



Committee and date

**Southern Planning Committee**

**23rd August 2022**

**PROPOSED REDEVELOPMENT OF FORMER IRONBRIDGE POWER STATION  
REPORT SEEKING ONWARD DELEGATION TO DETERMINE THE CROSS -  
BOUNDARY APPLICATIONS ON BEHALF OF TELFORD & WREKIN COUNCIL**

Responsible Officer Tim Rogers: e-mail: [tim.rogers@shropshire.gov.uk](mailto:tim.rogers@shropshire.gov.uk)

**1. Summary**

- 1.1 Shropshire Council and Telford & Wrekin Council have considered a 'Cross boundary planning application', applications to re-develop the former Ironbridge Power Station site for housing, employment and related uses. This has required the developer to submit two separate planning applications to each planning authority. Whilst separate applications the Councils have worked in close partnership to enable a deliverable and sustainable development.
- 1.2 Shropshire is the 'lead planning authority' as the majority of the application site falls within the Council's area. Half of an existing road bridge and rail bridge are located within the Telford & Wrekin area.
- 1.3 The Telford and Wrekin application received an approval resolution in May 2021. The corresponding Shropshire application (19/05560/OUT) received an approval resolution subject to s106 Legal Agreement in September 2021. Since this time work on the complicated legal agreement to accompany the planning permission has progressed and this will be completed shortly.
- 1.4 The Telford approval resolution is subject to a Memorandum of Understanding ('MOU') with Shropshire Council which is also nearing completion. This will ensure that an appropriate proportion of the infrastructure contributions on this cross-boundary application mitigates the impacts of the development within the boundary of Telford & Wrekin. This is in accordance with a schedule which has been agreed between the Authorities and ratified by Shropshire Council's Southern Area Planning Committee.
- 1.5 As Shropshire is the lead planning authority for the former power station site Telford & Wrekin Council has indicated as part of its committee resolution that, subject to completion of the MOU, it intends to delegate responsibility for determining the outline planning application and any future planning application at the former Power Station site to Shropshire Council. This is subject to the continued close partnership workings that has been established determining this application. Telford & Wrekin Council would retain an active role considering

relevant matters, however the administration related to such applications would be significantly reduced for all parties. It should be noted in this respect that most future applications affecting the site will affect areas falling solely within the Shropshire Council administrative boundary.

- 1.6 Article 11.4 of the Council's Constitution advises that approval of the relevant area planning committee is required in order to accept an onward delegation to determine cross boundary planning applications from another local planning authority. This report seeks to secure such approval to ensure, without prejudice, that the outline planning applications and any subsequent planning applications relating to the site (reserved matters / discharge of conditions etc.) can be determined solely by Shropshire Council in order to avoid unnecessary duplication.

## 2. Recommendation

**That Members accept the onward delegation to determine cross boundary planning applications from Telford & Wrekin Council Local Planning Authority to the Shropshire Council Local Planning Authority in accordance with Article 11.4 of the Council's constitution and following completion of the associated s106 agreement and Memorandum of Understanding**

## 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 The outline planning application received an approval resolution on 20<sup>th</sup> September 2021 following extensive planning consultations. Permission is now about to be issued as the associated s106 legal agreement will shortly be completed.
- 3.3 Issuing the permission will immediately trigger the submission of subsequent applications for reserved matters and discharge of conditions on phase 1 of the development. It would be expedient for these and other future applications to be

dealt with solely by Shropshire Council as the lead planning authority to avoid duplication and potential confusion.

- 3.4 Such applications would be compliant with the infrastructure schedule agreed between the Planning Authorities and Harworth and secured by the s106 Agreement and Unilateral Undertaking referred to above. Telford & Wrekin Council would of course remain an important planning consultee for such applications.

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

- 4.1 In resolving to approve their equivalent outline planning application the Telford & Wrekin Council Planning Committee accepted their officer recommendation that responsibility for determining the outline application should be delegated solely to Shropshire Council as the lead planning authority for the site. Future applications to Telford and Wrekin would be determined under the scheme of delegation, and Telford & Wrekin Council have indicated through officer's scheme of delegation these should also be determined by Shropshire, subject to the continued partnership arrangements.

- 4.2 The approval of this Committee is therefore required in order for Shropshire Council to accept the onward delegation to determine the cross boundary planning applications from Telford & Wrekin Council under Article 11.4 of Shropshire Council's Constitution.

- 4.3 A significant number of subsequent applications for reserved matters approval and discharge of conditions are expected to be received over the expected 14-year build-out period of the Harworth development. 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 offer to receive onward delegation to determine these planning applications from Telford & Wrekin Council pursuant to that Council's approval resolution in May 2021.

#### **5. Conclusion**

- 5.1 It is considered expedient for Shropshire Council to accept the offer of onward delegation to determine the cross-boundary planning applications from Telford & Wrekin Council with respect to the proposals to redevelop the Ironbridge Power Station site for the reasons stated. This would be subject to continued close collaboration between the two Councils and in accordance with the Memorandum of Understanding between the two Councils, the associated S106 Agreement, and the agreed conditions.

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

- 6.1 Predetermination: This report seeks approval of this committee to accept the onward delegation of planning control from Telford & Wrekin Council specifically with respect to the redevelopment proposals for the former Ironbridge Power Station site. Shropshire is the lead planning authority and most of the application area falls within Shropshire Council's administrative boundary. As both authorities have made approval resolutions for their respective outline applications there is no issue of predetermination.
- 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 must 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 and through assessment of the proposals in 3 separate meetings of the Council's Southern Area Planning Committee. The proposal to accept the offer of onward delegation to determine all cross-boundary applications from Telford & Wrekin Council has no material environmental consequences. Future planning applications will be subject to the same detailed level of planning consultation including with Telford and Wrekin Council, thereby allowing any environmental implications to be appropriately assessed and addressed.
- 6.5 Stakeholder 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 is detailed in the relevant committee reports.
- 6.6 Financial Implications: There are no material financial implications in relation to resource or administration arising from the proposal to accept onward delegation to determine cross boundary applications from Telford & Wrekin Council with respect to the Ironbridge outline planning application. The financial mitigation and viability of the proposed redevelopment scheme have been comprehensively detailed in the relevant reports to the Southern Area Planning Committee, and are not altered.
- 6.7 Additional Information:

**List of Background Papers** - Documents and plans relating to outline planning application 19/05560/OUT considered at the meeting of the Southern Area Planning Committee on 20th September 2021

**Cabinet Member (Portfolio Holder)** - Cllr Ed Potter

**Local Member** Cllr Claire Wild,  
Cllr Dan Thomas, Cllr Caroline Bagnall (Adjacent Wards)

**Appendices** - None