



Compulsory Purchase Order Decision

Site Visit made on 1 February 2023

By Mike Worden BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 March 2023

File Ref: APP/PCU/CPOP/L3245/3303534

Shropshire Council (Shrewsbury Flaxmill Maltings – Redevelopment)(No. 2) Compulsory Purchase Order 2022

- The Compulsory Purchase Order was made under section 226(1)(a) of the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981 by Shropshire Council on 8 June 2022.
- The purposes of the Order are to facilitate the delivery of a mixed-use development comprising residential accommodation, together with the commercial, business and service uses being a key element of the wider regeneration of Shrewsbury Flaxmill Maltings which the acquiring authority considers will contribute to the promotion or improvement of the economic, social and environmental well-being of the area.
- The main grounds of objection were that the scheme is not needed as the stated objectives of the project can be met with the retention of ownership of the property and working alongside Historic England to implement agreed works.
- There is 1 remaining objection.

Decision

1. That the Shropshire Council (Shrewsbury Flaxmill Maltings – Redevelopment) (No. 2) Compulsory Purchase Order 2022 be confirmed without modification.

Preliminary Matters

2. An accompanied site visit took place on 1 February 2023. There was no discussion of the merits of the scheme. I walked around the Order Land and went inside the main mill building.
3. The Council, as Acquiring Authority, submitted a comprehensive document demonstrating evidence of compliance with all statutory formalities.

Reasons

4. The Order Land is situated in Ditherington, approximately one mile north of the town centre of Shrewsbury. It is located within the Shrewsbury Town Centre Conservation Area. It lies on the A5191 which runs northwards from the town centre.

-
5. The Order Land is made up of an area between the A5191 and the Shrewsbury Flaxmill Maltings and the area to the north of it including the former bus depot site. It comprises a number of cleared sites and some remaining buildings including 15 Haughmond Square which is the subject of the remaining objection.
 6. The Order Land is made up of thirteen land parcels and extends to around 1.74 hectares. Residential properties lie immediately to the north west of the site and along the A5191.
 7. The main mill was built in 1797 and was a flaxmill until 1886. Later it became a maltings and operated as such until 1987. Alongside the main mill are a number of Grade 1, Grade 2* and Grade 2 listed buildings. These mainly sit outside, but are immediately adjacent to, the Order Land. The Apprentice House, a Grade 2* listed building lies within the Order Land.
 8. The Order Land is integral to the wider redevelopment project being undertaken at the Flaxmill site. Significant progress on the wider redevelopment of the heritage site, particularly the Flaxmill itself, has been made. The main mill is in use and currently comprises an employment centre, café and visitor centre amongst other uses. Further floors of the main mill are nearing completion and are to be made available for additional commercial uses. The car parking area to the rear, close to the railway, has been laid out and is in use.
 9. The Flaxmill Maltings site is a key part of the regeneration of the Northern Corridor of Shrewsbury which runs out from the town centre. It is part of, and supports, the Big Town Plan. The project is consistent with the development plan.
 10. The Guidance on Compulsory Purchase process and The Crichel Downs Rules is a document issued by DLUHC to guide the use of CPO powers. It states that Acquiring Authorities should use compulsory purchase powers where it is expedient to do so and a compulsory purchase order should only be made where there is a compelling case in the public interest.
 11. The Council has set out why the Scheme is needed to support the delivery of the major heritage regeneration project. The Order Land is required to deliver around 120 units of housing and other uses including additional commercial space. The listed Apprentice House sits within the Order Land. It would be converted to residential use. The two Haughmond Square properties would be converted to Class E uses on their ground floors.
 12. The Haughmond Square properties act as gate posts and frame parts of the project including the listed kiln which sits adjacent to the main mill. Standing right on the main road, both Haughmond Square properties are prominent. Their integration into the overall scheme is critical to the success of the economic and heritage regeneration project.
 13. The site has planning permission and its regeneration is proceeding led by Historic England and the Council. From the evidence before me, I am satisfied that the appropriate funding is in place and that the comprehensive approach to secure private sector partners to complete the next stages is a sound one.
 14. There are seven grounds of objection from the freehold landowner of 15 Haughmond Square.

CPO is not required to meet the objectives (ground 4)

15. The objector states that 15 Haughmond Square can be incorporated into the scheme and assist the regeneration of the wider site without transfer of ownership. I consider that such a scenario is possible. However, given the stage reached and the need for a comprehensive approach together with absolute certainty to realise the full economic and heritage objectives of the project, I consider that there would be considerable risk in that option. It could undermine developer interest in the other parts of the Order Land and could result in a delay to the overall project. I consider that it is in the public interest for the scheme to proceed and include all of the land and properties within the order.

Uncertainty over scheme/access (grounds 5 and 6)

16. The objector claims that the uncertainty over the scheme and access restrictions have delayed him as owner of 15 Haughmond Square from making improvements to the exterior of the premises. The rear yard (Plot 6) is overgrown with vegetation and from the evidence supplied in support of the Order, has been for some time. It is not clear to me why improvements could not be made to this land from the adjoining plot or what discussions have previously been held to secure its improvement from alternative points. In any event, it is not a matter which is crucial to the decision as to whether the Order should be confirmed.

Other grounds (grounds 1, 2, 3 & 7)

17. The other grounds of objection relate to the spirit of negotiations to date, capital gains tax and value of access rights. These are not matters on which a decision as to whether the Order should be confirmed will rely on. The later point made in relation to Mr Chowdhury's business is also one which has little weight, given that he has not objected.

Human Rights Issues

18. There are no objections from the tenants of either of the Haughmond Square residential properties. I consider that there is no unjustified interference with the human rights of these occupiers or any other party having regard to the Human Rights Act 1998.

Conclusion

19. The Scheme is in accordance with the planning framework for the area with planning permission and listed building consent in place. The Order land is required to implement a comprehensive scheme which will deliver significant heritage, environmental, social and economic benefits to the area and the town. I consider there is a compelling case in the public interest.
20. For the reasons set out above, and having regard to all matters raised, I therefore confirm the Shropshire Council (Shrewsbury Flaxmill Maltings – Redevelopment) (No. 2) Compulsory Purchase Order 2022 without modification.

Mike Worden

INSPECTOR