

DESIGN CODE FOR THE BIRMINGHAM ROAD SITE

Councillor Alex Farrell, Cabinet Member for Housing and Local Plan.



Lichfield
District Council

Date:	16 April 2024
Agenda Item:	11
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Key Decision?	YES
Local Ward Members	Stowe Ward – Cllr Hugh Ashton, Cllr Russ Bragger & Cllr Ann Hughes

Council

1. Executive Summary

- 1.1 The Birmingham Road Site (BRS) Design Code sets out a vision and key principles of the site-specific needs for Lichfield's Birmingham Road Site.
- 1.2 Create Streets produced the Design Code following extensive 'deep' and 'wide' engagement with the public on the site. Between April 2022 and June 2022 Create Streets carried out online engagement using their Create Communities platform, receiving 5,747 responses. Between September 2022 and March 2023 Create Streets held three in-person events, holding discussions and surveying preferences with over 300 people, as well as placing posters for 'drop-in' comments at Lichfield District Council offices, and holding 12 in-depth stakeholder interviews.
- 1.3 Their public engagement produced a clear trend and a strong mandate from residents on their architectural preferences for respecting Lichfield's distinct and high-quality existing built environment, using materials and features that 'rhyme with' its historic core. In surveys, the top eight most popular buildings in Lichfield were heritage buildings, while a design using a fine-grained street network received 81 per cent support in a visual preference comparison
- 1.4 The principles collected in local engagement formed the basis for the final design code. This code sets requirements for buildings and public realm to re-stitch Lichfield City Station to the historic core of Lichfield, creating new homes and shops in a beautiful, walkable and green network of streets. Residents were consulted on the finished code between September to November 2023. It received very positive feedback, following further online and in-person engagement, as well as stakeholder interviews.
- 1.5 The Design Code is structured in line with the National Model Design Code (NMDC) and will inform parts of the 'area wide' design code being produced for Lichfield District by Building Design Partnership (BDP).
- 1.6 Once adopted, the Design Code will be used to judge planning applications associated with the Birmingham Road Site.

2. Recommendations

- 2.1 Full Council approves the adoption of the Design Code for the Birmingham Road Site (BRS).
- 2.2 Full Council approves that delegated authority is given to the Leader of the Council and Chief Executive to make minor changes to the BRS Design Code without referring to Council.

3. Background

- 3.1 In March 2022, the Council appointed Create Streets to engage the public genuinely with its ambitions for the design and development of the Birmingham Road Site, asking Lichfield residents to share their thoughts and help shape design ideas for new development proposals on Lichfield's key gateway site.
- 3.2 Create Streets specialises in working with local communities and residents, using evidence on what is locally liked to create places that are beautiful, sustainable and also popular with residents and neighbours. The Birmingham Road Site is a key area of the city and the council want to incorporate the views of the people who live in the district as part of any new development into a design code.
- 3.3 A design code is a recipe for a place. It is a series of specifications for new developments, streets and buildings, which direct how they will look and feel. Design codes ensure that standards and qualities in the built environment, backed by local communities through public engagement, are met by designers and professionals with new developments.
- 3.4 As the National Model Design Code (NMDC) states, design codes 'can provide a more specific steer on what is acceptable when they are visual and numerical, rather than relying on detailed policy wording, as well as being easier to engage with. They also give developers greater certainty about what may be acceptable when seeking planning permission.'
- 3.5 This Design Code (Appendix A) provides the parameters for development on BRS and is a highly visual document with clear '**musts**' and '**shoulds**':
 - Anything described as a '**must**' indicates mandatory design practices. Developments that do not abide by them will not be permitted.
 - Anything described as a '**should**', indicates design practices which are strongly encouraged due to the placemaking benefits that they will have for the neighbourhood. Where 'should' cannot be applied, justification **will** be required. Exceptions must be approved case-by-case.
- 3.6 In addition to the Codes 'musts' and 'shoulds', it is also clearly derivative of and structured following the National Model Design Code (NMDC) and follows the Office for Place criteria for effective coding; its informed by a clear place-based vision which is responsive to Lichfield's townscape and BRS's surrounding context; works in harmony with the masterplan and area-based design code being developed by Building Design Partnership (BDP); and gives clear visual guidance for 'what works round here' to discourage poor 'could be anywhere' development.
- 3.7 Core areas within the BRS Design Code that are referenced from the NMDC include:
 - *Context*: A brief overview of the sites historic and contemporary context, as well as its spatial qualities as distinct from other parts of Lichfield.
 - *Movement*: Proposals for the site's street network, street hierarchy, walking and cycling routes, parking and public transport.
 - *Built Form*: Proposals for the site's layout and block patterns, density, heights, building lines, building types and urban grain, fronts and backs, boundary walls.
 - *Identity*: House types, design principles, walls roofs, windows and doors, details and ornament, sustainable design and shopfronts.
 - *Public Space*: Street design, green spaces and play areas, street furniture, services and utilities.

- *Use:* outlining best approach to mixed uses, retail and leisure opportunities and community amenities.

- 3.8 Upon completion of a final draft of the BRS Design Code, additional consultation took place from September 2023 to October 2023, to test the Code against people’s expectations. Over 250 people attended the engagement events over two days, as well as the code being displayed in Lichfield District Council offices. The Design Code was well received by residents, visitors and community groups, which demonstrates that, the views of people throughout the consultation have been listened to and successfully translated into a Design Code that works for Lichfield. In person polling revealed 90% of respondents (21 responses) thought the housing designs were ‘highly appropriate’ for the site and 87% (16 responses) described the code’s overall vision as ‘highly appropriate’.
- 3.9 As referenced in paragraph 3.6, the BRS Design Code works in harmony with the area-based design code being developed by BDP for Lichfield district which was started in November 2022. Further information about the Lichfield district design code is available in relevant links section.

Alternative options	<ol style="list-style-type: none"> 1. Do Nothing – Without an adopted BRS Design Code the council would be fully dependent on the planning system to control the type of development for the site. 2. Start the process again to provide a different Design Code – it’s unlikely that such a process would create something different to the Design Code currently proposed, which has been subject to 18 months of consultation to help shape its content and is in line with National Model Design Code (NMDC).
Consultation	<ol style="list-style-type: none"> 1. Lichfield City Centre Masterplan – Member Task Group have scrutinised the BRS Design Code at length during its development and made many suggested amendments to help shape its content. 2. Create Streets produced this Design Code following extensive ‘deep’ and ‘wide’ engagement with the public about the site. Over 12 months of initial public consultation they gathered 5,747 online comments, 300 engagements during in-person events, conducted 12 stakeholder interviews and received 56 comments from the drop-in space at the Lichfield District Council offices 3. Their public engagement produced a clear trend and a strong mandate from residents on their architectural preferences for respecting Lichfield’s distinct and high-quality existing built environment, using materials and features that ‘rhyme with’ its historic core. 4. On completion, the code was shared with the public, with approximately 250 people attending two in-person events in November 2023. The code was also displayed in Lichfield District Council offices between November and December 2023. Written responses and interviews were also obtained with six stakeholders. 5. On completion, the Design Code was shared with the council’s internal professional teams who provided comments and queries. As a result, minor amendments were made to cycle storage facilities, adding a darker clay tile palette to the roof materials, adding some code on bin location and design and adding a code encouraging the use of wildlife measures such as bird boxes.
Financial implications	None the cost of the code is funded by Approved Budgets.
Approved by Section 151 Officer	Yes

Legal implications	1. None
Approved by Monitoring Officer	Yes

Contribution to the delivery of the strategic plan	<p>Develop prosperity to:</p> <ul style="list-style-type: none"> • enhance the district for all • invest in the future <p>Shape place to:</p> <ul style="list-style-type: none"> • keep it clean, green and safe • preserve the characteristics • make sure sustainability and infrastructure needs are balanced <p>Enable people to:</p> <ul style="list-style-type: none"> • collaborate and engage with us • live healthy and active lives
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Equality, diversity and human rights implications	1. None
EIA logged by Equalities Officer	EIA completed and signed off by Equalities Officer.

Crime & safety Issues	1. None
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Data assessment	<ol style="list-style-type: none"> 1. On the Social Progress Index Stowe Ward sits at 20 out of 22 compared to other Wards within the district. 2. By adopting the BRS Design Code, new development including housing within the Ward will be of the highest quality which in time will increase scoring for all 3 dimensions.
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Environmental impact (including climate change and biodiversity)	<ol style="list-style-type: none"> 1. The Design Code has a section specific to nature with requirements to enhance: <ul style="list-style-type: none"> • Green Infrastructure • Species selection, and • SuDS & Drainage 2. These requirements will ensure that good quality design includes the natural environment at the earliest stage.
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GDPR / Privacy impact assessment	1. None
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	Risk description & risk owner	Original score (RYG)	How we manage it	New score (RYG)
A	The Design Code does not deliver a high enough standard of quality design.	Risk: Yellow Likelihood: Yellow Impact: Yellow	The Design Code structured in line with the National Model Design Code (NMDC) and developed with feedback from residents and stakeholders in the District.	Risk: Yellow Likelihood: Green Impact: Yellow
B	Application of the Design Code means planned developments might not be viable and	Risk: Yellow Likelihood: Yellow	The Design Code is structured in such a way that building heights and residential densities could potentially increase beyond what would normally be permitted on	Risk: Yellow Likelihood: Green

	therefore the applicant makes a case to this effect as part of the planning application.	Impact: Yellow	the site, meaning that development viability is retained.	Impact: Yellow
C	Following planning permission being granted, the developer reneges on the commitment to Design Code principles.	Risk: Yellow Likelihood: Yellow Impact: Yellow	Planning permissions are normally granted subject to conditions that would ensure the planning enforcement team could intervene as with any other planning application.	Risk: Yellow Likelihood: Green Impact: Yellow
D				
E				

Background documents	Appendix A - Birmingham Road Site - Design Code
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Relevant web links	Birmingham Road Gateway - Lichfield District Built Environment (ldcdevelopments.co.uk) BDP Design Code Information - Local design code (lichfielddc.gov.uk)
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