 (Oct-Dec 2020)

Called in by Councillor	The Electoral Ward for the Application	Planning Application Number	Application Address	Method/Reason for Call In
15 <sup>th</sup> October 2020 – No applications called in.				
12 <sup>th</sup> November 2020				
Councillor Sears	Aldridge North And Walsall Wood	20/0463	LAND ADJACENT 370, CHESTER ROAD, ALDRIDGE	Development is needed in the area and will benefit the NHS
Councillor Douglas-Maul	Streetly	19/0468	LIVING AREA ABOVE, 317, CHESTER ROAD, ALDRIDGE, WALSALL, WS9 0PH	Significant community interest
Councillor Andrew	Pheasey Park Farm	20/1049	9, MORETON AVENUE, GREAT BARR, BIRMINGHAM, B43 7QP	Significant community interest
10 <sup>th</sup> December 2020				
Councillor A Nazir	St Matthews	19/0209	15D EMERY STREET, WALSALL, WS1 3AJ	Obtain a comprehensive decision whereas a planning officer may be constrained by narrower guidelines and a previous lack of enforcement

Q4 2020/2021 (Jan-Mar 2021)

Called in by Councillor	The Electoral Ward for the Application	Planning Application Number	Application Address	Method/Reason for Call In
7 <sup>th</sup> January 2021				
Councillor Hussain	St Matthews	17/0938	1, HOPE STREET, WALSALL, WS1 3RG	Derelict and eyesore site and the applicant has been engaging with officers for a resolution
4 <sup>th</sup> February 2021				
Councillor Gurmeet Singh Sohal	St Matthews	20/0745	LAND TO REAR OF 5 AND 7 JESSON ROAD, WALSALL, WS1 3AY	Significant public interest
Councillor Khizar Hussain	Pleck	20/1218	13, SOMERS ROAD, WALSALL, WS2 9AU	Supports proposal
4 <sup>th</sup> March 2021				
Councillor S Johal	Streetly	19/0846	4, FIELD MAPLE ROAD, STREETLY, SUTTON COLDFIELD, B74 2AD	Significant community interest

Q1 2021/2022 (Apr-Jun 2021)

Called in by Councillor	The Electoral Ward for the Application	Planning Application Number	Application Address	Method/Reason for Call In
29 April 2021				
Councillor K Hussain	Pleck	20/1655	LAND REAR OF 14-18 MOAT ROAD,	Delicate judgement is required and the benefits of the

			WALSALL, WS2 9PJ	proposed facility outweigh the reasons for refusal and the impact on neighbouring properties is not significant enough to refuse the planning application
21 <sup>st</sup> June 2021				
Councillor Bird	Paddock	21/0498	53, CHARLEMONT ROAD, WALSALL, WS5 3NQ	Called into Committee for consideration as there are further breaches of the original planning permission and significant community interest
Councillor A Nazir	St Matthews	19/0622	JOHAL SUPERMARKET, 19, WEST BROMWICH ROAD, WALSALL, WS1 3HS	Application has been outstanding for some time and would benefit from being heard by Members of Planning Committee
Councillor Gurmeet Singh Sohal	St Matthews	20/0745	LAND TO REAR OF 5 AND 7 JESSON ROAD, WALSALL, WS1 3AY	Significant public interest
Councillor S Johal	Streetly	19/1372	15, Middleton Road, STREETLY, SUTTON COLDFIELD, Walsall, B74 3EU	Significant community interest
Councillor Bashir	Palfrey	20/1634	400 , West Bromwich Road, Walsall, WS5 4NS	The proposed extension will not result in unacceptable impacts
Councillor Wilson	Aldridge Central And South	19/0313	144, WHETSTONE LANE, ALDRIDGE, WALSALL, WS9	Significant community interest and requires delicate judgement

			0EZ	
Councillor Gurmeet Singh Sohal	Pheasey Park Farm	21/0175	344, SKIP LANE, WALSALL, WS5 3RA	Significant community interest
Councillor Gurmeet Singh Sohal	Paddock	21/0246	185, SUTTON ROAD, WALSALL, WS5 3AW	Sensitive planning

Q2 2021/2022 (Jul-Sept 2021)

Called in by Councillor	The Electoral Ward for the Application	Planning Application Number	Application Address	Method/Reason for Call In
15 <sup>th</sup> July 2021				
Councillor Bashir	Palfrey	20/1634	400 , West Bromwich Road, Walsall, WS5 4NS	The proposed extension will not result in unacceptable impacts
Councillor Wilson	Aldridge Central And South	19/0313	144, WHETSTONE LANE, ALDRIDGE, WALSALL, WS9 0EZ	Significant community interest and requires delicate judgement
Councillor Gurmeet Singh Sohal	Pheasey Park Farm	21/0175	344, SKIP LANE, WALSALL, WS5 3RA	Sensitive planning
Councillor Gurmeet Singh Sohal	Paddock	21/0246	185, SUTTON ROAD, WALSALL, WS5 3AW	Sensitive planning
5 <sup>th</sup> August 2021				
Councillor Andrew	Bloxwich East	20/1222	Land to the rear of 105, 107 and 109 Lichfield Road, Walsall, WS3 3LU	Public interest
9 <sup>th</sup> September 2021				
Councillor Wilson	Aldridge Central And South	21/0189	99, BIRMINGHAM ROAD,	Significant community interest

			ALDRIDGE, WALSALL, WS9 0AJ	
Councillor Gurmeet Singh Sohal	Paddock	21/0246	185, SUTTON ROAD, WALSALL, WS5 3AW	Sensitive planning

#### **iv) Progress on Enforcement Proceedings**

(i) Public session – attached Table 1 and 2

(ii) Private session – see attached Table 3

Please note that Table 3 contains information which is private and confidential and so is not available for public inspection.

It includes information which reveals that the authority proposes:

- a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
- b) to make an order or direction under any enactment.

Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

#### **v) Update on Section 106 Agreements**

12.11 This is an amalgamated report updating on progress with legal obligations for the 2020/21 financial year (1st April 2020 to 31st March 2021) including Q1, Q2, Q3 and Q4 which forms the basis of the Council's Infrastructure Funding Statement for that period.

12.12 Following the recent introduction of additional resource within the planning service to specifically record and update S106 records, substantial work has already taken place to capture and update records, but this is an on-going work stream to ensure this, and future updates, provide an accurate position on the securing, receipt, and allocation / expenditure of S106 contributions and other non-financial Planning Obligations.

12.13 The report will subsequently be made available to all members for information. It provides a summary of all Planning Obligations (Section 106 Agreements/ Unilateral Undertakings / Supplemental Deeds) that have been secured as part of the determination of planning applications in accordance with adopted policies of the Council. These details are set out in the attached appendices and Members will note that the information has been broken down into the various types of contributions.

12.14 Section 106 of the Town & Country Planning Act 1990 enables developers to submit unilateral undertakings, or local authorities to reach agreements with developers, for certain works to be carried out in association with a development. The Community Infrastructure Levy Regulations 2010 (Regulation 122) sets out a statutory requirement that Planning Obligations must be necessary to make the proposed development acceptable in planning terms; relevant to planning; and directly related in scale and kind to the proposed development. They must also be reasonable in all other respects.

- 12.15 The Council is required to comply with the National Planning Policy Framework (NPPF) 2021, Community Infrastructure Levy Regulations 2010 (as amended), policy DEL1 of the Black Country Core Strategy (BCCS) and policy GP3 of the Unitary Development Plan (UDP) when seeking developer contributions. The NPPF encourages Local Planning Authorities to be flexible when seeking Planning Obligations to prevent development being stalled, an approach that Walsall Council's Development Management service has already been taking over the last few years to facilitate development in the Borough and will continue to do so where necessary.
- 12.16 The Government views planning obligations as useful instruments where they are necessary to a proposed development to overcome obstacles that would otherwise result in the refusal of planning permission. They must not be used to effectively buy planning permissions.
- 12.17 Under the Community Infrastructure Levy Regulations any authority that receives a contribution from development through the levy or section 106 planning obligations must prepare an infrastructure funding statement at least annually. For the financial year 2019/2020 onwards, any local authority that has received developer contributions (section 106 planning obligations or Community Infrastructure Levy) must publish online an infrastructure funding statement by 31 December 2020 and by the 31 December each year thereafter. Infrastructure funding statements must cover the previous financial year from 1 April to 31 March.
- 12.18 This S106 Planning Obligations update report forms the basis of the infrastructure funding statement and covers the financial period 1 April 2020 to 31 March 2021 and includes:
- Obligations that have been entered into in the reported year;
  - Money that has been received in any year but not spent;
  - Monies that have been allocated but not spent during the reported year;
  - Money that has been spent during the reported year; and
  - Historic planning obligations where money has been received in the reported period or in previous years but has not yet been spent.
- 12.19 It can be noted that out of nearly £4.5million received in contributions to date, approximately £1.8million has been expended and / or allocated to date. The majority of the remaining balance comprises of a series of contributions for development that has either recently been approved, the target dates for expenditure are yet to be reached, or formal allocations of monies are yet to be confirmed. This also reflects the on-going collaborative work stream with service areas to update the Council's S106 records, and a trawl of paper records will be carried out in due course to identify any further necessary updates.
- 12.20 Summary details of all expenditure is provided below.

<b>Service Area</b>	<b>S106 Contribution received to date</b>	<b>Spent to date</b>	<b>Committed / Allocated</b>	<b>Balance Remaining</b>
Affordable	£1,556,888.17	£0.00	£274,993.56	£1,281,894.61

Housing				
Children's Services	£538,815.08	£259,027.48	£108,350.00	£171,437.60
Clean & Green	£1,822,909.53	£884,819.30	£139,439.85	£798,650.38
TOTAL	£3,918,612.78	£1,143,846.78	£522,783.41	£2,251,982.59

12.21 Details of the latest expenditure of received contributions is provided in Appendix 1 and details of new Planning Obligations completed in 2020/21 is within Appendix 2.