## **Development Control Committee**

Meeting to be held on 4 September 2013

Electoral Division affected: Longridge with Bowland

Ribble Valley Borough: Application No. 03/13/0650
Single storey detached building to provide sixth form teaching accommodation, associated landscaping and the provision of 11 additional car parking spaces to provide a total of 60 parking spaces. Hillside Special School, Ribchester Road (B6245), Hothersall.

Contact for further information: Rob Jones, 01772 534128, Environment Directorate DevCon@lancashire.gov.uk

# **Executive Summary**

Application – Single storey detached building to provide sixth form teaching accommodation, associated landscaping and the provision of 11 additional car parking spaces to provide a total of 60 parking spaces. Hillside Special School, Ribchester Road (B6245), Hothersall.

# **Recommendation – Summary**

That planning permission be **granted** subject to conditions controlling commencement, working plans, hours of working, control of noise and dust, travel plan, highway matters, landscaping, building materials and lighting.

## **Applicant's Proposal**

Planning permission is sought for the erection of a single storey detached building to provide sixth form teaching accommodation for pupils aged 16-18 with severe Autistic Spectrum Disorder (ASD), Communication and Interaction Difficulties. A car parking area to provide 11 spaces for staff associated with the sixth form teaching is also proposed.

The proposed building would measure 32m x 17m. The design would be contemporary with a sloping roof of two different heights from the centre of the building and consisting of different materials; on the north side the roof would slope from a height of 5.6m to 3m at the eaves and would have a Sedum roof covered by a green coloured roof blanket, on the south side the roof would slope from a height of 3.6m to 2.7m at the eaves and would have a Trocal grey coloured standing seam roof. The elevations would mainly consist of Thermowood vertical timber boards stained brown with low brick plinths and feature walls (except for the east elevation) consisting of lbstock 'Mercia Gold' wirecut buff bricks. The doors and windows would have dark grey and white aluminium frames, respectively. No details of the outdoor teaching shelter have been provided. The sixth form site would be secured



by 2m high green coloured weld mesh fencing. There would be tarmaced hard surfacing around the building along with grassed areas, boundary screen planting, grassed mounds up to one metre high and an outdoor teaching shelter. External lighting would be provided.

The car parking area would measure 30m x 8m and would consist of 10 spaces plus one disability space. This would increase the total number of car parking spaces at the school from 49 to 60.

One small tree would be removed to accommodate the proposed car parking spaces.

# **Description and Location of Site**

Longridge Hillside Special School is located to the south of the B6245 Ribchester Road, approximately 1.5 km east of Longridge town centre. The school is surrounded by agricultural fields with a small group of residential properties approximately 170m and 70m to the north and east of the existing buildings on site, some of which front Ribchester Road.

The school site consists of substantial grounds with the school buildings on the south of the site accessed by a 150m long internal site access road from Ribchester Road. A visitor car access road forks off along the western boundary from the internal site access road to rejoin it again to form a 'loop'. The main school building is a large Victorian house surrounded by a hard play area on the south side and a walled garden on the north side. The school has a total of 49 car parking spaces spread between three parking areas in and around the school buildings. A field occupies the northern third of the site on the east side of the school access road and being separated from Ribchester Road by a 25m wide belt of mature trees.

The sixth form building is proposed to be constructed on land closest to Ribchester Road.

The additional 11 car parking spaces would be located on the east side of the internal access road associated with the proposed building. A vehicle access to the building would be on the south side of the car parking spaces.

### Background

The proposal is at an existing specialist school that caters for children aged 12-16 with severe Autistic Spectrum Disorder (ASD), Communication and Interaction Difficulties.

Planning permission for the partial demolition of existing front entrance and reconstruction with step and ramp access was granted in July 2013 (ref. 03/13/0474).

Planning permission for the erection of a free standing canopy was granted in July 2009 (ref. 03/09/0454).

Planning permission for the provision of a new single storey two classroom modular building to rear of existing stable block to provide additional accommodation for secondary age pupils was granted in July 2007 (ref. 03/07/0496).

# **Planning Policy**

National Planning Policy Framework (NPPF)

Paragraphs 11 - 14, 17, 32, 34, 36, 38, 56 - 66, 69, 70, 72 and 125 are relevant with regard to the requirement for sustainable development, core planning principles, promoting sustainable transport, the requirement for good design, promoting healthy communities and conserving and enhancing the natural environment.

# Ribble Valley Local Plan

Policy G1 Development Control

Policy G5 Land Outside Main Settlement/ Village Boundaries

Policy G8 Environmental Considerations

Policy ENV3 Open Countryside
Policy ENV13 Landscape Protection
Policy T7 Parking Provision

#### Consultations

Ribble Valley Borough Council – No objection. Raise the following points:

- The addition of sixth form pupils to the school would generate additional vehicle movements. Suggested solutions are additional parking and turning facilities or the implementation of a travel plan or managed system for the collecting and dropping off of pupils that would remove the need for taxis to wait on the public highway.
- The benefits of the proposal are supported.
- The general design and form of the proposed building are acceptable.
- Trees on site should be protected.
- The recommendations of the Ecology survey should be carried out in full. Consideration should be given to the provision of additional landscaping that would aide to enhance the biodiversity of the site.

Hothersall Parish Council – Object due to the traffic safety implications. Raise the following points:

- For years, there has been a dangerous queue of taxis which wait on Ribchester Road outside the school before and after 9am and 3pm.
- The taxis park on a blind bend creating a very dangerous traffic situation and problems for pedestrians who are often forced off the pavement and have to walk in the road.
- The provision of 11 parking spaces would probably be taken up by employees.
- The gates of the school are not opened until 9am. This would not solve the problem of taxis queuing on the road, even if 11 spaces were sufficient.

LCC Assistant Director (Highways) – To be reported verbally.

LCC – Specialist Advisor – Ecology - Surveys have been carried out by appropriately qualified and experienced ecological professionals, and are within the acceptable age range for survey data. The information is sufficient to inform determination of this application. The proposals will not result in significant adverse impacts on biodiversity. Great crested newts were not found breeding in ponds within 250m of the application area and are thus reasonably unlikely to be present or affected by development. Surveys found no evidence to suggest that other protected species (such as bats or badgers) are present. However, habitats in and adjacent to the application area are suitable to support breeding birds, other amphibians (including common toad) and reptiles. Precautionary mitigation and compensation for potential impacts on these species and their habitat can be secured by planning condition. It is recommended conditions be imposed to protect adjacent vegetation which may be used by foraging bats; requiring the development be carried out in accordance with the Extended Phase 1 Habitat Survey Report; the carrying out of a repeat survey to ensure the absence of badgers; works involving the clearance of vegetation to be carried out outside the bird nesting season; a landscaping scheme to offset the loss of semi-improved grassland to the development.

Representations – The application has been advertised by site notice and local residents informed by individual letter. Eleven representations have been received from local residents objecting to the proposal for the following summarised reasons:

- The development would create extra traffic.
- At present the special mobility buses and taxis arrive to pick up the school children in the afternoon and, while waiting, line up until the school gates are opened near to the school entrance and outside houses along Ribchester/ Preston Road and back towards the junction with Lower Road (B6243) which is a very bad bend. This is a danger to both pedestrians and passing vehicles.
- It is suggested that provision needs to be made for off-street parking of vehicles collecting children when the school closes at 3pm.

### **Advice**

Director of Transport and Environment – Observations

Planning permission is sought to erect a single storey detached building to provide sixth form teaching accommodation for pupils aged 16-18 with severe Autistic Spectrum Disorder (ASD), Communication and Interaction Difficulties. A car parking area to provide 11 spaces for staff associated with the sixth form teaching is proposed.

Paragraph 70 of the NPPF states that the Government attaches great importance to ensuring that sufficient choice of school places is available to meet the needs of existing and proposed communities. The policy states that local planning authorities should give great weight to the need to create or expand schools.

The site is an existing specialised educational school facility located within the countryside. The site is not the subject of a site specific policy but is the subject of general Policies G5 and ENV3 of the Ribble Valley Local Plan. Policy G5 supports small scale developments outside main settlement/ village boundaries subject to a number of criteria including those which are essential to the social well being of the area and other uses appropriate to a rural area which conform to the policies of this plan. Policy ENV3 supports proposals for development in the open countryside which are acceptable by virtue of their size, design, use of materials, landscaping and siting.

The new building would be single storey with sloping roofs. The design and materials to be use for construction would be contemporary. The roof on the north side of the building would be a sedum roof that would soften the appearance of the building when viewed through the trees from Ribchester Road. The use of vertical timber boards on the external elevations would be an appropriate use of natural materials given the rural nature of the area and presence of a large number of trees around the existing boundaries of and within the school site. The building would contrast with the existing Victorian school buildings where there would still be a separation distance of 95m. The separation distances from the nearest residential properties would ensure the proposal would not have any adverse impact on the amenities of those properties and from whom there is no objection in principle. The proposed 2m high green coloured weld mesh fencing on the boundaries would secure the sixth form site. Details of the colour and design of the fencing, outdoor teaching shelter, lighting, surfacing to be used and landscaping can be required by condition. Subject to such conditions the design of the proposed extension complies with Policies G5, G8 and ENV3 of the Ribble Valley Local Plan.

Eleven new parking spaces for staff associated with the sixth form accommodation are proposed and which would increase the total number of car parking spaces at the school from 49 to 60. The county council's car parking standards allow one parking space per teaching area. However, in schools of this nature there is a high ratio of teaching staff to pupils which, for the proposed sixth form age of 16-18, is a minimum of 1:1 and therefore it is considered that there would be exceptional circumstances where the parking standards could be exceeded. The proposed building is designed to accommodate 18 pupils and therefore there may be a shortfall of spaces. Given the potential for such a shortfall, and the fact that the school is located remotely from the central area of Longridge and not well served by public transport, the question has been asked whether there is parking capacity to meet any shortfall in parking provision elsewhere in the school site.

A similar ratio of teaching staff to pupils is employed at the existing school facilities for children aged 12-16 where, for the 2012-13 school years, there were 74 children. If it is assumed these figures will be carried over to the 2013-14 school year, then the total number of children (and hence teaching staff) at the school aged of 2-18 would be 92 leading to a potential shortfall of 32 parking spaces for teaching staff at the whole of the school site. Whilst fewer spaces can lead to an increase in on-street parking on the neighbouring roads, it does not appear to be the case at this school where there appears to be enough dedicated parking spaces or places to park within the site to accommodate all the vehicles of teaching staff. This being the case, it is

anticipated that any shortfall of spaces associated with the proposed new building could be accommodated within the school site.

One small tree would need to be removed to accommodate the car parking spaces. A condition is proposed to protect the existing trees in proximity to the proposed car park and the development as a whole during the construction. A condition is also proposed requiring details of the surfacing of the car park, the provision of any lighting required and for the car parking spaces and manoeuvring areas to be marked out before the proposed building is brought into use. Subject to conditions the new parking area is considered acceptable and complies with Policies ENV13 and T7 of the Ribble Valley Local Plan.

A number of issues and concerns have been raised by Ribble Valley Borough Council, Hothersall Parish Council and local residents, most particularly to existing traffic safety issues associated with the school and the problem being exacerbated by an increase in pupil numbers who would be delivered to and collected from the 6<sup>th</sup> form accommodation. The children are transported to and from the school by special mobility buses and taxis. Because the school gates are not opened until 9am and 3pm, the vehicles wait along a 100m section of Ribchester Road from opposite the school entrance back towards the junction with Lower Road (B6243), which is also on a bend. Parking near the bend creates a dangerous traffic situation and problems for pedestrians who are often forced off the pavement and have to walk in the road. The applicant has advised that the new pupils will be dropped off and picked up at the start and finish of each school day, as is the case with the existing pupils. As there will be additional staff, additional car park spaces have been provided. The applicant recognises there are problems where some of the taxi drivers who are dropping off and picking up pupils at the start and finish of the school day wait along the main Ribchester Road in "convoy" style creating a long line of vehicles that other road users need to overtake. It is acknowledged that the road is two directional and not particularly wide with a bend not far from the school entrance with a national speed limit of 60mph. The applicant and the school are very aware of the situation and the head teacher has attempted to improve the situation. Due to the nature of the condition the children have, it is necessary to have taxis drive a large number of children to and from school. Travel Care, who arranges the taxi's into school have worked alongside the school to reduce the number of taxis in line with Lancashire County Council's School Transport Policy and have reduced the number of taxis required from more than 40 at one time to 21, with a further 3 children being driven by parents. The head teacher has also stressed to all of the contractors that the taxis should arrive on time (not before) and turn onto school grounds immediately without waiting on the road and wait on the access drive to drop off or collect their respective children. Whilst the proposal will bring additional vehicles to the school, it is considered that the revised practices will help address the problem associated with taxis waiting on the highway. However, it should be noted that it is not possible to impose a condition that prevents vehicles waiting on the public highway. If the problem persists then it would be for the County Council as Highway Authority to look to introduce a Traffic Regulation Order and which would be the subject of a separate process. Transport sharing would also assist in reducing vehicle numbers. The management of vehicles in this way to enable the vehicles to park off the road, within the school grounds and preferably within a designated waiting area is proposed to be addressed through the requirements of the school travel plan and

which can be achieved by condition. Subject to such requirements it is considered that the existing problems of parking on Ribchester Road and the potential increase of such could be satisfactorily addressed.

No information has been provided for a contractor's compound, illumination or access thereto. Conditions are proposed requiring details of the compound and access to be submitted, restricting the hours within which construction work may be carried out to safeguard the amenity of local residents whilst helping to reduce the overall construction period and requiring noise and dust suppression to be employed throughout the duration of the development

An ecological assessment has been submitted with the application which advises that no protected species or birds would be affected by the proposal. The County Council's specialist advisor on ecology has advised that surveys have been carried out to the necessary standards and that the conclusions that the proposals will not result in significant adverse impacts on biodiversity are acceptable. However, it is proposed that precautionary mitigation and compensation for potential impacts on breeding birds, other amphibians (including common toad) and reptiles are employed and which can secured by conditions along with conditions to protect adjacent vegetation which may be used by foraging bats; requiring the development be carried out in accordance with the Extended Phase 1 Habitat Survey Report; the carrying out of a repeat survey to ensure the absence of badgers; works involving the clearance of vegetation to be carried out outside the bird nesting season; a landscaping scheme to offset the loss of semi-improved grassland to the development.

It is considered that the proposal will provide a modern state of the art education facility for pupils with severe Autistic Spectrum Disorder (ASD), Communication and Interaction Difficulties. The design of the building and proposed construction materials would be acceptable and the building and associated hard surfaces and car parking would not have any unacceptable impact on ecological interests subject to the precautionary measures as proposed being employed. The main issue relates to vehicles delivering pupils to the school and problems encountered with them waiting on the public highway potentially creating a hazard to other highway users. It is considered that the practices employed by the school are acceptable and that amendments to the travel plan would be sufficient. However, whilst the school can provide guidance and make provision for access to preclude the need for vehicles to park on the highway, the subsequent actions of the taxi drivers are not within their control. Should the problem persist, it is a matter for Travel Care to address in the way they appoint drivers or for the County Council as Highways Authority to implement Traffic Regulation Orders.

In view of the scale, location and nature of the proposed development it is considered no Convention Rights as set out in the Human Rights Act 1998 would be affected.

### Recommendation

That planning permission be **granted** subject to the following conditions:

### **Time Limits**

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1) (a) of the Town and Country Planning Act 1990.

# **Working Programme**

- 2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
  - a) The planning application received by the Director of Transport and Environment on 26th July 2013.
  - b) Submitted plans and documents received by the Director of Transport and Environment on 26th July 2013:

Drawing No. A101 - Existing Site and Location Plans

Drawing No. A102 - Site Survey with Levels

Drawing No. A202 - Proposed Site Plan

Drawing No. A203 - Proposed General Plan

Drawing No. A204 - Proposed Elevations

Drawing No. A207 - Proposed Roof Plan

Extended Phase 1 Habitat Survey Report

c) All schemes and programmes approved in accordance with this permission.

Reason: To minimise the impact of the development on the amenities of the local area, and to conform with Policies G1, G5, G8, ENV3, ENV13 and T7 of the Ribble Valley Local Plan.

# **Hours of Working**

3. No ground engineering or construction development, delivery or removal of materials shall take place outside the hours of:

0730 to 1800 hours Monday to Friday (except Public Holidays), 0800 to 1700 hours on Saturday (except Public Holidays).

No ground engineering or construction development, delivery or removal of materials shall take place at any time on Sundays or Public Holidays.

This condition shall not however operate so as to prevent the carrying out, outside of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G8 of the Ribble Valley Local Plan.

- 4. No development shall commence until details of any construction compound have been submitted to and approved in writing by the Director of Environment and Transport. The details shall include:
  - a) The location and layout of a contractor's compound including contractor's car parking, demountable units and illumination of the site.
  - b) Details for the routing and management of contractor's vehicles and construction traffic.
  - c) Details for the restoration of the contractor's compound.

The contractor's compound shall be constructed in accordance with the approved details. The compound shall be removed and the site restored in accordance with the details required by part c) to this condition within six months of the completion of the construction phase of the development.

Reason: In the interests of highway safety and to minimise light spill beyond the site boundary to the surrounding houses and to safeguard local amenity and to conform with Policies G1, G8 and ENV13 of the Ribble Valley Local Plan.

### **Control of Noise**

5. All plant, equipment and machinery used during the construction phase of the development shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the construction phase of the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G8 of the Ribble Valley Local Plan.

#### Dust

6. All necessary measures shall be employed throughout the construction phase of the development, including the watering of the site storage and development areas to prevent the migration of dust from the site onto adjoining properties.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G8 of the Ribble Valley Local Plan.

# **Highway Matters**

7. Within 6 months of the new sixth form building being brought into use a revised Travel Plan for the whole of the school including the new sixth form, as defined by this permission, shall be submitted to the Director of Transport and Environment for approval in writing.

The Travel Plan shall include:

- a) A brief description of the whole school including the sixth form building, their location and a summary of the particular transport and road safety issues at the site.
- b) Evidence and results of consultation with staff and other interested parties.
- c) Targets and measures to minimise the impact of/reduce private car use for the journey to and from the site by staff and other visitors.
- d) A summary of the site's current road safety policies and practices, details of any new or proposed initiatives including a planned timetable of introduction.
- e) Provision for school gates to be opened at drop off and pick up times to ensure that taxis and buses can access the grounds and wait to drop off and pick up pupils without the need to wait on Ribchester Road and for provision to be made within the school grounds to enable taxis and buses to wait to drop pupils off and pick pupils up without the need to wait on Ribchester Road.
- f) Proposals for monitoring progress of the Travel Plan including a timetable for its implementation and review.

The revised Travel Plan shall be implemented in full within one month from the date of approval and within one month of any subsequent review for the purposes of (f) above.

Reason: In the interests of highway safety and to conform with Policy G1 of the Ribble Valley Local Plan.

- 8. Measures shall be taken at all times during the construction phase of the development to ensure that no mud, dust or deleterious material is tracked onto the public highway by vehicles leaving the site
  - Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G1 of the Ribble Valley Local Plan.
- 9. The development shall not be brought into use until the car park area has first been constructed and marked out in accordance with a scheme and programme to be first submitted to and approved in writing by the Director of

Transport and Environment. The scheme and programme shall include details of the location, layout and surface of the car parking spaces.

Reason: In the interests of highway safety and to conform with Policies G1 and T7 of the Ribble Valley Local Plan.

# Landscaping

- 10. No development shall commence until a scheme and programme for the landscaping of the site has been submitted to and approved in writing by the Director of Transport and Environment. The scheme and programme shall include details of:
  - a) Identification of the existing trees and other vegetation that are to be retained and details of the measures for their protection.
  - b) The location and layout of tree and shrub planting including species, type's numbers, spacing's, planting techniques and protection measures to offset the loss of semi-improved grassland.
  - c) The location, size, height and slope profiles of any soil mounds created within the site boundary and details for the seeding of such mounding.
  - d) Details of mowing and management of grassed areas and weed control.
  - e) The hard landscaped areas including circulation area and surfacing to the footpaths.

The approved scheme and programme shall be implemented in its entirety. The planting shall be undertaken within the first available planting season following completion of the construction phase of the development. All trees and shrubs shall be protected from any damage and maintained for a period of five years including the replacement of any dead and dying trees or shrubs, weed control and maintenance of protection measures.

Reason: In the interests of visual and local amenity and the local environment, and to conform with Policies G1 and ENV13 of the Ribble Valley Local Plan.

11. All hedges and trees forming part of the site boundaries or to be retained within the development site shall be protected from any damage and maintained throughout the construction phase of the development.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policies 7 and 8 of the Lancashire Minerals and Waste Local Plan and Policy G8 of the Ribble Local Plan.

12. No trees or hedgerows shall be removed during the bird-breeding season between 1 March and 31 July inclusive unless they have been previously checked and found clear of nesting birds in accordance with Natural England's guidance and if appropriate, an exclusion zone set up around any vegetation to be protected. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

Reason: To protect nesting birds and to conform with Policy G8 of the Ribble Valley Local Plan.

13. The development shall be carried out in accordance with the recommendations set out in the Extended Phase 1 Habitat Survey Report dated June 2012 by Ecology Services submitted with the application.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy G8 of the Ribble Local Plan.

# **Building Materials**

14. Notwithstanding the details indicated on the approved plans and supporting documents no development shall commence until a scheme and programme detailing the location, design, height and colour of fencing to be erected and details of the external teaching area have been submitted to and approved in writing by the Director of Transport and Environment. Thereafter the fencing and outside teaching area shall be erected in accordance with the approved details.

Reason: To protect the visual amenities of the area and to conform with Policy G1 of the Ribble Valley Local Plan.

## Lighting

- 15. No development shall commence until a scheme and programme for the external lighting of the sixth form site including the building and car parking area has been submitted to and approved in writing by the Director of Transport and Environment and approved in writing. The scheme and programme shall include details of:
  - a) Type and intensity of lights.
  - b) Types of masking or baffle at head.
  - c) Type, height and colour of lighting columns.
  - d) Number and size of lighting units per column.
  - e) Light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on nearby residential properties.
  - f) Phasing of the implementation of the approved scheme.

Thereafter the external lighting of the sixth form site shall be erected and operated in accordance with the approved scheme and programme.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G8 of the Ribble Valley Local Plan.

#### **Definitions**

**Planting Season:** The period between 1 October in any one year and 31 March in the following year.

**School Travel Plan:** This is a document setting out a package of measures for reducing the number of car trips made to a school or a group of schools by parents and staff for improving safety on the school journey. The Plan may be produced by the Local Authority in consultation with a school or may be produced by the school with the advice of the Local Authority

**Director of Transport and Environment:** means the Director of Transport and Environment of the County Planning Authority or any successor position to that post

#### **Notes**

Prior to the commencement of development the applicant is advised to undertake a repeat survey to establish the presence or otherwise of badgers. In the event badgers are present or identified to be using the area within which the development is proposed, mitigation measures would need to be implemented and if interference with a set is required and cannot be avoided a licence should be sought from Natural England.

The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

# Local Government (Access to Information) Act 1985 List of Background Papers

Paper Date Contact/Directorate/Ext

03/13/0650 26 July 2013 Rob Jones/Environment/34128

Reason for Inclusion in Part II, if appropriate

N/A