

CABINET
TUESDAY 22 SEPTEMBER 2026

PART 1 – PUBLIC DOCUMENT

REPORT OF: NIGEL SMITH, DIRECTOR OF PLACE

EXECUTIVE MEMBER: CLLR DONNA WRIGHT, EXECUTIVE MEMBER FOR PLACE

COUNCIL PRIORITY: THRIVING COMMUNITIES / ACCESSIBLE SERVICES / RESPONSIBLE GROWTH / SUSTAINABILITY

1. EXECUTIVE SUMMARY

1.1 This report seeks approval for the Local Plan - Content and Evidence Base document for consultation. The Content and Evidence Base document is the second stage in the new plan-making system. Its purpose is to present the Council's emerging policy approach across a range of thematic areas and what evidence has been or will be collected to support the Local Plan. It will also explain which planning matters will be addressed through the new National Development Management Policies.

1.2 It is accompanied by the following supporting documentation:

Documents for Consultation:

- Content and Evidence Base document
- Site Submission Map referenced at section 8.21
- Sustainability Appraisal Scoping Report
- Equality Impact Assessment
- Health Impact Assessment

Documents Published for Information

- Gateway 1 Assessment
- Scoping Consultation Summary Report
- Community Engagement Strategy
- Evidence Base Reports published to date

2. RECOMMENDATIONS

2.1 That the Cabinet notes the following documents:

- Consultation Summary Report – scoping consultation (Appendix A)
- Gateway 1 self-assessment (Appendix B)
- Consultation and Engagement Strategy (Appendix C)

2.2 That the Cabinet approves the Local Plan using a plan-period of 11 years from 2029 – 2040

2.3	That Cabinet delegates authority to the Director of Place, in consultation with the Executive Director of Place, to amend and update the Statement of Community Involvement.
2.4	That Cabinet approves for consultation, the following documents: • Content and Evidence Base document (Appendix D) • Sustainability Appraisal Scoping Report (Appendix E) • Equality Impact Assessment (Appendix F) • Health Impact Assessment (Appendix G) and delegates to the Director of Place, in consultation with the Executive Member of Place, to make any minor updates of a non-substantive nature to these documents, including in relation to any updates on Local Government Reorganisation.
3.	REASONS FOR RECOMMENDATIONS
3.1.	To ensure the Council continues to meet the agreed milestones set out in the published timetable required under new Plan-making system.

4. ALTERNATIVE OPTIONS CONSIDERED

Plan period

- 4.1. The draft NPPF set out a requirement for local plans to cover a minimum of 15 years. The final NPPF, published on 17 August 2026, reduced this requirement to a minimum of 10 years with Spatial Development Strategies covering a period of 25-30 years. Officers are proposing that the new Local Plan covers a period of 11 years starting from 2029 (expected date of adoption) to 2040. This is considered to be an appropriate timeframe in terms of allocating sufficient sites to meet the District's needs, based on the Government's housing standard method, and ensuring there is a buffer in case sites do not come forward in the way they are envisioned as well as allowing more complex sites with longer lead in times to be considered as part of the new Spatial Development Strategies. Further details are set out in section 8.21.

Spatial Development Options

- 4.2. Four spatial development options were considered in terms of how development could come forward as part of the new Local Plan's spatial strategy. These are considered to be the most realistic and deliverable options for accommodating the District's growth. It should be noted that the Sustainability Appraisal highlights that it is unlikely that any of the growth options would be able to accommodate the District's growth in full; and therefore, the spatial strategy is likely to need to include all 4 to various degrees either through the Local Plan period or beyond as part of the Spatial Development Strategy.

Timing of publication of Content and Evidence Document

- 4.3. Cabinet endorsed the overall timetable for the Local Plan at its April 2026 meeting. This followed a Key Decision at the January 2026 Cabinet meeting to support an expedited timetable for the new Local Plan once the relevant legislation and regulations had been laid and enacted.

- 4.4. The Council is required to publish its Gateway 1 self-assessment by 31 October 2026 as a condition of the funding received from MHCLG. While the Council could have delayed publication of the Content and Evidence document and supporting materials until further elements of the evidence base had been completed, publication of the Gateway 1 assessment triggers the requirement for the Local Plan to be prepared within 30 months. Publishing at the Content and Evidence document at this stage provides the Council with the maximum amount of time available to progress the subsequent, more formal stages of plan preparation.
- 4.5. There is also a requirement for a Gateway 2 assessment to take place between consultation on the Content and Evidence document and publication of the Draft Local Plan. Gateway 2 provides an opportunity for the Planning Inspectorate to advise the Council on the emerging direction of travel of the Plan, including its policies, scope and supporting evidence base. Although the timing of Gateway 2 is at the discretion of the local authority, it must take place sufficiently far into the process for meaningful advice to be provided, while also allowing sufficient time for the Council to consider and respond to that advice through policy amendments and/or the preparation of additional evidence. Publishing the Content and Evidence document at the earliest opportunity within the 30-month timeframe places the Council in the most flexible position to determine when Gateway 2 would be of greatest value.
- 4.6. Publishing the Content and Evidence document at the earliest opportunity within the 30-month timeframe also reduces the risk of the Draft Local Plan not being ready for consultation prior to the implementation of Local Government Reorganisation (LGR). The (potential) relationship with LGR is discussed further in Section 8, at 8.27 onwards.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 A series of member workshops have been held over the past year on a range of issues that have informed the proposals set out in the Content and Evidence Base document. All Members were invited to attend these workshops.
- 5.2 The proposals contained within the Content and Evidence document have also been informed by responses received during consultation on the Local Plan Scoping Document, which took place between 11 May and 28 June 2026.
- 5.3 Internal consultation has been undertaken with relevant officers across Council departments to inform the preparation of the Content and Evidence document.
- 5.4 The draft structure and content of the Content and Evidence document have been considered by the Council's informal Strategic Planning Project Board, which includes cross-party representation from all political groups. The Project Board is chaired by the Executive Member for Place.

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 17 July 2026.

7. BACKGROUND

- 7.1. The new plan-making system came into effect on 25 March 2026. There are five main stages to the new system:
- Get Ready period – includes notice of intention, publishing timetable and scoping consultation, Gateway 1 Assessment
 - Preparing the Plan
 - a. Content and Evidence document consultation
 - b. Gateway 2 assessment
 - c. Draft Local Plan consultation
 - d. Gateway 3 Assessment
 - Examination
 - Adoption
 - Monitoring
- 7.2. Local Authorities are required to adopt their Local Plans within 30 months from the date they publish their Gateway 1 assessment. Further details of the new system were set out in the 20 January Cabinet papers.
- 7.3. As part of the Get Ready period, North Herts Council published a Notice of Intention to commence Plan making and a timetable on 24 April 2026. These can be found: [New Local Plan | North Herts Council](#)
- 7.4. The Council undertook a Scoping Consultation between 11 May – 28 June 2026 which sought views on what issues and priorities the Local Plan should include and asked communities how they would like to be involved throughout the process.
- 7.5. The consultation was published as follows:
- The outlook magazine, which was sent to every household
 - Emails were sent to everyone on the Local Plan database
 - Hard copies were available in the Council Offices and every library
 - Posters in libraries
 - Social media posts and webpage
- 7.6. Officers attended the five Community Forums to present the scoping document and answer questions.
- 7.7. There were 75 responses from a range of groups including residents, developers and government bodies/ statutory consultees. Issues raised through this consultation have informed the content and evidence document. The main issues raised included recognition of the housing challenges and that the targets set by Government should be seen as a minimum, ensuring sufficient infrastructure to support growth, support for a continued focus on environmental issues and climate change mitigation. In terms of engagement there was support for the range of mediums set out in the scoping document; with some suggestions for how to improve inclusivity of future engagements. These have been taken forward as part of the Community Engagement Strategy.
- 7.8. A consultation summary report setting out the Council's response to that consultation and how it has informed the Content and Evidence document is attached in **Appendix A**.

- 7.9. As part of the new plan-making system, the Council is required to publish a Gateway 1 assessment at the end of its Get Ready period. This is a self-assessment of how prepared the Council is to start the more formal stages of the plan-making process. There is a standardised template for use by local authorities. The Council's Gateway 1 assessment is attached in **Appendix B**.
- 7.10. A Community Engagement Strategy will also be published alongside the Content and Evidence document. As part of the scoping consultation on the Local Plan in May – June 2026, we asked our communities and other stakeholders how they wanted to be engaged as part of the scoping consultation. The strategy sets out a list of different stakeholders we will engage with and a commitment from the Council to engage in a variety of mediums at the different stages. The Community Engagement Strategy is set out in **Appendix D**.
- 7.11. The Community Engagement Strategy will replace the Statement of Community Involvement (SCI), which is now no longer a requirement of the new plan-making process. Upon any approval of the Community Engagement Strategy, the SCI 'falls away' as a statutory document. However, the SCI had a broader remit covering all aspects of planning, including Development Management. There is guidance within this document that will be retained pending consideration of how and where these expectations should be set out in future. Subject to approval by the Executive Member for Place in liaison with the Director of Place, a revised copy of the SCI will be prepared and published in due course as non-statutory guidance.
- 7.12. Cabinet members are requested to note the Consultation Summary Report; the Gateway 1 Assessment, and the Community Engagement Strategy.

National Planning Policy Framework (NPPF)

- 7.13. As set out in the Strategic Planning Matters paper for this Cabinet, the Government published the final NPPF on 17 August 2026. The draft NPPF was published for consultation in December 2025 and set out new requirements in relation to what Local Plans are required to plan for as well as introduce National Development Management Policies which should not be duplicated in Local Plans. The April Cabinet Strategic Planning Matters paper sets out North Herts officer response to that consultation. The Content and Evidence document has been updated to reflect the final NPPF requirements both in terms of plan making and in relation to NDMPs.

8. RELEVANT CONSIDERATIONS

- 8.1 The Content and Evidence document is set out in **Appendix D**. It is the second stage of consultation in the new plan-making system. Its purpose is to present the Council's emerging policy approach across a range of thematic areas, identifying where existing Local Plan policies are proposed to be carried forward and where new or revised policies are being developed. It will also explain which planning matters will be addressed through the new National Development Management Policies (NDMPs) and therefore do not need to be replicated within the new Local Plan.

- 8.2 The document summarises the key findings of the evidence base prepared to date and demonstrates how this evidence has informed the emerging policy direction. In addition, it identifies areas where further evidence is currently being commissioned or remains to be prepared.
- 8.3 Importantly, the new Local Plan is being prepared as an entirely new plan rather than a review or update of the existing Local Plan. This reflects the significant changes to national planning policy, legislation and plan-making requirements introduced under the new planning system.
- 8.4 The document is structured around the following chapters:
- Introduction
 - Vision and Measurable Outcomes
 - Our North Herts – Context
 - Spatial Strategy
 - Homes
 - Economy and Employment Opportunities
 - Town Centres
 - Natural Environment
 - Climate Change
 - Transport and Connectivity
 - Communities and Placemaking
 - Communications and Utilities
- 8.5 Whilst the Content and Evidence Document is substantial in length, it is performing an important role for the public in explaining the transition from the current Local Plan to the new Local Plan, particularly in relation to the relationship with the new NPPF changes.
- 8.6 Despite the length of the Content and Evidence Document, it is anticipated that the Local Plan itself will be significantly more concise. This is because it will focus primarily on locally specific policies and site allocations, with matters covered by NDMPs addressed at the national level rather than repeated within the Plan.

Local Plan period

- 8.7 The Local Plan will need to establish a clear plan period to define the timeframe it covers. The draft NPPF expected local plans to cover a period of around 15–20 years, while higher-level spatial development strategies (SDS) would cover a longer timeframe of 20–30 years. The final NPPF has changed this expectation and now states that local plans should cover a minimum of 10 years with SDS expected to cover at least 25 years.
- 8.8 It is therefore proposed that the Local Plan covers the period 2029–2040, representing a 11-year plan period. This approach aligns the start of the plan period with the

anticipated adoption date of the plan (2029). Although housing delivery rates in the District have increased since adoption of the current Local Plan (November 2022), they are still significantly beneath the Government's expectation of approximately 1,000 homes per year. Commencing the plan period in 2029 reduces the risk of North Herts being behind schedule before it has 'passed go'. It also recognises that housing delivery rates from existing strategic sites should improve over the coming years as these sites continue to progress through the development pipeline. A shorter timeframe also helps align North Herts with neighbouring authorities with whom we will be with as part of LGR.

Supporting documentation

Sustainability Appraisal Scoping Report

- 8.9 A Sustainability Appraisal (SA) scoping report, which incorporates the requirements of a Sustainable Environment Assessment, has been prepared. A SA assesses the likely social, economic and environmental impacts of the Local Plan, including reasonable alternatives; and identifies opportunities, minimise negative effects and improve the overall outcomes of our Plan. The SA involves five stages:
- Stage A – collecting the baseline information, identifying sustainability issues and challenges and developing SA framework
 - Stage B – testing the Local Plan objectives against SA framework and assessing reasonable alternatives
 - Stage C – prepare the SA report
 - Stage D – consult on SA report
 - Stage E – prepare and publish
- 8.10 The SA scoping report covers the first two stages in the SA process – Stage A and B. The SA scoping report, which initially included the baseline information and proposed SA framework, was consulted on between October and November 2025 with the statutory consultees – Natural England, Environment Agency and Historic England – as per the requirements. Comments received during the consultation were carefully reviewed and considered, and where appropriate incorporated into the assessment framework. This informed the preparation of a post-consultation updated version of the SA Scoping Report, which is Part 1 of the report.
- 8.11 The updated Scoping Report establishes the Sustainability Appraisal Framework that will be used to assess the likely social, economic and environmental effects of the plan. The framework comprises 11 Sustainability Appraisal objectives, each supported by a set of appraisal questions. Together, these objectives and questions will guide the appraisal of plan policies, site allocations and reasonable alternatives, enabling sustainability considerations to be integrated throughout the plan-making process.
- 8.12 The appraisal of four spatial development options, as set out in the Content and Evidence document, comprises the second part of the report. These options are not mutually exclusive and many Local Plans (including our current one) ultimately adopt a 'hybrid'

approach. The appraisal indicates that all four growth options have the potential to contribute to sustainable development, but they perform differently across the environmental, social and economic objectives.

- Growth Option 1: Infill Development and Urban Intensification performs strongly in a number of areas such as making efficient use of previously developed land, supporting sustainable transport, reducing the need to travel and making best use of existing services and infrastructure. However, it is highly unlikely to meet the District's identified housing needs in full, which could have wider social and economic implications, including reduced delivery of affordable housing, increased housing affordability pressures, difficulties in meeting the needs of different groups within the community, and constraints on economic growth due to a limited supply of homes for the local workforce. There are also other potential impacts on biodiversity, heritage and local character, which are more limited in scale and more capable of mitigation. By not meeting the District's housing targets could lead to increased risk of speculative applications and appeals in the longer term.
- Growth Option 2: Urban Expansion also performs positively across most sustainability objectives, offering significant opportunities to deliver housing, infrastructure, employment and green infrastructure in accessible locations. Although it involves some environmental trade-offs, particularly relating to greenfield land and landscape impacts, these can be reduced through comprehensive planning and mitigation measures.
- Growth Option 3: Dispersed Village Growth generates a more mixed sustainability outcome. It can support rural communities, local services and village economies, but is generally less effective at promoting sustainable transport, reducing carbon emissions and delivering strategic infrastructure. The dispersed nature of development can also lead to greater environmental and accessibility challenges. As with Option 1, it is also highly unlikely to meet the District's identified housing needs in full with consequential implications for affordable housing and affordability pressures more generally; as well as potentially leading to more speculative applications in the longer term if housing targets are not met.
- Growth Option 4: New Settlement performs most strongly overall, providing significant opportunities to deliver housing, jobs, infrastructure, community facilities, sustainable transport and environmental enhancements as part of a comprehensively planned development. While it would result in some greenfield land loss and landscape change, these impacts are largely outweighed by the longer-term sustainability benefits.

8.13 The full findings are set out in the Sustainability Appraisal Scoping Report in **Appendix E**.

Equality Impact Assessment (EQIA)

- 8.14 An Equality Impact Assessment has been prepared for the Content and Evidence document. It provides a baseline of data related to each protected characteristic group as identified by the Equality Act 2010 within North Hertfordshire, sets out key issues that the Local Plan should cover in relation to each protected characteristic, creates a framework to identify potential positive and negative impacts of the Local Plan and whether any mitigation is required. It also assesses the potential impacts of the spatial development options set out in the Content and Evidence document. We have also included an assessment of people who experience socio-economic disadvantage bearings on equality of life opportunities.
- 8.15 The assessment indicates that all growth options have the potential to deliver positive outcomes for residents, although the nature, scale and distribution of benefits and impacts vary.
- Growth Option 1: Infill Development and Urban Intensification is likely to have generally positive equality impacts due to good access to existing services, facilities, employment and public transport. Potential negative effects may arise where growth places pressure on infrastructure, green spaces or housing affordability.
 - Growth Option 2: Urban Expansion is expected to deliver predominantly positive equality outcomes, particularly where development is supported by timely delivery of infrastructure, services, employment opportunities and sustainable transport. Risks primarily relate to infrastructure delays, affordability and environmental impacts.
 - Growth Option 3: Dispersed Village Growth is likely to result in a mix of positive and negative impacts. While it can support rural communities and local services, it may reduce access to employment, healthcare, public transport and other facilities, particularly for more vulnerable groups.
 - Growth Option 4: New Settlement has the potential to deliver strong positive equality outcomes through the comprehensive planning of homes, jobs, transport and community infrastructure. However, benefits will depend on infrastructure and services being delivered alongside housing growth.

- 8.16 The full findings of the EQIA Scoping Report is set out in **Appendix F**.

Health Impact Assessment (HIA)

- 8.17 The Health Impact Assessment is set out in **Appendix G**. The HIA has been prepared to assess how our Local Plan could affect the health and wellbeing of people living, working and spending time in North Hertfordshire. Although a HIA is not a legal requirement, it is an important part of developing a Local Plan that supports healthy,

sustainable communities and aligns with the Council's commitment to improving quality of life for residents.

8.18 The report sets out a baseline of information and assesses the four strategic development growth options against the wider determinants of health¹ as set out in the Content and Evidence document.

- Growth Option 1: Infill Development and Urban Intensification This option is expected to have a generally positive impact on health and wellbeing by focusing development in locations with good access to services, jobs, public transport and existing infrastructure. It can encourage active travel, reduce car dependency and support urban regeneration which are important aspects of the wider determinants of health. However, positive outcomes will depend on good design, protection of green spaces and timely infrastructure provision.
- Growth Option 2: Urban expansion has the potential to deliver significant health benefits through new homes, community facilities, green infrastructure and sustainable transport connections. However, there is a risk of negative impacts if development results in the loss of greenfield land, increased car dependency or delays in infrastructure delivery. Overall, the health impacts are likely to be strongly positive where growth is comprehensively planned and supported by appropriate infrastructure.
- Growth Option 3: Dispersed Village Growth: This option could support the vitality of rural communities by helping to sustain local services, meet housing needs and maintain community cohesion, which is important for the health and well-being, particularly those more vulnerable or isolated. However, challenges relating to transport accessibility, car dependency and the capacity of local infrastructure may limit health benefits. Overall, the likely health impacts are mixed but generally positive if growth is carefully managed and supported by improvements to infrastructure and services.
- Growth Option 4: New Settlement
A new settlement has the greatest potential to deliver positive health outcomes because it allows healthy placemaking principles, green infrastructure, community facilities and sustainable transport networks to be planned and delivered in an integrated way from the outset. However, benefits depend on successful site selection, infrastructure delivery and transport connectivity, and are unlikely to be realised in the short to medium term. Overall, this option is expected to have significantly positive long-term health impacts.

Consultation Arrangements

¹ identified through the Hertfordshire Healthy and safe Framework [Herts Healthy and Safe Places Framework](#)

- 8.19 The consultation for the Content and Evidence document is scheduled to run from 13 October to 24 November 2026 for a period of six weeks, in accordance with Government requirements. The following documents will be published as part of the consultation:

Documents for Consultation:

- Content and Evidence document
- Site Submission Map*
- Sustainability Appraisal Scoping Report
- Equality Impact Assessment
- Health Impact Assessment

Documents Published for Information

- Gateway 1 Assessment
- Scoping Consultation Summary Report
- Community Engagement Strategy
- Evidence Base Reports published to date

- 8.20 The Content and Evidence document refers to various reports and studies that have currently been published or are expected to be published. These can be found on the Local Plan -evidence base page of the website. [Evidence base | North Herts Council](#)

- 8.21 *The Site Submission Map was published separately in September 2026 to allow communities, parish councils and other stakeholders sufficient time to understand the location and nature of submitted sites in advance of the formal consultation starting in on 13 October 2026. The information provided for each site includes:

- Site boundary (red line)
- Site identification number
- Site area (hectares)
- Proposed use, as submitted by the site promoter
- Site allocation reference, where applicable, for current Local Plan allocations

- 8.22 No assessment of the sites will be published at this stage. Internal consideration of the sites will continue. This will include informal engagement with Members prior to formal consultation on the draft Local Plan next year.

- 8.23 The Site Submission Map includes all sites submitted through the Call for Sites process, together with allocations contained within the current Local Plan that either do not have planning permission or have planning permission but development had not commenced as at 31 March 2026. This approach ensures that sites with extant permissions which have yet to be implemented remain within the assessment process and are not excluded should permissions subsequently lapse.

- 8.24 As part of allocating a range of size of sites in order to provide a more robust pipeline for delivery, the NPPF requires Local Plans to set 10% of allocations of sites of no larger

than 1ha and a further 10% of sites between 1ha and 2.5ha, unless there are strong reasons for not doing so. It should be noted that of the sites currently submitted, there is a lack of sites of no larger than 1ha and of between 1 and 2.5ha. In addition, there is a lack of brownfield/infill sites. Sites of this nature often have limited incentive to engage with a Local Plan process as they can be brought forward far more quickly through the development management system. However, we will continue to promote these requirements. Sites can continue to be submitted as part of the call for sites until the end of the consultation period on the Content and Evidence document.

- 8.25 Publishing the Site Submission Map in advance of the consultation will provide local communities, parish councils and town councils with an opportunity to review and discuss sites of relevance before submitting formal representations. At the same time, retaining a six-week consultation period will enable the Council to maintain progress against its Local Plan programme and the objective of adopting a new Local Plan within 30 months.
- 8.26 To support effective consultation management and analysis, each consultation document listed above will be presented as a separate consultation item on the Council's digital engagement platform, allowing respondents to provide comments on individual documents and topics. There will also be an Easy Read version of the Content and Evidence document on the website.

Relationship to LGR and future strategic planning

- 8.27 Arrangements for new unitary authorities in Hertfordshire were announced in July 2026. As Members will be aware, these authorities were to be vested in April 2028. Most of North Hertfordshire will be incorporated into a Central Hertfordshire authority with Stevenage and the significant majority of Welwyn Hatfield. Royston and surrounding areas will become part of the East Hertfordshire & Broxbourne unitary.
- 8.28 An overview of plan-making activities in these areas is provided in the Strategic Planning Matters report, with all authorities in regular and ongoing contact. At present, most of the authorities are working on the basis that one more round of District-level local plans can be achieved, and provide the best possible planning platform, for the new authorities. The general expectation in government guidance is that new, 'inheriting' authorities would complete the work of their predecessors. The post-examination stages of decision-making require plans which have been found sound to be adopted.
- 8.29 As it presently stands, the (constituent parts of) the new Unitary authorities cannot begin plan-making work on a new Unitary Plan for their areas until 1 April 2028 and would then need to work through the same stages outlined above. The announcements on 8 September of the pause to LGR provides further importance to progressing the new North Herts Local Plan. This means any new Unitary Plans would now be highly unlikely to be adopted prior to 2033 at the very earliest (if at all). This poses significant risks given the present picture of housing supply and delivery.

- 8.30 This approach has been considered, and is being considered, through relevant LGR work programmes on an ongoing basis. The current approach has been endorsed by Chief Executives on the basis that arrangements should be kept under continuous review. Officers are also working with MHCLG to obtain clarity on any transitional arrangements and / or any scope to undertake preparatory works on unitary footprints in advance of 2028.
- 8.31 In practical terms, officers anticipate an additional, informal 'gateway' with LGR partners in late 2026 / early 2027 to inform a collective and consistent decision on whether individual plans should proceed to draft stage or whether there is now scope to 'fold in' work to date to a different process.
- 8.32 Alongside this, the new plan-making system also reintroduces the concept of higher-level strategic plans in the form of a Spatial Development Strategy (SDS). Responsibility for the SDS presently sits with Hertfordshire County Council but would pass to a future strategic authority or mayoral authority.
- 8.33 An SDS would set out the approach on strategic matters – such as the broad distribution of development, any requirements for Green Belt reviews and other 'larger than local' issues such as strategic infrastructure or regionally significant employment. Lower tier Local Plans should be in conformity with the SDS.
- 8.34 At present, preparatory work on any SDS is running significantly behind the Local Plan. In that regard, it is presently expected that any SDS will follow / reflect the shorter-term strategies set out in this generation of emerging plans and then set a longer-term vision and framework for the subsequent generation of unitary plans into the 2050s. As with local plans, this position is kept under review but it is presently anticipated this position is less likely to change significantly or in a way that fundamentally impacts upon the Local Plan.

9. LEGAL IMPLICATIONS

- 9.1. The preparation of Local Plans is governed largely by Section 15 of the Planning and Compulsory Purchase Act 2004 (PCPA) (as presently amended).
- 9.2. The Levelling Up and Regeneration Act (LURA) 2023 paves the way for reforms to the plan-making process through amendments to the PCPA 2004. The Town and Country Planning (Local Planning) (England) Regulations 2026 came into force on March 25, 2026. They set out the detailed process for the preparation of new-style plans
- 9.3. Cabinet holds a general power under Section 5.7.18 of the Constitution to exercise the Authority's functions as Local Planning Authority. Certain stages of plan-making, namely submission to the Secretary of State and adoption, are reserved to Full Council.

- 9.4. The detailed provisions of the Constitution are currently under review to assure alignment with the terminology and requirements of the new legislation and associated regulations. If necessary, these will be presented through the constitutional update to be presented to Full Council in October. However, the Director: Governance retains a general delegated authority to amend the constitution in response to legislative changes as set out in Section 2 of the constitution

10. FINANCIAL IMPLICATIONS

- 10.1 The Local Plan Review and other planning documents are being produced from existing budgets including reserves that have been earmarked for this purpose. The current budget allocated for Local Plan is £691k. Although as set out below there is some risk as to whether the currently allocated resources will be sufficient.
- 10.2 The Council's Medium Term Financial Strategy (MTFS) in September 2024 set an expectation that the Local Plan Review will be delivered within existing resources. In broad terms, the costs of a Local Plan increase as it makes progress through the stages. The pre-submission plan (or equivalent replacement under the new regime) should be supported by a full evidence base. The examination phase can incur significant costs in legal representation and inspector fees, recognising the Government's proposal to significantly streamline this element.
- 10.3 The Council has secured additional funding from MHCLG in respect of £75,000 for the Green Belt review and £108,000 for additional staff capacity. The current budget allocated for Local Plan preparation is expected to cover the majority of the work required. However, a further budget bid may be necessary during the budget-setting process to fund additional evidence and assessment work arising from decisions by the County not to progress the Spatial Development Strategy (SDS) at this stage. This could include work on strategic opportunities, such as renewable energy infrastructure, where assessment may be more appropriately considered at a regional scale.
- 10.4 The costs of the examination in public, including the inspector fees and legal costs, which will occur later in the process post Local Government Reorganisation will also need to be sought in this budget bid round. This allows these costs to be available for the new Unitary Authorities when considering their budgets and Medium Term Financial Strategy.
- 10.5 Spend, and any impacts upon the Local Plan timetable, will be monitored on an on-going basis. This will include reporting to the Strategic Planning Project Board as part of their informal oversight role. There are likely to be requests for any year-on-year underspends to be carried forward into the next financial year. Dependent on progress, it may be necessary to reprofile the approved budget bids. Sensible steps have been taken to minimise external costs including the preparation of evidence studies in-house where this is achievable within the staffing capacity and professional competence of the team. Some specialist areas of evidence necessitate external advice from experts in their field and / or benefit from being independently assessed by third parties.

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. In accordance with Section 15(3A) of the Planning and Compulsory Purchase Act 2004, local authorities are required to prepare and publish a Local Plan programme and keep it up to date at least once a month.
- 11.3. The Local Plan Review is a key project in the Council Delivery Plan. These projects have specific risk entries as part of the Council's corporate risk monitoring approach. This is regularly updated and reported to Cabinet, with Overview and Scrutiny Committee also having opportunity for quarterly monitoring reports to help inform its work programme.
- 11.4. Key risks include:
 - a. Inadequate guidance leads to poor scheme outcomes that do not appropriately respond to, or contribute towards, corporate objectives and priorities of climate change, environment, economy, and place.
 - b. Poor design outcomes that do not appropriately respond to local character and context.
 - c. Failure to retain/recruit sufficiently experienced officers to implement required programme of work.
 - d. Failure to secure adequate funding to resource the process.
 - e. Failure to obtain political and / or Government approval at key stages or gateways.
 - f. Adverse appeal decisions on other/non-Local Plan sites if progress on the Local Plan Review is delayed or stalled.
 - g. Introduction of new Spatial Development Strategies, as preparation is likely to progress on a similar timeline to the Local Plan.
 - h. Government introduce different or new or substantive reforms to the planning system and / or national policy.
 - i. Government intervention if inadequate progress is made upon Local Plan Review.
 - j. Impact of Local Government Reorganisation – diversion of resources, changes to existing timetable/approach, introduction of new workstreams, conflicting policy approaches between authorities, split of North Herts into two administrative areas after April 2028.
- 11.5. In addition, the new regulations require a detailed risk register to be maintained.
- 11.6. Controls and mitigations include reporting to the internal Project Board and ongoing monitoring of workload and service-wide budgets to ensure sufficient resources.

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 Equalities Impact Assessment was carried out on the spatial development options contained in the Content and Evidence document. Section 8.14 sets out a summary of the main equality impacts for each spatial development option. To maximise positive equality outcomes and minimise potential adverse effects, the Local Plan should set policies that can enable the timely delivery of infrastructure, services and facilities alongside growth.
- 12.3. Key mitigation measures include providing a mix of housing types and tenures, including accessible and adaptable homes; promoting inclusive and age-friendly design; improving access to healthcare, education, childcare, public transport, green spaces and community facilities; and supporting community safety through high-quality place-making and design. The Plan should also promote affordable housing, access to employment opportunities, community cohesion and social inclusion, while protecting and enhancing community facilities and ensuring developments meet the needs of different groups and life stages.
- 12.4. The EqIA is an iterative process and will be updated as the Local Plan progresses through the next stage which will include an assessment of draft policies.
- 12.5. The EQIA Scoping Report is set out in **Appendix F**.

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. A Sustainability Appraisal Scoping Report, which includes the requirements of Sustainable Environmental Assessment, has been undertaken on the Content and Evidence document. This is a requirement under the new plan-making system. A summary of the main impacts across of the four spatial development options is set out in section 8.11.
- 14.2. Overall, the appraisal suggests that the most positive sustainability outcomes are likely to be achieved through spatial development options that enable comprehensive planning, coordinated infrastructure delivery and sustainable transport provision, while more dispersed patterns of development present greater environmental and accessibility challenges.
- 14.3. The Sustainability Appraisal Scoping Report is set out in **Appendix E**.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 The Local Plan programme is subject to our Strategic Planning Team being fully resourced and staffed, which is currently is. However a number of posts are agency posts, including the interim Strategic Planning Manager and a Principal Planning project managing the site allocations work.
- 15.2 There are known recruitment issues and skills gaps within the planning sector as a whole. The consequence of not being fully staffed may ultimately have an impact on the delivery of the timeline of the Local Plan Update and the meeting of the key milestones set out in the document. The timetable will be kept under review in line with resource availability and updated as appropriate.

16. APPENDICES

- 16.1. Appendix A - Consultation Summary Report – scoping consultation
- 16.2. Appendix B - Gateway 1 self-assessment
- 16.3. Appendix C - Consultation and Engagement Strategy
- 16.4. Appendix D - Content and Evidence Base document
- 16.5. Appendix E - Sustainability Appraisal Scoping Report
- 16.6. Appendix F - Equality Impact Assessment
- 16.7. Appendix G - Health Impact Assessment
- 16.8. Appendix H – North Herts Statement of Community Involvement 2023

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18. BACKGROUND PAPERS

None