Schedule of Changes

Westmorland & Furness Design Code

Supplementary Planning Document

March 2026

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Westmorland and Furness Local Plan

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

01 Introduction and Identity

District Level

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	Paragraph 1.14 specify "Arnside & Silverdale National Landscape (AONB) DPD" to make it clear the DPD is for the designation rather than just the villages of Arnside and Silverdale.	Noted. Added reference to National Landscape (AONB) accordingly to paragraph 1.14. Change: Text modified final bullet point: • Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Westmorland and Furness Council	Reference to Validation Checklist required	Link to Validation Checklist included and relevant text added to accompany it (paragraph 2.15) Changes: New paragraph added: **Validation Checklist** **2.15 The Validation Checklist sets out the supporting information that applicants must submit with their planning application. Applicants must read the guidance and validation requirements on the Council website [https://ukc-word-edit.officeapps.live.com/we/wwww.westmorlandandfurness.gov.uk/planning-and-building-control/planning/national-and-local-planning-validation-requirements] before applying.** Heading added above paragraph 2.12: Step 5: Complete the **Compliance** Checklist

Consultee	Comment	Council Response and Proposed Change
Mulberry Homes Limited	**Greenfield Homes – 10 or more** • **GHL 2.1 a):** change 'In order to minimise the embodied carbon profile of new development, applicants are to prioritise……..:' to 'In order to minimise the embodied carbon profile of new development, applicants are to prioritise**, where appropriate**…..:' EP comment: it may not always be the most sustainable approach to repair and repurpose existing buildings etc. • **GHL2.2 c)** change 'addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks.' to 'addressing the potential impacts of flooding and **where appropriate** integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks.' EP comment: not all sites are suitable for infiltration drainage, and the traditional SuDS options do not necessarily suit all scenarios. The Code must take this into account. • **GHL 2.6:** change **'**The most appropriate renewable energy technology for the site and surrounding area must be used, having due regard to the physical nature of the development such as aspect, building height and visual amenity.' to '**Where appropriate, the** The most appropriate renewable energy technology for the site and surrounding area must be used, having due regard to the physical nature of the development such as aspect, building height and visual amenity.' EP comment: there are complex factors which will inform the suitability and use of renewable energy . • **GHL 4.4** change' Public spaces must feature high-quality hard and/or soft landscaping that enhances biodiversity, climate resilience, and the overall experience of the public realm. This includes integrating native planting, green corridors, and using permeable surfaces wherever feasible.' to 'Public spaces **must should, where appropriate,** feature high-quality hard and/or soft landscaping that enhances biodiversity, climate resilience, and the overall experience of the public realm. This includes integrating native planting, green corridors, and using permeable surfaces wherever feasible.' EP comment: the guidance should not be so prescriptive – should where appropriate is a more suitable form of words than 'must'.	Noted. Paragraph 2.13 of the Introduction and Identity chapter acknowledges that there may be valid, site-specific reasons why the code cannot be complied with, and it is for applicants to explain if they apply. To further reiterate this message, paragraph 2.13 has been revised. Change: Amended wording: 2.13 The checklist asks how the different sections of the code have been complied with and if not, why not? There may be valid, site-specific reasons why the code cannot be complied with, **and** these should be explained **and fully justified** if they apply.
Individual	Paragraph 3.4 makes no sense	Paragraph 3.4 does make sense, however it could be merged into 3.5. Changes: Paragraph 3.3 These characteristics are **listed here and described below**: Paragraph 3.4 deleted: ~~3.4 These are each described below.~~
Arnside & Silverdale National Landscape	(identity section) Would like to see more information/explanation of village and town form i.e layout of buildings and settlement types (linear, nucleated, grid etc.). These considerations are particularly important within rural village settings to maintain (or at least respect) the form of the historic settlement pattern. i.e a predominantly rectilinear housing estate on the edge of a linear rural settlement (such as Endmoor) looks quite jarring and doesn't sit well within the the landscape context.	Noted. Reference to "stone" added in paragraph 3.12. Change: Text added: 3.12 The underlying geology has had great influence on the land use and development throughout the district. This is visibly made evident both through the multitude of land management practices, and the use of local **stone and other** building materials.
Cumbria Constabulary	Page 5 - Planning Policy Context Design Codes and Guidance To include 'Secured by Design' as an appropriate reference document. (The guidance documents published by Secured by Design are regularly updated to reflect emerging crime trends).	Secured by Design is not a planning policy document, therefore it should not be included here.

Consultee	Comment	Council Response and Proposed Change
Kendal Swifts	1.1 Its contribution to climate change: will it reduce carbon emissions and adapt to a changing climate, while increasing biodiversity and access to nature?	The design code will make a positive contribution to climate change. One of the stated key aspects of the draft design code's vison is that it will help address the impacts of the climate emergency and enhance biodiversity. Moreover, its stated values include that it will help achieve the Council's ambition of net-zero carbon emissions by 2037, by requiring sustainable design ensuring that developments are resilient to the impacts of climate change and reinforce the area's status as a nationally –recognised leader in clean energy and de-carbonisation. Biodiversity will be enhanced through new development. An example of the above, in terms of how it is reflected in the consultation draft design code, is: Chapter - Green field Homes, large (10 or more homes) - CODE GHL 2.1 Sustainable Materials. This code sets out a number of requirements which applicants are to prioritise in order to minimise the embodied carbon profile of new development. Some other relevant examples of draft coding are: CODE GHL 2.4 - Resilient Public Spaces – Public realm and amenity space must be designed with climate resilience at its core ....; and CODE GHL 2.5 -Passive Solar Gain. One example of draft coding that relates to incorporating nature and biodiversity into new housing development is: CODE GHL 3.2 Open Space.
Individual	As a general comment the code should stress not just creating but also retaining accessible and healthy places already used by existing residents. There is a danger that new developments will divert funds to put green spaces within new developments when existing walks are destroyed for roads. If existing walks -such as quiet lanes- are kept, the developers funds could be spent elsewhere -such as education/services/infrastructure. The district's valued natural heritage should be respected and retained. This should take into account views from afar of development -eg protecting Penrith's ridgeline which is in danger of being lost to development any higher than the existing level to the North of the town. Many fields act as natural flood defence and over development will displace more flood water and overload existing infrastructure which is already past capacity at times and Penrith flash floods. the code should not just consider the resilience of the development but also how it impacts the system it drains into. The wellbeing of residents.... giving priority to walking. Again keep the free healthy amenities such as quiet lanes that are already enjoyed by many. The well being of existing residents has been overlooked in recent developments and more attention should be given to this.	In terms of open space, the Design Code focuses on integrating green spaces into the design of new development. Protecting open spaces will be a matter for the new Local Plan. Views into and out of development are addressed in the Design Code. Sustainable drainage is addressed in the Design Code. The retention of quiet lanes will be a matter for the new Local Plan.
Arnside & Silverdale National Landscape	(images) would be nice to include a couple of images from Arnside & Silverdale National Landscape. Medieval settlement forms in Beetham possibly as these are locally notable. (identity section) Would like to see more information/explanation of village and town form i.e layout of buildings and settlement types (linear, nucleated, grid etc.). These considerations are particularly important within rural village settings to maintain (or at least respect) the form of the historic settlement pattern. i.e a predominantly rectilinear housing estate on the edge of a linear rural settlement (such as Endmoor) looks quite jarring and doesn't sit well within the the landscape context.	Noted. The Section on page 25-26 discusses the importance of the layout of settlements and connectivity and range of spaces between them. No additional changes required.

Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes “The Consortium”)	This response is principally responding to the Code for Greenfield Homes - Large (10 or more homes). The Consortium previously wrote to you in December 2024 and July 2025 in regard to the proposed scope and approach of the Design Code, as well as the first working drafts. The Consortium remains of the view that the preparation of a Design Code in isolation from the emerging Local Plan may fail to meet the legal requirements for the preparation of policy documents given the age of adopted Local Plans. It is also the view of the Consortium that an authority-wide design code may go against the stated wishes of the Government and is unlikely to identify opportunities for maximising the efficient use of land and meeting market and affordable housing needs. National Policy After the election in July 2024, the Government promptly established initial thoughts in respect of the priorities for planning and the economy. This was set out in the Proposed Reforms to the National Planning Policy Framework consultation document (“Reforms Document”). This established the importance of planning to meet housing needs and making the most efficient use of land in order to achieve the ambitions of increasing housing supply. It was requested that instead of producing authority-wide design codes, local planning authorities should focus efforts on the preparation of localised design codes, masterplans and guides for areas of most change and most potential. This could include regeneration sites, areas of intensification, urban extensions and the development of large new communities. Whilst the Government Response to the December 2024 NPPF confirmed that the use of area-wide design codes will be kept under review, it is clear that the Government is attempting to drive growth by focusing efforts on coding for specific sites or identifiable sustainable areas of most potential for change. The Government published a National Model Design Code (NMDC) in July 2021 and provided advice on how to prepare design codes. A Pilot programme preceded this and commenced in April 2021 with 16 authorities selected to take part. Final outputs were produced in September 2021, and it is worth noting that of the 8 Design Codes which were produced as part of the Pilot Programme, each one related to the delivery of a specific site . Those associated with an area or neighbourhood wide context were not taken forward as part of the programme. It is understood that an updated NPPF is due to be published prior to Christmas 2025 and this is likely to include updated guidance on design coding including a revised NMDC. The consortium is of the view that moving forward with an Authority-wide Design Code would be premature at this time and any updated guidance should be considered in full prior to adoption. Legal Framework and Conformity with Local Plan Policies As noted in the previous consultations it is intended that the Design Code will, subject to approval, be adopted by W&FC as a Supplementary Planning Document (SPD). The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the legislative framework for the preparation of Local Plans and SPDs. Part 4, Section 8(3), makes it clear that in regard to the format and content of documents, “any policies contained in a supplementary planning document must not conflict with the adopted development plan”. The Planning Practice Guidance provides further background on the role of SPDs, noting the following (emphasis added): “Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.” As noted in our Letters from December 2024 and July 2025, the intention of W&FC is to progress with preparation of a new style Local Plan under the provisions of the Levelling Up and Regeneration Act (2023) once the required regulations have been published. The Local Development Scheme which was published in February 2025 suggests that this wouldn’t be adopted until April 2028, at the earliest. However, in light of the guidance that was recently published on 27 November 2025, in	The Design Code hangs off a range of local plan policies which are in accordance with latest national government design policy, notwithstanding the age of some of the policies. There is therefore justification for producing a Design Code SPD which “hangs off” existing local plan policies in this regard. The Design Code will be reviewed in line with the emerging Westmorland and Furness Local Plan, existing policies will be reviewed and updated accordingly taking account of latest published National design policy and guidance. The Government in the latest current consultation on the Design and Placemaking Planning Practice Guidance (January 2026), is advocating for the use of authority wide Design Codes still – see paragraph182, 201 and accompanying diagram, and recognises they can be applied at different scales (see paragraph 225) of the draft for consultation document. The Westmorland and Furness Design Code is at a very advanced stage, it has the benefits of pulling together design guidance for the Westmorland and Furness Local Plan area – in the absence of any authority-wide published combined design guidance. Local Planning authorities have until June 2026 to adopt any new Supplementary Planning Documents they are currently preparing, and therefore the Council believes preparing a District Wide design code is appropriate and justified under current rules and in such current circumstances. As mentioned above, the Code will be reviewed in line with the preparation of an emerging Local Plan for Westmorland and Furness, and new design policies will be a feature of the new Local Plan which will take account of latest National Model Design Code and guidance.

Consultee	Comment	Council Response and Proposed Change
	respect of the regulations for 30 month plan making, it is expected that the Local Plan will not be adopted until the second half of 2029, at the earliest. Therefore, in the context of W&FC, the adopted plans comprise those of the former authorities, all of which are more than five years old. In the case of the former South Lakeland authority, the strategic policies were adopted nearly fifteen years ago. Any Design Code for W&FC would therefore need to relate to and show conformity with the design policies within each of those plans. The spatial priorities for the emerging Local Plan for W&FC have not yet been developed and the Consortium is of the view that it would be premature to develop a detailed Design Code ahead of this. The Consortium is also of the view that placing more restrictions on the delivery of housing could impact on the delivery of affordable housing, as well as other key infrastructure and further justifies the production of Design Codes alongside Local Plans. The Consultation Draft of the Design Code has been reviewed with a particular focus on the "Introduction & Identity" ("Introduction Code") and "Greenfield Homes - Large (10 or more homes)" ("Greenfield Code") documents. It is notable that the Code for Greenfield Homes has altered since the Working Draft consultation and reduced from schemes 100 or more homes to 10 or more homes. The Design Code is now effectively a catch all for every major residential scheme, potentially going further away from Government wishes in regard to the use of design codes. The Greenfield Code is well over 100 pages long and sets out expectations for new development. This is unnecessarily lengthy and places a further burden on both applicants and planning officers. The document includes a series of 'policies' throughout, all of which are titled "CODE". At the end of each policy, specific policies within the adopted plans for the three former authorities are identified and it is assumed that these references are seeking to show conformity and justify the inclusion of the Design Code policies. However, referring back to the Introduction Code, it is clear that no substantive analysis of adopted policy has been included. The document has not considered how up to date the policies remain or whether they are fit to support coding or general guidance. The documents are listed in the table on page 5 and hyperlinks are provided to the documents on page 12, with no other explanation. The Consortium would expect the Code to pick out the key policies and demonstrate how these remain fit for purpose, particularly given the age of several documents. In order to bridge the evidence gap, sufficient justification should be provided to show how they can be relied upon to shape development moving forward.	The Design Code does not introduce any new planning policy requirements as it "hangs off" existing Local Plan policies. In this regard as evidenced in the Viability Statement which supports the Design Code, the introduction of the Design Code will not introduce any additional costs to developers as these have already been accounted for in the viability appraisal of current adopted Local Plan policies. The Digital version of the Design Code is intended to enable users of the Code to navigate their way around it in an informed and user-friendly manner. A policy review exercise has been conducted to ensure the codes can be introduced on the back of existing adopted Local Plan policies. The policies which the Code relate to are primarily design related and considered to be in accordance with current national planning policy.

Individual	The whole of the document is very wordy and thrives in complexity rather than simple communication. It appears to have been crafted to create ambiguity and to enable comment and disruption of the determination of any application. The document need a summary to say what it is going to say.. Values : There is no reference to employment, business or commerce and the need to support this for a thriving community. If it is not located within area the use of vehicles will be perpetuated. Paragraph 1.7 when will the design code require sustainable design, will is of the future not of the now Paragraph 1.13 Design codes but only one he Westmorland and Furness Design Code, which one is it you have duplication of codes and information this multiplies the opportunities for errors and failings, resulting lack of consistency in content and application of the coded. Over time this will become increasingly difficult to administer Paragraph 1.22 Whilst you treat all the same, you should give credit to professionals who have the unfortunate task to have to try an make sense of the multiplicity and disparately located information. This will add cost to EVERY project and act as a disincentive to invest and develop in this area jeopardising the community. Paragraph 2.1 Quick and easy is NOT what this documentation is. i have sat down to try to do this on 5 occasions and am still struggling to work through it and see where there is consistency in the context of the existing built environments. Paragraph 2.4 you break into the activity at first stage, not after you have introduced the code, whatever that is . The W+F design code and common requirements could be introduced so there is a common core and then break off into the subject matters Paragraph 3.3 are characteristics of any location anywhere on the planet not W+F Paragraph 3.5 the meaning of the word design has been reinterpreted by the whole of this documentation to mean built environmental character. This phrase is not used that I have seen. It more correctly describes what the document is trying to convey by the shorthand 'design' term, This is important as Design more frequently applies to objects , building etc. so its use rather than "built environmental character" creates opportunity for misinterpretation, which will lead to problems in the application of the codes for officers and professionals alike. There is no statement that the W+F area is geologically diverse, or analysis leading to areas of sameness, this would help officers, and applicants alike. Paragraph 3.21 Most of this is true everywhere, it is not a locational statement. The issue is the history of this element of the west coast where growth occurred in the preindustrial Georgian eras. The areas has always been comparatively sparsely populated so the roads in towns and beyond are therefore narrow. The illustrations appear random and without specific purpose. Hierarchies This is an analysis tool only used by Architects and Urban Designers to inform the development of place and structure of the urban build up. Its use is corrupt in the context. What is lost people of different wealth built next to each other hence an ashlar stone house next to random found riven stone. The use of paint / lime wash is more likely to be directional to prevent rain penetration rather than to 'face ' a building. Distinct public spaces, edges and boundaries Not sure what this is saying other than vernacular rules the day. The images a disparate and potentially open to misinterpretation. It appears to dislike fences, this is a big cost implication. It could say fences are a typical of the area but if they are used MUST be planted with ecologically appropriate climbing species. Picture titled "Simple, but solid-looking stone walls echo both the building line and the kerb line and provide a decisive break between private land and the public realm. Grange-over-Sands." shows a wall with a totally non vernacular coping, it is absolutely awful and flies in the face of everything above.	Noted. Final digital presentation should improve the navigation of the Code. The Digital version of the Design Code is intended to enable users of the Code to navigate their way around it in an informed and user-friendly manner. There are chapters in the Design Code that focus on business development. The Design Code's sustainable design requirements will be implemented when the Design Code is published. The various chapters of the Design Code allow the developer and local planning authority to concentrate on the specific codes that are relevant to the proposal, rather than picking out relevant codes from a larger single document. Comment regarding paragraph 2.4 is not clear. Comment regarding paragraph 3.5 is not clear. Geological diversity will be considered as part of the Local Plan process. The illustrations are captioned and relate to the respective sections that they sit within. Comments regarding hierarchies are not clear. This section is about "distinctive" boundaries that are characteristic of Westmorland and Furness i.e. not fences. There are no requirements set out here as it is describing characteristics.

Consultee	Comment	Council Response and Proposed Change
	Distinct built form and grain of buildings This should recognise the differences are in the age of the development's and the availability of money and building technology which shaped their form and type. Paragraph 3.35 is a crass over simplification reflected by the image "Regular and symmetrical Georgian housing. Burton-in-Kendal." The upper windows are square. This format lets in more light, and potentially heat so can be very difficult in modern developments. The use of the word 'grain' is not explained and could do with a defining it in terms of what is 'fine' grain.	The Council disagrees with the comment regarding the stone walls in Grange. Paragraph 3.35 is a design consideration. It does not say that all windows must have vertical emphasis. It is expected that applicants would understand the terms “grain” and “fine grain.”
Historic England Introduction & Identity	We fully support that the vision and values of the Design Code are a result of public consultation that took place in the early stages of preparation (1.5) and the recognition that local communities highly value the quality and architectural detailing of traditional buildings. We support the focus on how local distinctiveness is a respected and valued part of the places where people live and work within the Westmorland & Furness area. We also support the approach to ensuring new build development draws on this valued part of the built environment and its sense of place. Historic England supports a Design Code were it succinctly draws out how locally distinctive materials have been used historically to create distinctive rural and urban places, whether isolated farmsteads in the open countryside, small hamlets, villages, market towns and those along the coast and estuary. We support the vision of respecting and reinforcing the district’s valued built heritage and point out how conservation and enhancement of the historic environment can also support the others ‘vision’ objectives. We support the value of protecting local distinctiveness, however if this relates to the historic environment, we suggest the use of the terminology ‘conservation and enhancement,’ to comply with the NPPF.	Support noted and welcomed.

02 Greenfield Homes Large (10 or more homes)

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly Change: Text modified in the bulleted list under ‘Design Code for Greenfield Homes – Large (10 or more homes) final bullet point: • Arnside & Silverdale **National Landscape (AONB)** DPD AS08

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.
Westmorland and Furness Council	Add to Code GHL 1.1 Barrow Local Plan Policies DS5, DS6, GI1 supporting	Policies added to Code. Change: For code GHL 1.1, modify relevant policies: (Barrow: N1, *DS2,* ***DS5, DS6, GI1***); Eden: DEV5, ENV2; South Lakeland: DM1, *AS02, CS8.2, DM2)*
Arnside & Silverdale National Landscape	1.7 specify Arnside & Silverdale National Landscape to make it clear that it refers to the designation and not just the vilalges of Arnside & Silverdale. likely need to do the same with North Pennines as the area conventionally known as the 'North Pennies' extends beyond the designation boundary. (page 10) ideally need an image to show the Morecambe Bay Limestones/South Cumbria Low fells. (NCA 20). The Morecambe Bay Limestones have a distinct character compared with the other images shown.	Noted. Reference added to 'National Landscape' accordingly. Change: In paragraph 1.7, modify wording of the first sentence: 1.7 If the site is within ~~one of the National Landscapes or its setting~~ **the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings**, the applicant should review the Arnside and Silverdale **National Landscape** Management Plan or the North Pennines **National Landscape** Management Plan.
Westmorland and Furness Council	The North Pennines NL has a design guide that will become part of the management plan. The code needs to reference this.	Reference to The North Pennines NL design guide has been added Change: Amend paragraph 1.7 as follows: . 1.7 If the site is within the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings, the applicant should review the Arnside and Silverdale National Landscape Management Plan or the North Pennines National Landscape Management Plan. **Proposals within the North Pennines National Landscape must also review and take into account the North Pennines AONB Building Design Guide [https://northpennines.org.uk/publications/].**
Westmorland and Furness Council	Add to Code GHL 1.2 Barrow Local Plan Policy N1 supporting and South Lakeland Local Plan Policy AS08 supporting	Policies added to Code Change: For code GHL 1.2, modify relevant policies: (Barrow: DS5, *DS6, GI1,* ***N1***; Eden: DEV5, ENV2, ENV3, LS1; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)
Westmorland and Furness Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.11 as follows: 1.11 The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. Applicants must include an appraisal of the local context, addressing landscape setting, local tranquillity, views, and vistas. **Nearby sources or potential sources of noise or air pollution should also be identified.** This should guide the integration of the development within its townscape and landscape setting, focusing on careful siting, design, and impact mitigation.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.12 as follows: 1.12 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security**
Westmorland and Furness Council	Add a reference to also needing to consider accessibility to nearby local facilities, not just the village centre. This is relevant to other 'development types' as well	Additional text added accordingly. Change: For bulleted list under illustration 'Context and site analysis of an example large greenfield site – landscape opportunities', add penultimate bullet: **Accessibility of local facilities and amenities.**
Westmorland and Furness Council	Add to Code GHL 1.3 Barrow Local Plan Policy GI1 supporting, South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to Code Change: For code GHL 1.3, modify relevant policies: (Barrow: DS5, H7, N1, ***GI1***; Eden: DEV5, ENV1, ENV2, ENV3, ENV10, RUR3; South Lakeland: AS02,~~ AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly. Change: Modify the first sentence of paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.17: **1.18 Land Contamination and/or potential contaminative uses may also be a factor to consider. For further guidance on how to consider potential contamination visit the website www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions.**
United Utilities	When identifying the need to understand water and wastewater assets within a site, we recommend the following additional paragraph in the various elements of the design code: *The layout of a site must integrate, and maintain access to, existing and proposed utility services. Proposals, including landscaping and changes in levels, must not adversely affect the operation of existing utility services or the ability to access, maintain and repair existing utility services. Importantly applicants should not assume that assets can be diverted when preparing a site layout or that levels on top of utility assets can be changed without prior agreement with the relevant utility provider. Infrastructure constraints must be well understood prior to commencing the design process as they can compromise the deliverability of development and increase costs.*	Comments noted. The Design Code does not include specific coding relating to United Utilities Infrastructure. United Utilities has the opportunity to comment / provide guidance relating to specific proposals, as part of the planning application process. Additional text has been added to refer to the fact that prior agreement with the relevant utility provider will be required. Change: Amend paragraph 1.20 (now 1.21) as follows: 1.20 Existing utility infrastructure can be a key determinant of site design. It is important for water and wastewater assets to be fully considered in development proposals at an early stage. United Utilities or Northumbrian Water will not permit development over or in close proximity to water and wastewater assets. Changes in ground level in the vicinity of water and wastewater assets or changes to the public sewer, including diversion, **would need prior agreement with the relevant utility provider. Such proposals** may not be acceptable as ~~such proposals~~ **they** can:
Westmorland and Furness Council	Add to Code GHL 1.4, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code GHL 1.4, modify relevant policies: (Barrow: DS5, **HE2,** N1**, N3**; Eden: ENV1, ENV3, ENV10, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code GHL 1.5 Barrow Local Plan policies HE3, HE6 requirements	Policies added to code. Change: For code GHL 1.5, modify relevant policies: (Barrow: DS5, HE2, **HE3,** HE4, **HE6**, N1**,** *DS2;* Eden: DEV5, ENV3, ENV10, *ENV2*; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2)*
Historic England	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Reference added to relevant good practice advice notes accordingly. Change: Modify paragraph 1.31: 1.31 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement

Consultee	Comment	Council Response and Proposed Change
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Paragraph 2.8 specifies uPVC should be minimised. not avoided, highlighting it's disadvantaged from a energy/resource perspective. For consistency paragraph 6.31 also amended reference to minimising uPVC rather than avoiding, along with minimising use of prefrabricated building materials – paragraph 2.8 Text amended to recognise that renewable energy incorporation may not always be possible. Changes: For bulleted list under paragraph 2.8, modify the fourth bullet point: • ~~Avoid~~ **Minimise** the use of prefabricated building materials that can generally not be repaired and have a fixed lifespan, requiring more material to be brought in for replacement. Modify paragraph 6.20: 6.20 **The use of b**~~B~~uilding materials such as interlocking concrete tiles, plastic, composite or artificial tiles, which are limited to a single size, should be ~~avoided~~ **minimised**. These materials lack the variation and character found in local buildings. For bulleted list under paragraph 6.31, modify the sixth bullet point: • ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact. Modify the first sentence of paragraph 2.22: 2.22 **Where possible,** ~~A~~**a**ll development must incorporate renewable energy measures that are sensitive to the local area and character.
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code GHL 2.2 accordingly. Changes: For code GHL 2.2 Flood Risk, modify as follows: CODE GHL 2.2 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; b) addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ c) addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures.**
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025) Change: Modify paragraph 2.10: 2.10 SuDS must allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.10, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: “SuDS must allow for surface water to be discharged according to the following hierarchy…” The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a “preference” for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to ‘shall’ rather than ‘must’ Change: Modify paragraph 2.10: 2.10 SuDS ~~must~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.
Westmorland and Furness Council	Amend policy reference in code GHL 2.3 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code. Change: For code GHL 2.3, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, H7, *DS2*; Eden: DEV2, *ENV5*; South Lakeland: CS1.1, CS8.8, DM1, **DM6,** ~~*DM6,*~~ ***AS12***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Add new paragraph under paragraph 2.13: **2.14 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**
Westmorland and Furness Council	Add to code GHL 2.4 Eden Local Plan policy ENV5 supporting and delete policy ENV4, and add South Lakeland Local Plan policy DM4 supporting	Policy amendments and additions to code Change: For code GHL 2.4, modify relevant policies: (Barrow: C5, DS5, DS6; Eden: DEV5, ~~ENV4,~~ ***ENV5***; South Lakeland: CS1.1, DM1, *DM2,* ***DM4***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Add to code GHL 2.6 Barrow Local Plan policy H7 supporting and South Lakeland Local Plan policy DM2 supporting	Policies added to code Change: For code GHL 2.6, modify relevant policies: (Barrow: C5, DS5, *BP2, BP5****, H7***; Eden: DEV5, *ENV5*; South Lakeland: CS1.1, CS8.7, ***DM2***)
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 2.6 Energy Efficiency The supporting text to this Code is also written in the form of a Policy and is too prescriptive for an SPD. The Consortium objects to the inclusion of strict requirements in respect of solar panels at paragraph 2.21. The paragraph stipulates 8 design/layout requirements which is clearly excessive for the placement of solar panels and notes that one of these stipulates that the panels should be laid in a symmetrical pattern. This fails to acknowledge the plot-by-plot considerations when proposing solar panels, such as layout, angle and direction towards the sun.	Noted. Reference to requiring symmetry deleted. Change: For bulleted list under ‘Solar’, remove the fourth sub-bullet to the third bullet point: ~~Symmetry - panels should be laid in a symmetrical pattern. Aerials and flues (and therefore related internal piping) should be located so as to not obstruct a symmetrical solar installation.~~

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.24 as follows: 2.24 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Add new paragraph following paragraph 2.27: **2.28 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**
Westmorland and Furness Council	Need additional wording added to recognises that gullies and tank systems do not provide the multifunctional benefits of SuDS such as enhancing habitats and biodiversity and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Additional text added accordingly Change: For bulleted list under 'Climate: what we don't want to see', add sixth bullet point: **Development which fails to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**

Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 3.1 Green and Blue Infrastructure The Code states that new development must adopt a landscape-first approach to green and blue infrastructure with one of the stipulations being that developments must adopt several different types of interlinked Green and Blue Infrastructure, so that the network is multifunctional. The Consortium consider the wording of this Policy to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Local Plans. For example, the South Lakeland Policy CS8.1 is worded in a way that suggests the authority will seek to secure Green Infrastructure in new developments, rather than a requirement that developers must provide green and blue infrastructure on every site, as the SPD currently states. Eden Policy ENV4 and Barrow Policy GI1 also state that developments will be supported where they protect and enhance existing green infrastructure, which is a very different policy test to the one included within the Code. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. It is important that the phraseology of Code GHL 3.1 is amended to reflect the adopted Policies and does not stipulate that all development provides interlinked green and blue infrastructure. The number of Policies listed at the end of the Code policy has increased from the previous Working Draft version. As noted previously, the Consortium request that further evidence is required to explain how the policies are of relevance, whether they remain up to date and if they are fit to support the specific coding or general guidance. It is now suggested that there are 17 legacy Local Plan policies applicable to Code GHL 3.1, which will only cause confusion when trying to decipher the Design Code. It is the Consortium's view that each Code should only be linked to Policies from the Legacy Local Plans which are directly relevant and that there should be a sentence added to clarify why these policies are applicable and in conformity. CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs.	The Code is not requiring all new development to include green and blue infrastructure. It is specifying in line with current Local Plan policies that new developments should retain and incorporate green infrastructure where they exist, integrate new and existing green and blue infrastructure where proposed and link new and existing green and blue infrastructure where exists/proposed so it is connected and multi-functional in line with current Local Plan policies. It is acknowledged that it may not always be achievable and practicable to retain and link green and blue infrastructure in all circumstances and therefore the code has been altered to say 'where possible'.... Change: For code GHL 3.1 Green and Blue Infrastructure, modify wording of point (b) and (c) b. **where possible,** integrating new and existing Green and Blue Infrastructure on the site with the wider Green and Blue Infrastructure network in the surroundings of the site; and c. **where possible,** using several different types of interlinked Green and Blue Infrastructure so that the network is multifunctional. Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. Change: For code GHL 3.4 Biodiversity Protection, append wording to point (b): b) the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.** Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place Change: For code GHL 3.5 Biodiversity Net Gain, modify the first sentence: CODE GHL 3.5 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt.**

Consultee	Comment	Council Response and Proposed Change
	Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	
Westmorland and Furness Council	Points underneath illustration ‘landscape first approach to green and blue infrastructure’ need amending to provide greater clarification of what the illustration shows and how to achieve this.	Change: For numbered list below illustration 'A landscape-first approach to Green and Blue Infrastructure' 1. ~~Key landscape features of the site, such as a river corridor, are integrated and strengthened, allowing for local distinctiveness.~~ **Existing features such as the river corridor and existing rights of way are to be retained as part of the GBI network. The river corridor in particular has potential for biodiversity and forming part of a SuDS network as well as an important route and amenity space.** 2. **Green Route:** Green corridors through the development allow connectivity between habitats. These can double as active travel routes, promoting nature-based connections. 3. ~~The edge of the development is responsive to and in keeping with its surroundings. Thresholds into and out of the site are considered~~. **Green Link: Existing boundary features to the edge of the site, such as trees, woodland a hedges are to be retained to maintain a soft edge to the countryside.** 4. ~~Existing routes and pathways through the site are maintained, and extended to create further connections.~~ **Existing routes and pathways through the site should form the basis of enhanced and extended Green and Blue Infrastructure.** 5. A hierarchy of routes is provided, with active travel preferred, and a reduced reliance on cars. 6. Building heights and densities are higher along main roads and movement corridors. Active frontages line primary routes **and Green and Blue Infrastructure.** 7. The built form responds to the surrounding grain of development. 8. New homes are within walking distance of local facilities such as a school or shops. 9. **Green Space:** Focal spaces for community use, such as play, food growing or events. are provided throughout the site, enhancing connections with the existing community. **These focal spaces should be sited in accessible, well-overlooked and safe locations.**
Westmorland and Furness Council	Add in reference to verges to say where possible verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type and received limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.	Additional text added accordingly. Change: For bulleted list under paragraph 3.2, add a seventh bullet point: **Verges: Where possible, verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type. Verges should receive limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.**
Westmorland and Furness Council	Code GHL 3.2 needs to include a reference to ‘nature’ rich rather than ‘biodiversity’ rich landscapes to bring into line with the guidance paragraph surrounding it which defines the term "nature-rich landscapes" instead of "biodiversity-rich landscapes", the definition in the guidance needs to be consistent with the code and "nature" is a better term to use because "biodiversity" has a more restricted meaning. In the associated guidance, Natural watercourses should be explicitly listed in the Key Considerations for Integrating Nature guidance below the code. " Listing "natural watercourses" in the guidance will support the Council’s work to reduce flood risk by promoting deculverting and renaturalisation of watercourses and will help to conserve habitats and species that depend directly on water.	Amendment made to the Code to include reference to ‘nature’ rich landscapes, and additional text added to guidance to refer to natural watercourses and opportunities to de-culvert them to help integrate in nature. Change: For code GHL 3.2 Open Space, modify wording: CODE GHL 3.2 Open Space: The public realm within new housing development must incorporate nature through the strategic retention and planting of trees, native species, and ~~biodiversity~~ **nature**-rich landscapes, proportionate to the scale and context of the development, and deliver good quality open space. For bullet list under code GHL 3.2 Open Space, add second bullet point: **Natural watercourses: Where applicable, natural watercourses should be addressed by proposals to reduce flood risk through de-culverting and re-naturalisation of watercourses.**
Westmorland and Furness Council	Add to Code GHL 3:2 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code GHL 3.2, modify relevant policies: (Barrow: BP13, DS5, GI3, GI4, N4, *GI1*; Eden: DEV5, ENV1, ENV4, *ENV2*; South Lakeland: DM1, DM4, ***AS04,*** *CS8.1, CS8.4, DM2*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	In section 3.8 and Code GHL 3.6 add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable.	Wording in section 3.8 and Code 3.6 amended and added accordingly. Changes: For bullet list under code GHL 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including ~~native~~ trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. **Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable.** For code GHL 3.6 Existing Trees, Woodlands, and Hedgerows, modify item (b): b) Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network.
Arnside & Silverdale National Landscape	Section 3.8: Consideration needs to be given to Invasive Non-Native Species introduction risk from landscaping and plant choice. UK native species should be preferentially used in landscaping, although mentioned this could be given greater emphasis. Mistakes made in urban landscaping (such as the frequent use of cotoneaster) has caused significant impacts to wider biodiversity. (noted that it is mentioned later on page 62 but could be given more emphasis earlier in the document)	Noted. Additional text added to Section 3.8 accordingly. Change: For bullet list under code GHL 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable. **Invasive non-native species must be avoided, as their introduction, even within manicured landscaping, can pose ecological risk.**
Westmorland and Furness Council	When considering the creation of wildflower meadows, need to make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting need to include reference to Schedule 9 Part II of the Wildlife and Countryside Act 1981 as amended as well as government guidance on invasive non-native alien plant species : https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Text added below Code GHL 3.2 reference to supporting new planting species that promotes local species of local provenance in locations at the edge of settlements and open countryside. Change: For bullet list under code GHL 3.2 Open Space, added new bullet point between Wildlife Connectivity and Community Engagement: • **On settlement edges, new planting schemes should provide a suitable ecological 'stepping stone' to the adjacent countryside by using only locally native species of local provenance.** Text amended in section on street trees, trees and hedgerows and planting : what we don't want to see accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', text modified in the sixth bullet point: • The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Need to add text "there will be a presumption of public access into and through developed sites unless there are overriding reasons to prevent access" into the code. A presumption of public access could greatly enhance the opportunities for active journeys which are often restricted to busy roads outside of towns. Public access to the countryside and through employment sites where appropriate for example would be improved simply by not preventing or discouraging access except for the limited areas where there are overriding reasons to do so e.g. safety or reasonable expectation of privacy associated with (in the CROW Act there are types of land which are excepted from open access rights even when the land is mapped as open access and those same exceptions would be a reasonable starting point to consider whether an area of development should be excluded from public access).	Text added to Code GHL 3.3 accordingly. Change: For code GHL 3.3 Inclusive Access, modify wording: CODE GHL 3.3 Inclusive Access: All new development must enhance or maintain safe, direct, and inclusive access to nature through public realm, open space, or other connections to natural environments. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code GHL 3.3, South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code GHL 3.3, modify relevant policies: (Barrow: DS5, I4, *GI1, HC4*; Eden: DEV5, ENV4; South Lakeland: AS05, DM1, DM4, ***DM2**, DM5*)
Westmorland and Furness Council	With regard to *Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development,* need to include an example: add text 'The location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland'.	Text added to section green and blue infrastructure 'what we don't want to see' accordingly Change: For bulleted list under 'Green and Blue Infrastructure: what we don't want to see', modify second bullet: Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development. **For example, the location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland.**
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code GHL 3.4 accordingly. Change: For code GHL 3.4, modify first paragraph: CODE GHL 3.4 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:
Westmorland and Furness Council	Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.	Amendments made to paragraphs 3.10-3.15 accordingly Changes: For paragraphs 3.10 - 3.15, directly following GHL 3.4 Biodiversity Protection: 3.10 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.11 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.12 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.13 All new development should align with the objectives outlined in the Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0]. This includes incorporating design elements that support the restoration, enhancement, and connectivity of habitats and features which help to support populations of priority species, as identified in the LNRS. 3.14 Proposals should include features that contribute to the local ecological network as described in the LNRS. This may involve the creation or enhancement of habitats, green corridors, or other natural features that help achieve the goals of the LNRS. 3.15 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Additional text added to paragraph 3.10 accordingly. Change: Amend paragraph 3.10 as follows: 3.10 The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.16 accordingly. Changes: Within bulleted list below paragraph 3.16, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls~~**. The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made to paragraph 3.16 accordingly. Change: Within bulleted list below paragraph 3.16, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls.~~ **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Change
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.16 accordingly. Change: For bulleted list after paragraph 3.16, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to Code GHL 3.5 reference to 10% BNG. Change: For code GHL 3.5 Biodiversity Net Gain, modify wording of first sentence: CODE GHL 3.5 Biodiversity Net Gain: All new developments must ~~achieve a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards**, **unless exempt**.
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.23 accordingly. Change: Amend paragraph 3.23 as follows: 3.23 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.23. Change: Under paragraph 3.23, add new paragraph: **3.24 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals**
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Noted. Text amended accordingly. Change: Modify part (a) of code GHL 3.6 Existing Trees, Woodlands, and Hedgerows: a) retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to GHL 3.6 and Section 3.8 Incorporating Nature into the Open Spaces There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows code GHL 3.6 Existing Trees, Woodlands, and Hedgerows: b) include a variety of native tree **and scrub species** of **UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code GHL 3.6 South Lakeland Local Plan Policy DM2 supporting	Policy added to code Change: For code GHL 3.6, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, DM4, *AS04, AS08, CS8.1, CS8.2, **DM2***)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 3.25 accordingly. Change: For the bulleted list after paragraph 3.25, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings.**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel.	Additional text added about tree species and red squirrel strongholds – new paragraph 3.26. Change: Under paragraph 3.25 and subsequent bulleted list, add new paragraph: **3.26 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here on how to garden for red squirrels www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly. Change: Below paragraph 3.27, add additional paragraph: **3.28 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code GHL 3.7 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code GHL 3.7, modify relevant policies: (Barrow: DS6, *DS2, GI1*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: CS1.1, DM4, *AS02,* ***AS04,*** *AS08, DM2*; National Planning Policy Framework, Chapter 15)
Westmorland and Furness Council	Add wording to Planting Design, expanding on what a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.30 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Changes: For bulleted list under paragraph 3.30, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.17, modify the second bullet point: Rainwater harvesting~~;~~**, including water butts;**
Westmorland and Furness Council	When considering the creation of wildflower meadows you should make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting they only list species of special concern under IASEPO 2019 and pointed them at Schedule 9 Part II of WCA too. The link here doesn't include Schedule 9 species. The use of invasive non-native plant species as identified in government guidance: https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Additional text added accordingly. Change: For the bulleted list under 'Trees, Hedgerows and Planting: what we don't want to see', modify the sixth bullet point: The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Expand upon bullets in illustration for 'Route and street hierarchy', additional clarification to indicate how these elements should be considered and what developers could/should do having considered them.	Change: For bulleted list under illustration 'Route and street hierarchy' • Existing routes nearby and through the site, both for vehicles and pedestrians**: ensure the site's movement network aligns with existing routes in a safe and convenient manner, and promotes active travel.** • Proximity to existing ~~services and community facilities~~ community facilities and services **(such as shops, schools, health facilities, libraries, community centres, recreation spaces and bus stops and train stations)**, and the ways that these are accessed**: provide convenient routes to local facilities and services, especially by non-car modes.** • ~~Thresholds into and out of the site~~ **Site edges and entrances: consider the character and appearance of entering the site from the surrounding townscape and landscape, and provide suitable landscape edges.** • Missing links, or areas of poor permeability where enhanced connectivity is needed**: through the design of the movement network within the site and its outward connections.** • The hierarchy of routes, from main roads to rural lanes**: ensure the site's movement network within the site and its outward connections.** • Opportunities for integrating ~~SUDS~~ **SuDS** and active travel**: maximise these through the design of the layout and its response to the site's topography and hydrology.** • Safety and security of routes and spaces**: ensure new and improved routes are well-overlooked by buildings or other highway users.** Providing pedestrians and cyclists with a choice of convenient routes and connections**: promote active travel through the convenience and choice of routes available.**
Individual	Could stronger explanation or cross reference be made to clarify the meaning of street hierarchy.	Agreed, this section requires further explanation. Amendments made accordingly: Change: Modify the wording of paragraph 4.6 and the following bulleted list: 4.6 **For the largest developments, the widest range of streets in the street hierarchy should be used. For smaller developments a few components of the hierarchy should be used to provide a range of streets and routes.** The typical street hierarchy for a greenfield housing development might include: • Primary Streets**: these are the main connecting streets that link the development to surrounding destinations. They would be the natural choice for bus routes and emergency vehicle routes.** • High Streets**: these might be the mixed-use part of the development, perhaps where the school, local facilities, and potentially a higher density of dwellings are found.** • Secondary Streets**: these would link Primary Streets or High Streets with a number of smaller streets as part of the circulation network.** • Local Streets**: streets where there is less priority for motor vehicles. The design and use of the streetscape encourages drivers to take extra care and reduce their speed considerably.** • Tertiary Streets**: these are the least busy streets, typically used only by residents and visitors rather than through-traffic.** • Town Promenades**: these are Primary Streets but more spacious and with a much stronger emphasis on green and blue infrastructure, walking and cycling, and amenity.** • ~~Linear Parks~~ • Green Routes**: green and blue infrastructure that is solely for the use of walkers, wheelers and cyclists. Green routes may or may not run alongside carriageways, and often provide shortcuts.**
Westmorland and Furness Council	Add to Code GHL 4.2a, South Lakeland Local Plan Policy AS10 supporting	Policy added to code. Change: For code GHL 4.2a, modify relevant policies: (Barrow: DS5, I4, *DS2, HC1, HC4*; Eden: DEV3, DEV5, *ENV5*; South Lakeland: CS1.1, CS10.2, DM1, *AS08,* ***AS10,*** *CS8.10, DM2, DM5*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording to Code GHL 4.2c: 'Street and movement designs must ensure a permeable and well-connected street network <u>for all users</u> with clear and logical through routes that are easy to navigate. Add wording to Code GHL 4.2c "presumption of public access into and through developed sites unless there are overriding reasons to prevent access" would greatly promote healthy communities. The "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good, improving choice even when this is not the formally designed route to a place. Potentially attractive routes through sites are often prevented by fencing or discouraged by intimidatory signs when there is no obvious need to exclude people. This often occurs in sites like business parks (so these additions will also be appropriate in the codes for other types of development) as well as the green edges of housing estates there are often unnecessary boundary treatments not associated with buildings and their curtilage. Add wording paragraph 4.13 'Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through streets are not possible'. The additional wording about cul-de-sacs is taken from the national design code in order to support the top line of the guidance. The suggested "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good.	Additional text added to Code GHL 4.2c accordingly, and to paragraph regarding cul-de-sacs. Changes: For code GHL 4.2c Street Design, modify wording: CODE GHL 4.2c Street Design: Street and movement designs must ensure a permeable and well-connected street network **for all users** with clear and logical through-routes that are easy to navigate. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.** For the bulleted list following paragraph 4.12, append to the end of the first bullet point: Avoiding cul-de-sacs, dead ends and space given over to vehicle turning heads by making streets interconnect. This is particularly important for refuse collection and emergency service vehicles, which are best served by through streets rather than long cul-de-sacs or developments with only one way in and out by road. **Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through-streets are not possible.**
Westmorland and Furness Council	Application direction should highlight the need for a transport vision for the site which links to the travel plan and transport assessment; walking/cycling routes should be integral to the design (not infrastructure accommodated) and should demonstrate how routes in the development site link into wider routes (and include reviews of the quality of these wider routes)	Text added to paragraph 4.14 accordingly. Change: Append to the end of paragraph 4.14, directly following Active Travel code: 4.14 Proposals should detail the location, type, and specifications for cycle parking and the surfacing of cycling and pedestrian routes. Developments incorporating active travel options within green corridors or 'play on the way' options will be viewed positively. **For larger sites, the application should include a transport vision that links to the application's travel plan and transport assessment. This vision should set out how walking, cycling and public transport are integrated into the design and link with the wider walking, cycling and public transport networks. The vision should also consider the quality of these routes and whether the enhancement of any existing routes is proposed.**
Westmorland and Furness Council	Add reference to Local Cycle and Walking Infrastructure plans and other plans – some sites may be able to provide new active travel routes that can link into existing and proposed active travel routes.	Additional text added accordingly. Change: Add new paragraph below paragraph 4.14: **4.15 Depending on location and type of proposal, some developments may be able to support provision of new active travel routes that can link into proposed active travel routes as set out in Local Cycle and Walking Infrastructure Plans and other plans. For further information visit the Council's Active Travel website [https://ukc-word-edit.officeapps.live.com/we/www.westmorlandandfurness.gov.uk/parking-streets-and-transport/active-travel].**
Westmorland and Furness Council	Street Network, Design and Character: what we don't want to see Second bullet point: Reference to one way in, one way out estates not being acceptable, this requires amendment setting out thresholds for when secondary access / emergency vehicular access is a requirement.	Amendments made to text accordingly. Change: For bulleted list under 'Street Network, Design and Character: what we don't want to see', modify the third bullet point: Development that is not well-integrated with existing routes, rights of way, green infrastructure and desire lines. ~~'One way in, one way out' estates will not be acceptable.~~ **For developments of more than 100 dwellings a secondary access road is required and for developments of more than 50 dwellings an emergency vehicular access is required**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code GHL 4.4, Barrow Local Plan Policy G14 supporting	Policy added to code. Change: For code GHL 4.4, modify relevant policies: (Barrow: BP13, DS5, ***GI4,*** *HC4*; Eden: DEV5, ENV1, *ENV2*; South Lakeland: AS05, DM1, DM5, *CS8.1, DM2*)
Westmorland and Furness Council	Amend Code GHL 4.6 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting and add South Lakeland Local Plan Policy AS08 supporting	Policy amendments and additions made to code. Change: For code GHL 4.6, modify relevant policies: (Barrow: **C7,** DS5, I4, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV9; South Lakeland: DM1, ***AS08,*** *DM2*; Development Design Guide; *Good Lighting Technical Advice Note: Designing Out Light Pollution in Cumbria, the Yorkshire Dales National Park and the Arnside and Silverdale AONB*)
Westmorland and Furness Council	Amend Code GHL 4.7 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code GHL 4.7, modify relevant policies: (Barrow: **C7,** DS5, H7, I4, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 4.30: **4.31 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html**
Westmorland and Furness Council	And in Lighting: 'what we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend Code GHL 4.8, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code GHL 4.8, modify relevant policies: (Barrow: DS5, H7, I6, ~~*BP2, HC4*~~; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Change: New paragraph created directly following bulleted list at paragraph 5.5: **5.6 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and housing developments. Outbuildings include bin stores, cycle stores, garages, car ports, garden sheds and other garden buildings. Thought should be given to the design and siting of these, creating variety where necessary, especially across larger sites. For example, they could be part of the main structure of the house or detached. They can look rural, urban or suburban depending on materials and design. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Westmorland and Furness Council	Add to Code GHL 5.5, South Lakeland Local Plan Policy DM13 and AS01 supporting	Policies added to code. Change: For code GHL 5.5, modify relevant policies: (Barrow: DS5, H9; Eden: DEV5, HS2, LS1; South Lakeland: CS6.6, ***AS01, DM13***)

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 5.6 Accessibility The Code requires applicants to show how proposed new homes comply with the optional Building Regulation Requirement M4(2) in the proportion required by the relevant legacy Local Plans. The Code fails to acknowledge that Policy DM11 of the South Lakeland Development Management DPD identifies scenarios in which a policy compliant level of M4(2) compliant homes can be delivered. The specific circumstances where this would apply include sites where it is not practically achievable given the physical characteristics of the site, the delivery of the homes would significantly harm the financial viability of the scheme or there are other site specific factors which mean step-free access cannot be achieved. The Code does not make reference to the specific circumstances in which delivery of M4(2) homes at a policy compliant level cannot be achieved, including viability issues. This is a concern as developers will not be able to add reference to this important caveat when completing the Checklist and therefore would have to complete the form as though the scheme is not compliant.	Acknowledge in the case of Policy DM11 exemptions to the requirements can be justified where evidence is robustly demonstrated based on circumstances outlined. Change made – add wording to South Lakeland section saying (exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy) Additional text added to Code GHL 5.6 accordingly. Change: For code GHL 5.6 Accessibility, modify South Lakeland section: South Lakeland: all new housing must comply with BR M4(2) and in some cases M4(3) **(exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy)** (Accessible and adaptable dwellings).
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow and in coastal areas. Guidance needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: To bulleted list under paragraph 6.10, add new third bullet point: **Flat roofs can be appropriate if part of a cohesive design. However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**
Individual	A general comment- i would prefer a much simpler document that does not try to repeat in detail national requirement nor to exceed them by introducing local building regulations. It should be severely trimmed down and be more graphic led	Comments noted. Final digital presentation should improve the navigation of the Code. The Digital version of the Design Code is intended to enable users of the Code to navigate their way around it in an informed and user-friendly manner.
Cumbria Constabulary	The aspects of 'Security' and crime prevention are extensively referenced in the Draft document (Pages 83, 85, 113, 114)	Noted

Consultee	Comment	Council Response and Proposed Change
Individual	1.3 General comment on the points in the diagram. We don't consider that many of the points are currently followed. Too much consideration is given in the code as a whole for the new development residents and little to the existing ones. Don't just stress to create but also to keep and integrate current accessible and healthy places. Keep existing walking and cycling routes - such as quiet and tranquil lanes filled with enjoyable biodiversity-that are already used as a community amenity and for social interaction. This allows developers' community levy funds to be diverted into education/other services and infrastructure rather than spent on changing the lanes and then building new areas within new estates that the existing residents will not find so accessible or so full of nature. There is a danger that quiet lanes will be the easy option for access to development at the expense of a much valued and free existing amenity. Respect for valued natural heritage is essential and it should be retained and take into account views from afar -eg protecting Penrith's ridgeline (seen as very important in the current local plan) -which is in danger of being lost to development if built any higher than existing level to North of the town. Fields are flood defence. It is not just the resilience of new developments that should be considered but the impact on the existing capacity of the drainage systems. Penrith already floods as it is over capacity at times. The well being of residents.....giving priority to walking etc. This should include considering existing residents alongside new by keeping existing walking routes -such as quiet lanes that are already a valued amenity. Natural environment/landscape/views etc -stop allowing development that is ruining views of the fells from Penrith and also the vista of the ridgeline from afar for the existing residents. 1.5 Ridgelines are important as character and vistas from afar and should be retained by not allowing building too high and consume it. 1.11 , 1.12 and 1.13 All very important. Currently north Penrith only has piecemeal development with no masterplan and no mitigation or integration. We are concerned that future development will not keep the tranquillity of the area and will actually destroy existing quiet lane walking routes that allow residents to enjoy their surroundings - along with negatively affecting the landscape elements that need to be considered. 1.15 Access points and routes should consider the current use of quiet lanes by existing residents for enjoying nature, walking, cycling and socialising. These lanes should be preserved and not made into more major routes. Consideration of existing residents -who will not have easy access into new areas -are far too often overlooked. 1.16. Agree. Building on greenbelt fields will naturally deflect water and increase the risk of flooding for existing homes. This will only be exacerbated by building higher up on the hillsides. 1.20 -1.22 These areas are already being built over eg. in North Penrith. If there are alternative areas of land then these should be preferential sites for future building.	The comments mainly appears to be referring to the location of new development rather than the design of development. The location of new development will be guided by the new Local Plan. Views into and out of development are addressed in the Design Code.
Arnside & Silverdale National Landscape	(page 10) ideally need an image to show the Morecambe Bay Limestones/South Cumbria Low fells. (NCA 20). The Morecambe Bay Limestones have a distinct character compared with the other images shown.	Noted.

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The Consultation Draft of the Design Code has been reviewed with a particular focus on the “Introduction & Identity” (“Introduction Code”) and “Greenfield Homes - Large (10 or more homes)” (“Greenfield Code”) documents. It is notable that the Code for Greenfield Homes has altered since the Working Draft consultation and reduced from schemes 100 or more homes to 10 or more homes. The Design Code is now effectively a catch all for every major residential scheme, potentially going further away from Government wishes in regard to the use of design codes. The Greenfield Code is well over 100 pages long and sets out expectations for new development. This is unnecessarily lengthy and places a further burden on both applicants and planning officers. The document includes a series of ‘policies’ throughout, all of which are titled “CODE”. At the end of each policy, specific policies within the adopted plans for the three former authorities are identified and it is assumed that these references are seeking to show conformity and justify the inclusion of the Design Code policies. However, referring back to the Introduction Code, it is clear that no substantive analysis of adopted policy has been included. The document has not considered how up to date the policies remain or whether they are fit to support coding or general guidance. The documents are listed in the table on page 5 and hyperlinks are provided to the documents on page 12, with no other explanation. The Consortium would expect the Code to pick out the key policies and demonstrate how these remain fit for purpose, particularly given the age of several documents. In order to bridge the evidence gap, sufficient justification should be provided to show how they can be relied upon to shape development moving forward.	No change. The Digital version of the Design Code is intended to enable users of the Code to navigate their way around it in an informed and user-friendly manner. A policy review exercise has been conducted to ensure the codes can be introduced on the back of existing adopted Local Plan policies. The policies which the Code relate to are primarily design related and considered to be in accordance with current national planning policy.
Individual	2.3 the code should stress the importance of retaining existing local walking /cycling etc amenity routes and integrate them rather than change their purpose and reduce the nature and biodiversity 2.9 Building on higher elevation greenbelt land will reduce natural flood defences. 2.17 and "what we don't want to see "- piecemeal development in North Penrith has already allowed a tokenistic approach. Their must be a masterplan for all future building in this area.	These comments are considerations for the new Local Plan rather than a Design Code.
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text states at paragraph 2.22: “All new build homes should include ground or air source heat pumps…” The Consortium accepts that the Future Homes Standard will bring forward this requirement, but the Standard is not yet national policy and therefore it is not acceptable for the SPD to introduce this requirement. It is worth nothing that there is also no policy support for this approach within the legacy Local Plans and therefore the supporting text at paragraph 2.22 should reflect the support for schemes where ground or air source heat pumps are proposed.	Noted.
Individual	3 general overkill in this section. National guidance and local Suds policies cover it adequately so it could be severely trimmed back and simplified	Noted.

Consultee	Comment	Council Response and Proposed Change
Individual	3.1 and Code green box points - agree and this is why quiet and tranquil lanes currently enjoyed by existing residents for walking/cycling etc and socialising should not be changed Re the diagram on page 41 many new homes are not within walking distance of the local facilities which increases car reliance. This should be addressed more forcefully. "what we don't want to see" -these points should address the need to retain quiet lanes for walking/cycling etc and socialising Biodiversity -agree. It is important to retain existing nature and put in buffer zones. "what we don't want to see" agree. Buffer zones should be incorporated to protect natural habitats and should match existing buffer zones in the local area. 3.24 existing planting schemes are not always as per planning or maintained well. There needs to be robust policing of the same and developers should be held to account	Noted. Comments regarding quiet lanes and the location of development will be considered as part of the Local Plan process.
Individual	CODE GHL 3.4 and para 3.12 Perhaps it could be made clear in an Appendix what the current priority habitats and species are, if there is already a list of them which is going to be updated. 3.16 I would like to request that greater emphasis is given to incorporating Swift bricks in new housing developments. This is particularly important following the Government's recent U- turn about a national policy requiring them. The onus now seems to be placed on local authority policies. Unlike some other more complicated and more expensive habitat and biodiversity enhancement measures which can need time to develop, these offer a proven, quick, easy and cheap option with no long term maintenance requirements. They are a fit and forget option. There has been a Swift watching group in Burton in Kendal for several years. From late April, when Swifts start to arrive, until late July/early August, when they leave to fly back to Africa, the group has tried to identify Swift nest sites and to count numbers of birds. We are lucky in that bird numbers have remained fairly constant, unlike the national picture of a recent very rapid decline of this Red List species. It is widely accepted by experts that a major factor has been the loss of traditional nest sites as old buildings are demolished or refurbished. Our experience is that providing new nest sites works and works quickly and enhances biodiversity. In our case a local builder has been very supportive and the Swift bricks he incorporated into new houses were used by Swifts soon after the houses were built. We have also, in May this year, put nest boxes in the Church belfry and Swifts were seen to be entering them within the first month.	The Design Code will be a digital tool, and the priority habitats will be able to be easily viewed by clicking on the link to the Cumbria Local Nature Recovery Strategy in Paragraph 3.10.
Individual	4.16 The second graphic is an excellent example of tigrhter but good design and should be encouraged. Unfortunately too often in the past the planning officers have not allowed this approach and insisted on minimum face to face 22 metre separation between dwellings which has not allowed this kind of layout to progress 4.33 car parking between dwellings. This is best achieved where smaller front gardens and reduced separation distances between dwellings front to front are accepted they allowing reasonable density to be achieved. It needs buy in from officers	Noted comment concerning paragraph 4. 16 and the second graphic – Promoting active travel in new residential development. No change needed. Comments on para 4.33 noted, parking provision guidance will be updated in the emerging Development Design Guide.
Individual	Code green box - prioritising healthy modes of travel is important "what we don't want to see" these points should take into account the use of existing routes (such as quiet lanes) for leisure and social activity such as walking/cycling and should not increase traffic along such routes so as to deter the use of these existing local amenities will all the benefits they bring. Motor vehicle use should not be prioritised over such routes.	This is a consideration for the new Local Plan.

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Adaptability of Streets and Public Spaces for Public Adoption Whilst there is no Code policy on this matter, the Consortium has concerns that guidance within the Design Code does not sufficiently reflect the contents of the Cumbria Development Design Guide. At paragraph 4.37 of the Greenfield Code, it states that: “Designs should aim for adoption by the local authority by choosing durable, low-maintenance materials and landscaping compatible with local practices, considering the interface between streetscape and public realm carefully.” Examples are provided throughout the Design Code where the use of landscaped verges is recommended. However, the Cumbria Development Design Guide does not express the same support for their inclusion, stating: “Grass verges are often left open to abuse from parking as they are seen by many as excess surfacing, useless and good for nothing else other than parking. The over-run of these verges damages the turf and results in unattractive, maintenance intensive, unsafe part of the highway” (page 54). The Consortium considers that this conflicting advice will lead to misinterpretation of the various Guides/Codes that will then cause issues when it comes to agreeing and signing a Section 38 Agreement to secure local highway authority adoption of new roads. It is the view of the Consortium that the Design Code, as drafted, puts onus on certain design and layout principles that are in conflict with the guidelines established in the Cumbria Development Design Guide and this should be reviewed and considered further with less commentary provided within the Design Code on highway design.	Noted. The Design Code aligns with the current Cumbria Development Design Guide; both are advocating for careful design. The Cumbria Development Design Guide does not stop verges and grass swales etc from being included in new development provided they are designed appropriately to deter these areas being used as a parking area which causes damage. Each case/application would need to be assessed on an individual basis.
Individual	5.22 - refers to 'adequate separation' but does not define it. Too often in the past officers have applied a blanket 22m plus approach which stymies innovative layouts and ends up with bland uniform street scenes	Noted.
Individual	5.2-5.5 agree that new builds should not be overbearing and should not be intrusive to existing residents' privacy in their homes and gardens. They should respect the scale, density and type (eg detached) of the existing housing. There is a need for bungalows which is not being met locally - perhaps building bungalows should be encouraged in the design code and could alleviate some overbearing and privacy issues at the same time. Density -should respect the existing housing especially on settlement edges and where there are no facilities that would support a higher density. Light etc 5.20 light pollution for existing residents should be kept to an absolute minimum - including from traffic headlights 5.22 Agree - this should also take into account any increase in light and noise pollution from increased traffic "what we don't want to see" we agree that the affect on the existing residents should be considered very seriously.	Noted. Housing need is a consideration for the new Local Plan.
Arnside & Silverdale National Landscape	p94 - diagrams are particularly useful. several other areas in the document where diagrams might be appropriate. More diagrams are preferable to re-using the same photographs over the various design code chapters.	Noted.

Consultee	Comment	Council Response and Proposed Change
Individual	6.10 roofs - No examples of eaves treatments for different localities. For instance Eden has flush fascia boards, South Lakeland has exposed spar feet and narrow fascia boards. local developers know this but nationals often don't. case in point look at the 3 newish developments in Natland and you will clearly see the local style is reflected by the locally built schemes whereas the Jones homes detail is more suitable in a suburban 1970's 'housing estate' ! 6.18 local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites. does the authority prioritise a small carbon saving over the provision of desperately needed affordable homes?	Comments noted.
Individual	6.9 Agree. It should be ensured that buffer zones are continued on both sides of routes where they have already been put in place in previous sites. 6.26 Agree- and any in bad state should be repaired/replanted as part of planning permission Views into and out of development - we agree that the existing views and vistas should be kept. Unfortunately this has not been the case in many instances around Penrith. In North Penrith there is a danger of losing the ridgeline vista if building is allowed any higher than the current development that has already started to be built. The Eden Valley ridgeline is seen as very important in the current local plan and it should still be seen as such for generations to come. It is important for locals but can also be seen from afar -M6/A6 etc	Comments noted.
Arnside & Silverdale National Landscape	p132 - would like example of limestone/render and slate materials palette used in Arnside/Beetham areas shown alongside the other examples given which are mostly gritstone and sandstone.	Noted.
Individual	The entire section The criteria against which development projects should be judged are comprehensive and admirable. The problems seems to be (1) interpretation and (2) implementation, factors which, in the real world are intertwined. The principle complaint about the system is that it takes too long to obtain planning permission. This may well be because the planners are underfunded and understaffed. But the solution offered by the central government seems to be simply to discount some of the criteria against which projects are judged and I have no clear idea how this will work out in practice. So, as a local resident, I am aware that my opinion on the desirability of the scheme may well be taken into account only if it is positive. Amidst the urge to roll over objections based on considerations (the environment, for one) that are judged to be excessively 'costly' or 'time-consuming' or, in our case, 'nimbyism', it is difficult see how I and other residents can judge the possible building projects in our area by applying the criteria you supply, based on our knowledge of and 'feel' for the area. But, if we do not wish to appear subject to reflexive nimbyism, that is what we must do. Or is it?	Noted. The Final iteration of the Design code if/when it is adopted by Westmorland and Furness Council as guidance – will be a supplementary planning document (or SPD). It is envisaged that both the relevant code(s) and the compliance and context checklists will be used, for example, by: applicants when preparing a planning application and their planning agents. Council Officers will also use the SPD code and check lists, alongside the Local Plan and other national and local planning guidance documents, to assess development proposals. The context and compliance check lists and the criteria therein, are a tool for the applicant/agent to complete and the Planning Officer to use as a check. A design Code supplementary planning document is guidance. The main document used in assessing planning applications in Westmorland and Furness, are the current legacy adopted development plans.

Consultee	Comment	Council Response and Proposed Change
Pegasus Group on behalf of the Holker Estate	Holker Estate, as a major landowner in the area and key contributor to Team Barrow, have a remit to deliver new large scale residential developments within their landholdings to help meet increasing housing needs, notably those generated by massive, planned employment growth at BAE's Barrow complex. This will require new large-scale developments to create their own distinct neighbourhoods, that are contemporary and aspirational, with a wider mix of house types and tenures, including smaller rental units for apprentices and temporary staff through to larger family and executive housing for senior staff. Such developments will therefore need to develop their own unique character and design coding, which is deliberately distinct from the wider area and authority wide design coding. The draft Design Code does make various references to supporting new and more contemporary character/ identity in less sensitive locations, including at paragraph 6.2/ page 115 of the 'Greenfield Homes – Large (10 or more homes) Consultation Draft' (Doc 02). We welcome this flexibility and would ask that this is reinforced in the final document in line with the above.	Noted..

03 Barn Conversions

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Change: In the bulleted list under 'Design Code for Barn Conversions', modify the final bullet point: Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code BC1.1 Barrow Local Plan Policy N1 supporting and South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to code Change: For code BC 1.1, modify relevant policies: (Barrow: DS5, *DS6, GI1,* ***N1***; Eden: DEV5, ENV2, ENV3, LS1, RUR3; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)
Westmorland and Furness Council	Odour, noise and air quality can all be present and need to be assessed and addressed by the design. Some barns will be in or next door to a farm which can bring challenges to all of the above areas if they are not addressed. Code needs to acknowledge this.	Additional text added accordingly. Change: To para. 1.5 add a new third and fourth sentence: **This appraisal should include identifying any sources or potential sources of noise or odour or activities that might impact local air quality. This can include but not be limited to adjacent or nearby working farm buildings and other forms of agri-business.**
Westmorland and Furness Council	Need to acknowledge that careful consideration needed with respect to potential impact proposals may have on existing amenity levels of surroundings uses. Issue relevant in terms of large business buildings (including storage and distribution warehouses and similar), in terms of scale - height, form and massing in relation to existing and proposed residential development .	Additional text added accordingly Change: Modify paragraph 1.6 as follows: 1.6 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**
Westmorland and Furness Council	Add to Code BC1.2 Barrow Local Plan Policy GI1 supporting and South Lakeland Local Plan policy AS08 supporting - should not be a key/requirement policy.	Policies added to code and amendments made accordingly Change: For code BC 1.2, modify relevant policies: (Barrow: DS5, H7, N1, ***GI1***; Eden: DEV5, ENV1, ENV2, ENV3, ENV10, RUR3; South Lakeland: AS02, ~~AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2, DM16*)
Westmorland and Furness Council	Add to Code BC1.3 Barrow Local Plan Policy HE2 and N3 as key/requirement, and Eden Local Plan Policy DEV5 supporting	Policies added to code Change: For code BC 1.3, modify relevant policies: (Barrow: DS5, **HE2,** H5, N1**, N3**; Eden: ENV1, ENV3, ENV10, RUR3, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code BC 1.4 Barrow Local Plan Policy HE3 key/requirement	Policy added to code Change: For code BC 1.4, modify relevant policies: (Barrow: DS5, HE2, **HE3,** HE4, H5, H7, N1, *DS2*; Eden: DEV5, ENV3, ENV10, *RUR3*; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Code should more obviously guide the reader to Historic England's barn conversions guidance that advises on how to assess the history of the building and site and use historic OS maps.	Additional text added accordingly Changes: Add a new sentence to the end of para 1.17: **Historic Ordnance Survey maps [https://maps.nls.uk/] can be useful in understanding how the farm and its context have changed over time.** Amend the second sentence of para. 1.20: Since most barn conversions relate to historic buildings, which are designated or non-designated assets, the heritage assessment should refer to their advice **[https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/farm-buildings/]** on the conversion of these buildings ~~https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/farm-buildings/~~**, the National Farmstead Character Areas [https://historicengland.org.uk/images-books/publications/national-farmsteads-character-statement/]**, and advice notes on the adaptive reuse of traditional farm buildings [https://historicengland.org.uk/images-books/publications/adapting-traditional-farm-buildings/heag158-adapting-traditional-farm-buildings/]. At the end of para. 6.1 add a new sentence: **As outlined in the context section, Historic England's guidance [https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/farm-buildings/] relating to farm buildings and historic Ordnance Survey maps [https://maps.nls.uk/] are useful references in understanding the character and significance of a barn or farmstead.**
Historic England	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Change: Modify paragraph 1.20: 1.20 Historic England has produced guidance on the approach to historic farmsteads and managing change. Since most barn conversions relate to historic buildings, which are designated or non-designated assets, the heritage assessment should refer to their advice on the conversion of these buildings https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/farm-buildings/ and advice note on the adaptive reuse of traditional farm buildings. The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement.
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Change: For bulleted list under paragraph 2.2, modify the fourth bullet point: • ~~Avoid~~ **Minimise** the use of prefabricated building materials that can generally not be repaired and have a fixed lifespan, requiring more material to be brought in for replacement. Noted. Amend text to add 'Where possible' at beginning of sentence. Change: Modify the first sentence of paragraph 2.13: 2.13 **Where possible,** ~~A~~**a**ll development must incorporate renewable energy measures that are sensitive to the local area and character.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Text added and amendments made to Code BC 2.2 accordingly Change: For code BC 2.2 Flood Risk, modify as follows: CODE BC 2.2 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; ~~b)~~ addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ **c)** addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures.**
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: “SuDS must allow for surface water to be discharged according to the following hierarchy…” The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a “preference” for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to ‘shall’ rather than ‘must’ Change: Modify paragraph 2.3: 2.3 SuDS ~~must then~~ **shall** allow surface water to be discharged according to the following hierarchy.
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025) Change: Modify paragraph 2.3: 2.3 SuDS shall allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.3, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.
Westmorland and Furness Council	Amend policy reference in Code BC 2.3 South Lakeland Local Plan Policy DM6 should be a requirement/key policy, add Policy AS12 supporting	Amendments made to Code Change: For code BC 2.3, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, H7, *DS2*; Eden: DEV2; South Lakeland: CS1.1, CS8.8, DM1, **DM6,** ~~*DM6,*~~ ***AS12***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly Change: Add new paragraph under paragraph 2.6: **2.7 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code BC 2.4 South Lakeland Local Plan policy DM2 supporting	Add policy to code. Change: For code BC 2.4, modify relevant policies: (Barrow: C5, DS5; Eden: DEV5; South Lakeland: CS1.1, CS8.7, ***DM2***)
Westmorland and Furness Council	SuDS compliance should focus on measures appropriate at this scale e.g. greywater recycling, soakaways, interception.	Amendments made to text accordingly Change: Delete and replace the bulleted list after para 2.10: • ~~non-potable re-use;~~ • ~~rainwater harvesting;~~ • ~~green roofs;~~ • ~~permeable surfacing;~~ • ~~infiltration;~~ • ~~swales;~~ • ~~channels and rills;~~ • ~~filter drains;~~ • ~~filter strips;~~ • ~~bio-retention areas; and/or~~ • ~~rain gardens.~~ • **rainwater harvesting, including water butts;** • **permeable surfaces to driveways, parking spaces and paths;** • **natural soakaways for water to drain to; and** • **hard and soft landscaping that intercepts or slows down rainwater runoff.**
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.15 as follows: 2.15 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Add new paragraph following paragraph 2.18: **2.19 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**
Westmorland and Furness Council	Need additional wording added to recognises that gullies and tank systems do not provide the multifunctional benefits of SuDS such as enhancing habitats and biodiversity and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Text added accordingly Change: For bulleted list under ‘Climate: what we don’t want to see’, add sixth bullet point: **Barn Conversions which fail to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code BC 3.1 accordingly Change: For code BC 3.1, modify first paragraph: CODE BC 3.1 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to Code wording accordingly Change: For code BC 3.1 Biodiversity Protection, append wording to point (b): **b)** the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.** Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place. For code BC 3.2 Biodiversity Net Gain, modify the first sentence: CODE BC 3.2 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.	Amendments made accordingly Changes: For paragraphs 3.1 - 3.6, directly following OD 3.4 Biodiversity : 3.1 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.2 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.3 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.4 All barn conversions should align with the objectives outlined in the Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0]. This includes incorporating design elements that support the restoration, enhancement, and connectivity of habitats and features which help to support populations of priority species, as identified in the LNRS. 3.5 Proposals should include features that contribute to the local ecological network as described in the LNRS. This may involve the creation or enhancement of habitats, green corridors, or other natural features that help achieve the goals of the LNRS. 3.6 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Add additional reference in paragraph 3.10 to use of National Landscape Nature Recovery Plans. Change: Amend paragraph 3.1 as follows: 3.1 The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**
Westmorland and Furness Council	Most barns have a protected species living in them - need to use this as the assumed baseline / starting point for most applications rather than it being a possibility that a protected species is there.	Additional text added accordingly Change: Add to the end of paragraph 3.1: **In practice, virtually all traditional barns in the district used for agriculture already provide roosts or habitats for bats, a protected species. On this basis, the starting point of any barn conversion should be to assume that bats are present, and consideration needs to be given at the design stage as to how bat habitats will be protected and enhanced.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Update guidance regarding provision of bat and swift/bird bricks and boxes	Amendments to text made accordingly Change: Delete and replace bulleted list after paragraph 3.7: ~~• Swift and swallow bricks, which are mortared directly into brick walls.~~ ~~• Bat access tiles for roofs, bat bricks and bat cavities for walls.~~ • **Existing potential access points for roosting bats should be retained in the building where possible e.g. to rubble filled walls, wall tops, under roof and ridge tiles. If no such features can be retained one bat box, brick or bat tile should be installed in each developed building at a suitable location.** • **One swift brick or universal nest brick should also be installed in each converted building. If this is not possible an external swift box should be installed.** • **Swift bricks should be incorporated into the buildings' structure, in accordance with British Standard BS 42021:2022. In addition, one swallow cup should be installed per building being developed.** • **All bird nesting features should be sited at an appropriate height for the target species and on a north or east aspect.** • **Bat features should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground.** • **All nesting/roosting features should be located away from artificial lighting and where possible siting above windows or doors avoided. They should also be placed where there is unimpeded access for the target species.** • **All external boxes should be long-life boxes made from materials such as woodcrete.**
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.7 accordingly Change: For bulleted list after paragraph 3.7, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to Code BC 3.2 reference to 10% BNG accordingly Change: For code BC 3.2 Biodiversity Net Gain, modify wording of first sentence: CODE BC 3.2 Biodiversity Net Gain: All barn conversions ~~must achieve a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards**, **unless exempt**.
Arnside & Silverdale National Landscape``	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added accordingly Amend paragraph 3.10 as follows: 3.10 Westmorland and Furness Council has also published this guidance for delivering the national BNG requirements. BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: • Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals.	Additional text added under paragraph 3.10 accordingly Change: Under paragraph 3.10, add new paragraph: **3.11 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals.**
Westmorland and Furness Council	Photos on page 24 (barn doc) say there are bat boxes in photos but these are swift boxes and a bird box.	Amendments made to captions photos on page 24 Changes: Amend photo captions on page 24: [Image 1] ~~Bird or bat~~ **Swift or bird** boxes are a simple way of creating space for nature in a constrained site such as a barn conversion. Skelton. [Image 2] A close-up of the ~~bird or bat~~ **swift or bird** boxes in the above photo. Skelton.
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Text amended accordingly Change: Modify part (a) of code BC 3.3 Existing Trees, Woodlands, and Hedgerows: retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to BC 3.3 and Section 3.8 Incorporating Nature into the Open Spaces	Additional text added accordingly Change: For code BC 3.3 Existing Trees, Woodlands, and Hedgerows, modify item (b): b) Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network.
Westmorland and Furness Council	There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly Change: Amend as follows the end of part (b) of code BC 3.3 Existing Trees, Woodlands, and Hedgerows: b) include a variety of native tree and scrub species of UK provenance and grassland species of local provenance in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code BC 3.3. South Lakeland Local Plan Policy DM2 supporting	Policy added to code Change: For code BC 3.3, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: CS1.1, *AS04, AS08, CS8.4,* ***DM2****, DM4*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Amendments and additional text added to paragraph 3.12 accordingly Change: For the bulleted list after paragraph 3.12, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings.**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 3.13 Change: Under paragraph 3.12 and subsequent bulleted list, add new paragraph: **3.13 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here on how to garden for red squirrels www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly Change: Below paragraph 3.13, add additional paragraph: **3.14 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**
Westmorland and Furness Council	Add wording to Planting Design, expanding on what a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly Change: For bulleted list under paragraph 3.15 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly Change: For bulleted list under paragraph 3.15, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	When considering the creation of wildflower meadows you should make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting they only list species of special concern under IASEPO 2019 and pointed them at Schedule 9 Part II of WCA too. The link here doesn't include Schedule 9 species. The use of invasive non-native plant species as identified in government guidance: https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Additional text added accordingly Change: For the bulleted list under 'Trees, Hedgerows and Planting: what we don't want to see', modify the sixth bullet point: The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly Change: For the bulleted list under 'Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf].**
Westmorland and Furness Council	Add and amend policy references Code BC 4.1 Policy C7 is a key/requirement policy not a supporting policy	Policy reference amendments accordingly in code Change: For code BC 4.1, modify relevant policies: (Barrow: **C7,** DS5, H7, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance Change: Add new paragraph under paragraph 4.2: **4.3 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html**
Westmorland and Furness Council	And in Lighting: 'what we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly Change: New paragraph created directly 5.3: **5.4 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of farmsteads and rural areas. Outbuildings include bin stores, cycle stores, garages, car ports, garden sheds and other garden buildings. Thought should be given to the design and siting or these. For example, they could be part of the main structure of the barn or detached. They can look rural through the choice of materials and design. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Conversions for non-residential uses (e.g. farm shops, and other businesses) will involve greater landscaping, and the need to accommodate more than 2-3 cars, and this should be reflected in the code and guidance.	Additional text added accordingly Change: In 6.3 (f), 'Spaces and structures around the barn', add a final point following point (v): **vi. If a barn is being converted to a business or other non-residential use that requires parking for more than 2-3 cars, additional care is to be taken with the design and siting of hard and soft landscaping to ensure that parking areas do not dominate over overwhelm the barn or its site.**

04 Shopfronts

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Change: In the bulleted list under 'Design Code for Barn Conversions', modify the final bullet point: Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Westmorland and Furness Council	Add reference to current Local Plan Shopfront design guidance in place for Barrow, Eden and South Lakeland	Reference added to Shopfront Design SPDs and associated guidance in place for Barrow, Eden and South Lakeland Change: Add new paragraph below '*Has a supporting Design Code or *Design Guide' **Each legacy Local Plan area has an associated guidance document specific to shopfront development. This Design Code should be read in conjunction with each respective document:** • **Barrow Shopfront and Advertisement Design SPD [https://www.barrowbc.gov.uk/sites/default/files/attachment/3974.pdf]** • **Eden Shopfront and Advertisement Design SPD [https://www.eden.gov.uk/media/5963/shopfront-and-advertisement-design-spd-final.pdf]**
Kendal Futures	Is the consultancy team aware of the existing South Lakeland Shopfront Design Toolkit from 2004?	Reference added to South Lakeland Shopfront Design Toolkit Change: Add final bullet point to bulleted list under the fifth paragraph under 'Design Code for Shopfronts': Each legacy Local Plan area has an associated guidance document specific to shopfront development. This Design Code should be read in conjunction with each respective document: • Barrow Shopfront and Advertisement Design SPD • Eden Shopfront and Advertisement Design SPD • **South Lakeland Shopfront Design Toolkit [https://www.southlakeland.gov.uk/media/1620/shop-front-design-toolkit-booklet.pdf]**
Westmorland and Furness Council	Amend Code SF 1.1 South Lakeland Local Plan policy AS08 to a supporting policy not a key/requirement policy	Policy amendment reference made to Code Change: For code SF 1.1, modify relevant policies: (Barrow: DS5, *DS6, GI1*; Eden: DEV5, EC3, ENV1, ENV2, ENV3, LS1, *EC7*; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2, DM20*)

Consultee	Comment	Council Response and Proposed Change
Kendal futures	1.4/1.5 – The context analysis doesn't work well in towns where the existing shop fronts have been allowed to deteriorate or where many are now inappropriate to their setting. Business owners can point to several examples which they may think are acceptable because they have been in place for a long time but they contravene the code.	Noted. Add reference to the need to consider that shop fronts in the locality may not always represent good practice or design and should not be used as a reference point for replication as part of the context analysis. Change: Add new para after 1.5 **1.6 The design quality of the surrounding shopfronts will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into new design for the site's shopfront.**
Westmorland and Furness Council	Amend Code SF 1.2 South Lakeland Local Plan policy AS08 to a supporting policy not a key/requirement policy	Policy amendment reference made to Code Change: For code SF 1.2, modify relevant policies: (Barrow: DS5, N1; Eden: DEV5, ENV1, ENV2, ENV3, ENV10; South Lakeland: AS02, ~~AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Add to Code SF 1.3 Eden Local Plan policy DEV5 supporting	Policy added to Code Change: For code SF 1.3, modify relevant policies: (Barrow: DS5, N1; Eden: EC3, ENV1, ENV3, ENV10, ***DEV5,*** *EC7,* ***ENV2***; South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code SF 1.4 Barrow Local Plan policy HE3 key/requirement	Policy added to Code Change: For code SF 1.4, modify relevant policies: (Barrow: DS5, HE2, **HE3,** HE4, N1, *DS2*; Eden: DEV5, ENV3, ENV10, *EC7, ENV2*; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2*)
Historic England	We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Support noted. Additional text added. Change: Add to 1.17: 1.17 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [**https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/**].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement.

Consultee	Comment	Council Response and Proposed Change
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Noted. Amend 2.4 bullet 4 change 'avoid' to 'minimise' Change: For bulleted list under paragraph 2.4, modify the fourth bullet point: • ~~Avoid~~ **Minimise** the use of prefabricated building materials that can generally not be repaired and have a fixed lifespan, requiring more material to be brought in for replacement.
Kendal Futures	E.ii – This is confusing as hanging signs are clearly shown above the shopfront which is a traditional style of sign for the area.	Noted. Additional text added to confirm hanging signs may be suitable at first floor level depending on the site and its context. Change: Amend paragraph 3.2 (e) (ii): ii. Signage must not be higher up the building than the shopfront. **Hanging signs may be suitable at first floor level depending on the site and its context.**
Westmorland and Furness Council	Signage - limited information on how we ensure appropriate colours and form.	Amendments made to text – reference to colours added accordingly Change: Amend paragraph 3.2 (e) (v): v. Findings from the context analysis must be used when choosing appropriate building materials for the fascia as well as the size and colours used for lettering. **Muted or subtle tones rather than bright colours should be encouraged especially where these may affect heritage assets.**
Westmorland and Furness Council	Amendment to Code SF 3.2, Barrow Local Plan policy C7 is a key/requirement, not supporting policy	Policy amendment reference made to Code Change: For code SF 3.2, modify relevant policies: (Barrow: **C7,** DS5, I4, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV3, ENV9; South Lakeland: DM1, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Also state: Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to BCT's guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html	Additional text added accordingly Change: Add new paragraph under paragraph 3.4: **3.5 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	In 'what we don't want to see' add 'artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees'	Additional text added accordingly Change: For the bulleted list under 'Lighting: what we don't want to see', add fifth bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**

Consultee	Comment	Council Response and Proposed Change
Cumbria Constabulary	Aspects of Security are specifically referenced at Page 30 (Items f. and g.) and 31 The proposed measures may be amended to include: i. Locking devices certified to a recognised security standard (e.g. Europrofile cylinder locks compliant with 'Sold Secure' SS 312 ii. Inclusion of laminated glazing certified to BS EN 356:2000 P1A or the deployment of specialist 'Hammerglass'™ (certified to BS EN 356:2000 P8A) iii. Deployment of exterior doors certified to LPS 1175 (Issue 8) AR A3, or LPS 2081 (Issue 1) B+ iv. & v. Grilles or shutters certified to LPS 2081 (Issue 1) SR A+ or LPS 1175 (Issue 8) AR A1+ viii. Deployment of specialist anti-burglary measures as appropriate, anti-ram bollards/obstructions, security fog generators, forensic contaminant sprays	The suggested amendments are too prescriptive for a Design Code.

Consultee	Comment	Council Response and Proposed Change
Kendal Futures	General Comments We welcome the introduction of the Design Code for Shopfronts in order to protect the quality of our town centres and high streets. In Kendal, we have recently witnessed a deterioration of the primary shopping areas due to a plethora of unsightly and poor quality shopfronts and/or signage. While the principles and policies outlined in the code are practical, our biggest concern is that the majority of 'offenders' won't read or understand the code, or apply its principles to their premises. Very few of the images and examples provided in the Design Code include national brands which form a large part of the region's town centres. Many national brands have 'Conservation Area' or heritage sensitive versions of their branding and signage which should be encouraged, but is rarely used in Kendal. Examples from other areas (eg, Ludlow) could be included for this purpose if good examples cannot be found locally, but good national brand examples in Kendal include White Stuff, Fat Face and Cortillo Lounge. It would be helpful to explain on the diagram the different parts of the shopfront via the illustrations - eg, fascia, cornices etc. While we appreciate the document is trying to be positive, it would be useful to highlight what is unacceptable as well as good practice. We are happy to suggest other good quality Kendal shopfront examples to replace some of the images mentioned below. Context 1.4/1.5 – The context analysis doesn't work well in towns where the existing shop fronts have been allowed to deteriorate or where many are now inappropriate to their setting. Business owners can point to several examples which they may think are acceptable because they have been in place for a long time but they contravene the code. P6 – Image of Kendal Market Place includes some examples of signage which may be unsuitable for the Conservation Area in terms of colour and cladding the traditional fascia with a hoarding style sign. Step 3 - Historic Assessment - 1.18 It would be helpful to identify which areas already have Conservation Areas to raise awareness, and without requiring the reader to do more work. P10 – While a great example of a historic shopfront, some maintenance is needed so it feels inappropriate to use it.	Noted. Illustrations updated labelling added – features of shopfronts. New illustration included showing a good and poor example of a shop front. Paragraph 1.18 includes a link listing all the conservation area appraisals.
Kendal Futures	2.4 P14 – While the Kirkby Lonsdale image shows an attractive shopfront, the public realm is poor quality (patched tarmac). (See also the plethora of highway signs on the image on P11.) 2.7a – Pleased to see recognition of awnings having an important role on the high street. Historically, it has been difficult to get planning permission in some areas of Kendal.	Noted. No change, example is about the shopfront rather than the surface of the public realm. Support noted.

Consultee	Comment	Council Response and Proposed Change
Kendal Futures	P29 – E - Signage - Because the code focuses on good practice examples, the code fails to highlight typical problems or bad practice. It would be useful to explain what is signage and what is a fascia and the interaction between them. There is a tendency to clad over heritage fascias with large hoarding style boards and there is some confusion over whether it is a shopfront alteration or whether it is simply 'signage' in planning and/or enforcement terms. The need for lettering (raised or painted) to be installed within the traditional fascia should be clearly stated and examples provided. F – Security – Internal grilles/shutters only should be allowed in a Conservation Area or heritage town. G – Lighting – Strongly agree with subtle internal illumination to make the high street feel safe in the evenings. H – Shopfront colours – While we agree with all these points, a suitable colour palette is subjective and leads to confusion. A suggested colour palette would be helpful to ensure understanding in a Conservation Area. P34 – The Kendal example shows a vinyl banner stretched over the traditional fascia and is not a good example of signage. Plus the yellow step contrast, while appropriate for access, feels out of keeping in a Conservation Area.	Noted. Illustration updated with labelling. Noted. Noted, no change. If appropriate could be addressed through Conservation Area Management Plans.

05 Greenfield Homes Small

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Noted added reference to National Landscape (AONB) accordingly Change: In the bulleted list under 'Design Code for Greenfield Homes – Small (less than 10 homes)', modify the final bullet point: Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code GHS 1.1, Barrow Local Plan Policies DS5, DS6, GI1 supporting	Policies added to Code Change: For code GHS 1.1, modify relevant policies: (Barrow: N1, *DS2,* ***DS5, DS6, GI1***); Eden: DEV5, ENV2; South Lakeland: DM1, *AS02, CS8.2, DM2*)
Arnside & Silverdale National Landscape	1.7 specify Arnside & Silverdale National Landscape to make it clear that it refers to the designation and not just the vilalges of Arnside & Silverdale. likely need to do the same with North Pennines as the area conventionally known as the 'North Pennies' extends beyond the designation boundary. (page 10) ideally need an image to show the Morecambe Bay Limestones/South Cumbria Low fells. (NCA 20). The Morecambe Bay Limestones have a distinct character compared with the other images shown.	Noted. Reference added to 'National Landscape' accordingly. Change: In paragraph 1.7, modify wording of the first sentence: 1.7 If the site is within ~~one of the National Landscapes or its setting~~ **the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings**, the applicant should review the Arnside and Silverdale **National Landscape** Management Plan or the North Pennines **National Landscape** Management Plan.
Westmorland and Furness Council	The North Pennines NL has a design guide that will become part of the management plan. The code needs to reference this.	Reference to The North Pennines NL design guide has been added Change: Amend paragraph 1.7 as follows: . 1.7 If the site is within the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings, the applicant should review the Arnside and Silverdale National Landscape Management Plan or the North Pennines National Landscape Management Plan. **Proposals within the North Pennines National Landscape must also review and take into account the North Pennines AONB Building Design Guide [https://northpennines.org.uk/publications/].**
Westmorland and Furness Council	Add to Code GHS 1.2 Barrow Local Plan Policy N1 supporting and South Lakeland Local Plan Policy AS08 supporting	Policies added to Code Change: For code GHS 1.2, modify relevant policies: (Barrow: DS5, *DS6, GI1,* ***N1***; Eden: DEV5, ENV2, ENV3, LS1; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)
Westmorland and Furness Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.11 as follows: 1.11 The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. Applicants must include an appraisal of the local context, addressing landscape setting, local tranquillity, views, and vistas. **Nearby sources or potential sources of noise or air pollution should also be identified.** This should guide the integration of the development within its townscape and landscape setting, focusing on careful siting, design, and impact mitigation.
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels Change: Modify paragraph 1.12 as follows: 1.12 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add a reference to also needing to consider accessibility to nearby local facilities, not just the village centre. This is relevant to other 'development types' as well	Additional text added accordingly Change: For bulleted list under illustration 'Context analysis of an example small greenfield site', modify penultimate bullet: **Accessibility** ~~to~~ **of local facilities, amenities and** the village centre
Westmorland and Furness Council	Add to Code GHS 1.3 Barrow Local Plan Policy GI1 supporting, South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to Code Change: For code GHS 1.3, modify relevant policies: (Barrow: DS5, H7, N1, ***GI1***; Eden: DEV5, ENV1, ENV2, ENV3, ENV10, RUR3; South Lakeland: AS02,~~ AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly Change: Modify the first sentence of paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration and the Environmental Protection will require much more from the developer than just 'care'. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.17: **1.18 Land Contamination and/or potential contaminative uses may also be a factor to consider. For further guidance on how to consider potential contamination visit the website www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions.**

Consultee	Comment	Council Response and Proposed Change
United Utilities	When identifying the need to understand water and wastewater assets within a site, we recommend the following additional paragraph in the various elements of the design code: *The layout of a site must integrate, and maintain access to, existing and proposed utility services. Proposals, including landscaping and changes in levels, must not adversely affect the operation of existing utility services or the ability to access, maintain and repair existing utility services. Importantly applicants should not assume that assets can be diverted when preparing a site layout or that levels on top of utility assets can be changed without prior agreement with the relevant utility provider. Infrastructure constraints must be well understood prior to commencing the design process as they can compromise the deliverability of development and increase costs.*	Comments noted. The Design Code does not include specific coding relating to United Utilities Infrastructure. United Utilities has the opportunity to comment / provide guidance relating to specific proposals, as part of the planning application process. Change: Amend paragraph 1.21 as follows: 1.21 Existing utility infrastructure can be a key determinant of site design. It is important for water and wastewater assets to be fully considered in development proposals at an early stage. United Utilities or Northumbrian Water will not permit development over or in close proximity to water and wastewater assets. Changes in ground level in the vicinity of water and wastewater assets or changes to the public sewer, including diversion, **would need prior agreement with the relevant utility provider. Such proposals** may not be acceptable as **they** ~~such proposals~~ can:
Westmorland and Furness Council	Add to Code GHS 1.4, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code GHS 1.4, modify relevant policies: (Barrow: DS5, **HE2,** N1**, N3**; Eden: ENV1, ENV3, ENV10, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code GHS 1.5 Barrow Local Plan policies HE3, HE6 requirements	Policies added to code. Change: For code GHS 1.5, modify relevant policies: (Barrow: DS5, HE2, **HE3,** HE4, **HE6,** H7, N1, *DS2*; Eden: DEV5, ENV3, ENV10, *ENV2*; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2*)
Historic England Context	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Change: Modify paragraph 1.31: 1.31 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [**https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/**].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement.

Consultee	Comment	Council Response and Proposed Change
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Noted. Amend 2.8 bullet 4 change 'avoid' to 'minimise'. Changes: For bulleted list under paragraph 2.8, modify the fourth bullet point: • ~~Avoid~~ **Minimise** the use of prefabricated building materials that can generally not be repaired and have a fixed lifespan, requiring more material to be brought in for replacement. Modify paragraph 6.20: 6.20 **The use of b**~~B~~uilding materials such as interlocking concrete tiles, plastic, composite or artificial tiles, which are limited to a single size, should be ~~avoided~~ **minimised**. These materials lack the variation and character found in local buildings. For bulleted list under paragraph 6.31, modify the sixth bullet point: • ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact. 2.22 Amend text to add 'Where possible' at beginning of sentence. Change: Modify the first sentence of paragraph 2.2: 2.22 **Where possible,** ~~A~~**a**ll development must incorporate renewable energy measures that are sensitive to the local area and character.
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code GHS 2.2 accordingly. Change: For code GHS 2.2 Flood Risk, modify as follows: CODE GHS 2.2 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; b) addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ c) addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures.**
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025). Change: Modify paragraph 2.10: 2.10 SuDS must allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.10, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: "SuDS must allow for surface water to be discharged according to the following hierarchy…" The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a "preference" for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to 'shall' rather than 'must'. Change: Modify paragraph 2.10: 2.10 SuDS ~~must then~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.
Westmorland and Furness Council	Amend policy reference in code GH3 2.3 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code. Change: For code GHS 2.3, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, H7, *DS2*; Eden: DEV2; South Lakeland: CS1.1, CS8.8, DM1, **DM6, *AS12*~~, *DM6*~~**; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Change: Add new paragraph under paragraph 2.13: **2.14 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**
Westmorland and Furness Council	Amend code GHS 2.4 Eden Local Plan delete policy ENV4, and add South Lakeland Local Plan policy DM4 supporting	Policy amendments and additions to code. Change: For code GHS 2.4, modify relevant policies: (Barrow: C5, DS5, DS6; Eden: DEV5 , ~~ENV4~~; South Lakeland: CS1.1, DM1, *DM2,* ***DM4***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Add to code GHS 2.6 Barrow Local Plan policy H7 supporting and South Lakeland Local Plan policy DM2 supporting	Policies added to code. Change: For code GHS 2.6, modify relevant policies: (Barrow: C5, DS5, *BP2, BP5,* ***H7***; Eden: DEV5; South Lakeland: CS1.1, CS8.7, ***DM2***)
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 2.6 Energy Efficiency The supporting text to this Code is also written in the form of a Policy and is too prescriptive for an SPD. The Consortium objects to the inclusion of strict requirements in respect of solar panels at paragraph 2.21. The paragraph stipulates 8 design/layout requirements which is clearly excessive for the placement of solar panels and notes that one of these stipulates that the panels should be laid in a symmetrical pattern. This fails to acknowledge the plot-by-plot considerations when proposing solar panels, such as layout, angle and direction towards the sun.	Noted. Reference to requiring symmetry deleted. Change: For bulleted list under 'Solar', remove the fourth sub-bullet to the third bullet point: ~~Symmetry - panels should be laid in a symmetrical pattern. Aerials and flues (and therefore related internal piping) should be located so as to not obstruct a symmetrical solar installation.~~

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.24 as follows: 2.24 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Change: Add new paragraph following paragraph 2.27: **2.28 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**
Westmorland and Furness Council	Need additional wording added to recognises that gullies and tank systems do not provide the multifunctional benefits of SuDS such as enhancing habitats and biodiversity and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Additional text added accordingly. Change: For bulleted list under 'Climate: what we don't want to see', add sixth bullet point: **Development which fails to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**

Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 3.1 Green and Blue Infrastructure The Code states that new development must adopt a landscape-first approach to green and blue infrastructure with one of the stipulations being that developments must adopt several different types of interlinked Green and Blue Infrastructure, so that the network is multifunctional. The Consortium consider the wording of this Policy to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Local Plans. For example, the South Lakeland Policy CS8.1 is worded in a way that suggests the authority will seek to secure Green Infrastructure in new developments, rather than a requirement that developers must provide green and blue infrastructure on every site, as the SPD currently states. Eden Policy ENV4 and Barrow Policy GI1 also state that developments will be supported where they protect and enhance existing green infrastructure, which is a very different policy test to the one included within the Code. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. It is important that the phraseology of Code GHL 3.1 is amended to reflect the adopted Policies and does not stipulate that all development provides interlinked green and blue infrastructure. The number of Policies listed at the end of the Code policy has increased from the previous Working Draft version. As noted previously, the Consortium request that further evidence is required to explain how the policies are of relevance, whether they remain up to date and if they are fit to support the specific coding or general guidance. It is now suggested that there are 17 legacy Local Plan policies applicable to Code GHL 3.1, which will only cause confusion when trying to decipher the Design Code. It is the Consortium's view that each Code should only be linked to Policies from the Legacy Local Plans which are directly relevant and that there should be a sentence added to clarify why these policies are applicable and in conformity. CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	The Code is not requiring all new development to include green and blue infrastructure. It is specifying in line with current Local Plan policies that new developments should retain and incorporate green infrastructure where they exist, integrate new and existing green and blue infrastructure where proposed and link new and existing green and blue infrastructure where exists/proposed so it is connected and multi-functional in line with current Local Plan policies. It is acknowledged that it may not always be achievable and practicable to retain and link green and blue infrastructure in all circumstances and therefore the code has been altered to say 'where possible'.... Change: For code GHS 3.1 Green and Blue Infrastructure, modify wording of point (b) and (c) b) **where possible,** integrating new and existing Green and Blue Infrastructure on the site with the wider Green and Blue Infrastructure network in the surroundings of the site; and c) **where possible,** using several different types of interlinked Green and Blue Infrastructure so that the network is multifunctional. Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. Change: For code GHS 3.4 Biodiversity Protection, append wording to point (b): d) the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.** Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place. Change: For code GHS 3.S Biodiversity Net Gain, modify the first sentence: CODE GHS 3.5 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt**.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add in reference to verges to say where possible verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type and received limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.	Additional text added accordingly. Change: For bulleted list under paragraph 3.2, add a seventh bullet point: **Verges: Where possible, verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type. Verges should receive limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.**
Westmorland and Furness Council	Code GHS 3.2 needs to include a reference to 'nature' rich rather than 'biodiversity' rich landscapes to bring into line with the guidance paragraph surrounding it which defines the term "nature-rich landscapes" instead of "biodiversity-rich landscapes", the definition in the guidance needs to be consistent with the code and "nature" is a better term to use because "biodiversity" has a more restricted meaning. In the associated guidance, Natural watercourses should be explicitly listed in the Key Considerations for Integrating Nature guidance below the code. " Listing "natural watercourses" in the guidance will support the Council's work to reduce flood risk by promoting deculverting and renaturalisation of watercourses and will help to conserve habitats and species that depend directly on water.	Amendment made to the Code to include reference to 'nature' rich landscapes, and additional text added to guidance to refer to natural watercourses and opportunities to de-culvert them to help integrate in nature. Changes: For code GHS 3.2 Open Space, modify wording: CODE GHS 3.2 Open Space: The public realm within new housing development must incorporate nature through the strategic retention and planting of trees, native species, and ~~biodiversity~~ **nature**-rich landscapes, proportionate to the scale and context of the development, and deliver good quality open space. For bullet list under code GHS 3.2 Open Space, add second bullet point: **Natural watercourses: Where applicable, natural watercourses should be addressed by proposals to reduce flood risk through de-culverting and re-naturalisation of watercourses.**
Westmorland and Furness Council	Add to Code GHS 3:2 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code GHS 3.2, modify relevant policies: (Barrow: BP13, DS5, GI3, GI4, N4, *GI1*; Eden: DEV5, ENV1, ENV4, *ENV2*; South Lakeland: DM1, ***AS04,*** *CS8.1, CS8.4, DM2, DM4*)
Westmorland and Furness Council	In section 3.8 and Code GHS 3.6 add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable.	Wording in section 3.8 and Code 3.6 amended and added accordingly. Changes: For bullet list under code GHS 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including ~~native~~ trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. **Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable.** For code GHS 3.6 Existing Trees, Woodlands, and Hedgerows, modify item (b): b) Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network.
Arnside & Silverdale National Landscape	3.8 - Consideration needs to be given to INNS introduction risk from landscaping and plant choice. UK native species should be preferentially used in landscaping, although mentioned this could be given greater emphasis. Mistakes made in urban landscaping (such as the frequent use of cotoneaster) has caused significant impacts to wider biodiversity. (noted that it is mentioned later on page 62 but could be given more emphasis earlier in the document)	Noted. Add additional wording in Paragraph 3.8 bullet point about risk of introducing invasive non-native species, and to prioritise UK native species in landscaping – repeat what is in page 62. Change: For bullet list under code GHS 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable. **Invasive non-native species must be avoided, as their introduction, even within manicured landscaping, can pose ecological risk.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	When considering the creation of wildflower meadows, need to make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting need to include reference to Schedule 9 Part II of the Wildlife and Countryside Act 1981 as amended as well as government guidance on invasive non-native alien plant species : https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Text added below Code GHS 3.2 reference to supporting new planting species that promotes local species of local provenance in locations at the edge of settlements and open countryside. Change: For bullet list under code GHS 3.2 Open Space, added new bullet point between Wildlife Connectivity and Community Engagement: • **On settlement edges, new planting schemes should provide a suitable ecological 'stepping stone' to the adjacent countryside by using only locally native species of local provenance.** Text amended in section on street trees, trees and hedgerows and planting : what we don't want to see accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', text modified in the sixth bullet point: • The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Need to add text "there will be a presumption of public access into and through developed sites unless there are overriding reasons to prevent access" into the code. A presumption of public access could greatly enhance the opportunities for active journeys which are often restricted to busy roads outside of towns. Public access to the countryside and through employment sites where appropriate for example would be improved simply by not preventing or discouraging access except for the limited areas where there are overriding reasons to do so e.g. safety or reasonable expectation of privacy associated with (in the CROW Act there are types of land which are excepted from open access rights even when the land is mapped as open access and those same exceptions would be a reasonable starting point to consider whether an area of development should be excluded from public access).	Text added to Code GHS 3.3 accordingly. Change: For code GHS 3.3 Inclusive Access, modify wording: CODE GHS 3.3 Inclusive Access: All new development must enhance or maintain safe, direct, and inclusive access to nature through public realm, open space, or other connections to natural environments. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.**
Westmorland and Furness Council	Add to Code GHS 3.3, South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code GHS 3.3, modify relevant policies: (Barrow: DS5, I4, *GI1, HC4*; Eden: DEV5, ENV4; South Lakeland: AS05, DM1, ***DM2,*** *DM4, DM5*)
Westmorland and Furness Council	*Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development.* But we need to give an example e.g. The location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland.	Text added to section green and blue infrastructure 'what we don't want to see' accordingly. Change: For bulleted list under 'Green and Blue Infrastructure: what we don't want to see', modify second bullet: Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development. **For example, the location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland.**
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats and protected species should be added. These are all ecological receptors that we have to account for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code GHS 3.4 accordingly. Change: For code GHS 3.4, modify first paragraph: CODE GHS 3.4 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.	Text added accordingly. Change: For paragraphs 3.10 - 3.15, directly following GHS 3.4 Biodiversity Protection: 3.10 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.11 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.12 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.13 All new development should align with the objectives outlined in the Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0]. This includes incorporating design elements that support the restoration, enhancement, and connectivity of habitats and features which help to support populations of priority species, as identified in the LNRS. 3.14 Proposals should include features that contribute to the local ecological network as described in the LNRS. This may involve the creation or enhancement of habitats, green corridors, or other natural features that help achieve the goals of the LNRS. 3.15 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Add additional reference in paragraph 3.10 to use of National Landscape Nature Recovery Plans. Change: Amend paragraph 3.10 as follows: 3.10 The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**

Consultee	Comment	Council Response and Proposed Change
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.16 accordingly. Changes: Within bulleted list below paragraph 3.16, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls.~~ **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Changes: Within bulleted list below paragraph 3.16, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls~~. **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Change
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.16 accordingly. Change: For bulleted list after paragraph 3.16, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to Code GHS 3.5 reference to 10% BNG. Change: For code GHS 3.5 Biodiversity Net Gain, modify wording of first sentence: CODE GHS 3.5 Biodiversity Net Gain: All new developments must achieve Biodiversity Net Gain (BNG) in line with current national policies and any local standards, **unless exempt**.
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.23 accordingly. Change: Amend paragraph 3.23 as follows: 3.23 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature.**
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.23. Change: Under paragraph 3.23, add new paragraph: **3.24 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals.**
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Text amended accordingly Modify part (a) of code GHS 3.6 Existing Trees, Woodlands, and Hedgerows: retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to GHS 3.6 and Section 3.8 Incorporating Nature into the Open Spaces There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows code GHS 3.6 Existing Trees, Woodlands, and Hedgerows: b) include a variety of native tree **and scrub species** of **UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code GHS 3.6 South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code GHS 3.6, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, *AS04, AS08, CS8.1, CS8.2,* ***DM2,*** *DM4*)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 3.25 accordingly. Change: For the bulleted list after paragraph 3.25, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings.**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 3.26. Change: Under paragraph 3.25 and subsequent bulleted list, add new paragraph: **3.26 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here on how to garden for red squirrels www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly. Change: Below paragraph 3.27, add additional paragraph: **3.28 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code GHS 3.7 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code GHS 3.7, modify relevant policies: (Barrow: DS6, *DS2, GI1*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: CS1.1, *AS02,* ***AS04,*** *AS08, DM2, DM4*; National Planning Policy Framework, Chapter 15)
Westmorland and Furness Council	Add wording to Planting Design - Might be worth expanding on wat a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.30 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Change: For bulleted list under paragraph 3.30, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.17, modify the second bullet point: Rainwater harvesting~~;~~**, including water butts;**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf].**
Westmorland and Furness Council	Add to Code GHS 4.1a, South Lakeland Local Plan Policy AS10 supporting	Policy added to code. Change: For code GHS 4.1a, modify relevant policies: (Barrow: DS5, I4, *DS2, HC1, HC4*; Eden: DEV3, DEV5, HS2; South Lakeland: CS1.1, CS6.4, CS10.2, DM1, DM13, DM14, *AS08,* ***AS10,*** *CS8.10, DM2, DM5*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording to Code GHS 4.2c: 'Street and movement designs must ensure a permeable and well-connected street network for all users with clear and logical through routes that are easy to navigate. Add wording to Code GHS 4.2c "presumption of public access into and through developed sites unless there are overriding reasons to prevent access" would greatly promote healthy communities. The "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good, improving choice even when this is not the formally designed route to a place. Potentially attractive routes through sites are often prevented by fencing or discouraged by intimidatory signs when there is no obvious need to exclude people. This often occurs in sites like business parks (so these additions will also be appropriate in the codes for other types of development) as well as the green edges of housing estates there are often unnecessary boundary treatments not associated with buildings and their curtilage. Add wording paragraph 4.13 'Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through streets are not possible'. The additional wording about cul-de-sacs is taken from the national design code in order to support the top line of the guidance. The suggested "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good.	Additional text added to Code GHS 4.1c accordingly, and to paragraph regarding cul-de-sacs. For code GHS 4.1c Street Design, modify wording: CODE GHS 4.1c Street Design: Street and movement designs must ensure a permeable and well-connected street network **for all users** with clear and logical through-routes that are easy to navigate. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.** For the bulleted list following paragraph 4.6, append to the end of the first bullet point: • Avoiding cul-de-sacs, dead ends and space given over to vehicle turning heads by making streets interconnect. This is particularly important for refuse collection and emergency service vehicles, which are best served by through streets rather than long cul-de-sacs or developments with only one way in and out by road. **Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through-streets are not possible.**
Westmorland and Furness Council	Amend Code GHS 4.2 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting and add South Lakeland Local Plan Policy AS08 supporting	Policy amendments and additions made to code. Change: For code GHS 4.2, modify relevant policies: (Barrow: **C7,** DS5, I4, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV9; South Lakeland: DM1, ***AS08,*** *DM2*; Development Design Guide; *Good Lighting Technical Advice Note: Designing Out Light Pollution in Cumbria, the Yorkshire Dales National Park and the Arnside and Silverdale AONB*)
Westmorland and Furness Council	Amend Code GHL 4.3 Barrow Local Plan Policy C7 is a requirement/key policy, and delete policy DS6 and add Policy HC5 as supporting.	Policy amendment reference made to code. Change: For code GHS 4.3, modify relevant policies: (Barrow: **C7,** DS5, H7, I4, ~~*C7, DS2, DS6,*~~ ***HC5***; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 4.14: **4.15 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	And in Lighting 'we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: • **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend Code GHS 4.4, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code GHS 4.4, modify relevant policies: (Barrow: DS5, H7, I6, ~~*BP2, HC4*~~; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly. Change: New paragraph created directly following bulleted list at paragraph 5.5: **5.6 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and housing developments. Outbuildings include bin stores, cycle stores, garages, car ports, garden sheds and other garden buildings. Thought should be given to the design and siting of these, creating variety where necessary, especially across larger sites. For example, they could be part of the main structure of the house or detached. They can look rural, urban or suburban depending on materials and design. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Westmorland and Furness Council	Add to code GHS 5.5, South Lakeland Local Plan Policy DM13 and AS01 supporting	Policies added to code. Change: For code GHS 5.5, modify relevant policies: (Barrow: DS5, H9; Eden: DEV5, HS2, LS1; South Lakeland: CS6.6, ***AS01, DM13***)
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 5.6 Accessibility The Code requires applicants to show how proposed new homes comply with the optional Building Regulation Requirement M4(2) in the proportion required by the relevant legacy Local Plans. The Code fails to acknowledge that Policy DM11 of the South Lakeland Development Management DPD identifies scenarios in which a policy compliant level of M4(2) compliant homes can be delivered. The specific circumstances where this would apply include sites where it is not practically achievable given the physical characteristics of the site, the delivery of the homes would significantly harm the financial viability of the scheme or there are other site specific factors which mean step-free access cannot be achieved. The Code does not make reference to the specific circumstances in which delivery of M4(2) homes at a policy compliant level cannot be achieved, including viability issues. This is a concern as developers will not be able to add reference to this important caveat when completing the Checklist and therefore would have to complete the form as though the scheme is not compliant.	Acknowledge in the case of Policy DM11 exemptions to the requirements can be justified where evidence is robustly demonstrated based on circumstances outlined. Change made – add wording to South Lakeland section saying (exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy) Additional text added to Code GHS 5.6 accordingly. For code GHS 5.6 Accessibility, modify South Lakeland section: South Lakeland: all new housing must comply with BR M4(2) and in some cases M4(3) **(exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy)** (Accessible and adaptable dwellings).
Officer testing workshop	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: To bulleted list under paragraph 6.10, add new third bullet point: **Flat roofs can be appropriate if part of a cohesive design. However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**
Arnside & Silverdale National Landscape	No specific comments although there is a significant amount of repetition between code chapters.	Noted. Coding in the large greenfield housing chapter is equally applicable to small greenfield housing development, hence why most code and guidance in the former appears in the latter.
Arnside & Silverdale National Landscape	See comments for 10+ greenfield sites.	Noted. See response above in greenfield large housing section.
Arnside & Silverdale National Landscape	See comments for 10+ greenfield sites. strongly support GHS 6.6 & 6.7. More examples using photos or diagrams would be useful to clearly show intent of policy.	Supported noted.

Consultee	Comment	Council Response and Proposed Change
Individual	The entire section The criteria against which development projects should be judged are comprehensive and admirable. The problems seems to be (1) interpretation and (2) implementation, factors which, in the real world are intertwined. The principle complaint about the system is that it takes too long to obtain planning permission. This may well be because the planners are underfunded and understaffed. But the solution offered by the central government seems to be simply to discount some of the criteria against which projects are judged and I have no clear idea how this will work out in practice. So, as a local resident, I am aware that my opinion on the desirability of the scheme may well be taken into account only if it is positive. Amidst the urge to roll over objections based on considerations (the environment, for one) that are judged to be excessively 'costly' or 'time-consuming' or, in our case, 'nimbyism', it is difficult see how I and other residents can judge the possible building projects in our area by applying the criteria you supply, based on our knowledge of and 'feel' for the area. But, if we do not wish to appear subject to reflexive nimbyism, that is what we must do. Or is it?	Comments noted. The Final iteration of the Design code if/when it is adopted by Westmorland and Furness Council as guidance – will be a supplementary planning document (or SPD). It is envisaged that both the relevant code(s) and the compliance and context checklists will be used, for example, by: applicants when preparing a planning application and their planning agents. Council Officers will also use the SPD code and check lists, alongside the Local Plan and other national and local planning guidance documents, to assess development proposals. The context and compliance check lists and the criteria therein, are a tool for the applicant/agent to complete and the Planning Officer to use as a compliance check. Others with an interest in the development decision making process, such as parish and town councils and members of the public can also refer to the design guide to inform their planning application consultation responses. A design Code supplementary planning document is guidance. The main document used in assessing planning applications in Westmorland and Furness, are the current legacy adopted development plans.

06 Brownfield Homes Large

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly to paragraph 1.14. Change: Text modified in the bullet list under 'Design Code for Brownfield Homes – Large (10 or more homes) final bullet point: • Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.
Westmorland and Furness Council	Add to Code BHL 1.1 Barrow Local Plan Policy N1 supporting and South Lakeland Local Plan Policy AS08 supporting	Policies added to Code Change: For code BHL 1.1, modify relevant policies: (Barrow: DS5, *DS6, GI1,* ***N1***; Eden: DEV5, ENV2, ENV3, LS1; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.5 as follows: 1.5 The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. Applicants must include an appraisal of the local context, addressing landscape setting, local tranquillity, views, and vistas. **Nearby sources or potential sources of noise or air pollution should also be identified.** This should guide the integration of the development within its townscape and landscape setting, focusing on careful siting, design, and impact mitigation.
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.7 as follows: 1.7 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**
Westmorland and Furness Council	Add to Code BHL 1.3 Barrow Local Plan Policy GI1 supporting, South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to Code Change: For code BHL 1.2, modify relevant policies: (Barrow: DS5, H7, N1, ***GI1***; Eden: DEV5, ENV1, ENV2, ENV3, ENV10, RUR3; South Lakeland: AS02,~~ AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to ‘odour’ accordingly. Change: Modify the first sentence of paragraph 1.12 as follows: 1.12 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.12 as follows: 1.12 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration and the Environmental Protection will require much more from the developer than just 'care'. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.12 as follows: 1.12 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.12: **1.13 Land Contamination and/or potential contaminative uses may also be a factor to consider. For further guidance on how to consider potential contamination visit the website www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions.**
United Utilities	When identifying the need to understand water and wastewater assets within a site, we recommend the following additional paragraph in the various elements of the design code: *The layout of a site must integrate, and maintain access to, existing and proposed utility services. Proposals, including landscaping and changes in levels, must not adversely affect the operation of existing utility services or the ability to access, maintain and repair existing utility services. Importantly applicants should not assume that assets can be diverted when preparing a site layout or that levels on top of utility assets can be changed without prior agreement with the relevant utility provider. Infrastructure constraints must be well understood prior to commencing the design process as they can compromise the deliverability of development and increase costs.*	Comments noted. The Design Code does not include specific coding relating to United Utilities Infrastructure. United Utilities has the opportunity to comment / provide guidance relating to specific proposals, as part of the planning application process. Additional text has been added to refer to the fact that prior agreement with the relevant utility provider will be required. Change: Amend paragraph as follows: 1.16 Existing utility infrastructure can be a key determinant of site design. It is important for water and wastewater assets to be fully considered in development proposals at an early stage. United Utilities or Northumbrian Water will not permit development over or in close proximity to water and wastewater assets. Changes in ground level in the vicinity of water and wastewater assets or changes to the public sewer, including diversion, **would need prior agreement with the relevant utility provider. Such proposals** may not be acceptable as ~~such proposals~~ **they** can:
Westmorland and Furness Council	Add to Code BHL 1.3, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code BHL 1.3, modify relevant policies: (Barrow: DS5, **HE2,** N1**, N3**; Eden: ENV1, ENV3, ENV10, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code BHL 1.4 Barrow Local Plan policies HE3 requirements	Policy added to code. Change: For code BHL 1.4, modify relevant policies: (Barrow: DS5, HE2, **HE3,** HE4, H7, N1, *DS2*; Eden: DEV5, ENV3, ENV10, *ENV2*; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2*)

Consultee	Comment	Council Response and Proposed Change
Historic England	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Reference added to relevant good practice advice notes accordingly. Change: Modify paragraph 1.27: 1.27 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [**https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/**].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Paragraph 2.8 specifies uPVC should be minimised. not avoided, highlighting it's disadvantaged from a energy/resource perspective. For consistency paragraph 7.31 also amended reference to minimising uPVC rather than avoiding, along with minimising use of prefrabricated building materials – paragraph 2.8 Text amended to recognise that renewable energy incorporation may not always be possible. Changes: For bulleted list under paragraph 2.8, modify the fourth bullet point: • ~~Avoid~~ **Minimise** the use of prefabricated building materials that can generally not be repaired and have a fixed lifespan, requiring more material to be brought in for replacement. Modify paragraph 6.20: 6.20 **The use of b**~~B~~uilding materials such as interlocking concrete tiles, plastic, composite or artificial tiles, which are limited to a single size, should be ~~avoided~~ **minimised**. These materials lack the variation and character found in local buildings. For bulleted list under paragraph 6.31, modify the sixth bullet point: • ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact. Modify the first sentence of paragraph 2.22: 2.22 **Where possible,** ~~A~~**a**ll development must incorporate renewable energy measures that are sensitive to the local area and character.
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code BHL 2.2 accordingly. Changes: For code BHL 2.2 Flood Risk, modify as follows: CODE BHL 2.2 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; b) addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ c) addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025) Modify paragraph 2.10: 2.10 SuDS must allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.10, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: "SuDS must allow for surface water to be discharged according to the following hierarchy…" The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a "preference" for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to 'shall' rather than 'must' Change: Modify paragraph 2.10: 2.10 SuDS ~~must~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.
Westmorland and Furness Council	Amend policy reference in code BHL 2.3 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code Change: For code BHL 2.3, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, H7, *DS2*; Eden: DEV2, *ENV5*; South Lakeland: CS1.1, CS8.8, DM1, **DM6,** ~~*DM6,*~~ ***AS12***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Add new paragraph under paragraph 2.13: **2.14 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**
Westmorland and Furness Council	Delete in code BHL 2.4 Eden Local Plan policy ENV4 add policy ENV5 supporting and South Lakeland Local Plan policy DM4 supporting	Policy amendments and additions to code. Change: For code BHL 2.4, modify relevant policies: (Barrow: C5, DS5, DS6; Eden: DEV5, ~~ENV4,~~ *ENV5*; South Lakeland: CS1.1, DM1, *DM2,* ***DM4***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Add to code BHL 2.6 Barrow Local Plan policy H7 supporting and South Lakeland Local Plan policy DM2 supporting	Policies added to code. Change: For code BHL 2.6, modify relevant policies: (Barrow: C5, DS5, *BP2, BP5,* ***H7***; Eden: DEV5, *ENV5*; South Lakeland: CS1.1, CS8.7**,** ***DM2***)

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 2.6 Energy Efficiency The supporting text to this Code is also written in the form of a Policy and is too prescriptive for an SPD. The Consortium objects to the inclusion of strict requirements in respect of solar panels at paragraph 2.21. The paragraph stipulates 8 design/layout requirements which is clearly excessive for the placement of solar panels and notes that one of these stipulates that the panels should be laid in a symmetrical pattern. This fails to acknowledge the plot-by-plot considerations when proposing solar panels, such as layout, angle and direction towards the sun.	Noted. Reference to requiring symmetry deleted. Change: For bulleted list under 'Solar', remove the fourth sub-bullet to the third bullet point: ~~Symmetry - panels should be laid in a symmetrical pattern. Aerials and flues (and therefore related internal piping) should be located so as to not obstruct a symmetrical solar installation.~~
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.24 as follows: 2.24 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Add new paragraph following paragraph 2.27: **2.28 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**
Westmorland and Furness Council	The SuDS chapter is broadly ok but it would support our work to note in the guidance that gullies and tank systems do not provide the multifunctional benefits of SuDS and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Additional text added accordingly. Change: For bulleted list under 'Climate: what we don't want to see', add sixth bullet point: **Development which fails to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**

Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 3.1 Green and Blue Infrastructure The Code states that new development must adopt a landscape-first approach to green and blue infrastructure with one of the stipulations being that developments must adopt several different types of interlinked Green and Blue Infrastructure, so that the network is multifunctional. The Consortium consider the wording of this Policy to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Local Plans. For example, the South Lakeland Policy CS8.1 is worded in a way that suggests the authority will seek to secure Green Infrastructure in new developments, rather than a requirement that developers must provide green and blue infrastructure on every site, as the SPD currently states. Eden Policy ENV4 and Barrow Policy GI1 also state that developments will be supported where they protect and enhance existing green infrastructure, which is a very different policy test to the one included within the Code. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. It is important that the phraseology of Code GHL 3.1 is amended to reflect the adopted Policies and does not stipulate that all development provides interlinked green and blue infrastructure. The number of Policies listed at the end of the Code policy has increased from the previous Working Draft version. As noted previously, the Consortium request that further evidence is required to explain how the policies are of relevance, whether they remain up to date and if they are fit to support the specific coding or general guidance. It is now suggested that there are 17 legacy Local Plan policies applicable to Code GHL 3.1, which will only cause confusion when trying to decipher the Design Code. It is the Consortium's view that each Code should only be linked to Policies from the Legacy Local Plans which are directly relevant and that there should be a sentence added to clarify why these policies are applicable and in conformity. CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	The Code is not requiring all new development to include green and blue infrastructure. It is specifying in line with current Local Plan policies that new developments should retain and incorporate green infrastructure where they exist, integrate new and existing green and blue infrastructure where proposed and link new and existing green and blue infrastructure where exists/proposed so it is connected and multi-functional in line with current Local Plan policies. It is acknowledged that it may not always be achievable and practicable to retain and link green and blue infrastructure in all circumstances and therefore the code has been altered to say 'where possible'.... Change: For code BHL 3.1 Green and Blue Infrastructure, modify wording of point (b) and (c) b) **where possible,** integrating new and existing Green and Blue Infrastructure on the site with the wider Green and Blue Infrastructure network in the surroundings of the site; and c) **where possible,** using several different types of interlinked Green and Blue Infrastructure so that the network is multifunctional Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. Change: For code BHL 3.4 Biodiversity Protection, append wording to point (b): b) the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.** Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place. Change: For code BHL 3.5 Biodiversity Net Gain, modify the first sentence: CODE BHL 3.5 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add in reference to verges to say where possible verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type and received limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.	Additional text added accordingly. Change: For bulleted list under paragraph 3.2, add a seventh bullet point: **Verges: Where possible, verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type. Verges should receive limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.**
Westmorland and Furness Council	Code BHL 3.1. states a. retaining and incorporating existing Green and Blue Infrastructure assets into the layout and design: This is problematic as it is likely that an important habitat on brownfield sites is Open Mosaic Habitat on Previously Developed Land which is a priority habitat in itself. We need to make it clear that the loss of this will need compensating for and particularly diverse areas of this habitat on site should be incorporated into the design. This is a habitat that may be present and will need adequate consideration.	Additional text added accordingly. Changes: Add a new paragraph after paragraph 3.7: **3.8 The existing site may include important habitat that is specific to brownfield land: Open Mosaic Habitat on Previously Developed Land. If lost as part of redevelopment, compensation will be required through the provision of new or enhanced habitats.** In the bullet list after Code BHL 3.2, add a new bullet point following the bullet point which begins: 'Integration of nature and Green and Blue Infrastructure': • **Providing compensatory habitats or habitat enhancement to compensate for the loss of any existing Open Mosaic Habitat on Previously Developed Land.**
Westmorland and Furness Council	Code BHL 3.2 needs to include a reference to 'nature' rich rather than 'biodiversity' rich landscapes to bring into line with the guidance paragraph surrounding it which defines the term "nature-rich landscapes" instead of "biodiversity-rich landscapes", the definition in the guidance needs to be consistent with the code and "nature" is a better term to use because "biodiversity" has a more restricted meaning. In the associated guidance, Natural watercourses should be explicitly listed in the Key Considerations for Integrating Nature guidance below the code. " Listing "natural watercourses" in the guidance will support the Council's work to reduce flood risk by promoting deculverting and renaturalisation of watercourses and will help to conserve habitats and species that depend directly on water.	Amendment made to the Code to include reference to 'nature' rich landscapes, and additional text added to guidance to refer to natural watercourses and opportunities to de-culvert them to help integrate in nature. Change: For code BHL 3.2 Open Space, modify wording: CODE BHL 3.2 Open Space: The public realm within new housing development must incorporate nature through the strategic retention and planting of trees, native species, and ~~biodiversity~~ **nature**-rich landscapes, proportionate to the scale and context of the development, and deliver good quality open space. For bullet list under code BHL 3.2 Open Space, add second bullet point: **Natural watercourses: Where applicable, natural watercourses should be addressed by proposals to reduce flood risk through de-culverting and re-naturalisation of watercourses.**
Westmorland and Furness Council	Add to Code BHL 3:2 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code BHL 3.2, modify relevant policies: (Barrow: BP13, DS5, GI3, GI4, N4, *GI1*; Eden: DEV5, ENV1, ENV4, *ENV2*; South Lakeland: DM1, DM4, ***AS04, CS8.1, CS8.4, DM2***)
Westmorland and Furness Council	In section 3.8 and Code BHL 3.6 add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable.	Wording in section 3.8 and Code 3.6 amended and added accordingly. Changes: For bullet list under code BHL 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including ~~native~~ trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. **Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable.** For code BHL 3.6 Existing Trees, Woodlands, and Hedgerows, modify item (b): Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	3.8 - Consideration needs to be given to INNS introduction risk from landscaping and plant choice. UK native species should be preferentially used in landscaping, although mentioned this could be given greater emphasis. Mistakes made in urban landscaping (such as the frequent use of cotoneaster) has caused significant impacts to wider biodiversity. (noted that it is mentioned later on page 62 but could be given more emphasis earlier in the document)	Noted. Additional text added to Section 3.9 accordingly: Change: For bullet list under code GHL 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable. **Invasive non-native species must be avoided, as their introduction, even within manicured landscaping, can pose ecological risk.**
Westmorland and Furness Council	When considering the creation of wildflower meadows, need to make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting need to include reference to Schedule 9 Part II of the Wildlife and Countryside Act 1981 as amended as well as government guidance on invasive non-native alien plant species : https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Text added below Code BHL 3.2 reference to supporting new planting species that promotes local species of local provenance in locations at the edge of settlements and open countryside. For bullet list under code BHL 3.2 Open Space, added new bullet point between Wildlife Connectivity and Community Engagement: • **On settlement edges, new planting schemes should provide a suitable ecological 'stepping stone' to the adjacent countryside by using only locally native species of local provenance.** Text amended in section on street trees, trees and hedgerows and planting : what we don't want to see accordingly. For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', text modified in the sixth bullet point: • The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Need to add text "there will be a presumption of public access into and through developed sites unless there are overriding reasons to prevent access" into the code. A presumption of public access could greatly enhance the opportunities for active journeys which are often restricted to busy roads outside of towns. Public access to the countryside and through employment sites where appropriate for example would be improved simply by not preventing or discouraging access except for the limited areas where there are overriding reasons to do so e.g. safety or reasonable expectation of privacy associated with (in the CROW Act there are types of land which are excepted from open access rights even when the land is mapped as open access and those same exceptions would be a reasonable starting point to consider whether an area of development should be excluded from public access).	Text added to Code BHL 3.3 accordingly. Change: For code BHL 3.3 Inclusive Access, modify wording: CODE BHL 3.3 Inclusive Access: All new development must enhance or maintain safe, direct, and inclusive access to nature through public realm, open space, or other connections to natural environments. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access**
Westmorland and Furness Council	Add to Code BHL 3.3, South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code BHL 3.3, modify relevant policies: (Barrow: DS5, I4, *GI1, HC4*; Eden: DEV5, ENV4; South Lakeland: AS05, DM1, DM4, ***DM2,*** *DM5*)
Westmorland and Furness Council	With regard to *Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development,* need to include an example: add text 'The location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland'.	Text added to section green and blue infrastructure 'what we don't want to see' accordingly. Change: For bulleted list under 'Green and Blue Infrastructure: what we don't want to see', modify second bullet: Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development. **For example, the location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats, veteran trees and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible	Amendments made to Code BHL 3.4 accordingly. Change: For code BHL 3.4, modify first paragraph: CODE BHL 3.4 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:
Westmorland and Furness Council	Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.	Amendments made to paragraphs 3.11-3.16 accordingly. Changes: For paragraphs 3.11 - 3.16, directly following BHL 3.4 Biodiversity Protection: 3.11 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.12 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.13 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.14 All new development should align with the objectives outlined in the Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0]. This includes incorporating design elements that support the restoration, enhancement, and connectivity of habitats and features which help to support populations of priority species, as identified in the LNRS. 3.15 Proposals should include features that contribute to the local ecological network as described in the LNRS. This may involve the creation or enhancement of habitats, green corridors, or other natural features that help achieve the goals of the LNRS. 3.16 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Additional text added to paragraph 3.10 accordingly. Change: Amend paragraph 3.10 as follows: 3.10 The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**

Consultee	Comment	Council Response and Proposed Change
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.17 accordingly. Changes: Within bulleted list below paragraph 3.17, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls~~. **The total number of integrated roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made to paragraph 3.17 accordingly. Change: Within bulleted list below paragraph 3.16, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls.~~ **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Change
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.17 accordingly. Change: For bulleted list after paragraph 3.17, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to code BHL 3.5 reference to 10% BNG Change: For code BHL 3.5 Biodiversity Net Gain, modify wording of first sentence: CODE BHL 3.5 Biodiversity Net Gain: All new developments must achieve Biodiversity Net Gain (BNG) in line with current national policies and any local standards, **unless exempt**.
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.24 accordingly. Change: Amend paragraph 3.24 as follows: 3.24 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**.
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.24. Change: Under paragraph 3.24, add new paragraph: **3.25 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals.**
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to BHL 3.6 and Section 3.8 Incorporating Nature into the Open Spaces There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows the end of part (b) of code BHL 3.6 Existing Trees, Woodlands, and Hedgerows: include a variety of native tree and scrub species of UK provenance and grassland species of local provenance in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**

Consultee	Comment	Council Response and Proposed Change
WFC Planning Policy	Add to Code BHL 3.6 South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code BHL 3.6, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, DM4, *AS04, AS08, CS8.1, CS8.2,* ***DM2,*** *DM4*)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 3.26 accordingly. Change: For the bulleted list after paragraph 3.25, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings.**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 3.27. Change: Under paragraph 3.26 and subsequent bulleted list, add new paragraph: **3.27 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here on how to garden for red squirrels www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly. Change: Below paragraph 3.28, add additional paragraph: **3.29 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**
Westmorland and Furness Council	Add to Code BHL 3.7 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code BHL 3.7, modify relevant policies: (Barrow: DS6, *DS2, GI1*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: CS1.1, DM4, *AS02,* ***AS04,*** *AS08, DM2*; National Planning Policy Framework, Chapter 15)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording to Planting Design, expanding on what a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.30 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Changes: For bulleted list under paragraph 3.30, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.17, modify the second bullet point: Rainwater harvesting~~;~~**, including water butts;**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf].**
Individual	Could stronger explanation or cross reference be made to clarify the meaning of street hierarchy.	Agreed, this section requires further explanation. Amendments made accordingly: Change: 4.6 **For the largest developments, the widest range of streets in the street hierarchy should be used. For smaller developments a few components of the hierarchy should be used to provide a range of streets and routes.** The typical street hierarchy for a greenfield housing development might include: • Primary Streets**: these are the main connecting streets that link the development to surrounding destinations. They would be the natural choice for bus routes and emergency vehicle routes.** • High Streets**: these might be the mixed-use part of the development, perhaps where the school, local facilities, and potentially a higher density of dwellings are found.** • Secondary Streets**: these would link Primary Streets or High Streets with a number of smaller streets as part of the circulation network.** • Local Streets**: streets where there is less priority for motor vehicles. The design and use of the streetscape encourages drivers to take extra care and reduce their speed considerably.** • Tertiary Streets**: these are the least busy streets, typically used only by residents and visitors rather than through-traffic.** • Town Promenades**: these are Primary Streets but more spacious and with a much stronger emphasis on green and blue infrastructure, walking and cycling, and amenity.** • ~~Linear Parks~~ • Green Routes**: green and blue infrastructure that is solely for the use of walkers, wheelers and cyclists. Green routes may or may not run alongside carriageways, and often provide shortcuts.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code BHL 4.2a, South Lakeland Local Plan Policy AS10 supporting	Policy added to code. Change: For code BHL 4.2a, modify relevant policies: (Barrow: DS5, I4, *DS2, HC1, HC4*; Eden: DEV3, DEV5, *ENV5*; South Lakeland: CS1.1, CS10.2, DM1, *AS08,* ***AS10,*** *CS8.10, DM2, DM5*)
Westmorland and Furness Council	Add wording to Code BHL 4.2c: 'Street and movement designs must ensure a permeable and well-connected street network for all users with clear and logical through routes that are easy to navigate. Add wording to Code BHL 4.2c "presumption of public access into and through developed sites unless there are overriding reasons to prevent access" would greatly promote healthy communities. The "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good, improving choice even when this is not the formally designed route to a place. Potentially attractive routes through sites are often prevented by fencing or discouraged by intimidatory signs when there is no obvious need to exclude people. This often occurs in sites like business parks (so these additions will also be appropriate in the codes for other types of development) as well as the green edges of housing estates there are often unnecessary boundary treatments not associated with buildings and their curtilage. Add wording paragraph 4.13 'Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through streets are not possible'. The additional wording about cul-de-sacs is taken from the national design code in order to support the top line of the guidance. The suggested "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good.	Additional text added to Code BHL 4.2c accordingly, and to paragraph regarding cul-de-sacs. Changes: For code BHL 4.2c Street Design, modify wording: CODE BHL 4.2c Street Design: Street and movement designs must ensure a permeable and well-connected street network **for all users** with clear and logical through-routes that are easy to navigate. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.** For the bulleted list following paragraph 4.12, append to the end of the first bullet point: Avoiding cul-de-sacs, dead ends and space given over to vehicle turning heads by making streets interconnect. This is particularly important for refuse collection and emergency service vehicles, which are best served by through streets rather than long cul-de-sacs or developments with only one way in and out by road. **Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through-streets are not possible.**
Westmorland and Furness Council	Application direction should highlight the need for a transport vision for the site which links to the travel plan and transport assessment; walking/cycling routes should be integral to the design (not infrastructure accommodated) and should demonstrate how routes in the dev site link into wider routes (and include reviews of the quality of these wider routes)	Text added to paragraph 4.14 accordingly. Change: Append to the end of paragraph 4.14, directly following Active Travel code: 4.14 Proposals should detail the location, type, and specifications for cycle parking and the surfacing of cycling and pedestrian routes. Developments incorporating active travel options within green corridors or 'play on the way' options will be viewed positively. **For larger sites, the application should include a transport vision that links to the application's travel plan and transport assessment. This vision should set out how walking, cycling and public transport are integrated into the design and link with the wider walking, cycling and public transport networks. The vision should also consider the quality of these routes and whether the enhancement of any existing routes is proposed.**
Westmorland and Furness Council	Add reference to Local Cycle and Walking Infrastructure plans and other plans – some sites may be able to provide new active travel routes that can link into existing and proposed active travel routes.	Additional text added accordingly. Change: Add new paragraph below paragraph 4.14: **4.15 Depending on location and type of proposal, some developments may be able to support provision of new active travel routes that can link into proposed active travel routes as set out in Local Cycle and Walking Infrastructure Plans and other plans. For further information visit the Council's Active Travel website [https://ukc-word-edit.officeapps.live.com/we/www.westmorlandandfurness.gov.uk/parking-streets-and-transport/active-travel].**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Street Network, Design and Character: what we don't want to see Second bullet point: Reference to one way in, one way out estates not being acceptable, this requires amendment setting out thresholds for when secondary access / emergency vehicular access is a requirement.	Amendments made to text accordingly. Change: For bulleted list under 'Street Network, Design and Character: what we don't want to see', modify the third bullet point: • Development that is not well-integrated with existing routes, rights of way, green infrastructure and desire lines. ~~'One way in, one way out' estates will not be acceptable.~~ **For developments of more than 100 dwellings a secondary access road is required and for developments of more than 50 dwellings an emergency vehicular access is required.**
Westmorland and Furness Council	Add to Code BHL 4.4, Barrow Local Plan Policy G14 supporting	Policy added to code. Change: For code BHL 4.4, modify relevant policies: (Barrow: BP13, DS5, ***GI4,*** *HC4*; Eden: DEV5, ENV1, *ENV2*; South Lakeland: AS05, DM1, DM5, *CS8.1, DM2*)
Westmorland and Furness Council	Amend Code BHL 4.6 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting and add South Lakeland Local Plan Policy AS08 supporting	Policy amendments and additions made to code. Change: For code BHL 4.6, modify relevant policies: (Barrow: **C7,** DS5, I4, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV9; South Lakeland: DM1, ***AS08,*** *DM2*; Development Design Guide; *Good Lighting Technical Advice Note: Designing Out Light Pollution in Cumbria, the Yorkshire Dales National Park and the Arnside and Silverdale AONB*)
Westmorland and Furness Council	Amend Code BHL 4.7 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code BHL 4.7, modify relevant policies: (Barrow: **C7,** DS5, H7, I4, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 4.30: **4.31 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	In Lighting: 'we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend Code BHL 4.8, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code BHL 4.8, modify relevant policies: (Barrow: DS5, H7, I6, ~~*BP2, HC4*~~; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly. Change: New paragraph created directly following bulleted list at paragraph 5.6: **5.7 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and housing developments. Outbuildings include bin stores, cycle stores, garages, car ports, garden sheds and other garden buildings. Thought should be given to the design and siting of these, creating variety where necessary, especially across larger sites. For example, they could be part of the main structure of the house or detached. They can look rural, urban or suburban depending on materials and design. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Westmorland and Furness Council	Add to Code BHL 5.5, South Lakeland Local Plan Policy DM13 and AS01 supporting	Policies added to code. Change: For code BHL 5.5, modify relevant policies: (Barrow: DS5, H9; Eden: DEV5, HS2, LS1; South Lakeland: CS6.6, ***AS01, DM13***)
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 5.6 Accessibility The Code requires applicants to show how proposed new homes comply with the optional Building Regulation Requirement M4(2) in the proportion required by the relevant legacy Local Plans. The Code fails to acknowledge that Policy DM11 of the South Lakeland Development Management DPD identifies scenarios in which a policy compliant level of M4(2) compliant homes can be delivered. The specific circumstances where this would apply include sites where it is not practically achievable given the physical characteristics of the site, the delivery of the homes would significantly harm the financial viability of the scheme or there are other site specific factors which mean step-free access cannot be achieved. The Code does not make reference to the specific circumstances in which delivery of M4(2) homes at a policy compliant level cannot be achieved, including viability issues. This is a concern as developers will not be able to add reference to this important caveat when completing the Checklist and therefore would have to complete the form as though the scheme is not compliant.	Acknowledge in the case of Policy DM11 exemptions to the requirements can be justified where evidence is robustly demonstrated based on circumstances outlined. Change made – add wording to South Lakeland section saying (exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy) Additional text added to Code BHL 5.6 accordingly. Change: For code BHL 5.6 Accessibility, modify South Lakeland section: South Lakeland: all new housing must comply with BR M4(2) and in some cases M4(3) **(exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy** (Accessible and adaptable dwellings).
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: To bulleted list under paragraph 6.10, add new third bullet point: **Flat roofs can be appropriate if part of a cohesive design. However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**

Consultee	Comment	Council Response and Proposed Change
Pegasus Group on behalf of the Holker Estate	Holker Estate, as a major landowner in the area and key contributor to Team Barrow, have a remit to deliver new large scale residential developments within their landholdings to help meet increasing housing needs, notably those generated by massive, planned employment growth at BAE's Barrow complex. This will require new large-scale developments to create their own distinct neighbourhoods, that are contemporary and aspirational, with a wider mix of house types and tenures, including smaller rental units for apprentices and temporary staff through to larger family and executive housing for senior staff. Such developments will therefore need to develop their own unique character and design coding, which is deliberately distinct from the wider area and authority wide design coding. The draft Design Code does make various references to supporting new and more contemporary character/ identity in less sensitive locations, including at paragraph 6.2/ page 115 of the 'Greenfield Homes – Large (10 or more homes) Consultation Draft' (Doc 02). We welcome this flexibility and would ask that this is reinforced in the final document in line with the above.	Comments noted. Although the comment relates to Greenfield Homes Large, it is equally applicable to Brownfield Homes Large.

07 Brownfield Homes Small

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly Change: Text modified in the bulleted list under 'Design Code for Brownfield Homes – Small (less than 10 homes)', modify the final bullet point: Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code BHS 1.1 Barrow Local Plan Policy N1 and DS2 supporting and South Lakeland Local Plan Policy AS08 supporting	Policies added to Code. Change: For code BHS 1.1, modify relevant policies: (Barrow: DS5, ***DS2,*** *DS6, GI1,* ***N1***; Eden: DEV5, ENV2, ENV3, LS1; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)
Westmorland and Furness Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.5 as follows: 1.5 The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. Applicants must include an appraisal of the local context, addressing townscape and landscape setting, views, and vistas, activity and tranquillity. **Nearby sources or potential sources of noise or air pollution should also be identified.** This should guide the integration of the development within its townscape and landscape setting, focusing on careful siting, design, and impact mitigation.
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.7 as follows: 1.7 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**
Westmorland and Furness Council	Add to Code BHS 1.2 Barrow Local Plan Policy GI1 supporting, South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to Code. Change: For code BHS 1.2, modify relevant policies: Barrow: DS5, HE2, N1, ***GI1***; Eden: DEV5, ENV1, ENV2, ENV3, ENV10, RUR3; South Lakeland: AS02, ~~AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly. Change: Modify the first sentence of paragraph 1.11 as follows: 1.11 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.11 as follows: 1.11 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.11 as follows: 1.11 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.11: **1.12 Land Contamination and/or potential contaminative uses may also be a factor to consider. For further guidance on how to consider potential contamination visit the website www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions.**
United Utilities	When identifying the need to understand water and wastewater assets within a site, we recommend the following additional paragraph in the various elements of the design code: *The layout of a site must integrate, and maintain access to, existing and proposed utility services. Proposals, including landscaping and changes in levels, must not adversely affect the operation of existing utility services or the ability to access, maintain and repair existing utility services. Importantly applicants should not assume that assets can be diverted when preparing a site layout or that levels on top of utility assets can be changed without prior agreement with the relevant utility provider. Infrastructure constraints must be well understood prior to commencing the design process as they can compromise the deliverability of development and increase costs.*	Comments noted. The Design Code does not include specific coding relating to United Utilities Infrastructure. United Utilities has the opportunity to comment / provide guidance relating to specific proposals, as part of the planning application process. Additional text has been added to refer to the fact that prior agreement with the relevant utility provider will be required. Change: Amend paragraph as follows: 1.20 Existing utility infrastructure can be a key determinant of site design. It is important for water and wastewater assets to be fully considered in development proposals at an early stage. United Utilities or Northumbrian Water will not permit development over or in close proximity to water and wastewater assets. Changes in ground level in the vicinity of water and wastewater assets or changes to the public sewer, including diversion, **would need prior agreement with the relevant utility provider. Such proposals** may not be acceptable as ~~such proposals~~ **they** can:
Westmorland and Furness Council	Add to Code BHS 1.3, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to Code. Change: For code BHS 1.3, modify relevant policies: (Barrow: DS5, **HE2,** N1**, N3**; Eden: ENV1, ENV3, ENV10, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code BHS 1.4 Barrow Local Plan policy HE3 requirement.	Policy added to Code. Change: For code BHS 1.4, modify relevant policies: (Barrow: DS5, HE2, **HE3,** HE4, H7, N1, *DS2*; Eden: DEV5, ENV3, ENV10, *ENV2*; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2*)

Consultee	Comment	Council Response and Proposed Change
Historic England	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Change: Modify paragraph 1.25: 1.25 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [**https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/**].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement.
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Paragraph 2.8 specifies uPVC should be minimised. not avoided, highlighting it's disadvantaged from a energy/resource perspective. For consistency paragraph 6.31 also amended reference to minimising uPVC rather than avoiding, along with minimising use of prefrabricated building materials – paragraph 2.8 Text amended to recognise that renewable energy incorporation may not always be possible. Changes: For bulleted list under paragraph 2.8, modify the fourth bullet point: • ~~Avoid~~ **Minimise** the use of prefabricated building materials that can generally not be repaired and have a fixed lifespan, requiring more material to be brought in for replacement. Modify paragraph 6.20: 6.20 **The use of b**~~B~~uilding materials such as interlocking concrete tiles, plastic, composite or artificial tiles, which are limited to a single size, should be ~~avoided~~ **minimised**. These materials lack the variation and character found in local buildings. For bulleted list under paragraph 6.31, modify the sixth bullet point: • ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact. Modify the first sentence of paragraph 2.22: 2.22 **Where possible,** ~~A~~**a**ll development must incorporate renewable energy measures that are sensitive to the local area and character. 2.22 Amend text to add 'Where possible' at beginning of sentence.
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code BHS2.2 accordingly. Changes: For code BHS 2.2 Flood Risk, modify as follows: CODE BHS 2.2 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; b) addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ c) addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025). Change: Modify paragraph 2.10: 2.10 SuDS must allow surface water to be discharged according to the following hierarchy~~:~~. **Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.10, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: "SuDS must allow for surface water to be discharged according to the following hierarchy…" The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a "preference" for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to 'shall' rather than 'must'. Change: Modify paragraph 2.10: 2.10 SuDS ~~must~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.
Westmorland and Furness Council	Amend policy reference in code BHS 2.3 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code. Change: For code BHS 2.3, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, H7, *DS2*; Eden: DEV2; South Lakeland: CS1.1, CS8.8, DM1, **DM6,** ~~*DM6,*~~ ***AS12***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Change: Add new paragraph under paragraph 2.13: **2.14 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**
Westmorland and Furness Council	Delete in code BHS 2.4 Eden Local Plan policy ENV4, add South Lakeland Local Plan policy DM4 supporting	Policy amendments and additions to code. Change: For code BHS 2.4, modify relevant policies: (Barrow: C5, DS5, DS6; Eden: DEV5, ~~ENV4,~~; South Lakeland: CS1.1, DM1, *DM2,* ***DM4***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Add to code BHS 2.6 Barrow Local Plan policy H7 supporting and South Lakeland Local Plan policy DM2 supporting	Policies added to code. Change: For code BHS 2.6, modify relevant policies: (Barrow: C5, DS5, *BP2, BP5,* ***H7***; Eden: DEV5; South Lakeland: CS1.1, CS8.7, ***DM2***)

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 2.6 Energy Efficiency The supporting text to this Code is also written in the form of a Policy and is too prescriptive for an SPD. The Consortium objects to the inclusion of strict requirements in respect of solar panels at paragraph 2.21. The paragraph stipulates 8 design/layout requirements which is clearly excessive for the placement of solar panels and notes that one of these stipulates that the panels should be laid in a symmetrical pattern. This fails to acknowledge the plot-by-plot considerations when proposing solar panels, such as layout, angle and direction towards the sun.	Noted. Reference to requiring symmetry deleted. Change: For bulleted list under 'Solar', remove the fourth sub-bullet to the third bullet point: ~~Symmetry - panels should be laid in a symmetrical pattern. Aerials and flues (and therefore related internal piping) should be located so as to not obstruct a symmetrical solar installation.~~
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.24 as follows: 2.24 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Add new paragraph following paragraph 2.27: **2.28 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**
Westmorland and Furness Council	Need additional wording added to recognises that gullies and tank systems do not provide the multifunctional benefits of SuDS such as enhancing habitats and biodiversity and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Additional text added accordingly. Change: For bulleted list under 'Climate: what we don't want to see', add sixth bullet point: **Development which fails to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**

Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 3.1 Green and Blue Infrastructure The Code states that new development must adopt a landscape-first approach to green and blue infrastructure with one of the stipulations being that developments must adopt several different types of interlinked Green and Blue Infrastructure, so that the network is multifunctional. The Consortium consider the wording of this Policy to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Local Plans. For example, the South Lakeland Policy CS8.1 is worded in a way that suggests the authority will seek to secure Green Infrastructure in new developments, rather than a requirement that developers must provide green and blue infrastructure on every site, as the SPD currently states. Eden Policy ENV4 and Barrow Policy GI1 also state that developments will be supported where they protect and enhance existing green infrastructure, which is a very different policy test to the one included within the Code. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. It is important that the phraseology of Code GHL 3.1 is amended to reflect the adopted Policies and does not stipulate that all development provides interlinked green and blue infrastructure. The number of Policies listed at the end of the Code policy has increased from the previous Working Draft version. As noted previously, the Consortium request that further evidence is required to explain how the policies are of relevance, whether they remain up to date and if they are fit to support the specific coding or general guidance. It is now suggested that there are 17 legacy Local Plan policies applicable to Code GHL 3.1, which will only cause confusion when trying to decipher the Design Code. It is the Consortium's view that each Code should only be linked to Policies from the Legacy Local Plans which are directly relevant and that there should be a sentence added to clarify why these policies are applicable and in conformity.	The Code is not requiring all new development to include green and blue infrastructure. It is specifying in line with current Local Plan policies that new developments should retain and incorporate green infrastructure where they exist, integrate new and existing green and blue infrastructure where proposed and link new and existing green and blue infrastructure where exists/proposed so it is connected and multi-functional in line with current Local Plan policies. It is acknowledged that it may not always be achievable and practicable to retain and link green and blue infrastructure in all circumstances and therefore the code has been altered to say 'where possible'.... For code BHS 3.1 Green and Blue Infrastructure, modify wording of point (b) and (c) b) **where possible,** integrating new and existing Green and Blue Infrastructure on the site with the wider Green and Blue Infrastructure network in the surroundings of the site; and c) **where possible,** using several different types of interlinked Green and Blue Infrastructure so that the network is multifunctional.
	CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance.	Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. For code BHS 3.4 Biodiversity Protection, append wording to point (b): b) the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.**
	The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place For code BHS 3.5 Biodiversity Net Gain, modify the first sentence:

Consultee	Comment	Council Response and Proposed Change
		CODE BHS 3.5 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt**.
Westmorland and Furness Council	Add in reference to verges to say where possible verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type and received limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.	Additional text added accordingly. Change: For bulleted list under paragraph 3.2, add a seventh bullet point: **Verges: Where possible, verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type. Verges should receive limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.**
Westmorland and Furness Council	Code BHS 3.1. states a. retaining and incorporating existing Green and Blue Infrastructure assets into the layout and design: This is problematic as it is likely that an important habitat on brownfield sites is Open Mosaic Habitat on Previously Developed Land which is a priority habitat in itself. We need to make it clear that the loss of this will need compensating for and particularly diverse areas of this habitat on site should be incorporated into the design. This is a habitat that may be present and will need adequate consideration.	Additional text added accordingly. Changes: Add a new paragraph after paragraph 3.7: **3.8 The existing site may include important habitat that is specific to brownfield land: Open Mosaic Habitat on Previously Developed Land. If lost as part of redevelopment, compensation will be required through the provision of new or enhanced habitats.** In the bullet list after Code BHS 3.2, add a new bullet point following the bullet point which begins 'Integration of nature and Green and Blue Infrastructure': • **Providing compensatory habitats or habitat enhancement to compensate for the loss of any existing Open Mosaic Habitat on Previously Developed Land.**
Westmorland and Furness Council	Code BHS 3.2 needs to include a reference to 'nature' rich rather than 'biodiversity' rich landscapes to bring into line with the guidance paragraph surrounding it which defines the term "nature-rich landscapes" instead of "biodiversity-rich landscapes", the definition in the guidance needs to be consistent with the code and "nature" is a better term to use because "biodiversity" has a more restricted meaning. In the associated guidance, Natural watercourses should be explicitly listed in the Key Considerations for Integrating Nature guidance below the code. " Listing "natural watercourses" in the guidance will support the Council's work to reduce flood risk by promoting deculverting and renaturalisation of watercourses and will help to conserve habitats and species that depend directly on water.	Amendment made to the Code to include reference to 'nature' rich landscapes, and additional text added to guidance to refer to natural watercourses and opportunities to de-culvert them to help integrate in nature. Change: For code BHS 3.2 Open Space, modify wording: CODE BHS 3.2 Open Space: The public realm within new housing development must incorporate nature through the strategic retention and planting of trees, native species, and ~~biodiversity~~ **nature**-rich landscapes, proportionate to the scale and context of the development, and deliver good quality open space. For bullet list under code BHS 3.2 Open Space, add second bullet point: **Natural watercourses: Where applicable, natural watercourses should be addressed by proposals to reduce flood risk through de-culverting and re-naturalisation of watercourses.**
Westmorland and Furness Council	Add to Code BHS 3:2 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code BHS 3.2, modify relevant policies: (Barrow: BP13, DS5, GI3, GI4, N4, *GI1*; Eden: DEV5, ENV1, ENV4, *ENV2*; South Lakeland: DM1, ***AS04,*** *CS8.1, CS8.4, DM2, DM4*)
Westmorland and Furness Council	In section 3.8 and Code BHS 3.6 add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable.	Wording in section 3.8 and Code 3.6 amended and added accordingly. Changes: For bullet list under code BHS 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including ~~native~~ trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. **Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable.** For code BHS 3.6 Existing Trees, Woodlands, and Hedgerows, modify item (b): b) Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network.

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	3.8 - Consideration needs to be given to INNS introduction risk from landscaping and plant choice. UK native species should be preferentially used in landscaping, although mentioned this could be given greater emphasis. Mistakes made in urban landscaping (such as the frequent use of cotoneaster) has caused significant impacts to wider biodiversity. (noted that it is mentioned later on page 62 but could be given more emphasis earlier in the document)	Noted. Additional text added to Section 3.9 accordingly: Change: For bullet list under code BHS 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable. **Invasive non-native species must be avoided, as their introduction, even within manicured landscaping, can pose ecological risk.**
Westmorland and Furness Council	When considering the creation of wildflower meadows, need to make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting need to include reference to Schedule 9 Part II of the Wildlife and Countryside Act 1981 as amended as well as government guidance on invasive non-native alien plant species : https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Text added below Code BHS 3.2 reference to supporting new planting species that promotes local species of local provenance in locations at the edge of settlements and open countryside. Change: For bullet list under code BHS 3.2 Open Space, added new bullet point between Wildlife Connectivity and Community Engagement: • **On settlement edges, new planting schemes should provide a suitable ecological 'stepping stone' to the adjacent countryside by using only locally native species of local provenance.** Text amended in section on street trees, trees and hedgerows and planting : what we don't want to see accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', text modified in the sixth bullet point: • The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Need to add text "there will be a presumption of public access into and through developed sites unless there are overriding reasons to prevent access" into the code. A presumption of public access could greatly enhance the opportunities for active journeys which are often restricted to busy roads outside of towns. Public access to the countryside and through employment sites where appropriate for example would be improved simply by not preventing or discouraging access except for the limited areas where there are overriding reasons to do so e.g. safety or reasonable expectation of privacy associated with (in the CROW Act there are types of land which are excepted from open access rights even when the land is mapped as open access and those same exceptions would be a reasonable starting point to consider whether an area of development should be excluded from public access).	Text added to Code BHS 3.3 accordingly. Change: For code BHS 3.3 Inclusive Access, modify wording: CODE BHS 3.3 Inclusive Access: All new development must enhance or maintain safe, direct, and inclusive access to nature through public realm, open space, or other connections to natural environments. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.**
Westmorland and Furness Council	Add to Code BHS 3.3, South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code BHS 3.3, modify relevant policies: (Barrow: DS5, I4, *GI1, HC4*; Eden: DEV5, ENV4; South Lakeland: AS05, DM1, DM4, ***DM2,*** *DM5*)
Westmorland and Furness Council	With regard to *Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development,* need to include an example: add text 'The location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland'.	Text added to section green and blue infrastructure 'what we don't want to see' accordingly. Change: For bulleted list under 'Green and Blue Infrastructure: what we don't want to see', modify second bullet: Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development. **For example, the location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats, veteran trees and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code BHS 3.4 accordingly. Change: For code BHS 3.4, modify first paragraph: CODE BHS 3.4 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:
Westmorland and Furness Council	Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.	Amendments made to paragraphs 3.11-3.16 accordingly. Changes: For paragraphs 3.11 - 3.16, directly following BHS 3.4 Biodiversity Protection: 3.11 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.12 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.13 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.14 All new development should align with the objectives outlined in the Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0]. This includes incorporating design elements that support the restoration, enhancement, and connectivity of habitats and features which help to support populations of priority species, as identified in the LNRS. 3.15 Proposals should include features that contribute to the local ecological network as described in the LNRS. This may involve the creation or enhancement of habitats, green corridors, or other natural features that help achieve the goals of the LNRS. 3.16 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Add additional reference in paragraph 3.10 to use of National Landscape Nature Recovery Plans. Change: Amend paragraph 3.11 as follows: 3.11 The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**

Consultee	Comment	Council Response and Proposed Change
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.17 accordingly. Changes: Within bulleted list below paragraph 3.17, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat roosting provisions ~~cavities for walls~~. **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made to paragraph 3.17 accordingly. Changes: Within bulleted list below paragraph 3.17, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls.~~ **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Change
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.17 accordingly. Change: For bulleted list after paragraph 3.17, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendment made to Code BHS 3.5 reference to 10% BNG. Change: For code BHS 3.5 Biodiversity Net Gain, modify wording of first sentence: CODE BHS 3.5 Biodiversity Net Gain: All new developments must achieve Biodiversity Net Gain (BNG) in line with current national policies and any local standards, **unless exempt**.
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.23 accordingly. Change: Amend paragraph 3.22 as follows: 3.22 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.22. Change: Under paragraph 3.23, add new paragraph: **3.24 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals**
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Noted. Text amended accordingly. Change: Modify part (a) of code BHS 3.6 Existing Trees, Woodlands, and Hedgerows: retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to BHS 3.6 and Section 3.8 Incorporating Nature into the Open Spaces There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows code BHS 3.6 Existing Trees, Woodlands, and Hedgerows: b) include a variety of native tree **and scrub species** of **UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code BHS 3.6 South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code BHS 3.6, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, *AS04, AS08, CS8.1, CS8.2,* ***DM2****, DM4*)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 3.24 accordingly. Change: For the bulleted list after paragraph 3.24, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings.**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 3.25. Change: Under paragraph 3.24 and subsequent bulleted list, add new paragraph: **3.25 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here on how to garden for red squirrels www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly. Change: Below paragraph 3.26, add additional paragraph: **3.27 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code BHS 3.7 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code BHS 3.7, modify relevant policies: (Barrow: DS6, *DS2, GI1*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: CS1.1, *AS02,* ***AS04,*** *AS08, DM2, DM4*; National Planning Policy Framework, Chapter 15)
Westmorland and Furness Council	Add wording to Planting Design - Might be worth expanding on wat a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.29 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Change: For bulleted list under paragraph 3.29, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.17, modify the second bullet point: • Rainwater harvesting~~:~~**, including water butts;**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf**
Westmorland and Furness Council	Add to Code BHS 4.2a, South Lakeland Local Plan Policy AS10 supporting	Policy added to code. Change: For code BHS 4.1a, modify relevant policies: (Barrow: DS5, I4, *DS2, HC1, HC4*; Eden: DEV3, DEV5, HS2; South Lakeland: CS1.1, CS6.4, CS10.2, DM1, DM13, DM14, *AS08,* ***AS10,*** *CS8.10, DM2, DM5*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording to Code GHL 4.2c: 'Street and movement designs must ensure a permeable and well-connected street network <u>for all users</u> with clear and logical through routes that are easy to navigate. Add wording to Code GHL 4.2c "presumption of public access into and through developed sites unless there are overriding reasons to prevent access" would greatly promote healthy communities. The "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good, improving choice even when this is not the formally designed route to a place. Potentially attractive routes through sites are often prevented by fencing or discouraged by intimidatory signs when there is no obvious need to exclude people. This often occurs in sites like business parks (so these additions will also be appropriate in the codes for other types of development) as well as the green edges of housing estates there are often unnecessary boundary treatments not associated with buildings and their curtilage. Add wording paragraph 4.13 'Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through streets are not possible'. The additional wording about cul-de-sacs is taken from the national design code in order to support the top line of the guidance. The suggested "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good.	Additional text added to Code BHS 4.1c accordingly, and to paragraph regarding cul-de-sacs. Changes: For code BHS 4.1c Street Design, modify wording: CODE BHS 4.1c Street Design: Street and movement designs must ensure a permeable and well-connected street network **for all users** with clear and logical through-routes that are easy to navigate. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.** For the bulleted list following paragraph 4.6, append to the end of the first bullet point: Avoiding cul-de-sacs, dead ends and space given over to vehicle turning heads by making streets interconnect. This is particularly important for refuse collection and emergency service vehicles, which are best served by through streets rather than long cul-de-sacs or developments with only one way in and out by road. **Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through-streets are not possible.**
Westmorland and Furness Council	Amend Code BHS 4.2 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting and add South Lakeland Local Plan Policy AS08 supporting	Policy amendments and additions made to code. Change: For code BHS 4.2, modify relevant policies: (Barrow: **C7,** DS5, I4, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV9; South Lakeland: DM1, ***AS08,*** *DM2*; Development Design Guide; *Good Lighting Technical Advice Note: Designing Out Light Pollution in Cumbria, the Yorkshire Dales National Park and the Arnside and Silverdale AONB*)
Westmorland and Furness Council	Amend Code BHS 4.3 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code BHS 4.3, modify relevant policies: (Barrow: **C7,** DS5, H7, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 4.14: **4.15 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	In Lighting: 'we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend Code BHS 4.8, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code BHS 4.4, modify relevant policies: (Barrow: DS5, H7, I6, ~~*BP2, HC4*~~; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly. Change: New paragraph created directly following bulleted list at paragraph 5.4: **5.5 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and housing developments. Outbuildings include bin stores, cycle stores, garages, car ports, garden sheds and other garden buildings. Thought should be given to the design and siting of these, creating variety where necessary, especially across larger sites. For example, they could be part of the main structure of the house or detached. They can look rural, urban or suburban depending on materials and design. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Westmorland and Furness Council	Add to Code BHS 5.5, South Lakeland Local Plan Policy DM13 and AS01 supporting	Policies added to code. Change: For code BHS 5.5, modify relevant policies: (Barrow: DS5, H9; Eden: DEV5, HS2, LS1; South Lakeland: CS6.6, ***AS01, DM13***)
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 5.6 Accessibility The Code requires applicants to show how proposed new homes comply with the optional Building Regulation Requirement M4(2) in the proportion required by the relevant legacy Local Plans. The Code fails to acknowledge that Policy DM11 of the South Lakeland Development Management DPD identifies scenarios in which a policy compliant level of M4(2) compliant homes can be delivered. The specific circumstances where this would apply include sites where it is not practically achievable given the physical characteristics of the site, the delivery of the homes would significantly harm the financial viability of the scheme or there are other site specific factors which mean step-free access cannot be achieved. The Code does not make reference to the specific circumstances in which delivery of M4(2) homes at a policy compliant level cannot be achieved, including viability issues. This is a concern as developers will not be able to add reference to this important caveat when completing the Checklist and therefore would have to complete the form as though the scheme is not compliant.	Acknowledge in the case of Policy DM11 exemptions to the requirements can be justified where evidence is robustly demonstrated based on circumstances outlined. Change made – add wording to South Lakeland section saying (exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy) Additional text added to Code BHS 5.6 accordingly. Change: For code BHS 5.6 Accessibility, modify South Lakeland section: South Lakeland: all new housing must comply with BR M4(2) and in some cases M4(3) **(exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy** (Accessible and adaptable dwellings).
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: To bulleted list under paragraph 6.10, add new third bullet point: **Flat roofs can be appropriate if part of a cohesive design. However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**
Cumbria Constabulary	The aspects of 'Security' and crime prevention measures are extensively referenced at Pages 71, 73, 74, 94 and 95	Noted.

08 Rural Replacement Dwellings

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly. Change: In the bulleted list under 'Design Code for Rural Replacement Dwellings', modify the final bullet point: Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.
Arnside & Silverdale National Landscape	1.7 specify Arnside & Silverdale National Landscape to make it clear that it refers to the designation and not just the vilalges of Arnside & Silverdale. likely need to do the same with North Pennines as the area conventionally known as the 'North Pennies' extends beyond the designation boundary. (page 10) ideally need an image to show the Morecambe Bay Limestones/South Cumbria Low fells. (NCA 20). The Morecambe Bay Limestones have a distinct character compared with the other images shown.	Noted. Reference added to 'National Landscape' accordingly. In paragraph 1.7, modify wording of the first sentence: 1.7 If the site is within ~~one of the National Landscapes or its setting~~ **the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings**, the applicant should review the Arnside and Silverdale **National Landscape** Management Plan or the North Pennines **National Landscape** Management Plan.
Westmorland and Furness Council	The North Pennines NL has a design guide that will become part of the management plan. The code needs to reference this.	Reference to the North Pennines NL design guide has been added. Change: Amend paragraph 1.7 as follows: 1.7 If the site is within the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings, the applicant should review the Arnside and Silverdale National Landscape Management Plan or the North Pennines National Landscape Management Plan. **Proposals within the North Pennines National Landscape must also review and take into account the North Pennines AONB Building Design Guide [https://northpennines.org.uk/publications/].**
Westmorland and Furness Council	Add to Code RRD 1.2 South Lakeland Local Plan Policy AS08 supporting	Policy added to code. Change: For code RRD 1.2, modify relevant policies: (Barrow: DS5, *DS6, GI1*; Eden: DEV5, ENV2, ENV3, LS1; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08, CS8.10, DM2***)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.11 as follows: 1.11 The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. Applicants must include an appraisal of the local context, addressing landscape setting, local tranquillity, views, and vistas. **Nearby sources or potential sources of noise or air pollution should also be identified.** This should guide the integration of the development within its townscape and landscape setting, focusing on careful siting, design, and impact mitigation.
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.12 as follows: 1.12 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**
WFC Planning Policy	Add to Code RDD 1.3 Barrow Local Plan Policy GI1 supporting, South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to Code. Change: For code RRD 1.3, modify relevant policies: (Barrow: DS5, H7, N1, ***GI1***; Eden: DEV5, ENV1, ENV2, ENV3, ENV10, RUR3; South Lakeland: AS02, ~~AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly. Change: Modify the first sentence of paragraph 1.16 as follows: 1.16 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.16 as follows: 1.16 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration and the Environmental Protection will require much more from the developer than just 'care'. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.16: **1.17 Land Contamination and/or potential contaminative uses may also be a factor to consider. For further guidance on how to consider potential contamination visit the website www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions.**
United Utilities	When identifying the need to understand water and wastewater assets within a site, we recommend the following additional paragraph in the various elements of the design code: *The layout of a site must integrate, and maintain access to, existing and proposed utility services. Proposals, including landscaping and changes in levels, must not adversely affect the operation of existing utility services or the ability to access, maintain and repair existing utility services. Importantly applicants should not assume that assets can be diverted when preparing a site layout or that levels on top of utility assets can be changed without prior agreement with the relevant utility provider. Infrastructure constraints must be well understood prior to commencing the design process as they can compromise the deliverability of development and increase costs.*	Comments noted. The Design Code does not include specific coding relating to United Utilities Infrastructure. United Utilities has the opportunity to comment / provide guidance relating to specific proposals, as part of the planning application process. Additional text has been added to refer to the fact that prior agreement with the relevant utility provider will be required. Change: Amend paragraph 1.20 as follows: 1.20 Existing utility infrastructure can be a key determinant of site design. It is important for water and wastewater assets to be fully considered in development proposals at an early stage. United Utilities or Northumbrian Water will not permit development over or in close proximity to water and wastewater assets. Changes in ground level in the vicinity of water and wastewater assets or changes to the public sewer, including diversion, **would need prior agreement with the relevant utility provider. Such proposals** may not be acceptable as **they** ~~such proposals~~ can:
Westmorland and Furness Council	Add to Code RDD 1.4, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code RRD 1.4, modify relevant policies: (Barrow: DS5, **HE2,** H5, N1**, N3**; Eden: ENV1, ENV3, ENV10, ***DEV5***; South Lakeland: AS01, DM1, *CS8.6*)
Historic England Context	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Reference added to relevant good practice advice notes accordingly. Modify paragraph 1.32: 1.32 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement.

Consultee	Comment	Council Response and Proposed Change
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Paragraph 2.7 specifies uPVC should be minimised. not avoided, highlighting it's disadvantaged from a energy/resource perspective. For consistency paragraph 6.31 also amended reference to minimising uPVC rather than avoiding, along with minimising use of prefrabricated building materials – paragraph 2.7. Text amended to recognise that renewable energy incorporation may not always be possible. Changes: For bulleted list under paragraph 2.7, modify the fourth bullet point: • ~~Avoid~~ **Minimise** the use of prefabricated building materials that can generally not be repaired and have a fixed lifespan, requiring more material to be brought in for replacement. Modify paragraph 6.19: 6.19 **The use of b**~~B~~uilding materials such as interlocking concrete tiles, plastic, composite or artificial tiles, which are limited to a single size, should be ~~avoided~~ **minimised**. These materials lack the variation and character found in local buildings. For bulleted list under paragraph 6.30, modify the sixth bullet point: • ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact. Modify the first sentence of paragraph 2.19: 2.19 **Where possible,** ~~A~~**a**ll development must incorporate renewable energy measures that are sensitive to the local area and character.
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code RDD 2.2 accordingly. Changes: For code RRD 2.2 Flood Risk, modify as follows: CODE RRD 2.2 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; b) addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ c) addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures.**
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025). Change: Modify paragraph 2.9: 2.9 SuDS must allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.10, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: "SuDS must allow for surface water to be discharged according to the following hierarchy…" The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a "preference" for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to 'shall' rather than 'must'. Change: Modify paragraph 2.9: 2.9 SuDS ~~must then~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.
Westmorland and Furness Council	Amend policy reference in code RRD 2.3 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code. Change: For code RRD 2.3, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, H7, *DS2*; Eden: DEV2; South Lakeland: CS1.1, CS8.8, DM1, **DM6,** ~~*DM6,*~~ ***AS12***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Change: Add new paragraph under paragraph 2.12: **2.13 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**
Westmorland and Furness Council	Add to code RDD 2.5 South Lakeland Local Plan policy DM2 supporting	Policies added to code. Change: For code RRD 2.5, modify relevant policies: (Barrow: C5, DS5; Eden: DEV5; South Lakeland: CS1.1, CS8.7, ***DM2***)
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 2.6 Energy Efficiency The supporting text to this Code is also written in the form of a Policy and is too prescriptive for an SPD. The Consortium objects to the inclusion of strict requirements in respect of solar panels at paragraph 2.21. The paragraph stipulates 8 design/layout requirements which is clearly excessive for the placement of solar panels and notes that one of these stipulates that the panels should be laid in a symmetrical pattern. This fails to acknowledge the plot-by-plot considerations when proposing solar panels, such as layout, angle and direction towards the sun.	Noted. Reference to requiring symmetry deleted. Change: For bulleted list under 'Solar', remove the fourth sub-bullet to the third bullet point: ~~Symmetry - panels should be laid in a symmetrical pattern. Aerials and flues (and therefore related internal piping) should be located so as to not obstruct a symmetrical solar installation.~~
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.21 as follows: 2.21 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Change: Add new paragraph following paragraph 2.24: **2.25 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**

Consultee	Comment	Council Response and Proposed Change
Lead Local Flood Authority	Need additional wording added to recognises that gullies and tank systems do not provide the multifunctional benefits of SuDS such as enhancing habitats and biodiversity and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Additional text added accordingly. Change: For bulleted list under 'Climate: what we don't want to see', add sixth bullet point: **Development which fails to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code RRD 3.1 accordingly. Change: For code RRD 3.1, modify first paragraph: CODE RRD 3.1 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. Change: For code RRD 3.1 Biodiversity Protection, append wording to point (b): **b)** the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.** Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place. Change: For code RRD 3.2 Biodiversity Net Gain, modify the first sentence: CODE RRD 3.2 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt**.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.	Amendments made to paragraphs 3.1-3.4 accordingly. Changes: For paragraphs 3.1 - 3.4, directly following RRD 3.1 Biodiversity Protection: 3.1 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.2 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.3 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.4 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.5 accordingly. Changes: Within bulleted list below paragraph 3.5, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls~~. **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made to paragraph 3.5 accordingly. Changes: Within bulleted list below paragraph 3.5, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls~~. **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Change
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.5 accordingly. Change: For bulleted list after paragraph 3.5, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to Code RRD 3.2 reference to 10% BNG. Change: For code RRD 3.2 Biodiversity Net Gain, modify wording of first sentence: CODE RDD 3.2 Biodiversity Net Gain: All new developments must ~~achieve a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards**, **unless exempt**.
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.9 accordingly. Change: Amend paragraph 3.9 as follows: 3.9 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**.
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.9. Change: Under paragraph 3.9, add new paragraph: **3.10 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals.**
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Brownfield Small, suggest that BHS 3.6a be amended by changing "should" to "must". Change: Modify part (a) of code RRD 3.3 Existing Trees, Woodlands, and Hedgerows: retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to RDD 3.3 and Section 3.8 Incorporating Nature into the Open Spaces There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows the end of part (b) of code RRD 3.3 Existing Trees, Woodlands, and Hedgerows: include a variety of native tree **and scrub species of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code RRD 3.3 South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code RRD 3.3, modify relevant policies: (Barrow: DS5, H5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, *AS04, AS08, CS8.1, CS8.2, **DM2**, DM4*)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 3.11 accordingly. Change: For the bulleted list after paragraph 3.11, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings.**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 3.12 . Change: Under paragraph 3.11 add new paragraph: **3.12 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here on how to garden for red squirrels www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly . Change: Below paragraph 3.13, add additional paragraph: **3.14The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording to Planting Design, expanding on what a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.15 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Changes: For bulleted list under paragraph 3.15, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.15, modify the second bullet point: Rainwater harvesting~~:~~**, including water butts;**
Westmorland and Furness Council	When considering the creation of wildflower meadows you should make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting they only list species of special concern under IASEPO 2019 and pointed them at Schedule 9 Part II of WCA too. The link here doesn't include Schedule 9 species. The use of invasive non-native plant species as identified in government guidance: https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Additional text added accordingly. Change: For the bulleted list under 'Trees, Hedgerows and Planting: what we don't want to see', modify the sixth bullet point: The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly. Change: For the bulleted list under 'Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf].**
Westmorland and Furness Council	Amend Code RRD 4.1 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code RRD 4.1, modify relevant policies: (Barrow: **C7,** DS5, H5, H7, ~~*C7,*~~ *DS2, HC5*; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 4.2: **4.3 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	In Lighting: 'we don't want to see' ‘’artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees’’	Additional text added accordingly. Change: For the bulleted list under ‘Lighting: what we don’t want to see’, add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend Code RDD 4.2, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code RDD 4.2, modify relevant policies: (Barrow: DS5, H7, I6, ~~*BP2, HC4*~~; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly. Change: New paragraph created directly following bulleted list at paragraph 5.3: **5.4 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and housing developments. Outbuildings include bin stores, cycle stores, garages, car ports, garden sheds and other garden buildings. Thought should be given to the design and siting of these. For example, they could be part of the main structure of the house or detached. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Westmorland and Furness Council	Add to Code RRD 5.4, South Lakeland Local Plan Policy DM13 and AS01 supporting	Policies added to code. Change: For code RRD 5.4, modify relevant policies: (Barrow: DS5, H9; Eden: DEV5, HS2, LS1; South Lakeland: CS6.6, ***AS01, DM13***)
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 5.6 Accessibility The Code requires applicants to show how proposed new homes comply with the optional Building Regulation Requirement M4(2) in the proportion required by the relevant legacy Local Plans. The Code fails to acknowledge that Policy DM11 of the South Lakeland Development Management DPD identifies scenarios in which a policy compliant level of M4(2) compliant homes can be delivered. The specific circumstances where this would apply include sites where it is not practically achievable given the physical characteristics of the site, the delivery of the homes would significantly harm the financial viability of the scheme or there are other site specific factors which mean step-free access cannot be achieved. The Code does not make reference to the specific circumstances in which delivery of M4(2) homes at a policy compliant level cannot be achieved, including viability issues. This is a concern as developers will not be able to add reference to this important caveat when completing the Checklist and therefore would have to complete the form as though the scheme is not compliant.	Acknowledge in the case of Policy DM11 exemptions to the requirements can be justified where evidence is robustly demonstrated based on circumstances outlined. Change made – add wording to South Lakeland section saying (exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy) Additional text added to Code RRD 5.5 accordingly. Change: For code RRD 5.5 Accessibility, modify South Lakeland section: South Lakeland: all new housing must comply with BR M4(2) and in some cases M4(3) **(exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy** (Accessible and adaptable dwellings).
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: To bulleted list under paragraph 6.8, add new third bullet point: **Flat roofs can be appropriate if part of a cohesive design. However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**

09 Conversion of Larger Buildings

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly. Change: In the bulleted list under 'Design Code for the Conversion of Larger Buildings', modify the final bullet point: Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.
Westmorland and Furness Council	Add to Code CLB 1.1 Barrow Local Plan Policy N1 supporting and South Lakeland Local Plan Policy AS08 supporting	Policies added to Code. Change: For code CLB 1.1, modify relevant policies: (Barrow: DS5, *DS6, GI1,* ***N1***; Eden: DEV5, ENV2, ENV3, LS1; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)
Westmorland and Furness Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.4 as follows: 1.4 To fully understand the surroundings of a proposal site, a context study should be conducted. The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. The study must include an appraisal of the local context, addressing landscape and / or townscape setting, local tranquillity, views, and vistas (this is wider than a Landscape Visual Impact Assessment). **Nearby sources or potential sources of noise or air pollution should also be identified.**
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.4 as follows: 1.4 Analysis should provide a comprehensive understanding of the landscape or townscape and should inform how the proposed development can integrate into its context, paying particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code CLB1.2 Barrow Local Plan Policy GI1 supporting, South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to Code. Change: For code CLB 1.2, modify relevant policies: (Barrow: DS5, H5, H7, N1, ***GI1***; Eden: DEV5, ENV1, ENV2, ENV3, ENV10, *RUR3*; South Lakeland: AS02,~~ AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2, DM16*)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly. Change: Modify the first sentence of paragraph 1.8 as follows: 1.8 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.8 as follows: 1.8 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour, noise and the uses of adjoining land and sites, to mitigate disturbances for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.8 as follows: 1.8 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.8: **1.9 Land Contamination and/or potential contaminative uses may also be a factor to consider. For further guidance on how to consider potential contamination visit the website www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions.**
Westmorland and Furness Council	Add to Code CLB 1.3, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code CLB 1.3, modify relevant policies: (Barrow: DS5, **HE2,** H5, N1**, N3**; Eden: ENV1, ENV3, ENV10, RUR3, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, DM16, *CS8.6*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code CLB 1.4 Barrow Local Plan policy HE3 requirement.	Policy added to code. Change: For code CLB 1.4, modify relevant policies: (Barrow: DS5, **HE3,** HE4, H5, H7, N1, *DS2*; Eden: DEV5, ENV3, ENV10, RUR3; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2*)
Historic England Context	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Reference added to relevant good practice advice notes accordingly. Change: Modify paragraph 1.18: 1.18 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [**https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/**].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement.
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code CLB 2.2 accordingly. Changes: For code CLB 2.2 Flood Risk, modify as follows: CODE CLB 2.2 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a. ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; b. addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** **d.incorporating flood resilience measures.**
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025). Change: Modify paragraph 2.3: 2.3 Sustainable Drainage Systems (SuDS) must allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.3, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: "SuDS must allow for surface water to be discharged according to the following hierarchy…" The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a "preference" for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to 'shall' rather than 'must'. Change: Modify paragraph 2.3: 2.3 Sustainable Drainage Systems (SuDS) ~~must~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.
Westmorland and Furness Council	Amend policy reference in code CLB 2.3 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code. Change: For code CLB 2.3, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, H7, *DS2*; Eden: DEV2; South Lakeland: CS1.1, CS8.8, DM1, **DM6,** ~~*DM6,*~~ ***AS12***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Change: Add new paragraph under paragraph 2.6: **2.7 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**
Westmorland and Furness Council	Add to code CLB 2.4 Barrow Local Plan policy H7 supporting and South Lakeland Local Plan policy DM2 supporting	Policies added to code. Change: For code CLB 2.4, modify relevant policies: (Barrow: C5, DS5, *BP2, BP5,* ***H7***; Eden: DEV5; South Lakeland: CS1.1, CS8.7, ***DM2***)
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Text amended to recognise that renewable energy incorporation may not always be possible. Changes: Modify the first sentence of paragraph 2.13: 2.13 **Where possible,** ~~A~~**a**ll development must incorporate renewable energy measures that are sensitive to the local area and character. Modify paragraph 6.2 (e) (vi): vi. **The use of b**~~B~~uilding materials such as interlocking concrete tiles, plastic, composite or artificial tiles, which are limited to a single size, should be ~~avoided~~ **minimised**.

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 2.6 Energy Efficiency The supporting text to this Code is also written in the form of a Policy and is too prescriptive for an SPD. The Consortium objects to the inclusion of strict requirements in respect of solar panels at paragraph 2.21. The paragraph stipulates 8 design/layout requirements which is clearly excessive for the placement of solar panels and notes that one of these stipulates that the panels should be laid in a symmetrical pattern. This fails to acknowledge the plot-by-plot considerations when proposing solar panels, such as layout, angle and direction towards the sun.	Noted. Reference to requiring symmetry deleted. Change: For bulleted list under 'Solar', remove the fourth sub-bullet to the third bullet point: ~~Symmetry - panels should be laid in a symmetrical pattern. Aerials and flues (and therefore related internal piping) should be located so as to not obstruct a symmetrical solar installation.~~
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.15 as follows: 2.15 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Change: Add new paragraph following paragraph 2.18: **2.19 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**
Westmorland and Furness Council	Need additional wording added to recognises that gullies and tank systems do not provide the multifunctional benefits of SuDS such as enhancing habitats and biodiversity and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Additional text added accordingly. Change: For bulleted list under 'Climate: what we don't want to see', add sixth bullet point: **Development which fails to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code CLB 3.1 accordingly. Change: For code CLB 3.1, modify first paragraph: CODE CLB 3.1 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:

Consultee	Comment	Council Response and Proposed Change
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. Change: For code CLB 3.1 Biodiversity Protection, append wording to point (b): **b)** the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.** Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place. Change: For code CLB 3.2 Biodiversity Net Gain, modify the first sentence: CODE CLB 3.2 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards**.

Consultee	Comment	Council Response and Proposed Change
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.1 accordingly. Changes: Within bulleted list below paragraph 3.1, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls~~. **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made to paragraph 3.1 accordingly. Changes: Within bulleted list below paragraph 3.1, amend the second and third bullets, and add a fourth bullet: • Swift ~~and swallow~~ or universal ~~bird~~ **nest** bricks, ~~which are mortared directly into brick walls~~ **at least one brick per dwelling averaged across the development, to be integrated into all new developments that require planning permission.** • Bat access tiles for roofs, bat bricks and **other** bat **roosting provisions** ~~cavities for walls.~~ **The total number of integrated bat roosting provisions installed/created in new developments should equate to 50% of the number of new dwellings.** • **All habitat for bats and hole-nesting birds should be integrated into the buildings. The distribution and location of bricks must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure in accordance with British Standard BS 42021:2022. Such bricks are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front and at least one metre between bricks. All bird bricks should be sited with the hole facing between north and east. Bat bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird bricks should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Change
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.1 accordingly. Change: For bulleted list after paragraph 3.1, add final bullet point: **3.1 If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Additional text added to paragraph 3.3 accordingly. Change: Amend paragraph 3.3 as follows: 3.3 Developers should use the Cumbria Biodiversity Data Centre for up-to-date information. The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement; it also provides guidance on biodiversity net gain in specific areas. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to Code CLB 3.2 reference to 10% BNG. Change: For code CLB 3.2 Biodiversity Net Gain, modify wording of first sentence: CODE CLB 3.2 Biodiversity Net Gain: All new developments must achieve Biodiversity Net Gain (BNG) in line with current national policies and any local standards, **unless exempt**.
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.6 accordingly. Change: Amend paragraph 3.6 as follows: 3.6 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.6. Change: Under paragraph 3.6, add new paragraph: **3.7 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals.**
Westmorland and Furness Council	Photos on page 24 (barn doc) say there are bat boxes in photos but these are swift boxes and a bird box.	Amendments made to captions under photos on page 24 and 25. Changes: Amend photo captions on pages 24 and 25: [Image 1] ~~Bird or bat~~ **Swift or bird** boxes are a simple way of creating space for nature in a constrained site such as a barn conversion. Skelton. [Image 2] A close-up of the ~~bird or bat~~ **swift or bird** boxes in the above photo. Skelton.
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Noted. Text amended accordingly. Change: Modify part (a) of code CLB 3.3 Existing Trees, Woodlands, and Hedgerows: a) retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to CLB 3.3 and Section 3.8 Incorporating Nature into the Open Spaces	Additional text added accordingly. Change: For code CLB 3.3 Existing Trees, Woodlands, and Hedgerows, modify item (b): b) Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network.
Westmorland and Furness Council	There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows the end of part (b) of code CLB 3.3 Existing Trees, Woodlands, and Hedgerows: include a variety of native tree and scrub species of UK provenance and grassland species of local provenance in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code CLB 3.3 South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code CLB 3.3, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, *AS04, AS08, CS8.1, CS8.2,* ***DM2****, DM4*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording to Planting Design, expanding on what a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.8 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Changes: For bulleted list under paragraph 3.8, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.10, modify the second bullet point: • Rainwater harvesting~~:~~**, including water butts;**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly . Change: Below paragraph 3.8, add additional paragraph: **3.9 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**
Westmorland and Furness Council	Amend Code CLB 4.1 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code CLB 4.1, modify relevant policies: (Barrow: **C7,** DS5, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*)
Ecology Additional Comments	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 4.2: **4.3 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	In Lighting: 'what we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend Code CLB 4.2, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code CLB 4.2, modify relevant policies: (Barrow: DS5, H7, I6, ~~*BP2, HC4*~~; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly. Change: New paragraph created directly following bulleted list at paragraph 5.3: **5.4 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and housing developments. Outbuildings include bin stores, cycle stores, garages, car ports, garden sheds and other garden buildings. Thought should be given to the design and siting of these. For example, they could be part of the main structure of the house or detached. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 5.6 Accessibility The Code requires applicants to show how proposed new homes comply with the optional Building Regulation Requirement M4(2) in the proportion required by the relevant legacy Local Plans. The Code fails to acknowledge that Policy DM11 of the South Lakeland Development Management DPD identifies scenarios in which a policy compliant level of M4(2) compliant homes can be delivered. The specific circumstances where this would apply include sites where it is not practically achievable given the physical characteristics of the site, the delivery of the homes would significantly harm the financial viability of the scheme or there are other site specific factors which mean step-free access cannot be achieved. The Code does not make reference to the specific circumstances in which delivery of M4(2) homes at a policy compliant level cannot be achieved, including viability issues. This is a concern as developers will not be able to add reference to this important caveat when completing the Checklist and therefore would have to complete the form as though the scheme is not compliant.	Acknowledge in the case of Policy DM11 exemptions to the requirements can be justified where evidence is robustly demonstrated based on circumstances outlined. Change made – add wording to South Lakeland section saying (exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy) Additional text added to Code CLB 5.3 accordingly Change: For code CLB 5.3 Accessibility, modify South Lakeland section: South Lakeland: all new housing must comply with BR M4(2) **(exemptions may be considered where evidence is robustly demonstrated in line with circumstances set out in policy)** and in some cases M4(3) (Accessible and adaptable dwellings).
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: Append to the end of paragraph 6.2 (c) (ii): ii. Flat roofs can work well alongside pitched roofs in building conversions if paired with appropriate eaves or parapet details. **However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**
Westmorland and Furness Council	Illustration below bullet list at 'Identity: what we don't want to see' is a repeat of illustrations in chapter 6.2 and 6.3, delete.	Illustration deleted. Change: Delete illustration, heading and caption below bulleted list at 'Identity: what we don't want to see': ~~*How a conversion can maintain the character of the building and its context, first by undertaking an analysis of the context and building:*~~ ~~[Image]~~ ~~1. A large dwelling that may have been two dwellings of a shop and dwelling when it was built. It has very little heritage value.~~ ~~2. Adjacent buildings have a mix of uses, from residential to commercial, although are of a similar form and character.~~ ~~3. The boundary treatment is typical of this built up area but has been opened up on the front.~~ ~~4. Adjacent houses are set back from the road, and have long front gardens, defined by hedges and boundary walls.~~ ~~5. There are active frontages to the street with a regular rhythm of openings, including front doors.~~ ~~6. Buildings and openings are primarily simple shapes, without ornate architectural detailing.~~

10 Business Brownfield

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly Change: In the bulleted list under 'Design Code for Business Brownfield Development', modify the final bullet point: Arnside & Silverdale **National Landscape** DPD AS08
Westmorland and Furness Council	Acknowledge that business developments have their own operational requirements and needs, and that these will determine how the code, in particular built form and identity is applied based on specific circumstances.	Additional text added accordingly. Change: Add new paragraph under paragraph 1.2: **1.3 It is recognised that business developments have their own operational requirements and needs. These will determine how the code, in particular built form and identity, is applied based on specific circumstances.**
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.3, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.
Westmorland and Furness Council	Add to Code BB 1.1 South Lakeland Local Plan Policy AS08 supporting	Policy added to Code. Change: For code BB 1.1, modify relevant policies: (Barrow: BP5, DS5, *DS6, GI1*; Eden: DEV5, ENV2, ENV3, LS1, *EC7*; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)
Westmorland and Furnes Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.6 as follows: 1.6 The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. Applicants must include an appraisal of the local context, addressing landscape setting, local tranquillity, views, and vistas. **Nearby sources or potential sources of noise or air pollution should also be identified.** This should guide the integration of the development within its townscape and landscape setting, focusing on careful siting, design, and impact mitigation.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentaryadded regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.7 as follows: 1.7 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**
Westmorland and Furness Council	Add to Code BB 1.2 South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to Code. Change: For code BB 1.2, modify relevant policies: (Barrow: DS5, EC6, N1, *EC5*; Eden: DEV5, ENV1, ENV2, ENV3; South Lakeland: AS02, CS1.1, DM1, DM3, ***AS08, CS8.6, CS8.10, DM2***)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly. Change: Modify the first sentence of paragraph 1.12 as follows: 1.12 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.12 as follows: 1.12 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration and the Environmental Protection will require much more from the developer than just 'care'. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.12 as follows: 1.12 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.12: **1.13 Land Contamination and/or potential contaminative uses may also be a factor to consider, particularly with regard to brownfield development. For further guidance on how to consider potential contamination visit this page of the Council's website [www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions].**
United Utilities	When identifying the need to understand water and wastewater assets within a site, we recommend the following additional paragraph in the various elements of the design code: *The layout of a site must integrate, and maintain access to, existing and proposed utility services. Proposals, including landscaping and changes in levels, must not adversely affect the operation of existing utility services or the ability to access, maintain and repair existing utility services. Importantly applicants should not assume that assets can be diverted when preparing a site layout or that levels on top of utility assets can be changed without prior agreement with the relevant utility provider. Infrastructure constraints must be well understood prior to commencing the design process as they can compromise the deliverability of development and increase costs.*	Comments noted. The Design Code does not include specific coding relating to United Utilities Infrastructure. United Utilities has the opportunity to comment / provide guidance relating to specific proposals, as part of the planning application process. Additional text has been added to refer to the fact that prior agreement with the relevant utility provider will be required. Change: Amend paragraph as follows: 1.16 Existing utility infrastructure can be a key determinant of site design. It is important for water and wastewater assets to be fully considered in development proposals at an early stage. United Utilities or Northumbrian Water will not permit development over or in close proximity to water and wastewater assets. Changes in ground level in the vicinity of water and wastewater assets or changes to the public sewer, including diversion, **would need prior agreement with the relevant utility provider. Such proposals** may not be acceptable as ~~such proposals~~ **they** can:
Westmorland and Furness Council	Add to Code BB 1.3, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code BB 1.3, modify relevant policies: (Barrow: DS5, **HE2,** N1**, N3**; Eden: ENV1, ENV3, ENV10, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code BB 1.4 Barrow Local Plan policy HE3 key/requirement	Policy added to code. Change: For code BB 1.4, modify relevant policies: (Barrow: DS5, **HE3,** HE4, N1, *DS2*; Eden: DEV5, ENV3, ENV10; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2*)
Historic England Context	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Change: Modify paragraph 1.26: 1.26 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code BB 2.1 accordingly. Changes: CODE BB 2.1 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; b) addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ c) addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures**
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025). Changes: Modify paragraph 2.4: 2.4 SuDS must allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.4, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: "SuDS must allow for surface water to be discharged according to the following hierarchy…" The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a "preference" for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to 'shall' rather than 'must'. Change: Modify paragraph 2.4: 2.4 SuDS ~~must~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.
Westmorland and Furness Council	Amend policy reference in code BB 2.2 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code. Change: For code BB 2.2 modify relevant policies: (Barrow: C1, C3a, DS5, DS6, *DS2*; Eden: DEV2, *ENV5*; South Lakeland: CS1.1, CS8.8, DM1, **DM6, *~~DM6,~~ AS12***)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Change: Add new paragraph under paragraph 2.7: **2.8 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to code BB 2.4 Barrow Local plan policy EC3 supporting and South Lakeland Local Plan policy DM2 supporting	Policies added to code. Changes: For code BB 2.4 modify relevant policies: (Barrow: C5, DS5, *BP2, BP5,* ***EC3***; Eden: DEV5, *ENV5*; South Lakeland: CS1.1, CS8.7**,** ***DM2***)
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Changes: Modify the first sentence of paragraph 2.14: 2.14 **Where possible,** ~~Aa~~ll development must incorporate renewable energy measures that are sensitive to the local area and character. For bulleted list under paragraph 6.25, modify the sixth bullet point: ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact.
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 2.6 Energy Efficiency The supporting text to this Code is also written in the form of a Policy and is too prescriptive for an SPD. The Consortium objects to the inclusion of strict requirements in respect of solar panels at paragraph 2.21. The paragraph stipulates 8 design/layout requirements which is clearly excessive for the placement of solar panels and notes that one of these stipulates that the panels should be laid in a symmetrical pattern. This fails to acknowledge the plot-by-plot considerations when proposing solar panels, such as layout, angle and direction towards the sun.	Noted. Reference to requiring symmetry deleted. Change: For bulleted list under 'Solar', remove the fourth sub-bullet to the third bullet point: ~~Symmetry - panels should be laid in a symmetrical pattern. Aerials and flues (and therefore related internal piping) should be located so as to not obstruct a symmetrical solar installation.~~
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.16 as follows: 2.16 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Change: Add new paragraph following paragraph 2.19: **2.20 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Need additional wording added to recognises that gullies and tank systems do not provide the multifunctional benefits of SuDS such as enhancing habitats and biodiversity and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Additional text added accordingly. Change: For bulleted list under ‘Climate: what we don’t want to see’, add sixth bullet point: **Development which fails to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**

Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 3.1 Green and Blue Infrastructure The Code states that new development must adopt a landscape-first approach to green and blue infrastructure with one of the stipulations being that developments must adopt several different types of interlinked Green and Blue Infrastructure, so that the network is multifunctional. The Consortium consider the wording of this Policy to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Local Plans. For example, the South Lakeland Policy CS8.1 is worded in a way that suggests the authority will seek to secure Green Infrastructure in new developments, rather than a requirement that developers must provide green and blue infrastructure on every site, as the SPD currently states. Eden Policy ENV4 and Barrow Policy GI1 also state that developments will be supported where they protect and enhance existing green infrastructure, which is a very different policy test to the one included within the Code. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. It is important that the phraseology of Code GHL 3.1 is amended to reflect the adopted Policies and does not stipulate that all development provides interlinked green and blue infrastructure. The number of Policies listed at the end of the Code policy has increased from the previous Working Draft version. As noted previously, the Consortium request that further evidence is required to explain how the policies are of relevance, whether they remain up to date and if they are fit to support the specific coding or general guidance. It is now suggested that there are 17 legacy Local Plan policies applicable to Code GHL 3.1, which will only cause confusion when trying to decipher the Design Code. It is the Consortium's view that each Code should only be linked to Policies from the Legacy Local Plans which are directly relevant and that there should be a sentence added to clarify why these policies are applicable and in conformity.	The Code is not requiring all new development to include green and blue infrastructure. It is specifying in line with current Local Plan policies that new developments should retain and incorporate green infrastructure where they exist, integrate new and existing green and blue infrastructure where proposed and link new and existing green and blue infrastructure where exists/proposed so it is connected and multi-functional in line with current Local Plan policies. It is acknowledged that it may not always be achievable and practicable to retain and link green and blue infrastructure in all circumstances and therefore the code has been altered to say 'where possible'.... Change: For code BB 3.1 Green and Blue Infrastructure, modify wording of point (b) and (c) b) **where possible,** integrating new and existing Green and Blue Infrastructure on the site with the wider Green and Blue Infrastructure network in the surroundings of the site; and c) **where possible,** using several different types of interlinked Green and Blue Infrastructure so that the network is multifunctional.
	CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs.	Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. Change: For code BB 3.3 Biodiversity Protection, append wording to point (b): b) the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.**

Consultee	Comment	Council Response and Proposed Change
	Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place For code BB 3.4 Biodiversity Net Gain, modify the first sentence: CODE BB 3.4 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt**.
Westmorland and Furness Council	Add in reference to verges to say where possible verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type and received limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.	Additional text added accordingly. Change: For bulleted list under paragraph 3.2, add a seventh bullet point: **Verges: Where possible, verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type. Verges should receive limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.**
Westmorland and Furness Council	Code BB 3.1. states a. retaining and incorporating existing Green and Blue Infrastructure assets into the layout and design: This is problematic as it is likely that an important habitat on brownfield sites is Open Mosaic Habitat on Previously Developed Land which is a priority habitat in itself. We need to make it clear that the loss of this will need compensating for and particularly diverse areas of this habitat on site should be incorporated into the design. This is a habitat that may be present and will need adequate consideration.	Additional text added accordingly. Changes: Add a new paragraph after paragraph 3.7: **3.8 The existing site may include important habitat that is specific to brownfield land: Open Mosaic Habitat on Previously Developed Land. If lost as part of redevelopment, compensation will be required through the provision of new or enhanced habitats.** In the bullet list after Code BB 3.2, add a new bullet point following the bullet point which begins 'Integration of nature and Green and Blue Infrastructure': • **Providing compensatory habitats or habitat enhancement to compensate for the loss of any existing Open Mosaic Habitat on Previously Developed Land.**
Westmorland and Furness Council	Code BB 3.2 needs to include a reference to 'nature' rich rather than 'biodiversity' rich landscapes to bring into line with the guidance paragraph surrounding it which defines the term "nature-rich landscapes" instead of "biodiversity-rich landscapes", the definition in the guidance needs to be consistent with the code and "nature" is a better term to use because "biodiversity" has a more restricted meaning. In the associated guidance, Natural watercourses should be explicitly listed in the Key Considerations for Integrating Nature guidance below the code. " Listing "natural watercourses" in the guidance will support the Council's work to reduce flood risk by promoting deculverting and renaturalisation of watercourses and will help to conserve habitats and species that depend directly on water.	Amendment made to the Code to include reference to 'nature' rich landscapes, and additional text added to guidance to refer to natural watercourses and opportunities to de-culvert them to help integrate in nature. Change: For code BB 3.2 Open Space, modify wording: CODE BB 3.2 Open Space: The public realm within **a business** ~~new housing~~ development must incorporate nature through the strategic retention and planting of trees, native species, and ~~biodiversity~~ **nature**-rich landscapes, proportionate to the scale and context of the development, and deliver good quality open space. For bullet list under code BB 3.2 Open Space, add second bullet point: **Natural watercourses: Where applicable, natural watercourses should be addressed by proposals to reduce flood risk through de-culverting and re-naturalisation of watercourses.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code BB 3:2 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code BB 3.2 modify relevant policies: (Barrow: BP13, DS5, GI3, GI4, N4, *GI1*; Eden: DEV5, EC3, ENV1, ENV4, *ENV2*; South Lakeland: DM1, ***AS04,*** *CS8.1, CS8.4*, *DM2, DM4*)
Westmorland and Furness Council	In section 3.8 and Code BB 3.2 add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable.	Wording in section 3.2 and Code 3.5 amended and added accordingly. Changes: For bullet list under code BB 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including ~~native~~ trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. **Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable.** For code BB 3.5 Existing Trees, Woodlands, and Hedgerows, modify item (b): b) Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network.
Arnside & Silverdale National Landscape	3.8 - Consideration needs to be given to INNS introduction risk from landscaping and plant choice. UK native species should be preferentially used in landscaping, although mentioned this could be given greater emphasis. Mistakes made in urban landscaping (such as the frequent use of cotoneaster) has caused significant impacts to wider biodiversity. (noted that it is mentioned later on page 62 but could be given more emphasis earlier in the document)	Noted. Additional text added to Section 3.9 accordingly. Change: For bullet list under code BB 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable. **Invasive non-native species must be avoided, as their introduction, even within manicured landscaping, can pose ecological risk.**
Westmorland and Furness Council	When considering the creation of wildflower meadows, need to make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting need to include reference to Schedule 9 Part II of the Wildlife and Countryside Act 1981 as amended as well as government guidance on invasive non-native alien plant species : https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Text added below Code BB 3.2 reference to supporting new planting species that promotes local species of local provenance in locations at the edge of settlements and open countryside. Change: For bullet list under code BB 3.2 Open Space, added new bullet point between Wildlife Connectivity and Community Engagement: • **On settlement edges, new planting schemes should provide a suitable ecological 'stepping stone' to the adjacent countryside by using only locally native species of local provenance.** Text amended in section on street trees, trees and hedgerows and planting : what we don't want to see accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', text modified in the sixth bullet point: • The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	With regard to *Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development,* need to include an example: add text 'The location of new development should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland'.	Text added to section green and blue infrastructure 'what we don't want to see' accordingly. Change: For bulleted list under 'Green and Blue Infrastructure: what we don't want to see', modify second bullet: Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new ~~housing~~ development. **For example, the location of new development should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland.**
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code BB 3.3 accordingly. Change: For code BB 3.3, modify first paragraph: CODE BB 3.3 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:
Westmorland and Furness Council Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.		Amendments made to paragraphs 3.10-3.15 accordingly. Changes: For paragraphs 3.10 - 3.15, directly following BB 3.4 Biodiversity Protection: 3.10 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.11 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.12 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.13 All new development should align with the objectives outlined in the Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0]. This includes incorporating design elements that support the restoration, enhancement, and connectivity of habitats and features which help to support populations of priority species, as identified in the LNRS. 3.14 Proposals should include features that contribute to the local ecological network as described in the LNRS. This may involve the creation or enhancement of habitats, green corridors, or other natural features that help achieve the goals of the LNRS. 3.15 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Additional text added to paragraph 3.10 accordingly. Change: Amend paragraph 3.10 as follows: 3.10 The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**

Consultee	Comment	Council Response and Proposed Change
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.16 accordingly. Changes: Within bulleted list below paragraph 3.16, delete the second and third bullets and insert new second bullet point: • ~~Swift and swallow or universal bird bricks, which are mortared directly into brick walls .~~ • ~~Bat access tiles for roofs, bat bricks and bat cavities for walls.~~ • **For each newly built or altered building within the application site erect one integrated swift brick or universal nest brick and one integrated bat brick or bat tile. Where this is not possible due to structural limitations one external bat box and one external swift box should be erected in the application site. The distribution and location of bat/bird tiles/bricks/boxes must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure, in accordance with British Standard BS 42021:2022. Such bricks and swift boxes are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front, with at least one metre between bricks/boxes. All bird bricks/boxes should be sited with the hole facing between north and east. Bat boxes, bricks and tiles should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird features should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made to paragraph 3.16 accordingly: Change: Within bulleted list below paragraph 3.16, delete the second and third bullets and insert new second bullet point: • ~~Swift and swallow or universal bird bricks, which are mortared directly into brick walls .~~ • ~~Bat access tiles for roofs, bat bricks and bat cavities for walls.~~ • **For each newly built or altered building within the application site erect one integrated swift brick or universal nest brick and one integrated bat brick or bat tile. Where this is not possible due to structural limitations one external bat box and one external swift box should be erected in the application site. The distribution and location of bat/bird tiles/bricks/boxes must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure, in accordance with British Standard BS 42021:2022. Such bricks and swift boxes are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front, with at least one metre between bricks/boxes. All bird bricks/boxes should be sited with the hole facing between north and east. Bat boxes, bricks and tiles should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird features should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Change
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.16 accordingly. Change: For bulleted list after paragraph 3.16, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new landscaping, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.23 accordingly. Change: Amend paragraph 3.23 as follows: 3.23 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**.
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to Code BB 3.4 reference to 10% BNG. Change: For code BB 3.4 Biodiversity Net Gain, modify wording of first sentence: CODE BB 3.4 Biodiversity Net Gain: All new developments must ~~achieve a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards**, **unless exempt**.
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.24. Change: Under paragraph 3.23, add new paragraph: **3.24 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals.**
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Noted. Text amended accordingly. Change: Modify part (a) of code BB 3.5 Existing Trees, Woodlands, and Hedgerows: a) retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to BB 3.5 and Section 3.8 Incorporating Nature into the Open Spaces There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows the end of part (b) of code BB 3.5 Existing Trees, Woodlands, and Hedgerows: include a variety of native tree **and scrub species of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code BB 3.5 South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code BB 3.5, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: CS1.1, *AS04, AS08, CS8.1****, DM2****, DM4*)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 3.25 accordingly. Change: For the bulleted list after paragraph 3.25, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings.**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 3.26. Change: Under paragraph 3.25 and subsequent bulleted list, add new paragraph: **3.26 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here [www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden] on how to garden for red squirrels (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly. Change: Below paragraph 3.27, add additional paragraph: **3.28 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code BB 3.6 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code BB 3.6, modify relevant policies: (Barrow: DS6, *DS2, GI1*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: CS1.1, *AS02,* ***AS04,*** *AS08, DM2, DM4*; National Planning Policy Framework, Chapter 15)
Westmorland and Furness Council	Add wording to Planting Design - Might be worth expanding on wat a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.30 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Changes: For bulleted list under paragraph 3.30, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.11, modify the second bullet point: Rainwater harvesting~~;~~**, including water butts;**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf].**
Westmorland and Furness Council	Add to Code BB 4.2a, South Lakeland Local Plan Policy AS10 supporting	Policy added to code. Change: For code BB 4.2a, modify relevant policies: (Barrow: DS5, I4, *DS2, HC1, HC4*; Eden: DEV3, DEV5, *ENV5*; South Lakeland: CS1.1, CS10.2, DM1, *AS08,* ***AS10,*** *CS8.10, DM2, DM5*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording to Code BB 4.2c: 'Street and movement designs must ensure a permeable and well-connected street network <u>for all users</u> with clear and logical through routes that are easy to navigate. Add wording to Code BB 4.2c "presumption of public access into and through developed sites unless there are overriding reasons to prevent access" would greatly promote healthy communities. The "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good, improving choice even when this is not the formally designed route to a place. Potentially attractive routes through sites are often prevented by fencing or discouraged by intimidatory signs when there is no obvious need to exclude people. This often occurs in sites like business parks (so these additions will also be appropriate in the codes for other types of development) as well as the green edges of housing estates there are often unnecessary boundary treatments not associated with buildings and their curtilage. Add wording paragraph 4.12 'Dead ends will generally only be appropriate at the most local level to open up small sites where through streets are not possible'. he suggested "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good.	Additional text added to Code BB 4.2c accordingly, and to paragraph 4.12. Changes: For code BB 4.2c Street Design, modify wording: CODE BB 4.2c Street Design: Street and movement designs must ensure a permeable and well-connected street network **for all users** with clear and logical through-routes that are easy to navigate. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.** For the bulleted list following paragraph 4.12, append to the end of the first bullet point: Avoiding dead ends and space given over to vehicle turning heads by making streets interconnect. This is particularly important for refuse collection and emergency service vehicles, which are best served by through streets rather than long cul-de-sacs or developments with only one way in and out by road. **Dead ends will generally only be appropriate at the most local level to open up small sites where through-streets are not possible.**
Westmorland and Furness Council	Add to Code BB 4.3, Barrow Local Plan policy G15 key/requirement	Policy added to code. Change: For code BB 4.3, modify relevant policies: (Barrow: DS5, I4, **GI5**, *DS2, HC1, HC4*; Eden: DEV3, DEV5, ENV4; South Lakeland: CS1.1, CS10.2, DM1, DM5, *DM2, DM4*)
Westmorland and Furness Council	Application direction should highlight the need for a transport vision for the site which links to the travel plan and transport assessment; walking/cycling routes should be integral to the design (not infrastructure accommodated) and should demonstrate how routes in the dev site link into wider routes (and include reviews of the quality of these wider routes)	Text added to paragraph 4.14 accordingly. Change: Append to the end of paragraph 4.14, directly following Active Travel code: 4.14 Proposals should detail the location, type, and specifications for cycle parking and the surfacing of cycling and pedestrian routes. Developments incorporating active travel options within green corridors or 'play on the way' options will be viewed positively. **For larger sites, the application should include a transport vision that links to the application's travel plan and transport assessment. This vision should set out how walking, cycling and public transport are integrated into the design and link with the wider walking, cycling and public transport networks. The vision should also consider the quality of these routes and whether the enhancement of any existing routes is proposed.**
Westmorland and Furness Council	Add reference to Local Cycle and Walking Infrastructure plans and other plans – some sites may be able to provide new active travel routes that can link into existing and proposed active travel routes.	Additional text added accordingly. Change: Add new paragraph below paragraph 4.14: **4.15 Depending on location and type of proposal, some developments may be able to support provision of new active travel routes that can link into proposed active travel routes as set out in Local Cycle and Walking Infrastructure Plans and other plans. For further information visit the Council's Active Travel website [https://ukc-word-edit.officeapps.live.com/we/www.westmorlandandfurness.gov.uk/parking-streets-and-transport/active-travel].**
Westmorland and Furness Council	Amend Code BB 4.4 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting and add South Lakeland Local Plan Policy AS08 supporting	Policy amendments and additions made to code. Change: For code BB 4.4, modify relevant policies: (Barrow: **C7,** DS5, I4, ~~*C7,*~~ *DS2, HC5;* Eden: DEV5, ENV9; South Lakeland: DM1, ***AS08,*** *DM2*; Development Design Guide; *Good Lighting Technical Advice Note: Designing Out Light Pollution in Cumbria, the Yorkshire Dales National Park and the Arnside and Silverdale AONB*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Amend Code BB 4.5 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code BB 4.5, modify relevant policies: (Barrow: **C7,** DS5, ~~*C7*~~*, DS2, HC5;* Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 4.22: **4.23 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	In Lighting: 'we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend code BB 4.6, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code BB 4.6, modify relevant policies: (Barrow: DS5, I6, ~~*BP2,*~~ *HC4*; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly. Change: New paragraph created directly following bulleted list at paragraph 5.4: **5.5 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and business developments. Outbuildings include bin stores and cycle stores. They can look rural, urban or suburban depending on materials and design. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: Append new final bullet point the to the bulleted list after paragraph 5.8: **Large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**
Cumbria Constabulary	Aspects relating to Security and crime prevention measures are extensively referenced at Pages 36, 42 and 43	Noted

11 Business Greenfield

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly. Change: In the bulleted list under 'Design Code for Business Greenfield Development', modify the final bullet point: • Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Westmorland and Furness Council	Acknowledge that business developments have their own operational requirements and needs, and that these will determine how the code, in particular built form and identity is applied based on specific circumstances.	Additional text added accordingly. Change: Add new paragraph under paragraph 1.2: **1.3 It is recognised that business developments have their own operational requirements and needs. These will determine how the code, in particular built form and identity, is applied based on specific circumstances.**
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.3, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.
Westmorland and Furness Council	Add to Code BG 1.1 Barrow Local Plan Policies DS5, DS6, GI1 supporting	Policies added to code. Change: For code BG 1.1, modify relevant policies: (Barrow: N1, *DS2,* ***DS5, DS6, GI1***); Eden: DEV5, ENV2; South Lakeland: DM1, *AS02, CS8.2, DM2*)
Arnside & Silverdale National Landscape	1.7 specify Arnside & Silverdale National Landscape to make it clear that it refers to the designation and not just the vilalges of Arnside & Silverdale. likely need to do the same with North Pennines as the area conventionally known as the 'North Pennies' extends beyond the designation boundary. (page 10) ideally need an image to show the Morecambe Bay Limestones/South Cumbria Low fells. (NCA 20). The Morecambe Bay Limestones have a distinct character compared with the other images shown.	Noted. Reference added to 'National Landscape' accordingly. Change: In paragraph 1.8, modify wording of the first sentence: 1.8 If the site is within ~~one of the National Landscapes or its setting~~ **the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings**, the applicant should review the Arnside and Silverdale **National Landscape** Management Plan or the North Pennines **National Landscape** Management Plan.
Westmorland and Furness Council	The North Pennines NL has a design guide that will become part of the management plan. The code needs to reference this.	Reference to the North Pennines NL design guide has been added. Change: Amend paragraph 1.8 as follows: 1.8 If the site is within the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings, the applicant should review the Arnside and Silverdale National Landscape Management Plan or the North Pennines National Landscape Management Plan. **Proposals within the North Pennines National Landscape must also review and take into account the North Pennines AONB Building Design Guide [https://northpennines.org.uk/publications/].**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code BG 1.2 South Lakeland Local Plan policy AS08 supporting	Policy added to Code. Change: For code BG 1.2, modify relevant policies: (Barrow: DS5, *DS6, GI1*; Eden: DEV5, ENV2, ENV3, LS1; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)
Westmorland and Furness Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.12 as follows: 1.12 The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. Applicants must include an appraisal of the local context, addressing landscape setting, local tranquillity, views, and vistas. **Nearby sources or potential sources of noise or air pollution should also be identified.** This should guide the integration of the development within its townscape and landscape setting, focusing on careful siting, design, and impact mitigation.
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.13 as follows: 1.13 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**
Westmorland and Furness Council	Add to Code BG 1.3 South Lakeland Local Plan policy AS08 supporting	Policy added to code. Change: For code BG 1.3, modify relevant policies: (Barrow: DS5, N1; Eden: DEV5, ENV1, ENV2, ENV3; South Lakeland: AS02,~~ AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly. Change: Modify the first sentence of paragraph 1.18 as follows: 1.18 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.18 as follows: 1.18 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration and the Environmental Protection will require much more from the developer than just 'care'. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.18 as follows: 1.18 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.18: **1.19 Land Contamination and/or potential contaminative uses may also be a factor to consider. For further guidance on how to consider potential contamination visit this page of the Council's website [www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions].**
United Utilities	When identifying the need to understand water and wastewater assets within a site, we recommend the following additional paragraph in the various elements of the design code: *The layout of a site must integrate, and maintain access to, existing and proposed utility services. Proposals, including landscaping and changes in levels, must not adversely affect the operation of existing utility services or the ability to access, maintain and repair existing utility services. Importantly applicants should not assume that assets can be diverted when preparing a site layout or that levels on top of utility assets can be changed without prior agreement with the relevant utility provider. Infrastructure constraints must be well understood prior to commencing the design process as they can compromise the deliverability of development and increase costs.*	Comments noted. The Design Code does not include specific coding relating to United Utilities Infrastructure. United Utilities has the opportunity to comment / provide guidance relating to specific proposals, as part of the planning application process. Additional text has been added to refer to the fact that prior agreement with the relevant utility provider will be required. Change: Amend paragraph 1.22 as follows: 1.22 Existing utility infrastructure can be a key determinant of site design. It is important for water and wastewater assets to be fully considered in development proposals at an early stage. United Utilities or Northumbrian Water will not permit development over or in close proximity to water and wastewater assets. Changes in ground level in the vicinity of water and wastewater assets or changes to the public sewer, including diversion, **would need prior agreement with the relevant utility provider. Such proposals** may not be acceptable as **they** ~~such proposals~~ can:
Westmorland and Furness Council	Add to Code BG 1.4, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code BG 1.4, modify relevant policies: (Barrow: DS5, **HE2**, N1, **N3**; Eden: ENV1, ENV3, ENV10, ***DEV5,*** *ENV2;* South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code BG 1.5 Barrow Local Plan policy HE3 requirement	Policy added to code. Change: For code BG 1.5, modify relevant policies: (Barrow: DS5, **HE3**, HE4, N1, *DS2;* Eden: DEV5, ENV3, ENV10; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2*)

Consultee	Comment	Council Response and Proposed Change
Historic England Context	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3. The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Reference added to relevant good practice advice notes accordingly. Change: Modify paragraph 1.32: 1.32 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [**https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/**].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code BG 2.1 accordingly. Changes: For code BG 2.1 Flood Risk, modify as follows: CODE BG 2.1 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; ~~b)~~ addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ **c)** addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures.**
Westmorland and Furness Council	Use of the SuDS hierarchy is supported, but need to require an explanation form the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025). Change: Modify paragraph 2.4: 2.4 SuDS must allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.4, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: "SuDS must allow for surface water to be discharged according to the following hierarchy…" The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a "preference" for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to 'shall' rather than 'must'. Change: Modify paragraph 2.4: 2.4 SuDS ~~must~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Amend policy reference in code BG 2.2 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code. Change: For code BG 2.2, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, *DS2*; Eden: DEV2, *ENV5*; South Lakeland: CS1.1, CS8.8, DM1, **DM6, ~~*DM6,*~~ *AS12***; National Standard for Sustainable Drainage Systems).
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Change: Add new paragraph under paragraph 2.7: **2.8 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**
Westmorland and Furness Council	Add to code BG 2.4 Barrow Local Plan policy EC3 supporting, and South Lakeland Local Plan policy DM2 supporting	Policies added to code. Change: For code BG 2.4, modify relevant policies: (Barrow: C5, DS5, *BP2, BP5,* ***EC3***; Eden: DEV5, *ENV5*; South Lakeland: CS1.1, CS8.7, ***DM2***)
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. 2.14 Amend text to add 'Where possible' at beginning of sentence. Changes: Modify the first sentence of paragraph 2.14: 2.14 **Where possible,** ~~A~~**a**ll development must incorporate renewable energy measures that are sensitive to the local area and character. Modify paragraph 6.19: 6.19 **The use of b**~~B~~uilding materials such as interlocking concrete tiles, plastic, composite or artificial tiles, which are limited to a single size, should be ~~avoided~~ **minimised**. These materials lack the variation and character found in local buildings. For bulleted list under paragraph 6.30, modify the sixth bullet point: ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact.
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 2.6 Energy Efficiency The supporting text to this Code is also written in the form of a Policy and is too prescriptive for an SPD. The Consortium objects to the inclusion of strict requirements in respect of solar panels at paragraph 2.21. The paragraph stipulates 8 design/layout requirements which is clearly excessive for the placement of solar panels and notes that one of these stipulates that the panels should be laid in a symmetrical pattern. This fails to acknowledge the plot-by-plot considerations when proposing solar panels, such as layout, angle and direction towards the sun.	Noted. Reference to requiring symmetry deleted. Change: For bulleted list under 'Solar', remove the fourth sub-bullet to the third bullet point: ~~Symmetry - panels should be laid in a symmetrical pattern. Aerials and flues (and therefore related internal piping) should be located so as to not obstruct a symmetrical solar installation.~~

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.16 as follows: 2.16 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Change: Add new paragraph following paragraph 2.19: **2.20 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**
Westmorland and Furness Council	Need additional wording added to recognises that gullies and tank systems do not provide the multifunctional benefits of SuDS such as enhancing habitats and biodiversity and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Additional text added accordingly. Change: For bulleted list under 'Climate: what we don't want to see', add sixth bullet point: **Development which fails to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**

Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 3.1 Green and Blue Infrastructure The Code states that new development must adopt a landscape-first approach to green and blue infrastructure with one of the stipulations being that developments must adopt several different types of interlinked Green and Blue Infrastructure, so that the network is multifunctional. The Consortium consider the wording of this Policy to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Local Plans. For example, the South Lakeland Policy CS8.1 is worded in a way that suggests the authority will seek to secure Green Infrastructure in new developments, rather than a requirement that developers must provide green and blue infrastructure on every site, as the SPD currently states. Eden Policy ENV4 and Barrow Policy GI1 also state that developments will be supported where they protect and enhance existing green infrastructure, which is a very different policy test to the one included within the Code. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. It is important that the phraseology of Code GHL 3.1 is amended to reflect the adopted Policies and does not stipulate that all development provides interlinked green and blue infrastructure. The number of Policies listed at the end of the Code policy has increased from the previous Working Draft version. As noted previously, the Consortium request that further evidence is required to explain how the policies are of relevance, whether they remain up to date and if they are fit to support the specific coding or general guidance. It is now suggested that there are 17 legacy Local Plan policies applicable to Code GHL 3.1, which will only cause confusion when trying to decipher the Design Code. It is the Consortium's view that each Code should only be linked to Policies from the Legacy Local Plans which are directly relevant and that there should be a sentence added to clarify why these policies are applicable and in conformity.	The Code is not requiring all new development to include green and blue infrastructure. It is specifying in line with current Local Plan policies that new developments should retain and incorporate green infrastructure where they exist, integrate new and existing green and blue infrastructure where proposed and link new and existing green and blue infrastructure where exists/proposed so it is connected and multi-functional in line with current Local Plan policies. It is acknowledged that it may not always be achievable and practicable to retain and link green and blue infrastructure in all circumstances and therefore the code has been altered to say 'where possible'.... Change: For code BG 3.1 Green and Blue Infrastructure, modify wording of point (b) and (c) b) **where possible,** integrating new and existing Green and Blue Infrastructure on the site with the wider Green and Blue Infrastructure network in the surroundings of the site; and c) **where possible,** using several different types of interlinked Green and Blue Infrastructure so that the network is multifunctional.
	CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance.	Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. Change: For code BG 3.4 Biodiversity Protection, append wording to point (b): b) the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.**

Consultee	Comment	Council Response and Proposed Change
	The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place. For code BG 3.5 Biodiversity Net Gain, modify the first sentence: CODE BG 3.5 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt**.
Westmorland and Furness Council	Add in reference to verges to say where possible verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type and received limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.	Additional text added accordingly. Change: For bulleted list under paragraph 3.2, add a seventh bullet point: **Verges: Where possible, verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type. Verges should receive limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.**
Westmorland and Furness Council	Code BG 3.2 needs to include a reference to 'nature' rich rather than 'biodiversity' rich landscapes to bring into line with the guidance paragraph surrounding it which defines the term "nature-rich landscapes" instead of "biodiversity-rich landscapes", the definition in the guidance needs to be consistent with the code and "nature" is a better term to use because "biodiversity" has a more restricted meaning. In the associated guidance, Natural watercourses should be explicitly listed in the Key Considerations for Integrating Nature guidance below the code. " Listing "natural watercourses" in the guidance will support the Council's work to reduce flood risk by promoting deculverting and renaturalisation of watercourses and will help to conserve habitats and species that depend directly on water.	Amendment made to the Code to include reference to 'nature' rich landscapes, and additional text added to guidance to refer to natural watercourses and opportunities to de-culvert them to help integrate in nature. Change: For code BG 3.2 Open Space, modify wording: CODE BG 3.2 Open Space: The public realm within **a business** ~~new housing~~ development must incorporate nature through the strategic retention and planting of trees, native species, and ~~biodiversity~~ **nature**-rich landscapes, proportionate to the scale and context of the development, and deliver good quality open space. For bullet list under code BG 3.2 Open Space, add second bullet point: **Natural watercourses: Where applicable, natural watercourses should be addressed by proposals to reduce flood risk through de-culverting and re-naturalisation of watercourses.**
Westmorland and Furness Council	Add to Code BG 3.2 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code BG 3.2, modify relevant policies: (Barrow: BP13, DS5, GI3, GI4, N4, *GI1*; Eden: DEV5, ENV1, ENV4, *ENV2*; South Lakeland: DM1, DM4, ***AS04, CS8.1, CS8.4, DM2***)
Westmorland and Furness Council	In section 3.8 and Code BG 3.2 add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable.	Wording in section 3.8 and Code 3.6 amended and added accordingly. Changes: For bullet list under code BG 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including ~~native~~ trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. **Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable.** For code BG 3.6 Existing Trees, Woodlands, and Hedgerows, modify item (b): Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	3.8 - Consideration needs to be given to INNS introduction risk from landscaping and plant choice. UK native species should be preferentially used in landscaping, although mentioned this could be given greater emphasis. Mistakes made in urban landscaping (such as the frequent use of cotoneaster) has caused significant impacts to wider biodiversity. (noted that it is mentioned later on page 62 but could be given more emphasis earlier in the document)	Noted. Additional text added to Section 3.8 accordingly. Change: For bullet list under code BG 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable. **Invasive non-native species must be avoided, as their introduction, even within manicured landscaping, can pose ecological risk.**
Westmorland and Furness Council	When considering the creation of wildflower meadows, need to make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting need to include reference to Schedule 9 Part II of the Wildlife and Countryside Act 1981 as amended as well as government guidance on invasive non-native alien plant species : https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Text added below Code BG 3.2 reference to supporting new planting species that promotes local species of local provenance in locations at the edge of settlements and open countryside. Change: For bullet list under code BG 3.2 Open Space, added new bullet point between Wildlife Connectivity and Community Engagement: • **On settlement edges, new planting schemes should provide a suitable ecological 'stepping stone' to the adjacent countryside by using only locally native species of local provenance.** Text amended in section on street trees, trees and hedgerows and planting : what we don't want to see accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', text modified in the sixth bullet point: • The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Need to add text "there will be a presumption of public access into and through developed sites unless there are overriding reasons to prevent access" into the code. A presumption of public access could greatly enhance the opportunities for active journeys which are often restricted to busy roads outside of towns. Public access to the countryside and through employment sites where appropriate for example would be improved simply by not preventing or discouraging access except for the limited areas where there are overriding reasons to do so e.g. safety or reasonable expectation of privacy associated with (in the CROW Act there are types of land which are excepted from open access rights even when the land is mapped as open access and those same exceptions would be a reasonable starting point to consider whether an area of development should be excluded from public access).	Text added to BG 3.3 accordingly. Change: For code BG 3.3 Inclusive Access, modify wording: CODE BG 3.3 Inclusive Access: All new development must enhance or maintain safe, direct, and inclusive access to nature through public realm, open space, or other connections to natural environments. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.**
Westmorland and Furness Council	Add to Code BG 3.3, South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code BG 3.3, modify relevant policies: (Barrow: DS5, I4, *GI1, HC4*; Eden: DEV5, ENV4; South Lakeland: AS05, CS1.1 ***DM2,*** *DM4, DM5*)
Westmorland and Furness Council	With regard to *Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development,* need to include an example: add text 'The location of new development should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland'.	Text added to section green and blue infrastructure 'what we don't want to see' accordingly. Change: For bulleted list under 'Green and Blue Infrastructure: what we don't want to see', modify second bullet: Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new ~~housing~~ development. **For example, the location of new development should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland.**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code BG 3.4 accordingly. Change: For code BG 3.4, modify first paragraph: CODE BG 3.4 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:
Westmorland and Furness Council	Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.	Amendments made to paragraphs 3.9-3.14 accordingly. Changes: For paragraphs 3.9 - 3.14, directly following BG 3.4 Biodiversity Protection: 3.9 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.10 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.11 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.12 All new development should align with the objectives outlined in the Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0]. This includes incorporating design elements that support the restoration, enhancement, and connectivity of habitats and features which help to support populations of priority species, as identified in the LNRS. 3.13 Proposals should include features that contribute to the local ecological network as described in the LNRS. This may involve the creation or enhancement of habitats, green corridors, or other natural features that help achieve the goals of the LNRS. 3.14 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Additional text added to paragraph 3.9 accordingly. Change: 3.9 The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**

Consultee	Comment	Council Response and Proposed Change
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.15 accordingly. Changes: Within bulleted list below paragraph 3.15, delete the second and third bullets and replace with a new second bullet point: ~~• Swift and swallow or universal bird bricks, which are mortared directly into brick walls.~~ ~~• Bat access tiles for roofs, bat bricks and bat cavities for walls.~~ • **For each newly built or altered building within the application site erect one integrated swift brick or universal nest brick and one integrated bat brick or bat tile. Where this is not possible due to structural limitations one external bat box and one external swift box should be erected in the application site. The distribution and location of bat/bird tiles/bricks/boxes must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure, in accordance with British Standard BS 42021:2022. Such bricks and swift boxes are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front, with at least one metre between bricks/boxes. All bird bricks/boxes should be sited with the hole facing between north and east. Bat boxes, bricks and tiles should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird features should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made to paragraph 3.15 accordingly. Change: Within bulleted list below paragraph 3.15, delete the second and third bullets and replace with a new second bullet point: ~~• Swift and swallow or universal bird bricks, which are mortared directly into brick walls.~~ ~~• Bat access tiles for roofs, bat bricks and bat cavities for walls.~~ • **For each newly built or altered building within the application site erect one integrated swift brick or universal nest brick and one integrated bat brick or bat tile. Where this is not possible due to structural limitations one external bat box and one external swift box should be erected in the application site. The distribution and location of bat/bird tiles/bricks/boxes must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure, in accordance with British Standard BS 42021:2022. Such bricks and swift boxes are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front, with at least one metre between bricks/boxes. All bird bricks/boxes should be sited with the hole facing between north and east. Bat boxes, bricks and tiles should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird features should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Change
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.15. Change: For bulleted list after paragraph 3.15, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new landscaping, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to Code BG 3.5 reference to 10% BNG. Change: For code BG 3.5 Biodiversity Net Gain, modify wording of first sentence: CODE BG 3.5 Biodiversity Net Gain: All new developments must achieve Biodiversity Net Gain (BNG) in line with current national policies and any local standards, **unless exempt**.
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.22 accordingly. Change: Amend paragraph 3.22 as follows: 3.22 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**.
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.22. Change: Under paragraph 3.22, add new paragraph: **3.23 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals.**
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Noted. Text amended accordingly. Change: Modify part (a) of code BG 3.6 Existing Trees, Woodlands, and Hedgerows: retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to BG 3.6 and Section 3.8 Incorporating Nature into the Open Spaces There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows the end of part (b) of code BG 3.6 Existing Trees, Woodlands, and Hedgerows: include a variety of native tree **and scrub species of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code BG 3.6 South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code BG 3.6, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, *AS04, AS08, CS8.1, CS8.2,* ***DM2,*** *DM4*)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 3.24 accordingly. Change: For the bulleted list after paragraph 3.24, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings.**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 3.25. Change: Under paragraph 3.24 and subsequent bulleted list, add new paragraph: **3.25 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here [www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden] on how to garden for red squirrels (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly. Change: Below paragraph 3.26, add additional paragraph: **3.27 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code BG 3.7 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code BG 3.7, modify relevant policies: (Barrow: DS6, *DS2, GI1*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: CS1.1, *AS02,* ***AS04,*** *DM2, DM4*; National Planning Policy Framework, Chapter 15)
Westmorland and Furness Council	Add wording to Planting Design, expanding on what a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.29 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Changes: For bulleted list under paragraph 3.29, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.11, modify the second bullet point: • Rainwater harvesting~~:~~**, including water butts;**
Westmorland and Furness Council	When considering the creation of wildflower meadows you should make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting they only list species of special concern under IASEPO 2019 and pointed them at Schedule 9 Part II of WCA too. The link here doesn't include Schedule 9 species. The use of invasive non-native plant species as identified in government guidance: https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Additional text added accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf].**
Westmorland and Furness	Add to Code BG 4.2a, South Lakeland Local Plan Policy AS10 supporting	Policy added to code. Change: For code BG 4.2a, modify relevant policies: (Barrow: DS5, I4, *DS2, HC1, HC4*; Eden: DEV3, DEV5, *ENV5*; South Lakeland: CS1.1, CS10.2, DM1, *AS08,* ***AS10,*** *CS8.10, DM2, DM5*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add wording to Code BG 4.2c: 'Street and movement designs must ensure a permeable and well-connected street network <u>for all users</u> with clear and logical through routes that are easy to navigate. Add wording to Code BG 4.2c "presumption of public access into and through developed sites unless there are overriding reasons to prevent access" would greatly promote healthy communities. The "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good, improving choice even when this is not the formally designed route to a place. Potentially attractive routes through sites are often prevented by fencing or discouraged by intimidatory signs when there is no obvious need to exclude people. This often occurs in sites like business parks (so these additions will also be appropriate in the codes for other types of development) as well as the green edges of housing estates there are often unnecessary boundary treatments not associated with buildings and their curtilage. Add wording paragraph 4.11 'Dead ends will generally only be appropriate at the most local level to open up small sites where through streets are not possible'. The suggested "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good.	Additional text added to Code 4.2c accordingly, and to paragraph 4.11. Changes: For code BG 4.2c Street Design, modify wording: CODE BG 4.2c Street Design: Street and movement designs must ensure a permeable and well-connected street network **for all users** with clear and logical through-routes that are easy to navigate. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.** For the bulleted list following paragraph 4.11, append to the end of the first bullet point: Avoiding dead ends and space given over to vehicle turning heads by making streets interconnect. This is particularly important for refuse collection and emergency service vehicles, which are best served by through streets rather than long cul-de-sacs or developments with only one way in and out by road. **Dead ends will generally only be appropriate at the most local level to open up small sites where through-streets are not possible.**
Westmorland and Furness Council	Add to Code BG 4.3, Barrow Local Plan Policy G15 supporting	Policy added to code. Change: For code BG 4.3, modify relevant policies: (Barrow: DS5, I4, **GI5**, *DS2, HC1, HC4*; Eden: DEV3, DEV5, ENV4; South Lakeland: CS1.1, CS10.2, DM1, DM5, *DM2, DM4)*
Westmorland and Furness Council	Application direction should highlight the need for a transport vision for the site which links to the travel plan and transport assessment; walking/cycling routes should be integral to the design (not infrastructure accommodated) and should demonstrate how routes in the dev site link into wider routes (and include reviews of the quality of these wider routes)	Text added to paragraph 4.13 accordingly. Change: Append to the end of paragraph 4.13, directly following Active Travel code: 4.13 Proposals should detail the location, type, and specifications for cycle parking and the surfacing of cycling and pedestrian routes. Developments incorporating active travel options within green corridors or 'play on the way' options will be viewed positively. **For larger sites, the application should include a transport vision that links to the application's travel plan and transport assessment. This vision should set out how walking, cycling and public transport are integrated into the design and link with the wider walking, cycling and public transport networks. The vision should also consider the quality of these routes and whether the enhancement of any existing routes is proposed.**
Westmorland and Furness Council	Add reference to Local Cycle and Walking Infrastructure plans and other plans – some sites may be able to provide new active travel routes that can link into existing and proposed active travel routes.	Additional text added accordingly. Change: Add new paragraph below paragraph 4.13: **4.14 Depending on location and type of proposal, some developments may be able to support provision of new active travel routes that can link into proposed active travel routes as set out in Local Cycle and Walking Infrastructure Plans and other plans. For further information visit the Council's Active Travel website [https://ukc-word-edit.officeapps.live.com/we/www.westmorlandandfurness.gov.uk/parking-streets-and-transport/active-travel].**
Westmorland and Furness Council	Amend Code BG 4.4 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting and add South Lakeland Local Plan Policy AS08 supporting	Policy amendments and additions made to code. Change: For code BG 4.4, modify relevant policies: (Barrow: **C7,** DS4, I4, ~~*C7,*~~ *DS2, HC5*, Eden: DEV5, ENV9 South Lakeland: DM1, ***AS08,*** *DM2;* Development Design Guide; *Good Lighting Technical Advice Note: Designing Out Light Pollution in Cumbria, the Yorkshire Dales National Park and the Arnside and Silverdale AONB*)

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Amend Code BG 4.5 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code BG 4.5, modify relevant policies: (Barrow: **C7,** DS5, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 4.21: **4.22 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	In Lighting: 'we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend Code BG 4.6, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code BG 4.6, modify relevant policies: (Barrow: DS5, I6, ~~*BP2, HC4*~~; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly. Change: New paragraph created directly following bulleted list at paragraph 5.3: **5.4 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and business developments. Outbuildings include bin stores and cycle stores. They can look rural, urban or suburban depending on materials and design. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: Append to the end of paragraph 6.21: 6.21 Flat roofs can work well in modern designs or alongside pitched roofs if paired with appropriate eaves or parapet details, ensuring proper local integration and functionality. **However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**
Cumbria Constabulary	Aspects of Security and crime prevention are extensively referenced at Pages 40, 41, 47 and 48	Noted
Arnside & Silverdale National Landscape	(general comment) Agricultural development is notable in its absence. Built development associated with agricultural business can have significant impacts on landscape. Specific codes should be in place for agricultural development as it is distinctive and not covered in the 'other development' code chapter. It is accepted that design of agricultural development is limited by function (eg. cattle sheds or poultry units needs to be a certain size and profile etc.) However, guidance around materials finish, screening, landscaping, access tracks, siting etc. would be considered useful and potentially produce more positive development outcomes for agriculture.	Noted.

12 Holiday Parks and Cabins

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Changes
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly Change: Text modified in the bulleted list under 'Design Code for Holiday Parks / Cabins', modify the final bullet point: • Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Arnside & Silverdale National Landscape	Would like a specific reference to Arnside & Silverdale National Landscape DPD Policy AS12 that prohibits the development of new caravan sites, chalets or lodge type development within the National Landscape. i.e clarity that the code does not supersede adopted policy that prevents development of caravan sites.	Comments noted. Policy AS11 of the Arnside & Silverdale National Landscape DPD refers to 'Camping, Caravan and Visitor Accommodation', therefore the below amendment includes this policy, not Policy AS12 'Water quality, sewerage and sustainable drainage'. Change: In bulleted list under 'Design Code for Holiday Parks / Cabins' modify final bullet point: • Arnside & Silverdale National Landscape DPD AS08 **and AS11**
Westmorland and Furness Council	Add reference to range of holiday accommodation development this chapter covers	Additional text added accordingly. Change: Amend paragraph 1.2 as follows: 1.2 The design of holiday **parks and** chalet sites **which includes static caravans. holiday lodges, log cabins, chalets and camping pods** must respond positively to the character of the district and locality if it is to be valued now and in the future. The starting point with any proposal is to fully consider the four steps to understanding context: character areas, surroundings, the site itself and the historic environment.
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.
Westmorland and Furness Council	Add to Code HP 1.1 Barrow Local Plan Policies DS5, DS6, GI1 supporting	Policies added to Code. Change: For code HP 1.1, modify relevant policies: (Barrow: N1, *DS2,* ***DS5, DS6, GI1***); Eden: DEV5, ENV2; South Lakeland: DM1, DM18, *AS02, CS8.2, DM2*)

Consultee	Comment	Council Response and Proposed Changes
Arnside & Silverdale National Landscape	1.7 specify Arnside & Silverdale National Landscape to make it clear that it refers to the designation and not just the vilalges of Arnside & Silverdale. likely need to do the same with North Pennines as the area conventionally known as the 'North Pennies' extends beyond the designation boundary. (page 10) ideally need an image to show the Morecambe Bay Limestones/South Cumbria Low fells. (NCA 20). The Morecambe Bay Limestones have a distinct character compared with the other images shown.	Noted. Reference added to 'National Landscape' accordingly. Change: In paragraph 1.7, modify wording of the first sentence: 1.7 If the site is within ~~one of the National Landscapes or its setting~~ **the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings**, the applicant should review the Arnside and Silverdale **National Landscape** Management Plan or the North Pennines **National Landscape** Management Plan.
Westmorland and Furness Council	The North Pennines NL has a design guide that will become part of the management plan. The code needs to reference this.	Reference to The North Pennines NL design guide has been added. Change: Amend paragraph 1.7 as follows: 1.7 If the site is within the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings, the applicant should review the Arnside and Silverdale National Landscape Management Plan or the North Pennines National Landscape Management Plan. **Proposals within the North Pennines National Landscape must also review and take into account the North Pennines AONB Building Design Guide [https://northpennines.org.uk/publications/].**
Westmorland and Furness Council	Add to Code HP 1.2 Eden Local Plan policy RUR3 supporting and South Lakeland Local Plan policies AS08 and AS11 supporting	Policies added to code. Change: For code HP 1.2 modify relevant policies: (Barrow: DS5, *DS6, EC11, GI1, N1*; Eden: DEV5, EC4, ENV2, ENV3, LS1, ***RUR3***; South Lakeland: AS01, AS02, CS1.1, DM1, DM18, ***AS08, AS11,*** *CS8.10, DM2*)
Westmorland and Furness Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.11 as follows: 1.11 The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. Applicants must include an appraisal of the local context, addressing landscape setting, local tranquillity, views, and vistas. **Nearby sources or potential sources of noise or air pollution should also be identified.** This should guide the integration of the development within its townscape and landscape setting, focusing on careful siting, design, and impact mitigation.
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.12 as follows: 1.12 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**
Westmorland and Furness Council	Add to Code HP 1.3 South Lakeland Local Plan Policy AS11 and AS08 supporting – delete as a key requirement policy.	Policies added and amended to code. Change: For code HP 1.3 modify relevant policies: (Barrow: DS5, N1, Eden: DEV5, EC4, ENV1, ENV2, ENV3, ENV10, RUR3; South Lakeland: AS02, ~~AS08,~~ ***AS08***, CS1.1, DM1, DM3, ***AS11,*** *CS8.6, CS8.10, DM2*)

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly. Change: Modify the first sentence of paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration and the Environmental Protection will require much more from the developer than just 'care'. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.17: **1.18 Land Contamination and/or potential contaminative uses may also be a factor to consider. For further guidance on how to consider potential contamination visit the website www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions.**
United Utilities	When identifying the need to understand water and wastewater assets within a site, we recommend the following additional paragraph in the various elements of the design code: *The layout of a site must integrate, and maintain access to, existing and proposed utility services. Proposals, including landscaping and changes in levels, must not adversely affect the operation of existing utility services or the ability to access, maintain and repair existing utility services. Importantly applicants should not assume that assets can be diverted when preparing a site layout or that levels on top of utility assets can be changed without prior agreement with the relevant utility provider. Infrastructure constraints must be well understood prior to commencing the design process as they can compromise the deliverability of development and increase costs.*	Comments noted. The Design Code does not include specific coding relating to United Utilities Infrastructure. United Utilities has the opportunity to comment / provide guidance relating to specific proposals, as part of the planning application process. Additional text has been added to refer to the fact that prior agreement with the relevant utility provider will be required. Change: Amend paragraph as follows: 1.21 Existing utility infrastructure can be a key determinant of site design. It is important for water and wastewater assets to be fully considered in development proposals at an early stage. United Utilities or Northumbrian Water will not permit development over or in close proximity to water and wastewater assets. Changes in ground level in the vicinity of water and wastewater assets or changes to the public sewer, including diversion, **would need prior agreement with the relevant utility provider. Such proposals** may not be acceptable as ~~such proposals~~ **they** can:

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Add to Code HP 1.4, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code HP 1.4, modify relevant policies: (Barrow: DS5, **HE2,** N1**, N3**, *EC8*; Eden: EC4, ENV1, ENV3, ENV10, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, DM18, *CS8.6*)
Westmorland and Furness Council	Add to Code HP 1.5 Barrow Local Plan policy HE3 requirement	Policy added to code. Change: For code HP 1.5, modify relevant policies: (Barrow: DS5, **HE3,** HE4, N1, *DS2*; Eden: DEV5, ENV3, ENV10; South Lakeland: AS08, CS1.1, DM1, DM3, DM18, *AS07, CS8.2, CS8.6, DM2*)
Historic England	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Reference added to relevant good practice advice notes accordingly. Change: Modify paragraph 1.31: 1.31 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [**https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/**].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement.
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code HP 2.1 accordingly. Changes: For code HP 2.1 Flood Risk, modify as follows: CODE HP 2.1 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; b) addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ c) addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures.**
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025). Change: Modify paragraph 2.4: 2.4 SuDS must allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.10, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g. basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~

Consultee	Comment	Council Response and Proposed Changes
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: "SuDS must allow for surface water to be discharged according to the following hierarchy…" The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a "preference" for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to 'shall' rather than 'must'. Change: Modify paragraph 2.4: 2.4 SuDS ~~must~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.
Westmorland and Furness Council	Amend policy reference in code HP 2.2 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code. Change: For code HP 2.2, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, *DS2*; Eden: DEV2; South Lakeland: CS1.1, CS8.8, DM1, **DM6, *~~DM6,~~ AS12***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Change: Add new paragraph under paragraph 2.7: **2.8 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components.**
Westmorland and Furness Council	Add to Code HP 2.3 South Lakeland Local Plan policy DM2 supporting	Policy added to code. Change: For code HP 2.3, modify relevant policies: (Barrow: C5, DS5; Eden: DEV5; South Lakeland: CS1.1, CS8.7, ***DM2***)
Individual	2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Changes: Modify the first sentence of paragraph 2.14: 2.14 **Where possible, ~~A~~a**ll development must incorporate renewable energy measures that are sensitive to the local area and character. For bulleted list under paragraph 6.14, modify the sixth bullet point: • ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact.

Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 3.1 Green and Blue Infrastructure The Code states that new development must adopt a landscape-first approach to green and blue infrastructure with one of the stipulations being that developments must adopt several different types of interlinked Green and Blue Infrastructure, so that the network is multifunctional. The Consortium consider the wording of this Policy to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Local Plans. For example, the South Lakeland Policy CS8.1 is worded in a way that suggests the authority will seek to secure Green Infrastructure in new developments, rather than a requirement that developers must provide green and blue infrastructure on every site, as the SPD currently states. Eden Policy ENV4 and Barrow Policy GI1 also state that developments will be supported where they protect and enhance existing green infrastructure, which is a very different policy test to the one included within the Code. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. It is important that the phraseology of Code GHL 3.1 is amended to reflect the adopted Policies and does not stipulate that all development provides interlinked green and blue infrastructure. The number of Policies listed at the end of the Code policy has increased from the previous Working Draft version. As noted previously, the Consortium request that further evidence is required to explain how the policies are of relevance, whether they remain up to date and if they are fit to support the specific coding or general guidance. It is now suggested that there are 17 legacy Local Plan policies applicable to Code GHL 3.1, which will only cause confusion when trying to decipher the Design Code. It is the Consortium's view that each Code should only be linked to Policies from the Legacy Local Plans which are directly relevant and that there should be a sentence added to clarify why these policies are applicable and in conformity.	The Code is not requiring all new development to include green and blue infrastructure. It is specifying in line with current Local Plan policies that new developments should retain and incorporate green infrastructure where they exist, integrate new and existing green and blue infrastructure where proposed and link new and existing green and blue infrastructure where exists/proposed so it is connected and multi-functional in line with current Local Plan policies. It is acknowledged that it may not always be achievable and practicable to retain and link green and blue infrastructure in all circumstances and therefore the code has been altered to say 'where possible'.... Change: For code HP 3.1 Green and Blue Infrastructure, modify wording of point (b) and (c) b) **where possible,** integrating new and existing Green and Blue Infrastructure on the site with the wider Green and Blue Infrastructure network in the surroundings of the site; and c) **where possible,** using several different types of interlinked Green and Blue Infrastructure so that the network is multifunctional.
	CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance.	Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. For code HP 3.2 Biodiversity Protection, append wording to point (b): b) the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.**

Consultee	Comment	Council Response and Proposed Changes
	The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place. For code HP 3.3 Biodiversity Net Gain, modify the first sentence: CODE HP 3.3 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt**.
Westmorland and Furness Council	Add in reference to verges to say where possible verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type and received limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.	Additional text added accordingly. Change: For bulleted list under paragraph 3.2, add a seventh bullet point: **Verges: Where possible, verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type. Verges should receive limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.**
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to HP 3.4 and Section 3.8 Incorporating Nature into the Open Spaces	Wording in section 3.8 and Code 3.4 amended and added accordingly. Changes: For bullet list under 3.8, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including ~~native~~ trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. **Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable.** For code HP 3.4 Existing Trees, Woodlands, and Hedgerows, modify item (b): b) Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network.
Arnside & Silverdale National Landscape	3.8 - Consideration needs to be given to INNS introduction risk from landscaping and plant choice. UK native species should be preferentially used in landscaping, although mentioned this could be given greater emphasis. Mistakes made in urban landscaping (such as the frequent use of cotoneaster) has caused significant impacts to wider biodiversity. (noted that it is mentioned later on page 62 but could be given more emphasis earlier in the document)	Noted. Additional text added to Section 3.8 accordingly. For bullet list under 3.8, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable. **Invasive non-native species must be avoided, as their introduction, even within manicured landscaping, can pose ecological risk.**
Westmorland and Furness Council	In the associated guidance, Natural watercourses should be explicitly listed in the Key Considerations for Integrating Nature guidance below the code. " Listing "natural watercourses" in the guidance will support the Council's work to reduce flood risk by promoting deculverting and renaturalisation of watercourses and will help to conserve habitats and species that depend directly on water.	Additional text added to guidance to refer to natural watercourses and opportunities to de-culvert them to help integrate in nature. Change: For bullet list under 3.8 add second bullet point: **Natural watercourses: Where applicable, natural watercourses should be addressed by proposals to reduce flood risk through de-culverting and re-naturalisation of watercourses.**

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	When considering the creation of wildflower meadows, need to make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting need to include reference to Schedule 9 Part II of the Wildlife and Countryside Act 1981 as amended as well as government guidance on invasive non-native alien plant species : https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Text added below Code HP 3.1 reference to supporting new planting species that promotes local species of local provenance in locations at the edge of settlements and open countryside. For bullet list under 3.8 added: • **On development edges, new planting schemes should provide a suitable ecological 'stepping stone' to the adjacent countryside by using only locally native species of local provenance.** Text amended in section on street trees, trees and hedgerows and planting : what we don't want to see accordingly. For the bulleted list under ', Trees, Hedgerows and Planting: what we don't want to see', modify the sixth bullet point: • The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	With regard to *Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development,* need to include an example: add text 'The location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland'.	Text added to section green and blue infrastructure 'what we don't want to see' accordingly. Change: For bulleted list under 'Green and Blue Infrastructure: what we don't want to see', modify second bullet: Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development. **For example, the location of new development should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland.**
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code HP 3.2 accordingly. Change: For code HP 3.2, modify first paragraph: CODE HP 3.2 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.	Amendments made to paragraphs 3.9-3.14 accordingly. Changes: For paragraphs 3.9 - 3.14, directly following HP 3.2 Biodiversity Protection: 3.9 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.10 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.11 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.12 All new development should align with the objectives outlined in the Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0]. This includes incorporating design elements that support the restoration, enhancement, and connectivity of habitats and features which help to support populations of priority species, as identified in the LNRS. 3.13 Proposals should include features that contribute to the local ecological network as described in the LNRS. This may involve the creation or enhancement of habitats, green corridors, or other natural features that help achieve the goals of the LNRS. 3.14 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Additional text added to paragraph 3.9 accordingly. Change: Amend paragraph 3.9 as follows: 3.9 The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**

Consultee	Comment	Council Response and Proposed Changes
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.15 accordingly. Changes: Within bulleted list below paragraph 3.15, delete the second and third bullets and replace with new second bullet point: • ~~Swift and swallow or universal bird bricks, which are mortared directly into brick walls .~~ • ~~Bat access tiles for roofs, bat bricks and bat cavities for walls.~~ • **For each newly built or altered building within the application site erect one integrated swift brick or universal nest brick and one integrated bat brick or bat tile. Where this is not possible due to structural limitations one external bat box and one external swift box should be erected in the application site. The distribution and location of bat/bird tiles/bricks/boxes must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure, in accordance with British Standard BS 42021:2022. Such bricks and swift boxes are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front, with at least one metre between bricks/boxes. All bird bricks/boxes should be sited with the hole facing between north and east. Bat boxes, bricks and tiles should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird features should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made to paragraph 3.15 accordingly. Changes: Within bulleted list below paragraph 3.15, delete the second and third bullets and replace with new second bullet point: • ~~Swift and swallow or universal bird bricks, which are mortared directly into brick walls .~~ • ~~Bat access tiles for roofs, bat bricks and bat cavities for walls.~~ • **For each newly built or altered building within the application site erect one integrated swift brick or universal nest brick and one integrated bat brick or bat tile. Where this is not possible due to structural limitations one external bat box and one external swift box should be erected in the application site. The distribution and location of bat/bird tiles/bricks/boxes must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure, in accordance with British Standard BS 42021:2022. Such bricks and swift boxes are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front, with at least one metre between bricks/boxes. All bird bricks/boxes should be sited with the hole facing between north and east. Bat boxes, bricks and tiles should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird features should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Changes
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.15 accordingly. Change: For bulleted list after paragraph 3.15, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to Code HP 3.3 reference to 10% BNG. Change: For code HP 3.3 Biodiversity Net Gain, modify wording of first sentence: CODE HP 3.3 Biodiversity Net Gain: All new developments must achieve Biodiversity Net Gain (BNG) in line with current national policies and any local standards, **unless exempt**.
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.22 accordingly. Change: Amend paragraph 3.22 as follows: 3.22 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**.
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.22. Change: Under paragraph 3.22, add new paragraph: **3.23 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals.**
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Noted. Text amended accordingly. Change: Modify part (a) of code HP 3.4 Existing Trees, Woodlands, and Hedgerows: a) retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to HP 3.4 and Section 3.8 Incorporating Nature into the Open Spaces There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows the end of part (b) of code HP 3.4 Existing Trees, Woodlands, and Hedgerows: include a variety of native **tree and scrub** species of **UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code HP 3.4 South Lakeland Local Plan Policies AS11 and DM2 supporting	Policies added to code. Change: For code HP 3.4, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, EC4, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, DM18, *AS04, AS08,* ***AS11,*** *CS8.1, CS8.2,* ***DM2,*** *DM4*)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 3.24 accordingly. Change: For the bulleted list after paragraph 3.24, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 3.25. Change: Under paragraph 3.24 and subsequent bulleted list, add new paragraph: **3.25 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here [www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden] on how to garden for red squirrels (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly. Change: Below paragraph 3.26, add additional paragraph: **3.27 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Add wording to Planting Design, expanding on what a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.29 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Change: For bulleted list under paragraph 3.29, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.11, modify the second bullet point: Rainwater harvesting~~;~~**, including water butts;**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: _Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf].**
Westmorland and Furness Council	Add to Code HP 4.1a, South Lakeland Local Plan Policy AS10 supporting	Policy added to code. Change: For code HP 4.1a, modify relevant policies: (Barrow: DS5, I4, *DS2, HC1, HC4*; Eden: DEV3, DEV5, EC4; South Lakeland: CS1.1, CS10.2, DM1, DM18, *AS08,* ***AS10,*** *CS8.10, DM2, DM5*)
Westmorland and Furness Council	Amend Code HP 4.2 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code HP 4.2, modify relevant policies: (Barrow: **C7,** DS5, ~~*C7,*~~ *DS2, HC5*; Eden: DEV5, EC4, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, DM18, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Additional text added accordingly. Change: Add new paragraph under paragraph 4.13: **4.14 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	And in Lighting: 'what we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. For the bulleted list under 'Lighting: what we don't want to see', add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**

Consultee	Comment	Council Response and Proposed Changes
Arnside & Silverdale National Landscape	4.14 - needs mention of caravans and motorhomes - sufficient clearance and/or defined routes to and from site need consideration at a design stage. Similar issues with oversized haulage of static caravans to site.	Noted. Text added making reference to other types of vehicles including caravans and motorhomes. Change: Amend heading and paragraph 4.15 as follows: Car **and Other Vehicle** Parking 4.15 Many holiday accommodation users will travel by car **or caravans and motorhomes** and therefore thought must be given to how and where **such vehicles** ~~cars~~ are parked. Consideration must also be given to the needs of people with disabilities, visitor parking, and Electric Vehicle (EV) charging.
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly. Change: New paragraph created directly following bulleted list at paragraph 5.6: **5.7 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and housing developments. Outbuildings include bin stores, cycle stores, storage sheds and other ancillary buildings. Thought should be given to the design and siting of these, creating variety where necessary, especially across larger sites. They can look rural, urban or suburban depending on materials and design. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Westmorland and Furness Council	Need to acknowledge factors such as topography and its relationship to the wider landscape will have a key influence on the design of any proposals, and the extent to which particular measures may be required such as landscaping to reduce visual impacts on surrounding uses and open countryside settings.	Additional text added accordingly. Change: Amend paragraph 5.8 as follows: 5.8 As many holiday parks are located in a rural setting , either remote or close to the edge of a settlement, consideration of landscape impact through a Landscape Visual Impact Assessment will also help to inform an appropriate layout that respects the character and form of the surrounding landscape. **The topography of the site and its relationship to the wider landscape will have a key influence on the design of any proposals and the extent to which particular measures may be required such as landscaping to reduce visual impacts on surrounding uses and open countryside settings.**
Westmorland and Furness Council	Add to Code HP 6.3 South Lakeland Local Plan policy AS11 supporting	Policy added to code. Change: For code HP 6.3, modify relevant policies: (Barrow: DS5, DS6; Eden: DEV5, EC4, ENV3, ENV10, *ENV2;* South Lakeland: AS07, DM3, DM18, *AS08,* ***AS11,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Add new paragraph and title after paragraph 6.14 as follows: Roofs Flat roofs can be appropriate if part of a cohesive design. However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the conditions and performance of the flat roof and its drainage.
Arnside & Silverdale National Landscape	2.0 - as mentioned in previous sections - should be a minimum spec for septic tank/package treatment on caravan sites as often not connected to mains sewerage.	Noted. The issue of specifications for septic tank /package treatment on caravan sites is not a Design Code matter.
Arnside & Silverdale National Landscape	Images to give some examples of good quality caravan sites and examples where sites do not detract from the wider landscape, are sufficiently screened and/or landscaped would be useful.	Noted.

13 House Extensions and Alterations

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Change
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly In the bulleted list under 'Design Code for House Extensions and Alterations', modify the final bullet point: Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.
Westmorland and Furness Council	Add to Code HE 1.1 Barrow Local Plan Policy N1 supporting and South Lakeland Local Plan Policy AS08 supporting	Policies added to Code. Change: For code HE 1.1, modify relevant policies: (Barrow: DS5, *DS6, GI1, H6,* ***N1***; Eden: DEV5, ENV2, ENV3; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.6 as follows: 1.6 Analysis should provide a comprehensive understanding of the townscape and / or landscape and should inform how the extension or alteration will integrate into its context. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**
Westmorland and Furness Council	Add to Code HE 1.2 Barrow Local Plan Policy GI1 supporting, South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to Code. Change: For code HE 1.2, modify relevant policies: (Barrow: DS5, N1***, GI1***; Eden: DEV5, ENV1, ENV2, ENV3; South Lakeland: AS02,~~ AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly. Change: Modify the first sentence of paragraph 1.9 as follows: 1.9 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour and** noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add to Code HE 1.3, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code HE 1.3, modify relevant policies: (Barrow: DS5, **HE2,** N1, **N3,** *H6*; Eden: ENV1, ENV3, ENV10, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code HE 1.4 Barrow Local Plan policy HE3 requirement	Policy added to code. Change: For code HE 1.4, modify relevant policies: (Barrow: DS5, **HE3,** HE4, N1, *DS2*; Eden: DEV5, ENV3, ENV10; South Lakeland: AS07, AS08, CS1.1, DM1, DM3, *CS8.2, CS8.6, DM2*)
Historic England Context	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Reference added to relevant good practice advice notes accordingly. Change: Modify paragraph 1.18: 1.18 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [**https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/**].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement.
Arnside & Silverdale National Landscape	2.10 - suggest removal of 'modern interpretation'. A pastiche extension, subservient to the parent building can often be more appropriate than something that fits within the very wide definition of 'modern interpretation'. With current architectural trends, a modern interpretation tends to involve a lot of glass, steel and non-native timber cladding.	Noted. Reference to 'modern interpretation' deleted. Change: In bullet list under heading 'Identity: what we don't want to see', amend fourth bullet point: **Generic m**~~M~~ock-historic extensions or **generic** mock-historic details~~ rather than a modern interpretation of the place~~.
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: Add new paragraph below paragraph 2.16 and subsequent illustration: **2.17 Flat roofs can be appropriate if part of a cohesive design. However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**
Arnside & Silverdale National Landscape	Support HE 3.5 regarding dormers. Would suggest a code regarding Juliet balconies on extensions. They do not fit within the accepted domestic vernacular and are often combined with dormers, particularly on mid-century bungalows.	Noted. A code for Juliet balconies is very specific, reference to role of Juliet balconies added to supporting guidance accordingly. Change: Add new paragraph below paragraph 2.26 and subsequent illustrations: **2.27 The proportions and sizes of openings on traditional budlings, particularly vernacular buildings, can often mean that the addition of Juliet balconies or similar in alterations and extensions will harm the character of the building or street. Unless the building's design already has tall openings to upper levels, Juliet balconies or similar will always read as alien features.**

Consultee	Comment	Council Response and Proposed Change
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Changes: Modify paragraph 2:22: 2.22 **The use of b**~~B~~uilding materials such as interlocking concrete tiles, plastic, composite or artificial tiles, which are limited to a single size, should be ~~avoided~~ **minimised**. These materials lack the variation and character found in local buildings. For bulleted list under paragraph 2.54, modify the fourth bullet point: • ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact.
Westmorland and Furness Council	Delete illustration showing 2 metre set back from the boundary of the site	Illustration/image removed accordingly and accompanying caption. Change: Remove second image and accompanying caption on page 32: ~~[Image depicting 2m set back from site boundary]~~ ~~Regardless of the type of house and its size, and the size of the extension, there should be a 2m set back from the boundary of the site, especially if it adjoins another house or garden.~~
Westmorland and Furness Council	Amend Code HE 2.12 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code HE 2.12, modify relevant policies: (Barrow: **C7,** DS5, I4, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 2.66: **2.67 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	In Lighting: 'what we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend Code HE 3.4, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code HE 3.4, modify relevant policies: (Barrow: DS5, H7, H24, I6, ~~*BP2, HC4*~~; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)

Consultee	Comment	Council Response and Proposed Change
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Noted. Text amended accordingly. Change: Modify part (a) of code HE 4.1 Existing Trees, Woodlands, and Hedgerows: a) retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to HE 4.1	Additional text added accordingly. Change: For code HE 4.1 Existing Trees, Woodlands, and Hedgerows, modify item (b): b) Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network.
Westmorland and Furness Council	There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows the end of part (b) of code HE 4.1 Existing Trees, Woodlands, and Hedgerows: b) include a variety of native tree and scrub species of UK provenance and grassland species of local provenance in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code HE 4.1 South Lakeland Local Plan policy DM2 supporting	Policy added to code. Change: For code HE 4.1, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, *AS04, AS08, CS8.1, CS8.2,* ***DM2****, DM4*)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 4.2 accordingly. Change: Amend paragraph 4.2: 4.2 Proposals should prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions.
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 4.5. Change: Under paragraph 4.4 add new paragraph: **4.5 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here on how to garden for red squirrels www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden (note the document is being currently revised).**

Consultee	Comment	Council Response and Proposed Change
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly. Change: Below paragraph 4.5, add additional paragraph: **4.6 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**
Westmorland and Furness Council	Add wording to Planting Design, expanding on what a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 4.7 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Change: For bulleted list under paragraph 4.7, add final bullet point: • **Consider space for composting as a source of organic material for planted areas.**
Westmorland and Furness Council	When considering the creation of wildflower meadows you should make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting they only list species of special concern under IASEPO 2019 and pointed them at Schedule 9 Part II of WCA too. The link here doesn't include Schedule 9 species. The use of invasive non-native plant species as identified in government guidance: https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Additional text added accordingly. Change: For the bulleted list under 'Trees, Trees, Hedgerows and Planting: what we don't want to see', add a new fifth bullet point: • **The use of invasive non-native plant species as identified in government guidance [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly. Change: For the bulleted list under 'Trees, Hedgerows and Planting: what we don't want to see', add a sixth bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf**

Consultee	Comment	Council Response and Proposed Change
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made. Change: After bullet point list at 'Trees, Hedgerows and Planting: what we don't want to see', create new section with new subsequent paragraph: Biodiversity: **4.8 A swift brick or universal nest brick is to be integrated into each altered/extended building. In addition, an integrated bat brick or tile should be installed in each altered building. If integrated bricks are not possible, a bat and a swift box should be installed within the application site. All bird boxes/bricks should be sited at an appropriate height for the target species and on a north or east aspect. Bat boxes, tiles and bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All tiles, boxes and bricks should be located away from artificial lighting and where possible siting above windows and doors is to be avoided. All bat and bird features should be placed where there is unimpeded access for the target species. All external boxes should be long-life boxes made from materials such as woodcrete.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made accordingly. After bullet point list at 'Trees, Hedgerows and Planting: what we don't want to see', create new section with new subsequent paragraph: Biodiversity: **4.8 A swift brick or universal nest brick is to be integrated into each altered/extended building. In addition, an integrated bat brick or tile should be installed in each altered building. If integrated bricks are not possible, a bat and a swift box should be installed within the application site. All bird boxes/bricks should be sited at an appropriate height for the target species and on a north or east aspect. Bat boxes, tiles and bricks should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All tiles, boxes and bricks should be located away from artificial lighting and where possible siting above windows and doors is to be avoided. All bat and bird features should be placed where there is unimpeded access for the target species. All external boxes should be long-life boxes made from materials such as woodcrete.**

Consultee	Comment	Council Response and Proposed Change
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added accordingly. Change: Add new paragraph: **4.9 If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Arnside & Silverdale National Landscape	2.13 diagrams are very useful - would like to see more across the code. (images) images have been reused from other chapters. Would be useful to show examples of good quality extensions/alterations. 2.49 - Timber and composite panels are not preferable to stone/brick and very rarely contribute positively to an areas distinctiveness in the context of W&F. Also, would challenge the sustainability benefits of timber cladding in 2.52 compared with stone due to significantly reduced lifespan. The timber used is almost entirely non-native softwoods and often imported. The image caption states 'local stone might have been hard or impossible to obtain'. this is misleading and I would assume the material choice is based on cost rather than availability (timber is far cheaper than stone and labour costs in the build are far less)	Noted. Noted. The timber cladding image used is in a stone street and visually works well with the slate roof.

14 Other Development

Proposed amendments shown in **bold** text

Deletions shown as ~~strikethrough~~

Consultee	Comment	Council Response and Proposed Changes
Arnside & Silverdale National Landscape	p5 - same as before, use Arnside & Silverdale National Landscape DPD to be clear its for the designation and not just Arnside & Silverdale villages.	Noted. Added reference to National Landscape (AONB) accordingly. Change: Text modified in the bulleted list under 'Design Code for Other Development', modify the final bullet point: Arnside & Silverdale **National Landscape (AONB)** DPD AS08
Arnside & Silverdale National Landscape	(General comment) no examples are given as to what 'other' development may entail. Unsure as to why it has been included as appears to replicate the generic sections from other chapters with little context.	Comment noted. Page 5 identifies the types of development that the code can be applied to, this has been expanded, though it is not an exhaustive list. Change: On page 5 amend and add additional text accordingly: First paragraph: Examples might include **education facilities, health facilities, community facilities such as halls and centres, indoor leisure facilities and hotels.** ~~education campus development and other community infrastructure.~~

Consultee	Comment	Council Response and Proposed Changes
Arnside & Silverdale National Landscape	GHS 1.2 would like to see an addition that ensures that poor quality design within the local surroundings to the development is not used as justification for further poor quality design. wording needs consideration but would like to see measures to avoid replication of design that already causes a negative visual impact or a significant detraction from the local vernacular. i.e just because the building next door is ugly shouldn't justify another ugly building. This is a particular issue when generic contemporary design gains precedence in a small area.	Noted. Additional wording added to take account of points raised. Change: For the bulleted steps listed with headings under paragraph 1.2, amend the bullet point under 'Surroundings' as follows: This is the local area surrounding a site - comprising the spaces, buildings, landscape, townscape, views and features that are specific to the surroundings of the application site. The extent of the surroundings depends on how large the site is and where it sits in the landscape and townscape. This will vary on a case-by-case basis, depending on how far-reaching the potential interactions between the proposed development and the landscape may be. **The design quality of the surroundings will vary. Where the surroundings or aspects of the surroundings exhibit poor design quality or lack local distinctiveness, these should not be replicated or incorporated into the design of new development.** The applicant must build up their own understanding of the surroundings with the help of this design code.
Westmorland and Furness Council	Add to Code OD 1.1 Barrow Local Plan Policies DS5, DS6, GI1 supporting	Policies added to Code. Change: For code OD 1.1, modify relevant policies: (Barrow: N1, *DS2,* ***DS5, DS6, GI1***); Eden: DEV5, ENV2; South Lakeland: DM1, *AS02, CS8.2, DM2*)
Arnside & Silverdale National Landscape	1.7 specify Arnside & Silverdale National Landscape to make it clear that it refers to the designation and not just the vilalges of Arnside & Silverdale. likely need to do the same with North Pennines as the area conventionally known as the 'North Pennies' extends beyond the designation boundary. (page 10) ideally need an image to show the Morecambe Bay Limestones/South Cumbria Low fells. (NCA 20). The Morecambe Bay Limestones have a distinct character compared with the other images shown.	Noted. Reference added to 'National Landscape' accordingly. Change: In paragraph 1.7, modify wording of the first sentence: 1.7 If the site is within ~~one of the National Landscapes or its setting~~ **the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings**, the applicant should review the Arnside and Silverdale **National Landscape** Management Plan or the North Pennines **National Landscape** Management Plan.
Westmorland and Furness Council	The North Pennines NL has a design guide that will become part of the management plan. The code needs to reference this.	Reference to The North Pennines NL design guide has been added. Change: Amend paragraph 1.7 as follows: . 1.7 If the site is within one of the National Landscapes or its setting the Arnside and Silverdale National Landscape or North Pennines National Landscape or their settings, the applicant should review the Arnside and Silverdale National Landscape Management Plan or the North Pennines National Landscape Management Plan. **Proposals within the North Pennines National Landscape must also review and take into account the North Pennines AONB Building Design Guide [https://northpennines.org.uk/publications/].**
Westmorland and Furness Council	Add to Code OD 1.2 Barrow Local Plan Policy N1 supporting and South Lakeland Local Plan Policy AS08 supporting	Policies added to Code. Change: For code OD 1.2, modify relevant policies: (Barrow: DS5, *DS6, GI1,* ***N1***; Eden: DEV5, ENV2, ENV3, LS1; South Lakeland: AS01, AS02, CS1.1, DM1, ***AS08,*** *CS8.10, DM2*)
Westmorland and Furness Council	Potential noise sources or anything that could impact noise or air quality should be addressed, as these could act as possible constraints to the type and location of development.	Reference to nearby sources or potential sources of noise and air pollution needing to be identified has been added to the guidance. Change: Modify paragraph 1.11 as follows: 1.11 The level of detail of contextual analysis should correspond to the scale and impact of the proposed development. Applicants must include an appraisal of the local context, addressing landscape setting, local tranquillity, views, and vistas. **Nearby sources or potential sources of noise or air pollution should also be identified.** This should guide the integration of the development within its townscape and landscape setting, focusing on careful siting, design, and impact mitigation.

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Design Code needs to acknowledge that careful consideration must be given to the potential effect development may have on levels of existing amenity, thinking of example large scale business development next to housing and how this may affect residential amenity.	Additional commentary added regarding need to consider effects of development on existing amenity levels. Change: Modify paragraph 1.12 as follows: 1.12 Including a contextual analysis and site study in the Design and Access Statement is recommended to demonstrate how proposals consider the broader landscape. Pay particular attention to how the development will maintain or enhance its surroundings, ensuring a harmonious transition at the boundaries. This transition should reflect local character and materials, enhance the sense of place and respond positively to site opportunities. **Careful consideration must be given to the potential impact that proposals may have on existing amenity levels of surrounding uses, for example impact on residential privacy and security.**
Westmorland and Furness Council	Add to Code OD 1.3 Barrow Local Plan Policy GI1 supporting, South Lakeland Local Plan Policy AS08 supporting (not key/requirement)	Policies added and amended to Code. Change: For code OD 1.3, modify relevant policies: (Barrow: DS5, H7, N1, ***GI1***; Eden: DEV5, ENV1, ENV3, ENV10, RUR3; South Lakeland: AS02,~~ AS08,~~ CS1.1, DM1, DM3, ***AS08,*** *CS8.6, CS8.10, DM2*)
Westmorland and Furness Council	Need to mention land contamination or contaminative uses, only passing reference to air quality or odour, even though the business may be responsible for odour or air pollutants	Additional text added reference to 'odour' accordingly. Change: Modify the first sentence of paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, **odour** and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments.
Westmorland and Furness Council	The Site analysis section considers how the applicant should demonstrate what measures have been taken to enhance the health and wellbeing of residents in new developments. Noise is mentioned, but only as it relates to internal sound transmission from one room within the property to another. This is not the UK approach; ProPG PLanning and Noise. ProPG Institute of Acoustics requires the site to be assessed for noise, the design of the scheme needs to be based on the constraints of the ambient noise environment. Noise needs to be considered at the outset before any design is drawn up.	Additional text added reference to considering ambient noise environment, measures to reduce impact of noise sources. Change: Amend paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. **Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources.**
Westmorland and Furness Council	Although noise, pollution, vibration and light are mentioned in the context of care being taken to manage these impacts, there are specific British Standards that relate to noise and vibration. We expect business developers to meet national standards, and to employ the relevant experts to do this work	Additional text added reference to national standards on noise and vibration needing to be adhered to. Change: Amend paragraph 1.17 as follows: 1.17 The study should assess existing structures and services to promote cohesive integration, understand the impacts of air quality, lighting levels, odour and noise to mitigate disturbances and the uses of adjoining land and sites for future occupants, and retain, protect and enhance key landscape and ecological features such as trees, woodlands, and boundary treatments. Site analysis should establish the ambient noise environment, and this must be considered to determine the layout and design of development as well as measures that may be required to reduce impact of noise sources. **National standards on noise and vibration must be adhered to and advice sought from relevant experts.**

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Land contamination or potential contaminative uses needs referencing as a factor to consider that may affect design. There are liability issues, cost and risk management concerns for not getting development on such land done correctly, and whilst contaminated land can provide opportunities for redevelopment, this needs to be at the centre of both the planning and developer's decision making. See relevant paragraphs in the NPPF, Volume 2 Annex 3 of Guidance for the safe development of housing on land affected by contamination published by the EA, NHBC, and CIEH etc.	Reference to the need to factor in potential land contamination or potential contaminative uses and cross reference to Council guidance on this matter has been added. Change: Add new paragraph after paragraph 1.17: **1.18 Land Contamination and/or potential contaminative uses may also be a factor to consider. For further guidance on how to consider potential contamination visit the website www.westmorlandandfurness.gov.uk/your-environment/pollution/contaminated-land-and-agricultural-building-conversions.**
United Utilities	When identifying the need to understand water and wastewater assets within a site, we recommend the following additional paragraph in the various elements of the design code: *The layout of a site must integrate, and maintain access to, existing and proposed utility services. Proposals, including landscaping and changes in levels, must not adversely affect the operation of existing utility services or the ability to access, maintain and repair existing utility services. Importantly applicants should not assume that assets can be diverted when preparing a site layout or that levels on top of utility assets can be changed without prior agreement with the relevant utility provider. Infrastructure constraints must be well understood prior to commencing the design process as they can compromise the deliverability of development and increase costs.*	Comments noted. The Design Code does not include specific coding relating to United Utilities Infrastructure. United Utilities has the opportunity to comment / provide guidance relating to specific proposals, as part of the planning application process. Additional text has been added to refer to the fact that prior agreement with the relevant utility provider will be required. Change: Amend paragraph as follows: 1.21 Existing utility infrastructure can be a key determinant of site design. It is important for water and wastewater assets to be fully considered in development proposals at an early stage. United Utilities or Northumbrian Water will not permit development over or in close proximity to water and wastewater assets. Changes in ground level in the vicinity of water and wastewater assets or changes to the public sewer, including diversion, **would need prior agreement with the relevant utility provider. Such proposals** may not be acceptable as ~~such proposals~~ **they** can:
Westmorland and Furness Council	Add to Code OD 1.4, Barrow Local Plan policies HE2 and N3 requirements, and Eden Local Plan policy DEV5 supporting	Policies added to code. Change: For code OD 1.4, modify relevant policies: (Barrow: DS5, **HE2,** N1**, N3**; Eden: ENV1, ENV3, ENV10, ***DEV5,*** *ENV2*; South Lakeland: AS01, DM1, *CS8.6*)
Westmorland and Furness Council	Add to Code OD 1.5 Barrow Local Plan policies HE3, HE6 requirements	Policies added to code. Change: For code OD 1.5, modify relevant policies: (Barrow: DS5, HE2, **HE3,** HE4, **HE6,** H7, N1, *DS2*; Eden: DEV5, ENV3, ENV10; South Lakeland: AS08, CS1.1, DM1, DM3, *AS07, CS8.2, CS8.6, DM2*)
Historic England	Step 4 – Historic Assessment. We fully support any requirement for new development to respond to historic environment context, where applicable, and to incorporate a detailed assessment of this context. We support the link to our Advice Note 12 Statements of Heritage Significance: Analysing Significance in Heritage Assets guidance. Please ensure our Good Practice Advice in Planning 3 The Setting of Heritage Assets is referenced. If Step 4 is solely about the historic environment context, it may be better renamed to Historic Environment Assessment or Heritage Impact Assessment. The text should also make it clear that the setting of designated heritage assets outside the boundary of the Code Area, i.e. in the NPs, would require inclusion in Step 4.	Overall support noted. Reference added to relevant good practice advice notes accordingly. Change: Modify paragraph 1.31: 1.31 The Heritage Statement must clearly demonstrate an understanding of the significance and setting of any heritage assets affected by the proposal. Potential impacts (both direct and indirect) on that significance must then be reviewed and levels of potential harm evaluated. **Historic England's Good Practice Advice in Planning Note 3, The Setting of Heritage Assets provides advice on understanding setting and its contribution to heritage significance [https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/].** Historic England Advice Note 12: Statements of Heritage Significance sets out what to include in a Heritage Statement

Consultee	Comment	Council Response and Proposed Changes
Individual	2.7 Disagree on requirement not to use uPVC for windows etc. These are what most homebuyers want for low maintenance reasons. If WFAC are intent on this will they also be banning existing homeowners in conservation areas from using them? The photo below also says artificial stone cills etc and cement render should not be used as they have short lifespans. I Disagree on this assumption which is not evidenced in any way. Also no suggestion of what should be used instead. if you are suggesting lime based render as an alternative ? This is totally impractical at scale (lack of specialist contractors, can only be applied outside winter seasons, extremely costly impacting on viability) 2.8 - local materials. locally quarried slate roofing- only one supplier who will then have a monopoly on the market and may not be able to meet demand. Local slate is extremely costly and will impact negatively on viability of schemes resulting in significant reduction in the number of affordable homes being provided both by S106 and bye RP's on exception sites Natural lime renders and mortars- see my comment in 2.7 above 2.22 all houses to have Heat Pumps - national policy recognises that this is not always possible - usually due to insufficient local capacity in the local electric grid- there this policy should not seek to go beyond national planning policy and Building regulations	Comments noted. The code encourages the consideration of the use of 'sustainable construction materials', and discourages the use of materials with short life spans from none local sources. Paragraph 2.8 specifies uPVC should be minimised. not avoided, highlighting it's disadvantaged from a energy/resource perspective. For consistency paragraph 6.31 also amended reference to minimising uPVC rather than avoiding, along with minimising use of prefrabricated building materials – paragraph 2.8. Text amended to recognise that renewable energy incorporation may not always be possible. Changes: For bulleted list under paragraph 2.8, modify the fourth bullet point: • ~~Avoid~~ **Minimise** the use of prefabricated building materials that can generally not be repaired and have a fixed lifespan, requiring more material to be brought in for replacement. 2.22 **Where possible,** ~~A~~**a**ll development must incorporate renewable energy measures that are sensitive to the local area and character. Modify paragraph 6.20: 6.20 **The use of b**~~B~~uilding materials such as interlocking concrete tiles, plastic, composite or artificial tiles, which are limited to a single size, should be ~~avoided~~ **minimised**. These materials lack the variation and character found in local buildings. For bulleted list under paragraph 6.31, modify the sixth bullet point: • ~~Avoid~~ **Minimise the use of** materials like concrete, uPVC, and artificial stone due to their high energy consumption, water usage, and environmental impact.
Westmorland and Furness Council	All development must contribute towards a reduction in flood risk and the potential impacts of flooding by a) avoiding built development and land raising in areas at risk of flooding from all sources; b. addressing all flood risks, including but not limited to river, coastal, surface water, and groundwater flooding; c. addressing the potential impacts of flooding and integrate SuDS, permeable surfaces and other water management solutions to mitigate these risks, and d. incorporating flood resilience measures. Note this suggested addition and change to the order prioritises avoidance of flood risk over resilience to flood risk. Important to reference all sources of flooding including surface water and other more common sources of flooding.	Additional text added to Code OD 2.2 accordingly. Changes: For code OD 2.2 Flood Risk, modify as follows: CODE OD 2.2 Flood Risk: All development must contribute towards a reduction in flood risk and the potential impacts of flooding by: a) ~~incorporating flood resilience measures~~ a**voiding built development and land raising in areas at risk of flooding from all sources**; b) addressing all flood risks, including but not limited to **river (fluvial),** coastal**, surface water** and groundwater flooding; ~~and~~ c) addressing the potential impacts of flooding and integrate SuDS, permeable surfaces, and other water management solutions to mitigate these risks**; and** d) **incorporating flood resilience measures.**
Westmorland and Furness Council	Need to require an explanation from the applicant about why they can't meet stages 1-4, rather than just the last stage. Also need to revise the wording of the hierarchy list in line with national planning practice guidance.	Amendments made to surface water discharge hierarchy in line with national standards for sustainable drainage (July 2025). Change: Modify paragraph 2.10: 2.10 SuDS must allow surface water to be discharged according to the following hierarchy~~:~~**. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.** For the bulleted list following paragraph 2.10, amend the bullet points as follows: • Priority 3: Discharge to a**n above ground** surface water body (e.g., basin or watercourse). • Priority 4: Discharge to a ~~public~~ surface water sewer or ~~equivalent~~ **another piped surface water drainage** system. • Priority 5: As a last resort, discharge to a public combined sewer~~, with clear justification provided~~.

Consultee	Comment	Council Response and Proposed Changes
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	The supporting text to this Code is written in the form of a Policy and is too prescriptive for an SPD. The supporting text states at paragraph 2.10: "SuDS must allow for surface water to be discharged according to the following hierarchy…" The wording of this paragraph requires amending so that it adequately reflects the Planning Practice Guidance which has a "preference" for solutions that allow surface water to be discharged according to the hierarchy of drainage options.	Amendments made to surface water discharge hierarchy in line with national planning practice/national standards for sustainable drainage (July 2025) – reference to 'shall' rather than 'must'. Change: Modify paragraph 2.10: 2.10 SuDS ~~must~~ **shall** allow surface water to be discharged according to the following hierarchy. Proposals are to employ lower priorities only where the first and preceding priorities cannot be implemented. In each case, clear justification must be provided to explain why each non-implemented priority cannot be implemented.
Westmorland and Furness Council	Amend policy reference in code OD 2.3 South Lakeland Local Plan policy DM6 should be a requirement/key policy and AS12 supporting	Policies added to code. Change: For code OD 2.3, modify relevant policies: (Barrow: C1, C3a, DS5, DS6, H7, *DS2*; Eden: DEV2, *ENV5*; South Lakeland: CS1.1, CS8.8, DM1, **DM6,** ~~*DM6,*~~ ***AS12***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Need to add additional point that existing wetland features in development sites such as watercourses should be enhanced for flood risk and nature, including by deculverting. To note culverted watercourses are the most common cause of flooding investigates by the Local Lead Flood Authority so it is a priority to deculvert where opportunity afforded by development arises.	Text added accordingly. Change: Add new paragraph under paragraph 2.13: **2.14 Where possible, the opportunity should be taken to enhance watercourses, wetland features and SuDS components for both flood risk and nature. Examples of such enhancements include de-culverting of watercourses and increasing the capacity of wetlands or SuDS components**
Westmorland and Furness Council	Add to code OD 2.4 Eden Local Plan policy ENV5 supporting and delete policy ENV4, and add South Lakeland Local Plan policy DM4 supporting.	Policy amendments and additions to code. Change: For code OD 2.4, modify relevant policies: (Barrow: C5, DS5, DS6; Eden: DEV5, ~~ENV4,~~ ***ENV5***; South Lakeland: CS1.1, DM1, *DM2,* ***DM4***; National Standard for Sustainable Drainage Systems)
Westmorland and Furness Council	Add to code OD 2.6 Barrow Local Plan policy H7 supporting and South Lakeland Local Plan policy DM2 supporting	Policies added to code. Change: For code OD 2.6, modify relevant policies: (Barrow: C5, DS5, *BP2, BP5,* ***H7***; Eden: DEV5, *ENV5*; South Lakeland: CS1.1, CS8.7, ***DM2***)
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 2.6 Energy Efficiency The supporting text to this Code is also written in the form of a Policy and is too prescriptive for an SPD. The Consortium objects to the inclusion of strict requirements in respect of solar panels at paragraph 2.21. The paragraph stipulates 8 design/layout requirements which is clearly excessive for the placement of solar panels and notes that one of these stipulates that the panels should be laid in a symmetrical pattern. This fails to acknowledge the plot-by-plot considerations when proposing solar panels, such as layout, angle and direction towards the sun.	Noted. Reference to requiring symmetry deleted. Change: For bulleted list under 'Solar', remove the fourth sub-bullet to the third bullet point: ~~Symmetry - panels should be laid in a symmetrical pattern. Aerials and flues (and therefore related internal piping) should be located so as to not obstruct a symmetrical solar installation.~~

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Require additional mention about the correct siting of Air Source Heat Pumps so that they do not cause a problem to neighbouring dwellings, and a recognition that the Council may require a noise assessment to be undertaken to consider siting of them. Similarly ground source heat pumps and biomass can be both noisy and may need to be thoughtfully located with regard to neighbouring amenity.	Additional text added regarding need to consider residential amenity when deciding where to site air and ground source heat pumps as well as the potential need for noise assessments to consider their possible impacts. Change: Amend paragraph 2.24 as follows: 2.24 Ground source heat pumps use pipes that are buried underground to extract heat from the ground. **Residential amenity should be carefully considered in determining siting of air and ground source heat pumps. Noise assessments may be required.** Additional wording added to recognise that residential amenity needs to be considered when determining siting of biomass boilers and that noise assessments may be required. Add new paragraph following paragraph 2.27: **2.28 Residential amenity should be carefully considered in determining siting of biomass boilers. Noise assessments may be required.**
Westmorland and Furness Council	Need additional wording added to recognises that gullies and tank systems do not provide the multifunctional benefits of SuDS such as enhancing habitats and biodiversity and that below ground systems need consideration at the design stage of how they will be protected from construction impacts.	Additional text added accordingly. Change: For bulleted list under 'Climate: what we don't want to see', add sixth bullet point: **Development which fails to provide a holistic and adequately coordinated system for runoff management. For example, gullies and tank systems do not provide the multifunctional benefits of SuDS, such as enhancing habitats and biodiversity. In addition, below-ground systems will require consideration at the design stage of how they will be protected from construction impacts.**

Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Code GHL 3.1 Green and Blue Infrastructure The Code states that new development must adopt a landscape-first approach to green and blue infrastructure with one of the stipulations being that developments must adopt several different types of interlinked Green and Blue Infrastructure, so that the network is multifunctional. The Consortium consider the wording of this Policy to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Local Plans. For example, the South Lakeland Policy CS8.1 is worded in a way that suggests the authority will seek to secure Green Infrastructure in new developments, rather than a requirement that developers must provide green and blue infrastructure on every site, as the SPD currently states. Eden Policy ENV4 and Barrow Policy GI1 also state that developments will be supported where they protect and enhance existing green infrastructure, which is a very different policy test to the one included within the Code. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs. It is important that the phraseology of Code GHL 3.1 is amended to reflect the adopted Policies and does not stipulate that all development provides interlinked green and blue infrastructure. The number of Policies listed at the end of the Code policy has increased from the previous Working Draft version. As noted previously, the Consortium request that further evidence is required to explain how the policies are of relevance, whether they remain up to date and if they are fit to support the specific coding or general guidance. It is now suggested that there are 17 legacy Local Plan policies applicable to Code GHL 3.1, which will only cause confusion when trying to decipher the Design Code. It is the Consortium's view that each Code should only be linked to Policies from the Legacy Local Plans which are directly relevant and that there should be a sentence added to clarify why these policies are applicable and in conformity. CODE GHL 3.4 Biodiversity Protection The Code states that all proposals must identify and consider priority habitats and species within and in the immediate surroundings of the site. Where priority habitats and species are identified "the proposal must include measures to conserve these habitats and species" and "the proposal must enhance these habitats". The Consortium considers the wording of this Code to be too prescriptive and seeks to secure new requirements that are not part of the adopted Legacy Plans. For example, Barrow Policy N3 refers to instances where significant harm to biodiversity could be "adequately mitigated, or as a last resort, compensated for". The Policy further states that up-to-date surveys should accompany any planning application "to ensure that the proposal is sympathetic to the ecological interests of the site". This Policy correctly acknowledges that there are instances where impacting priority habitats is unavoidable; such as when achieving safe access arrangements and suitable visibility splays on greenfield sites with an existing hedgerow boundary. It is clear that the adopted Policy in this instance allows for mitigation or compensatory measures in certain circumstances. This approach must be reflected within Code GHL 3.4 to ensure the Code does not unnecessarily prevent development from coming forward. The relevant Policies of the adopted Eden Local Plan are listed as ENV1 and DEV5. Neither Policy references protected species or habitats, with Policy ENV1 being relevant to development effecting ecological designations (RAMSAR, LNR, SSSI etc) and Policy DEV5 being relevant to design matters. As referenced in respect of Code GHL3.1, the relevance and appropriateness of each of the cross-referenced adopted Policy needs to be explained within the Code. The policies within the legacy Local Plans do not unilaterally protect priority habitats and species and instead refer to mitigation measures or weighing harm in the balance. The Code is therefore not in conformity with the legacy plans, introduces new requirements, and therefore doesn't comply with either the 2012 Regulations or the PPG in respect of the role of SPDs.	The Code is not requiring all new development to include green and blue infrastructure. It is specifying in line with current Local Plan policies that new developments should retain and incorporate green infrastructure where they exist, integrate new and existing green and blue infrastructure where proposed and link new and existing green and blue infrastructure where exists/proposed so it is connected and multi-functional in line with current Local Plan policies. It is acknowledged that it may not always be achievable and practicable to retain and link green and blue infrastructure in all circumstances and therefore the code has been altered to say 'where possible'.... Change: For code OD 3.1 Green and Blue Infrastructure, modify wording of point (b) and (c) b) **where possible,** integrating new and existing Green and Blue Infrastructure on the site with the wider Green and Blue Infrastructure network in the surroundings of the site; and c) **where possible,** using several different types of interlinked Green and Blue Infrastructure so that the network is multifunctional. Noted. As a principle all proposals should seek to conserve habitats and species in the first instance, but where it is demonstrated this can't be achieved or practicable then mitigation and lastly compensation may be considered appropriate. Change made to the code wording accordingly. Change: For code OD 3.4 Biodiversity Protection, append wording to point (b): b) the proposal must enhance these habitats, for example, by restoring degraded areas, expanding existing habitats, or creating new habitat features that contribute to the ecological network. **Where measures to conserve and enhance cannot be achieved then mitigation and lastly compensation may be considered appropriate.**

Consultee	Comment	Council Response and Proposed Changes
	Code GHL 3.5 Biodiversity Net Gain The Code requires all new developments must achieve a minimum of 10% Biodiversity Net Gain. This should be amended to include an additional reference to any successor standard.	Noted. Change made to acknowledge that requirements should be in line with current national and local standards as these may change over the lifespan of the Code being in place. Change: CODE OD 3.5 Biodiversity Net Gain: All new developments must achieve ~~a minimum of 10%~~ Biodiversity Net Gain (BNG) **in line with current national policies and any local standards, unless exempt**.
Westmorland and Furness Council	Add in reference to verges to say where possible verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type and received limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.	Additional text added accordingly. Change: For bulleted list under paragraph 3.2, add a seventh bullet point: **Verges: Where possible, verges should be created and managed as semi-natural grassland, sown with a native species mix suitable for the underlying soil type. Verges should receive limited cuts a year to allow wildflowers to set seed with arisings and invasive species removed.**
Westmorland and Furness Council	Code OD 3.2 needs to include a reference to 'nature' rich rather than 'biodiversity' rich landscapes to bring into line with the guidance paragraph surrounding it which defines the term "nature-rich landscapes" instead of "biodiversity-rich landscapes", the definition in the guidance needs to be consistent with the code and "nature" is a better term to use because "biodiversity" has a more restricted meaning. In the associated guidance, Natural watercourses should be explicitly listed in the Key Considerations for Integrating Nature guidance below the code. " Listing "natural watercourses" in the guidance will support the Council's work to reduce flood risk by promoting deculverting and renaturalisation of watercourses and will help to conserve habitats and species that depend directly on water.	Amendment made to the Code to include reference to 'nature' rich landscapes, and additional text added to guidance to refer to natural watercourses and opportunities to de-culvert them to help integrate in nature. Change: For code OD 3.2 Open Space, modify wording: CODE OD 3.2 Open Space: The public realm within new housing development must incorporate nature through the strategic retention and planting of trees, native species, and ~~biodiversity~~ **nature**-rich landscapes, proportionate to the scale and context of the development, and deliver good quality open space. For bullet list under code OD 3.2 Open Space, add second bullet point: **Natural watercourses: Where applicable, natural watercourses should be addressed by proposals to reduce flood risk through de-culverting and re-naturalisation of watercourses.**
Westmorland and Furness Council	Add to Code OD 3:2 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code OD 3.2, modify relevant policies: (Barrow: BP13, DS5, GI3, GI4, N4, *GI1*; Eden: DEV5, ENV1, ENV4, *ENV2*; South Lakeland: DM1, DM4, ***AS04, CS8.1, CS8.4, DM2***)
Westmorland and Furness Council	In section 3.8 and Code OD 3.6 add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable.	Wording in section 3.8 and Code 3.6 amended and added accordingly. Changes: For bullet list under code OD 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including ~~native~~ trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. **Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable.** For code OD 3.6 Existing Trees, Woodlands, and Hedgerows, modify item (b): b) Include a variety of native **tree and scrub** species **of UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network.

Consultee	Comment	Council Response and Proposed Changes
Arnside & Silverdale National Landscape	3.8 - Consideration needs to be given to INNS introduction risk from landscaping and plant choice. UK native species should be preferentially used in landscaping, although mentioned this could be given greater emphasis. Mistakes made in urban landscaping (such as the frequent use of cotoneaster) has caused significant impacts to wider biodiversity. (noted that it is mentioned later on page 62 but could be given more emphasis earlier in the document)	Noted. Add additional wording in Paragraph 3.8 accordingly. Change: For bullet list under code OD 3.2 Open Space, modify first bullet point: • Nature-Rich Landscapes: Design public spaces with diverse planting schemes, including trees, wildflower meadows, and wetland areas. This supports local wildlife and enhances biodiversity. Native tree and scrub species of UK provenance are preferable. Grassland species of local provenance are preferable. **Invasive non-native species must be avoided, as their introduction, even within manicured landscaping, can pose ecological risk.**
Westmorland and Furness Council	When considering the creation of wildflower meadows, need to make a distinction between those created for high amenity value in the built environment which may include a wider range of UK native species, whilst larger scale wildflower meadows and those well connected to the wider countryside should consist only of locally native species ideally of local provenance suited to the underlying soil nutrient levels and chemistry. As many commercially available native wildflower mixes contain species less suitable for creating stepping stone grassland reducing the resilience and functioning of the intended wildlife corridor. In 'what we don't want to see" list for planting need to include reference to Schedule 9 Part II of the Wildlife and Countryside Act 1981 as amended as well as government guidance on invasive non-native alien plant species : https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales	Text added below Code OD 3.2 reference to supporting new planting species that promotes local species of local provenance in locations at the edge of settlements and open countryside. Change: For bullet list under code OD 3.2 Open Space, added new bullet point between Wildlife Connectivity and Community Engagement: • **On settlement edges, new planting schemes should provide a suitable ecological 'stepping stone' to the adjacent countryside by using only locally native species of local provenance.** Text amended in section on street trees, trees and hedgerows and planting : what we don't want to see accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', text modified in the sixth bullet point: • The use of invasive non-native plant species as identified in government guidance~~:~~ [https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales] **on invasive non-native alien plant species or in Schedule 9 of the Wildlife and Countryside Act 1981 [https://www.legislation.gov.uk/ukpga/1981/69/schedule/9], as amended.**
Westmorland and Furness Council	Need to add text "there will be a presumption of public access into and through developed sites unless there are overriding reasons to prevent access" into the code. A presumption of public access could greatly enhance the opportunities for active journeys which are often restricted to busy roads outside of towns. Public access to the countryside and through employment sites where appropriate for example would be improved simply by not preventing or discouraging access except for the limited areas where there are overriding reasons to do so e.g. safety or reasonable expectation of privacy associated with (in the CROW Act there are types of land which are excepted from open access rights even when the land is mapped as open access and those same exceptions would be a reasonable starting point to consider whether an area of development should be excluded from public access).	Text added to Code OD 3.3 accordingly. Change: For code OD 3.3 Inclusive Access, modify wording: CODE OD 3.3 Inclusive Access: All new development must enhance or maintain safe, direct, and inclusive access to nature through public realm, open space, or other connections to natural environments. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.**
Westmorland and Furness Council	Add to Code OD 3.3, South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code OD 3.3, modify relevant policies: (Barrow: DS5, I4, *GI1, HC4*; Eden: DEV5, ENV4; South Lakeland: AS05, DM1, ***DM2,*** *DM4, DM5*)
Westmorland and Furness Council	With regard to *Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development,* need to include an example: add text 'The location of new housing should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland'.	Text added to section green and blue infrastructure 'what we don't want to see' accordingly. Change: For bulleted list under 'Green and Blue Infrastructure: what we don't want to see', modify second bullet: Green and Blue Infrastructure, nature networks or natural areas destroyed, harmed, degraded or exposed to additional risk of deterioration by new development. **For example, the location of new development should not result in a significant increase in recreational disturbance to statutorily and non-statutorily designated sites for nature conservation, including ancient woodland.**

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Only mentions priority habitats and species and does not refer to designated sites and protected species too. Designated sites, irreplaceable habitats and protected species should be added. These are all ecological receptors that must be considered for when reviewing planning applications and need to be accounted for as early as possible.	Amendments made to Code OD 3.4 accordingly. Change: For code OD 3.4, modify first paragraph: CODE OD 3.4 Biodiversity Protection: All proposals must identify and consider priority habitats and species**, designated sites, protected species and irreplaceable habitats** within the site and its immediate surroundings. Where ~~priority~~ **such** habitats and species are identified:
Westmorland and Furness Council	Ensure terminology is correct when referring to Local Nature Recovery Strategy and maps. Links to be added to the Strategy accordingly.	Amendments made to paragraphs 3.9-3.14 accordingly. Changes: For paragraphs 3.9 - 3.14, directly following OD 3.4 Biodiversity Protection: 3.9 The Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0] will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. 3.10 ~~Reference the use of the Cumbria Habitat Basemap and Habitat Networks Map [https://cumbria.gov.uk/elibrary/Content/Internet/538/18033/4445310227.pdf]~~ **The Cumbria Local Habitat Map [https://cumbrialnrs.org.uk/local-habitat-map]** ~~as tools~~ **is a tool** to identify and prioritise these habitats. 3.11 The Cumbria LNRS ~~will update the species lists, determine priority species, link these species to habitat management outcomes, and create tailored management plans for particular species needs~~ **includes a Statement of Biodiversity Priorities that is supported by a Priorities and Measure Matrix. It also includes a Shortlist of the LNRS species that will be updated regularly. All three of these resources can be found on this page of the LNRS [https://cumbrialnrs.org.uk/statement-biodiversity-priorities].** 3.12 All new development should align with the objectives outlined in the Cumbria Local Nature Recovery Strategy (LNRS) [https://cumbrialnrs.org.uk/homepage-0]. This includes incorporating design elements that support the restoration, enhancement, and connectivity of habitats and features which help to support populations of priority species, as identified in the LNRS. 3.13 Proposals should include features that contribute to the local ecological network as described in the LNRS. This may involve the creation or enhancement of habitats, green corridors, or other natural features that help achieve the goals of the LNRS. 3.14 Developers should use the ~~Cumbria Biodiversity Data Centre [https://www.cbdc.org.uk/]~~ **Cumbria Statement of Biodiversity Priorities [https://cumbrialnrs.org.uk/statement-biodiversity-priorities]** to access up-to-date information.
Arnside & Silverdale National Landscape	3.10 mention the National landscape Nature Recovery Plans alongside LNRS.	Noted. Additional text added to paragraph 3.9 accordingly. Change: Amend paragraph 3.9 as follows: 3.9 The Cumbria Local Nature Recovery Strategy (LNRS) will map out and list priority habitats and species that need protection and enhancement within the county. This includes habitats and species that are of national importance, as well as those that are locally significant. **The Arnside & Silverdale National Landscape has a Nature Recovery Plan [https://www.arnside-silverdale.org.uk/management/nature-recovery-plan] and the North Pennines National Landscape's Management Plan [https://managementplan.northpennines.org.uk/thematic-plans-guidance/nature-recovery/] includes a section on nature recovery. These resources will be useful references for sites in or affecting the National Landscapes.**

Consultee	Comment	Council Response and Proposed Changes
Kendal Swifts	3.16 Opportunities should be taken to incorporate biodiversity into the fabric of new buildings and structures for example through: • Swift and swallow bricks, which are mortared directly into brick walls. Should be replaced with: 3.16 Biodiversity should be incorporated into the fabric of new buildings and extensions through: Integrating roost and next bricks into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest bricks must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind. For consistency with the Lake District National Park Authority Design Code. Adopted March 2025. For consistency with National Planning Policy Guidance (NPPG) Natural Environment 2025 paragraph 017, where all integrated nest bricks in new build developments are swift bricks because they are a universal nest brick for a range of small bird species.	Noted. Amendments made to paragraph 3.15 accordingly. Changes: Within bulleted list below paragraph 3.15, delete second and third bullet points and add new second bullet point: ~~• Swift and swallow bricks, which are mortared directly into brick walls.~~ ~~• Bat access tiles for roofs, bat bricks and bat cavities for walls.~~ • **For each newly built or altered building within the application site, erect one integrated swift brick or universal nest brick and one integrated bat brick or bat tile. Where this is not possible due to structural limitations, one external bat box and one external swift box should be erected within in the application site. The distribution and location of bat/bird tiles/bricks/boxes must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure, in accordance with British Standard BS 42021:2022. Such bricks and swift boxes are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front, with at least one metre between bricks/boxes. All bird bricks/boxes should be sited with the hole facing between north and east. Bat boxes, bricks and tiles should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird features should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Keswick Swifts	1. We are disappointed to note that there appears to be no statement setting out how good building design can and should incorporate Swift bricks into all new builds, conversions and alterations. Such a development is unequivocally promoted in Measure U7 in the Built Environment section of the recently-adopted Cumbria Local Nature Recovery Strategy: "Safeguard existing nesting, breeding and roosting sites, and **provide mitigation, compensation and enhancement measures wherever possible**, by: **.... Integrating suitable numbers of universal bird bricks, [and] Swift bricks**... **into all new developments** where possible (including extensions and alterations that require planning permission) in accordance with British Standard BS 42021" Swifts are recognised as one of the **Key Species** in the LNRS. 2. The Lake District National Park Authority's Design Code, adopted in September 2023, anticipated this development , and advocates for Swift bricks to be included in all new builds, conversions and alterations. Similar wording is used by them in each relevant section. For example, the Nature / Biodiversity Net Gain section of the chapter on New Homes states: " Integrating roost and next boxes into all types of development including extensions and alterations. These should be sited at the appropriate height and aspect, and be connected to a habitat which allows the target species to successfully establish in. Nest boxes must comply with the relevant British Standard: BS 42021:2022. Swift bricks integrated into the walls are preferable to external boxes as they are a permanent feature of the building, require no maintenance, can be aesthetically integrated with the design and materials of the building, and have better temperature regulation with future climate change in mind." This section is helpfully illustrated with appropriate photos of Swifts and Swift bricks, sourced from the Kendal Swifts and Keswick Swifts community groups. This wording is being held up by the Planning Adviser to the Swifts Local Network as, so far, the best worded Design Code in relation to Swifts. 3. A wide body of sustained community-led actions has resulted, not least in a street near Sedbergh in Cumbria, in significant numbers of Swift bricks and Swift boxes being installed in certain areas. These have shown many times over that, in time, Swifts are likely to start to adopt these artificial nest sites, and a really substantial colony can build up over 20 – 30 years. Such successes help to combat the steady decline in Swift population numbers. The incorporation of Swift bricks in new build developments is now routinely mandated by many councils in England. 4. Many national and local planning policies and strategies now clearly mandate such action: (a) **NPPG 2025 Natural Environment paragraph 017, Reference ID: 8-017-20250609**, states that local authorities should in all cases include one Swift brick per dwelling when giving approval for new developments: https://www.gov.uk/guidance/natural-environment It says: "The use of Swift bricks is particularly important in this context because Swifts rely on urban cavities for nesting, and the national loss of suitable nesting sites through building renovation has been part of the reason for the species' decline. Developments should include integrated nest boxes (commonly known as Swift bricks) where possible, with the general aim across a development of an average minimum of one nest box per unit. Nest boxes can provide important habitat for other species as well as Swifts, such as Starlings and Sparrows. "Specific support for the selection and installation of swift bricks can be found in the British Industry Standard BS 42021:2022 'Integral nest boxes. Selection and specification for new developments'; the Future Homes Hub Homes for Nature Guidance; and the RSPB's Guide to Nestboxes. " Some local planning authorities ask for a greater number of Swift bricks. An example is Brighton & Hove, whose guidance has been implemented in their planning conditions since July 2020. Therefore, requiring a greater number of Swift bricks, in line with Brighton & Hove's guidance, should be considered.	Response noted. These comments align with those of Kendal Swifts, above. Amendments made to paragraph 3.15 accordingly. Change: Within bulleted list below paragraph 3.15, delete second and third bullet points and add new second bullet point: ~~• Swift and swallow bricks, which are mortared directly into brick walls.~~ ~~• Bat access tiles for roofs, bat bricks and bat cavities for walls.~~ • **For each newly built or altered building within the application site, erect one integrated swift brick or universal nest brick and one integrated bat brick or bat tile. Where this is not possible due to structural limitations, one external bat box and one external swift box should be erected within in the application site. The distribution and location of bat/bird tiles/bricks/boxes must be determined by the target species. For example, swift bricks should be incorporated into the buildings' structure, in accordance with British Standard BS 42021:2022. Such bricks and swift boxes are best clustered (as swifts like to nest colonially), at a height of at least 5m, and with at least 5m clearance in front, with at least one metre between bricks/boxes. All bird bricks/boxes should be sited with the hole facing between north and east. Bat boxes, bricks and tiles should be sited on the south, south-east and south-west elevations but sheltered from strong winds at an elevation of at least 4m above the ground. All bat and bird features should be located away from artificial lighting and where possible siting above windows or doors avoided. All bat and bird features should be placed where there is unimpeded access for the target species. Features should only be installed in suitable locations which may mean that some buildings have more than one feature whilst others have none.**

Consultee	Comment	Council Response and Proposed Changes
	(b) The **National Planning Policy Framework** expects development proposals to bolster wildlife by incorporating features which support priority or threatened species such as Swifts, Bats and Hedgehogs. Key people representing Westmorland & Furness Council, such as Cllr Giles Archibald, have often spoken openly and publicly about their support for Swift bricks. We do hope you will be able to rectify this oversight in the next draft of your Design Code.	
Westmorland and Furness Council	There is no code outlining the need to protect protected/priority habitats or species. Protection for habitats and species required. Reason- Bats and birds frequently live in houses. Gardens may contain priority habitats such as traditional orchards	Additional text added to paragraph 3.15 accordingly. Change: For bulleted list after paragraph 3.15, add final bullet point: **If works could impact priority habitat, potential bat roosting features or potential bird nesting features (e.g. creation of new gardens, roofing, replacement or windows or works to external walls), an ecological consultant should undertake a suitable ecological assessment to be submitted with the planning application. The aim should be to retain any priority habitat, potential bat roosting features or potential bird nesting features identified by the assessment.**
Westmorland and Furness Council	All the design codes state 10% BNG for all developments. This needs rewording as many are exempt. It could be read that it means all developments even those that are exempt from mandatory BNG need to give 10% BNG. For the householder and small development guidance mandatory BNG doesn't apply so it should be removed from there.	Amendments made to Code OD 3.5 reference to 10% BNG. Change: For code OD 3.5 Biodiversity Net Gain, modify wording of first sentence: CODE OD 3.5 Biodiversity Net Gain: All new developments must achieve Biodiversity Net Gain (BNG) in line with current national policies and any local standards, **unless exempt**.
Arnside & Silverdale National Landscape	3.23 suggest rewording of "BNG having a narrow focus on the habitat and species that will benefit". In ecological terms, a BNG requirement that benefits a single highly threatened species (for example, a scare butterfly that has a specific habitat requirements) may be more appropriate and offer more value within an area than a generic 'wildlife' approach that benefits a range of commoner species. Suggest rewording to make it clear that BNG interventions should be ecologically coherent and appropriate within the location and context of the site.	Noted. Additional text added to paragraph 3.22 accordingly. Change: Amend paragraph 3.22 as follows: 3.22 BNG proposals should maximise the potential of a site in terms of providing benefits to as wide a range of habitats and species as possible. Support will also be given to proposals that incorporate innovative habitat creation and enhancement schemes that prioritise locally distinctive habitats and are implemented using native species of local provenance. **In considering BNG requirements, interventions should be ecologically coherent and appropriate within the location and context of the site.** For bulleted list under 'Biodiversity and BNG: what we don't want to see', append to second bullet point: Development that misses opportunities to extend or improve habitats or improve connectivity between habitats **and support conservation intentions for priority species and habitats when considering BNG interventions and designing in nature**
Westmorland and Furness Council	Add a point 3.24 about, 'proposed habitat creation should be based on suitable conditions being present or that can be created e.g. soil chemistry, drainage etc. Remediation works required prior to creation of target habitat must be considered where necessary in any proposals'.	Additional text added accordingly under paragraph 3.22. Change: Under paragraph 3.22, add new paragraph: **3.23 Proposed habitat creation should be based on suitable conditions being present or that can be created, e.g. soil chemistry and drainage. Remediation works required prior to creation of target habitat must be considered where necessary in all proposals.**
Individual	I notice that some of the Guide's Codes relating to these policies also use the word 'should' rather than 'must'. I would prefer the stronger option. The Nature and Biodiversity Action Plan Part 1, in its Introduction, states the Council's ambition to become a leader in the drive to address biodiversity loss and has declared a biodiversity crisis. Again, I suggest that stronger wording of some of the Codes and greater emphasis on some of the easier and proven measures would help achieve this ambition.	Noted. Text amended accordingly. Modify part (a) of code OD 3.6 Existing Trees, Woodlands, and Hedgerows: a) retain and protect existing trees and hedgerows and, where removal is unavoidable, compensatory planting and replacement of trees ~~should~~ **must** be provided at an appropriate ratio; and

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Add wording in bold: Native tree and scrub species of UK **provenance** is preferable. Grassland species of **local provenance** is preferable. Suggest adding to OD 3.6 and Section 3.8 Incorporating Nature into the Open Spaces There is no mention of BS5837 Trees in relation to Design, Demolition and Construction - Recommendations. This is a cornerstone document for assessing the impact of a development upon existing trees and should be carried out at the same time or as soon as possible after the Topographical Survey, to assess the condition of existing trees and what can be retained or removed for the development. Also goes hand in hand with the BNG assessments (some poor quality trees have high BNG value and can be retained under BNG)	Additional text added accordingly. Change: Amend as follows the end of part (b) of code OD 3.6 Existing Trees, Woodlands, and Hedgerows: include a variety of native **tree and scrub** species of **UK provenance and grassland species of local provenance** in new planting to enhance biodiversity and contribute to the overall green infrastructure network. **In considering the location of buildings or planting of trees, full account should be taken of the recommendations in British Standard BS5837 or any subsequent updates to the standard.**
Westmorland and Furness Council	Add to Code OD 3.6 South Lakeland Local Plan Policy DM2 supporting	Policy added to code. Change: For code OD 3.6, modify relevant policies: (Barrow: DS5, N4, *DS6, GI6*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: AS02, CS1.1, *AS04, AS08, CS8.1, CS8.2,* ***DM2,*** *DM4*)
Westmorland and Furness Council	Expand on the ideal spacing of tree planting so we don't end up with say 30 trees planted in a space that can accommodate 1 mature tree of that species. This is already covered in the street tree planting section in what we don't want to see stating 'New planting where there is insufficient space for trees and hedge to grow to maturity'.	Additional text added to paragraph 3.24 accordingly. Change: For the bulleted list after paragraph 3.24, modify the first bullet point and insert new second bullet point: • Prioritise the use of native species **of UK provenance** for street trees and plantings to benefit local ecosystems and ensure compatibility with local conditions. • **Consider a 'quality over quantity' approach: one mature tree or fewer trees with space to grow and mature will be of more ecological and townscape value than a dense cluster of saplings.**
Westmorland and Furness Council	In red squirrel stronghold areas tree species selected for planting should benefit red over grey squirrel	Additional text added about tree species and red squirrel strongholds – new paragraph 3.25. Change: Under paragraph 3.24 and subsequent bulleted list, add new paragraph: **3.25 Red squirrels are found in scattered locations across Westmorland and Furness. Outside of the National Parks they are found in areas including the countryside around Cartmel, Ulverston, Burneside, Burton-in-Kendal, Tebay, Shap Wells, Hardendale and Alston. The red squirrel stronghold areas in Westmorland and Furness, outside of the National Parks, are the Eden Valley and areas around Penrith, particularly to the north-east of Penrith around Greystoke. The ecological information supplied as part of the application documents should also be used to assess whether planting of tree species beneficial to red squirrel is appropriate. Tree species which are suitable for planting in areas which support red squirrel are blackthorn, hazel, bird cherry, crab apple, Scots pine, holly, wild cherry, yew, hawthorn, small-leaved lime and alder. Note that oak, beech, chestnut, sycamore and walnut should be avoided in red squirrel areas as these benefit grey squirrels. Whilst hazel will also benefit grey squirrels it is a very important food source for red squirrel and shouldn't be avoided. If you have red squirrels in your garden, you can find further information here on how to garden for red squirrels www.redsquirrels.info/wp-content/uploads/2018/04/Red-Squirrels-In-My-Garden (note the document is being currently revised).**
Westmorland and Furness Council	Add reference to Guidance Document for Native Planting and need to liaise with relevant service areas when considering preferred species for trees	Reference to Guidance Document for Native Planting added accordingly. Change: Below paragraph 3.2, add additional paragraph: **3.27 The Council is currently working on a Guidance Document for Native Planting. For further guidance on what preferred species to use please liaise with the Council's highways, waste and environment services. See also the Council's site for Climate change and natural environment [https://www.westmorlandandfurness.gov.uk/your-environment/climate-change-and-natural-environment].**

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Add to Code OD 3.7 South Lakeland Local Plan Policy AS04 supporting	Policy added to code. Change: For code OD 3.7, modify relevant policies: (Barrow: DS6, *DS2, GI1*; Eden: DEV5, ENV4, *ENV2*; South Lakeland: CS1.1, *AS02,* ***AS04,*** *AS08, DM2, DM4*; National Planning Policy Framework, Chapter 15)
Westmorland and Furness Council	Add wording to Planting Design - Might be worth expanding on wat a pollinator friendly plant is e.g. Plant single flowered species which are more accessible to pollinators rather than species with double flowers. https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf	Additional text added accordingly. Change: For bulleted list under paragraph 3.29 modify the first bullet point: Pollinator-Friendly Species: Incorporate plants that support pollinators and provide diverse habitats. **For example, single-flowered species are more accessible to pollinators than species with double flowers. A palette of plants which support wildlife is available for reference within the GB non-native species secretariat guide to Gardening without harmful invasive plants [https://www.nonnativespecies.org/assets/Apha_garden_booklet_AW_proof1.pdf].**
Westmorland and Furness Council	Add reference to considering space for composting facilities in gardens and also provision of water butts	Additional text added accordingly. Changes: For bulleted list under paragraph 3.29, add final bullet point: • **Consider space for composting or providing compost bins as a source of organic material for planted areas.** For the bulleted list under paragraph 2.17, modify the second bullet point: • Rainwater harvesting~~;~~**, including water butts;**
Westmorland and Furness Council	Code needs to acknowledge not only avoid invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) but also avoid planting species which may become a problem in the future. To check you are not proposing to plant species which are tomorrows invasives refer to Plantlife's doc: Here today here tomorrow 2010 summary.pdf https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf	Additional text added accordingly. Change: For the bulleted list under 'Street Trees, Trees, Hedgerows and Planting: what we don't want to see', add a seventh bullet point: **The use of non-native plant species which might pose future ecological threat as identified in the GB non-native species secretariat report on Horizon scanning for invasive non-native plants [https://www.nonnativespecies.org/assets/Document-repository/Here_today_here_tomorrow_2010_summary.pdf].**
Westmorland and Furness Council	Add to Code OD 4.2a, South Lakeland Local Plan Policy AS10 supporting	Policy added to code. Change: For code OD 4.2a, modify relevant policies: (Barrow: DS5, I4, *DS2, HC1, HC4*; Eden: DEV3, DEV5; South Lakeland: CS1.1, CS10.2, DM1, *AS08,* ***AS10,*** *CS8.10, DM2, DM5*)

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Add wording to Code OD 4.2c: 'Street and movement designs must ensure a permeable and well-connected street network <u>for all users</u> with clear and logical through routes that are easy to navigate. Add wording to Code OD 4.2c "presumption of public access into and through developed sites unless there are overriding reasons to prevent access" would greatly promote healthy communities. The "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good, improving choice even when this is not the formally designed route to a place. Potentially attractive routes through sites are often prevented by fencing or discouraged by intimidatory signs when there is no obvious need to exclude people. This often occurs in sites like business parks (so these additions will also be appropriate in the codes for other types of development) as well as the green edges of housing estates there are often unnecessary boundary treatments not associated with buildings and their curtilage. Add wording paragraph 4.11 'Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through streets are not possible'. The additional wording about cul-de-sacs is taken from the national design code in order to support the top line of the guidance. The suggested "presumption of public access" is to ensure a permeable movement network promoting active journeys. Allowing the public to walk across e.g. a car park to get to a destination on the other side would often be a public good.	Additional text added to Code OD 4.2c accordingly, and to paragraph regarding cul-de-sacs. Changes: For code OD 4.2c Street Design, modify wording: CODE OD 4.2c Street Design: Street and movement designs must ensure a permeable and well-connected street network **for all users** with clear and logical through-routes that are easy to navigate. **There will be a presumption of public access into and through developed sites unless there is an overriding justification for the prevention of access.** For the bulleted list following paragraph 4.11, append to the end of the first bullet point: Avoiding cul-de-sacs, dead ends and space given over to vehicle turning heads by making streets interconnect. This is particularly important for refuse collection and emergency service vehicles, which are best served by through streets rather than long cul-de-sacs or developments with only one way in and out by road. **Cul-de-sacs will generally only be appropriate at the most local level to open up small sites where through-streets are not possible.**
Westmorland and Furness Council	Application direction should highlight the need for a transport vision for the site which links to the travel plan and transport assessment; walking/cycling routes should be integral to the design (not infrastructure accommodated) and should demonstrate how routes in the development site link into wider routes (and include reviews of the quality of these wider routes)	Text added to paragraph 4.13 accordingly. Change: Append to the end of paragraph 4.13, directly following Active Travel code: 4.13 Proposals should detail the location, type, and specifications for cycle parking and the surfacing of cycling and pedestrian routes. Developments incorporating active travel options within green corridors or 'play on the way' options will be viewed positively. **For larger sites, the application should include a transport vision that links to the application's travel plan and transport assessment. This vision should set out how walking, cycling and public transport are integrated into the design and link with the wider walking, cycling and public transport networks. The vision should also consider the quality of these routes and whether the enhancement of any existing routes is proposed.**
Westmorland and Furness Council	Add reference to Local Cycle and Walking Infrastructure plans and other plans – some sites may be able to provide new active travel routes that can link into existing and proposed active travel routes.	Additional text added accordingly. Change: Add new paragraph below paragraph 4.13: **4.14 Depending on location and type of proposal, some developments may be able to support provision of new active travel routes that can link into proposed active travel routes as set out in Local Cycle and Walking Infrastructure Plans and other plans. For further information visit the Council's Active Travel website [https://ukc-word-edit.officeapps.live.com/we/www.westmorlandandfurness.gov.uk/parking-streets-and-transport/active-travel].**
Westmorland and Furness Council	Add to Code OD 4.4, Barrow Local Plan Policy G14 supporting	Policy added to code. Change: For code OD 4.4, modify relevant policies: (Barrow: BP13, DS5, ***GI4,*** *HC4*; Eden: DEV5, ENV1, *ENV2*; South Lakeland: AS05, DM1, DM5, *CS8.1, DM2*)

Consultee	Comment	Council Response and Proposed Changes
Westmorland and Furness Council	Amend Code OD 4.6 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting and add South Lakeland Local Plan Policy AS08 supporting	Policy amendments and additions made to code. Change: For code OD 4.6, modify relevant policies: (Barrow: **C7,** DS5, I4, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV9; South Lakeland: DM1, ***AS08,*** *DM2*; Development Design Guide; *Good Lighting Technical Advice Note: Designing Out Light Pollution in Cumbria, the Yorkshire Dales National Park and the Arnside and Silverdale AONB*)
Westmorland and Furness Council	Amend Code OD 4.7 Barrow Local Plan Policy C7 is a requirement/key policy, not supporting	Policy amendment reference made to code. Change: For code OD 4.7, modify relevant policies: (Barrow: **C7,** DS5, H7, ~~*C7, DS2, HC5*~~; Eden: DEV5, ENV3, ENV9; South Lakeland: AS01, AS02, DM7, *DM2; Good Lighting Technical Advice Note*)
Westmorland and Furness Council	Add reference to the need for 'The Design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife and link to Institution of Lighting Professionals guidance here: GN08 Bats and Artificial Lighting https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html.	Text added accordingly and reference to the guidance. Change: Add new paragraph under paragraph 4.28: **4.29 The design of both internal and external lighting must have no or low impact on bats and nocturnal wildlife in accordance with the Institution of Lighting Professionals guidance GN08 Bats and Artificial Lighting [https://theilp.org.uk/resource/gn08-bats-and-artificial-lighting-pdf.html]**
Westmorland and Furness Council	In Lighting: 'what we don't want to see' ''artificial lighting directed on waterbodies, hedgerows, woodland or lines of trees''	Additional text added accordingly. Change: For the bulleted list under 'Lighting: what we don't want to see', add final bullet: • **Artificial lighting directed at waterbodies, hedgerows, woodland or lines of trees.**
Westmorland and Furness Council	Amend Code OD 4.8, Barrow Local Plan policy BP2 delete	Policy deleted from code accordingly. Change: For code OD 4.8, modify relevant policies: (Barrow: DS5, I6, ~~*BP2, HC4*~~; Eden: DEV5; South Lakeland: CS1.1, CS10.2, DM1, *CS8.10, DM9*)
Westmorland and Furness Council	Reference to curtilage structures helpful, particularly in terms of considering siting in relation to rural edge sites. Also, need a reference to bin storage, particularly where communal storage required in this context.	Additional text added accordingly. Change: New paragraph created directly following bulleted list at paragraph 5.5: **5.6 The siting, form, scale and appearance of outbuildings can also have a noticeable impact on the character and appearance of streets and developments. Outbuildings include bin stores, cycle stores, garages, car ports, garden sheds and other garden buildings. Thought should be given to the design and siting of these, creating variety where necessary, especially across larger sites. For example, they could be part of the main structure of the building or detached. They can look rural, urban or suburban depending on materials and design. They can be prominent or discreet, grouped or dispersed or sited on or away from the edges of the plot or site. The latter is especially important to consider where the site adjoins the open countryside.**
Westmorland and Furness Council	Seagull colonies nesting on flat roofs is a design issue in Barrow. Code needs to reflect this by advocating pitched roofs. Individual nests on small roofs are not so much the issue, more large areas of flat roof accommodating colonies.	Additional text added accordingly. Change: To bulleted list under paragraph 6.10, add new third bullet point: **Flat roofs can be appropriate if part of a cohesive design. However, large expanses of flat roof should be avoided, especially around coastal areas, as they are an ideal location for seagull colonies. Such colonies can be a source of nuisance, and can affect the condition and performance of the flat roof and its drainage.**
Cumbria Constabulary	Aspects of security and crime prevention are referenced at Pages 68, 70, 93 and 94	Noted.

Consultee	Comment	Council Response and Proposed Changes
Individual	CODE wording is typically open and can be construed to any position any officer wants. They are not clear an unambiguous and impossible to interpret. " reflect local distinctiveness by complementing and enhancing the existing built and natural environment" the assessment of this is entirely subjective so this will create opportunity for delay and blocking of progress, as what I see as being entirely appropriate the council may not. Site Analysis, there are so many considerations the cost of meeting all these at as part of the planning application should effectively stifle most proposals. 1.19 Is there no evaluation of the importance or quality of the assets to be taken into account? A new well considered installation is surely better than an old failed / poor quality asset. This has the potential to make a development unviable or a plot unworkable. Step 4: Historic Assessment Definition of a non designated asset would be useful, other than something of W+F Officers discretion.	Some professional judgment will be required when applying the Design Code, without being overly prescriptive. The site analysis considerations are embedded in existing local and / or national policy and guidance. Regarding paragraph 1.19, biodiversity considerations are under the “Biodiversity” section. The definition “non-designated heritage assets” is set out in paragraph 1.34 – Greenfield large homes chapter.
Individual	2.7 The is clause potentially makes W+F council a designers under CDM. As the clause appear to say high maintenance products are preferred, these intrinsically have higher level of risk during maintenance due to the need to work at height. 2.8 What you are referring to is called embodied carbon, you really ought to know this and demonstrate it. Most of these considerations are made within sustainability benchmarking systems which it would be a lot easier to refer to. I take it you are aware that Cumbrian slate can weather very badly and effectively turns back to mud. So lol Carbon it may be in your view but I have seen a 20year old roof that needed replacing...be careful what you wish. All you examples are statement not backed up by data. The structural solution is a key determinant in determining embodied carbon. 2.10 Priority 1 I have propose this on may projects, it has never been adopted. This is due to cost and to ongoing running and maintenance cost to manage health + safety. There is no mention of water run off rates and management of increase rainfall ALL the examples are housing this is not OTHER DEVELOPMENT. Very poor impression and looks lazy	Comments to this section noted. The comment regarding paragraph 2.7 is not clear. The Council is fully aware of the meaning of “embodied carbon” and it is referenced in code OD 2.1.
Individual	3.2 The wording need looking at this is OTHER DEVELOPMENT and we are referring to gardens and orchards? ACCESS TO NATURE FOR ALL Reference to residents again Ilustrations are all domestic, surely this document is for everything other than that	Comments noted.
Individual	Again the context is focussed on Residential, not commercial or business even thought we are in OTHER. What we don't want to see? If this is employment how do people get to work? There will be deliveries and other movements. This would fail to apply to a site with a large scale distribution or manufacturing unit, so is that a straight rejection. Its all master planning strategic what about single unit developments. Again lots of domestic, the area has manufacturing and higher and further education that come under this. The CODEs undermine their ability to function. It is over complex and prescriptive. There is so much content within the documents, which is prescriptive it will be impossible to generate a design that will be submitted to the council WITHOUT comment. Ie the purpose of the documents is to enable comment and disruption of the planning process rather than enable it.	The Digital version of the Design Code is intended to enable users of the Code to navigate their way around it in an informed and user-friendly manner.

Consultee	Comment	Council Response and Proposed Changes
Individual	Again the context is focussed on Residential, not commercial or business even thought we are in OTHER. Its all master planning strategic what about single unit developments. Again lots of domestic, the area has manufacturing and higher and further education that come under this. The CODEs undermine their ability to function. It is over complex and prescriptive. There is so much content within the documents, which is prescriptive it will be impossible to generate a design that will be submitted to the council WITHOUT comment. Ie the purpose of the documents is to enable comment and disruption of the planning process rather than enable it.	Noted.
Individual	How is this related to larger scale developments. They are simply not covered within this document. I take it the council does not want to support employment or education with their needs for large building within very tight cost constraints.	Noted.

Supplementary Plan Elements

Context Checklists

Compliance Checklists

Consultee	Comment	Council Response and Proposed Change
Cumbria Constabulary (Greenfield Homes Large, Shopfronts, Brownfield Homes Small, Business Greenfield, Business Brownfield)	The references to the inclusion of crime prevention measures in the Design Code Compliance Checklist are natural surveillance opportunities and the demarcation of space. Although these are vital to a scheme, it may be appropriate to refer to Secured by Design to consider other appropriate measures. The Constabulary would welcome consultation from developers at pre-application stage, for site-specific advice - with an invitation in the Design Code Compliance Checklist: "Would consultation with Cumbria Police Designing Out Crime Officer be beneficial for this development?"	Reference to the "Secured by Design: Residential (Homes) Guide 2025, or subsequent updates to this guidance Secured by Design - SBD Design Guides" on page 4 of the Compliance Checklist, where it refers to natural surveillance and demarcation of space added. Added "Has consultation with Cumbria Police Designing Out Crime Officer been undertaken where appropriate, and have any recommendations been addressed?" to the compliance checklist. Changes to Greenfield Homes Large, Shopfronts, Greenfield Homes small, Brownfield Homes Large, Brownfield Homes Small, Business Brown and Business Green Checklists: **Has consultation with Cumbria Police Designing Out Crime Officer been undertaken where appropriate, and have any recommendations been addressed?**

Consultee	Comment	Council Response and Proposed Change
Kendal Futures (Shopfronts)	The checklists, while reflecting the detail of the Code, don't feel appropriate to small business owners or tenants without planning knowledge. Could they include simpler questions about any planned changes of colour, signage, materials, windows or doors, and ensure the reader knows whether planning permission is needed or not? A reference to consequences or enforcement measures would also be useful to encourage compliance.	Noted. Checklists amended accordingly to ensure they are appropriate, add references to questions such as any planned changes of colour, signage, materials, windows and doors. No changes in response to enforcement measures – considered unnecessary and inappropriate as any failure to comply with any aspect of planning could result in enforcement action. Change to Shopfronts Compliance Checklist: • **Are there any planned changes to the materials of the shopfront(s) within the proposal? Which sustainable construction methods and materials are proposed?** • **Are there any planned changes to the windows or doors of the shopfront(s) within the proposal?** • **Are there any planned changes to the colour of the shopfront(s) within the proposal? How does the proposal use colour schemes and finishes?** • **Are there any planned changes to the signage of the shopfront(s) within the proposal? If so, give an example(s) of clear locations for signage and how this has been integrated into the shopfront design?**
Individual	The check lists should replace the design and access statements. If not the check lists create a significant burden for anyone wishing to make an application. This will add cost and difficulty to any application. I am reading these as reasons why the council can simply decline to register or refuse a project of any nature. This treats all applicants with the same, you could chose to lose them of make them shorter for those who are made by Architects	Noted.

Consultee	Comment	Council Response and Proposed Change
Cumbria Constabulary	Baseline Review This document comprehensively explains the relevance and importance of the effects of crime and the Fear of Crime, as part of the Planning Process - and outlines the relevance of the Council's responsibilities under the Crime and Disorder Act and National Planning Policy Guidance and Framework. Particular relevance is at Page 202 (Secured by Design & Security) with the acknowledgement that "Secured by Design is not a one-size-fits-all process" and this is why the Police Service seeks consultation with developers at pre-application stage, to discuss and implement site-specific design advice. By this process, there should be no objections or delays in the planning applications due to layout or design issues subsequently arising at Application stage. This issue has been previously covered in the Eden District 'Housing' SPD "10.10.2 As the Constabulary may be consulted as part of the planning process, the council encourages developers to consult with the police Crime Prevention Officer for site specific design advice, prior to application stage. Otherwise, developers must be prepared to alter or amend designs where a vulnerability has been identified, which may delay determination of the application." Page 208 Secured by Design (Description) To clarify, Secured by Design does NOT test and certify building components and products. However, it endorses and promotes products that have been independently tested to recognised security standards, as being 'Police Preferred Specification'. Secured by Design promotes the implementation of a proven variety of development design and layout principles AND the incorporation of certified products, to resist criminal activity - for example, doors, windows, locking devices and glazing that oblige an offender into exerting disproportionate time and effort (with the use of tools) in any attempt to commit an offence. Where developers are willing to incorporate both of these elements, they may achieve Secured by Design certification for domestic and non-domestic developments.	Noted
Pinnacle Planning (representing Story Homes, Persimmon Homes and Genesis Homes)	Viability Statement The Design Code consultation is supported by a Viability Statement, which seeks to consider the viability implications of the Code policies. The qualitative assessment concludes that none of the Code policies have an impact on viability given that they all either comply with all three legacy Local Plans and or national policy. This includes the policies highlighted above where it has been demonstrated that the Code policies overreach the requirements of adopted policy. The Consortium is of the view that this places greater emphasis on the need for a Statement of Conformity which demonstrates how the Code policies comply with the adopted policies. A revised Viability Statement should be commenced once this exercise is complete and the necessary amendments to the Code policies have been undertaken. Summary As set out above, the Consortium is of the view that the Draft Design Codes are unlikely to comply with the legal framework and risk being at odds with the Government's aspirations for the use of Design Codes and efforts to boost housing delivery. The process should be paused and undertaken alongside the preparation of the emerging Local Plan.	Noted. No further changes required. The Policy Review document is fit for purpose and no further viability statement is required in this instance.

Historic England Summary Character Appraisal Document	Acknowledge it is difficult to summarise this amount of information into one document but it does signpost users to the vast amount of information available to them. We fully support the inclusion of the section on 'views, vistas and viewpoints.' section (2.39) The analysis correctly sets out that views, vistas and viewpoints are integral to the district's cultural and scenic fabric. A viewpoint cannot be listed (i.e. a designated heritage asset) but a structure in the landscape can. This should be amended or clarified. We fully support maintaining and enhancing views, vistas and viewpoints which contribute to how designated heritage assets are appreciated (their setting). This is another opportunity to reference our GPA3 The Setting of Heritage Assets There is a considerable overlapping in the sections on landscape character and the historic landscape character, and we suggest this is summarised more succinctly. You may wish to make it clear that landscape designations are separate to heritage designations, however, these valued and protected landscapes incorporate historic buildings, structures and settlements which can be designated and non-designated heritage assets, and conversely these valued landscapes provide the setting to these heritage assets. In section 2.44, reference made to consistency of data coverage of CHLC is a useful resource, but complete data covering the entirety of W&F area is not widely available. Suggest Council provide further information to rectify this. The section on Historic Development & Settlement Character, is relatively short in comparison to that on landscape character. This section could be expanded upon. It could also be beneficial to include a discussion on building materials into this section, and not at the end of it, as the two are so intrinsically linked. Reference to locally distinctive building materials in the local vernacular is consistently made throughout the W& F Design Code. We strongly recommend the Council's Conservation and Archaeological Advisors review this section which summaries the designated heritage assets within the Code area It should also be noted that the area does not contain any Registered Battlefield	Support noted for detail contained within the document and sections highlighted by Historic England. As recognised by the respondent, it challenging to further summarise the document for such a large and varied district. Address by removing 'listed' in reference to viewpoints. Add reference to HE Good Practice Advice in Planning 3 The Setting of Heritage Assets Note query on consistency of data across district and will follow up with HE. Support noted for refence to local materials. The Councils Conservation Officers have been part of the central team working on the production of the Design Code. Note comment on Battlefields. Changes: Amend the second sentence of paragraph 2.39 as follows: ~~Listed h~~ **H**istoric, **significant,** or locally ~~appreciated~~ **valued** viewpoints dot the landscape, and are both a way of appreciating landscape and historic character, **heritage assets,** and **are** considered part of it. Add the following sentence to the end of para. 2.39: **Historic England's Historic Environment Good Practice Advice in Planning 3: The Setting of Heritage Assets (https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/) provides useful advice relating to setting and views, including advice on how decisions should be made in relation to views or setting affected by proposed change.** To the end of para. 2.37 add: **It should be noted that landscape designations are separate to heritage designations, however, these valued and protected landscapes incorporate historic buildings, structures, designed landscapes, earthworks, monuments and settlements that can be designated and non-designated heritage assets. These valued landscapes provide the setting to these heritage assets.** Amend the subheading after para 2.44 as follows: Historic Development, ~~and~~ Settlement Character **and Materials** Delete the subheading after para 2.51: ~~Materials~~ At the end of para 2.45 add: **There are no Registered Battlefields in the district.**

Consultee	Comment / Response	Council Response and Proposed Change
Individual (online)	The entire document The criteria against which development projects should be judged are comprehensive and admirable. The problems seems to be (1) interpretation and (2) implementation, factors which, in the real world are intertwined. The principle complaint about the system is that it takes too long to obtain planning permission. This may well be because the planners are underfunded and understaffed. But the solution offered by the central government seems to be simply to discount some of the criteria against which projects are judged and I have no clear idea how this will work out in practice. So, as a local resident, I am aware that my opinion on the desirability of the scheme may well be taken into account only if it is positive. Amidst the urge to roll over objections based on considerations (the environment, for one) that are judged to be excessively 'costly' or 'time-consuming' or, in our case, 'nimbyism', it is difficult see how I and other residents can judge the possible building projects in our area by applying the criteria you supply, based on our knowledge of and 'feel' for the area. But, if we do not wish to appear subject to reflexive nimbyism, that is what we must do. Or is it?	Comments noted. The Final iteration of the Design code if/when it is adopted by Westmorland and Furness Council as guidance – will be a supplementary planning document (or SPD). It is envisaged that both the relevant code(s) and the compliance and context checklists will be used, for example, by: applicants when preparing a planning application and their planning agents. Council Officers will also use the SPD code and check lists, alongside the Local Plan and other national and local planning guidance documents, to assess development proposals. The context and compliance check lists and the criteria therein, are a tool for the applicant/agent to complete and the Planning Officer to use as a compliance check. Others with an interest in the development decision making process, such as parish and town councils and members of the public can also refer to the design guide to inform their planning application consultation responses. A design Code supplementary planning document is guidance. The main document used in assessing planning applications in Westmorland and Furness, are the current legacy adopted development plans.
Connecting Cumbria	I have looked over the design code documents from the point of view of digital infrastructure. I wouldn't expect that anything in the design code would impact the requirements on builders to implement gigabit broadband – as per the UK building regulations – in large new developments where infrastructure will typically be built underground. I am a little concerned that the code is silent on mobile infrastructure and telegraph poles, which are often required in rural areas without underground ducting to extend broadband networks to small numbers of new properties, as the code emphasis on uncluttered street scenes might make it harder to agree installation/planning applications. In the case of telegraph poles -which are often very unpopular- in a lot of instances planners are consulted but planning approval is granted centrally by UK Government (code powers) but in heritage areas and AONB there is an enhanced consultation process and I'm wary of a scheme being dismissed as it conflicts with the declutter requirements. In the case of masts, we expect that more radios will be needed to deliver the robust 5G (and beyond) networks that will be needed in Cumbria over the next few decades – ideally some of these will be able to be mounted on building roofs and streetlighting but some new larger dedicated masts will also be needed. With the code being silent on the importance of this type of infrastructure I am concerned that the considerations in the design code will be considered to take priority over the need for digital connectivity and that otherwise reasonable planning applications could be rejected. Do you know how you would deal with the above issues? Do we need to discuss a tweak to reference policies/regulations that the planners might look at in circumstances where there are aesthetic objections to this type of infrastructure?	The Design Code is primarily concerned with the built environment and consider that digital infrastructure, whilst essential to support development, is not the primary purpose of the Code. It is recognised that in some locations, poles or masts should be positioned and designed to reduce their visual impact. Connectivity needs should be balanced with design quality, using muted colours, simple forms, and co-location where possible.

Environment Agency	We have reviewed the draft document and wish to make the following comments regarding issues within our remit: - The scope and detail of the Westmorland and Furness Design Code has been informed by the National Model Design Guide and the National Model Design Code. As a framework, these documents identify the range of issues that may typically be included in a Local Design Code, though the exact content would depend on local circumstances. The Design Code as proposed makes no reference to private sewage discharges in the context of the risks posed to water quality. While we note that foul drainage is not explicitly identified as a matter for consideration in the national design code and associated guidance, where there are specific local concerns relating to an issue, that should not prevent a local design guide from taking them into consideration. We would consider that impacts on water quality from sewage discharges in Westmorland and Furness are a local concern that warrants consideration in the Local Design Code. <u>Chapters</u> We note that each Chapter, under 'The Four Steps to Context - Step 3: Site Analysis', addresses the use of SUDs in order to improve surface water quality, however it has omitted reference to the impact on surface water quality from a foul drainage perspective. Additionally, this section refers to water and wastewater assets from an access and maintenance perspective, but not in relation to the requirement for new developments to design their scheme in accordance with the drainage hierarchy and connection to such assets, where possible. Unsatisfactory management of foul drainage from any new development may pose a significant risk to water quality and we would ask that the Design Code is revised to take account of this, as well as the risk from surface water management and flooding. Our detailed comments as set out below relate to 'Section Step 3: Site Analysis' in most Chapters and each respective accompanying context checklist. We understand that this advice is not necessarily applicable to certain development types, e.g. Shopfronts and House Extensions/Alterations. It will be for the LPA to determine for which chapters this advice is appropriate. <u>Step 3: Site Analysis</u> We request that the Local Design Code is updated to ensure that developments that propose the use of non-mains drainage systems do so only where connection to the public sewer is not possible. Where there is no public mains sewer available and no United Utilities/Northumbrian Water assets, it will need to be considered how foul sewage will be drained from the development site. Using non-mains drainage may be allowed under the General Binding Rules (GBR), however, if the GBR do not apply, you will need an Environmental Permit from the Environment Agency. Please see below the national policy requirements on foul drainage, that we would request the Local Design Code to adhere to: - **General binding rules** - The Design Guide needs to accurately reflect current the legalities of sewage disposal. Particular attention should be paid to properties where septic tanks go to watercourses. The Design Guide could easily highlight this issue and ensure it is addressed in the way the GBR require it to be for existing and proposed discharges. **Sewage discharge** - The National Planning Practice Guidance (Water supply, wastewater and water quality sets out a hierarchy of drainage options that must be considered and discounted in the following order: 1. Connection to the public sewer 2. Connection to a private sewer that drains to a public sewer 3. Package sewage treatment plant or septic tank 4. Cesspool Considering the above, we recommend that a new, appropriately numbered section be added to each relevant chapter, under section Step 3: Site Analysis, as follows:	The draft code does not include specific coding relating to foul drainage. Concerning Design code Chapters, Step Site 3: Site Analysis and the Context Checklists (step 3 - Site). It is considered that it's not the purpose of the design code to include specific detail and reference relating to all aspects of the development and design process, such as reference to foul drainage and including private sewage discharges. The Environment Agency has the opportunity to comment / provide guidance relating to foul drainage concerning specific proposals, as part of the planning application process.

Consultee	Comment / Response	Council Response and Proposed Change
	Foul drainage should be connected to the main sewer whenever it is feasible to do so. Where this is not possible, under the Environmental Permitting (England and Wales) Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to either comply with General Binding Rules for Small Sewage Discharges or comply with a permit issued by the Environment Agency, additional to any planning permission that may be required. This applies to any discharge to ground, inland freshwaters, coastal waters or relevant territorial waters. Further information about the permitting process can be found at Septic tanks and sewage treatment plants: what you need to do. With regard to the above, please note that Westmorland and Furness contains many catchment areas where Nutrient Neutrality (NN) is mandatory. This may be applicable to some sites with regard to new or revised drainage proposals as proposed mitigation might form part of the wider development. We would encourage that NN is referenced within the Design Code and the associated checklists for the applicant's consideration. Further information can be found here: Natural England Water Quality and Nutrient Neutrality Advice (16 March 2022) - NE785 Context Checklists The accompanying Context Checklist for each Chapter identifies the typical considerations that applicant should have regard to when reviewing site constraints and opportunities. We note that under Step 3: Site, “drainage” is included as a consideration, but it does not identify potential impacts on water quality as an issue – only flooding and biodiversity. We would suggest that each relevant Context Checklist is updated to prompt the applicant to consider foul drainage. We would recommend the addition of the following wording in blue: - **Step 3: Site** Drainage – How well does the site drain and can this provide an opportunity for SuDS and wildlife? Does the site adjoin a watercourse? Is the site prone to flooding? Is the site near a public sewer or will it need to use a non-mains system? Is there an existing non-mains system on site and if so, what is its condition?	
Historic England	Due to this extensive remit the Draft W&F Design Code, and its format, is very lengthy. In the case of new build development, ‘major’ developments and in sensitive locations for smaller new build proposals, this style of Design Code is relevant. However, we question whether for alterations and extensions to existing buildings (classed as more minor alterations, these could be better covered in alternative shorter guidance. Many of these proposals will relate to residential properties subject to householder applications. The length of the guidance proposed may be difficult for properties owners to navigate. Reference made to LDNPA Design Code.	Comments noted, separate chapters on some minor developments have been requested by other stakeholders and the Council had taken a proportionate approach. Once viewed in digital form it will be much easier for users to navigate and use specific sections more easily.

Consultee	Comment / Response	Council Response and Proposed Change
Historic England	Some of the development types in the W&F Design Code may be better guided by standalone advice notes, or by LP policies. For example, barn conversions, or the conversions of larger dwellings into residential units, and alterations to shopfronts. The omission of some types of development from the Code would shorten its length. Many of the types of 'minor' developments covered in the W&F Design Code may relate to properties which are designated heritage assets (listed buildings) or in areas which are designated (conservation areas) a generic Code of this length may not be the best way to inform their suitability. If the current format is followed, we request that in the Intro & Identity section it made clear in the text that if a building or site is a designated heritage asset, the Code may not be applicable. Also, that the W&F Design Code is not applicable for applications for listed building consent.	Comments noted, separate chapters on some minor developments have been requested by other stakeholders and the Council had taken a proportionate approach. Once viewed in digital form it will be much easier for users to navigate and use specific sections more easily. The Code can be used for all types of application including Listed Building Consent.
Historic England	Historic England recommend that you consider whether it is both necessary and beneficial to highlight a zone around the edge of the National Parks. Whilst the Council area includes land which falls within the Lake District National Park and the Yorkshire Dales National Park, both National Parks have their own planning authorities. It may be necessary to consider whether more stringent design rules are put in place, and we encourage discussions and consultation with the adjoining National Park Planning Authorities if these have not already taken place and / or to provide a caveat within the W&F Code (Intro & Identity for example) that the Code is not applicable to the land and settlements around the edge of the National Parks. For these adjoining areas, you may wish to work with the adjoining NP boundaries to factor in their adopted or emerging Design Codes. Furthermore, the English Lake District World Heritage Site is referred to a large historic environment designation (2.49). It is a UNESCO designation due Outstanding Universal Value. The English Lake District - UNESCO World Heritage Centre. The WHS has the benefit of a Partnership Management Plan, a joint Plan for the Lake District, reflecting its position as a National Park and a World Heritage Site. Partnership's Management Plan 2020-2026 : Lake District National Park. The NPPF 219 is clear that the setting of World Heritage Sites should enhanced and better revealed by new development. In which case a zone may be essential, around the boundary of the NP/ WHS to meet the requirements of the NPPF where new development is proposed within the Westmorland & Furness area adjacent to the boundary of the Lake District.	Comments noted, including support for inclusion of reference to the Lake District - UNESCO World Heritage Site. The council has regular decisions with both National Parks as neighbouring Planning Authorities, Reference to the requirement of para 219 of the NPPF will be addressed by the new Westmorland & Furness Local Plan.

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Mulberry Homes Limited	**Greenfield Homes – 10 or more** • **GHL 3.5**: change 'All new developments must achieve a ~~**minimum of 10%**~~ Biodiversity Net Gain (BNG). This must be calculated using the statutory metric and demonstrated through detailed ecological assessments submitted with the planning application, as per BNG regulations' to 'All new developments must achieve a ~~**minimum of 10% Biodiversity Net Gain (BNG)**~~ **biodiversity net gain in line with the statutory framework.** This must be calculated using the statutory metric and demonstrated through detailed ecological assessments submitted with the planning application, as per BNG regulations' EP comment: the regulations are subject to change over time, and the Design Code needs to align with this.	Noted. Acknowledge statutory framework on BNG may change over time. Relevant codes across the development type chapters have been amended accordingly

Fisher German obo National Grid Electricity Transmission (NGET)	National Grid Electricity Transmission has appointed Fisher German LLP to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document. **About National Grid Electricity Transmission (NGET)** National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. NGET manage not only today's highly complex network but also to enable the electricity system of tomorrow. Their work involves building and maintaining the electricity transmission network – safely, reliably and efficiently. NGET connect sources of electricity generation to the network and transport it onwards to the distribution system so it can reach homes and businesses. National Grid Electricity Distribution (NGED) are the electricity distribution division of National Grid and are separate from National Grid Electricity Transmission's core regulated businesses. Please also consult with NGED separately from NGET. National Grid no longer owns or operates the high-pressure gas transmission system across the UK. This is the responsibility of National Gas Transmission, which is a separate entity and must be consulted independently. National Grid Ventures (NGV) develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States. NGV is separate from National Grid's core regulated businesses. Please also consult with NGV separately from NGET. National Energy System Operator (NESO) has taken over the electricity and gas network planning responsibility from National Grid Electricity System Operator Limited (NGESO) as of 1st October 2024. Early engagement with NESO is recommended in order to establish available supply capacity to any potential development sites and what, if any, reinforcement is required to ensure adequate continued supply. Please consult with NESO separately from NGET. **NGET assets within the Plan area** Following a review of the above Supplementary Planning Document (SPD), we have identified one or more NGET assets within the Plan area. Details of NGET assets are provided below. Asset Description ZX ROUTE TWR (001N - 002N - 003N - 247A): 400kV Overhead Transmission Line route: HARKER - HUTTON 1 - HARKER - HUTTON 2. ZX ROUTE TWR (248R - 444R): 400kV Overhead Transmission Line route: HEYSHAM-HUTTON - PENWORTHAM 1 - HEYSHAM- HUTTON - PENWORTHAM 2. Electrical Substation: HUTTON 400KV S/S (x2) Electrical Substation: HUTTON 132KV S/S Electrical Substation: OXENHOLME 25KV S/S Cable: HUTTON - OXENHOLME SGT2 33kV CABLE SECT: 01-07 CABLE ROUTE: HUTTON - OXENHOLME SGT2 Cable: HUTTON - OXENHOLME SGT3B 25kV CABLE SECT: 01-07 CABLE ROUTE: HUTTON - OXENHOLME SGT2 A plan showing details of NGET assets is attached to this letter. Please note that this plan is illustrative only. NGET also provides information in relation to its assets at the website below.	Noted

	https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/network-route-maps **New Infrastructure** Demand for electricity is expected to rise as the way NGET power our homes, businesses and transport changes. As the nation moves towards net zero, the fossil fuels that once powered the economy will be replaced with sources of low-carbon electricity, such as offshore wind farms. The UK Government has committed to reach net zero emissions by 2050. This means achieving a balance between the greenhouse gases put into the atmosphere and those taken out. Decarbonising the energy system is vital to this aim. NGET's infrastructure projects in England and Wales will support the country's energy transition and make sure the grid is ready to connect to more and more sources of low carbon electricity generated in Britain. The way NGET generate electricity in the UK is changing rapidly, and NGET are transitioning to cheaper, cleaner and more secure forms of renewable energy such as new offshore windfarms. NGET need to make changes to the network of overhead lines, pylons, cables and other infrastructure that transports electricity around the country, so that everyone has access to clean electricity from these new renewable sources. These changes include a need to increase the capability of the electricity transmission system between the North and the Midlands, and between the Midlands and the South. It is also needed to facilitate the connection of proposed new offshore wind, and subsea connections between England and Scotland, and between the UK and other countries across the North Sea. Accordingly, we request that the Council is cognisant of the above. **CLN2 – New Circuit across North West England** CLN2, whilst still in early stages of development, is part of a suite of proposed New Infrastructure projects aimed at establishing a second west coast onshore circuit through the North West. More information on the above project can be found in National Grid's "Beyond 2030" Report, using the following link: https://www.neso.energy/publications/beyond-2030 **Further Advice** NGET is happy to provide advice and guidance to the Council concerning their networks. Please see attached information outlining further guidance on development close to National Grid assets. If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us. To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, NGET wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets. Please remember to consult NGET on any Development Plan Document (DPD) or site-specific proposals that could affect our assets. **Further Guidance** NGET is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets. Developers of sites crossed or in close proximity to NGET assets should be aware that it is NGET policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance. NGET's 'Design guidelines for development near pylons and high voltage overhead power lines' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach	

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	can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: https://www.nationalgrid.com/document/345326/download The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site. NGET's statutory safety clearances are detailed in their Technical Guidance Note 'Third-party guidance for working near National Grid Electricity Transmission equipment', which can be downloaded here: https://www.nationalgrid.com/document/349291/download See map page 5 National Grid Electricity Transmission DC consultation response	
Network Rail	Please can you ensure that the LPA and developers are aware of the requirements from Network Rail Ltd viz development and the railway.	Noted. However, this would not specifically be appropriate to reference in a Design Code.
BAE Systems Submarines	The Barrow shipyard is a nationally important and strategic manufacturing complex which plays a critical role in the UK's national defence and sovereign naval capability. The continued delivery of submarine programmes at the shipyard relies on a wide range of specialist buildings and manufacturing facilities, each of which must be adapted, upgraded and expanded as required to support submarine construction. This necessitates an ongoing programme of redevelopment, modernisation and investment across the shipyard estate. Following a review of the Draft Design Codes, BAESS notes that the document does not refer to the shipyard or clearly indicate which sections are intended to apply to its operations. The description of Westmorland and Furness in Document 1 (Introduction) does not reflect the industrial heritage or contemporary economic role of Barrow, including the contribution of the shipyard to the town's development and urban form. References to Barrow focus mainly on designated conservation areas, which does not capture the wider industrial character that shapes much of the town. As drafted, the Design Codes appear to focus primarily on smaller-scale, residential and rural contexts, which differ substantially from the requirements of a major industrial and defence-related site such as the shipyard. Document 10 (Brownfield Business Development) appears to be the most relevant section to BAESS operations. However, the shipyard is an active and highly specialised manufacturing complex rather than a conventional brownfield site. BAESS also notes that some elements of the Draft Design Codes appear to go beyond national policy requirements. For example, the approach to building heights could become restrictive if interpreted as limiting development to existing height patterns. Greater clarity, including the identification of locations within Barrow where taller buildings may be appropriate, would provide more effective guidance for BAESS and better reflect its operational requirements.	Comments noted.

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Coal Authority	The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas. Our records indicate that within the Westmorland and Furness area there are recorded coal mining features present at surface and shallow depth including; mine entries, coal workings and reported surface hazards. These features may pose a potential risk to surface stability and public safety. We note that this current consultation relates to a draft Design Code and can confirm that the Planning team at the Coal Authority have no specific comments to make on this document.	Noted
Marine Management Organisation	GENERIC AUTO-EMAIL RESPONSE – NO COMMENT	Noted
Natural England	Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature. Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.	Noted