

Cabinet

27th August 2019

**Name of Cabinet Member:**

Cabinet Member for Housing and Communities – Councillor T Khan

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

All

**Title:**

Adoption of Air Quality, Hot Food Takeaways and Sustainable Urban Extension (SUE) Residential Design Guide Supplementary Planning Documents (SPDs)

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**Is this a key decision?**

Yes - The adoption of the three SPD's will provide technical guidance which supports the adopted Local Plan and affects all wards of the City.

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**Executive Summary:**

Following the adoption of the Coventry Local Plan in December 2017, the Council has been developing several Supplementary Planning Documents (SPD's) to provide technical guidance and support to specific policies within the Plan.

The development of SPDs is subject to statutory process including public consultation. The Air Quality and Hot Food Takeaways SPDs summarised within this report have been subject to two periods of consultation during August/September 2018 and January/February 2019. The SUE Residential Guide SPD has been subject to two separate periods of consultation, including, August/September 2018 and February/March 2019. This is summarised in section three of this report. These stages have previously been overseen through the Cabinet Member process. All SPDs have been updated to reflect the results of public consultation and are now presented for adoption.

**1. Air Quality SPD**

This SPD is intended to provide technical guidance and support to Policy EM7 (Air Quality) of the Local Plan. This SPD has been developed in partnership with the Council's Planning, Environmental Protection and Public Health functions and is intended to support ongoing joint working through the planning process. As a result, this will help deliver one of the overall objectives of the Plan which is to help improve the health and wellbeing of Coventry residents and visitors.

**2. Hot Food Takeaways SPD**

This SPD is intended to provide technical guidance and support to Policy R6 (Restaurants, Bars and Hot Food Takeaways) of the Local Plan. This SPD has been developed in partnership with the Council's Public Health team and is intended to support ongoing joint working on all matters of health and wellbeing considerations through the planning process.

**3. Sustainable Urban Extensions (SUE) Residential Design Guide SPD**

This SPD is intended to provide technical guidance and support to the relevant policies of the Local Plan that relate directly to the allocated urban extensions at Keresley and Eastern Green. For the avoidance of doubt, this primarily relates to Policies DS4 and H2. The Design Guidance can also be applied to other site allocations within Policy H2 and relevant larger developments, particularly those situated within the wider Arden landscape. An indicative masterplan document to support the Keresley SUE is also appended to this SPD to reflect the fragmented land ownerships within the area and facilitate coordinated master planning across a range of planning applications.

All SPD's are appended to this report at Appendix 1, 2 and 3 respectively.

**Recommendations:**

The Cabinet is requested to:

- 1) Approve the content of the Air Quality SPD, Hot Food Takeaways SPD and the Sustainable Urban Extension Residential Design Guide SPD and agree their adoption with effect from the 6 September 2019.

**List of Appendices included:**

Appendix 1: Air Quality Supplementary Planning Document (SPD) and associated Appendices.

Appendix 2: Hot Food Takeaways SPD and associated Appendices.

Appendix 3: Sustainable Urban Extensions (SUE) Residential Design Guide and associated appendix (indicative Keresley masterplan).

**Background papers:**

None

## **Other useful documents**

The SPD's have been subject to previous Cabinet Member reports to oversee the related consultation stages. Papers are available via the following links:

- Initial round of consultation – Cabinet Member for Community Development – 6th August 2018: <https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=739&MId=11832>
- Further round of publication relating to the Hot Food Takeaway and Air Quality SPDs– Cabinet Member for Housing and communities – 10th December 2018: <https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=739&MId=11834>
- A further round of publication relating to the SUE Design Guidance SPD – Cabinet Member for Housing and Communities – 5<sup>th</sup> February 2019: <https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=739&MId=11906&Ver=4>  
agenda item 29

The report for the Adoption of the Coventry City Council Local Plan was considered at Council on 5<sup>th</sup> December 2017. All papers are available under Agenda item 70 on <https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=130&MId=11416&Ver=4>

### **Has it been or will it be considered by Scrutiny?**

The Hot Food Takeaway SPD went to scrutiny Board 4 in February 2019 as part of the final round of publication.

<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=652&MId=11711&Ver=4>

### **Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

### **Will this report go to Council?**

No

**Report title:** Adoption of Air Quality, Hot Food Takeaways and Sustainable Urban Extension (SUE) Residential Design Guide Supplementary Planning Documents (SPDs)

## **1. Context (or background)**

- 1.1 Following the adoption of the Coventry Local Plan in December 2017 the Council has been developing several Supplementary Planning Documents (SPD's) to provide technical guidance and support to specific policies within the Plan.
- 1.2 Supplementary Planning Documents are designed to build upon and provide more detailed advice and guidance on the policies in the Local Plan. They do not introduce new policy and should be used to help applicants make successful applications and are not to be used to add unnecessarily to the financial burdens on development.
- 1.3 The development of SPD's is subject to a number of statutory processes including an initial period of public consultation, followed by a further period of publication and engagement to present the consultation responses and how they have informed the final draft of the SPD. They must then be presented to Cabinet for adoption in accordance with the Council's constitution.
- 1.4 All SPD's presented with this report have been through two stages of consultation and public engagement. The responses to these consultations have previously been considered through respective Cabinet Member reports but are summarised in section 3 of this report.
- 1.5 This Cabinet paper seeks the adoption of the three SPDs. These are summarised below:

### **Air Quality SPD**

- 1.6 The planning process has a significant role to play in ensuring health and wellbeing by encouraging greater levels of sustainable development, including measures to secure air quality improvements. The entire city is currently a designated Air Quality Management Area and so all planning applications must be assessed in accordance with Policy EM7: Air Quality as set out in the Coventry Local Plan, 2017.
- 1.7 The Council has worked closely with the other West Midlands local authorities as part of the Department for Environment, Food and Rural Affairs (Defra) supported by West Midlands Low Emission Towns & Cities Programme (or LETCP for short). The LETCP seeks to promote joint working to reduce regulated road transport emissions, primarily Oxides of Nitrogen (NOx) and particulates (as coarse, PM10 and fine, PM2.5, fractions). Building on policies and measures designed to encourage a shift to sustainable transport modes, the LETCP seeks to target emission improvements of buses and taxis through the accelerated take-up of cleaner fuels and technologies and by discouraging the use of high emission vehicles.
- 1.8 The impacts of poor air quality can extend across local authority boundaries. To enable a consistent approach to implementation across Coventry and its neighbouring areas, the draft Air Quality SPD has been developed in partnership with the Coventry and Warwickshire authorities. This has included representatives from planning, environmental and public health which has enabled important contributions from these specialist service areas. To support the improvement in the city's air quality the revised draft SPD should be

applied in conjunction with the Low Emissions Strategy and Good Practice Guidance on Planning and Procurement for the West Midlands (2014) developed by the LETCP. All major developments will therefore be required to undertake full air quality assessments. Where appropriate exposure assessments will also apply to smaller developments in accordance with this guidance.

1.9 The SPD sets out guidance for dealing with all planning applications where air quality needs to be addressed. The document:

- Explains why air quality is important in Coventry and sets out the existing policy framework. In short, this involves simplifying the consideration of air quality impacts associated with development schemes and focusing on incorporating mitigation at the design stage, countering the cumulative impacts of aggregated developments, providing clarity to developers and defining sustainability in air quality terms.
- Presents the methodology for identifying development proposals where an air quality assessment will be required, and the processes involved;
- Identifies the types of development such as shops, offices, housing and hotels as a few examples. Where appropriate, air quality mitigation measures are specified, including electric vehicle charging points that will be required to offset any incremental increase in pollutant emissions; and
- Proposes various options for site specific mitigation such as plug in vehicle re-charging and measures to support more sustainable modes of travel to protect future occupiers from poor air quality, and how such measures will be secured and delivered.

### **Hot Food Takeaway SPD**

1.10 Hot Food Takeaways can play an important service to local people and add vitality and interest to defined centres, but planning applications for hot food takeaways, particularly those in close proximity to residential properties, frequently generate a significant number of objections. These premises also have the potential to have a negative impact on the health and wellbeing of those in Coventry. It is therefore important that there is appropriate guidance in place to allow new hot food takeaways to provide a service to local people, but without having a negative impact on the health and wellbeing of those in the area.

1.11 The Hot Food Takeaway SPD is aimed at individuals and organisations involved in preparing and submitting a planning application as well as those involved in the determination and enforcement of planning applications. This is for all applications for hot food takeaways, including a change of use to a hot food takeaway, use class A5. This includes applications for which the A5 class of use is part of a larger development for a mixed use (for example, a restaurant with takeaway - a mixed A3/A5 use).

1.12 By way of summary, the SPD is structured around seven requirements for relevant applications. It also covers links to other relevant policies in the Local Plan and City Centre Area Action Plan, including policies on waste, environmental management, parking and design. The Hot Food Takeaway SPD explains the requirements, relevant thresholds and measures that may need to be taken to ensure that a hot food takeaway is acceptable in planning terms and satisfies policy R6. The requirements consist of:

- Concentration of Hot Food Takeaways – drawing on nationally available information linked to population density and prevalence of hot food takeaways within a local catchment area;
- Proximity to schools – establishing five minute walk time isochrones from school gates with a view to limiting or restricting hot food takeaways within this ‘zone’;
- Litter and Waste disposal – ensuring both customer and waste disposal facilities are provided in an acceptable and appropriate location;
- Odour extraction – to manage issues of odour in so far as it relates primarily to any residential amenity situated above or in close proximity to the hot food takeaway;
- Highway Safety – ensure matters of parking and highway movements are safe and secure;
- Opening Times, Crime and Security – with a view to potentially limiting opening times if it helps overcome other issues (for example, proximity to schools) and appropriate measures to ensure the safety and security of residents and visitors is maintained;
- Conservation Areas and Listed Buildings – ensuring shop fronts and extraction flumes are appropriately positioned and designed to minimise any relevant impact on heritage assets.

### **SUE Residential Design Guide SPD**

1.13 The SPD will act as a guide to inform and advise on how to deliver high quality development primarily within the city’s two Sustainable Urban Extensions (SUE’s) at Keresley and Eastern Green. This will have full regard to the Ancient Arden landscape characteristics and could also be applied to other development proposals within this area as well as other site allocations. It builds upon previous guidance and responds to the adoption of the Local Plan. It also has regard to the requirements of the National Planning Policy Framework. The SPD is split into five specific sections with a supporting Appendix. These sections are summarised as follows:

(i) Introduction and the Ancient Arden:

1.14 This section of the Design Guidance introduces the SPD and gives it context alongside the newly adopted Local Plan. Throughout the SPD, focus is placed on the importance of the Ancient Arden. The key points identified include the significance of the Ancient Arden and the characteristics of the landscape and built form. It discusses previous guidelines specific to the area, drawing on the Ancient Arden Design Guidelines (1995). Displaying examples of authentic Arden building characteristics, it highlights how original buildings can be extended or regenerated managing and reflecting historic character, generating modern interest and respecting the character of the buildings and surrounding area.

(ii) Housing Design:

1.15 This section of the SPD focuses on the delivery of high-quality residential development. The SPD recommends retention of Arden characteristics as a starting point but makes allowances for incorporating these within a modern interpretation. This produces a flexible approach to housing design, ensuring that there is a variety of character and texture across development whilst retaining links back to Arden examples. The key points it identifies include:

- The positive effect that ‘linked dwellings’ can have in the creation of visually harmonious street scenes.

- The purpose of corner sites and the opportunities they can bring to a development.
  - The relationship of feature buildings to key view corridors and street setting.
  - The consideration of bicycle and bin storage in developments and provides guidance on how to avoid issues generated (as a result them being both unaesthetically pleasing and potentially dangerous).
  - The integration of suitable car parking provision.
- 1.16 It draws on examples of well-designed, new traditional buildings successfully developed in practice such as a timber framed building on Far Gosford Street and The Old Dairy, Washbrook Lane. There are also examples of vernacular architecture interpreted in a modern style, for example in Chatham, Kent (taking inspiration from a farmstead using the typical ‘big roof’ barn and interpreting local brick work forms). It displays various examples of linked dwellings developed successfully such as Beaulieu, Chelmsford and Horsted Park, Chatham, Kent. When considering Corner and Landmark buildings it draws inspiration from various developments including a Dutch Style Gable, Upton, Northampton.

### (iii) Street Hierarchy

- 1.17 A hierarchy of streets has been devised to help reflect how vehicles and pedestrians will move through the new developments. It considers the vision for:
- Link roads (primarily applied to the Keresley, urban extension).
  - Avenues and internal roads (set out primarily, addressing how they contribute positively in both usage and aesthetics).
  - Courtyards and how they can better contribute to more efficient development that reflects development characteristics of the Arden area.
  - Edge roads and how they help integrate new developments with wider countryside and green spaces.
- 1.18 This section also focuses on the importance of internal junctions, how they integrate with the wider public realm the materials palette utilised. This section also gives guidance as to the types of acceptable boundary demarcation available (both formal and informal) and how these can reflect the Arden character, the public realm and existing landscape features. To help demonstrate the street hierarchy and how it operates elsewhere, the SPD draws on a range of examples including:
- Link roads / spine roads in Chelmsford and Lutterworth.
  - Well-designed Avenues is The Chase, Harlow.
  - The successful implementation of edge streets, it uses the example of Holmead Walk, Poundbury.
  - An example of the use of internal junctions in Newhall.
  - The housing scheme at Ivy Farm Lane, Coventry (is identified as a site where a courtyard was implemented into development, done so respectfully of the setting of the two barns and the character of the conservation area).
  - Providing a suggested design for parking is The Old Dairy, Henlow along with negative examples of parking in developments, including more local schemes across Coventry.

- 1.19 The Public Realm materials palette reflects examples of what the Council wants to encourage developers to use in new developments and draws upon well received schemes across Coventry city centre and the experience gained from them.

(iv) Commercial Centres:

- 1.20 Commercial developments within the area covered by the SPD are expected to be limited and constrained to 4 specific cases identified within the Local Plan. They will include 2 Local Centres at Keresley, a Major District Centre at Eastern Green and an area of primarily B class development adjacent to the A45. With regards the designated centres, these are expected to form the community heart of the new development. As such, this section provides a focus on this concept, identifying how they should be designed and integrated. For example, they are often unique buildings and can often become a local landmark, so should include high quality architecture and materials. To help demonstrate this the SPD draws on examples from Poundbury, Dorset, designed in the form of a traditional market square and Houlton, Rugby where the buildings are arranged to form a type of ‘farm yard’ interpreted in a modern way.
- 1.21 With regards large b-class employment, this is traditionally more challenging to deliver in unique and well-designed schemes (unless they involve specific office delivery). However, examples of the Morrison Distribution Centre, Bridgewater, the Audi showroom in Leicester and more local developments at Warwick University campus offer more positive examples of what can be achieved. All these developments use high standard design and high-quality materials to create unusual and interesting schemes.

(v) The Natural Landscapes

- 1.22 Focusing on existing trees, hedgerows or other aspects of important green and blue infrastructure, this section considers how new development can work to integrate these. It identifies how, doing so successfully, can act to enhance the development. It also considers the topography and the importance of natural landscape features within the historic context of the area. It draws inspiration from Upton, Northampton, Grey to Green, Sheffield and Poundbury, Dorset. This section also provides a list of appropriate tree species and how they could relate to the street hierarchy.
- 1.23 The SPD is supported by an appendix which sets out an indicative high level masterplan for the Keresley SUE. This has been prepared in response to the fragmented land ownership and multiple site promotions within the Keresley SUE. As such it will help ensure various land parcels are brought through planning in a coordinated and coherent manner. The indicative masterplan highlights areas of development focus as well as the green corridor, protected woodlands and Hall Brook corridor.

## **2. Options considered and recommended proposal**

- 2.1 As the Coventry Local Plan has already been adopted, only two potential options have been considered.

- 2.2 The first of these options has been set out in the recommendation to this report. The adoption of the SPD's would ensure the relevant Local Plan policies can be implemented and interpreted in a consistent and effective way. This will help reduce any potential conflict and promote higher quality planning application submissions, saving time and resources through the wider planning process.
- 2.3 The second option would be to not progress the Supplementary Planning Documents and to rely solely on the policies in the Local Plan and how applicants interpret those policies. This option has not been recommended as it would place greater reliance on how applicants use the policies which could generate greater inconsistency in evidence submitted in support of applications and lead to greater resource pressure for planning officers managing day to day caseloads.
- 2.4 The level of detail provided by these SPD's was not provided within the Local Plan itself as it would have extended the complexity and length of the Plan substantially.

### **3. Results of consultation undertaken**

- 3.1 In terms of the HFT and Air Quality SPDs, two rounds of consultation were undertaken between 8 August - 23 September 2018 and 7 January – 18 February 2019. In terms of the SUE Design Guide SPD, two rounds of consultation were undertaken between 8 August – 23 September 2018 and 8 February – 22 March 2019.
- 3.2 In relation to the first round of consultation a total of 10 responses were received to the SUE Residential Design Guide SPD, 15 responses to the Air Quality SPD and six responses to the HFT SPD. Comments were received via email and post as well as a range of informal comments and suggestions made through stakeholder meetings and consultation drop in events. A summary of the representations to all SPDs was then presented to the Cabinet Member meetings in January 2019 alongside amended version of all documents.
- 3.3 In all cases, most comments were supportive of the SPD's with comments focusing more on matters of principle, technical adjustment or general observations.

In relation to the HFT SPD they can be summarised as follows:

- Query as to whether the National Planning Policy Framework supported the SPD;
- Additional clarification on requirements and definitions suggested;
- Importance of ensuring there was demonstrable evidence between health and wellbeing and hot food takeaways accompanying the SPD; and
- Support for the approach of using the Planning System as part of a wider approach to tackle obesity.

In relation to the Air Quality SPD they can be summarised as follows:

- Request for additional monitoring in key locations of the city;
- Lack of measurement and target setting for sooty particles;
- Clarification as to the type of charging unit and cabling for charging point provision in new developments;

- SPD not sufficient in mitigating the potential impacts of the planned growth set out in the Local Plan;
- No specific solutions to tackle poor air quality; and
- No focus of particulate matter and lack of categorisation of pollutants.

In relation to the SUE Design Guide SPD they can be summarised as follows:

- Request for additional references within the natural environment section with regards biodiversity offsetting;
- Additional section for on-plot drainage attenuation measures;
- Suggestions that the guidance is too over prescriptive;
- Updates to reflect new NPPF;
- Additional references to separation distances between properties;
- That the scope of the Design Guidance could put viability pressures on development and the delivery of sites;
- That the scope of the Design Guidance is not reflective of the property types delivered by volume housebuilders;
- That the guidance lacks local examples of good quality larger developments relative to the Arden characteristics;
- A range of typographical amendments and terminology changes to ensure consistency;
- Additional section on appropriate lighting proposals; and
- Requests for clarification around a range of specific points – including:
  - Function of junctions on/off the link road;
  - The primary function of the link road proposal at Keresley and how it will relate to the wider development;
  - References to building heights;
  - The overarching vision for edge roads needs to be clearer;
  - How the indicative masterplan at appendix 1 will evolve as sites get delivered;
  - Boundary demarcation and links to ecology and biodiversity;
  - Integration of Green Infrastructure into the new developments as a whole;
  - Buffer zones to ancient woodland;
  - Parking provision;
  - What type of trees will be appropriate within the developments and how will they be maintained; and
  - Property types and relevance of linked dwellings.

3.4 All comments were then incorporated into the revised documents (as appropriate) and the SPDs were reissued for public consideration between 7 January – 18 February 2019 for the HFT and Air Quality SPDs and 8 February – 22 March 2019 for the SUE Design Guide SPD. A further 4 responses were received to the HFT SPD, a further 4 to the Air Quality SPD and a further 24 to the SUE Residential Design Guide SPD.

3.5 All focused on minor adjustments to the text (which were duly incorporated as appropriate) or were not of direct relevance to the SPDs. The vast majority of the additional comments received in relation to the SUE Design Guide SPD were making reference to population projections, development in the Green Belt, lack of infrastructure and potential effects on flora and fauna. Officers consider these responses to be beyond the scope of the SPDs objectives, as it is ostensibly a design guide document.

#### **4. Timetable for implementing this decision**

- 4.1 Subject to approval by the Cabinet, it is proposed to adopt the SPD's with effect from the 6 September 2019. They will then form a material consideration as part of all relevant planning applications.

#### **5. Comments from the Director of Finance and Corporate Services**

##### **5.1 Financial implications**

Unlike the Local Plan or an Area Action Plan, a SPD is not subject to public examination. It therefore does not incur the same level of costs as a higher-level plan. As such, any costs associated with the delivery of these SPD's is met through existing budgets attributed to the Planning Policy team.

##### **5.2 Legal implications**

Supplementary Planning Documents are produced under the Planning and Compulsory Purchase Act 2004 (as amended) and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Supplementary Planning Documents are subject to supporting evidence and consultation but are not publicly examined or subject to Sustainability Appraisal. As such, their 'material weight' in planning terms is less than that of a Local Plan, Area Action Plan or other Development Plan Document.

Notwithstanding this, SPD's must be adopted by a resolution of the Local Planning Authority and they are still important planning policy documents that provide technical guidance and supporting information to those submitting planning applications. A SPD does not introduce new policy, instead it builds and expands upon policies set out in the higher level plan (in this case the Local Plan) to ensure they are interpreted and delivered in the most efficient and effective way.

#### **6. Other implications**

##### **6.1 How will this contribute to the Council Plan ([www.coventry.gov.uk/councilplan/](http://www.coventry.gov.uk/councilplan/))?**

All SPD's will support the delivery of the overarching aims and objectives of the Council Plan, in particular it will contribute to:

- Promoting the growth of a sustainable Coventry economy;
- Improving the quality of life for Coventry people;
- Promote the growth of a sustainable Coventry economy that benefits the city;
- Developing the city centre for the 21st century;
- Creating the infrastructure for the city to grow and thrive;
- Raising the profile of Coventry;
- Helping local people into jobs;
- Reducing the impact of poverty;
- Improving the quality of life for Coventry people;
- Create an attractive, cleaner and greener city;

- Improving health and wellbeing;
- Reducing health inequalities;
- Making the most of our assets;
- Support the regeneration of Coventry's economy;
- Active communities and empowered citizens; and
- Working together with neighbours and partners across the voluntary, public and private sectors.

## **6.2 How is risk being managed?**

Recent periods of consultation have helped to identify and mitigate risk by highlighting any issues and concerns with the SPDs.

## **6.3 What is the impact on the organisation?**

No direct impact.

## **6.4 Equality and Consultation Analysis (ECA)**

A full Equality and Consultation Assessment (ECA) was undertaken as part of developing the Local Plan. As these SPD's support the delivery and technical interpretation of policies within the Plan no further assessment has been undertaken. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010).

## **6.5 Implications for (or impact on) climate change and the environment**

Air quality is a key environmental issue. The revised draft SPD will help ensure the Council is meeting its obligations regarding air pollution.

## **6.6 Implications for partner organisations?**

The Council will continue to work closely with its partners to ensure the benefits of the SPDs can also be realised on a cross boundary basis, particularly on matters relating air quality.

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Liz Gaulton	Director of Public Health and Wellbeing	People	19 July 2019	22 July 2019
Andrew Walster	Director, Street Scene and Regulatory Services	Place	25 July 2019	26 July 2019
Tracy Miller	Strategic Lead, Planning and Regulation	Place	24 July 2019	25 July 2019
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Cath Crosby	Lead Accountant Business Partner	Place	11 July 2019	18 July 2019
Clara Thomson	Planning and Highways Lawyer (Place), Legal Services	Place	11 July 2019	16 July 2019
Martin Yardley	Deputy Chief Executive (Place)	Place	29 July 2019	05 August 2019
Councillor T Khan	Cabinet Member for Housing and Communities	-	05 August 2019	06 August 2019

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