

Alex Howard
North Hertfordshire District Council
Planning Control & Conservation
Council Offices Gernon Road
Letchworth Garden City
Hertfordshire
SG6 3JF

Our ref: NE/2025/138789/01
Your ref: 25/01514/FP
Date: 27 November 2025

Dear Alex,

Whitehorse Service Station, Clothall Road, Baldock, Hertfordshire, SG7 6PD.

Erection of shop, forecourt canopy, car and jet wash, car and cycle parking, EV vehicle charging points, hard and soft landscaping, and bin stores following demolition of existing buildings.

Thank you for consulting us on the above planning application on 12 November 2025. As part of this consultation we have reviewed the following documents:

- **Document titled 'Phase One Environmental Assessment Report (Preliminary Risk Assessment), by Subadra (ref: IN25210 CL 001, dated Sept 2025).**
- **Document titled 'Combined Flood Risk Assessment and Drainage Strategy', by Civilisti (ref: 2-294, dated August 2025).**
- **Drainage Technical Note titled 'Response To Hertfordshire County Council LLFA Comments', by Civilistix (ref: 2-294-TN-00, dated: October 2025).**

Environment Agency Position

We consider that planning permission could be granted to the proposed development as submitted if the planning **conditions** outlined in this response are included in the decision notice. Without these conditions, the proposed development poses an unacceptable risk to the environment, and we would object to the application.

Condition 1

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted has been submitted to, and approved in writing by, the LPA. This strategy will include the following components:

1. A detailed site investigation scheme, based on the results from document titled 'Phase One Environmental Assessment Report (Preliminary Risk Assessment), by Subadra (ref: IN25210 CL 001, dated Sept 2025) to provide information for a detailed

risk assessment to all receptors that may be affected, including those off-site.

2. A tiered risk assessment using the results of the site investigation referred to in (2).
3. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
4. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete; and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the NPPF.

Condition 2

Prior to any part of the permitted development a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF.

Condition 3

The development hereby permitted may not commence until such time as a detailed scheme for groundwater monitoring in respect of contamination has been submitted to, and approved in writing by, the LPA. The scheme shall, where necessary, be supported by: detailed sampling and analytical schedules; programme for future maintenance and decommissioning; schedule for submission of interim and final monitoring reports contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of decommissioning or redevelopment works. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason

To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 187 of the NPPF.

Condition 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the NPPF.

Condition 5

Piling (or other foundation designs undertaken using penetrative methods) hereby permitted by the LPA may not commence until such time as a scheme has been submitted to, and approved in writing by, the LPA. The scheme shall be based on the information submitted as part of the application and, where necessary, supported by: a foundation works risk assessment; a conceptual site model; specification of the type, number and depth of piles/foundations; a detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports; a contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of piling/foundation works; timing/phasing arrangements. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason

To ensure that piling/foundation works do not harm groundwater resources, in line with paragraph 187 of the NPPF.

Condition 6

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the LPA. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 187 of the NPPF.

Condition 7

The development hereby permitted shall not commence until such time as a scheme to install underground tanks has been submitted to, and approved in writing by, the LPA.

The scheme shall include the full structural details of the installation, including details of: excavations, tanks, tank surrounds, associated pipework and monitoring systems. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes subsequently agreed, in writing, by the LPA.

Reason

To ensure that the underground storage tanks do not harm the water environment in line with paragraph 187 of the NPPF.

Advice to LPA and applicant:

Groundwater and Contaminated Land Technical Comments

The submitted Preliminary Risk Assessment has identified potential sources of contamination and potentially contaminative activities associated with the previous use of the Site as a retail filling station and vehicle repair workshop. It is considered within the report that environmental investigations are required to verify whether soils and the underlying chalk aquifer have been impacted. We agree with this approach.

Underground storage of polluting substances poses risks to groundwater. Further detailed information about the underground fuel storage scheme, and a risk assessment for this storage, will be required before any development is undertaken.

We expect the scheme to comply with appropriate engineering standards and for there to be proposals for effective management systems. We recommend that the applicant refer to the guidance and position statements within Section D of [The Environment Agency's Approach to Groundwater Protection](#).

The foundation design for the proposed development has not been specified. If the design require piled or other foundation designs undertaken using penetrative methods, then further detailed information will be required before any development is undertaken.

We understand from the submitted drainage strategy documentation that the use of infiltration SuDs is not currently being considered for this development. Further detailed information will be required before any development is undertaken if the strategy is amended in favour of infiltration systems.

Advice to applicant:

Land Contamination Assessments

We expect land contamination assessments to follow the tiered approach laid out in our [Land Contamination Risk Management \(LCRM\)](#) guidance. The preliminary risk assessment (PRA) should include historical plans of the site, an appraisal of the environmental setting (including geology, hydrogeology, groundwater and surface water receptors, potential contaminants of concern and source areas), an initial conceptual site model (CSM) describing possible pollutant linkages for controlled waters, and identification of potentially unacceptable risks. Land contamination investigations should be undertaken by suitably qualified and experienced professionals and in accordance with BS 5930: [Code of practice for ground investigations](#) and BS 10175: [Investigation of potentially contaminated sites – code](#)

[of practice](#). Soil and water analysis should be fully MCERTS accredited.

Investigation, demolition, remediation, or construction works must not create new pathways or linkages to controlled waters. Clean drilling techniques may be required for boreholes that penetrate contaminated ground.

Sustainable Drainage System (SUDs)

Soakaways and other infiltration SUDS must comply with statements G1 and G9 to G13 within [The Environment Agency's Approach to Groundwater Protection](#) and should be constructed in line with relevant standards and guidance including the [National Standards for Sustainable Drainage Systems](#) standards, the [CIRIA C753 SuDS Manual](#) and the [Susdrain website](#). They must not be constructed in contaminated ground where infiltration could re-mobilise contaminants to pollute groundwater. All infiltration SuDS should be designed to maintain a minimum 1.2m clearance above peak seasonal groundwater levels. We do not consider deep infiltration systems (>2.0m below ground level) to be routinely acceptable. Only clean roof water can be directly discharged to infiltration SuDs; systems for the discharge of surface water from hard-standing, roads and impermeable vehicle parking areas must incorporate appropriate pollution prevention measures and a suitable number of SUDs treatment components in line with the environmental sensitivity of the receiving waters. An oil separator/interceptor (or equivalent device) may be required to treat water draining off hard surfaces with a risk of oil contamination.

Management of Waste during Development

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. Excavated materials recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice subject to certain conditions being met. However, contaminated materials that are / must be disposed of are waste and therefore subject to waste management legislation which includes: Duty of Care Regulations 1991, Hazardous Waste (England and Wales) Regulations 2005, Environmental Permitting (England and Wales) Regulations 2010, The Waste (England and Wales) Regulations 2011. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

Competent persons

The proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 196 of the National Planning Policy Framework. The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation."(<http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/annex-2-glossary/>)"

We recommend that developers:

- Refer to our [Groundwater Protection](#) webpages, which include our

Groundwater Protection Position Statements.

- Refer to our [Land Contamination Technical Guidance](#), including our [Land Contamination Risk Management \(LCRM\)](#) guidance, when dealing with land affected by contamination and for the type of information required in order to assess the risks to controlled waters. The Local Authority can advise on management of risks to human health.
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
- Refer to British Standards BS 5930 [Code of practice for ground investigations](#) and BS 10175 [Investigation of potentially contaminated sites – code of practice](#)
- Refer to ‘[Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention](#)’ published by CL:AIRE, March 2025.
- Refer to [Position Statement on the Definition of Waste: Development Industry Code of Practice](#)
- Refer to our [Good Practice for Decommissioning Boreholes and Wells](#)
- Refer to our [Dewatering building sites and other excavations: environmental permits](#) guidance when temporary dewatering is proposed.

Water Resources

Increased water efficiency in new developments potentially enables more growth to be realised without an increased availability of water resources. Developers can highlight responsible water use as a positive corporate social responsibility message that will boost the commercial appeal of the development. For the homeowner/tenant, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures in all developments, particularly in those that are new. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be all considered as an integral part of new developments and/or refurbishments. The technology used to achieve improved water efficiency (e.g. efficient fittings, greywater recycling, etc) is also an attractive feature for many prospective building owners and tenants.

Commercial/Industrial developments

We recommend that all new non-residential developments of 1000sqm gross floor area or more (i.e. ‘major’ developments) should achieve the [BREEAM ‘excellent’ standard](#) for water consumption (category ‘WAT 01’), or equivalent. This standard may already be a requirement of the local planning authority.

We also recommend you contact your Local Planning Authority for more information.

Pre-Application Advice

If you would like further advice on the environmental matters raised in this letter, or on any associated planning conditions, please do get in touch. We offer tailored guidance and technical reviews through our charged planning advice service.

Engaging with us through this service can help address the issues identified, give you greater certainty about our likely response to your application, and may result in a quicker response when we reply to the statutory or public consultation. It should also result in better quality and more environmentally sensitive development schemes.

To learn more about our service and hourly rates, please visit: [Developers: get environmental advice on your planning proposals - GOV.UK](#).

Final comments:

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

Yours sincerely,

Demitry Lyons
Sustainable Places Planning Advisor

Email: hnl sustainableplaces@environment-agency.gov.uk
Telephone: 020 7714 0578