

# Lichfield District Design Code

## Supplementary Planning Document

Cabinet Member for Housing and the Local Plan

Date: 3 December 2024

Agenda item:

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Key decision? YES

Local ward members All wards



Lichfield  
District Council

**Cabinet**

## 1. Executive summary

- 1.1 We have been working with consultants BDP to develop a district wide Design Code to provide guidance on new development across the district. The Design 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 and formal consultation earlier this year, the final version of the Lichfield District Design Code Supplementary Planning Document (SPD) (**Appendix A**) has now been prepared.
- 1.2 The draft Design Code was the subject of a six-week public consultation between 22 April and 3 June 2024. A schedule of the representations received and the Officer responses to these, including any amendments which have made are set out within the Consultation Statement at **Appendix B**. The report seeks approval for the adoption of the amended Lichfield District Design Code SPD attached at **Appendix A**.

## 2. Recommendations

- 2.1 To recommend to Full Council the adoption of the Lichfield District Design Code SPD at **Appendix A**.
- 2.2 To note the response to consultation responses and officer comments and approve the Consultation Statement (**Appendix B**) and Adoption Statement (**Appendix C**) for publication.
- 2.3 To approve to 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 adoption, and once adopted make minor non-material changes to the SPD.

## 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 In January 2023 we commissioned BDP to develop and progress a Design Code to cover the whole of the district, with the intention that it would be adopted as an SPD. The code has been developed with a wide range of stakeholder engagement taking place to help shape the document. This engagement included:

- March and April 2023 - community workshops and webinars to explain how the Design Code would be developed and seek input from residents, which were attended in total by 102 people.
- April 2023 – an in-depth community survey which asked residents and other stakeholders a series of questions about the character of their local areas and their preferences. It involved people surveying a selected street and answering questions to help BDP understand the urban typologies of the district. This survey was undertaken in full by fourteen respondents.
- November 2023 – informal public consultation on the draft Design Code to enable all stakeholders to comment on the draft document prior to a final draft being completed. 79 responses were received to the survey from a range of stakeholders including members of the public and those working in the development sector.

## Formal consultation on the Lichfield District Design Code

3.3 Following this, the draft Design Code was published for a six-week formal consultation period between 22 April and 3 June 2024. The legislative requirements to produce SPDs are set out in [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) and requires the document to be subject of public consultation of a minimum period of four weeks. The council's adopted [Statement of Community Involvement](#) (SCI) states that the council will commit to consultation on SPDs for a minimum of four weeks and a maximum of six. Given the importance of the SPD it was decided to consult for the maximum six-week period.

3.4 The following consultation methods which are in accordance with the SCI were used:

- Published the Lichfield District Design Code SPD on our website and consultation portal.
- Hard copies of the document along with consultation forms were made available upon at District Council House, Burntwood Leisure Centre, and The Old Mining College in Chasetown.
- Made the document available in alternative formats where requested.
- Issued a press release and promoted the consultation using our corporate social media channels (Facebook and 'X').
- Consultation drop-in events were held in Lichfield, Burntwood, Armitage with Handsacre and Fazeley.
- Notification emails were sent to all stakeholders (individuals, organisations, or bodies) that the council considered would be affected or interested in the SPD.

3.5 21 representations to the consultation were received from a range of stakeholders including members of the public and those working in the development sector. The representations and the officer response to these, including any amendments which have been made to the document are detailed within the Consultation Statement (**Appendix B**). Table 1 provides a summary of the key themes which have been identified from the responses that were submitted.

Table 1: Design code formal consultation summary of responses

Key theme	Response	Action
Nationally Described Space Standard(NDSS)	There were several objections of the need to meet this within the code.	No change, the code remains robust in advising developments 'must' meet NDSS.
Front Gardens/Parking	Some resistance to front gardens and parking requirements, with the view that it was too stringent for developments and will lead to 'poor' design.	No change, the code remains unchanged, any loosening of the wording will create vague rules in the code.
Building Line	Developers felt the building line was restrictive and did not offer flexibility to detailed design considerations after the regulatory plan is drawn.	No change proposed as sufficient distance for variance of this is already built into the code.
Items not currently within the Local Plan	Consultees raised queries on items not currently within the Local Plan.	Section 3.1 will clarify that items not within the existing Local Plan will remain as guidance until LDC progresses with the adoption of a new Local Plan.
Canal conservation areas	Concerns that canalside development is not referred to in the code.	No change. Canalside development is deemed too specific to link to the code.
Clashes with Building Regulations	Concerns that the latest building regulations were not cited within the draft code.	BDP have reviewed and have updated in accordance with the latest regulations.
Heritage	Strong comments on heritage implications and design from Historic England indicating they require heritage to be referenced throughout the code.	Heritage assets already have significant policy basis locally and nationally, no changes to the code will be made.
Speed limits	Various comments relating to the speed of roads and stringent speed limits, particularly in industrial areas.	Specific speed limits to be removed and signposting to Staffordshire County Council (SCC) Highways placed into the code.
Biodiversity Net Gain (BNG)	Several suggestions that BNG should reflect national requirements.	This has been changed to reflect national guidance.

Key theme	Response	Action
Watercourses	Some developers objected to strong wording around opening watercourses.	Requirement for opening these has been loosened.
General requests for loosening of the code to make for a less stringent code	Several requests were made for the 'must' wording to be changed to 'where possible'.	These were treated on a case by case basis and unless within this table as a change, it was decided that wording would not be weakened within the code.
Building heights	Concerns raised about the limits to the height of development. With strict height requirements, developers are fearful this will result in lack of variation and them being unable to create feature points in developments. Also, it does not accord with potential density requirements.	Wording has been changed slightly to include the provision of significant justification for an increased height.
Loss of trees within developments	Several comments regarding the retention of Cat A & B trees, unless justified. Developers are significantly against this.	Exceptional circumstances text has been changed to 'significant and evidenced justification' making it a lot clearer for the Planning Officer to determine.
Street Trees	Concerns were raised by SCC that street trees directed on one side of the highway or both sides could have knock on effects to private frontage depth and building lines.	Officers discussed and agreed that street trees on the side of highways should have the following rule 'if practical to do so and by agreement with all parties involved'
Highways	Developer concerns over what SCC would/would not be willing to adopt.	Addressed by including signposting to SCC guidance.
Building materials	Concerns raised over the requirements for brick and tiles when trying to achieve sustainability objectives.	Additional text has been added to include sustainable materials if justified in terms of design and local context.
Access to facilities and bus routes	Quite strong coding limits have been placed on this aspect of the code. Developers are questioning whether this is possible on all schemes, with infrastructure harder for them to provide.	No change has been made; it is expected that developers show how this will be achieved. We are looking to achieve sustainable development and for people to use other transport options and active travel.

Key theme	Response	Action
Larger schemes	Consultees sought clarification on the definition of larger schemes.	Any reference to larger schemes will caveat that it is over 100 homes.
Secure by Design	Concerns raised that developments 'must' meet the Secure by Design standard will negatively impact place making quality.	Code loosened to state design 'should' meet this standard and not 'must'.

- 3.6 In addition to the changes above, a change has been made to the code to the area around Lichfield Trent Valley station to reflect the nature of the site. Text has also been added for the potential of future uses of this site to deviate from area types if they come forward.
- 3.7 The Design Code has been amended in several places following consideration of the representations made to the consultation, and the final document recommended for adoption is at **Appendix A**.
- 3.8 The SCI requires the council upon adoption to publish the SPD (**Appendix A**) alongside the Consultation Statement (**Appendix B**) and an Adoption Statement (**Appendix C**). In addition, upon adoption we will need to inform those stakeholders who have made representations to the consultation and any stakeholder who has previously requested to be notified.
- 3.9 Cabinet is asked to recommend to Full Council that the Lichfield District Design Code SPD be adopted and published alongside the Consultation Statement and Adoption Statement.

Alternative options	<ol style="list-style-type: none"> <li>1. Cabinet does not recommend that the Lichfield District Design Code SPD is adopted. This would result in the document remaining at a draft stage and could not be used by the council when determining planning applications.</li> <li>2. Cabinet recommends further amendments to the SPD. Should any amendments be proposed, the Council may be required to undertake further formal consultation on the draft document prior to it being reported for adoption.</li> </ol>
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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. Draft Design Code document was presented to Cabinet in <a href="#">April 2024</a> prior to formal public consultation.</li> <li>4. Formal public consultation for six weeks undertaken on the SPD undertaken between 22 April 2024 and 3 June 2024.</li> </ol>
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Financial implications	The adoption of the SPD will be met within the approved budget for the Design Code project.
Approved by Section 151 Officer	Yes

Legal implications	<ol style="list-style-type: none"> <li>1. Lichfield District Design Code SPD has been prepared in accordance with the required legislation within <a href="#">The Town and Country Planning (Local Planning) (England) Regulations 2012</a>.</li> <li>2. Consultation on the SPD has been undertaken in accordance with the councils adopted SCI.</li> <li>3. Process for the adoption of the SPD is to be taken in accordance with the councils adopted SCI.</li> </ol>
Approved by Monitoring Officer	Yes

Contribution to Lichfield District 2050	<p>Adoption of the Lichfield District Design Code is identified as a key milestone within the Confident Communities themes of Lichfield District 2050. It also achieves the following:</p> <ol style="list-style-type: none"> <li>1. Supports the priority of 'active communities' 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 'confident communities' 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 'prosperous communities' by accountability, transparency, and responsiveness by providing further guidance as to the requirements proposed developments will be expected to meet.</li> <li>4. Supports the priority of having 'green communities' by ensuring BNG is achieved and there are ecology measures in place for local nature.</li> </ol>
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Data assessment	<ol style="list-style-type: none"> <li>1. The Design Code covers the whole district and will positively impact various wards. The Design Code promotes good design of homes and includes an increase in expectation of developers to build bungalows on new larger developments, which will improve the health and wellbeing of residents in the wards where there are new developments.</li> <li>2. The Design Code will be applied to approximately 200+ new homes each year.</li> </ol>
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Equality, diversity, and human rights implications	An equality impact assessment of the Design Code document has been undertaken ( <b>Appendix D</b> ).
EIA logged by Equalities Officer	EIA sent to Equalities Officer.

Crime & safety Issues	The Design Code includes new development using Secure by Design guidelines to that ensure safe homes are built in the district.
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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 BNG and be flexible to allow for future changes in policy.</li> </ol>
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	3. The Design Code allows for sustainable building materials to be used on developments where justified in the local context.
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GDPR / privacy impact assessment	A Privacy Impact Assessment was completed at the required consultation stages.
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	Risk description & risk owner	Original score (RYG)	How we manage it	New score (RYG)
A	Adoption of Design Code SPD or consultation process used is challenged.	Likelihood: Green Impact: Red Risk: Green	Ensure that consultation and adoption has been planned and undertaken in accordance with the regulations and the council's adopted SCI.	Likelihood: Green Impact: Green Risk: Green
B	SPD does not provide the necessary guidance for the future decision-making on planning applications.	Likelihood: Yellow Impact: Yellow Risk: Yellow	<p>Consultation with key stakeholders, including development management colleagues has guided the development of the Design Code to date and provided opportunity for concerns to be raised during the preparation of the SPD.</p> <p>The SPD can be revised in the future as further amendments/updates are required. Significant changes would be subject to consultation and adoption process.</p> <p>The SPD is a material consideration in decision-making on planning applications; officers can only take decisions which are not in accordance with it if other material considerations indicate otherwise.</p>	Likelihood: Green Impact: Green Risk: Green

Background documents	<a href="#">Statement of Community Involvement 2020</a> <a href="#">National Design Guide</a> <a href="#">National Model Design Code</a> <a href="#">Lichfield District Design Code Supplementary Planning Document - Cabinet Report April 2024</a> <a href="#">Lichfield District Council: Statement of Community Involvement</a>
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Relevant web links	<a href="#">The Town and Country Planning (Local Planning) (England) Regulations 2012</a> <a href="#">National Planning Policy Framework</a>
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