

# Lichfield District Design Code

## Supplementary Planning Document

Cabinet Member for Housing & Local Plan

Date: 9<sup>th</sup> April 2024

Agenda Item: 4

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Key Decision? YES

Local Ward All wards.

Members



Lichfield  
District Council

**Cabinet**

## 1. Executive Summary

- 1.1 We have been working with consultants BDP to develop a design code to provide guidance on new development across the district. The code is a tool that will provide clear rules for new development to adhere to, including building heights, conservation and sustainability, among other topics. Following significant stakeholder engagement throughout 2023 the draft Lichfield District Design Code (**Appendix A – [Lichfield District Design Code](#), [Baseline Report](#)**) has now been prepared.
- 1.2 The Design Code needs to be adopted as a Supplementary Planning Document (SPD) and before we can do that, we are required to undertake formal consultation to enable all stakeholders to provide comments on the draft code. Following the consultation, we will review the representations received and make any necessary amendments to the document prior to seeking bringing the final document to Cabinet for adoption.
- 1.3 This report provides a brief update in terms of the progress of the Design Code to date and seeks Cabinet's approval to consult on the draft SPD and the how this will be done.

## 2. Recommendations

- 2.1 That Cabinet note the progress of the Lichfield District Design Code to date, including the summary of the responses which were received to the informal consultation held at the end of 2023.
- 2.2 That Cabinet approve the Lichfield District Design Code SPD (**Appendix A**) for the purpose of undertaking public consultation between April 22<sup>nd</sup> and June 3<sup>rd</sup> 2024 and approve the approach to consultation as detailed at paragraphs 3.9 to 3.11.
- 2.3 That Cabinet delegate authority to the Cabinet Member for Housing & Local Plan, in consultation with the Policy & Strategy Manager to make any minor typographical and visual amendments to the SPD ahead of public consultation.

## 3. Background

- 3.1 The [National Planning Policy Framework](#) places an emphasis on achieving good quality design in new development. It enables local authorities to prepare local design codes which can cover all or part of their areas and is a tool that can be used by local planning authorities, communities, and developers to deliver high quality places. It will provide clear rules for new development to adhere to, including

building heights, conservation, and sustainability, among other topics. Local design codes need to be prepared to be consistent with the [National Design Guide](#) and [National Model Design Code](#).

**Development of the Lichfield District Design Code**

- 3.2 We commissioned BDP to develop and progress a design code to cover the whole of the district in January 2023 with the intention that it would ultimately be adopted as a Supplementary Planning Document (SPD).
- 3.3 Our officers and colleagues from BDP held several community workshops and webinars in March and April 2023 to explain how the design code would be developed and seek input from residents at an early stage. Following the workshops, in April 2023 we ran a community survey which invited residents and other stakeholders to answer a series of questions about the character of their local areas and their preferences to shape the draft design code. Workshops and meetings were also held in March 2023 with relevant council officers.
- 3.4 The draft Design Code is a comprehensive analysis of the environment across the district with all land allocated to one of six area types: Lichfield City Centre, Lichfield Cathedral Precinct, suburban, village, rural and employment. The code guides how building development should look depending on the specific area type within which a development is proposed. The code itself contains many specific coding principles which a development must comply with.
- 3.5 During August and September 2023 the draft design code document was presented to elected members at a series of councillor briefing sessions which provided an opportunity to review and discuss the draft document ahead of informal public consultation which took place in the Autumn of 2023.
- 3.6 Following this, the draft design code was published in November 2023 for informal consultation designed so that residents could provide their views on the draft document to inform any further revisions before it was considered by Cabinet. Residents were invited to review the draft document and take a short survey to give their views.
- 3.7 In total 79 responses to the survey were received from a range of stakeholders including members of the public and those working in the development sector. Table 1 provides a summary of the key themes which have been identified from the responses which were submitted.

Table 1: Design code survey – key themes from survey

Key theme	Response	Action
Density – the minimum densities for the new housing developments for several area types are too high and should be reduced. The higher densities are not reflective of the character of the areas, particularly the historic character.	The proposed densities have been identified having regard to the existing densities of the area types and are considered comparable. National and local planning policy require councils to ensure the best use of land including appropriate densities. If densities are reduced too much this could necessitate a larger number and/or larger in size developments being required to meet housing requirements.	No change recommended.
Biodiversity Net Gain – the design code stating 20% net gain could be unachievable and is higher than the minimum 10% required by government.	National policy requires a minimum of 10% Biodiversity Net Gain. This is a minimum requirement. The required percentage is set out in national and local	Remove reference to the required percentage from the design code. Note that the requirement is set out elsewhere.

Key theme	Response	Action
	policy and within other adopted supplementary planning documents.	
Affordable Housing requirements are not correct with some feeling them as too high and others as too low.	The adopted Local Plan sets out the affordable housing requirements for development within Lichfield District. The design code does not need to replicate this policy as it is set out within the adopted local plan.	Remove reference to the required percentage from the design code. Note that the requirement is set out elsewhere.
Green Spaces – we should require more green spaces within new developments and ensure a greater variety of spaces.	Design code seeks to ensure sufficient, and an appropriate range of green spaces are provided in accordance with local plan policy.	No change recommended.
Infrastructure – insufficient infrastructure is provided alongside new developments within the district.	The design code does not itself deal with the provision of infrastructure. Infrastructure delivery is a matter for the local plan.	No change recommended.
Parking and streets – people favour parking to the front of properties, but the code only allows for this in limited circumstances.	The design code allows for a range of parking options which will enable improved street scenes.	No change recommended.
Design/Architecture/Materials – current developments are ‘generic’ and could be anywhere. Want to see new developments having character which is distinctive.	Design code provides requirements for design to deliver higher quality development which meets the standards set out in the design code.	No change recommended.
Incorrect area classification and/or comments relating to specific area or errors in mapping.	Comments reviewed and where errors are present this will be corrected.	Make changes to draft code to correct any errors/classifications.
Waste Management - a developer commented and requested for the wording to be weakened in the design code.	Comments reviewed and liaison has taken place with the waste management team.	No change recommended.
Arboriculture - a developer commented and requested for the wording to be weakened in the design code regarding street trees and trees in verges.	Considered appropriate to require trees within highway verges as including within front gardens could risk trees being removed at a later stage.  For other comments the design code provides sufficient flexibility.	No changes recommended

3.8 The design code document has been revised following the recent consultation and a final draft document has now been produced (**Appendix A**) for the purposes of statutory public consultation. Paragraphs 3.9 to 3.11 detail the consultation requirements and proposals for the SPD.

## Consultation proposals

- 3.9 The legislative requirements to produce supplementary planning documents are set out in [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). This requires the document to be subject to public consultation for a minimum of four weeks. The council's adopted [Statement of Community involvement](#) (SCI) states that the council will commit to consultation on SPD's for a minimum of four weeks and a maximum of six. Given the importance of the Design Code SPD for the district it is proposed that an extended six-week consultation period take place between 22 April 2024 and 3 June 2024.
- 3.10 Table 3.2 of the adopted SCI sets out the consultation approaches the council will use as a minimum when consulting on SPDs. A consultation statement setting out the approach to consultation is included at **Appendix B**. The following consultation methods which are in accordance with the SCI are proposed:
- Publish the Lichfield Design Code SPD on our website and consultation portal.
  - Publish the document and make available upon request at District Council House.
  - Issue a press release and promote the consultation using our corporate social media channels (Facebook and 'X').
  - Make the document available in alternative formats where requested.
  - Notification emails to be sent to all stakeholders (individuals, organisations or bodies) that the council considered would be affected or interested in the SPD.
- 3.11 Representations received during the consultation will be considered and where appropriate changes to the Design Code SPD will be made prior to the final document being reported to Cabinet for adoption.

Alternative options	<ol style="list-style-type: none"> <li>1. Cabinet determines that the proposed Lichfield District Design Code SPD requires further amendments prior to public consultation. These amendments would need to be considered and actioned prior to formal consultation being undertaken. Cabinet could delegate authority for such changes to the Cabinet Member.</li> <li>2. Cabinet could decide not to consult upon the proposed SPD. Without such consultation it would not be legally possible for the council to adopt the document as an SPD.</li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. Informal public consultation, workshops and webinars have taken place on the draft Design Code SPD on several occasions as it has progressed. A summary of the consultation responses received to the informal consultation is included within this report.</li> <li>2. Member briefing sessions have been held in respect of the draft design code.</li> <li>3. There will be further formal public consultation for a minimum of four weeks on the SPD. The proposals for this are set out within this report.</li> </ol>
Financial implications	<ol style="list-style-type: none"> <li>1. Officer time will be required to run the consultation on the SPD and will be delivered by the Policy &amp; Strategy service and our Communications team.</li> <li>2. The costs of the consultation will be met within the approved budget for the Design Code SPD project and utilise the council's consultation portal.</li> </ol>
Approved by Section 151 Officer	Yes

Legal implications	1. Formal consultation for a minimum period of four weeks is required for a SPD prior to this being adopted by the Council. The consultation proposals set out within the report meet the legal requirements.
Approved by Monitoring Officer	Yes
Contribution to the delivery of the strategic plan	<ol style="list-style-type: none"> <li>1. Supports the priority of 'Enabling People' through informing the design of new development and specific requirements development will need to meet informed by public consultation so they can live healthy and active lives.</li> <li>2. Supports the priority of 'Shaping Place' by providing a transparent and more scrutiny driven approach for working with stakeholders and infrastructure providers and enables CIL receipts to be allocated to strategic infrastructure within the district to enhance the quality of place.</li> <li>3. Supports the priority of being a 'Good Council' by accountability, transparency, and responsiveness by providing further guidance as to the requirements proposed developments will be expected to meet.</li> </ol>
Equality, diversity and human rights implications	An equality impact assessment of the draft design code document has been undertaken.
EIA logged by Equalities Officer	Yes. The EIA is attached as <b>Appendix C</b> .
Crime & safety Issues	There are no crime and safety issues.
Data assessment	<ol style="list-style-type: none"> <li>1. The design code covers the whole district and will positively impact various wards. The code promotes good design of homes and includes an increase in expectation of developers to build bungalows on new larger developments. This will improve the health and wellbeing of residents in the wards where there are new developments.</li> <li>2. The code will be applied to approximately 200+ new homes each year.</li> </ol>
Environmental impact (including climate change and biodiversity)	<ol style="list-style-type: none"> <li>1. The requirements of the design code include ecological enhancement measures that will be integrated into new developments including landscaping and planting to increase biodiversity, hibernacula creation, wildlife pond creation, and species boxes i.e., for birds, bats, bees, and hedgehogs which should improve the environmental impact of new dwellings.</li> <li>2. The Design code will reflect national policy on Biodiversity Net Gain(BNG) and be flexible to allow for future changes in policy.</li> </ol>
GDPR / Privacy impact assessment	A Privacy Impact Assessment has been completed.

	Risk description & risk owner	Original score (RYG)	How we manage it	New score (RYG)
A	Objections and/or concerns are raised on the content of the draft Lichfield District Design Code SPD	Likelihood: Yellow Impact: Green Risk: Green	Officers to review all representations received to the consultation and proposed changes to the document where these are considered appropriate. The final version of the document will then need to be prepared and reported to Cabinet for adoption along with an explanation as to any changes made to the document as a result of the consultation.	Likelihood: Green Impact: Green Risk: Green
B	Challenge to the consultation process used for the draft Lichfield District Design Code SPD	Likelihood: Green Impact: Yellow Risk: Yellow	Ensure that consultation has been planned and undertaken in accordance with the regulations and the council's adopted SCI.	Likelihood: Green Impact: Green Risk: Green

<b>Background documents</b>	<a href="#">Statement of Community Involvement 2020</a> <a href="#">National Design Guide</a> <a href="#">National Model Design Code</a>
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<b>Relevant web links</b>	<a href="#">The Town and Country Planning (Local Planning) (England) Regulations 2012</a> <a href="#">National Planning Policy Framework</a>
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