STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mrs Hannah Donnan
216 Seabridge Lane
Newcastle-under-Lyme
ST5 3LS

Application no: DET/2022/0032

Determined on: 07/09/2022

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) (AS AMENDED) ORDER 2015

PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED REFUSED

Staffordshire Moorlands District Council hereby **REFUSE** approval for the method of demolition proposed for

Demolition of the building at Ivy Cottage, 126 Ladderedge, Leek

in accordance with the submitted application, details and accompanying site plan
- Land registry title plan SF327182

for the following reason:-

1) The prior notice submissions have not established that the proposed method of demolition is adequate to ensure appropriate safeguard of protected species (namely bats) which are protected species under the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations (2017). The submitted demolition method statement pre-supposes that the building to be demolished has first been surveyed and assessed by a suitably qualified ecologist for the possible presence of or use by bats. This has not taken place. Furthermore the statement submitted to address protected species does not follow the Bat Conservation Trust Good Practice Guidelines for bat surveys and therefore does not comply with Natural England's standing advice for protected species and development. It is not apparent and has not been demonstrated on what basis the claimed conclusion that protected species would not be affected has been reached. The proposed demolition is therefore found contrary to Local Plan Policies SS1; SS5; DC1(6); NE1 and the NPPF.

X B.S. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL

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NOTES

1. 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.

2. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

3. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

4. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

5. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

6. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

7. If either the local planning authority or the Secretary of State refuses permission 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 which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.