

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

06 December 2019

**APPLICATIONS FOR DETERMINATION BY THE COMMITTEE**

Report of the Head of Development Management

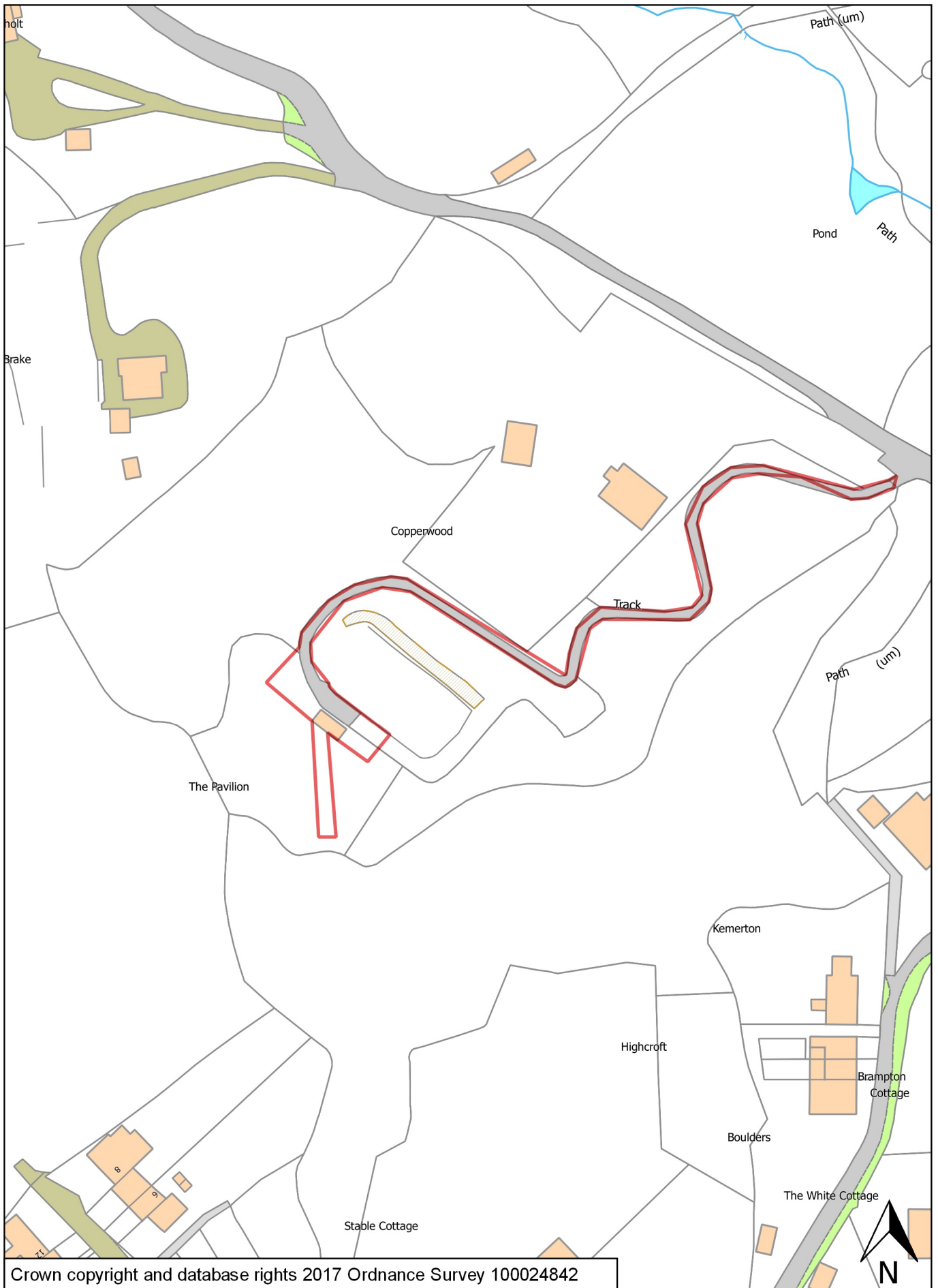
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# 0447/19 - The Pavilion, Lustleigh



Scale 1:1,250



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1. Application No: **0447/19** District/Borough: **Teignbridge District**  
Application Type: **Full Planning Permission** Parish: **Lustleigh**  
Grid Ref: **SX781812** Officer: **Louise Barattini**

Proposal: **Replacement dwelling**

Location: **The Pavilion, Lustleigh**

Applicant: **Mr & Mrs H Clements**

Recommendation **That , further to the consideration of any comments from the CEECD, permission be GRANTED**

**Condition(s)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the site location plan 1:2500 (amended 10.10.19) and drawings numbered 949/20A and 949/21A.
3. All metal flues shall receive a black finish within 2 months of their installation unless otherwise agreed in writing by the Local Planning Authority.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 ( as amended) or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building(s) shall be carried out and no extension shall be constructed or buildings within the curtilage, without the prior written authorisation of the Local Planning Authority.
5. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented strictly in accordance with the recommendations in the Preliminary Ecological Assessment (Protected Species Survey) by George Bemment Associates, dated 16 June 2019.
6. Notwithstanding the drawings hereby approved, full details of the proposed new windows and doors, to include details of materials and external finishes, shall be submitted to the Local Planning Authority for approval prior to their installation. At all times thereafter, the development shall be maintained in accordance with the approved details.
7. Samples of all proposed surfacing, external facing and roofing materials shall be submitted to the Local Planning Authority for approval prior to their installation on the building; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved surfacing, external facing and roofing materials shall be used in the development.
8. Unless otherwise agreed in writing by the Local Planning Authority, all verge and fascia boards on the development hereby approved shall be constructed of timber.

9. Prior to the commencement of any works, demolition or development on the land, all existing trees, shrubs and hedges to be retained shall be protected by fences or suitable barriers erected beyond their dripline. Such fences or barriers shall be maintained until the completion of the development on the land. Within these protected areas there shall be no storage, deposit, tipping or placing of any materials, soil, spoil or other matter, no parking or movement of vehicles or trailers, no erection or siting of buildings or structures, no excavation or raising of ground levels and no disposal of water or other liquid. Furthermore, no fire(s) shall be lit within 20m of any protected area without the prior written authorisation of the Local Planning Authority.

### Introduction

The site relates to a former tennis court pavilion building with the benefit of established residential use. It sits high on a wooded valley slope on the outskirts of Lustleigh with a winding access drive and level tennis lawn in the foreground. There are views across the valley, which are more open in winter times when the trees are not in leaf.

The application proposes a replacement dwelling.

The application is presented to Members as the development conflicts with the volumetric increase set out under policy DMD27.

### Planning History

|                |  |   |                     |                  |
|----------------|--|---|---------------------|------------------|
| 0484/08        | Demolition of existing timber dwelling and construction of single-storey dwelling with associated curtilage    | Full Planning Permission                      | Refused             | 14 October 2008  |
| 0864/07        | Replacement dwelling   | Full Planning Permission                      | Withdrawn           | 10 January 2008  |
| 0615/06        | Construction of a new dwelling   | Full Planning Permission                      | Refused             | 09 November 2006 |
| 5/03/055/94/03 | New garden shed  | Full Planning Permission                      | Grant Conditionally | 08 April 1994    |
| 5/03/212/93/03 | Demolition of existing dwelling, replacement dwelling and garage   | Full Planning Permission                      | Withdrawn           | 21 February 1994 |
| 5/03/174/92/15 | Use as a single dwellinghouse as defined by Class C3 of the Town and Country Planning (Use Classes) Order 1987 | Certificate of Lawfulness for an existing use | Certificate issued  | 05 November 1992 |
| 05/03/0265/90  | Use of the pavilion for residential purposes   | Change of Use                                 | Refused             | 30 March 1990    |
|                | Appeal lodged: 11 September 90   |   | Result: Withdrawn   |                  |

### Consultations

|                               |                                |
|-------------------------------|--------------------------------|
| Teignbridge District Council: | No objection                   |
| County EEC Directorate:       | Comments awaited               |
| Environment Agency:           | Flood Zone 1 - standing advice |

DNP - Trees & Landscape: The development will have no direct impact on the adjacent veteran oak tree. If consent is granted we should include a condition requiring the applicants to submit and have approved a suitable Tree Protection Plan and the agreed protection installed prior to the commencement of development.

DNP - Ecology & Wildlife Conservation: Works to proceed in strict accordance with the recommendations in section 5 of preliminary ecological assessment report (George Bemment Associates, June 2019).

### **Parish/Town Council Comments**

Lustleigh PC: No objection - Does not comply strictly with policy DMD27 size restrictions but the existing building is in need of replacement and the increase in volume is not out of proportion with the site and there is no adverse impact on landscape or neighbours.

The boundary line on the plan needs to be corrected.

### **Relevant Development Plan Policies**

COR1 - Sustainable Development Principles  
COR2 - Settlement Strategies  
COR21 - Dealing with development and transport issues in a sustainable way  
COR3 - Protection of Dartmoor's special environmental qualities  
COR4 - Design and sustainable development principles  
COR6 - Protecting Dartmoor's Archaeology  
COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology  
DMD14 - Biodiversity and geological conservation  
DMD1a - Presumption in favour of sustainable development  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities  
DMD27 - Replacement dwellings in the countryside  
DMD3 - Sustaining the quality of places in Dartmoor National Park  
DMD4 - Protecting local amenity  
DMD5 - National Park Landscape  
DMD7 - Dartmoor's built environment

### **Representations**

2 letters of support

A well considered low impact design that will fit into the landscape, using suitable materials and providing facilities for up to date living.

### **Observations**

### **PLANNING HISTORY**

Previous attempts to secure a replacement dwelling on the site have failed on grounds of size,

design and impact on the character and appearance of this part of the National Park.

#### CONSIDERATION UNDER REPLACEMENT DWELLING POLICY DMD27

The existing dwelling, while providing very modest accommodation, has an established residential use. It is a timber framed and clad building reflecting its original use as a pavilion associated with the former tennis court on the eastern side of the building. The accommodation is laid out as a simple single bedroom and living area. The building has lost much of its identity as a sports pavilion, having undergone a number of modern alterations over time, and consequently lost much of its original charm; it is not considered to be of architectural value.

A high quality contemporary single storey replacement building has been designed; it is well-considered and makes reference to Dartmoor's vernacular rural buildings with its strong horizontal emphasis. The rhythm of columns separating glazed bays (incorporating voids at lower level) has subtle reference to the Dartmoor Linhay and the use of cover strip cladding and metal corrugated roofing has strong reference to traditional materials and detailing found on Dartmoor's past industrial and agricultural buildings. The proportions of the building, its scale and layout on the site are well conceived and presents a light touch on this sloping site, respectful of landform and granite boulders within the site. The design is simple, honest and elegant and will contribute positively to its setting, presenting a significant enhancement on the existing building which has lost much of its original character and helping to reinforce Dartmoor's sense of place. The detailed design is high quality.

The principle of a replacement dwelling is accepted under the tests set out under policy DMD27 and expanded on in the paragraphs below.

Whilst the existing building has historical associations within the community due to its original use, it is not deemed to be a local heritage asset and its loss would not be detrimental to the cultural heritage of the National Park. The application has the support of the Parish Council and no objections have been lodged.

The building is in poor condition, is thermally inefficient and does not provide satisfactory living accommodation (especially when viewed against the Government's nationally described housing space standard which is a material planning consideration). The replacement of the existing structure, given its building fabric and small scale, is clearly the most feasible means of achieving the major additional improvement in energy efficiency required by policy. The scheme incorporates solar hot water collectors and air source heat pump, the rooms are orientated to maximize solar gain as much as possible, with triple glazed doors and windows and internal insulation strategy.

The proposed replacement dwelling is on a scale that is sympathetic with its location on this wooded valley slope; whilst occupying a larger volume and longer form this is considered entirely appropriate to its location and in the context of Dartmoor's rural buildings with their strong horizontal emphasis. The single storey form helps to ground the proposed building into this sloping site and reduce its overall impact.

One of the points that it fails to meet under policy DMD27 is the 15% restriction on volumetric increase.

The floor space of the existing dwelling is very small at 36sqm, with a volume of approximately 135 cubic metres.

The proposed replacement floor space of 88sqm is comparable to DNPA's intermediate affordable 3-bed dwelling and not inconsistent with the Government's technical floor space standards for a single storey 3-bed unit. This floor space area is not unreasonable and the overall volume of 374 cubic metres (including the loggia) and 334 cubic metres (discounting the loggia) is not a significant scale on the site. It represents a 54% and 38% respective increase on top of what could be achieved under permitted development rights for the existing dwelling.

This is a high quality design submission which will present a significant enhancement for the site; the scale is not excessive and will be easily absorbed within the site. The replacement of this dwelling on a smaller scale is unlikely to be executed given the cost of constructing on this difficult sloping site and the limited living space that would be achieved. The Government's technical floor space standards, the size and condition of the existing dwelling, gains in energy efficiency, together with the high quality design are material considerations and serve to justify this proposed dwelling (which is still modest in scale) and will have a positive enhancement for the character and appearance of this part of the Dartmoor National Park which is an overarching objective of the replacement dwelling policy.

## ECOLOGICAL IMPACT

A preliminary ecological assessment report was submitted with the application. No evidence of bats was found and the building has some potential for roosting bats in the form of potential access gaps. Nesting bird material is evident in the gaps of the building. Reptiles are also thought likely to be present in the vegetation surrounding the building. There is no requirement for further survey and no need for any protected species license. The recommendations of the assessment report are to be followed.

## NEIGHBOUR IMPACT

The proposed dwelling is set away from neighbouring dwellings such that there would be no material harm to the living conditions of neighbouring occupiers (loss of light, privacy, overbearing impacts). The access drive is narrow and steep and meanders past the curtilage of neighbouring property. The design has taken on board the need to consider the constrained access of the site itself and approach roads and construction methodology considered accordingly. This should help to ensure appropriate impact on the locality during construction.

## CONCLUSION

This is a high quality design submission which will present a significant enhancement for the site and present a building that will contribute positively to the Dartmoor vernacular. The scale is not excessive, comparable to DNPA's intermediate affordable 3-bed dwelling, and will be easily absorbed within the site. The reason for the conflict with the 15% restriction for volumetric increase of replacement dwellings under policy DMD27 rests solely with the small size of the existing dwelling (a 36sqm building).

The replacement of this dwelling on a smaller scale is unlikely to be executed given the cost of constructing on this difficult sloping site and the limited living space that would be achieved. The Government's technical floor space standards, the size and condition of the existing dwelling, gains in energy efficiency, together with the high quality design are material considerations and serve to justify this proposed dwelling (which is still modest in scale) and which will positively enhance the character and appearance of this part of the Dartmoor

National Park which is an overarching objective of the replacement dwelling policy that goes to the heart of National Park purposes.

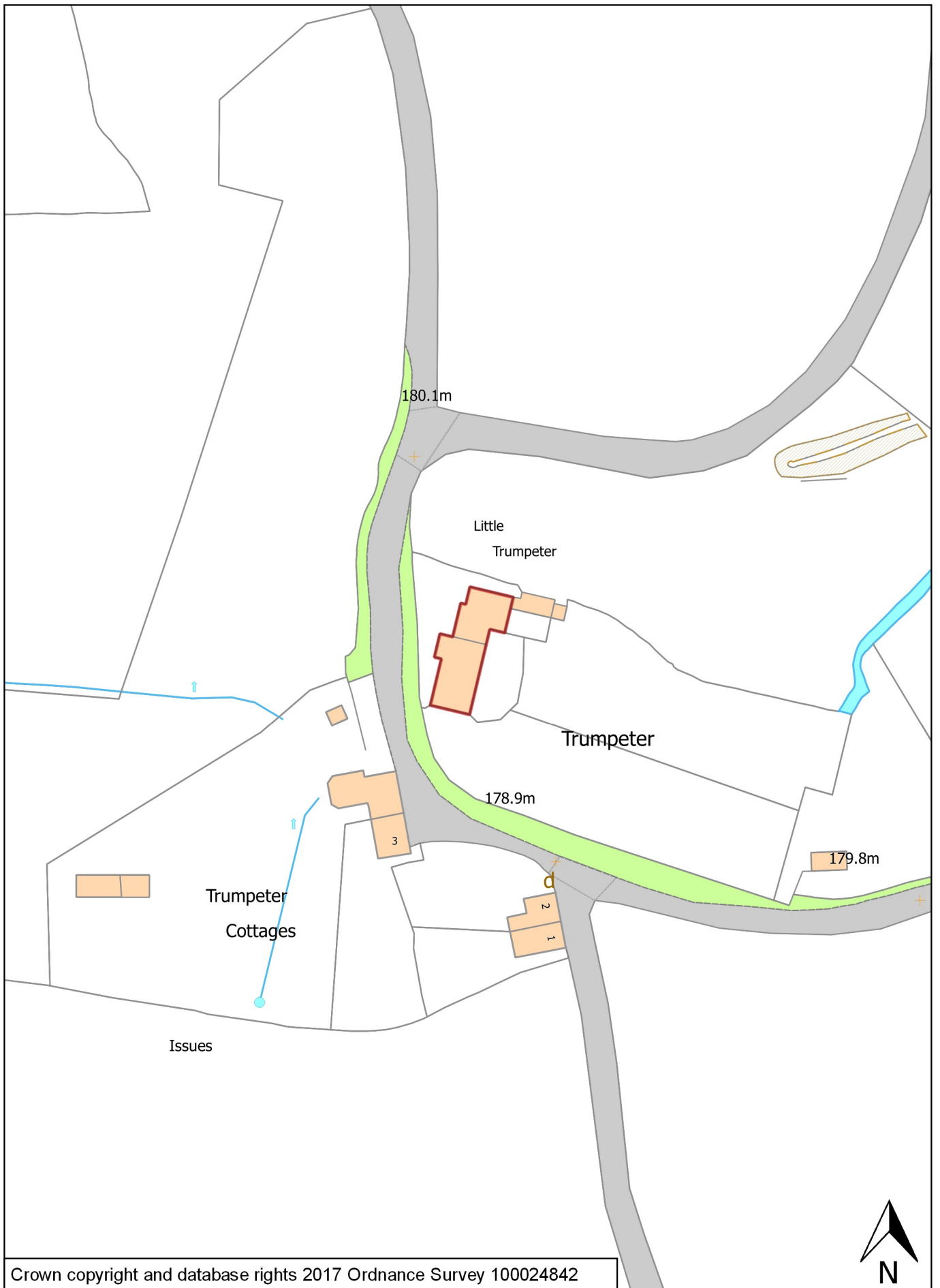
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# 0376/19 - Little Trumpeter, Ilsington



Scale 1:1,000



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2. Application No: **0376/19** District/Borough: **Teignbridge District**  
Application Type: **Full Planning Permission - Householder** Parish: **Ilsington**  
Grid Ref: **SX778764** Officer: **Nicola Turner**  
Proposal: **Replacement roof to dwelling and garage, removal of link to dwelling, and construction of new porch (retrospective)**  
Location: **Little Trumpeter, Ilsington**  
Applicant: **Mr B Vallance**  
Recommendation **That permission be GRANTED**

**Condition(s)**

1. The planning permission hereby given shall be carried out strictly in accordance with the application dated 18 July 2019 together with supporting documents.

**Introduction**

The site is a detached property set to the north of the small group of houses in Trumpeter. The property is a single storey bungalow with a garden around the dwelling, and a paddock to the east. The proposal is for the renovation of the property, including alterations to the roof and reforming the garage/stables.

The application is, for the most part retrospective, as the roof, extensions and elongation of the property has been carried out, and the garage re-roofing is almost complete.

The application is presented to the Committee in view of the comments received from the Parish Council (Prior to the recent changes to the Authority Scheme of Delegation)

**Consultations**

Environment Agency: Flood Zone 1 - Standing Advice applies  
Teignbridge District Council: No objection  
County EEC Directorate: No highway implications

**Parish/Town Council Comments**

Ilsington PC: Object - Concerns with the layout and density of building design, visual appearance and building materials

**Relevant Development Plan Policies**

COR1 - Sustainable Development Principles  
COR2 - Settlement Strategies  
COR4 - Design and sustainable development principles  
DMD14 - Biodiversity and geological conservation  
DMD18 - Development on unstable land  
DMD1a - Presumption in favour of sustainable development  
DMD1b - Delivering National Park purposes and protecting Dartmoor National Park's special qualities

DMD24 - Extensions and alterations to dwellings

DMD4 - Protecting local amenity

DMD7 - Dartmoor's built environment

### **Representations**

2 letters of objection

Objections:

- Too tall and imposing
- Out of keeping
- potentially dangerous mining beneath site.

### **Observations**

#### PROPOSAL

This application proposes the re-roofing of the dwelling, with no increase in height, with a small hipped gable to enable the porch reconfiguration to be carried out. The existing flat roof garage with a link to the dwelling would have the link removed, and a pitched roof constructed, with materials to match the dwelling.

The internal layout of the property would be changed slightly internally, with two small areas of extension, to provide a bathroom to the rear, and a porch to the front, extending the footprint into where the covered area was previously.

The link to the garage would be removed, and the carport bay changed to a garage in the outbuilding. The proposed materials are render, as previously, and slate, as previously.

The majority of these works to the main dwelling were carried out at the time of submission, and are now almost complete.

#### PLANNING POLICIES

Policies DMD1, COR1, COR4 and DMD7 establish the objectives for conserving and enhancing the character and appearance of Dartmoor's built environment. This is reflected in The English National Parks and Broads UK Government Vision and Circular 2010.

Policies DMD7 and COR4 set out design considerations for new development, notably; scale, height, alignment, layout detailing and materials.

Policy DMD24 requires extensions to be consistent with advice contained in the Dartmoor Design Guide and not to adversely affect the appearance of the dwelling and its surroundings and not increase the habitable floor space of the existing dwelling by more than 30% unless clear design considerations indicate otherwise.

The Dartmoor Design Guide requires high quality locally distinctive design and advises that new extensions should not overwhelm the existing property.

Policy DMD4 sets out the objectives for protecting residential amenity and policies DMD14 and COR7 establish the requirements to safeguard biodiversity and protected species.

DMD18 requires new buildings to be supported by a structural report where there may be underground issues. In this instance, there is evidence of disused mines in the area. Due to the minimal nature of the scheme, a full report has not been requested, as Building Control at Teignbridge have been contacted, and they are involved in the scheme under their legislation. Underpinning was discussed, and this has been carried out. This is despite there being no structural movement in the property, but relates to a large chimney on the property, which has also been removed. The National Park are satisfied that given the small amount of extension, and that Building Control requirements have been met, that no structural report is required.

## ASSESSMENT OF FLOOR SPACE INCREASE AND DESIGN

The proposed extension will deliver far less than 30% of habitable floor space. It is a 6% increase, providing small extensions to existing rooms. This does not exceed the threshold set out in policy DMD24.

The proposed extension has been designed to be sympathetic in scale, proportions, form, detailing and materials to the existing dwelling and will appear as small alterations to the dwelling.

The Design Guide acknowledges the importance of scale as a major consideration for householder extensions, the emphasis being on extensions not "overwhelming" the existing property. The proposed extensions and roof alterations are appropriately designed and scaled; it could not be said to overwhelm the existing property.

There will be no material harm to the character and appearance of this part of the Dartmoor National Park as the proposal is not visible from outside the site.

## PARKING

There would be no parking issues arising from this development as there is adequate on site parking and this is ancillary accommodation.

## AMENITY

The proposed extension has been designed with consideration for neighbouring properties. The proposal would be visible in part from all angles on the road alongside the property. This would not have any impact upon the residential amenities of the neighbouring properties. Several of the neighbouring properties have had extensions in the past. The proposal will therefore not be in conflict with the objectives of policy DMD4.

## REPRESENTATIONS

Ilminster Parish Council have objected to the size and design of the proposed extension.

There has been 2 letters of objection from an adjacent resident on grounds of the increase in the building size being domineering, the ridge tiles being an inappropriate colour, and potential danger from the mining activity below.

## CONCLUSION

The proposed extension seeks to add a modest amount of additional accommodation to the dwelling, in a different form to that on site previously. It is acknowledged that the design is

different to the original, however it fits comfortably with the style of the property, the slope of the ground, and the garden in general within the wider landscape. It is considered that the ridge tiles will dull down over time. The structural integrity has been checked by Building Control.

Having regard to the above factors, it is recommended that planning permission be granted, subject to appropriate conditions.

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**CHRISTOPHER HART**

DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

06 December 2019

**APPEALS**

Report of the Head of Development Management

Recommendation : **That the report be noted.**

The following appeal decision(s) have been received since the last meeting.

|                   |  |                   |                     |
|-------------------|--|-------------------|---------------------|
| 1 Application No: | D/19/3236866   | District/Borough: | West Devon Borough  |
| Appeal Type:      | Refusal of Full Planning<br>Permission - Householder | Parish:           | Buckland Monachorum |
| Proposal:         | Erection of new balcony and dormer                   |                   |                     |
| Location:         | <b>Tanglin, Meavy Lane, Yelverton</b>                |                   |                     |
| Appellant:        | <b>Mr D Pitcher</b>                                  |                   |                     |
| Decision:         | <b>DISMISSED</b>                                     |                   |                     |

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|                   |  |                   |                    |
|-------------------|--|-------------------|--------------------|
| 2 Application No: | W/19/3230741                                       | District/Borough: | West Devon Borough |
| Appeal Type:      | Refusal of Full Planning<br>Permission             | Parish:           | Horrabridge        |
| Proposal:         | Erection of stable block and hay store             |                   |                    |
| Location:         | <b>Sky-Star Paddocks, Jordan Lane, Horrabridge</b> |                   |                    |
| Appellant:        | <b>Ms J Oliver</b>                                 |                   |                    |
| Decision:         | <b>DISMISSED</b>                                   |                   |                    |

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|                   |  |                   |                    |
|-------------------|--|-------------------|--------------------|
| 3 Application No: | W/19/3230984                           | District/Borough: | West Devon Borough |
| Appeal Type:      | Refusal of Full Planning<br>Permission | Parish:           | South Tawton       |
| Proposal:         | Replacement dwelling                   |                   |                    |
| Location:         | <b>Kenwyn, South Zeal</b>              |                   |                    |
| Appellant:        | <b>Mr &amp; Mrs Faraday</b>            |                   |                    |
| Decision:         | <b>DISMISSED</b>                       |                   |                    |

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|                   |   |                   |                    |
|-------------------|---|-------------------|--------------------|
| 4 Application No: | W/19/3235634                                      | District/Borough: | West Devon Borough |
| Appeal Type:      | Refusal of Full Planning<br>Permission            | Parish:           | Sampford Spiney    |
| Proposal:         | Erection of barn and hardstanding (retrospective) |                   |                    |
| Location:         | <b>South Downs, Sampford Spiney, Yelverton</b>    |                   |                    |

Appellant: **Mrs A Sharp**

Decision: **DISMISSED**

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The following appeal(s) have been lodged with the Secretary of State since the last meeting.

1 Application No: W/19/3235086 District/Borough: Teignbridge District  
Appeal Type: Non Determination within 8 weeks Parish: Widecombe-in-the-Moor  
Proposal: Erection of agricultural workers dwelling (principal dwelling)  
Location: **land to the north of Lower Blackaton, Blackdown Piper, Widecombe-in-the-Moor**  
Appellant: **Castor Blackton Farming Ltd**

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2 Application No: W/19/3236517 District/Borough: West Devon Borough  
Appeal Type: Refusal of Full Planning Permission Parish: Belstone  
Proposal: Removal of existing chalet and construction of timber replacement  
Location: **The Chalet, Belstone**  
Appellant: **Mr J Davies**

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3 Application No: W/19/3238221 District/Borough: South Hams District  
Appeal Type: Refusal of Full Planning Permission Parish: Buckfastleigh West  
Proposal: Removal of condition 2 to approved planning ref: 0714/08  
Location: **Beards Barn, Coombe, Buckfastleigh**  
Appellant: **Ms K Pillar**

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4 Application No: X/18/3217988 District/Borough: West Devon Borough  
Appeal Type: Refusal to issue a Certificate of Lawfulness Parish: Horrabridge  
Proposal: Use of the land for the stationing of up to eighty caravans for the purposes of human habitation  
Location: **Dartmoor Country Holidays, Magpie Leisure Park, Bedford Bridge, Horrabridge**  
Appellant: **Barton Park Estates Ltd**

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5 Application No: X/18/3219534 District/Borough: West Devon Borough  
Appeal Type: Refusal to issue a Certificate of Lawfulness Parish: Horrabridge  
Proposal: Use as a dwellinghouse  
Location: **The Barn, Magpie Leisure Park, Magpie**

Appellant: **Barton Park Estates Ltd**

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**CHRISTOPHER HART**



DARTMOOR NATIONAL PARK AUTHORITY  
DEVELOPMENT MANAGEMENT COMMITTEE

06 December 2019

**ENFORCEMENT ACTION TAKEN UNDER DELEGATED POWERS**

Report of the Head of Development Management

**Members are requested to contact the Office before 5pm on Thursday if they wish to raise questions concerning any of the above.**

**(For further information please contact James Aven)**

Recommendation: **That the following decisions be noted.**

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|   |   |
|---|---|
| 1 Enforcement Code: <b>ENF/0064/19</b>                  | District/Borough: <b>Teignbridge District</b> |
| Grid Ref : <b>SX758859</b>                              | Parish : <b>Moretonhampstead</b>              |
| Breach : <b>Unauthorised building works</b>             |   |
| Location : <b>Land opp Robin Hill, Moretonhampstead</b> |   |
| Action taken /<br>Notice served                         | <b>No further action taken</b>                |
| .   |   |

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|   |   |
|---|---|
| 2 Enforcement Code: <b>ENF/0154/19</b>            | District/Borough: <b>West Devon Borough</b> |
| Grid Ref : <b>SX517704</b>                        | Parish : <b>Horrabridge</b>                 |
| Breach : <b>Unauthorised garage (replacement)</b> |   |
| Location : <b>Grimstone Lodge, Horrabridge</b>    |   |
| Action taken /<br>Notice served                   | <b>No further action taken</b>              |
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**CHRISTOPHER HART**