COMMITTEE REPORT

Date:	19 January 2017	Ward:	Guildhall
Team:	Major and Commercial Team	Parish:	Guildhall Planning Panel

Reference: 16/01972/LBC

Application at: The Guildhall Coney Street York YO1 9QN

For: Alterations and refurbishment of Guildhall complex to create conference rooms, meeting rooms and offices, refurbishment and part rebuild of existing south range to provide cafe and ancillary accommodation, and erection of extension on north side of complex to form restaurant and office accommodation
By: City of York Council

Application Type: Listed Building Consent

Target Date: 19th January 2017

Recommendation: Subject to the expiry of the consultation period regarding amended plans, and no new planning issues being raised, delegated authority be given to Approve subject to conditions.

1.0 PROPOSAL

1.1 The Guildhall comprised a substantial Grade II and II* Listed part stone and part brick built complex of Later Medieval date occupying a very prominent location within the Central Historic Core Conservation Area. Planning permission and Listed Building Consent are now sought for its conversion including, limited demolition and new building along the river front to allow for the construction of a restaurant, cafe and river side garden together with the formation of managed office space and the provision of a civic and event space within the central section of the building. The scheme has subsequently been amended to deal with Conservation concerns including deletion of the proposed secondary glazing. The location and design of the proposed river source heat pump has also been clarified giving rise to a need to reconsult Historic England.

2.0 POLICY CONTEXT

2.1 The National Planning Policy Framework (NPPF) was published in March 2012. It sets out government's planning policies and is material to the determination of planning applications. The sections in the NPPF most relevant to this proposal include:

• Chapter 12 – Preserving and enhancing the historic environment

2.2 The NPPF is the most up-to date representation of key relevant policy issues (other than the Saved RSS Policies relating to the general extent of the York Green Application Reference Number: 16/01972/LBC Item No: 4e Belt) and it is against this policy Framework that the proposal should principally be addressed.

2.3 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development, unless specific policies in the NPPF indicate development should be restricted. This presumption does not apply to this proposal as it is subject to the more restrictive policies in Section12 to the NPPF.

Status of the emerging York Local Plan Publication Draft (2014)

2.4 The planned consultation on the Publication Draft of the City of York Local Plan, which was approved by the Cabinet of the Council on the 25 September 2014, was halted pending further analysis of housing projections. An eight week consultation on a further Preferred Sites document has concluded. Recently, however, announced closures of Ministry of Defence Sites in the York administrative area have given rise to further potential housing sites that require assessment and consideration as alternatives. The emerging Local Plan policies can only be afforded weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF. However, the evidence base that underpins the proposed emerging policies is capable of being a material consideration in the determination of the planning application.

2.5 Relevant emerging policies are as follows:

- Policy D5: Listed buildings
- Policy D9: City of York Historic Environment Record

Status of the City of York Draft Local Plan (2005)

2.6 The City of York Draft Development Control Local Plan (incorporating 4th set of changes, April 2005) has been adopted for Development Control purposes, but it does not have statutory development plan status. Its draft policies are capable of being material planning considerations and are considered to carry some limited weight where they accord with the NPPF.

2005 Draft Development Plan Allocation:

- 2.7 Relevant 2005 allocations include:
 - Listed Buildings GMS Constraints: Grade 2; Lendal Cellars 26 Lendal York YO1 2AG 0613
 - Listed Buildings GMS Constraints: Grade 2; 8 Lendal York YO1 2AA 0618
 - Listed Buildings GMS Constraints: Grade 1; The Mansion House Coney Street York YO1 1QL 0611

Application Reference Number: 16/01972/LBC

Item No: 4e

- Listed Buildings GMS Constraints: Grade 2 Star; 14 Lendal York YO1 2AA 0616
- Listed Buildings GMS Constraints: Grade 2; Municipal Offices Coney Street 0614
- Listed Buildings GMS Constraints: Grade 1; The Guildhall Coney Street York YO1 9QN 0427
- Listed Buildings GMS Constraints: Grade 2; York Post Office 22 Lendal York YO1 2DA 0612
- York North West Boundary GMS Constraints: York North West Boundary CONF

2005 Draft Development Control Local Plan policies:

- 2.8 Relevant development control policies include:
 - CYHE2 Development in historic locations
 - CYHE4 Listed Buildings
 - CYSP3- Safeguarding the Historic Character and Setting of York

Statutory duties – Planning (Listed Buildings and Conservation Areas Act 1990 (as amended) – Sections 16

2.9 Section 16 requires the Local Planning Authority when determining applications for <u>listed building consent</u> to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

2.10 Case law has made clear that when deciding whether harm to the listed building or its setting is outweighed by the advantages of a proposed development, the decision-maker must give particular weight to desirability of avoiding such harm. There is a "strong presumption" against the grant of planning permission in such cases. The exercise is still one of planning judgment but it must be informed by that need to give special weight to the desirability of preserving the building. (E.Northants DC v Secretary of State for Communities and Local Government [2014] EWCA Civ137).

2.11 This means that even where harm is less than substantial, the avoidance of such harm must still be afforded considerable importance and weight, i.e. the fact of harm to the listed building is still to be given more weight than if it were simply a factor to be taken account along with all other material considerations.

3.0 CONSULTATIONS

INTERNAL:-

Planning and Environmental Management (Conservation)

3.1 raise concerns in respect of the interior treatment of complex specifically the interrelationship between new and existing elements and the treatment of the proposed new civic spaces.

3.2 Has undertaken extensive consideration of the proposals and has sought amended details. In summary, the consultation response states the scheme is an example of heritage led regeneration and the proposals would undoubtedly add value to the site - by responding to context, by improving the internal working environment for offices/business club, and by successfully resolving many of the functional, circulation and structural problems inherent in the existing buildings. Some detailed aspects of the proposals have been revised to avoid unacceptable harm being caused to the special architectural and historic character of the buildings, especially as it relates to the buildings' civic and ceremonial functions. Further detailed work is expected by means of conditions. States it has not been possible to assess impacts of the servicing in terms of the distribution system, above basement level, but this information should be covered through conditions.

3.3 Concerns have been expressed about the need to co-ordinate the design of the site and manage it as a whole including the Mansion House to ensure that competing requirements do not undermine the various civic roles of the buildings, as maintaining the historic uses and the important relationships between the buildings are matters intrinsic to the special architectural and historic interest of the site.

EXTERNAL:-

Guildhall Planning Panel

3.4 Objects to the proposal on the grounds that it would present an undesirable precedent for unsympathetic work to be undertaken elsewhere.

York Conservation Trust

3.5 Objects to the proposal on the grounds of the clear adverse impact upon the existing building caused by the proposed scale, massing and palette of materials for the new build element of the proposal.

York Civic Trust

3.6 Raises no objection to the proposal subject to the internal glazed elements of the proposal together with the internal raised dais being sensitively designed.

Historic England

3.7 Raises no objection in principle to the proposal subject to a number of conditions requiring further details to be submitted and for Heritage England to be consulted in relation to these. They object to the proposal for secondary glazing in the Council Chamber and express concern in respect of the proposed new internal glazed areas and the treatment of the internal dais within the Guildhall and its associated fixtures and fittings. The proposed secondary glazing has subsequently been deleted from the scheme and the treatment of the internal glazed areas and internal dais within the Guildhall has been amended to address these concerns.

The Ancient Monuments Society

3.8 Was consulted with regard to the proposal on 31st August 2016. Any comments received will be reported orally at the meeting.

The Council for British Archaeology

3.9 Was consulted with regard to the proposal on 31st August 2016. Any comments received will be reported orally at the meeting.

The Georgian Group

3.10 Was consulted with regard to the proposal on 31st August 2016. Any comments received will be reported orally at the meeting.

The Society for the Protection of Ancient Buildings

3.11 Was consulted with regard to the proposal on 31st August 2016. Any comments received will be reported orally at the meeting.

The Victorian Society

3.12 Was consulted with regard to the proposal on 31st August 2016. Any comments received will be reported orally at the meeting.

The 20th Century Society

3.13 Was consulted with regard to the proposal on 31st August 2016. Any comments received will be reported orally at the meeting.

Application Reference Number: 16/01972/LBC Item No: 4e

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

• Impact upon the Historic Character and Integrity of the Listed Building.

PLANNING POLICY CONTEXT:-

4.2 As set out in Section 2 above, the statutory tests that applies means where harm is identified to a Heritage Asset there will be a strong presumption against the grant of permission. Whilst Central Government Planning Policy as outlined in paragraph 131 of the National Planning Policy Framework urges Local Planning Authorities to give significant weight to ensuring the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and ensuring the desirability of new development making a positive contribution to local character and distinctiveness, caution is advised when carrying out this balancing exercise, in that any harm (even where less than substantial) must be given considerable weight and importance by virtue of the statutory duty imposed on the Local Planning Authority by Section 16 of the 1990 Act.

IMPACT UPON THE HISTORIC CHARACTER AND INTEGRITY OF THE LISTED BUILDING:-

4.3 BUILDING SIGNIFICANCE:-The Guildhall complex comprises a series of conjoined stone and buff brick structures dating to the 14th Century and subsequently occupying a sloping site from Lendal, a principal shopping street to the river side. The complex comprises a mix of Grade II and II* Listed Buildings that have formed the hub of corporate government within the City since the Later Medieval period with the Guildhall itself and the central riverside range surviving from that period. Notwithstanding extensive war time bomb damage a number of good quality Victorian panelled rooms notably within the main Council Chamber still survive. Evidence of earlier building survives within the river side elevation with part of an early bonded warehouse surviving at basement level accessed from Common Hall Lane. The wider complex also incorporates the official residence of the Lord Mayor in the Mansion House, an arrangement which dates back to the Medieval period and whose survival is unique in an English context. A number of high quality Victorian Gothic Interiors are preserved notably in the Council Chamber and its approaches.

4.4 THE PROPOSAL:-The scheme aims to refurbish the complex to provide a series of event and civic spaces with small office suites, a restaurant and a cafe. The existing north easterly extension would be partially demolished and a three storey Application Reference Number: 16/01972/LBC Item No: 4e restaurant and office space would be erected between the 18th Century brick built warehouse to the north and the existing Late 19th Century northern Tower range. The new building would be erected in a mix of render panelling with brick work to match surrounding buildings with a standing seam profile metal clad roof. At the same time a series of small scale single storey structurally glazed extensions would be provided at the south of the site to provide a seating area for the proposed cafe and at the north east to provide an updated reception area. A low level river-side garden would be provided at the north western edge of the building with a glass balustrade along the river side. The existing stone slabbed forecourt would be realigned and brought forward. A river source heat pump would be provided at the south west corner of the development and set within an existing window embrasure.

4.5 Significant internal works are also proposed as part of the development including the fixing of secondary double glazing within the interior along with a number of internal glazed partitions. The internal dais within the Guildhall space is to be relocated with a new screen designed to accompany it with charring of the timber to pay reference to the significant damage to the building in 1942. A number of additional openings would be created internally notably into the staircase hall accompanying a new layout and seating arrangement. Additional doors would also be cut through the internal stone work and new internal lighting provided. New side fixed timber benching would be provided within the Guildhall and the existing interiors including the Victorian mosaic floors would also be cleaned.

4.6 ASSESSMENT OF IMPACT: - The proposal is designed to secure a long term viable future for one of the most iconic buildings of the City Centre. In terms of internal works a series of additional glazed subdivisions are proposed together with a refurnishing of the Guildhall space and the adjacent staircase hall. Concern has been expressed in respect of both aspects notably in respect of the internal dais within the Guildhall and the associated screen. The proposed screen has been redesigned to address the concerns and now incorporates an abstract smoke etched pattern which more closely reflects 20th Century church architecture. The degree of alteration to the dais has also at the same time been lessened to create a space more reflective of its current form. The internal secondary glazing which was an integral element of the scheme but which gave rise to significant concern has now been removed. The design of the new openings into the staircase hall and the anteroom to the Council Chamber has also been amended. The applicant has agreed to delete the opening into the base of the main staircase at the location of the present reception (applicant has intimated that it may be submitted as part of a separate application at a future date). The new opening into the ante-room to the Council Chamber has also been simplified to create a simple undifferentiated opening that would not compete with complex detail of the adjacent Victorian interior.

4.7 The sum total of the proposed interventions to the building interior would give rise to less than substantial harm to the character and significance of the building, the avoidance of which Section 16 of the 1990 Planning (Listed Buildings and Application Reference Number: 16/01972/LBC Item No: 4e

Conservation Areas) Act requires be afforded considerable importance and weight in determining the application. When applying the policy test in NPPF paragraph 134 the harm to heritage assets is then balanced against any significant public benefit that would arise. The proposed works would secure a far greater degree of public interest in and use of the site and would give rise to an on-going more economically viable mix of uses which would secure the long term future of the site. It is felt that this would more than outweigh the less than substantial harm that would arise in respect of the internal works as amended, even when attaching considerable importance and weight to the avoidance of that less than substantial harm

4.8 In terms of the impact upon the building exterior there are three principle areas of concern. The most significant arises from the proposed northern extension designed to accommodate the proposed restaurant and office suites. It involves the erection of a part brick/part render three storey structure within an area descending to the river bank formerly occupied by temporary structures. It has an idiosyncratic roof form incorporating a large dormer facing the river frontage with the roof configured in a profiled metal. The extension is designed to be subservient in terms of its scale and massing whilst at the same time making its own contribution to the sky line of the river front. The applicant has agreed to amend the design further to deal with the concerns and the design will be available for consideration at the meeting. A related issue is in respect of the design of the proposed roof lights through the south wing which has given rise to some level of concern. The roof lights and other fenestration have been redesigned to match more closely the existing situation and are now felt to be acceptable giving rise to only minor harm. Concern has also been raised in detail in respect of the design of the proposed rain water goods .The revised application details have addressed this issue and the amended design is felt to be acceptable giving rise to only minor harm to the significance of the building and in the case of the new northern extension would be secured behind a low parapet wall.

4.9 The second element of impact in terms of the exterior of the building relates to the treatment of the Riverside and the formation of a river side garden to parallel the treatment of the opposite bank of the Ouse. Concern has been expressed in respect of the use of profiled glass sections as a balustrade material together with works to the existing river side wall which contains masonry elements of the former Medieval friary which partially encroached on to the present site. The use of glass would clearly be unacceptable in terms of its impact and has been replaced by a tanalised bronze railing which would closely follow the form of the treatment of the riverside gardens to the west of the Ouse accessible from North Street and would more effectively blend with the adjoining Listed Boundary wall. It is felt that the proposal as amended would give rise to only minor harm to the significance of the building. At the same time the location of the proposed river source heat pump that would be located within an existing window embrasure at the south western end of the building has been clarified. It is felt that it would give rise to minor harm to the

Application Reference Number: 16/01972/LBC

Item No: 4e

significance of the building and would not be readily visible in long or short distance views from the west and south west.

4.10 The third element of impact in terms of the exterior of the building relates to the construction of a series of light weight glazed extensions to the south east and north east of the existing complex. These would be light weight in form and subservient to the overall host building in terms of their scale and massing. Some concern is however expressed in terms of the mode of fixing of the glazed elements of the structure to the existing building. The detail of the proposed fixings including their number and location has been clarified in respect of the amended submission and is felt that they would now give rise to minor harm to the significance of the building subject to a condition being imposed to control fixing details.

4.11 The proposed interventions to the exterior of the building would give rise to a range of mostly minor and less than substantial harms to the significance of the building which need to be given considerable importance and weight in determining the application when balanced against any significant public benefit arising from the proposal. As in respect of the internal works the proposed works would secure a far greater degree of public interest in and use of the site and would give rise to an on-going more economically viable mix of uses which would secure the long term future of the site. It is felt that this would more than outweigh the less than substantial harm that would arise in respect of the external works as amended, even when considerable importance and weight is given to that less than substantial harm.

5.0 CONCLUSION

5.1 The Guildhall comprised a substantial Grade II and II* Listed part stone and part brick built complex of Later Medieval date occupying a very prominent location within the Central Historic Core Conservation Area. Planning permission and Listed Building Consent are now sought for its conversion including, limited demolition and new building along the river front to allow for the construction of a restaurant, cafe and river side garden together with the formation of managed office space and the provision of a civic and event space within the central section of the building.

5.2 The proposal seeks to undertake a series of significant interventions to both the interior and exterior spaces of the complex. The proposed internal alterations notably the alterations to the Guildhall itself with the internal dais and the staircase hall have given rise to some significant concern. The applicant has clarified and in places re-designed the scheme to address the areas of concern. The entrance to the base of the staircase hall is to be deleted and the entrance to the Council Chamber ante-room has been simplified. At the same time the proposed screen and dais have been re-designed to more closely reflect the character of the space. With the external works the proposed balustrade along the river side has been re-designed to match that within North Street gardens and the proposed pattern of Application Reference Number: 16/01972/LBC Item No: 4e

fenestration has been amended to simplify it and make it more reflective of the existing pattern. The location and design of the river source heat pump has also been clarified which would sit within an existing window embrasure at the south west of the building. The design of the roof form of the northern extension will also be re-designed prior to consideration at the meeting.

5.3 The proposal envisages a range of harms to the character and significance of the interior and exterior of the building which Section 16 of the 1990 Planning(Listed Buildings and Conservation Areas) Act require to be afforded considerable importance and weight. When applying the policy test in the NPPF paragraph 134 the harm to Heritage Assets is then balanced against any significant public benefit arising from the proposal. The scheme envisages the provision of a range of uses that would increase public interest in and usage of the site as well as affording and significant degree of investment that would secure the future of the site. It is felt this would amount to a significant public benefit that would clearly outweigh the harm to the heritage assets, even when attaching considerable importance and weight to that harm. The proposal is therefore on balance felt to be acceptable in planning terms.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Subject to the expiry of the consultation period in relation to the amended plans and no new planning issues being raised, delegated authority be given to the Assistant Director of Planning and Public Protection to Approve subject to conditions including:

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Refs:-

AL(0)0100.P1 OS AL(0)0101.P2 Block Plan

AL(0)0200.P5 Existing Site Plan AL(0)0300.P4 Existing Basement Plan AL(0)0400.P6 Existing Ground Floor Plan AL(0)0500.P5 Existing First Floor Plan AL(0)0600.P4 Existing Second Floor Plan AL(0)0700.P4 Existing Tower Plan

AL(0)1200.P3 Proposed Site Plan AL(0)1300.P8 Proposed Basement Plan Application Reference Number: 16/01972/LBC

Item No: 4e

AL(0)1310.P4 Proposed Basement Plan - Referenced AL(0)1400.P13 Proposed Ground Floor Plan AL(0)1410.P7 Proposed Ground Floor Plan - Referenced AL(0)1500.P11 Proposed First Floor Plan AL(0)1510.P5 Proposed First Floor Plan - Referenced AL(0)1600.P11 Proposed Second Floor Plan AL(0)1610.P5 Proposed Second Floor Plan - Referenced AL(0)1700.P11 Proposed Tower Plan AL(0)1710.P5 Proposed Tower Plan – Referenced AL(0)1900.P9 Proposed River Front Elevation AL(0)1901.P7 Proposed North Annexe Elevation From Boat Yard AL(0)1903.P4 Proposed River Front Elevation In Context AL(0)1910.P8 Proposed South Range Elevation From Revs Bar AL(0)1911.P7 Proposed Guildhall Elevation From Common Hall Yard AL(0)1950.P7 Proposed Section AA - North Range AL(0)1952.P5 Proposed Section CC - Secondary Entrance AL(0)1953.P7 Proposed Section DD - South Range Café/entrance AL(0)1954.P8 Proposed Section EE 1 (north) AL(0)1955.P8 Proposed Section EE 2 (south) AL(0)1956.P4 Proposed Section FF AL(0)1960.P4 Proposed Section JJ - Council Chamber AL(0)1963.P9 Proposed Section MM - Restaurant AL(0)1964.P7 Proposed Section NN - North Annexe From Lendal AL(10)0301.P4 Proposed Basement Demolition Plan: North AL(10)0302.P4 Proposed Basement Demolition Plan: South AL(10)0401.P4 Proposed Ground Floor Demolition Plan: North AL(10)0402.P5 Proposed Ground Floor Demolition Plan: South AL(10)0501.P5 Proposed First Floor Demolition Plan: North AL(10)0502.P4 Proposed First Floor Demolition Plan: South AL(10)0601.P4 Proposed Second Floor Demolition Plan: North AL(10)0602.P4 Proposed Second Floor Demolition Plan: South AL(10)0701.P4 Proposed Tower Demolition Plan AL(10)0801.P4 Proposed Roof Demolition Plan AL(80)1300.P4 Proposed Basement Fire Strategy Plan AL(80)1301.P4 Proposed Basement Fire Strategy Plan: North AL(80)1302.P4 Proposed Basement Fire Strategy Plan: South AL(80)1400.P4 Proposed Ground Floor Fire Strategy Plan AL(80)1401.P4 Proposed Ground Floor Fire Strategy Plan: North AL(80)1402.P4 Proposed Ground Floor Fire Strategy Plan: South AL(80)1500.P4 Proposed First Floor Fire Strategy Plan AL(80)1501.P4 Proposed First Floor Fire Strategy Plan: North Application Reference Number: 16/01972/LBC Item No: 4e AL(80)1502.P4 Proposed First Floor Fire Strategy Plan: South AL(80)1600.P4 Proposed Second Floor Fire Strategy Plan AL(80)1601.P4 Proposed Second Floor Fire Strategy Plan: North

AA(0)0100.P1 Proposed South Range WC Block Wall Detail AA(0)0101.P2 Proposed Guildhall Ramp & Screen Details Sheet 1 AA(0)0102.P1 Proposed Guildhall Glazed Draught Lobby Details AA(0)0103.P1 Proposed Guildhall & South Range Seating Details AA(0)0104.P1 Proposed Guildhall & South Range Entrance Details AA(0)0104A.P1 Proposed Guildhall & South Range Alternative AA(0)0105.P1 Proposed Guildhall & South Range Slype Details AA(0)0106.P1Proposed South Range Café Window Details AA(0)0107.P1 Proposed Benching Details AA(0)0107.P1 Proposed Benching Details AA(0)0108.P1 Proposed Council Chamber Details AA(0)0109.P2 Proposed Opening within Council Chamber Entrance AA(0)0113.P1 Proposed River Terrace Balustrade Details AA(0)0116.P1 Proposed Guildhall Screen Detail Sheet 2 AA(0)0118.P1 Proposed Framing of Window on North Extension Study

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

*Details including sections at 1:5 or similar of the river side balustrade and works to the existing river wall;

* A detailed illustrated schedule of fenestration including sections at 1:20 of all new window openings;

* Detailed sections at 1:20 or similar of the connections between the newly created external glazed areas and existing masonry;

* Details including detailed sections at 1:20 of the River Source Heat Pump

* Details of all new guttering and other rain water goods including mode of fixing

* Details including dimensions and sections at 1:20 of all new internal glazed screens

* Details including sections at 1:20 of the new dais woodwork and Guildhall fixed benches

Application Reference Number: 16/01972/LBC Item No: 4e

* Details including sections at 1:20 of the proposed under floor heating

* Details including sections at 1:5 of the proposed new internal stone door openings including mouldings and chamfers.

Reason: So that the Local Planning Authority may be satisfied with these details.

4 Prior to the commencement of internal refurbishment work a detailed scheme for the cleaning of all internal painting, woodwork and stone work shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth not be undertaken otherwise than in strict accordance with the details thereby approved.

Reason:- To safeguard the historic character and integrity of the Listed Building.

5 Prior to the commencement of the internal refurbishment works full details of the proposed means of protection for the existing Victorian mosaic floors shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the development thereby approved and the measures shall be kept in place for the duration of the re-development contract.

Reason:- To safeguard the historic character and integrity of the Listed Building.

- 6 VISQ8 Samples of exterior materials to be app
- 7 VISQ7 Sample panel ext materials to be approv

7.0 INFORMATIVES:

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