

Harriet Sanders
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth Garden City
SG6 3JF

Our reference: PA-0004188/01

Your reference: 26/00571/FP

Date: 1 June 2026

Shell Petrol Station, Bedford Road, Hitchin, Hertfordshire, SG5 2TY

Erection of retail building, detached bin store and installation of two machine jet washes following demolition of the existing outbuilding, canopy link and plant room. Provision of two car parking spaces.

Dear Harriet,

Thank you for consulting us on the above application on 13 May 2026. As part of the consultation, we have reviewed the following documents:

- Phase 1 Environmental Site Assessment; reference: GB-10019011-20241206-SA-Phase 1 ESA; Revision: 01; prepared by Arcadis; dated December 2024 and associated documents.

Environment Agency Position

Based on review of the submitted documentation, 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 wish to object to the application.

The geology beneath the site consists of superficial deposits of Lowestoft Formation Diamicton, which is designated as a Secondary (undifferentiated) aquifer, and bedrock Zig Zag Chalk Formation, which is designated as a Principal aquifer.

Without the following conditions we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition 1 – Contamination Investigation and Remediation

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 187 of the NPPF.

Condition 2 – Unsuspected Contamination

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 3 – Use of SuDS/Infiltration Methods

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 4 – Piling and Foundations

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 187 of the NPPF.

Appendix 1 - Groundwater and Contaminated Land Technical Comments Land Contamination Assessments

We consider the *Environmental Site Assessment* to have been comprehensive. We would note that 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 considering further investigations in order to assess the ground current conditions and potential contamination 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.

Surface Water Drainage

A drainage strategy does not appear to have been provided. We would ask that the applicant provide details of how the additional surface water drainage will be managed. We would recommend consulting our [Groundwater Protection Position Statements](#) and it should be noted that only clean roof water can be directly discharged without treatment. 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, this is particularly necessary in this case due to the sites use as a petrol filling station. We note that there is an existing petrol interceptor onsite, can the applicant confirm if the additional runoff will be similarly treated.

Piling and Foundational Designs

Should the foundation design look to include piling or other foundations using penetrative methods we would ask to be consulted, as these pose potential risks to groundwater including pollution, turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Applicants should refer to our [Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination](#) National Groundwater & Contaminated Land Centre Project NC/99/73. The selected method, including environmental mitigation measures, should be presented in a Foundation Works Risk Assessment Report, guidance on the production of which can be found in Table 3 of [Piling Into Contaminated Sites](#).

Appendix 2 – Guidance Documents

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 our [Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination](#) National Groundwater & Contaminated Land Centre Project NC/99/73. The selected method, including environmental mitigation measures, should be presented in a Foundation Works Risk Assessment Report, guidance on the production of which can be found in Table 3 of [Piling Into Contaminated Sites](#)
- 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.

Advice to Local Planning Authority

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/>)"

Advice to applicant

Water Efficiency Advice

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. 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 considered as part of new developments.

We recommend that all new non-residential development of 1000sqm gross floor area or more should meet the BREEAM 'excellent' or the latest equivalent standards for water consumption.

We recommend you contact your LPA for more information.

Pre-Application Advice

Regarding future applications, if you would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at HNLsustainableplaces@environment-agency.gov.uk.

Further information on our charged planning advice service is available at: [Planning and marine licence advice: standard terms for our charges - 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.

creating a better place
for people and wildlife



Should you have any queries regarding this response, please contact me.

Yours sincerely,

Charlotte Mann
Planning Advisor

Email: HNL.SustainablePlaces@environment-agency.gov.uk

Direct Dial: +44 20 8026 2460