

From: [Peter Hamilton](#)
To: [Planning Comments \(SMDC\)](#)
Subject: SMD/2024/0355 Rear of 14 Derby Street, Leek
Date: 29 August 2024 14:43:55

Dear Sir or Madam,

We write in connection with the above application. We (Tinsdills Limited) are the occupiers of 10 Derby Street, Leek under a lease dated 1st April 2007 and we occupy the entirety of the 10 Derby Street site held under title numbers SF515178 and SF400193.

Although a meeting took place on 28th March 2024 with representatives of both Tinsdills and the owners of 10 Derby Street to informally discuss the applicant's plans for 12/14 Derby Street and repair works required to the bowed rear elevation of 12 Derby Street, no formal notices have been received.

The application and plans submitted appear to negatively impact our use and occupation of 10 Derby Street in a number of ways:

- Access to the proposed properties relies upon access via the car park at the rear of 10 Derby Street. While the title to 12 Derby Street contains limited rights of access/egress (via a route specified by the owners of 10 Derby Street) these rights do not extend to 14 Derby Street and the current proposal would be a significant extension of the current rights of 12 Derby Street. While we cannot speak for the owners of 10 Derby Street, we would not be in agreement with the grant of additional access via the car park currently leased by Tinsdills and therefore alternative arrangement for access to the proposed properties would need to be made.
- The plans show a foul/surface water drainage connection from the new properties to the existing drains at the rear of 10 Derby Street. Again, we cannot speak for the owners of 10 Derby Street about whether such rights would be granted, but to do so would represent a variation of the terms of our lease and also would require significant works to be undertaken across the majority of the car park area which is in constant use by us. We would not consider this to be a reasonable restriction of our use of the leased land and therefore we would not be in agreement with this and alternative foul/surface water drainage arrangements will need to be made.
- The plans for a bin/recycling store for the new properties are currently on land occupied by Tinsdills and we would not agree to a variation of the lease to allow for this, not least because it is proposed to put a waste/recycling area in close proximity to our existing conference rooms, offices and document stores.
- We cannot see how any of the proposed development work can be achieved without an unacceptably onerous level of access via the car park at the rear of 10 Derby Street and interruption of our quiet use and enjoyment of the 10 derby Streer premises. While we are prepared to consider access beyond the current rights for the purposes of repair and making safe, the level of works contemplated would require access over/occupation of a significant amount of our car park area and for a significant amount of time. This will negatively impact both our use of the rear of 10 Derby Street, and also the works will impact our quiet use and enjoyment the rest of the premises. We need to be able to provide a clean and safe environment for our staff to park which will undoubtedly be compromised by the proposed works. In

addition, the works would almost certainly put us in breach of the terms of our lease (to prevent the site from becoming untidy or dirty) which would not be acceptable to us. Arrangements for alternative access to 12/14 Derby Street for carrying out the proposed works will need to be made.

- There is very limited amenity space proposed for the new properties – what controls are proposed to prevent the occupants from using the rear of 10 Derby Street?

By way of general comments about the application we would add the following:

- Parking availability in this area of Leek is already poor, and the potential of another 8 residents together with associated vehicles, deliveries, etc, is only going to exacerbate the situation
- As business owners in Leek what we want to see is investment in the town centre to encourage businesses and employment opportunities

Should any revised plans or proposal be submitted we would welcome the opportunity to comment further.

Yours faithfully

Peter Hamilton
Director
Tinsdills Limited

Peter Hamilton
Business Owner and Chairman
01538 394101



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