

From: Bethany Graham <Bethany.Graham@cornwall.gov.uk>

Sent: 19 Mar 2024 09:38:53

To: MyEmails.DMS@cornwall.gov.uk

Cc:

Subject: FW: Beth* Plymouth Sound Estuaries SAC Tamar Estuaries SPA Contributions Special Area of Conservation Habitat Mitigation Contribution - Case Ref: FZM9F2U0

Attachments:

Information Classification: CONFIDENTIAL

Please note I work part-time 3 days a week. These days and times are subject to change. When I am not available my out of office will provide details of when I will return and who to contact if urgent.

If your email is regarding an application I am currently processing and provides additional or revised information please email the information to planning@cornwall.gov.uk. This will avoid delays in the processing of your application.

Bethany Graham | Senior Technical Officer
Cornwall Council | Planning and Sustainable Development | Economic Growth and Development
Bethany.graham@cornwall.gov.uk | Direct Line: 01872 322222
www.cornwall.gov.uk
Dolcoath Avenue, Camborne TR14 8SX

Please let us know if you need any particular assistance from us, such as facilities to help with mobility, vision or hearing, or information in a different format.

Please consider the environment. Do you really need to print this email?

Submitting an application for home improvements or tree works? You may wish to use an Accredited Agent because their applications are validated and registered swiftly, thereby streamlining the planning process. See our [List of Accredited Agents webpage](#) for more information. Alternatively if you are a planning agent and are interested in joining the scheme visit the [Accredited agents householder fast-track scheme webpage](#).

From: Lagan CRM Admin <laganadmin@cornwall.gov.uk>

Sent: 18 March 2024 09:20

To: Cornwall Planning <planning@cornwall.gov.uk>

Cc: Obligations Planning <planning.obligations@cornwall.gov.uk>

Subject: Beth* Plymouth Sound Estuaries SAC Tamar Estuaries SPA Contributions Special Area of Conservation Habitat Mitigation Contribution - Case Ref: FZM9F2U0

For office use only

Application Reference:

Name: Mr Graham Clark

Telephone: 07498886202

Email: grahamclark@grcplanning.co.uk

Lagan Reference: 101006979815

Application/Portal Ref: PA24/01651

Development Description: Outline planning application for detached bungalow

Number of:

Dwellings: 1

Tourist: 0

accommodation:	
Student accommodation:	0
Active elderly accommodation:	0

THIS UNDERTAKING is given the eighteenth day of March two thousand and twenty four

BY

Mr Graham Clark of 81 Somerset Place Stoke Plymouth PL3 4BQ

TO

Cornwall Council of New County Hall Treyew Road Truro TR1 3AY ("the Council")

Background

1. I am the Owner of the land situated at TREGWHEAL LANDULPH LANDULPH PL12 6QQ (being the land shown edged red on the plan previously submitted).
2. The Council is the local planning authority for the area within which the land is situated.
3. I have applied to the Council for planning permission to develop the land by Outline planning application for detached bungalow ('The Development') and have submitted this undertaking in support of the Application Reference Number displayed on submitting this form.
4. This Undertaking is given pursuant to Section 111 of the Local Government Act 1972.

Definitions

In this Undertaking: "Dwelling"	Means a building or part of a building, caravan, mobile home or park home designed for residential occupation by a single household and "Dwellings" shall be construed accordingly.
"Tourist accommodation"	Means hotels, guest houses, B&Bs lodges, static caravans and tourism pitches and "tourism accommodation" shall be construed accordingly.
"Student Accommodation"	Means a building or part of a building used for student accommodation or bedrooms and "student accommodation" shall be construed accordingly.
"Active elderly accommodation"	Means specially designed self-contained accommodation for the more active elderly, which may include an element of scheme supervisor support and/or additional communal facilities and "active elderly accommodation" shall be construed accordingly.
"Plymouth Sound Estuaries SAC Tamar Estuaries SPA Contributions Special Area of Conservation Habitat Mitigation Contribution"	Means the sum of £371 per dwelling and/or £155 per bedroom for student/serviced accommodation to be paid by the Owner to avoid or mitigate against any adverse effect of the development on the Plymouth Sound Estuaries SAC Tamar Estuaries SPA Contributions Special Area of Conservation Habitat Mitigation Contribution in accordance with the Habitats Directive, the Cornwall European Sites Supplementary Planning Document and Policy 22 of the Cornwall Local Plan Strategic Policies 2010 - 2030.

The Owner on behalf of himself is making the attached payment of £371.00 to the Council on the signing of this undertaking to address the requirements of the policies stated above and to confirm that the **Plymouth Sound Estuaries SAC Tamar Estuaries SPA Contributions Special Area of Conservation Habitat Mitigation Contribution** has been paid to the Council for the defined purposes to be held by the Council and used solely for those purposes.

I understand I can request in writing a refund of the **Plymouth Sound Estuaries SAC Tamar Estuaries SPA Contributions Special Area of Conservation Habitat Mitigation Contribution** in the event of any one of the following:

- i. The contribution has been paid pre-determination and planning permission has been refused for The Development and six months has elapsed from the date of that decision without a planning appeal having been made, or
- ii. The development has not been commenced and within the period of six months from the date from which the planning permission is no longer capable of being implemented, or
- iii. Within the period of six months of any Planning Appeal submitted in respect of The Development being dismissed.

Written requests for refunds must be made to: planning@cornwall.gov.uk

By confirming this undertaking the Owner confirms that where the land is owned by more than one person this undertaking has been given jointly and severally by all such persons constituting the Owner and that the above undertakings shall be enforceable by the Council against the Owner.

For the purposes of the Contracts (Rights of Third Parties) Act 1999 it is agreed that nothing in this Undertaking shall confer on any third party (other than the Council) any right to enforce or any benefit of any term of this Undertaking.

Ticked to confirm:	Yes
Full name:	Michael Kitney
Date:	18/03/2024

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Application Reference:
Application Determined:/...../..... (Approved / Refused)
Six month threshold:/...../.....
Appeal Submitted:	Yes / No (Allowed / Dismissed)

<https://secure.cornwall.gov.uk/selfservice/PaymentPortal?id=101006979815&mode=VOF&redirect=y>