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Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
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Staffordshire
ST13 6HQ

29th August 2024

Dear Sirs

Application Number: SMD/2024/0355
Applicant's Name: Mr Andrew Carter
Location: Rear of 14 Derby Street, Leek
Proposed Development

I refer to your letter of 9th August 2024 (received on 15th August 2024) directed to the owners of 10 Derby Street, Leek, regarding the above matter.

I confirm that I am one of the owners of the Freehold of 10 Derby Street, Leek, and this letter has been sent with the full support and agreement of my fellow owners.

We have considered the documentation forming the application for Planning Permission regarding the above and as requested we would make the following observations:-

1. It states in the application that certificates under Article 14 of the Town and Country Planning Development Management Procedure have been served on us as owners of part of the property included within the development plan. The date given for service is 28th March 2024. We confirm that the first formal notice that we received regarding this planning application was in fact your above mentioned letter received on 15th August 2024. No other notice was served. Although an informal meeting took place on site with the Applicant on 28th March 2024, this was to discuss with ourselves and the tenants of the 10 Derby Street premises (Tinsdills Ltd) the rectification works which are required to the building bordering our car park ie the rebuilding of the bowed brick elevation. No certificates or other notices were given to us at that stage.
2. As owners we wish to confirm that we have no objection to the proposed rectification works in relation to the bowed brick elevation of the building and associated roof repairs.
3. In relation to the planned development works themselves, we find the plans difficult to follow and vague particularly in relation to the issue of access to the proposed developments. Looking at the plan this would appear to involve access via the car park at the rear of 10 Derby Street which is owned by us and again forms part of the leased premises to Tinsdills Ltd. While the Applicant has very limited access rights over the car park area in relation to the use of the retail units fronting Derby Street and forming part of the title of 12 Derby

Street, no such rights exist in relation to the development of property at 14 Derby Street nor do any existing rights extend to access to any of the proposed development properties.

4. In relation to the carrying out of the development work to the properties themselves, it would appear that there would be no alternative but for the works to use a significant area of the car park area at the rear of 10 Derby Street which currently forms part of the leased premises to Tinsdills Ltd. The developer has no rights of access/use in this respect. Further we are concerned in relation to the restrictions that this would place upon our tenants whilst the development works are carried out- not only in relation to the car parking facilities the area provides but also including their quiet enjoyment both during building works and thereafter.
5. We also note from the plans that an area of the rear of the premises to 10 Derby Street, owned by ourselves and leased, has been allocated as a bin/recycling store. The developer has no rights over this area.

As owners of the premises affected by the proposed development we would welcome the opportunity to comment further on any revised or refined proposals that are put forward in particular in relation to their effect upon our premises and the use/ quiet enjoyment of our tenants.

Yours faithfully

Arthur Timothy Cogan
(on behalf of the Freeholders owners of 10 Derby Street)