
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 17/08/16

gan Alwyn B Nixon BSc(Hons) MRTPI
Arolygydd a benodir gan Weinidogion Cymru
Dyddiad : 13 Medi 2016

Appeal Decision

Site visit made on 17/08/16

by Alwyn B Nixon BSc(Hons) MRTPI
an Inspector appointed by the Welsh Ministers
Date : 13 September 2016

Appeal Ref: APP/H6955/A/16/3147767

Site address: Land south of Francis Lane, Holt, Wrexham

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by James Jamieson for TGC Renewables Ltd against the decision of Wrexham County Borough Council.
 - The application Ref HOL P/2015/0396, dated 26 May 2015, was refused by notice dated 7 December 2015.
 - The development proposed is installation of solar farm and associated development (size 10.2 hectares and up to 4.61MW).
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Appeal Ref: APP/H6955/A/16/3147773

Site address: Land north of Bryn Lane, Holt, Wrexham

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by James Jamieson for TGC Renewables Ltd against the decision of Wrexham County Borough Council.
 - The application Ref HOL P/2015/0397, dated 26 May 2015, was refused by notice dated 7 December 2015.
 - The development proposed is installation of solar farm and associated development (size 12.6 hectares and up to 6.37MW).
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Decision

1. APPEAL APP/H6955/A/16/3147767: The appeal is allowed and planning permission is granted for installation of solar farm and associated development (size 10.2 hectares and up to 4.61MW) at land south of Francis Lane, Holt, Wrexham in accordance with the terms of the application, Ref HOL P/2015/0396, dated 26 May 2015, and the plans submitted with it, subject to the conditions in the schedule at the end of this decision.
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2. APPEAL APP/H6955/A/16/3147773: The appeal is allowed and planning permission is granted for installation of solar farm and associated development (size 12.6 hectares and up to 6.37MW) at land north of Bryn Lane, Holt, Wrexham in accordance with the terms of the application, Ref HOL P/2015/0397, dated 26 May 2015, and the plans submitted with it, subject to the conditions in the schedule at the end of this decision.

Background to Appeals and Preliminary Matters

3. The appeals relate to two linked proposals to install solar farms, including associated development, on adjoining areas of agricultural land lying between Bryn Lane and Francis Lane to the north of the Wrexham Industrial Estate. The proposals were initially conceived as a single project and subsequently split into two separate schemes by the developer before the applications were submitted. Appeal APP/H6955/A/16/3147767 ("Appeal A") concerns two fields located on the south side of Francis Lane; appeal APP/H6955/A/16/3147773 ("Appeal B") concerns a third field on the south side of Francis Lane, together with land extending southwards to the boundary with Bryn Lane.
4. The two proposals were submitted simultaneously to the Council and were considered together and determined on the same date. The Council's reasons for refusing permission are the same in each case; the evidence submitted in support of the Council's decision and by the appellant in support of the grounds of appeal are common to both appeals. Accordingly, while I have considered each appeal on its individual merits, my decision deals with the two appeals together. I have also considered the implications of both schemes going ahead in terms of combined or cumulative effects.
5. The applications were screened by the Council for likely significant environmental effects, in the light of a previous screening of a similar proposal covering a site slightly larger than the combined site area of the two appeals. The screening opinion concluded that the proposals, both individually and cumulatively, would not give rise to impacts of more than local significance, and that Environmental Impact Assessment (EIA) was not required. Following submission of the appeals a further assessment of the proposals' individual and combined effects has been carried out on behalf of the Minister for Natural Resources and a screening direction issued that the development concerned is not EIA development within the meaning of the Regulations¹.
6. The Council refused permission in each case for two reasons. First, it considered that insufficient information had been provided to demonstrate that the development would not result in adverse impact upon Great Crested Newts, a statutorily protected species. Second, it is stated that the proposals would prejudice the forthcoming local development plan by preventing proper consideration being given to the suitability for allocation for employment use of all potentially available sites on the edge of the Wrexham Industrial Estate.

¹ The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended).

7. The development plan for the area currently is the Wrexham Unitary Development Plan (UDP). Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. In the case of these proposals the Council says that the failure to demonstrate that there would be no adverse impact upon great crested newts renders them contrary to UDP policy EC6 concerning biodiversity conservation. The Council does not contend that there would be conflict with the UDP in any other respect, including in relation to policies PS2 (countryside and landscape character), PS12 (renewable energy), GDP1 (general development principles) and EC4 (trees, hedgerows and woodland).
8. The two schemes were originally envisaged as a single scheme, with access to all of the development being gained from Bryn Lane to the south. However, following the decision to split the scheme into two smaller proposals the proposed access arrangements were amended in respect of the Appeal A scheme. Access to this development (for its construction, maintenance and eventual decommissioning) would be from the A534 via Hugmore Lane and Francis Lane, with an improved entrance into each of the two fields concerned. Whilst Francis Lane is narrow and currently lacks sufficient passing places, two further passing places would be provided within the existing highway verge as part of the scheme. The highway authority does not raise objection to either proposal.

Main Issues

9. The main issues, in relation to both appeals, are (i) whether the proposed developments would unacceptably prejudice the forthcoming local development plan in respect of its provisions for employment land and (ii) the effect of the proposals on great crested newts in the area.

Reasons

Prejudice to the forthcoming local development plan

10. The Council is in the process of preparing the Wrexham Local Development Plan 2013-2028 (LDP). Since the refusals of planning permission in early December 2015 the Council has published its LDP Preferred Strategy (February 2016) and public consultation took place on this document between 12 February 2016 and 1 April 2016. The Preferred Strategy sets out a number of key strategic policies. Policy SP1 *Economic Growth, Employment and Enterprise* identifies a range of proposed measures intended to underpin the continued role of Wrexham County Borough as a key economic driver in North Wales and the wider region. The first of these proposed measures is to make *provision over the remaining plan period for 96 – 106ha of employment land, including identifying a Key Strategic Site, based on the preferred area of search for an extension of 20-30ha at the Wrexham Industrial Estate – the County’s Key Business Sector Area*. Policy SP9 focusses the majority of new growth in the County Borough within Wrexham Town and Wrexham Industrial Estate, and identifies an Area of Search centred on land to the north of Bryn Lane, Wrexham Industrial Estate for the accommodation of 20-30ha of new employment land.

11. The evidence on which the Council bases its approach in the LDP Preferred Strategy to employment land provision is contained in 3 background papers – an Employment Land Review (ELR) (October 2015) and LDP Background Papers 3 *Key Strategic Sites* (February 2016) and 5 *Wrexham Industrial Estate Expansion Selection* (February 2016).
12. Planning Policy Wales (PPW) states that the weight to be attached to an emerging LDP when determining applications will in general depend upon the stage it has reached. However, consideration of the proposed policy in the context of national policy, the matters which may have been raised in representations and the evidence on which a policy is based are also potentially relevant to an assessment of the weight that should be given to an emerging policy. PPW goes on to state, in relation to questions of prematurity, that refusing planning permission on grounds of prematurity will not usually be justified except in cases where a development proposal goes to the heart of a plan. A refusal on prematurity grounds will seldom be justified where a plan is at the pre-deposit plan preparation stage, with no early prospect of reaching deposit, because of the lengthy delay which this would impose in determining the future use of the land in question. Whether planning permission should be refused on grounds of prematurity requires careful judgement and the local planning authority will need to indicate clearly how the grant of permission would prejudice the outcome of the LDP process.
13. The Council accepts that the preferred strategy can be afforded little weight in decision making at this time. Despite this, it maintains that permitting the proposals would unacceptably compromise a key element of the emerging LDP. I recognise that the delivery of an adequate amount of available employment land in the right locations is an important part of any LDP strategy, particularly where the area concerned has a significant economic role. However, the emerging Wrexham LDP has some way to go before its provisions can be known with any real clarity or certainty. Whilst the recently published preferred strategy identifies an area of search for some 20-30ha of employment land centred on the area to the north of Bryn Lane ("Area A") as an extension to the Wrexham Industrial Estate, the Council has yet to formalise its LDP proposals after considering responses to the preferred strategy consultation. The stage of a deposit LDP with specific employment land allocations has not yet been reached; still less has any potential proposal to allocate the appeal land for employment use been consulted on and tested by way of independent examination of the plan's soundness.
14. Moreover, it is evident that a number of issues still remain to be resolved in relation to the eventual employment land elements of the LDP. The Welsh Government response to the LDP preferred strategy highlights apparent inconsistencies in the Council's explanation of the proposed level of employment land provision in the forthcoming plan and its relationship to the plan's vision, objectives and spatial strategy. In addition, the Welsh Government comments emphasise the importance of the Council being able to demonstrate that the strategic sites identified by proposed policy SP9 can be delivered, noting that the evidence supporting the strategic sites at this stage is limited. The comments point out that there is a significant onus on site promoters, land owners and developers to provide evidence that demonstrates how and when such sites will come forward.

15. The appellant's representations to the Council in response to the LDP preferred strategy consultation confirms that the landowners at the proposed solar farm sites are not interested in seeing their land allocated for industrial development, so these sites are not readily available or deliverable for that purpose. This casts doubt on the robustness of any proposed inclusion of the appeal sites in a strategic employment land allocation in the forthcoming LDP.
16. Furthermore, it appears that the appeal sites are not the only available option for delivering 20-30ha of additional employment land in the form of an expansion of Wrexham Industrial Estate, should this continue to be part of the emerging LDP strategy. The Council has identified a second potential area for expansion to the south-west of the existing industrial estate ("Area B"). Whilst it currently favours Area A on the basis of better access to the wider trunk and motorway network and because lower grade agricultural land is involved, the Council does not contend that Area B does not offer a viable alternative. Moreover, land in search Area B is evidently available for consideration for industrial development. Even in the eventuality of a requirement for 20-30ha of additional land at Wrexham Industrial Estate being clearly established, it is not clear that this would need to be in a single location. The appellant's suggestion that up to 16ha of employment land could be found at Area A without utilising the appeal sites has not been contested by the Council.
17. In summary on this issue I consider that little weight can be attributed to the emerging LDP, since at this stage there is insufficient certainty about its eventual detailed provisions. The available evidence does not lead me to conclude that the proposed developments would unacceptably prejudice the forthcoming LDP in respect of its provisions for employment land.

Great Crested Newts

18. The appeal sites and their environs lie in a landscape within this part of north east Wales which is assessed as supporting a nationally important population of the protected great crested newt, largely owing to the high density of ponds supporting the species. Each site has a single pond present within its boundaries which is rated as "good" for its suitability to support great crested newts. Given the presence of ponds both on the sites and in the surrounding area, as well as the existence of several records of great crested newts within the surrounding 2km area, it is agreed that there is high potential for the species to be present on the sites, using the ponds and hedgerows.
19. The appellant produced an Extended Phase 1 Habitat Survey of the combined sites in June 2014 and followed this with a Great Crested Newt Method Statement for each site in July 2015. Natural Resources Wales (NRW) were consulted over the proposals and expressed concern that the information provided was insufficient to rule out potential adverse effect on great crested newts identified as likely to be present in the area. Particular points of concern were that the ecological submissions failed to explicitly consider the current conservation status of the great crested newt population or the impacts of the proposal on the maintenance of favourable conservation status and that insufficient consideration had been given to the need for disturbance avoidance, mitigation and compensatory measures.

20. Subsequent to the Council's decisions the appellant has had further dialogue with NRW and carried out further work, culminating in a Great Crested Newt Method Statement (Revision 1): March 2016 for each proposal, which has been commented on by NRW. The revised approach includes the provision of a dedicated compensation area, which was previously the principal issue of concern to NRW. In summary, NRW has indicated that the revised approach is satisfactory in principle, although a number of details including long term monitoring and management will need to be addressed, potentially either by condition or planning obligation. In respect of the detail of the compensation area, NRW has advised that consideration is given to the submission of further information to demonstrate that the measures are sufficient for the purposes of offsetting the potential impacts of the proposals.
21. The land on which the compensatory measures are proposed comprises a 3ha field which lies outside but adjoins the two appeal sites. The appellant has confirmed that this land, which evidently is in the same ownership as some of the appeal land, is within its control. The appellant considers that under these circumstances provision of adequate compensatory measures to ensure no likely detriment to the favourable conservation status of the great crested newt population(s) in the area can be secured by means of a planning condition.
22. The Council has acknowledged the production of the revised method statement. It has indicated that, if this now forms part of the appellant's formal proposals, then in the light of the comments made by NRW the Council would not wish to pursue this reason for refusal, subject to the implementation and long term management of the compensation area being secured. However, it considers that a section 106 planning obligation is necessary to address this matter because the compensatory area lies outside of either appeal site. In the event that a section 106 obligation is not forthcoming, its position is that the appeals should be dismissed on the basis that the developments will not be able to take place without adverse impact on great crested newts, thereby rendering the proposals contrary to UDP policy EC6.
23. Paragraph 3.25 of Welsh Government Circular 16/2014 states that conditions may be imposed on land that falls outside the application site provided the land is within the control of the applicant. Paragraph 3.26 further states that potential difficulties may also be avoided by drafting a condition in a form that prevents development occurring until certain matters have been resolved. Having regard to this guidance, I am satisfied that adverse impact on great crested newts in the area can be guarded against by securing appropriate avoidance, mitigation and compensation measures via an ecological method statement, and that this can be done by an appropriately worded planning condition in the circumstances of these two cases.
24. I conclude that, in the light of the avoidance, mitigation and compensation measures that can be secured via a condition requiring the prior approval of an ecological method statement, including arrangements for its subsequent implementation/adherence over the lifetime of the development, both proposals comply with policy EC6 of the UDP.

Other material considerations

25. National planning policy recognises the need to increase energy production from renewable, low carbon sources, thereby contributing towards tackling climate change as part of the broad agenda of delivering sustainable development. Solar power is a key technology in delivering low-carbon energy generation. The proposals together would generate 8.06 GWh of renewable energy each year (sufficient to power approximately 2430 homes), thereby making a positive contribution towards meeting renewable energy targets. UDP policy PS12 supports renewable energy proposals, provided that the wider environmental benefits are not outweighed by any detrimental impacts on the landscape, public safety and the local environment.
26. The Council's assessment of the proposals is that there would be no unduly adverse landscape or visual effects, subject to the implementation of landscaping and screening measures including maintaining existing hedgerows at an increased height. It considers that there would be no material harm to the living conditions of residents in the vicinity of the sites. The arrangements for vehicular access to the sites, during installation and through the lifetime of the development, are considered satisfactory by the local planning authority and the highway authority. Although Francis Lane is narrow, it is lightly trafficked, has level verges and generally provides good forward visibility. With the provision of additional passing places as proposed, appropriate standards of highway safety will be maintained. Although during construction there will be a level of traffic generation which may be noticeable to residents of Hugmore Lane and Francis Lane in particular, this should be tolerable in the short-term and not seriously harmful to amenity, in my view. I find no reason to disagree with the Council's conclusions on these matters.
27. Aside from the great crested newts issue the Council finds no adverse effects on the local environment which weigh against the proposals. The sites are pasture land of moderate agricultural quality (classified grade 3b); grazing would be possible during the operation of the solar farm and the land would be reinstated at the end of the solar farms' operational life.
28. Given the above, and taking into account my earlier conclusions in relation to great crested newts, I find that both proposals comply with and so derive support from policy PS12 of the UDP, and accord with the development plan overall. Moreover, the contribution which each proposal would make to the generation of energy from renewable, low carbon sources and combating climate change is a consideration that weighs significantly in its favour in each case.

Conditions

29. The Council has put forward suggested conditions in each case, which I have considered in the light of the guidance in Welsh Government Circular 16/2014. In addition to the usual commencement and approved plans conditions, conditions specifying the life of the permissions and decommissioning/restoration of the sites are needed because of the limited lifespan of the development. I have adjusted the timescales for confirming the decommissioning/restoration details to ensure that these requirements are reasonable. Construction Environment and Management Plans are required to regulate the installation of the developments, to protect amenity and the local environment; Arboricultural Method Statements are needed to ensure that retained vegetation is adequately protected. Conditions to secure soft landscaping are needed to ensure that the visual impact of the schemes is acceptable. In relation to this a requirement that existing and new hedgerows are maintained at appropriate heights is needed.
30. In the case of the proposal on land south of Francis Lane a condition is also required concerning the provision of additional passing places on the lane, in the interests of highway safety.
31. Finally, in the light of my conclusions regarding the issue of measures to safeguard the local population(s) of great crested newts I shall impose an additional condition on both permissions concerning this matter.

Overall Balance and Conclusion

32. Having taken all matters raised into account I have concluded, in relation to both appeals, that the proposals would not significantly prejudice the forthcoming local development plan in respect of its provisions for employment land, and that subject to the implementation of adequate avoidance, mitigation and compensatory measures, which can be secured by a condition, the effect on great crested newts in the area would be acceptable. Overall, both proposals would accord with the development plan; furthermore the resulting contribution to renewable energy generation weighs significantly in favour of the schemes.
33. In the light of the foregoing I conclude that the balance of considerations weighs decisively in favour of the grant of permission in each case. Accordingly, I allow both appeals.

Alwyn B Nixon

Inspector

Decision APP/H6955/A/16/3147767 - Schedule of conditions

- 1) The development hereby permitted shall begin not later than five years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
TGC/PV001 DEER Revision A1
TGC/PV003 Revision A1
TGC/PV004 Revision A2
TGC/PV007/01 Revision A1
TGC/PV009/01 Revision A1
TGC/PV010 Revision A3
2V Racking System – Revision 2
226-01-PV Francis Lane Site Design drawings Revision C2 (including temporary construction compounds and western passing point drawing (Revision C1)).
- 3) No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in accordance with the Method Statement as approved. The Method Statement shall include the following:
 - a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
 - b) A Tree Protection Plan showing the location of the trees to be removed and those to be retained with their crown spreads, root protection areas, construction exclusion zones and location of protective fencing and ground protection measures accurately plotted;
 - c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree root protection areas or construction exclusion zones, including any relevant sections and method for avoiding damage to retained trees;
 - d) Details of general arboricultural matters including proposed practices in respect of cement mixing, materials storage and fires;
 - e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the local planning authority;
 - f) Details of all proposed tree works, including felling and pruning.
- 4) No development shall take place until a Construction Environment and Management Plan has been submitted to, and approved in writing by, the local planning authority. Construction shall thereafter be carried out in accordance with the Plan details as approved.
- 5) No construction works shall take place on the site until the passing places on Francis Lane, as shown on the approved plans, have been laid out, surfaced and drained in accordance with details that shall have first been submitted to and approved in writing by the local planning authority.

- 6) No part of the development shall commence until a soft landscaping scheme, to include a timescale for the implementation of the measures contained in the scheme, has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include provision for maintaining existing hedgerows and proposed sections of new hedgerow at specified minimum heights for the duration of the lifetime of the development. The landscaping scheme shall be implemented in accordance with the approved details.
- 7) The landscaping scheme as carried out in connection with Condition 6 shall be retained and maintained throughout the lifetime of the development. Within this timescale, any planting dying, becoming severely damaged or seriously diseased or being removed without the written permission of the local planning authority shall be replaced in the first available planting season with trees or hedgerow planting of the same species and specification as originally planted.
- 8) The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of its first use for the generation of electricity or within 9 months of the cessation of use of the site for the generation of electricity, whichever is the sooner.
- 9) The decommissioning and restoration of the site shall be carried out in accordance with a method statement that shall be submitted to and approved in writing by the local planning authority before decommissioning and restoration takes place.
- 10) No development shall take place until a detailed ecological method statement for great crested newts, based on the measures contained in the GCN Method Statement Revision 1: March 2016 and containing avoidance and mitigation measures and a dedicated amphibian habitat compensation scheme sufficient to show no likely detriment to the maintenance of the favourable conservation status of the local great crested newt population(s) has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include details of the timing of the implementation of the proposed development and provision and completion of the proposed amphibian habitat compensation measures; biosecurity and ecological compliance audit; arrangements concerning occupancy, maintenance, monitoring and proper management of the compensation area throughout the lifetime of the approved development (including eventual decommissioning). The ecological method statement so approved shall thereafter be adhered to in all respects.

[Conditions end]

Decision APP/H6955/A/16/3147773 - Schedule of conditions

- 1) The development hereby permitted shall begin not later than five years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
TGC/PV001 DEER Revision A1
TGC/PV003 Revision A1
TGC/PV004 Revision A2
TGC/PV007/01 Revision A1
TGC/PV009/01 Revision A1
TGC/PV010 Revision A3
2V Racking System – Revision 2
226-04-PV Gourton Hall Site Design drawings Revision B1 (including temporary site compound).
- 3) No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in accordance with the Method Statement as approved. The Method Statement shall include the following:
 - a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
 - b) A Tree Protection Plan showing the location of the trees to be removed and those to be retained with their crown spreads, root protection areas, construction exclusion zones and location of protective fencing and ground protection measures accurately plotted;
 - c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree root protection areas or construction exclusion zones, including any relevant sections and method for avoiding damage to retained trees;
 - d) Details of general arboricultural matters including proposed practices in respect of cement mixing, materials storage and fires;
 - e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the local planning authority;
 - f) Details of all proposed tree works, including felling and pruning.
- 4) No development shall take place until a Construction Environment and Management Plan has been submitted to, and approved in writing by, the local planning authority. Construction shall thereafter be carried out in accordance with the Plan details as approved.
- 5) No part of the development shall commence until a soft landscaping scheme, to include a timescale for the implementation of the measures contained in the scheme, has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include provision for maintaining existing hedgerows and proposed sections of new hedgerow at specified minimum heights for the duration of the lifetime of the development. The landscaping scheme shall be implemented in accordance with the approved details.

- 6) The landscaping scheme as carried out in connection with Condition 5 shall be retained and maintained throughout the lifetime of the development. Within this timescale, any planting dying, becoming severely damaged or seriously diseased or being removed without the written permission of the local planning authority shall be replaced in the first available planting season with trees or hedgerow planting of the same species and specification as originally planted.
- 7) The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of its first use for the generation of electricity or within 9 months of the cessation of use of the site for the generation of electricity, whichever is the sooner.
- 8) The decommissioning and restoration of the site shall be carried out in accordance with a method statement that shall be submitted to and approved in writing by the local planning authority before decommissioning and restoration takes place.
- 9) No development shall take place until a detailed ecological method statement for great crested newts, based on the measures contained in the GCN Method Statement Revision 1: March 2016 and containing avoidance and mitigation measures and a dedicated amphibian habitat compensation scheme sufficient to show no likely detriment to the maintenance of the favourable conservation status of the local great crested newt population(s) has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include details of the timing of the implementation of the proposed development and provision and completion of the proposed amphibian habitat compensation measures; biosecurity and ecological compliance audit; arrangements concerning occupancy, maintenance, monitoring and proper management of the compensation area throughout the lifetime of the approved development (including eventual decommissioning). The ecological method statement so approved shall thereafter be adhered to in all respects.

[Conditions end]