

Appeal Decision

Site visit made on 2 September 2024

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2024

Appeal Ref: APP/P4415/W/24/3338426

Land adjacent former Enterprise Training Centre, Church Lane, Treeton, Rotherham S60 5PZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr K Mahli on behalf of Century Grove Ltd against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref is RB2023/0598.
 - The development proposed is erection of 2no. 2 bed flats with associated car parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 2no. 2 bed flats with associated car parking and landscaping at land adjacent former Enterprise Training Centre, Treeton, Rotherham S60 5PZ in accordance with the terms of the application, Ref RB2023/0598, subject to the conditions in the attached schedule.

Preliminary Matters

2. Subsequent to the Council issuing its decision the revised National Planning Policy Framework (the Framework) was published on 19 December 2023 and updated on 20 December 2023. Both parties, within their respective submissions had an opportunity to comment on the revised Framework. Where reference is made to the Framework in this decision, the paragraph numbers are those that appear in the 20 December 2023 version.
3. On 30 July 2024 the Government published a consultation on "Proposed reforms to the NPPF and other changes to the planning system" and the "National Planning Policy Framework: draft text for consultation". A Written Ministerial Statement entitled "Building the homes we need" was also published on 30 July 2024.
4. Whilst a direction of travel has been outlined within the Written Ministerial Statement, which is a material consideration of very significant weight, the weight I give to the changes in the draft Framework is limited given that no final document has been published and it is subject to potential change in the future. I have therefore had due regard to these publications in my determination of this appeal and the main parties were given the opportunity to comment on these publications. I have taken into account any comments raised.

5. I observed that at the time of my site visit the Multi-Use Games Area (MUGA) was not present on the appeal site.
6. I note the Council's first reason for refusal, relating to highway and pedestrian safety, does not make reference to any relevant Development Plan Policies. I shall therefore consider this matter in accordance with the requirements of the Framework.
7. As part of the appeal the appellant has submitted an Ecological Impact Assessment (EIA) and a revised landscaping plan¹, in order to overcome the Council's third reason for refusal in respect of biodiversity. Whilst no comments have been provided by the Council in respect of the EIA and the revised landscaping plan, they have had an opportunity to do so. As such, I do not consider that the Council, or other parties, would be prejudiced by my acceptance of this EIA and the revised landscaping plan as part of this appeal.

Background

8. Planning permission² was granted to convert existing buildings on land adjacent to the appeal site, edged in blue on the submitted location plan, into 14no. apartments (herein referred to as 'the neighbouring development'). I observed on site that work has commenced on the neighbouring development.

Main Issues

9. The main issues are the effect of the proposed development on:
 - the living conditions of future occupiers of the neighbouring development and future occupiers of the appeal scheme, with particular regard to outdoor amenity space;
 - highway and pedestrian safety; and
 - biodiversity.

Reasons

Living conditions

10. The appeal relates to a parcel of land within a larger site that is currently being developed by way of converted two existing buildings into 14no. apartments. The appeal site formerly consisted of a MUGA, however as mentioned in the Preliminary Matters section above, at the time of my site visit there was no MUGA on site.
11. The proposal seeks to construct a building containing 2no. 2x bedroom flats on the appeal site. The Council, as well as a number of interested parties, contend that the loss of the MUGA would result in a reduction in the amount of on-site outdoor amenity space for future occupiers of the proposed flats on the neighbouring development.
12. In this regard, my attention has been drawn to condition 9 on the decision notice for the neighbouring development, with interested parties stating that this

¹ Tre_005 Rev A

² Council Ref: RB2020/0414

condition requires the MUGA to be retained in order to provide amenity space for residents of this neighbouring development.

13. Condition 9 on planning approval RB2020/0414 states *"The Multi Use Games Area to be retained on site shall only be used by those occupying the residential accommodation on site and shall not be made available to the general public"*.
14. Having carefully reviewed the precise wording of this condition, in my judgement I do not interpret that it specifically requires that the MUGA has to be retained on site in perpetuity. Whilst I acknowledge the condition makes reference to *"The Multi Use Games Area to be retained..."* I find this reference is a description of the MUGA, rather than a specific requirement for it to be retained on site.
15. Furthermore, the Council's reason for imposing this condition refers to matters of parking capacity and does not relate this condition to any requirement to provide additional amenity space for residents. As such, I find that the appeal proposal would not result in a conflict with the requirements of this condition, or its reason for imposition.
16. Nevertheless, the Council asserts that the MUGA was intended to provide additional amenity space for future occupiers of the neighbouring development and without the additional amenity space provided by the MUGA the neighbouring development would not have been approved.
17. I appreciate the MUGA would provide additional amenity space for future occupiers of the neighbouring development. However, I have not been provided with a copy of the Officer Report for this neighbouring development to support the Council's suggestion that the MUGA was a fundamental consideration in its reasoning for approving that application.
18. Furthermore, should the retention of this MUGA have been such an integral part of the Council's reasoning for approving the neighbouring development it is reasonable to consider that there would have been some form of mechanism, by way of a planning condition or a legal agreement, to secure its retention in perpetuity, as well as details relating to its future management and maintenance. I have not been provided with any such details or mechanism relating to these matters.
19. In view of the above, the absence of evidence to support the Council's claim that the neighbouring development would not have been approved without the additional amenity space provided by the MUGA limits the weight I can give to this argument.
20. Notwithstanding the above, the appellant argues that the MUGA was never shown on any approved plans as amenity space. To support this statement the appellant has provided a copy of the approved plan from the neighbouring development which shows the shared outdoor amenity space highlighted in green, and the MUGA is not included within the green shading. The Council has not disputed that the plan provided by the appellant is the approved plan for the neighbouring development.
21. The appellant also states that the amount of shared outdoor amenity space (341sqm) that is shaded green on the approved plan for the neighbouring development exceeds the requirements (190 sqm) as outlined in the South Yorkshire Residential Design Guide (Design Guide). Furthermore, the appellant

contends that the amount of outdoor amenity space (240 sqm) that would be provided for the two flats proposed as part of this appeal scheme also exceeds the requirements Design Guide. Again, the Council has not disputed these claims or figures.

22. I acknowledge that concerns have been raised over the quality of the shared outdoor amenity space that is being provided within the neighbouring development, given that the areas are relatively narrow and largely situated between the building and the highway of Front Street.
23. Nevertheless, this outdoor amenity space was shown on the approved plans and considered acceptable by the Council as part of its determination of the neighbouring development. As mentioned earlier, I have no substantive evidence before me that the Council would not have approved this neighbouring development without the additional amenity space provided by the MUGA, particularly given that the amount of outdoor amenity space approved exceeded the requirements as detailed within the Design Guide.
24. Additionally, the appeal proposal before me would provide another area of outdoor amenity space and I see no reason why all the areas of outdoor amenity space provided across both developments could not be shared and used by all residents. Together, these combined areas of outdoor amenity space would significantly exceed the requirements of the Design Guide.
25. In view of all the above, I conclude that the loss of the MUGA pitch would not result in any significant harm to the living conditions of future occupiers of the neighbouring development. Furthermore, I find that future occupiers of the appeal proposal, and the neighbouring development, would be provided with sufficient levels of outdoor amenity space. I therefore find no conflict with Policy SP 55 of the Rotherham Local Plan Sites and Policies (June 2018) (LP), where it requires all forms of development to be high quality and create a decent living environment.
26. The proposal would also comply with the provisions of the Framework where it seeks to achieve well-designed places and ensure development provides a high standard of amenity for future occupiers, as well as the requirements of the Design Guide in relation to the amount of shared amenity space required for occupiers.

Highway and Pedestrian Safety

27. The highways reason for refusal states that the additional vehicle movements associated with the 2no. proposed flats would result in vehicles reversing back onto the highway of Church Lane, close to its junction with Station Road, to the detriment of both road and pedestrian safety.
28. The proposed 2no. flats would be accessed through the neighbouring development, utilising the existing access off Church Lane. This existing access is relatively narrow and unable to accommodate two-way traffic, and thus when two cars going in opposite directions meet on this access one of the vehicles would have to yield by reversing, either back into the car park or onto Church Lane. Whilst this arrangement is not ideal, the access was judged to be sufficient to serve the 14no. apartments that were approved on the neighbouring development.

29. Interested parties have stated that the 14no. apartments represented too many units on this site, and the addition of 2no. flats would only add to the issues. However, the 14no. apartments have been approved, and consequently the matter before me is whether the additional vehicle movements associated with the 2no. additional flats would be harmful to highway safety.
30. The appellant has provided a Transport Note (TN) in support of their application which provides an assessment of the likely number of vehicle trips generated by the 2no. additional units. The TN concludes that the number of additional movements created by the appeal proposal, in comparison to the approved use of the neighbouring development, would be negligible. The Council has not disputed these figures and conclusion, or provided any counter figures in respect of the likely number of vehicle trips generated by the appeal scheme.
31. Furthermore, the TN also details how there is sufficient turning space within the site, that Church Lane is a lightly trafficked highway, and that no collisions have been recorded at or within the vicinity of Church Lane within the last 10 years. These comments have not been challenged by the Council.
32. I note that the TN details that the previous use of the site as an Enterprise Centre would likely have generated more vehicle movements than those likely to be generated by the appeal proposal and the approved neighbouring development. Again, this comment has not been challenged by the Council, however I have limited evidence before me in respect of the previous use of the site in order to be certain that it would have generated more vehicle movements than the appeal proposal and the approved neighbouring development. Nevertheless, I appreciate that the previous use would have created vehicle movements and the same issues of vehicles reversing would have been encountered.
33. Furthermore, given that the access is narrow and serves residential properties, I find it likely that users would take care and the most frequent users (residents) would quickly become familiar with the arrangement and appreciate that priority should be given to vehicles entering from Church Lane.
34. Interested parties have also raised concerns that the proposal would result in a loss of car parking provision on the neighbouring development, resulting in vehicles parking on Church Lane which could limit access, especially for emergency vehicles. The submitted plans show that sufficient parking provision would be provided for future occupiers of the appeal proposal, and that additional parking spaces would be provided, which according to the submission would be utilised by occupiers / visitors of the neighbouring development.
35. As such, and on the evidence / plans before me, the appeal proposal would provide sufficient parking for the additional 2no. units and increase the overall ratio of car parking spaces per units within the neighbouring development. The proposal would therefore not have a harmful impact upon highway safety by way of parking provision.
36. In view of all the above, I appreciate that with any development there will be a tipping point when the number of vehicles using an access goes beyond what is considered to be 'acceptable'. However, on the evidence before me, I find that the additional vehicle movements arising from the proposed 16no. units using this access, in comparison to the already approved 14no. units, would not in this case exceed that tipping point.

37. I therefore conclude that the provision of 2no. additional units on the appeal site would not result in an unacceptable harmful impact upon highway or pedestrian safety. The appeal proposal therefore conforms with the provisions of the Framework where it states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Biodiversity

38. I acknowledge that case law³ has established that the mandatory requirements for biodiversity net gain are not applicable to applications made before the Regulations were implemented. Nevertheless, LP Policy SP 33 states that development should conserve and enhance existing, and create new, features of biodiversity value and that development will be expected to enhance biodiversity on-site.
39. As part of the appeal submission the appellant has provided an Ecological Impact Assessment (EIA) which details how the site was previously an outside sports area with a fully sealed surface, and how the appeal site has now been scraped clean and is bare ground. The EIA therefore states that both the existing and former use of the appeal site had no biodiversity value.
40. The proposed development would include a landscaped area consisting of grassland, five trees, shrubs and a native hedgerow. As such the proposed development would create new features of biodiversity value and therefore enhance biodiversity on this site, in comparison to its existing / previous use. Consequently, I conclude that the appeal proposal complies with the above-mentioned requirements of LP Policy SP 33.

Other Matters

41. The appeal site is located within the Treeton Conservation Area (CA) and in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
42. The significance of the CA in part derives from array of attractive stone-built detached properties, a number of which appear to have previously formed part of former farmstead complexes before being converted into residential dwellings. The greenery provided by mature trees located within the curtilages of the buildings within the CA also adds to its pleasant appearance.
43. A number of the stone buildings within the CA are listed, and predominantly the character of the CA is residential, although there are a number of commercial / public buildings on Front Street.
44. Church Lane itself includes a number of stone-built dwellings close to the appeal site, and a defining feature of the street scene are the front boundary stone walls of varying height. On the appeal site's side of Church Lane is a tall stone wall which substantially screens the site from this highway and this creates a sense of enclosure within this part of the CA.

³ NRS Saredon Aggregated Ltd v Worcestershire CC [2023] EWHC 2795

45. The proposed building would have the traditional appearance of a detached residential dwelling with a pitched roof design, with chimneys at each end and a projecting two storey gable feature at the front. The building would be constructed in stone with a slate roof. In terms of its use, design, appearance, materials and two-storey scale the proposal would be in-keeping with the character of the CA.
46. To the front the historic high stone wall that separates the appeal site from Church Lane would be retained and this would partially screen the proposed building from views along this highway, as well as retaining the existing sense of enclosure within this section of the CA. The application is accompanied by a street scene drawing to show that the ridge height of the building would not exceed the ridge height of the adjacent property (known as The Rectory) to the south.
47. In view of the above, the appeal proposal would have a limited impact upon the significance of the heritage asset as a whole, and would not harm the character or appearance of the CA.
48. To the southeast of the appeal site, beyond the adjacent property, are the listed buildings of The Georgian House (Grade II) and the Church of St Helens (Grade I), with the Village Stocks on the opposite side of the church also listed (Grade II). To the northwest of the appeal site, is the listed property at No. 24 Station Road (Grade II).
49. In determining this appeal, I therefore also have a statutory duty, under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the listed buildings or their setting or any features of special architectural or historic interest which they possess.
50. The listed building at no.24 Station Road (no.24) is screened from views within the appeal site by intervening buildings, and vice versa. When observing No. 24 from public vantage points along Station Road the proposed building would be largely screened by a mixture of those intervening buildings, mature vegetation and the high stone wall to the front of the appeal site. These factors, along with the distance between the appeal building and No. 24, would ensure that the proposal would not affect the setting of this listed building.
51. The listed buildings, The Georgian House and the Church of St Helens, to the southeast face towards Front Street and are again largely screened from the appeal site by the high stone wall, which also extends along the side boundary, vegetation and the neighbouring property at The Rectory. As detailed above the proposed building, being two-storey in height would not be higher than the neighbouring property at The Rectory, and it would be sited slightly closer to Church Lane than this neighbouring property. As such, the neighbouring property at The Rectory, as well as the surrounding mature vegetation, would ensure that the appeal building would be well-screened from views away from, or towards, these listed buildings.
52. In view of the above, the appeal proposal, as a result of its siting, scale and traditional design, alongside existing surrounding features including the intervening buildings and mature vegetation, would not compromise the setting of these nearby listed buildings. Consequently, I conclude that the appeal proposal

would preserve the setting of these listed buildings and their features of special architectural and historic interest.

53. I note the comments raised by interested parties in respect of overlooking issues. However, based on my observations on the site visit and the submitted information, I agree with the assessment of the Council that the proposed development would not result in significant harm to the living conditions of neighbouring occupiers.
54. Concerns have been raised that the appeal proposal, alongside the neighbouring development, would result in a density that represents an overdevelopment of the whole site. For the reasons given above, and based on the evidence before me, I find that the provision of 2no. additional flats on this site would not give rise to any undue harm to highway safety, or neighbouring occupiers, and would preserve the character and appearance of the surrounding area in general, including the CA and nearby Listed Buildings. As such, I do not find that the proposal would represent a density of development that would be harmful to the site or its surrounding area.
55. I acknowledge that interested parties have commented on what they perceive to be a reduction in the quality of materials being used on the neighbouring development. However, this matter is not determinative in my consideration of the planning merits relating to the appeal before me.

Conditions

56. The Council has provided a list of suggested planning conditions, which I have considered against paragraph 56 of the Framework, and the advice contained in the Planning Practice Guidance, and I have edited to improve precision and enforceability.
57. In addition to the standard time limit condition (1), I have attached a condition specifying the approved plans to provide certainty (2).
58. I have added a pre-commencement condition which requires the submission of a detailed surface water drainage scheme (3). This pre-commencement condition is necessary to reduce the risk of flooding at the site and within the surrounding area. A pre-commencement condition which requires the submission of a Written Scheme of Investigation relating to archaeological works has also been included (4). This pre-commencement condition is necessary to identify and preserve any historic and archaeological interest at the site.
59. In order to safeguard the character and appearance of the surrounding area, including the CA, a condition requiring the submission of full details, or samples, of the external materials to be used in the development (5) has been included.
60. Whilst not suggested by the Council, I have added conditions requiring the submission of details relating to the provision of waste facilities (6) and cycle parking facilities (7) within the site. The waste facilities condition is required to safeguard the living conditions of neighbouring occupiers and to safeguard the character and appearance of the area. The requirement for the provision of cycle parking facilities within the site has been included to support the use of sustainable modes of transport.

61. The Council requested a pre-commencement condition requiring the submission of a Biodiversity Enhancement & Management Plan, including annual progress reports on its progress after implementation. The appellant has provided an EIA and landscaping plan which together identify the biodiversity enhancement measures for this scheme. As such I do not consider the Council's suggested condition to be reasonable or necessary to make the development acceptable, and therefore it has not been included.
62. Nevertheless, I have added a condition which requires the precise details of the biodiversity enhancement measures detailed within the EIA to be submitted to the Council (8) and implemented prior to occupation. Along with a separate condition requiring the proposed landscaping scheme to be implemented within the first planting season after the development is completed or occupied, whichever is sooner (9). These conditions are both necessary to ensure that the proposal enhances biodiversity at the site.
63. A condition requiring the proposal to provide the car parking area, as shown on the approved plans, has been attached to minimise the need for off-site parking and to ensure vehicles can safely manoeuvre within the site (10). A separate condition requiring the areas used by vehicles to be constructed in a permeable surface or for water to be collected and taken to a discharge system within the site (11) is included to reduce the risk of surface water flooding at the site.
64. A condition requiring the submission of a scheme detailing how the use of sustainable modes of transport, including public transport (12), is necessary to encourage the use of alternative modes of transport other than the private motor vehicle. A condition requiring details of the measures to provide gigabit capable full broadband (13) is reasonable in order to prioritise full fibre connections within the development.
65. The Council requested a condition requiring details of the boundary treatments to be submitted prior to occupation. The appellant has confirmed that the proposal would not include the provision of any new boundary treatments and the submitted plans do not show any new boundary treatments. As such this suggested condition is not necessary to make the development acceptable and has not been included.
66. Furthermore, the condition suggested by the Council requiring the provision of electric vehicle charging points is also not necessary, and therefore not included, because the provision of access to an electric vehicle charging points is a requirement of S1, Part 1, Schedule 1 of the Building Regulations 2010 (as amended).

Conclusion

67. For the reasons given above, and having regard to all matters raised, the proposed development would accord with the development plan when taken as a whole and there are no material considerations that indicate it should be determined other than in accordance with it. I therefore conclude that the appeal should be allowed.

R Major

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following approved plans:
 - Location Plan (Scale 1:1250)
 - CL 30 drg no. 1
 - CL 30 drg no. 2
 - Tre_005 Rev A
- 3) No development hereby permitted shall take place, including any demolition and groundworks, until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.
 - a. The submitted details shall:
 - i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and,
 - iii. provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
 - b. The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.
- 4) No development hereby permitted shall take place, including any demolition and groundworks, until a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The WSI shall include:
 - The programme and method of site investigation and recording.
 - The requirement to seek preservation in situ of identified features of importance.
 - The programme for post-investigation assessment.
 - The provision to be made for analysis and reporting.
 - The provision to be made for publication and dissemination of the results.
 - The provision to be made for deposition of the archive created.
 - Nomination of a competent person/persons or organisation to

- undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or an alternative timescale is agreed.

- 5) Notwithstanding any description of materials in the application, no above ground construction works shall take place on the development hereby permitted until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details / samples.
- 6) No above ground construction works shall take place on the development hereby permitted until details of waste and recycling facilities to serve the development to which this permission relates have been submitted to and approved in writing by the Local Planning Authority.

The refuse and recycling facilities as shown in the approved details shall be provided prior to first occupation of the development and shall be permanently retained thereafter. All refuse bins and waste shall be stored at all times, other than on collection days, within the approved refuse storage area(s).

- 7) No above ground construction works shall take place on the development hereby permitted until details of secure cycle parking facilities to serve the development to which this permission relates have been submitted to and approved in writing by the Local Planning Authority.

The cycle parking facilities as shown in the approved details shall be provided prior to first occupation of the development and shall be permanently retained for that purpose and kept free from obstruction thereafter.

- 8) No above ground construction works shall take place on the development hereby permitted until precise details of the biodiversity enhancement measures detailed within Section 5 of the submitted Ecological Impact Assessment (Ref No. 240122) have been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details prior to the first occupation of the flats and shall be retained as such thereafter.
- 9) The landscaping of the site shall be undertaken in accordance with the approved landscaping plan (TRE_005 Rev A) and shall be carried out in the first planting and seeding seasons following the occupation of the

development, or the completion of the development, whichever is the sooner. Any trees or shrubs which, within a period of 5 years from first planting, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species. An assessment of requirements for replacement planting shall be carried out on an annual basis in September of each year and any defective work or materials discovered shall be rectified before 31st December of that year.

- 10) Before the development hereby permitted is occupied, the car parking area shown on the approved plan (CL 30 drg no. 1) shall be provided, marked out and shall be retained as such, and kept available for the intended purpose, thereafter.
- 11) Before the development hereby permitted is occupied, the part(s) of the site to be used by vehicles shall be constructed with either:
 - a) a permeable surface and associated water retention/collection drainage; or
 - b) an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area(s) shall thereafter be maintained in a working condition.

- 12) Before the development hereby permitted is occupied, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing how the use of sustainable modes of transport and public transport will be encouraged, including details of a timetable for the implementation of the scheme. The approved scheme shall be implemented in accordance with the agreed details and timetable, and take the form of an Information Pack to be provided to new residents.
- 13) Before the development hereby permitted is occupied, details of measures to facilitate the provision of gigabit-capable full broadband for the development hereby approved, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

*****END OF CONDITIONS*****