

## Design Code Supplementary Planning Document

### 1 Summary

- 1.1 This report asks you to adopt the revised Design Code Supplementary Planning Document (SPD). The Design Code supports the implementation of our Lake District Local Plan policies by setting out clear criteria for the design of new development.

<b><i>Recommendation that:</i></b>	<b><i>a Adopt the Design Code Supplementary Planning Document (Annex 1).</i></b>
------------------------------------	--

### 2 Background

- 2.1 The Lake District Design Code Supplementary Planning Document (SPD) was approved by Authority in September 2023 and since then applicants and Development Management have applied the SPD to planning applications. As reported in the 2024 Annual Monitoring Report, the SPD is successfully being used in decision making.
- 2.2 To ensure the Design Code delivers its intentions, we have engaged with the Development Management Team regarding the Design Code's effectiveness in practice. Feedback from the Development Management Team revealed that amendments to the illustrations in the 'light, aspect and privacy' chapter of the Design Code are recommended to make the illustrations easier to use and apply in practice. Amendments are detailed in Annex 1.
- 2.3 The revised illustrations have been developed in collaboration with the Development Management Team to ensure they are easier to understand and apply.
- 2.4 The adopted Design Code SPD is a web-based document, designed to be a live document to enable revisions to the code. Other chapters of the Design Code are being applied and interpreted effectively and have not been amended or subject to consultation.
- 2.5 The revised Design Code SPD (Annex 2) was approved for consultation by Park Strategy and Vision Committee in November 2024 where it was also agreed that the Design Code could progress direct to Authority Committee provided no substantive or adverse comments were raised during consultation.
- 2.6 The Statement of Community Involvement states we must consult for a minimum of four weeks. Consultation on the Design Code took place between 26th November 2024 and 23rd January 2025. Public consultation consisted of an online survey asking specific questions about the light, aspect and privacy chapter of the code supported by communications through our existing mailing lists.

Previous Committee	Main Points discussed	Changes made
21 <sup>st</sup> March 2023 PSV Committee	<ul style="list-style-type: none"> <li>• Presented Members with the draft Design Code Supplementary Planning Document (SPD) for public consultation.</li> <li>• Whilst our Statement of Community Involvement sets timelines for consultation, we were asked to be flexible when requested by Parish/Town Councils.</li> <li>• Parking is only addressed in the movement section of the code, but officers committed to providing a link to the Cumbria Development Design Guide that provides additional guidance about parking.</li> <li>• Additional guidance be provided on renewable energy, especially in relation to both Listed Buildings and historic buildings.</li> <li>• Concerns raised about the implementation of the code, including implications on viability. Officers agreed this be further tested as part of the consultation process.</li> </ul>	<ul style="list-style-type: none"> <li>• Extensions for Parish/Town Councils would be facilitated when requested.</li> <li>• A new section be added into the code concerning renewable energies.</li> <li>• Additional questions were added to the consultation questionnaire to address members concerns about the application of the code and impact on viability.</li> </ul>
20 <sup>th</sup> September 2023 Authority	<ul style="list-style-type: none"> <li>• Presented members with the draft Design Code SPD for adoption.</li> </ul>	<ul style="list-style-type: none"> <li>• None.</li> </ul>
26 <sup>th</sup> November 2024 PSV Committee	<ul style="list-style-type: none"> <li>• Presented Members with the revised light, aspect and privacy chapter of the Design Code Supplementary Planning Document (SPD) for public consultation.</li> <li>• Members approved the revised Design Code for consultation.</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>

### 3 Policy Context

- 3.1 Links to Local Plan: The Design Code supports the implementation of Local Plan Policies, including Local Plan Policy 04 Biodiversity and Geodiversity, Policy 06 Design and Development, and Policy 07 Historic Environment. The Design Code will provide clarity about what is meant by high quality and locally distinctive design, to secure good design in future developments.
- 3.2 Links to Partnership Plan 2020-25 Outcome 2: Climate action – achieving net zero and adapting to climate change: A key objective of the Design Code is to ensure that all new homes and neighbourhoods are adaptable, resilient and flexible to guarantee homes are fit for purpose in the future.

## **4 Options**

- 4.1 a) Members agree the recommendation to adopt the revised Design Code SPD.
- b) Members propose an alternative approach.

## **5 Proposals**

- 5.1 Option a) is recommended. The revisions to the Design Code are necessary to improve implementation of the light, aspect and privacy chapter of the adopted Design Code. The production of the adopted Design Code has previously fulfilled the requirements of MHCLG's coding process. Updates and amendments to Design Codes are supported by MHCLG to ensure Design Codes are live, up-to-date tools that are able to respond to changing circumstances.

## **6 Stakeholder Consultation**

- 6.1 The development of the current adopted Design Code SPD involved considerable stakeholder engagement and consultation. In September 2022 we launched a Place Check web-based map and in November 2022 an online consultation hub was launched. A steering group of interested stakeholders was also formed, who helped inform and review the Design Code. The adopted Design Code was subject to statutory consultation that was undertaken in accordance with the Statement of Community Involvement.
- 6.2 This revised Design Code SPD was also subject to statutory consultation in accordance with the Statement of Community Involvement.
- 6.3 Following consultation, no changes have been made to the Design Code. Details of statutory consultation is included in Annex 3.

## **7 Demonstrating Best Value**

- 7.1 The best value implications are:
  - a) Challenged – Revising the Design Code ensures that the Code remains up-to-date and is consistent with the Local Plan and the National Planning Policy Framework.
  - b) Compared – We have reviewed existing Design Codes and guides from a variety of different local authorities including those of other National Parks.
  - c) Consulted – the development of the adopted Design Code involved engagement with the local community to understand what they like, don't like and want to see improved in relation to building design in the Lake District. The Design Code has been through statutory public consultation and consultation responses have been considered
  - d) Compete – We were selected by DLUHC (now MHCLG) to be part of the Pathfinder Programme, following a national call to prepare a Design Code.

## **8 Finance Considerations**

- 8.1 There are no significant financial issues arising from this report.

## 9 Risks

Risk	Consequence	Controls required
Is there a risk that the Design Code doesn't respond to new challenges in the Lake District or new policy.	The content of the Design Code could become outdated as a result of new policies.	The Design Code has been prepared to enable it to be updated and be responsive to future policy changes.
There is a risk that the Design Code is interpreted incorrectly as a result of illustrations that are hard to understand.	Illustrations in the light, aspect and privacy chapter of the Design Code SPD are interpreted and applied incorrectly.	Adopt the revised Design Code SPD.

## 10 Legal Considerations

- 10.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. It is important policies are applied in a consistent manner to ensure our policy ambitions are achieved. Additional guidance provides the necessary clarity for all users of the development plan.

## 11 Human Resources

- 11.1 There are no human resource implications as a direct result of this report.

## 12 Diversity Implications

- 12.1 There are no diversity implications as a direct result of this report.

## 13 Sustainability

- 13.1 Our approach to the Design Code contributes to the achievement of sustainable development by inspiring design excellence, through the creation of beautiful buildings and places which celebrate and reinforce the unique character, identity, heritage and culture of the Lake District, while reducing carbon emissions and enhancing biodiversity.

Background Papers	N/A
Author/Post	Chloe Swift, Strategy Planner
Responsible Director	Stephen Ratcliffe, Director of Sustainable Development
Date Written	03.03.2025

## Annex 1: Summary of changes to the Design Code SPD

### Light, aspect and privacy chapter

Minor amendments to illustrations. Text changes shown in red.

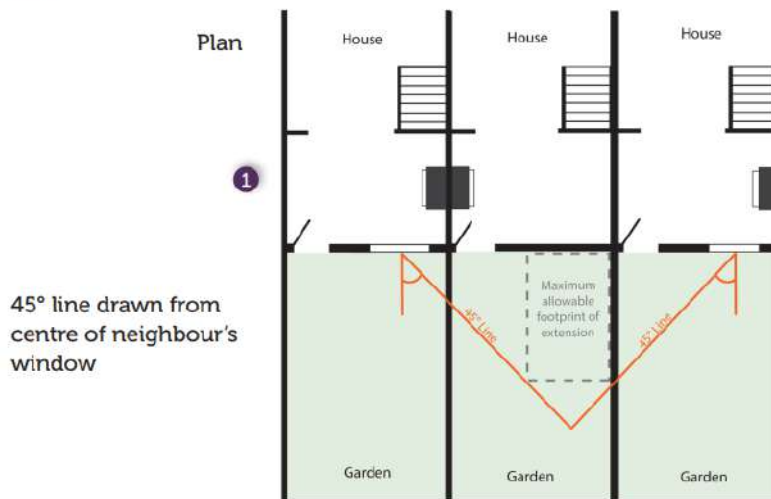
**Section 3.81** - Dwellings should be laid out so that reasonable levels of daylight **and privacy** are provided to windows, gardens and amenity spaces.

### 45° rule illustration

Previous illustration:

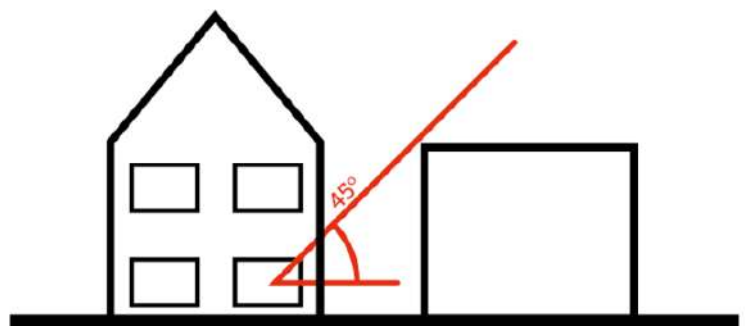
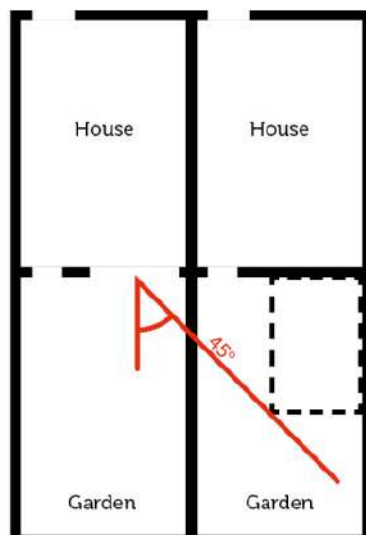
#### Light, aspect and privacy

##### 45° Rule



Amended illustration:

##### 45° Rule

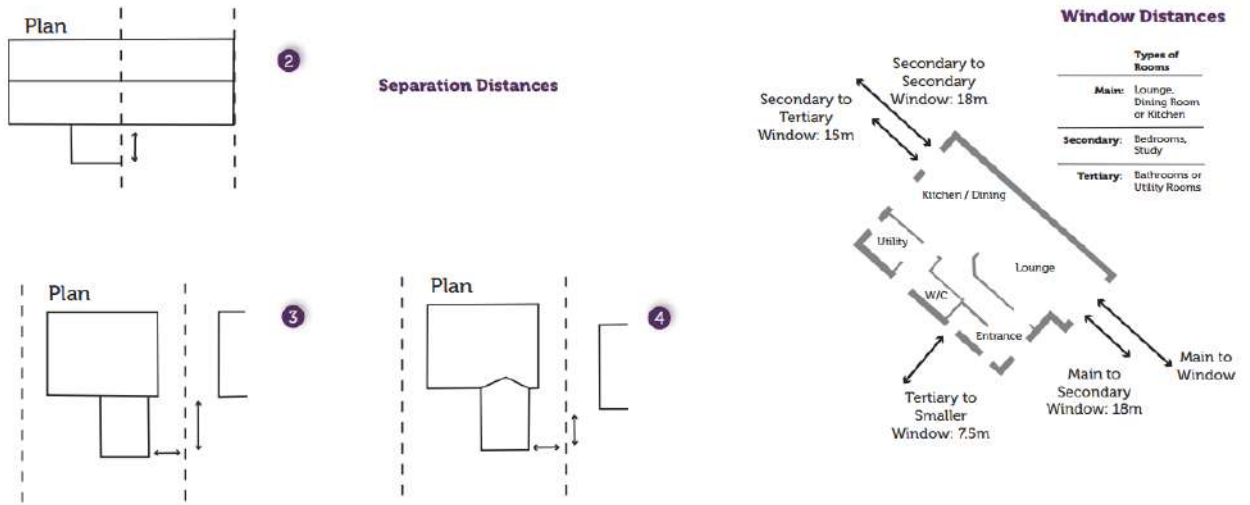


### Elevation

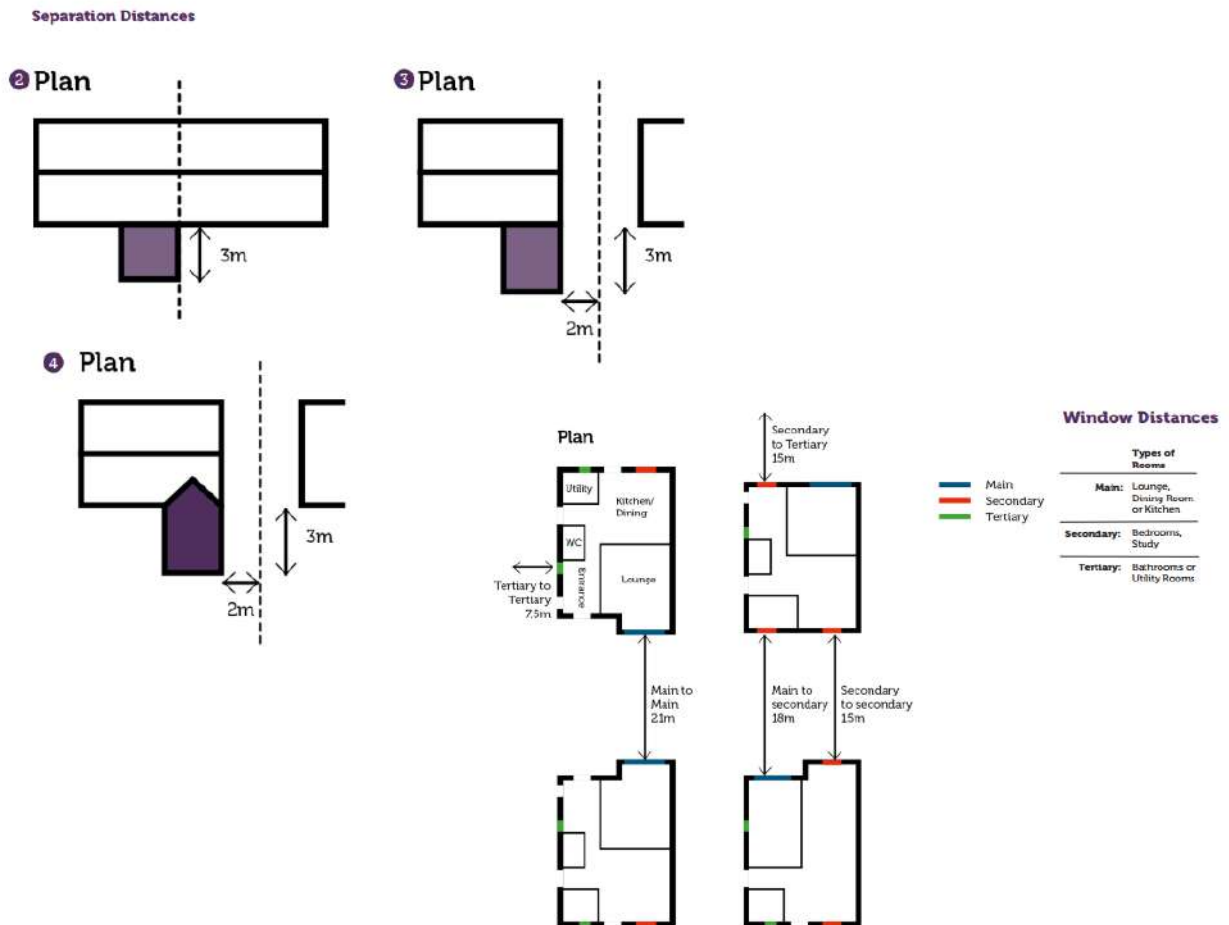
1  
45° line drawn from centre of neighbour's window

**Separation distances illustration:**

Previous illustration:

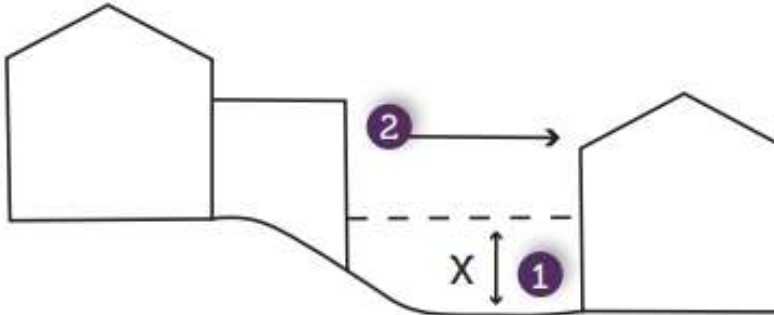


Amended illustration:

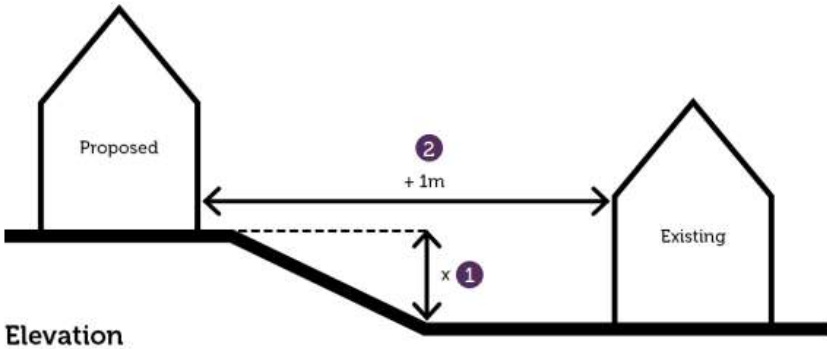


### Building Distances for Level Changes

Previous illustration:

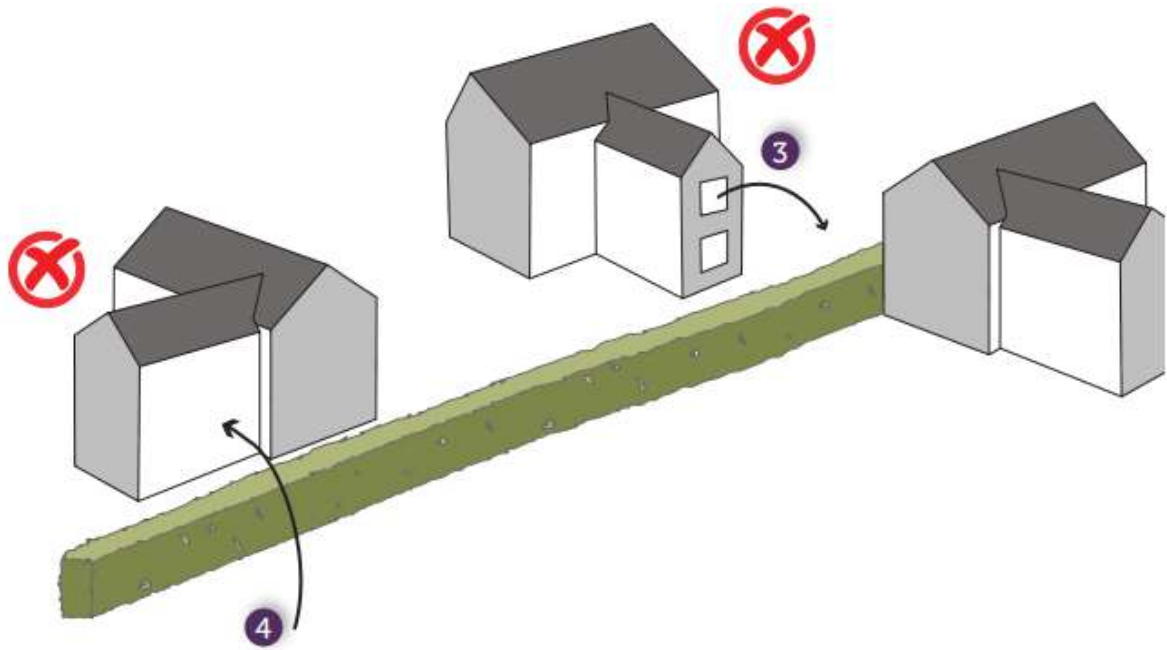


Amended illustration:

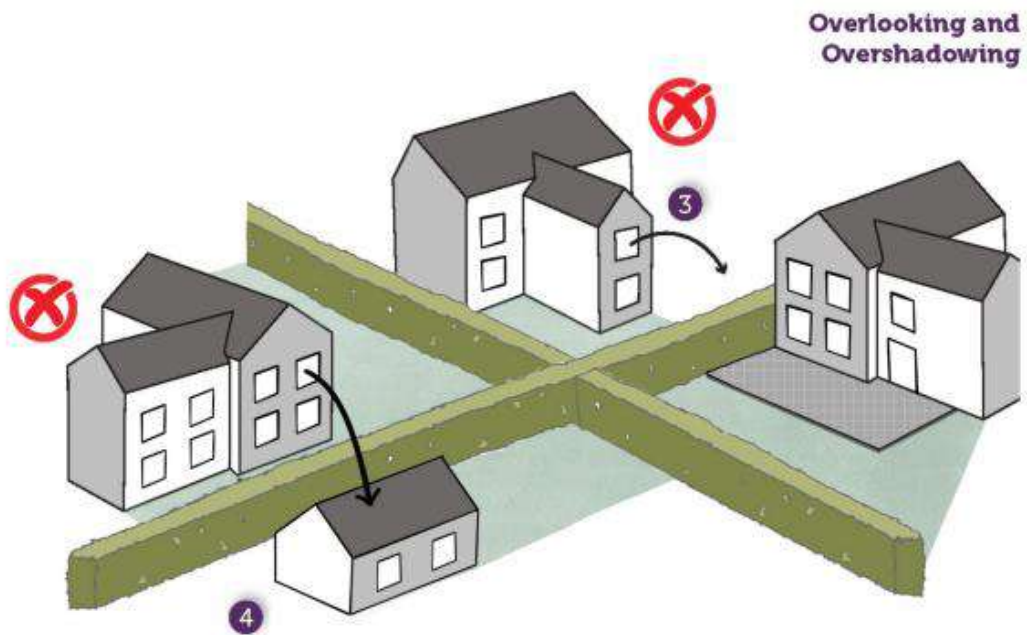


**Overlooking and overshadowing:**

Previous illustration:



Amended illustration:



**Annex 2: Revised Design Code Supplementary Planning Document**  
(Separate document)

**Annex 3: Consultation Report Design Code Supplementary Planning Document**  
(Separate document)