

Application Number: F/YR14/0240/F
Minor Dwellings
Parish/Ward: Chatteris Town Council
Date Received: 18 March 2014
Expiry Date: 8 August 2014
Applicant: Mr LE Eggleton

Proposal: Erection of 3 x 4-bed detached houses with associated garages; erection of 2 m high brick wall and associated parking to serve existing dwelling (133 High Street), involving demolition of outbuildings (in conjunction with Listed Building Consent reference F/YR14/0241/LB)

Location: Land east of 133 High Street, Chatteris

Reason before Committee: Called in by Cllr Newell as concerned that the lean-to on the front of 133 High Street will cause highway safety problems for vehicles leaving Black Horse Lane and turning on to the High Street.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of 3 x 4-bed detached dwellings with associated garages on land east of 133 High Street, Chatteris. The proposal also involves the formation of parking spaces for 133 High Street, Chatteris and includes the formation of a private access drive and erection of a 2 m high brick wall. The site is the garden area of the listed building at 133 High Street, Chatteris.

The current proposal has been scaled down from the previous proposal for 8 dwellings which was subsequently withdrawn following a recommendation of refusal from the Local Highway Authority due to inadequate visibility for vehicles entering High Street.

The Local Highway Authority is mindful that the scale of the development has now been significantly reduced however still consider that the deficiencies are such that they have no alternative than to recommend that the application be refused.

Officers have considered the identified highway issues and note in particular the reduction in the number of dwellings applied for. The proposal has been subject to pre-application discussions when it was identified that some form of development in the garden area would be needed to ensure that the refurbishment of the listed building could be undertaken. Appropriate conditions will be imposed if the application is approved to phase the development of the dwellings to ensure that the refurbishment of the listed building is completed within an acceptable timeframe.

A small development of 3 dwellings will bring into use a space that is presently

underused and rather detached from the listed building. The garden space has development on all sides and its setting has already been compromised and therefore to develop the garden for further dwellings whilst ensuring that the listed building retains sufficient land is acceptable.

The recommendation is to approve the application.

2. HISTORY

F/YR14/0240/F	Erection of 3 x 2-storey 4-bed dwellings with garages; 2.0m high brick wall and associated parking to serve No.133 High Street	Pending decision
F/YR13/0368/F	Erection of 7 x 3-bed and 1 x 4-bed 2-storey dwellings and erection of garage to serve 133 High Street	Withdrawn 9 September 2013
F/YR13/0369/LB	Internal and external works to existing Listed Building	Withdrawn 9 September 2013

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Section 6: Delivering a wide choice of high quality homes

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 12: Conserving and enhancing the historic environment

3.2 Fenland Local Plan 2014:

LP1: A presumption in favour of sustainable development

LP2: Facilitating Health and Wellbeing of Fenland Residents

LP3: Spatial strategy, the Settlement Hierarchy and the Countryside

LP14: Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP16: Delivering and Protecting High Quality Environments across the District

LP18: The Historic Environment

4. CONSULTATIONS

4.1 Chatteris Town Council:

Raise no objection subject to highway approval but Town Council would still prefer to see lean-to on the front/side of 133 High Street demolished for aesthetic and highway safety reasons.

4.2 **Conservation Officer:**

The application site forms part of the curtilage of number 133 High Street which is a grade 2 listed building. Both the house and its curtilage are located within the Chatteris Conservation Area. The dwelling has been empty for some time and has been designated as a Building at Risk.

No objection to the demolition of any of the outbuildings on site. They are either modern utilitarian buildings of no significance or interest or incapable of reuse.

Given the constraints relating to vehicular access I would support the low-density development proposed. Crucially the revised layout retains an adequate level of garden for use with the listed building making it an attractive proposition as a family home.

A planting plan has been submitted which proposes a limited palette of trees and does not completely address the opportunities or the requirements of the layout and its context. Therefore considers a landscaping condition be imposed.

Following a meeting with the agent a number of revisions have been made to the design of the individual dwellings which significantly improves the overall scheme and its acceptability. The height and scale of each dwelling has been reduced, notably plot 2, yielding a more coherent arrangement which assimilates better into its surroundings. Considers that a condition be imposed to ensure the works to the listed building applied for under F/YR14/0241/LB are carried out in their entirety before the new build properties are occupied.

Recommends approval subject to suitable conditions.

4.3 **County Archaeology:**

Records indicate that the site lies in an area of high archaeological potential. The site is located to the north of the medieval town of Chatteris close to a late medieval landing place or hythe. In 2003 deposits of medieval and post medieval date were recorded some 70 m to the northwest of the current site at Cox's Lane/Chapel Lane and the potential exists for similar deposits to survive within the application area. Therefore requests an archaeological condition be imposed.

4.4 **Local Highway Authority:**

The junction of Black Horse Lane is contained geometrically in terms of junction radii and footway provision, however the main deficiency relates to that of vehicle to vehicle inter-visibility. Manual for Streets states that appropriate visibility splays for such a site is 2.4 m x 43 m in each direction. Visibility can be achieved to the north however visibility south is restricted significantly below the required dimension at 2.4 m 8.7 m. Such a level of visibility is suitable for traffic approaching at only 7-10 mph. High Street comprises a busy local distributor road carrying traffic at significantly greater speeds in free flow conditions the junction must be considered inadequate to cater for the intensification of the use that the proposal will engender. Recommend refusal.

4.5 **Environmental Protection:**

Note and accept the submitted information and have no objection to the proposed development and is it unlikely to have a detrimental effect on local air quality or the noise climate. Records show that there may have been previous potentially contaminative usage on part of this land and therefore the contaminated land condition is required.

4.6 **Middle Level Commissioners:**

Oppose the application due to the absence of an appropriate FRA. The Board considers that this development is in an area where drainage problems are known to exist and therefore this proposal may exacerbate the existing situation. Requires additional information relating to the disposal of surface water together with a relevant engineering solution.

4.7 **Anglian Water:**

Foul drainage from this development is in the catchment of Chatteris Nightlayers Fen Water Recycling Centre that will have capacity for these flows. The sewerage system at present has available capacity for these flows.

4.3 **Local Residents:**

1 letter received relating to maintenance and repair of brick wall on boundary between No.133 and 127,129 High Street. Also concerns over how drainage will cope with increased houses and concerns over extra traffic onto the High Street.

5. **SITE DESCRIPTION**

- 5.1 The site is the garden area of No.133 High Street, Chatteris, and is presently an overgrown grassed area with several outbuildings on. None of the outbuildings are significant in terms of visual amenity or historic interest and these outbuildings are to be removed. There is an existing vehicular access off Black Horse Lane which is intended to be formalised into a private drive to serve the 3 dwellings as well as No.133 High Street.

The site is located within the Chatteris Conservation Area and lies within Flood Zone 1.

6. PLANNING ASSESSMENT

This application seeks full planning permission for the erection of 3 detached dwellings on land to the east of 133 High Street, Chatteris. The proposal also involves the formation of parking spaces for No.133 High Street and the erection of a 2 m high brick wall. A total of 5 outbuildings will be removed to facilitate the development.

The key issues for consideration to this application include:

- Principle of development and policy considerations
- History of the site
- Design considerations
- Access and parking
- Flood Risk
- Health and Wellbeing
- Economic Growth
- Other matters

Principle of development and policy considerations

The site is located within the built settlement of Chatteris and accordingly Policies LP1, LP2, LP16 and LP18 of the Fenland Local Plan together with the National Planning Policy Framework are considerations in this respect.

Policy LP16 seeks to deliver and protect high quality environments across the district and proposals should demonstrate that the development meets the relevant criteria. In particular development should make a positive contribution to the local distinctiveness and character of the area, enhance its setting, responds to and improves the character of the local built environment and will not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area. Development should not adversely impact on the amenity of neighbouring users through, for example, loss of privacy or loss of light.

Policy LP18 seeks to protect, conserve and seek opportunities to enhance the historic environment throughout Fenland.

History of the site

133 High Street, Chatteris, is a Grade II Listed building which was originally built as a public house but has been used as residential accommodation until recent times and the building is now vacant. The development proposal is located in the garden area of No.133 and comprises an area of land of 0.31 ha.

Design considerations

The proposal comprises the erection of 3 individually designed 2-storey

dwellings with associated garaging and these dwellings have been the subject of pre-application discussions between the agent, officers and the Conservation Officer.

Plot 1 is part 2-storey, part single-storey dwelling with an overall ridge height of 7.6 m. Dormer windows are located on the front elevation looking into the site and 2 further dormer windows are located on the rear elevation. The dormers on the rear serve a bathroom and en-suite and will therefore be obscure glazed to ensure that there will be no significant overlooking to the dwellings on Gull Way. The single-storey element is located approximately 6.5 m from the existing bungalow on Black Horse Lane and has been designed with a hipped roof to lessen any potential visual impact with eaves level being 2.4 m high.

Plot 2 is a traditional style house with bay windows at the front. The dwelling has a ridge height of 7.7 m and has a fully hipped roof to reduce the scale and bulk of the dwelling. There are 3 rear first-floor windows facing towards the properties on Gull Way however there is 22m between the windows and rear fence of plot 2 and a further 18 m to the rear elevation of No.61 Gull Way and therefore there will be no significant overlooking from this plot.

Plot 3 is the dwelling that will be most visible within the site and has been designed with a range of different roof levels to add interest to the building and reduce the overall bulk of the dwelling. The roof heights vary from 6 m to 7.9 m. Officers are mindful of the existing dwellings along Moxon's Passage which are 2-storey in nature. Therefore windows at first-floor level have been carefully positioned to avoid direct overlooking. There is one dormer window on the rear side section which serves a bedroom. This window is approximately 18 m from the rear boundary and approximately 26 m from the front elevation of the Moxon's Passage dwellings. Hence it is considered that there will be no significant overlooking from Plot 3 towards Moxon's Passage.

Notwithstanding the details shown regarding materials, it is considered appropriate to include an external finishes condition to all 3 plots.

Access and parking

The proposal seeks to relocate and formalise the existing vehicular access off Black Horse Lane to serve the 3 plots and also to allow vehicular access for No.133 High Street.

The layout shows a private drive with a width of approximately 4.2m m with 2m x 2 m pedestrian visibility splays onto Black Horse Lane. Each plot will benefit from 4 parking spaces, which is an overprovision on the site and turning can be achieved within the site for all plots to allow vehicles to exit the site in forward gear. 2 parking spaces are to be provided for the occupiers of 133 High Street and a rear pedestrian access gate will allow easy access into No. 133.

The Local Highway Authority has raised an objection to the access from the site

onto the High Street due to severely restricted visibility. These concerns are acknowledged by the Local Planning Authority. In considering the overall proposals for the site, i.e. the refurbishment of the listed building and the development to the rear, Officers consider that there will be minimal additional traffic movements onto the High Street and that the quality of the development, together with the works to bring a building at risk back into use, outweighs, in this instance, the highway objection.

Flood Risk

The site is located within Flood Zone 1 and the Middle Level Commissioners have opposed the application as failing to undertake a full flood risk assessment. The site is 0.3 ha and guidance contained within the Technical Guide to the NPPF, sites in flood zone 1 over 1 hectare only require a flood risk assessment to be undertaken. Therefore it is considered, given the comments of the MLC to impose a condition relating to surface water disposal as part of any approval on the site to fully assess flood risk and surface water management.

Health and Wellbeing

Policy LP2 seeks to achieve development that positively contributes to creating a healthy, safe and equitable living environment and to promote high levels of residential amenity. The 3 dwellings are generous in size with adequate amenity space to provide a high quality development. The refurbishment of the listed building will bring a derelict residential dwelling back into use. The development will provide adequate parking and amenity space for future occupiers and the development therefore complies with Policy LP2 of the Local Plan.

Economic Growth

The development will add to the existing housing stock in Chatteris and the refurbishment of an existing building is considered to be a sustainable form of development. This development will enhance this part of Chatteris Conservation Area ensuring future growth and innovation in this area.

Other matters

A Listed Building Consent application has been submitted in tandem with this application to refurbish the building into a 4-bed dwelling. The Local Planning Authority considers that it is important to ensure that the refurbishment of the Listed Building is undertaken and therefore it is proposed to link the development of the garden land into 3 plots with the works required to the Listed Building.

As such a condition will be imposed on the full planning application to phase the development to ensure that the refurbishment of the listed building is

undertaken in a timely manner.

The development is to be served off a private drive therefore issues relating to the collection of refuse have to be addressed. It is proposed to site a bin collection point for the plots close to Black Horse Lane. RECAP guidance indicates that residents should not have to move their refuse more than 30 m to a collection point. It is noted that plots 1 and 2 will have to move their refuse approximately 45 m to the collection point however given the quality of the development it is considered that the application would not warrant a refusal on RECAP guidance.

The site is an area where there is a potential for archaeological finds and therefore a condition will be imposed accordingly to undertake works prior to the commencement of any development on the site.

CONCLUSION

This application seeks full planning consent for the erection of 3 x 4-bed dwellings with parking served off a private drive. The development will use an area of land that is presently under-utilised and will provide a means of bring back into use an empty listed building which is a building at risk.

The development has been carefully designed to ensure there will be no significant impact on neighbouring properties and amendments to the dwellings have been sought to provide a coherent arrangement which will assimilate the development into its surroundings.

The Local Highway Authority has recommended refusal of the application but considers that in the event that the application is approved, they have recommended a suite of conditions that will provide the best highway safety that can be achieved from this site. These include the provision of parking within the site; visibility splays onto Black Horse Lane; restrictions on the erection of gates; the construction of the access to an approved construction specification and the provision of adequate temporary storage facilities during construction of the new dwellings.

RECOMMENDATION

Grant

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of development the principle listed building (133 High Street, Chatteris) is to be made wind and water tight, safe from collapse, not susceptible to vandalism or theft of features. A schedule of such works will be submitted to the satisfaction of the LPA and approved in writing.

Reason – To safeguard the Listed Building.

3. The development hereby approved shall be implemented in a phased manner as follows:- Following completion of the first of the 3 dwellings hereby approved, a schedule of works with a timescale for the commencement and completion of refurbishment works to 133 High Street, Chatteris, (Listed Building) approved under F/YR14/0241/LB shall be submitted to and approved in writing by the LPA and thereafter implemented prior to commencement of the second dwelling and no later than 2 years from the date of the Listed Building Consent.

Reason – To safeguard the Listed Building.

4. Notwithstanding the details shown on the application form and plans, prior to the commencement of the development hereby approved full details of the external finishes shall be submitted to and approved in writing by the Local Planning Authority and the development shall be executed in accordance with the approved scheme and retained in perpetuity thereafter.

Reason - To safeguard the visual amenities of the area.

5. Prior to commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-
 - a) proposed finished floor levels
 - b) means of enclosure
 - c) hard surfacing, other hard landscape features and materials including details of the new 2.0 m high brick wall
 - d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
 - e) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
 - f) management and maintenance details for the future upkeep of the development

Reason - The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted.

6. All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.

7. Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes.

Reason - To ensure that retained trees are adequately protected.

8. All vegetation clearance at the site shall only take place outside the bird breeding season of March to August inclusive.

Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of Planning Policy Statement 9 Biodiversity and Geological Conservation.

9. Prior to the commencement of development, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity.

Reason - In order to ensure that the site meets the crime prevention guidelines.

10. No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.

Reason - To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results.

11. Prior to the commencement of use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:
- a) enter, turn and leave the site in forward gear;
 - b) park clear of the public highway;

shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

Reason - In the interests of satisfactory development and highway safety.

12. Prior to the occupation of the dwellings hereby approved, visibility splays of 2 m x 2 m shall be provided each side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6 m above the level of the highway footway.

Reason – In the interests of highway safety.

13. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking, amending or re-enacting that Order) no gates shall be erected across the approved access unless details, including timescale for implementation, has first been submitted to and approved in writing by the LPA.

Reason – In the interest of highway safety.

14. Prior to the first occupation of the development hereby approved the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification, and thereafter retained in perpetuity.

Reason – In the interests of highway safety and to ensure satisfactory access into the site.

15. Prior to the occupation of the first dwelling hereby permitted, the vehicular access from Black Horse Lane shall be hard surfaced, sealed and drained away from the highway for a minimum length of 10 m from the back edge of the existing footway, in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason – In the interests of highway safety.

16. Prior to the commencement of the development hereby approved adequate temporary facilities (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.

Reason - To minimise interference with the free flow and safety of traffic on the adjoining public highway.

17. Prior to the commencement of the development hereby approved a scheme and timetable to deal with contamination of land and/or groundwater shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall then be implemented on site in accordance with the approved timetable.

The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- a) A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. This should include a conceptual model, and pollutant linkage assessment for the site. Two full copies of the desk-top study and a non-technical summary shall be submitted to and approved in writing by the Local Planning Authority.

IF during development any previously unsuspected contamination is discovered then the LPA must be informed immediately. A contingency plan for this situation must be in place and submitted with the desk study. If a desk study indicates that further information will be required to grant permission then the applicant must provide, to the LPA:

- b) A site investigation and recognised risk assessment carried out by a competent person, to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:

- (i) A desk-top study has been completed, satisfying the requirements of paragraph (a) above.
- (ii) The requirements of the Local Planning Authority for site investigations have been fully established, and
- (iii) The extent and methodology have been submitted to and approved in writing by the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to and approved in writing by the Local Planning Authority.

Following written LPA approval of the Site Investigation the LPA will require:

- c) A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the risk assessment. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.
- d) The provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action shall be submitted and approved in writing by the Local Planning Authority.

Reason- To control pollution of land or water in the interests of the environment and public safety.

- 18. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Authority in consultation with the Drainage Authority. The scheme shall subsequently be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.

Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding.

- 19. Approved plans.



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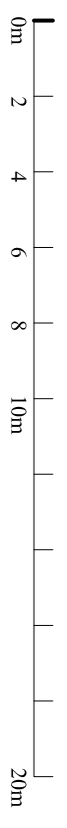
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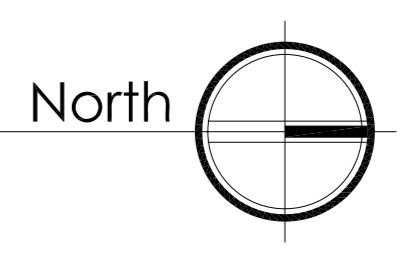
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PROPOSED SITE PLAN



LOCATION PLAN

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DESCRIPTION KEY	
	Existing trees to be removed
	Existing trees to be retained
	Bin Collection point for plots 2 and 3
	Existing buildings to be removed
	1.8m high brick wall to detail
	1.8m high timber close boarded fence
	Private drive with permeable block paving Charcon. Infill or equal and approved. Colour to be birchdile.
	Indicative tree planting

Revision C June 2014 Plot 3 amended to self community, owned by Corporation and Planning Officer of LBC.
Revision B May 2014 Plot 1 amended to self build plot (away from access road).
Revision A March 2014 Amended following on-going consultation with Corporation Officer and Planning Officer of LBC.

Project: Land at 133 High Street, Chatham, Cambridgeshire
Client: LBEVENS
Architect: LBEVENS
Site: 133 High Street, Chatham, Cambridgeshire
Scale: A1
Date: November 2013
Drawn: LB
Checked: RNS/DK
File Name: CH12ILBA254/P200

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