



<u>Committee and Date</u>	<u>Item</u>
Full Council 25/02/21	
	<u>Public</u>

## **PROPOSED REDEVELOPMENT OF FORMER IRONBRIDGE POWER STATION SITE – ONWARD DELEGATION OF PLANNING CONTROL FROM TELFORD & WERKIN COUNCIL**

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### **1. Summary**

Shropshire Council and Telford & Wrekin Council are currently considering parallel planning applications to re-develop the former Ironbridge Power Station site at Buildwas for housing, employment and related uses. The majority of the land and development falls within Shropshire Council boundaries with a small part falling within the boundary of Telford & Wrekin Council, which includes one of the access points to the development site.

In order to develop the site effectively the applicant will require planning permission for both applications. Each planning application will be submitted for consideration by planning committee at each Council in due course.

If planning permission is granted a single comprehensive decision with a single list of planning conditions and s106 legal agreement is preferred so as to coordinate the delivery of the development.

Telford & Wrekin Council has confirmed that in the event that its planning committee recommends approval for the part of the site that falls within the Telford & Wrekin boundary approval will be sought for onward delegation of the final decision for the whole site to Shropshire Council as the 'lead planning authority'. This would allow Shropshire Council to issue a single decision that includes that part of the site within Telford & Wrekin.

Article 11.4 of the Council's Constitution advises that Council approval is required in order to accept an onward delegation of planning control from another local authority. This report seeks to secure such approval in order to ensure, without prejudice, that any follow-on planning applications relating to

the site (reserved matters / discharge of conditions etc.) can be determined solely by Shropshire Council as the 'lead planning authority'.

## **2. Recommendations**

- 2.1 That Council accept the onward delegation of planning control from Telford & Wrekin Council to Shropshire Council which is expected when Telford & Wrekin Council determines its equivalent planning application to re-develop the Ironbridge Power Station site to allow Shropshire Council to issue planning decisions (including any subsequent planning applications) , negotiate planning conditions and infrastructure contributions with regard to the whole site.

## **REPORT**

### **3. The Ironbridge Power Station Planning Application**

- 3.1 Shropshire Council received the following planning application (Reference 19/05560/OUT) in December 2019:

Proposal: Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works.

Address: Land at former Ironbridge Power Station, Buildwas Road, Ironbridge, Telford, Shropshire, TF8 7BL.

Applicant: Harworth Group Plc

- 3.2 Following extensive planning consultations it is anticipated that the application will be reported to a special meeting of the Council's Southern Area Planning Committee on 23<sup>rd</sup> March 2021.
- 3.3 The application site falls mainly within the administrative boundary of Shropshire Council but encompasses some land and a site access in the area of Telford and Wrekin Council. As such both Local Planning Authorities have been working in partnership with parallel applications to assess the proposals though Shropshire Council is the 'lead planning authority'.
- 3.4 Without prejudice, any approval of the current outline application will lead to submission of subsequent applications for reserved matters and discharge of conditions. It would be expedient for such future applications to be dealt solely by Shropshire Council as the lead local

planning authority in order to avoid duplication and confusion. Telford & Wrekin Council would of course be formally consulted on any such applications.

#### **4. Onward delegation of planning control from Telford & Wrekin Council**

- 4.1 Telford & Wrekin Council has indicated that their equivalent planning application is likely to be reported for determination in May 2021. It is understood that any favourable recommendation would also be linked to a resolution for onward delegation of planning controls relating to the Ironbridge redevelopment proposals to Shropshire Council.
- 4.2 In order for Shropshire Council to accept the onward delegation of planning control from Telford & Wrekin Council full council approval is required under Article 11.4 of Shropshire Council's Constitution.
- 4.3 Without prejudice, a significant number of subsequent applications for reserved matters approval and discharge of conditions are likely to be submitted following any approval of the current outline application. This is having regard to the major and multi-phase nature of the proposals. Each application will be subject to its own planning consultation process. If all subsequent applications were determined by both Shropshire Council and Telford & Wrekin Council then this would lead to unnecessary duplication and potential confusion amongst consultees and other planning stakeholders.
- 4.4 In view of this it is considered expedient to accept the expected offer of onward delegation of planning control from Telford & Wrekin Council when Telford & Wrekin determines its equivalent outline planning application in May 2021.
- 4.6 It is intended that Shropshire Council will determine its outline planning application before Telford & Wrekin Council, on 23<sup>rd</sup> March 2021. Without prejudice, any favourable resolution put forward at the committee would be recommended to be 'minded to approve' subject to no objection from Telford & Wrekin Council and also to onward delegation of planning control from Telford & Wrekin Council.

#### **5. Conclusion**

- 5.1 It is considered expedient for Shropshire Council to accept the expected offer of onward delegation of planning control from Telford & Wrekin Council with respect to the proposals to redevelop the Ironbridge Power Station site for the reasons stated.

#### **6. Risk Assessment and Opportunities Appraisal**

- 6.1 Predetermination: This report has been prepared without prejudice to the outcome of the Ironbridge outline planning application 19/05560/OUT and the equivalent Telford & Wrekin planning

application (Reference TWC/2019/1046) which are yet to be determined. The report seeks full council approval to accept an expected onward delegation of planning control from Telford & Wrekin Council in the event that both the Shropshire Council and Telford & Wrekin outline planning applications are approved. For the avoidance of doubt, the onward delegation of planning control to Shropshire Council would not apply unless the resolution by the Telford & Wrekin Council's planning committee supports this. As such, the request for the full Council to accept onward delegation of planning control from Telford & Wrekin Council at this stage does not pre-determine the outcome of the respective outline planning applications.

- 6.2 Human Rights: – Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community. First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents. This legislation has been taken into account in arriving at the above recommendation.
- 6.3 Equalities: The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in planning committee members' minds under section 70(2) of the Town and Country Planning Act 1970.
- 6.4 Environmental consequences of the proposal: The environmental consequences of the proposals to redevelop the Ironbridge Power Station site have been comprehensively assessed as part of the planning consultation process. Members of the Council's Southern Area Planning Committee will appraised of this when they consider the planning application. The proposal to accept onward delegation of planning control from Telford & Wrekin Council has no material environmental consequences. Future planning applications will be subject to the same detailed level of planning consultation allowing any environmental implications to be appropriately assessed and addressed.
- 6.5 Consultation: The outline planning application for redevelopment of the Ironbridge Power Station site has been subject to extensive consultation with consultees, stakeholders and local residents. The extent of these consultations will be detailed in the committee report to be considered by the Southern Area Planning Committee on 23<sup>rd</sup> March 2021.
- 6.6 Financial Implications: There are no material financial implications arising from the proposal to accept onward delegation of planning control from Telford & Wrekin Council with respect to the Ironbridge outline planning application. The financial implications of the proposed

redevelopment scheme will be comprehensively detailed in the committee report to be considered by the Southern Area Planning Committee on 23<sup>rd</sup> March 2021.

6.7 Additional Information:

<b>List of Background Papers</b> - Documents and plans relating to outline planning application 19/05560/OUT which will be considered at the meeting of the Southern Area Planning Committee on 23 <sup>rd</sup> March 2021
<b>Cabinet Member (Portfolio Holder)</b> - Cllr Gwilym Butler
<b>Local Member</b> Cllr Claire Wild, Cllr David Turner, Cllr Simon Harris (Adjacent Wards)
<b>Appendices</b> - None