

7th August 2019

Planning Services
South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Dear Sir/ Madam

Planning Permission: 9/2018/1290 The variation of condition 2 of planning permission ref: 9/2016/0898 (relating to erection of 37 care apartments (use class C2) and a village clubhouse (to form an extension to the care retirement village) on land off Maple Drive Aston On Trent Derby

Removal of condition 31 (balcony to bay apartment 88)

We have been instructed by our clients, Richmond Care Villages Holdings Ltd, to submit a s73 application to seek the removal of condition 31 (balcony to bay window apartment 88), further to the pre-application enquiries made. Accordingly, we have submitted this via the Planning Portal (ref no. PP-08063226) and the appropriate fee has been paid.

As explained in our email to Officers of 16th July 2019, our client is keen to retain the balcony if possible as this gives each unit an external private amenity space. To support our proposal, we attached a set of marked up drawings (SK-WD-002_6 pages), attached again to this letter for ease of reference.

We elaborated as follows:

- a) On Page 1 we showed the location of the balcony in context with the surroundings and therefore we assumed that, as the balcony to plot 86 is closer to the existing boundary properties and is acceptable, it is not in this context that the Condition was imposed?
- b) On Page 2 we showed the context in relation to the adjacent apartments within Block 8 and we queried whether this is seen as a privacy issue and hence the reason the Condition was imposed?
- c) On pages 3 & 4 we showed the current elevation and a photo of what this current balcony will look like taken from an example on Phase I.

- d) We stated that, at the moment, the only apartment without an outside private amenity space is Plot 102 Block 9 shown on page 5. This followed the principal of the previous approved scheme relative to the proximity to the adjacent properties.
- e) We made it clear that if we had to change the balcony on Plot 88 to a bay, we would have to alter it to match the elevation of the above bay on plot 102 as shown on the sheet 6.

Our email correspondence therefore concluded:

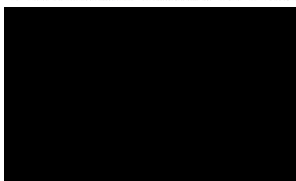
- 1. The current balcony/roof feature has a lightly lowered eaves and if this is an issue of overlooking into the adjacent properties then we could introduce a privacy screen as marked up on the photo (sheet 4). This would retain the private outdoor amenity space.
- 2. It was a matter of opinion that changing to a bay window may give less privacy as one can stand in the bay and look out at all times of year through the curtains etc whereas balcony use is restricted by the weather as well as being more obvious.
- 3. We also highlighted that on Phase I we have similar situations such as the one illustrated on the second PDF extract on Block 2. The issue was not raised on the previous phases as an issue and no issues have ever been reported in this regard by the occupiers.

The email response from Officers dated 29th July 2019 concluded that a further s73 variation of condition would be required to address this matter (hence this submission) but considered that the application would be supported in principle.

Accordingly, we have submitted the application to seek to remove condition 31. We trust that all the required documentation is in order. However, should you require further clarification please do not hesitate to discuss with me.

Yours Sincerely

For and on behalf of PRC Architecture & Planning Ltd



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