

**Dacorum Borough Council**  
**Planning and Regeneration**  
The Forum  
Marlowes  
Hemel Hempstead  
Herts  
HP1 1DN



Miss Nick Finney  
Ove Arup and Partners Ltd  
8 Fitzroy Street  
London  
W1T 4BJ  
United Kingdom

Switchboard  
01442 228 000  
Website  
[www.dacorum.gov.uk](http://www.dacorum.gov.uk)  
D/deaf callers, Text Relay:  
18001 + 01442 228 000

### **DECISION NOTICE**

**Application for removal or variation of a condition following grant of planning permission.**

*Town and Country Planning Act 1990*

<b>Reference:</b>	22/01067/ROC
<b>Proposal:</b>	Variation of condition 16, 6, 8, 9, 10 attached to Planning permission 4/01922/19/MFA (Comprehensive redevelopment of the site to provide 21,726 sqm of flexible floorspace within use classes b1c/b2/b8 & ancillary offices, with car & cycling parking, access & Landscaping.)
<b>Address:</b>	3A Blossom Way Hemel Hempstead Hertfordshire

Your application received 31st March 2022 and registered on 31st March 2022 has been **GRANTED** subject to the conditions overleaf.

Assistant Director for Planning  
Dacorum Borough Council

## Condition(s) and Reason(s):

1. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

284474\_ARP-00-01R-DR-A-00001 Revision P05 - Site Layout  
284474\_ARP-00-01R-DR-A-00010 Revision P05 - Proposed Site Plan  
284474-ARP-00-00L-DR-A-00015 Revision P05 - Car Parking Layout  
284474-ARP-00-XX-DR-A-00024 Revision P04 - Security Fence Layout  
284474- ARP-00-00-DR-A-02000 Revision P05 - GA Ground Floor  
284474-ARP-00-02R-DR-A-02250 Revision P04 - Roof Plan  
284474\_ARP-01-XX-DR-A-04000 Revision P04 - Colour Elevations  
284474-ARP-01-XX-DR-A-04001 Revision P05 - Proposed Elevations  
28744 -ARP-04-XX-DR-A-04002 Revision P02 - Security Hut  
2874474 -ARP-00-XX-DR-A-02050 Revision P01 - First/Second floor admin block  
284474-ARP-01-XX-DR-A-05000 Revision P05 - Sections  
SK-ARP-CH-01 Revision P04 - Levels Plan  
SK-ARP-CD-01 Revision P05 - SWD Plan  
2255-22-01 Revision L- Landscape Concept Plan  
2255-22-02 Revision C - Landscape Concept Sections  
ARP -001- Planning Statement  
ARP-002 - Design and Access Statement  
ARP-003 - Landscape Design Statement  
ARP-004 - Transport Assessment  
ARP-005 - Flood Risk Assessment and Drainage Strategy  
ARP-006 - Air Quality Assessment  
ARP-007 Revision E - External Lighting Design Report  
ARP-008 - Acoustic Noise Impact Assessment

Reason: For the avoidance of doubt and in the interests of proper planning.

2. All hard and soft landscape works shall be carried out in accordance with drawings 2255-22-01 Revision L (Landscape Concept Plan) 2255-22-02 Revision C (Landscape Section Plan) 284474-ARP-00-00L-DR-A-00015 P05 (Car Parking Layout) and 284474-ARP-00-XX-DR-A-00024 Revision P04 (Fence Layout). The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12 and CS13 of the Core Strategy and Saved Policies 99 and 100 of the Local Plan.

3. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS12 and CS13 of the Core Strategy.

4. The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on Drawing No. 284474\_ARP-00-01R-DR-A-00001 Revision P05 and 284474-ARP-00-00L-DR-A-00015 Revision P05 shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Policies 51, 54, 58 and Appendix 5 of the Local Plan 1991-2011

5. The development permitted shall not be occupied until the drainage works have been carried out in accordance with the Drainage Strategy (ARP-05) and drawing SK-ARP-CD-01 Revision P05

Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with Policies CS28 and CS31 of the Core Strategy.

6. Piling or any other foundation designs 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 protect the water environment, including groundwater in accordance with Policy CS31 and CS32 of the Core Strategy

### **Informatives:**

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

SK-ARP-CD-01 (Drainage)  
SK-ARP-CH-01 (Topographical Report)  
284474-ARP-01-XX-DR-A-04000 (Proposed Elevations)  
284474-ARP-01-XX-DR-A-04001 (Proposed Elevations)

284474-ARP-01-XX-DR-A-05000 (Section plans)  
2255-22-02 (Section plans)  
ARP-001 (Planning Statement)  
ARP-008 (Noise Impact Assessment)  
ARP-100 covering letter (Additional Information)  
ARP-004 (Transport Assessment)  
ARP-002 (Design and Access Statement)  
ARP-006 (Air Quality Assessment)  
284474-ARP-00-01R-DR-A-00010 (Site plans)  
284474-ARP-00-00-DR-A-02000 (Floor Plans)  
284474-ARP-00-00L-DR-A-00015 (Parking Layout)  
284474-ARP-00-01L-DR-A-02100 (Floor Plans)  
284474-ARP-00-02L-DR-A-02200 (Floor Plans)  
284474-ARP-00-02R-DR-A-02250 (Roof Plan)  
2255-22-01 (Landscaping)  
DESIGN STATEMENT ARP-003 (Landscaping)  
284474\_ ARP-00-01R-DR-A-00001 (Site plans)  
ARP-007 (Lighting)

## Notes:

### Appeal to the Planning Inspectorate

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Before making any appeal you should first consider re-engaging with the local planning authority to discuss whether any changes to the proposal would make it more acceptable and likely to gain planning permission. A revised planning application could then be submitted.

Applicants should give consideration to the merits of the case, and whether there are strong grounds to contest the conditions or reasons for refusal of planning permission before submitting an appeal. Parties who pursue an appeal unreasonably without sound grounds for appeal may have an award of costs made against them.

Most planning appeals must be received within six months of the date on the decision notice. Where the appeal relates to an application for householder planning consent, and is to be determined via the fast track Householder Appeals Service, there are only 12 weeks to make the appeal. Appeals related to shop fronts must also be submitted within 12 weeks. Advertisement consent appeals must be submitted within 8 weeks. If an appeal on an application for planning permission is linked to enforcement action, there are only 28 days to make the appeal.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on telephone: 0303 444 5000.

### Compensation

In certain circumstances, compensation may be claimed for the Borough Council if permission is refused, or granted subject to conditions, by the Secretary of State on appeal or on reference of an application to him. These circumstances are set out in Parts VI and VIII and related provisions of the Town and Country Planning Act 1990 and Part 1 Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission/consent to develop land, or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state, nor render the land capable of a reasonably beneficial use, by the carrying out of any development or works that have been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Borough Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter I of the Town and Country Planning Act 1990 and Part I, Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### Community Infrastructure Levy (CIL)

Dacorum Borough Council is a Charging Authority for Community Infrastructure Levy (CIL). It is your responsibility to clarify the CIL liability on your development. The Council will make every effort to ensure that notices for liable developments are dispatched as soon as possible following planning permission or consent being granted. If you do not receive a liability notice please contact the Council. It is important that all CIL matters be in place before any works begin on site – including any demolition. Further information regarding CIL, including FAQs, access to all CIL forms and information on appeals can be found on our website at [www.dacorum.gov.uk/cil](http://www.dacorum.gov.uk/cil) or you can contact us at [CIL@dacorum.gov.uk](mailto:CIL@dacorum.gov.uk).

### Building Regulations

The proposed works may require building regulations approval. Please contact Hertfordshire Building Control who can help you through the process. They can be contacted via telephone (01438 879990)

or email ([buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk)).

### Creating New Addresses

If you are creating a new commercial or residential postal address, you must notify the Council's Address Management Team when works are commenced. This can be done [online](#) or by emailing [address.management@dacorum.gov.uk](mailto:address.management@dacorum.gov.uk).

### Pollution Act

When arranging building works both the employer and the builder are responsible for works being undertaken within the hours of construction of the Control of Pollution Act 1974. Further information can be found on our [website](#).

### Southern Gas Network Overbuild Advisory Note

There are a number of risks created by built over gas mains and services; these are:

- Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
- Gas entry into buildings – pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
- Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within Southern Gas Network's gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development and
2. Contact their Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See contact details below:

Phone 0800 912 1722 / Email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

- Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>
- Further information can also be found here <https://www.sgn.co.uk/help-and-advice/digging-safely>