

CABINET
TUESDAY, 16 JUNE 2026

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: North Herts Design Code SPD

REPORT OF: Director - Place

EXECUTIVE MEMBER: Executive Member - Place

COUNCIL PRIORITY: All Priorities;

1. EXECUTIVE SUMMARY

To present this Supplementary Planning Document (SPD) for adoption following public consultation and amendment.

The Design Code SPD supports the Local Plan and sets out detailed design standards for new development. The Design Code SPD has been produced in response to up-to-date national policy.

The SPD sets out our design expectations and requirements for development in North Herts. It offers good practice guidance to developers when developing proposals and policy advice to decision-makers when determining planning applications.

2. RECOMMENDATIONS

- 2.1. That the outcomes of the consultation on the draft Design Code SPD, as contained in the Statement of Consultation at Appendix A, be noted
- 2.2. That the Design Code SPD, attached as Appendix B, be adopted
- 2.3. That the 2011 Design Supplementary Planning Document is revoked
- 2.4. That delegated authority is granted to the Director: Place, in consultation with the Executive Member for Place, to make any minor non-material corrections to the Design Code SPD as considered necessary for publication and publicity in accordance with the relevant regulations.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To allow the Design Code SPD to be adopted to support delivery of the policies in the adopted Local Plan and ensure that developer contributions for development schemes are secured appropriately where they are necessary.
- 3.2. To ensure the SPD is presented in advance of the Government's final cut-off of 30 June 2026 for any SPDs to be adopted under the outgoing legacy planning system.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. None. Consultation has taken place on the Design Code SPD. Responses have been considered and amendments have been made in response to the representations made. The SPD is ready for adoption in accordance with the relevant regulations.
- 4.2. Following the enactment of the [Levelling Up and Regeneration Act 2023 \(Commencement No.11 and Saving and Transitional Provisions\) Regulations 2026](#), Supplementary Planning Documents in preparation must be adopted no later than 30 June 2026.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. The Executive Member for Place and the cross-party Strategic Planning Project Board have been briefed on the content of the Design Code SPD and the programme for its development on a regular basis.
- 5.2. Internal and external consultation with relevant officers and Members across Council departments, and residents, has taken place in developing the SPD, including
 - Member Workshops and Site Visits
 - Specialist Working Groups (with external consultants, officers and HCC officers)
 - Residents Design Forum
- 5.3. Public consultation on the draft SPD was undertaken between 4 March and 2 April 2026. A summary of the comments made in response to the draft SPD has been prepared and is included within the Statement of Consultation at Appendix A. Further detail is set out below.

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on 13 February 2026.

7. BACKGROUND

- 7.1. The National Planning Policy Framework (NPPF) and associated Guidance defines Supplementary Planning Documents (SPDs) as documents which add further detail to the policies in the development plan. SPDs are capable of being a material consideration in planning decisions but are not part of the statutory Development Plan and cannot introduce new planning policies. SPDs are not subject to an independent examination but are required to undergo public consultation.
- 7.2. In March 2021, Members considered a comprehensive [report](#) on implementation of the Local Plan. They resolved, among other matters, to support the production of a Design Code SPD with a broad scope that would consider design quality across the District for new developments and Masterplans.
- 7.3. The Local Plan, adopted in November 2022, contains policies with implications for design. The main policy 'hooks' that link to the ability for the Council to seek quality

design in developments is in Local Plan Policy SP9: Design and Sustainability and Policy D1: Sustainable design.

- 7.4. Policy SP9: Design and Sustainability contains an overarching aspiration for new development to be well designed and located and to respond positively to its local context. Criterion c) contains a suite of broad design principles for significant development, based on national policy guidance. Policy D1: Sustainable design, builds upon the intentions of Policy SP9 in terms of design quality and sets out similar (but simpler) aspirations applicable to all development, consistent with the nature and scale of the scheme.
- 7.5. This 'principles-based' approach does not provide detailed technical requirements or fully reflect the aspirations of the present day and the direction of travel that the Council and Government are taking in terms of design quality and standards.
- 7.6. The Government provided further detail on their proposed roll-out of a new plan-making system in late 2025. These were reported to Cabinet in January 2026. Importantly, in this context, the Government proposals included a 'cut-off' date of 30 June 2026 for the adoption of Supplementary Planning Documents under current legislation and regulations. This required work on the Design Code SPD to be accelerated to ensure that consultation, consideration of responses and re-presentation to Cabinet for approval might be accommodated within this timeframe.
- 7.7. Cabinet approved the draft Design Code SPD for consultation in February 2026. Consultation took place between 4 March and 2 April. In March 2026, the Government also laid relevant regulations to update and change the planning system. This confirmed the 'cut-off' arrangements above.

8. RELEVANT CONSIDERATIONS

- 8.1. The report to Cabinet in February 2026 set out the approach to the scope and broad content of the (then) draft SPD.
- 8.2. As a result of the public consultation, 66 individual responses were received from residents, the County Council, developers and other interested parties.
- 8.3. In response to the representations, and issues raised, amendments have been made to the content of the SPD. These include:
 - a. Amending the detailed wording of objectives and codes to provide greater clarity. This includes incorporating specific amendments requested by Historic England
 - b. Updating open space codes to include requirements for specific accessible equipment
 - c. Changing street specification to align with building regulations and emergency access requirements
 - d. Deletion of a subcode on clustering of affordable housing as this is adequately dealt with by other codes
 - e. Clarifying the approach to car and cycle parking codes to ensure alignment with adopted standards and to be clearer about the differentiation between on-plot and off-plot provision

- 8.4. In addition to technical comments, some respondents raised procedural concerns. These included:
- a. That insufficient prior engagement and consultation had been carried out
 - b. That the document goes beyond the scope of what is permitted in an SPD
 - c. That the SPD effectively introduces new policies and requirements beyond those set out and tested in the Local Plan

These issues have been comprehensively considered and officers' view is that they should not prevent the SPD from being adopted. Detailed reasoning, along with responses to the technical issues, are set out in the Statement of Consultation attached as Appendix A.

- 8.5. The SPD has been updated to reflect issues raised during consultation and further internal discussions. The SPD is attached at Appendix B. The sustainability screening determination is attached at Appendix C. This has been updated to reflect the responses received during the statutory consultation.
- 8.6. Subject to approval by Cabinet, the SPD will be adopted and will be a material consideration in planning decisions.
- 8.7. A compliance checklist is being developed to support the SPD. This will allow applicants to 'self-assess' their schemes against the SPD prior to submitting an application. It will also assist officers in considering proposals. It is likely that the checklist will adapt and evolve as lessons are learnt from implementation. This will be published on the Council website alongside the SPD allowing it to be separately updated. Work will also continue to enable the Design Code SPD to be accessed and used as a web-based resource.
- 8.8. The Design Code SPD replaces and supercedes the 2011 Design Supplementary Planning Document. Cabinet is requested to formally revoke this document.

9. LEGAL IMPLICATIONS

- 9.1. Under the Terms of Reference for Cabinet, paragraph 5.7.18 of the Constitution states that the Cabinet should exercise the Council's functions as Local Planning Authority except to the extent that those functions are by law the responsibility of the Council or delegated to the Service Director: Place. This includes the preparation and adoption of SPDs which do not form part of the Council Policy Framework.
- 9.2. The statutory basis for Supplementary Planning Documents and their preparation is set out by a range of acts and associated regulations including the Planning and Compulsory Purchase Act 2004 (as amended) and the Localism Act 2011. Detailed requirements for the preparation of SPDs, including requirements for consultation, are stipulated in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). These same documents make provision for local planning authorities to revoke any Supplementary Planning Document
- 9.3. The [Levelling Up and Regeneration Act 2023 \(Commencement No.11 and Saving and Transitional Provisions\) Regulations 2026](#) ; Schedule 1 – Plan Making Saving and Transitional Provisions states that local planning authority may prepare and make arrangements for the adoption of a proposed supplementary planning document, provided that the document is adopted no later than 30 June 2026.

10. FINANCIAL IMPLICATIONS

- 10.1. The costs of preparing the Design Code SPD have been met through existing staff resources and approved revenue budgets.

11. RISK IMPLICATIONS

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.

- 11.2. The risks associated with not preparing a Design Code SPD include:

- lack of clarity and uncertainty to case officers and applicants when negotiating and determining planning applications;
- lack of consistency with the emerging Local Plan as well as national planning policy and guidance; and
- a risk of not securing the maximum range of design quality in development for the District.

- 11.3. The Design Code SPD will 'pave the way' for design guidance associated with the forthcoming Local Plan Review. The risk entry for this project, reported as part of the Council Delivery Plan, includes:

- **Inadequate guidance leading to poor scheme outcomes:** Insufficient clarity in national policy or guidance may result in development that does not appropriately support corporate priorities relating to climate change, the environment, the economy, or place making; and
- **Poor design outcomes:** Development may fail to respond appropriately to local character and context if policy clarity or evidence is lacking.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2. An Equality Impact Assessment was completed at the draft SPD stage and concluded there are positive impacts to our communities as a result of the work of the SPD. This was reported to Cabinet in February 2026. The changes made to the SPD in response to the consultation are largely technical and do not substantively impact upon the scope, intent and anticipated outcomes of the previous EqIA.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and "go local" requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. Government regulations require that Supplementary Planning Documents (SPD) are 'screened' to determine whether statutory environmental assessment is required which would consider the social, economic and environmental implications of proposed policies and allocations.
- 14.2. A screening opinion was completed at draft stage and has been reviewed in light of the consultation. This is attached at Appendix C and concludes that the Design Code SPD is not likely to have 'significant environmental effects' beyond the adopted Local Plan policies which have been subject to an SA and SEA.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1. There are no new human resource implications arising from this report. Work on the Design Code SPD has been supported by establishment staff supplemented by a fixed-term post funded from the project revenue budget.

16. APPENDICES

- 16.1. Appendix A – North Herts Design Code SPD Statement of Consultation
- 16.2. Appendix B – North Herts Design Code SPD [*For the purposes of committee reporting this document is split into four parts due to file size. The final document will be presented as a whole*]
- 16.3. Appendix C – North Herts Design Code SPD SEA Screening Determination

17. CONTACT OFFICERS

Nigel Smith	Director: Place	nigel.smith@north-herts.gov.uk , 01462 474847
Sohanna Srinivasan	Principal Planning & Urban Design Officer	sohanna.srinivasan@north-herts.gov.uk , 01462 474174
Joe Morizzo	Senior Urban Designer	Joe.morizzo@north-herts.gov.uk , Tel: 01462 474186
Rob Hamilton	Senior Urban Design and Planning Officer	robert.hamilton@north-herts.gov.uk
Millie Malik	Graduate Planning Officer	millie.malik@north-herts.gov.uk , 01462 474425

18. BACKGROUND PAPERS

- 18.1. [Report to Cabinet February 2026 – Draft Design Code SPD](#)
- 18.2. [Report to Cabinet March 2021 – Local Plan implementation](#)
- 18.3. [Report to Cabinet July 2017 – Review of existing North Hertfordshire Planning Guidance](#)