

RESPONSE TO THE NORTH HERTS DESIGN CODE LAND EAST OF BEDFORD ROAD, HITCHIN (25/03234/FP)

Introduction

Between 04 March and 02 April 2026, a public consultation exercise was held as part of the preparation of the North Herts Design Code. Intended to add further detail to policies in the adopted local plan and reflecting the national guidance on delivering high quality, beautiful and sustainable places and buildings, it is anticipated that the code will be used as part of the process of designing a scheme and will be used by the local planning authority and other interested parties to assess proposals as part of the consideration of an application for planning permission. It is expected that the code will be adopted as a supplementary planning document (SPD) in the summer of 2026, at around the same time as the application for planning permission to create 50 homes on the land to the east of Bedford Road, Hitchin, is presented to the Development Management Committee.

The code was published after the application for planning permission was submitted, meaning that it was not possible for proposed scheme to be designed in compliance with it. However, the code states that it “will be applied proportionately on a case-by-case basis, informed by the types of development and application being considered” and it is therefore prudent to demonstrate where the application meets the standards set by the draft code – the scheme was prepared in accordance with the design expectations set out in Policies SP9 and D1 and the draft code provides an extra level of detail. As such, this statement reviews the draft North Herts Design Code and provides a commentary on where the proposed scheme achieves compliance and where it does not, with further notes on each code where appropriate.

SS01 – Rational Street and Plot Layouts

The rectangular shape of the site, with a long frontage to Bedford Road, lends itself to a legible configuration with a grid form and regularly-shaped plots and a clear delineation between the public and private realms. Existing landscape features are restricted to the trees and hedges that are remnants of former field boundaries while the topography dictates that the sustainable drainage infrastructure must be placed at the lower end of the site, closest to the River Oughton. The site is not large enough to accommodate a curving street geometry (SS01.02) but presents opportunities for place-making features on the street corners.

SS02 – Optimising Land Use

18% of the proposed scheme comprises detached houses and is therefore below the 30% ceiling for Hitchin that is set by the code.

SS03 – Responding to Edges

Bedford Road is an important route into Hitchin from the north, meaning that the new homes should face towards it and create a “public face” that helps define the entrance into the town, matching the form of development on the west side of the street. However, access direct from Bedford Road would not be acceptable and this is also reflected by the existing houses in the surrounding area that already create a frontage to the same street – they are either set close to the footway with parking in a courtyard to the rear or are set back so there is space for a driveway to the front. The former creates semi-public space that lacks surveillance and creates opportunities for anti-social behaviour, while the latter is expressly ruled out by SS03.01. The proposed scheme uses the latter to deliver an active frontage to the existing street and to leave space for the retention of the existing trees (SS03.04) and the introduction of sustainable drainage infrastructure, but to also ensure compliance with SS03.02 and the need to avoid “back to front” relationships: the depth of the site equates to 1½ blocks and facing Bedford Road and backing on to the school’s football pitch avoids long stretches of blank frontage to the public realm or homes facing towards the gardens of their neighbours. Setting back the new homes behind a private drive also ensures compliance with codes SS03.07B (retention of ecological assets on a boundary) and SS03.07C (mirroring existing frontage to create a two-sided street).

In addition, the proposed built form is in compliance with other elements of the same code. For example, the scheme includes a linear open space with a wide and natural character to form a buffer between the edge of the built form and the River Oughton, which is a significant ecological asset (SS03.04A), and incorporates complimentary planting to support the biodiversity value of the river valley (SS03.04B), frames views from the south (SS03.04C) and avoids parking fronting the linear open space (SS03.04E).

SS05 – Legible Focal Points

The proposed scheme encourages safe and sustainable routes to key destinations by offering a choice of pedestrian routes to Bedford Road, making active travel a better choice by delivering short cuts that avoid the need to walk to the vehicle entrance and back when heading to the local services and facilities to the south and west of the site.

SS06 – Private Drives and Cul-de-sacs

The code does not support the use of streets that are a “dead end”. Although the site is laid out as one cul-de-sac street, it does not frustrate permeability for pedestrians and cyclists because all routes lead back to Bedford Road and offer a shorter route than following the only vehicle route. In this case, there is no need to redesign the site to use Edge Lanes or Spur Lanes.

OS01 – Open Space Provision

With 50 homes proposed, the proposed scheme falls into Tier 1 play provision (OS01.05) and a small play area for younger children is included in the open space at the northern end of the site (OS01.03). However, positioning the open space as a buffer to the river (SS03.04A, above) instead of in the centre of the site means that the required walking distances are exceeded (OS01.02) and that it is too small to meet the six sub-categories of open space provision (OS01.01), therefore financial contributions to off-site provision will be needed.

OS02 – Open Space Design

The proposed scheme meets the requirements for accessibility (OS02.01), provision of landscape categories to create mixed and multi-functional space (OS02.02), contribution to ecological enhancements and climate resilience through the choice of planting species (OS02.03) and provision of rest spots (OS02.04). The wall topped to the southern side has an important role in marking the edge to the adjoining road that is higher than the open space (OS02.06) and a hedge is used to soften the appearance of the wall – a 45 metre long hedge of native species is proposed (OS02.07) – and the role of surveillance is addressed by using a railing on top of the wall so that views from the street are not blocked (OS02.09).

No other enclosure of the open space is proposed, relying on landscaping to the north and east and delivering a permeable boundary with Bedford Road to the west, meaning that compliance with OS02.09, OS02.10 and OS02.11 is not sought. The site is relatively small and therefore does not provide the opportunity to create social and playable boundaries (OS02.08) or features for young adults (OS02.14), sociable seating (OS02.15) or sport and fitness (OS02.16). Ecological features to address OS02.12 will be delivered, but it is expected that the details will be approved through a condition attached to the planning permission.

OS03 – Tier 1 Open Spaces

The proposed open space meets the minimum requirements for size (OS03.01B), width (OS03.01C) and street frontage (OS03.01E) but the position as a landscape buffer exceeds the required walking distance (OS03.01A). Furthermore, there are no gates or barriers which restrict access (OS03.02), 30% tree canopy cover will be achieved when the new trees reach maturity (OS03.03) and hard surfacing is considerably less than 50% of the total area (OS03.05A), provision is made for play and sociable seating but not for sports provision (OS03.04A, OS03.04C and OS03.06A, OS03.04B).

OS07 – Play Space Design

Natural materials are used for the play equipment: a farmyard theme is created by using timber animals and a tractor (OS07.01 and OS07.04).

OS08 – Informal Play

Play provision is focussed on the centre of the open space, although the equipment is informal, encourages imaginative play and is intended to be used by younger children.

OS09 – Local Areas for Play

Play provision is designed to deliver a Local Area for Play (LAP) but the location is not in the centre of the site and therefore within 100 metres of each home (OS09.01A) and water play is not proposed (OS07.05 and OS09.04B). However, it is otherwise in compliance with code OS03 and OS07, including encouragement for creative and imaginative play (OS09.04C) and the use of low maintenance equipment (OS09.04D).

OS12 – Planting Palette

The approach to species selection is described in the Design and Access Statement submitted as part of the application for planning permission, including drought tolerance and climate resilience, support for biodiversity and wildlife (informed by the county council's Local Nature Recovery Strategy) and the use of robust, disease-resistant and low maintenance species.

OS13 – Multi-functional Attenuation Basins

The attenuation basin for the sustainable drainage system is placed within the public open space as is integrated into it: it can be used for play but also adds to the openness and landscaped setting. In accordance with code OS13.04, the basin will be dry for the majority of the time and can be used for informal play but no play equipment is shown to be placed in it – the play area is close by, to the west.

ST01 – Selecting Street Types

The flow chart does not reflect the design process which led to the choice of road types, with the layout designed in accordance with the Settlement Structure codes to create a frontage to Bedford Road and a two-sided street, as well as following Hertfordshire County Council's Place and Movement Planning Design Guide (ST02.01). However, it is confirmed that part of the scheme is at the edge of the settlement and serves more than four homes, requiring use of the Edge Lane typology (ST10), whilst the remainder does not serve more than 50 dwellings and is defined by fronts on both sides so that the Residential Mews typology (ST07) is applicable. However, the Residential Street typology (ST06) typology is used instead of the latter to ensure that the streets can be adopted by the county council.

ST02 – Street Design

Adoption of the streets is a matter to be agreed with the county council (in their role as the highways authority) but, at this stage, it is confirmed that the streets have been designed in accordance with the Place and Movement Planning Design Guide (ST02.01) and the standards needed to be maintained in perpetuity by the county (ST02.02, ST02.07, ST02.09 and ST02.10). The soft landscaping scheme is kept simple to ensure that it can be maintained by residents and remain attractive, with grass verges used in preference to defensive planting so that the streets are not narrowed by unmanaged landscaping and a choice of street trees to add visual interest in parallel to designing-in disease resilience (ST02.04 and ST02.05).

ST06 – Residential Streets

ST07 – Residential Mews

Designing the streets before the codes were published has left the scheme with a hybrid of codes ST06 and ST07: a two metre wide footway is raised above the 5.5 metre wide carriageway (ST06.02A, ST06.02F) but traffic volumes will be sufficiently low that cyclists do not need a segregated cycleway (ST06.02D) and vehicle speeds will be restricted to 15 mph (ST06.02J), leading to a shared surface where all users are in the same pace (ST07.02A, ST07.02D) and vehicle speeds are reduced to 10 mph (ST07.02J). Unallocated spaces for visitors are delivered through both on-street parallel spaces (ST06.03A and not ST07.03A) and edge of street perpendicular spaces (ST06.03B and not ST07.03B), with on-plot parking inside the curtilage of each property provided on both sides of the street (ST06.03C and ST07.03C, although without garages or car ports to deliver continuous built frontage). Technical standards are achieved, including forward visibility, speed restraints, lighting on columns and electric vehicle charging within each plot.

ST10 – Edge Lanes

The ends of the cul-de-sac street where the houses face towards Bedford Road provide an opportunity to create small sections of Edge Lane but there is insufficient space to deliver all the coded elements. For example, there is space for street trees to be incorporated into the adjoining open space (ST10.01F) but the approach from the hybrid Residential Street/Mews cannot accommodate trees to frame the entrance (ST10.01E). Built form creates frontage to the Edge Lane (ST10.01H) as well as to Bedford Road and the street is shared between pedestrians (ST10.02A), cyclists (ST10.02D) and vehicles (ST10.02F and ST10.02I) with low vehicle speeds (ST10.02J), although the geometry of access to the parking for each house leads to a width that exceeds the 3 metre maximum (ST10.02F). Unallocated parking for visitors is provided in parallel bays (ST10.03A) and the technical standards are met, although it is not intended that the short sections of street will be put forward for adoption.

BF01 – Affordable Housing Distribution

Affordable housing is not grouped in a clustered greater than eight houses (BF01.01), although the code is not clear on how it should be addressed if the scheme includes blocks of apartments. With 50% provision to comply with the Golden Rules, the distribution of affordable housing easily achieves the even access to open space and public transport and is not shepherded into the least desirable parts of the site (BF01.03) so that all streets are mixed tenure and affordable housing is not opposite itself on both sides of the same street (BF01.04).

BF02 – Tenure Neutral Typologies

No terraced dwellings are proposed.

BF03 – Balancing Variety and Consistency

The proposed scheme is designed in compliance with BF03.02 – Consistent Materiality and Form, with short runs of straight streets that frame views through the site (BF03.02A), consistent use of materials (BF03.02B) and a restricted number of house types (BF03.02C). For the latter, houses with gables are used to turn the street corners in accordance with codes SS03 and SS05, adding to the anticipated number of house types even though only two building forms are proposed.

BF04 – Architectural Approach

The application for planning permission is accompanied by an analysis of the site and the surrounding area (BF04.01) but with a fragmented character for the surrounding area, the scheme seeks to establish its own identity, even though the site is relatively small. It is intended that the scheme will reflect the character of the area but can be understood as a later addition, in a similar manner to how Carling Place (on the opposite side of Bedford Road) reads as a cul-de-sac that was added to the urban area after the streets off Burford Way were constructed.

Bespoke house types have been created for the scheme (BF04.02, BF04.03), delivering traditional shapes that are in keeping with the suburban location but avoiding “borrowing” detailing from the nearby streets that might not be considered to be high quality. The contextual analysis in the Design and Access Statement identifies the positive elements of the character of the north west quarter of the town, but does not seek to rely on examples from the wider district. The palette of materials will be submitted for approval through a condition to reflecting the ongoing issue with bricks and roof tiles which are available at the design stage but are not in stock when construction begins (BF04.04).

BF05 – Private Amenity for Apartments

BF06 – Communal Amenity for Apartments

No private amenity space is proposed for the two blocks of apartments. Furthermore, the blocks were designed before the introduction of a quantum of communal amenity space (BF06.01) and therefore fall short of the required level of provision, with the buildings set in landscaped grounds instead of being adjacent to a patch of mown grass, although this means that compliance with the requirements for soft landscaping (BF06.03) and defensible space (BF06.05) are achieved. Furthermore, boundary treatment is provided by the landscaping (BF06.04) and no walls or fences are proposed.

BF07 – Private Amenity for Houses

In a similar manner to the apartments, the houses and layout were designed before the introduction of a quantum of amenity space (BF07.01) and a requirement that back gardens have a regular shape (BF07.02), but the proposed scheme achieves compliance because of the rational street layout (SS01). The site is almost flat, enabling gardens to be on one level (BF07.03) and terraced forms are not proposed so there is no need for alleyways to be used (BF07.04). Small front gardens are part of the character of the proposed scheme and sit between the minimum and maximum depths set by codes BF07.05 and BF07.06.

BF09 – Cycle Parking and Storage

Cycle parking provision is delivered by sheds in the rear gardens of the houses and a communal cycle store for the apartments. The shed is positioned in the rear garden of the houses to minimise clutter in the street scene, with independent access to the garden so that cycles do not need to be carried through the house (BF09.02, BF09.04) while the cycle store for the apartments does not rely on racks or stacks (BF09.03, BF09.11) and is positioned between the communal entrance and the refuse store of Block B so that it is close to the front door of the building, benefits from surveillance (including from the houses on the opposite side of the street) and is clearly understood as part of the building (BF09.10, BF09.12, BF09.13, BF09.16). Critical dimensions are met (BF09.09, BF09.14).

BF10 – Waste and Refuse Storage

Waste storage and refuse collection is designed in compliance with the council's guidance (BF10.01), including keeping carry distances to less than 30 metres (BF10.02) and provision of a 1.1 metre wide route between the communal refuse store for the apartments and a refuse freighter standing in the street (BF10.03). Bins and recycling containers will be stored in rear gardens and left out for kerbside collection on the designated day, avoiding the need for bin storage structures on the frontage to the street (BF10.05 to BF10.08).

PA01 – Parking Hierarchy

All houses are provided with two allocated, in-curtilage parking spaces (PA01.05) and are not reliant on unallocated secondary spaces in a communal parking area (Tier 3, PA01.01), meaning that the scheme has been designed to the Tier 4 standard even though two and three bedroom houses are proposed (PA01.02). However, no plot is allocated more than two parking spaces, in compliance with PA01.05. Parking for the apartments is also allocated, removing the need for communal parking courts and compliance with PA02.

PA03 – On Plot Parking

No garages are proposed (PA03.01, PA03.03). All car parking spaces measure 2.5 metres by 5.0 metres, reflecting that there is no size requirement in the adopted local plan or the Vehicle Parking and New Development SPD: code PA03.02 was published too late to be incorporated into the proposed scheme.

Conclusion

The proposed scheme was designed in accordance with the national requirement to create high quality, beautiful and sustainable places and is therefore in broad compliance with the North Herts Design Code, which has been drafted to achieve the same results. The strong place making principles in the draft codes have already been taken into consideration, with the Design and Access Statement summarising the assessment of the form and character of the north side of Hitchin and the explaining the need to address physical and technical constraints, including the inability to take access direct from Bedford Road and the need to create a buffer against the areas of ecological interest along the valley of the River Oughton. As such, the scheme achieves the quality sought by the draft code.

However, the proposed scheme diverges from the code in areas where quantitative standards are created. These standards were not published when the site layout was being prepared and therefore could not be taken into account and were not considered as part of the pre-application discussions. This is most notable where standards have been created for selecting street types and the scheme does not comply and delivers elements of the eight road types but fails to directly replicate any one of them, instead relying on the county council's standards for adoption (which remain in place because North Herts Council does not hold the role of local highways authority). Similar issues arise with the tiers of open space, which could not be taken into account and do not reflect the site-specific importance of protecting the river valley and managing surface water drainage, the requirements for distributing affordable housing that do not accommodate the delivery of apartments or provision at 50% of the total to meet the Golden Rules, parking provision drawn before minimum dimensions for spaces were introduced and is therefore non-compliant, and the requirement to store cycles and bins to the front of properties when independent rear access allows bins and bikes to be hidden from the public realm, thereby reducing clutter and enhancing the quality of the public realm.

There are also areas where new standards would lead to an inferior scheme that does not reflect site-specific details. For example, houses should face towards Bedford Road but no direct access can be taken from it and the code seeks a rear parking courtyard instead of running a drive parallel to the main road, with the use of a second road expressly ruled out by the code. However, the broad public realm and landscaped edge to the street are characteristics of Bedford Road that should be reflected by the proposal, whereas a parking courtyard would be less attractive option that could become a cause of conflict between neighbours and a focus for anti-social behaviour. This is an example of a scenario where there is potential for a scheme to deliver a superior environment and a better quality of life for residents, even though it would be deemed to be non-compliant with the code.

In short, the proposed scheme is broadly in compliance with the elements of the North Herts Design Code that seek higher quality residential development but does not comply with all the numerical standards that have been published after the scheme was designed and the application for planning permission was submitted. The code is currently a draft and accepts that it will be applied proportionately on a case-by-case basis, therefore the proposed scheme will be considered at a point of transition between broad standards set by local and national policies and specific standards in the code, requiring that a balanced approach is needed and the application for planning permission must be viewed in the context of the introduction of requirements that were not known during the design stage. Nevertheless, it is important to note that the scheme is in general compliance with the code and that it successfully delivers the national requirement to create high quality, beautiful and sustainable places and buildings.