



Committee and Date

Item

Public



# Draft Oswestry Shop Front Design Guide: Standing Pre-Application Advice Note – Public Consultation

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<b>Cabinet Member (Portfolio Holder):</b>	Chris Schofield		

## 1. Synopsis

1.1. This report seeks approval for Shropshire Council to undertake a public consultation on the Draft Oswestry Shop Front Design Guide: Standing Pre-Application Advice Note (hereafter the Draft Design Guide), with the intention, subject to any amendments, of subsequently formally adopting the document so that it forms a material consideration when taking planning decisions.

## 2. Executive Summary

2.1. The Shropshire Plan includes the strategic objective to “develop Shropshire as a safe, strong and vibrant destination to attract people to live in, work in, learn in and visit” and “maintain, protect, and enhance our outstanding natural and historic environment”. This will be done through “Decisions that are taken about where you live will be made using a strong evidence base which supports a better understanding of the likely impacts on Shropshire communities”.

2.2. The Draft Design Guide will deliver against these Shropshire Plan objectives by: -

- A. Providing guidance for business owners, applicants and Council Officers on how good shop front design can enhance the character and appearance of the town centre in Oswestry, thus safeguarding its historic environment;
  - B. Providing guidance to business owners, applicants and agents on what designs are likely to receive support from planning officers, providing greater certainty and enabling them to make efficient and effective use of their resources;
  - C. Providing planning officers with guidance upon which to base their decisions.
- 2.3. The Draft Design Guide was produced as part of the successful Oswestry High Street Heritage Action Zone (HSHAZ) project, which was completed in March 2024. This delivered a £2.1m package of enhancements within the town centre through a partnership between Historic England and the members of the Future Oswestry Group (Shropshire Council, Oswestry Town Council and Oswestry BID). This included 11 new residential units, 16 enhanced and reinstated shop fronts, 730 square meters of enhanced commercial space, and 690 square meters of enhanced public realm. The draft Design Guide was also produced in collaboration with the Oswestry and District Civic Society
- 2.4. Oswestry Town Centre falls wholly within the Oswestry Conservation Area, which also includes 125 listed buildings. The Draft Design Guide will assist Shropshire Council, as the local planning authority, to fulfil its statutory duties by helping to ensure that new shop fronts and signage preserve and enhance the character and appearance of the Conservation Area, and the special architectural and historic interest of listed buildings and their settings.
- 2.5. The Draft Design Guide provides guidance in support of the planning policies contained within Shropshire Council's adopted Local Plan (comprising the Core Strategy Development Plan Document 2006-2026 and Site Allocations and Management of Development (SAMDev) Plan 2006-2026 documents). It will also provide guidance to the proposed planning policies contained within the Draft Local Plan 2016-2038, which is currently subject to Examination by the Planning Inspectorate.
- 2.6. Poorly designed and incongruous town centre shop fronts form the basis of an increasing number of complaints to the Council's planning teams from residents, businesses and business groups, and amenity groups across the authority. The Draft Design Guide, whilst focused on Oswestry, has the potential to provide a template that could be adapted for other towns in the county.
- 2.7. The purpose of this report is to present the Draft Design Guide to Cabinet (see Appendix 1) and seek authority to undertake a formal, eight-week public consultation, commencing in December 2024 and allowing for the Christmas break. Subject to the outcome of this consultation, and any amendments that are required as a consequence, the intention would then be to bring it back to Cabinet for adoption early in 2025, prior to the pre-election period. Once adopted the Design Guide could then be given weight as a material consideration in the making of planning decisions.

### 3. Recommendations

- 3.1. To approve an eight week public consultation on the Draft Oswestry Shop Front Design Guide: Standing Pre-Application Advice Note – see Appendix 1.
- 3.2. That authority is given to the Executive Director of Place, in consultation with the Portfolio Holder for Planning and Regulatory Services, to agree any additional minor-changes to the Draft Oswestry Shop Front Design Guide: Standing Pre-Application Advice Note ahead of this consultation.

## Report

### 4. Risk Assessment and Opportunities Appraisal

- 4.1. It is considered that the recommendations within this report do not pose a significant risk to the Council, as they relate to consulting on the Draft Design Guide, which is intended to positively influence the management of existing and the design of new shop fronts in Oswestry town centre.
- 4.2. Not bringing forward the Draft Design Guide could adversely impact the heritage significance of the Oswestry Conservation Area, as a result of the gradual erosion of its character and appearance through inappropriate shop front design and signage. Badly designed development of this type also risks the positive investment and enhancements that have arisen through the Oswestry HSHAZ.
- 4.3. In preparing a Draft Design Guide, the Council are taking a proactive approach, in partnership with Oswestry Town Council and the Oswestry BID, to plan positively for the town centre, creating a longer-term legacy for the Oswestry HSHAZ project.
- 4.4. The Draft Design Guide provides a template that could be easily and cheaply adapted to provide similar guidance for other town centres in the county.
- 4.5. An Equality, Social Inclusion and Health Impact Assessment (ESHIA) initial screening record has been completed ahead of the proposed consultation exercise; this is at Appendix 2.
- 4.6. The ESHIA for the Draft Design Guide anticipates that the equality impacts will be neutral - low positive across the nine Protected Characteristic groupings defined by the Equality Act 2010. There is potential for positive equality impact for the groupings of Age, Disability, Pregnancy and Maternity, and Sex, in terms of mental well-being opportunities arising for people living in and visiting a vibrant, well-designed and cared for environment in Oswestry town centre.
- 4.7. The ESHIA indicates that within the wider grouping of Disability, for whom there may be additional positive impacts, are people with less visible disabilities or conditions, including people with neurodiverse conditions, and people with visual impairments. For example, a cluttered and poorly designed spaces can cause

overstimulation for some people with autism. Additionally, sensitive use of appropriate lighting, such as minimal use of fluorescent lighting, as well as clear signage, will be anticipated to provide further benefits for people with neurodiverse conditions and for others including those with visual impairments. This then includes their families and carers, bringing in intersectionality with those in the groupings of Age and Sex.

- 4.8. The ESHIA find that there would also be a projected neutral impact for those individuals and households that we may consider to be vulnerable by virtue of their circumstances. Whilst these are not defined as Protected Characteristics within equality legislation, it has been a matter of good practice in Shropshire for us to consider their needs as well, within a tenth grouping termed Social Inclusion. This includes low income households, households in rural areas, and young people leaving care.

## 5. Financial Implications

- 5.1. Shropshire Council is currently managing an unprecedented financial position as budgeted for within the Medium Term Financial Strategy approved by Council on 29 February 2024 and detailed in our monitoring position presented to Cabinet on a monthly basis. This demonstrates that significant management action is required over the remainder of the financial year to ensure the Council's financial survival. While all Cabinet Reports provide the financial implications of decisions being taken, this may change as officers review the overall financial situation and make decisions aligned to financial survivability. Where non-essential spend is identified within the Council, this will be reduced. This may involve
- scaling down initiatives,
  - changing the scope,
  - delaying implementation, or
  - extending delivery timescales.
- 5.2. The Draft Design Guide was produced as part of the Oswestry HSHAZ project using Historic England funding. The value of the Draft Design Guide lies in its ability to maintain a well-designed town centre in Oswestry, driving up visitor footfall and promoting a strong local economy. The large proportion of independent retailers in the town has helped to establish Oswestry as an attractive place to visit, live, work, and invest, and to maintain a strong visitor economy as a result.
- 5.3. The Draft Design Guide would assist the Council in continuing to make the most effective use of its resources and support the efficient delivery of the development management process.
- 5.4. Public consultation is a key stage in the preparation of the Design Guide. The activities planned within this report, along with subsequent implementation of the Draft Design Guide, will be met from existing resources and budgets.

## 6. Climate Change Appraisal

- 6.1. The Draft Design Guide seeks to promote sustainable development that conserves and enhances the character and appearance of the Oswestry Conservation Area, together with the special architectural and historic interest of the listed buildings and their settings within it.
- 6.2. The Draft Design Guide promotes the retention and repair of existing historic shop fronts and the architectural detailing associated with them, together with the use of traditional materials and non-illuminated (i.e. low energy) signage. It also includes a link to Historic England's latest guidance on adapting historic buildings to improve their carbon and energy efficiency. As such, it is considered that the Design Guide will promote positive outcome in terms of climate change.

## 7. Background

### ***Oswestry HSHAZ***

- 7.1. Oswestry has functioned as a market town for over 800 years. It flourished in the Middle Ages and its strategic location on the English-Welsh border means that it has a rich and diverse history. The town's standing architectural heritage spans the 14<sup>th</sup>- 20<sup>th</sup> centuries, and its commercial centre is characterised by 18th and 19th century rendered or brick two or three storey buildings, with shops to the ground floor, arranged in terraces. The whole of Oswestry town centre falls within the Oswestry Conservation Area, which contains 125 listed buildings (1 GI, 3 GI\* and 124 GI) and a scheduled monument (Oswestry Castle).
- 7.2. The HSHAZ initiative was a government-funded programme led by Historic England, designed to secure lasting improvements and help breathe new life into historic high streets for the communities and businesses that use them. Oswestry was one of 68 Towns that was successful in securing funding to regenerate their town centres - with the programme beginning in October 2020 and running until March 2024. The Oswestry HSHAZ aimed to stimulate growth, investment and vitality in the Town Centre and leave a legacy through heritage led regeneration.
- 7.3. The Oswestry HSHAZ represented a partnership between Historic England and the organisations that comprise the Future Oswestry Group (Shropshire Council, Oswestry Town Council, and the Oswestry BID). The scheme delivered a £2.1m package of enhancements to the town centre, including 11 new residential units, 16 enhanced and reinstated shop fronts, 730 square meters of enhanced commercial space, and 690 square meters of enhanced public realm. The scheme also developed a Cultural Consortium comprising representatives of local arts and heritage organisations, which delivered a programme of cultural events and initiatives, including the annual Love Oswestry festival.
- 7.4. Following the formal closure of the Oswestry HSHAZ project at the end of March 2024, a number of initiatives are now providing a lasting legacy of the scheme. Oswestry Town Council has adapted and continued the shop front enhancement grant scheme under the banner of its 'Breathing New Life into Empty Buildings' grants programme. It has also acquired Llwyd Mansion, an iconic, Grade I listed timber framed building at the heart of the town, which it is working to repair,

repurpose and bring back into use. Likewise, the Cultural Consortium has rebranded itself as Oswestry Cultural Connections and is delivering a programme of activities using UKSPF funding.

- 7.5. The Draft Design Guide will therefore provide a further way in which Shropshire Council can help to sustain the longer-term legacy of the Oswestry HSHAZ by promoting a high standard of design for shop fronts through the planning process.

### ***Planning Context***

- 7.6. The Planning (Listed Buildings and Conservation Areas) Act 1990, under sections 66(1) and 72(1), imposes two positive duties on local planning authorities to place significant weight on conserving and enhancing the character and appearance of Conservation Areas and the special architectural and historic interest of listed buildings and their settings.
- 7.7. The National Planning Policy Framework (NPPF) considers Conservation Areas and Listed Buildings to be designated heritage assets. Great weight must be given to their conservation and any harm to or loss of significance requires clear and convincing justification. Substantial harm or loss should be exceptional, and in the case of Grade II\* and Grade I listed buildings wholly exceptional. The NPPF also directs local planning authorities to seek opportunities for new development within Conservation Areas and within the settings of heritage assets, to enhance and better reveal their significance.
- 7.8. Shropshire Council has worked with the other Future Oswestry Group partners to prepare the Draft Design Guide, and its progression towards formal adoption is supported by them. The next stage is, subject to approval, a public consultation by Shropshire Council.
- 7.9. As a Standing Pre-Application Advice Note, the Draft Design Guide is intended to provide guidance and information to support the implementation of the policies in the adopted Local Plan. As such, it must be consistent with the policies of the adopted Local Plan, cannot introduce new policy, and will not form part of the Local Plan.
- 7.10. The adopted Local Plan for Shropshire consists of the Shropshire Core Strategy (2011), the Site Allocations and Management of Development (SAMDev) Plan (2015) and any adopted formal Neighbourhood Plans. Planning applications should be determined in accordance with the adopted Local Plan unless material considerations indicate otherwise.
- 7.11. This adopted Local Plan provides a robust set of planning policies for conserving and enhancing the historic environment, the most relevant of which include: Core Strategy policies CS3: Market Towns and Other Key Centres, CS6: Sustainable Design and Development Principles, and CS17: Environmental Networks; and SAMDev Plan policies S14: Oswestry, MD2: Sustainable Design, and MD13: Historic Environment.
- 7.12. The Draft Design Guide would provide guidance and information to support the implementation of these policies, particularly policies CS6 of the Core Strategy (Sustainable Design and Development Principles), and MD2: Sustainable Design and MD13 (Historic Environment) of the SAMDev Plan.

- 7.13. The Council is at an advanced stage of a Local Plan Review, with a draft Local Plan 2016 – 2038 currently the subject of examination. It is therefore important to consider the updated policies that are relevant to the Draft Design Guide. These include the following: SP1: The Shropshire Test, SP5: High Quality Design, DP23: Conserving and Enhancing the Historic Environment, and S14.1. Development Strategy: Oswestry Principal Centre.
- 7.14. The Draft Design Guide would provide guidance and information to support the implementation of the policies contained within the draft Local Plan 2016 – 2038, particularly policies SP1, SP5 and DP23.
- 7.15. Once adopted, the Design Guide would form part of a suite of documents, including the Local Plan and Future Oswestry Plan, that set out how development within Oswestry will be positively managed.

### ***Consultation and engagement***

- 7.16. Subject to approval, the following activity is planned as part of the consultation process:
- The use of social media channels and Council websites.
  - Engagement with Future Oswestry Group Partners and key stakeholder organisations such as Historic England.
  - Potential for a public consultation event.
- 7.17. The consultation would comply with Shropshire Council's Statement of Community Involvement.

## **8. Additional Information**

### ***How the Design Guide would be used***

- 8.1. The aim of the Draft Design Guide is to provide guidance and information to support the implementation of policies in the adopted Local Plan. It will provide residents, businesses, agents, and other organisations with information on how relevant planning proposals relating to shop fronts and signage can conserve and enhance the character and appearance of the Oswestry Conservation Area when they are considering preparing a planning application.
- 8.2. Once adopted, the Design Guide would be used by Shropshire Council as a material consideration when determining planning applications relating to shop fronts within the Oswestry Conservation Area.

## **9. Conclusions**

- 9.1. The Design Guide would provide guidance and information to support the implementation of policies in the adopted Local Plan, which will in turn strengthen the way the planning system conserves and enhances the character and appearance of the Oswestry Conservation Area.



- 9.2. The Design Guide would provide clear and consistent advice relating to shop fronts within the Oswestry Conservation Area. It would assist businesses and agents in the submission of relevant planning applications, and the Council when determining relevant planning applications. This will add to the positive management of the Conservation Area and provide a greater surety of outcomes for planning applicants, local communities, and partner organisations.
- 9.3. The consultation process will ensure that engagement takes place with a wide range of stakeholders and the public, enabling commentary on the consultation draft of the Design Guide, and ensuring that the final version takes account of any material issues raised.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Shropshire Council Core Strategy 2006-2026 –

<https://www.shropshire.gov.uk/media/8534/core-strategy.pdf>

Shropshire Council SAMDev Plan 2006-2026 –

<https://www.shropshire.gov.uk/media/8503/samdev-adopted-plan.pdf>

Draft Shropshire Local Plan 2016 – 2038 –

<https://www.shropshire.gov.uk/media/21100/sd002-draft-shropshire-local-plan.pdf>

Future Oswestry Plan –

<https://www.shropshire.gov.uk/media/24868/future-oswestry-plan-final-draft-report.pdf>

**Local Member:** Cllr Mike Isherwood -  
Cllr Duncan Kerr -

(Both local members have been consulted on taking the Draft Design Guide to Cabinet to obtain authority to undertake a public consultation)

**Appendices**

Appendix 1: Draft Oswestry Shop Front Design Guide: Standing Pre-Application Advice Note

Appendix 2: Equality, Social Inclusion and Health Impact Assessment (ESHIA) for the Draft Oswestry Shop Front Design Guide: Standing Pre-Application Advice Note