

## DELEGATED FILE NOTE

**CASE OFFICER:** ...Henry Thomas.....

| APPLICATION<br>REFERENCE | BRIEF DESCRIPTION OF<br>DEVELOPMENT                                                                                                                                                                                                                                                       | APPLICATION SITE                                                                   |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| 25/01514/FP              | 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 (as amended by plans received 1st September 2025, 27th January 2026, and 3rd February 2026) | Whitehorse Service Station<br>Clothall Road<br>Baldock<br>Hertfordshire<br>SG7 6PD |

### **Submitted Plan Nos**

Existing Elevations B and C Existing Elevations A and D Existing Floor Plans 1110-LA-P-01 P1  
Topographic Survey 1209 100.P2 1209 102.P3 1209 200-PFS.P7 1209 201-PFS.P3 1209 400-PFS.P5  
1209 401-PFS.P5 1209.420.P1 1209 421.P1 Proposed Elevations 1209 104.P1

### **1.0 Policies**

|        |                                         |
|--------|-----------------------------------------|
| D1     | Sustainable design                      |
| D3     | Protecting living conditions            |
| SP1    | Sustainable development in North Herts  |
| SP9    | Design and Sustainability               |
| T1     | Assessment of transport matters         |
| T2     | Parking                                 |
| HE3    | Non-designated heritage assets          |
| SECN12 | Achieving well-designed places          |
| SECN16 | Conserve + enhance historic environment |

## 2.0 **Relevant site history**

|     |                                                                                                                  |                                |
|-----|------------------------------------------------------------------------------------------------------------------|--------------------------------|
| 2.1 | 90/00030/1 - Extension to existing canopy covering petrol pumps.                                                 | <b>Conditional Permission.</b> |
| 2.2 | 86/01511/1 - Erection of detached workshop building.                                                             | <b>Conditional Permission.</b> |
| 2.3 | 86/00001/1 - Erection of single storey extension to sales building and installation of underground storage tank. | <b>Conditional Permission.</b> |
| 2.4 | 78/01380/1 - Erection of a block of 3 lock up garages                                                            | <b>Conditional Permission.</b> |

Neighbouring Sites:

- 2.5 Deans Yard - 25/02204/FP - Redevelopment of site to provide 9 no. dwellings following demolition of existing buildings, to include access, parking, and landscaping. (Amended plan received 12/01/26).

**Conditional Permission.**

3.0 **Representations**

- 3.1 **Site Notice and Neighbour Notifications** – 4 objections were received, the comments are summarised as:

- Out of context with the residential roads
- Existing petrol station 400m away with ample charging and car wash facilities.
- Noise, light and pollution disturbance.
- Increased traffic on an already busy road.
- Loss of visual amenity.

- 3.2 **HCC Highways** – No objection subject to condition:

- Construction Management Plan.

- 3.3 **NHC Conservation Officer** – No comment.

- 3.4 **LLFA** – No objection with conditions:

- Surface Water Drainage Scheme

- 3.5 **Environmental Agency** - No objection with conditions:

- Remediation Strategy
- Remediation Verification Report
- Groundwater Monitoring Scheme
- Unidentified Contamination
- Piling Scheme
- Drainage Systems
- Underground Tanks scheme.

- 3.6 **National Highways** – None received.

- 3.7 **NHC Environmental Health** – No objection with conditions:

- Land contamination
- Light Levels
- Carwash hours of operation.

- 3.8 **Baldock, Bygrave and Clothall Neighbourhood Planning Group** – None received.

- 3.9 **NHC Waste and Recycling** – None received.

3.10 **HCC Archaeology** – No objection subject to condition:

- Written Scheme of Investigation.

3.11 **Historic England** – None received.

#### 4.0 **Planning Considerations**

##### 4.1 **Site and Surroundings**

4.1.1 The application site is a service station on the south-west side of Clothall Road within the settlement boundary for Baldock. Although Clothall Road is predominantly residential, the site is located within an industrial area with Deans Yard to the south and a factory / warehouse building to the north-west. To the south-east of the site lies 52 South Road which is a Building of Local Interest.

4.1.2 The site consists entirely of hardstanding with a canopy over the forecourt, a shop, a garage / workshop and a barn style warehouse building. The buildings are all single storey.

##### 4.2 **Proposal**

4.2.1 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 (as amended by plans received 1st September 2025, 27th January 2026, and 3rd February 2026)

4.2.2 The shop would be approx. 16m wide, 17.6m deep with a mono-pitched roof between the heights of 4.3m to 5m.

4.2.3 The Car Wash would be approx. 5.6m wide, 10.1m deep with a flat roof at the height of 3.7m,

4.2.4 The Canopy would be approx. 15.15m wide, 13.21m deep with a flat roof at the height of 5m.

4.2.5 The proposed totem pole signage, 1.5m wide, 0.46m deep and 5m tall.

4.2.6 Opening hours are proposed to be 06:00 to 22:00 on any given day. The business would see an increase to 5 full time and 7 part time employees.

##### 4.3 **Key Issues**

4.3.1 The key material considerations are whether the development is acceptable in principle, character and appearance, impacts on residential amenity, parking and highways, and ecology.

###### Principle

4.3.2 Policy ETC2 and ETC3 supports employment development outside of designated employment areas where the proposal is located within the settlement boundary and appropriate to the location in terms of size, scale and function.

4.3.3 Although the site is currently vacant, the proposal seeks to demolish and redevelop the site, retaining the petrol station and shop usage. Whilst a petrol station is considered to be a main town centre use in the North Herts Local Plan and this site is outside of the town centre

boundary, the existing petrol station does have an existing shop element, albeit not in use currently along with the whole of the site. Therefore, as there is an existing shop on site as part of the sites lawful use, I do not consider that the sequential test as set out under Policy ETC3 is required in this instance, given the relevant case law which sets out that LPAs should take a proportionate approach and only request such when relevant, necessary and material. As the proposed use is the same as the lawful use, it would not be reasonable or proportionate to request a full sequential test in my opinion.

- 4.3.4 It is acknowledged that the site forms approx. half of the BA11 allocated housing site in the Local Plan, which includes Deans Yard to the south, for a total of 20 homes. Whilst this scheme would technically be contrary to the principle of this housing allocation, the lawful use of the site is a material consideration which weighs in favour of the principle of this redevelopment.

#### Character and appearance

- 4.3.5 The proposal would bring a presently vacant site back into use that is in a relatively poor condition. Although they would be significantly larger than the existing buildings, the proposed buildings and canopy would be fairly typical in terms of design and appearance, scale and layout to other similar developments within the district. In my view, they would be complimentary to the commercial / light industrial character of the site.
- 4.3.7 The proposed buildings would be single storey and would be set back from the highway. In my view they would not be considered visually dominant within the street scene.
- 4.3.8 There are no objections to the proposed new hedge / landscaping along the front and rear boundary, as it would provide some screening.

#### Neighbour amenity

- 4.3.9 The proposal would likely result in an intensification of usage compared to the existing filling station. The carwash, jet wash and pumps are set sufficiently away from the neighbouring dwellings of 101 Clothall Way and 53 South Road. In any case, Environmental Health have recommended a condition for hours of operation to prevent noise disturbance outside of sociable hours.
- 4.3.11 On the basis of the lack of objections from the Environmental Health Officer, the proposal is not considered harmful to amenity in terms of generation of noise, fumes or other means of disturbance. It's considered that the installation of new lighting should be restricted by condition to comply with the specifications set out in the lighting strategy.
- 4.3.12 The proposal complies with Policy D3 of the Local Plan.

#### Heritage and Archaeology

- 4.3.13 HCC Archaeology have been consulted on the proposal. As the site is within an Archaeological Area a condition for a written scheme of investigation is recommended.
- 4.3.14 NHC Conservation Officer and Historic England have been consulted on the proposal. Given the existing industrial character of the site and the fairly typical design of the proposal, it is not

considered to impact the setting of the neighbouring building of local interest. The proposal therefore complies with Policy HE3 of the Local Plan.

#### Parking and highways

- 4.3.15 Parking standards are set out in the Council's 2011 SPD, which states that "3 spaces per 4 employees plus 3 waiting spaces per bay or run in to row of bays (additional parking is required where a shop is provided)" are required. The proposal seeks to deliver 13 spaces, 2 of which will be disabled bays, 2 will be for staff parking, and 2 will be for EV charging points which satisfies the requirements of Policy T2.
- 4.3.16 The site would be accessed via the existing access. The Highway Authority have formally commented on this application, stating no objections. It is not considered that the replacement filling station in this location would have a significant material impact on traffic and highway safety in this area. The spacing of the parking areas are considered sufficient for manoeuvring of vehicles within the site. The proposal complies with Policies T1 and T2 of the Local Plan, and Section 9 of the NPPF.

#### Ecology

- 4.3.16 The proposal is not considered to require a mandatory 10% Biodiversity Net Gain due to the development being *de minimis*. The new planting would provide some additional biodiversity. While this would be limited, it's considered that this would nevertheless provide more biodiversity. The proposal is acceptable with regard to ecology. The proposal complies with Policy NE4 of the Local Plan, and Section 15 of the NPPF.

#### 4.4 **Conclusion**

- 4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

#### 5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which

form the basis of this grant of permission.

3. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction

Method shall include details of:

- a. Access arrangements to the site;
- b. Traffic management requirements
- c. Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- g. Provision of sufficient on-site parking prior to commencement of construction activities;
- h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway; and
- i. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018), Policy SADM2 of the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

4. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the National Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. The scheme should include any required agreements from accepting authorities. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of North Herts Council.

5. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the

approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. a timetable for its implementation.
- II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of North Herts Council.

6. Prior to the first use of the development, a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of North Herts Council.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
  2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation
  3. The programme for post investigation assessment
  4. Provision to be made for analysis of the site investigation and recording
  5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  6. Provision to be made for archive deposition of the analysis and records of the site investigation
  7. Provision to be made for public engagement and interpretation
  8. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

15. B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)
16. C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.
17. The approved details of landscaping as set out in Landscaping Strategy Plan (1110-LA-P-01 P1) shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

18. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To protect neighbouring amenity in line with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

19. The car wash, jet wash and vacuum shall only be used between the hours of 0800 to 2000 daily.

The shop shall only operate between the hours of 06:00 to 22:00 daily.

Reason: To protect the amenity of neighbouring residents in accordance with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

### **Biodiversity Net Gain**

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

**Proactive Statement:**

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

|                                                                                                                                                                                                                                                           |                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <div data-bbox="231 815 335 853">Signed</div> <div data-bbox="261 1032 533 1133"></div> <div data-bbox="231 1133 496 1205">Shaun Greaves<br/>Determining Officer</div> | <div data-bbox="769 848 1238 1088">Development Management<br/>North Hertfordshire District Council<br/>Council Offices<br/>Gernon Road<br/>Letchworth<br/>Herts<br/>SG6 3JF</div> |
| <div data-bbox="231 1211 478 1243"><b>Date:</b> 3 June 2026</div>                                                                                                                                                                                         |                                                                                                                                                                                   |