

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00571/FP	Erection of retail building, detached bin store, replacement pumps and installation of two machine jet washes, and associated works following demolition of the existing outbuilding, canopy link and plant room. Provision of two car parking spaces and cycle parking. (Amended plans received 15/09/2026).	Shell Petrol Station Bedford Road Hitchin Hertfordshire SG5 2TY

Submitted Plan Nos

10019011-PLG-LP-26 Rev B Location Plan 10019011 ESL 26 Rev B 10019011 PSL 26 Rev C 10019011 ESE 26 Rev B 10019011 BP 26 Rev B 10019011 PSE 26 Rev C 10019011-PLG-TRACK-26 Rev C Tracking Layout 10019011-PLG-PSBE-26 Rev A Proposed Sales Building Elevations 10019011-PLG-PJWE-26 Rev A Proposed Jet Wash Elevations 10019011-PLG-ISBL-26 Rev A Internal Sales Building Layouts 10019011 ESBE 26

1.0 Policies

SP1	Sustainable development in North Herts
SP3	Employment

SP9	Design and Sustainability
SP11	Natural resources and sustainability
ETC3	New retail, leisure, other main TC devel
T1	Assessment of transport matters
T2	Parking
D1	Sustainable design
D3	Protecting living conditions
NE2	Landscape

2.0 **Site History**

2.1 A detailed planning history can be viewed on the NHDC files.

2.2 There is no relevant, recent history.

3.0 **Representations**

3.1 A site notice was posted and neighbour consultation was carried out. No comments have been received.

Consultations

3.2 The following consultations were undertaken.

- *Area Highway Development Control Manager – 30/07/2026 – no objection subject to conditions.*

- *Environment Agency – 14/08/2026 – no objection subject to conditions.*
- *Env Health (Noise And Other Nuisances) – 15/05/2026 and 17/09/2026 – no objection subject to conditions.*
- *Env Health (Contaminated Land) – 15/05/2026 – refer to Environment Agency*
- *Waste And Recycling Services Manager – no comment at the time of writing this report.*

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is an established service station located on Bedford Road, (A505) on the western side of Hitchin town centre
- 4.1.2 The site consists of an existing service station with the forecourt to the centre/eastern boundary of the site and the existing sales building towards the northern boundary of the site. The forecourt contains six pump islands arranged in a starter gate formation with a canopy above that links to the sales building. Towards the southern boundary of the site is an existing car wash and tank farm. The existing plant room is towards to the northwestern corner of the site.
- 4.1.3 The site has one access positioned at the southeastern corner and one egress point located at the northeastern corner. Traffic generally flows through the site in a one way direction. There is no formal parking provision on site.
- 4.1.4 To the north of the site is a KwikFit, to the east is Bedford Road and beyond that is a football club, to the south is an hotel and to the west is a vehicle repair shop with residential dwellings beyond.
- 4.1.5 The site is within Hitchin settlement boundary. The site is not subject to any ecological or heritage constraints. The site lies within Flood Zone 1 and is not subject to surface water flooding, according to the Flood Risk Map for Planning.

4.2 **Proposal**

- 4.2.1 Consent is sought for:

“Erection of retail building, detached bin store, replacement pumps and installation of two machine jet washes, and associated works following demolition of the existing outbuilding, canopy link and plant room. Provision of two car parking spaces and cycle parking. (Amended plans received 15/09/2026).”

4.3 **Key Issues**

- 4.3.1 The key material considerations when assessing the planning merits of the proposal are:

- ☐ Principle of development.

- ☐ Need and benefits of improved facility including employment opportunities and retail impact.
- ☐ Design and appearance.
- ☐ Amenity including potential impact on neighbour amenity.
- ☐ Access, highways and parking.
- ☐ Flooding/Drainage.
- ☐ Contamination.
- ☐ Ecology and Biodiversity Net Gain.

Principle of development.

- 4.3.2 The site is located within the settlement of Hitchin. Policy S4 of the NPPF specifies that:

“Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.”

- 4.3.3 The site is an existing service station. The proposed redevelopment would not result in a change of use of the site or a material increase in the intensification of the use of the site. The proposed redevelopment is therefore acceptable in principle.

Need and benefits of improved facility including employment opportunities and Retail Impact

- 4.3.4 The proposal will enhance the existing facility through the provision of new and enhanced facilities. The redevelopment includes a new sales building, the replacement of the existing fuel pumps, the retention of the existing car wash, and the introduction of two new jet washes, ensuring that motorists benefit from a comprehensive and modernised range of services. There will also be a formalisation of parking. Existing employment will be retained with new potential opportunities for further employment.
- 4.3.5 NPPF policy TC2 sets out that substantial weight should be given to the benefits of supporting the overall vitality and viability of centres and improving or retaining access to local shops and other facilities which provide day-to-day services for the local community.
- 4.3.6 This is reflected in Local Plan Policy ETC3 (New Retail, Leisure and Other Main Town Centre Uses) which states that proposals for new town centre uses will be granted subject to a number of criteria including compliance with the sequential test, an impact assessment if the minimum floorspace threshold is exceeded, the proposal is appropriate to the area in terms of use, size, scale and there would be no significant adverse impact upon living conditions.
- 4.3.7 The proposed replacement sales building will result in an increase of the existing sales area at the site. It will have a gross external area of 150 sqm, which is significantly below the threshold required for a retail impact assessment. It is considered that a sequential assessment is not required as the proposal seeks to provide a new sales building that will replace and expand an

existing sales building on site, and the principle of the use is already established on the site. The new retail floorspace is functional only as an expansion of the existing offer.

- 4.3.8 The proposal seeks to upgrade and enhance the existing uses on site. The redevelopment of the site meets the NPPF requirements of policy TC2 and local plan policy ETC3 by supporting the overall vitality and viability of Hitchin by improving and retaining access to an existing facility which provides for the local community. No unacceptable adverse impact will arise from the proposal in terms of retail provision.
- 4.3.9 On the basis of the above, it is considered that the proposal accords with the requirements of the NPPF and Local Plan policy ETC3 in terms of retail provision, employment and town centre uses.

Design and Appearance

- 4.3.10 NPPF policy DP3 requires proposals to respond to their context so that they integrate with and enhance their surroundings. Policy D1 of the Local Plan states that development will be granted provided the design of the development appropriately and positively responds to the site's local context together with other criteria to encourage a positive and sustainable form of development.
- 4.3.11 It is proposed to demolish the existing sales building and build a new sales building which will be located to the western boundary of the site. The sales building will be single storey and modern in appearance, with warm white walls, grey roof and glazing on the front elevation providing visibility into the sales area. Screens will surround the new jet wash areas. The new bin store will be enclosed in a 2m high hit and miss timber fence.
- 4.3.12 The proposed design and appearance of the redevelopment of the site responds adequately to the site's existing use and local context. This proposal meets the policy requirements of NPPF policy DP3 and local plan policy D1 and is acceptable in design terms.

Amenity including potential Impact on Neighbour Amenity

- 4.3.13 NPPF policy P3 refers to living conditions and pollution and subsection 2(b) states that development proposals should *"Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site"*.
- 4.3.14 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts.
- 4.3.15 The proposal is a redevelopment of the existing use and will not result in a substantial intensification of that use on the site. The replacement sales building will be sited to the rear of the site but remains an adequate distance away from the nearest residential properties. The

increase in sales area will not cause any unacceptable harm and the trading times are understood to be the same existing.

- 4.3.16 The new plant will be located at the rear of the sales building and it is reasonable and necessary to require details of the plant prior to installation to ensure no unacceptable harm will be caused to neighbouring amenity through noise disturbance from plant machinery.
- 4.3.17 The two new jet washes are located to the north side of the site adjacent to an existing commercial use. No unacceptable harm in terms of noise nuisance will arise. The use of the jet washes will be controlled by condition as part of the trading hours to ensure it cannot be used during night time.
- 4.3.18 The Firs Hotel is sited to the south of the application site. A recent application for residential development at the site was refused. The impact of the redevelopment of the site in its current use as an hotel would not give rise to unacceptable harm as the noise and activity levels generated would not be substantially different to existing. The new jet wash could result in an increase in noise but this is sited away from the hotel site and limited to trading hours only. Any future use that may come forward on the site could mitigate against any potential noise impact through acoustic barriers along the boundary which would be a reasonable requirement for a new development.
- 4.3.19 NHDC Environmental Health Officer raised no objection to the proposal in terms of noise and other nuisance subject to condition. The proposal is therefore acceptable in terms of impact on neighbouring amenity.

Access, highways and parking

- 4.3.20 Minor changes are proposed to the existing forecourt to improve internal circulation, including the introduction of two designated parking spaces. The existing access and egress arrangements will remain unchanged. The level of parking provided is appropriate for the site. Cycle parking will be provided.
- 4.3.21 Herts County Highways raise no objection subject to conditions.
- 4.3.22 The proposal is acceptable in terms of highways, parking and access.

Flooding/Drainage and Contamination

- 4.3.23 Due to the nature of the redevelopment of the site, the Environment Agency were consulted. As part of the consultation the submitted Environmental Site Assessment reports and supplementary documentation were reviewed.
- 4.3.24 The Environment Agency's response states:

"Although we consider the Environmental Site Assessment to have been comprehensive, we would be concerned that the conceptual site model and risk assessment are based on

investigations which took place in 2013 and the last round of groundwater monitoring in 2016. Given that this is now over 10 years ago, and with the high polluting potential of the site as a petrol filling station, we would recommend further investigations in order to assess the current ground conditions and potential contamination risks.”

4.3.25 The response concludes that:

“We have no objections to the proposed development provided the following conditions are included in any grant of planning permission. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.”

4.3.24 It is therefore necessary and reasonable to attach the recommended conditions to the consent.

Ecology and Biodiversity Net Gain

4.3.25 The application site is covered entirely in hard landscaping. As such, the site does not support any meaningful biodiversity value and does not contain features capable of supporting protected species or priority habitats. There are therefore no ecological constraints that would restrict or influence the proposed redevelopment. The proposal is therefore not subject to BNG requirements.

4.4 Conclusion

4.4.1 The site lies within the settlement of Hitchin. NPPF policy S3 and S4 apply a presumption in favour of sustainable development located within settlements unless doing so would be substantially outweighed by any adverse effects. The redevelopment of the site is considered acceptable in principle and significant weight is given to this.

4.4.2 The proposal provides an improved facility, meeting the needs of the local and wider community. Some degree of employment will be provided. No unacceptable adverse retail impact will arise from the expanded retail offer. The design and appearance relates adequately to the site and its context. No unacceptable harm will be caused to neighbouring amenity. No alteration is proposed to the access and egress, parking is adequate and tracking of vehicles has been satisfactorily demonstrated. Cycle parking will be provided. The Environment Agency is satisfied, subject to condition, that the proposal will not result in flooding, drainage or contamination issues. The proposal is BNG exempt.

4.4.3 In view of the above, the site meets the policy requirements set out in the NPPF and Local Plan and is acceptable.

4.5 Alternative Options

4.5.1 None applicable

4.6 Pre-Commencement Conditions

- 4.6.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

5.0 **Recommendation**

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

2. 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.

3. 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.

4. Prior to first use of the development hereby permitted, all cycle storage/parking and turning facility areas shall be fully implemented and thereafter retained for this purposes as shown on the proposed site layout (Ref-1001901 PSL 26-C)

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

5. 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 Management Plan shall include details of:
- a. Construction vehicle numbers, type,
 - b. Access arrangements to the site;
 - c. Traffic management requirements
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction

activities;

- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. 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).

6. 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 Local Planning Authority (LPA). This strategy will include the following components:
- 1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation.
 - 2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.
 - 3. A tiered risk assessment using the results of the site investigation referred to in (2).
 - 4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
 - 5. 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 LPA. 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 P3(1-2) of the NPPF.

7. 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 P3(1-2) of the NPPF.

8. 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 P3(1-2) of the NPPF.

9. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. 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 preferential pathways. This is in line with paragraph P3(1-2) of the NPPF.

10. Prior to the installation of any plant to serve the detached retail building, details of such shall be submitted in writing to the Local Planning Authority for approval. Any plant shall be installed in accordance with the submitted details and maintained thereafter.

Reason: To ensure that no adverse harm is caused to the amenities of the neighbouring occupiers. Local Plan Policies D1 and D3 and the NPPF.

11. The site shall trade only between the hours of 6am and 11pm, seven days a week, including the car wash and jet wash units.

Reason: To ensure that no adverse harm is caused to the amenities of the neighbouring occupiers. Local Plan Policies D1 and D3 and the NPPF.

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

1. 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.

Informative

1. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 03001234047.
- 2.. It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
3. The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.
The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road
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Determining Officer	Letchworth Herts SG6 3JF
Date: 23 September 2026	