



# Appeal Decision

Inquiry held on 28, 29 and 30 April 2009

Site visit made on 5 May 2009

by **Roger Pritchard MA PhD MRTPI**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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**Decision date:**  
**21 May 2009**

**Appeal Ref: APP/Q3305/A/08/2071122**

**Land included within Mitchell's Elm Farm, Cockpit Lane, Wanstrow, Somerset, BA4 4SN**

- 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 Mr B James and the Frome and District Pistol Club against the decision of Mendip District Council.
- The application Ref 106765/003, dated 19 January 2004, was refused by notice dated 17 September 2007.
- The development proposed is change of use to leisure; creation of outdoor shooting ranges; construction of indoor shooting range plus clubhouse; and formation of new access road.

## Decision

1. I allow the appeal, and grant planning permission for change of use to leisure; creation of outdoor shooting ranges; construction of indoor shooting range plus clubhouse; and formation of new access road on land included within Mitchell's Elm Farm, Cockpit Lane, Wanstrow, Somerset, BA4 4SN in accordance with the terms of the application, Ref 106765/003, dated 19 January 2004, and the plans listed under Schedule A, and the conditions listed under Schedule B to this decision.

## Application for Costs

2. At the Inquiry an application for costs was made by Mr B James and the Frome and District Pistol Club ('the Club') against Mendip District Council. This application is the subject of a separate Decision.

## Main issue

3. I consider the main issue to be the effects of noise likely to be generated by the proposed development. Those effects need to be assessed against their impact on the occupants of noise sensitive properties, other users of the countryside and wildlife in the area.

## Procedural Note : Site Visit

4. Because of the nature of the main issue, special arrangements were made for the site visit. This took place on the afternoon of Tuesday 5 May. The appellants laid on a test firing at the site. This comprised shooting by a 7.62mm full bore rifle, fired horizontally in the direction of the proposed 100 metre range, and by an under and over shotgun, fired upwards at an angle of

c.30° from the positions approximating to those proposed for the skeet range. Groups of five shots were fired by both the rifle and shotgun whilst I was at six locations – the site itself, Mitchell’s Elm House, Talbot Farm, the entrance to Wellington Farm, the south east corner of All Hallows School and the lane immediately adjacent to Coldharbour Farm.

5. I was accompanied throughout by representatives of both main parties, and at Mitchell’s Elm House by the owner and at All Hallows School by the Headmaster. A representative of the Council was present at the appeal site throughout the test firing. Weather conditions were generally overcast but dry. The consensus was that the wind direction was from the WSW, gusting to 15-20mph. This was not a scientific test but it provided useful reinforcement to the results of the previous tests to which I refer below.

## **Reasons**

### *The proposed development*

6. The proposed development would comprise an indoor, 25 metre, shooting range, with capability for use by a wide range of carbines, airguns and small bore firearms, in a building which would also provide clubhouse and storage facilities. There would also be three outdoor ranges. Immediately to the north of the indoor range would be a 50 metre range, with 29 firing points. To the west would be a 100 metre range, with 10 firing points and a capability of use by full bore rifles. In the south west corner of the site would be a shotgun layout with a skeet range and clay traps.

### *The site*

7. The site, of just under 4 ha, is to the south of the A361, Shepton Mallet to Frome road, about 1km south of the entrance to Torr Quarry. It forms a shallow basin, tipped slightly down to the east. It comprises poorly drained, rough pasture with an artificial pond on the eastern side. There are mature woodlands, Monk and Haygrove Woods, to the west and north respectively. Both are County Wildlife Sites. Access is via a track from the north east that leaves Haygrove Lane near a bridge over the railway that serves Torr Quarry.

### *The planning policy context and the need for the facility*

8. Policy SN14 of the adopted Mendip District Local Plan permits the development of formal countryside leisure facilities if there is a need and no harm to the environment would be caused by the nature, scale, extent, frequency or timing of the activities proposed. Policy SN14 conforms to national advice in Planning Policy Guidance 17, *Planning for Open Space, Sport and Recreation* (PPG17).
9. Target shooting is a well-established sport, nationally administered through bodies like the National Rifle Association (NRA) and National Small-Bore Rifle Association (NSBRA), and with Olympic credentials. The Club, which is registered with the Home Office, has some 140 members, some of whom have shot in national and international competitions. It has been in existence for over thirty years. It currently has an indoor, small bore range in Frome with occasional use of Ministry of Defence (MoD) ranges at Warminster. Clay pigeon shooting takes place at Mitchell’s Elm Farm under permitted development rights. Shooting predominantly occurs at the weekend with 20/25 club

- members normally attending. Prior to 2001, the Club fired in a disused quarry elsewhere in Mendip District but this ended when the lease expired. The proposed development would concentrate the Club's activities on a single site.
10. The Frome facility is limited in scope and the Club (like any other private club) must have low priority on MoD ranges over the needs of national defence. No substantive evidence was put to me challenging the need for the Club to find new facilities if the full range of its activities were to continue. There are other shooting facilities in the wider area, but it was not demonstrated that these had the capacity in scale or facilities to provide for the Club's activities. I therefore accept that the proposed development meets the first criterion of adopted Policy SN14.
  11. PPG17 states that sports facilities in rural areas that may attract significant numbers of spectators should normally be located in, or at the edge of country towns. It also comments that developments will require special justification if they are to be located in the open countryside, though favourable consideration should be given to proposals that involve farm diversification. The appellants have not advanced farm diversification as a particular justification for the development, though I accept that this would be an incidental benefit.
  12. Shooting, especially on outdoor ranges, presents particular locational issues, for example with regard to safety and environmental effects. These factors mean that shooting facilities may be better located away from populated areas and I consider that there should be no objection in principle to a countryside location for the proposed development. This is reinforced by the long-tradition of informal shooting in the countryside, of which clay pigeon shooting on the site is an example.
  13. Nevertheless, the issues associated with shooting facilities require special consideration. The second part of Policy SN14 reflects this and was the basis for the Council's refusal of the original application. That refusal was founded on the single issue of the potential noise effects of the proposed development. Policy Q12 of the adopted Local Plan will not permit 'noise generating development' where it would materially harm the character of the area or the amenities of the users of sensitive development. Policy Q12 reinforces the more general criteria of Policy Q1 that seek to protect the amenity of neighbouring buildings and land uses.

#### *Proposals to Mitigate Noise Generation*

14. This is not a conventional application for open air clay pigeon shooting, but a development that proposes facilities covering a wide span of recreational target shooting. In this context, measures to mitigate against the noise that may be generated are of considerable significance. Planning Policy Guidance 24, *Planning and Noise* (PPG24) stresses that mitigation against the effects of noise may be provided through engineering, layout and administrative measures.
15. The indoor range would be within a building constructed of materials and in a manner such that noise emissions should be completely eliminated. No evidence to the contrary was presented and neither the Council nor local residents have suggested that firing on the indoor range would cause any significant disturbance. I therefore conclude that this aspect of the development would not be contrary to Policies Q12 and SN14 of the adopted

Local Plan. I have therefore focused on the noise effects of shooting on the outdoor ranges.

16. The 50 and 100 metre ranges would be set in long, shallow pits with acoustic bunds and fencing around them. Firing points would be in acoustically shielded sheds and the direction of firing to the north relates both to the distribution of surrounding properties and the prevailing wind, which is generally agreed to be from the south west. The relationship of these two ranges in front of the indoor range/clubhouse would also provide screening to the south.
17. The clay/skeet layout would fire over an arc from south west to north west towards Monk Wood beyond the west of the site. Further acoustic bunding is proposed around this facility, especially to the south east. Moreover, the appellants have now suggested that a 'shot net', which is proposed primarily as a safety and environmental measure to collect spent lead shot, would provide additional acoustic screening in the direction of fire.
18. Mitigation through engineering and layout measures would be reinforced by restrictions limiting the types of firearms used on particular ranges and the hours when those facilities might be used. I discuss these below.

*The measurement of shooting noise*

19. PPG 24 gives advice on the issue of noise in planning matters. Much useful background is provided, but PPG24 says little specific to the type of development here proposed and nothing about the measurement of shooting noise. General advice (paragraph 11) is to take account of the characteristics of the noise generated, as for example whether there are sudden impulses or irregular patterns.
20. Shooting noise has particular characteristics that distinguish it from noise generated, say by traffic or industrial premises. Both main parties at the Inquiry agreed that the most useful measure was the Shooting Noise Level (SNL) index. The calculation of this is set out in the Chartered Institute of Environmental Health's (CIEH) guidance on Clay Target Shooting. The SNL is based on the average of the loudest 25 shots fired over a 30 minute period (SNL<sub>25 shots;30 mins</sub>). Individual shot noise is measured as the maximum sound pressure within a given time period, which both parties agreed as 125 milliseconds (L<sub>Aeq,125ms</sub>).
21. Any assessment of shooting noise also has to take account of numerous factors that can affect how noise disseminates over the surrounding area. Some factors, such the local topography, will be common to any noise source. However, specific to shooting will be the nature of the firearm used and the direction of fire. The latter interacts with the wind strength and direction to produce an asymmetrical distribution of noise that will vary from day to day as weather conditions change.
22. There is, however, a consensus as to what constitutes an acceptable level of noise generated by shooting. Both main parties agreed that the most appropriate, acceptable upper limit for shooting noise in this area should be 55 dB. This is related to the advice both in the CIEH guidance and from the World Health Organisation that recommend general daytime outdoor noise levels of no more than 55 dB(A)L<sub>eq</sub> where background noise levels are low. Whilst I

recognise that individuals' perception of, and reaction to, noise will vary, I consider that the 55 dB threshold is a reasonable and generally accepted criterion above which annoyance is more likely to occur.

23. In addition to the unscientific assessment that I made at the site visit described in paragraph 4, the main parties conducted two sets of noise tests in October 2008 and April 2009. Any test, however rigorously conducted, will be influenced by those factors, such as wind strength and direction, to which I have already referred. I recognise that there was some disagreement between the main parties about the interpretation of the results of these tests. I am also aware that the main parties have carried out both acoustic modelling of the effects of the development and test firings at other sites designed to predict the effects of mitigation. These, too, were the subject of disagreement.
24. I have taken these matters into consideration, but empirical results of test firing on the site, whatever their limitations, must be the best guide to the probable effects of the proposed development. I also note that all the test firings were conducted in open air conditions without the benefit of any of the noise mitigation measures to which I refer in paragraphs 15 - 17.

*The effects on the living conditions of residents in the area*

25. The CIEH guidance suggests that, for clay pigeon shooting, there should be a noise buffer zone of 1.5km in the general direction of shooting and of not less than 1km in the rearward arc. However, I note that this advice may be modified by the effects of topography, that it takes no account of any measures to mitigate the noise generated and that it may need significant modification if applied to the different conditions of shooting by firearms other than shotguns.
26. Surveys of ambient noise levels confirm that this is a quiet rural area with background noise levels than can be below 30 dB. Nevertheless, there is significant variation between the area to the south of the site, which is particularly quiet, and that to the north where traffic along the A361 produces ambient noise levels between 40 and 45 dB.
27. PPG24 defines noise sensitive development as housing, hospitals and schools. Although the surrounding area is one of low population density by the standards of southern England, there are a number of noise sensitive properties within 1.5km of the site.
28. The nearest residential properties are Mitchell's Elm Farm, itself, and Mitchell's Elm House. Both are just over 200m from the site's south east boundary. The two nearest villages are Wanstrow (c.1.8km to the ESE) and Cranmore (c.2km to the W), but the hamlets of Leighton (c.1km to the NE), Weston Town (c.1km to the SE) and East Cranmore (c.1.4km to the WNW) are nearer. Each has small numbers of residential properties. The last also contains All Hallows School, a preparatory school with a boarding component. There are also a small number of isolated farms and residences between 700 and 1000m from the site, of which Clover Cottage, Withywood Farm, Coldharbour Farm and Withywood Bungalow are all in an arc to the south and south west of the appeal site. Although neither main party could provide exact figures, I estimate that, aside from All Hallows School, there are around a couple of dozen residential properties within c.1.5km of the site.

29. The Club suggested that the use of the 50m range would be restricted to firearms with muzzle energy of less than 2,030 joules. This would effectively ban full bore rifles from this range and thereby generate significantly less noise. Even without any mitigating measures, the test firings strongly suggest that – even without any acoustic mitigation - these lower-energy firearms would not normally result in significant disturbance to neighbouring properties, other than possibly to the two closest, Mitchell’s Elm Farm and Mitchell’s Elm House. Moreover, the direction of fire on the 50m range and the acoustic mitigation proposed lead me to conclude that for even these two properties, the noise impact of this range would be acceptable if that mitigation were in place. I also note, in this context, that neither the Council nor local residents presented specific evidence on the harmful impact of the 50m range, instead concentrating on the impact of the more powerful and louder firearms that I discuss below.
30. I therefore conclude that, providing appropriate mitigation measures are in place, the 50m outdoor range would not result in unacceptable noise levels at any neighbouring noise sensitive property and would not therefore be contrary to Policies Q12 and SN14 of the adopted Local Plan.
31. The effect of the 100m outdoor range is more difficult to assess. Its use would include firing by full-bore rifles with muzzle energy up to 4,500 joules. These would be significant louder than the firearms shot over the 50m range. The test firings in October 2008 and April 2009 suggest that, without any mitigation, some of the neighbouring properties would hear rifles fired on the site. However, it also seems likely that – depending on the circumstances, especially the wind strength and direction - the noise produced would not consistently exceed the 55 dB threshold at most neighbouring properties. Moreover, despite its unscientific nature, I was struck by the fact that at my site visit a full-bore rifle could only just be heard at Leighton to the NE, although there was a positive wind vector, and not at all in East Cranmore to the NW or Coldharbour Farm to the SW. This was, of course, without any acoustic mitigation being in place.
32. There is no argument that the proposed mitigation measures would reduce the impact of the 100m range, though the main parties dispute by how much and thereby their overall impact. My view is that the benefits of layout and engineering works would be relatively greatest for the two residential properties that are nearest - Mitchell’s Elm Farm and Mitchell’s Elm House. The combination of the direction of fire, the shielding provided by the shooting sheds and the overall acoustic screening behind the range would result, in my view, in sufficient reduction to reduce the noise effects on these two properties to an acceptable level.
33. So far as properties further away are concerned, I consider that, even with mitigation measures in place, conditions would occasionally occur that would result in the sounds of firing from the 100m range being heard. However, I was not convinced that, even in such circumstances, disturbance would constitute significant harm. Nor would it consistently affect the same properties. Wind strength and direction would be important, though I concede that the prevailing wind would probably lead to the greater effects being to the north east. Nevertheless, the results of both the October 2008 and April 2009 test firings, my own observations on a day when the wind was from the

prevailing direction and the undoubted mitigation that would result from acoustic screening, combine to convince me that the noise impact would not result in substantial material harm.

34. I therefore conclude that, as with the 50m outdoor range, and providing appropriate mitigation measures are in place, the 100m outdoor range would not result in unacceptable noise levels at any neighbouring noise sensitive property and would not therefore be contrary to Policies Q12 and SN14 of the adopted Local Plan.
35. The clay/skeet range is the most difficult element of the proposed development to assess in terms of its noise impact. Shotguns produce a different noise pattern from rifles. They are likely to be perceived as noisier than the firearms to be used on the 50m range and, in some circumstances, as noisy as those used on the 100m range. Shooting on the clay/skeet range would also be different in pattern, with firing over a wider arc towards the west and generally at a higher angle. The acoustic screening might also be less effective, especially in terms of firing towards the west, though I note that this would be generally against the prevailing wind and that the nearest properties to the south east - Mitchell's Elm Farm and Mitchell's Elm House - could benefit substantially from the screening introduced at the rear of the clay/skeet range.
36. Shotgun firing already takes place on the site under permitted development rights. A number of local residents told me that they could hear that firing. However, the Council reported that there had been no complaints about clay pigeon shooting on the site until very recently, though firing on alternate Sundays has been going on for many years.
37. From the results of the test firing and my own observations, I strongly suspect that the noise impact of shotgun firing on the site would be even more influenced by factors such as the wind strength and direction than would be so for the other ranges. On my site visit, with a brisk WSW wind, it was not possible to hear shotgun firing from East Cranmore and only just possible from Coldharbour Farm. At Leighton, firing could be heard but was faint in relation to ambient noise, especially from the A361. A south easterly wind, though agreed to be rarer, could produce somewhat different results.
38. Despite the limitations of the site visit to which I have already referred, it reinforces my assessment of the results from the test firings in October 2008 and April 2009. As with the 100m range, it is impossible to be confident that, even with mitigation measures in place, conditions would never occur that would result in the sounds of firing from the skeet/clay range being heard at neighbouring properties. However, on balance and taking account of the prevailing wind and existing use of the site, I consider that the effects would not be so severe or so focused on any particular property or group of properties for the noise impact to be unacceptable.
39. Overall, I conclude that with the proposed engineering and layout mitigation measures in place, the noise impact of the indoor range and the 50 and 100m outdoor ranges would be acceptable. The impact of the clay/skeet range would, in my view, be no greater than that of the current shooting on the site and might well be significantly less for some properties, especially those to the south east.

40. In coming to this conclusion, I have taken into account the evidence that there would not be a significant increase in cumulative impact from the use of the different ranges at the same time. However, I also accept that the impact of the proposal would be significantly influenced by the restrictions that could be placed on the times of shooting. I discuss this matter below after considering the impact of firing on other issues.

*The effects on other users of the surrounding countryside*

41. No public footpaths or bridleways cross the site. There are, however, three public rights of way close by. I consider that there is no reason to believe that disturbance to users of the footpaths to the west of the site or to the north of the railway line would be unacceptable. The former is beyond Monk Wood and is partially shielded by the topography. The latter lies behind the industrial site known as Trinidad Works and is significantly closer to the A361 with its higher ambient noise levels.

42. So far as the third right of way, FR17/52 that runs between Mitchell's Elm Farm and Mitchell's Elm House I recognise that there is already an issue created by shooting on the site under permitted development rights. I was told that there are bridleway rights over part of this right of way and I accept that horse riding on lanes to the south east of the site can already be adversely affected on days when shotgun firing occurs. A special test was carried out in August 2007 to look at these effects and it demonstrated that there was, without mitigation, the likelihood that shooting would produce a safety hazard to riders in this area.

43. However, the acoustic screening proposed for the 100 metre range that is specifically designed to reduce the impact on Mitchell's Elm House would also benefit these rights of way. I am not confident that this would necessarily completely eliminate risk, especially to inexperienced riders or nervous horses, but I consider they would be substantially reduced. I also accept that the effects from the clay/skeet range might still be noticeable when the wind was in the 'wrong' direction, i.e. from the north west. However, I have to take account of the existing firing on the site and, on balance, I consider that the proposed development, with mitigation in place, would not represent a significantly increased risk over the current position in this respect. In coming to that conclusion, however, I accept the comments from local horse riders that knowing when shooting was going to take place was likely to be as important if it thereby allowed alternative routes to be used.

*The effects on wildlife*

44. Representations on the possible adverse effects of noise from the proposed development on wildlife concentrate on the impact on the Merehead (or Torr) reservoir that lies to the north west of the site beyond Monk Wood. This is a feature that has existed for only something over five years and which is a consequence of previous permissions associated with the quarry development at Torr. The reservoir is not nationally designated for wildlife purposes but I was told that it had become a County Wildlife Site in 2008. I accept that there is the probability that some nationally significant species have been seen on the reservoir though no formal surveys or counts have been put before me.

45. However, evidence on the effect of noise, and especially shooting noise, on birds is far from conclusive. Given my conclusion that the effects of the proposal on neighbouring noise sensitive properties would be acceptable with acoustic mitigation in place, I see no reason to conclude that the harm to birds on the reservoir would be any greater. I again accept that there might be some days when the levels of disturbance could be greater because of weather conditions. Nevertheless, I did not hear evidence that convinced me that this was a matter to which I should afford significant weight.

*Administrative mitigation of the effects of noise*

46. There are two main methods for mitigating the impact of noise through 'administrative' means. The first is to restrict the calibre, and thereby noise, of the firearms to be used. I have discussed these matters in the previous section and I am clear that appropriate conditions would be of considerable significance when combined with engineering and layout mitigation.

47. The other 'administrative' means that is recommended by PPG24 is to restrict the hours over which firing takes place. Such measures do not reduce the noise impact of individual firing but may be of significance in reducing the overall disturbance experienced.

48. One administrative restriction that has been accepted by both main parties is that the number of competitions that take place on the site involving persons who are not members of the Club should be restricted to no more than three a year. I recognise that this would be necessary to prevent excessive use of the site. However, because planning permissions run with the land, I have some reservations about a condition specifically applied to members of the appellants' Club. In these circumstances, I consider that a condition to this effect should be applicable to any successor organisation shooting on the site.

49. Firing on the indoor range is not a significant issue in this respect on the assumption that the sound insulation of the building is carried out as proposed. The appellants look for firing seven days a week between 10:00 hours and 22:00 hours. No one has seriously challenged this and I can see no reason why these hours should not be acceptable.

50. So far as the outdoor ranges are concerned, the appellants have made clear that no firing would take place outside daylight hours, a restriction that could be reinforced by a condition ensuring that the external lighting of the site is strictly controlled. They have also made clear that for the outdoor ranges, no firing would be undertaken on Mondays, Wednesdays and Fridays. These are both significant restrictions that I consider would go some way to increasing the acceptability of the proposal, especially with regard in the latter case, to giving assurance to horse riders and others about the use of the public rights of way to the south east of the site.

51. A significant number of alternative hours of use for the outdoor ranges on Tuesdays, Thursdays, Saturdays and Sundays have been put forward by both the appellants and the Council during the evolution of this proposal. I recognise both parties' efforts to seek agreement but there is some danger, in my view, of confusion both on the site and locally as to what firing was to be allowed and when.

52. In particular, I consider that there is little justification for distinguishing between Saturdays and weekdays in terms of times of firing, though I accept firing should be more restricted on Sundays. With regard to the last, I have especially noted the appellants' acceptance of a proposal that shooting on the 100m and clay/skeet ranges should only occur on one Sunday in two. The noisiest firearms would therefore not be fired on alternate Sundays.
53. Nor do I consider that the case for different starting times on the different ranges is well-made, though I do accept that, daylight permitting, shooting could be allowed later on the 50m range, from which the noise effect would be considerably less. Rather than imposing a complex matrix relating the hours, the individual range and the type of firearm, I consider that a more effective form of control would be a single time of firing applied to each individual outdoor range with a condition, as suggested by the appellants, that would limit the muzzle energy – and thereby the noise – of the firearms to be used on different parts of the site.
54. Given my overall conclusions as to the effectiveness of the noise mitigation measures, I see no reason to impose a condition with the presumption that after 18 months, a more restrictive regime might be introduced. This would amount to a temporary planning permission that I consider unjustified, would withhold certainty from both the appellants and local residents and runs the risk that the whole matter would be reopened within a matter of months.
55. I do accept, however, that it is necessary that the noise impact of the development be monitored and controlled. The appellants offered a condition, agreed by the Council, that were permission to be granted, they would accept a noise limitation of 57dB SNL at any noise sensitive property outside the site. (The limit would reflect the CIEH and WHO guidance, taking account of error that might be introduced into any measurement.) This would be a valuable condition in my view, giving a lot of assurance to local residents and reflecting the confidence that the appellants have in the effectiveness of their acoustic mitigation measures.

*Summary on the main issue*

56. In considering the wider effects of noise from the proposed development, I gave consideration to the Council's view that the collective impact would result in substantial material harm to the overall character of the area. I recognise that the character of the area is predominantly rural but the appeal site is close to other uses, including the Trinidad transport works and Torr Quarry and its associated transport links and the A361, which is a relatively busy main road. These uses already intrude upon the area's character. Even the Merehead reservoir, prized though it may now be for its ornithological interest, represents a recent, and somewhat uncharacteristic, intrusion. I therefore consider that the area is not so tranquil and unspoilt that the proposed development would represent an unacceptable element.
57. I therefore conclude that if the impact on the individual elements that I have discussed above is acceptable, there is no reason for me to conclude that the proposed development would result in a significant deterioration in the character of the surrounding area as to be contrary to the first criterion of Policy Q12.

58. I fully appreciate the concerns about the possible noise effects of the development expressed by local residents, as well as those who represent other users of the countryside or have an interest in its wildlife. Nevertheless, I consider that these fears are unfounded. The mitigation measures by way of layout and engineering works to provide acoustic screening would, in my view, substantially reduce the noise impacts of the indoor range and the 50m and 100m outdoor ranges. Those measures would be reinforced by the restrictions on shooting hours that the appellants have accepted.
59. With regard to the clay/skeet facility, though I accept that layout and engineering mitigation measures would have some impact, this would perhaps not be to the same degree as for the other aspects of the development. Nevertheless, I also have to take account of the already fully exercised, permitted development rights for clay pigeon shooting that exist on the site. That activity takes place without any mitigation whatsoever, and I give weight to the view, as expressed by the current resident of Mitchell's Elm House, that the mitigation measures now proposed would result in a significant improvement in conditions for that property and for other residents in the area.
60. I also recognise that for the clay/skeet facility, which the Club claims is less significant in its activities, there must be the possibility of administrative restrictions on the times of use that could ensure that the effects from noise are not substantially greater than from the current permitted development regime.
61. In coming to these conclusions, I recognise that, if permission is to be granted, it is essential that a full range of appropriate conditions is imposed. The primary purpose of conditions is to enable development to go ahead that might otherwise result in unacceptable effects. I consider this to be especially important with regard to the development before me where appropriate conditions could reduce its impact to the point where significant material harm to other interests would not result.

### **Other Matters**

62. A number of representations from local residents objected to the principle of a shooting club. I have given these objections no weight. Although I understand that some people might have moral or ethical objections to the type of development proposed, target shooting is a legitimate activity and recognised as a sport by national and international bodies. The sole issue before me is whether the development represents a suitable location for the activities proposed.
63. There are, however, four issues apart from noise that I need to address.
64. The first is range safety. The appellants' presented substantial evidence on this matter that was not challenged by the Council or local residents. Nevertheless, I recognise the proper concern about this matter, which the appellants acknowledged, and it was emphasised to me that, were permission to be granted, conditions would need to be imposed on the development and its operations that took these matters into account. I agree. There is no comprehensive control regime, though advice is provided in Home Office Circular 031/2006 and both the NSBRA and/or the NRA are given important roles in establishing proper range safety. Nevertheless, the Circular

emphasises that range safety is the primarily the responsibility of range owners and operators. Appropriate planning controls can, in my view, reinforce and guarantee those arrangements.

65. The second is the possibility of environmental pollution from the proposed development, particularly as might result from contamination by lead shot. The appellants recognised this issue and put forward conditions designed to mitigate any harmful effects. My conclusion is that such measures would substantially resolve any potential contamination that might occur from the development and that this matter should not weigh significantly against it.
66. The third issue was that the Somerset Wildlife Trust made representations at the Inquiry that insufficient account had been taken of the wildlife value of the site. I distinguish this matter from possible effects on birds from the noise generated by the development that I have discussed above.
67. I note that the Wildlife Trust has significantly changed its stance since commenting on the original application. The appellants commissioned an ecological survey of the site in April 2006. This was independently verified for the Council later that year. Neither exercise produced sufficient evidence to cause the Council to include this issue in its reasons for refusal. Nor has there been any objection to the development from the Government's statutory advisor on these matters, Natural England. Whilst I recognise the Trust's concerns, it presented me with no firm evidence to contradict the results of those earlier surveys and I cannot give this matter substantial weight. Nevertheless, I recognise that there may be a need, were permission to be granted, for a condition to provide for appropriate mitigation if protected species came to light during the process of development.
68. Finally, I also received objections raising issues of highway safety. I recognise that, although the access to Haycroft Lane from the A361 is satisfactory with an appropriate turning lane, the entrance to the site is currently difficult, being close to both a bend and a railway bridge. However, I note that the Highway Authority has made no objection to the proposal, providing that appropriate conditions are imposed to ensure that the access to the development is satisfactorily improved. I accept this and consider that highway safety issues are not reasons why permission should be withheld.

### **Conditions**

69. I have considered the conditions, and alternative forms of condition, put forward by the parties in the light of my conclusions as set out above and the general advice set out in Circular 11/95. PPG 24 emphasises that mitigation measures, such as discussed above, can make a noise-generating development acceptable and can be enforced by the imposition of appropriate conditions. I consider that this is especially important in making the proposed development acceptable.
70. Nevertheless, there are also basic conditions, common to any development of this scale, which need to be imposed. I shall impose a condition requiring prior approval of the external materials to be used in the construction of the indoor range/clubhouse. A landscaping scheme also has the potential to improve the general look of the site and provide better boundary treatment. I shall impose conditions requiring such a scheme and its implementation. The current access

to the site is sub-standard but offers the opportunity for improvement through reconstruction on the basis required by the Highway Authority. I shall impose conditions to this effect, including the provision of appropriate visibility splays, and also a condition to ensure that the parking area is provided in conformity with the plans as amended.

71. The Council expressed concerns that neighbouring sites might have caused the leaching of hazardous material into the soil of the site and I agree that conditions requiring investigation of ground remediation measures, and action if a problem is discovered are necessary. So is a condition requiring appropriate foul drainage from the site to be provided, given the provision of the clubhouse.
72. With regard to the specific consequences of the development, a fundamental condition has to be the hours during which the ranges may be shot over. I have discussed this matter at length in paragraphs 46 to 52. I shall impose conditions in line with my conclusions, including conditions restricting the use of the 50 and 100m ranges to firearms with appropriate muzzle energy and limiting the use of shotguns to the clay/skeet range. These conditions are, in my view, likely to be as effective as any time restrictions in limiting the noise generated by the development. In addition, for the outdoor ranges, the general principle should be that there would be no shooting outside daylight hours, and I consider this is best enforced through a condition restricting the installation or use of external lighting on the site. I shall also impose a condition requiring monitoring of the noise effects of the development and setting a limit for external noise as I discuss above in paragraph 55.
73. In addition to conditions restricting the types of firearms to be shot, the hours during which individual ranges are to be used and that ensure appropriate noise mitigation methods are in place, I consider it necessary to ensure that the use of the ranges is managed according to the principles set out in Home Office Circular 031/2006 and that appropriate range certificates are obtained and range records are kept. I shall impose appropriate conditions to this effect, the details of which should reflect the discussion at the Inquiry.
74. Conditions also need to be imposed to ensure that the acoustic bunds, shooting sheds, acoustic fencing and shot netting proposed are constructed, maintained and retained in a form that ensures that they will deliver the noise mitigation promised. I shall impose conditions to ensure that the details are approved before development begins.
75. There is a need to ensure that the future management of the site conforms to satisfactory principles of environmental management. A condition requiring the preparation, submission and agreement of an environmental management plan has been proposed. I agree this is necessary and that it should especially include measures to manage the recovery of lead from the site. I shall impose such a condition. Finally, there is a necessity in my view to impose a condition requiring the preparation, submission and agreement of a construction method statement that will ensure that the development will take place in a manner that respects the environmental character and value of the site and surroundings.

**Conclusion**

76. For the reasons given above, and taking account of all the matters put before me, I conclude that the appeal should be allowed.

*Roger Pritchard*

INSPECTOR

## **SCHEDULE A : PLANS RELEVANT TO THE APPROVED DEVELOPMENT**

FDPC –NR04 – Location Plan  
FDPC-NR03 – Access Plan  
142/01 Rev E – Existing Site Layout  
142/06 Rev C – Proposed 50m Range Plan and Section  
142/07 Rev G - Proposed 100m Range Plan and Section  
142/08 Rev B - Proposed Indoor Range/Clubhouse Plan, Section, Elevations  
142/10 Rev A – Existing Site Cross Sections  
142/15 Rev E - Proposed Site Layout 3  
142/16 Rev B - Proposed Site Cross Sections – Sheet 1 of 2  
142/17 Rev B - Proposed Site Cross Sections – Sheet 2 of 2  
142/18 Rev C – Proposed Site Landscaping  
16953 PR01 (Rev A) Proposed Bund Layout : Site Plan Extract  
16953 PR02 (Rev B) Proposed Bund Layout : Sections A-A and B-B

## SCHEDULE B : LIST OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the indoor range/clubhouse hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 3) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatments and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the hard surface treatment of the open parts of the site; details of topsoil and subsoil depths on the bunds and detailed species mixes with size and planting, spacing, and details of mulching and other horticultural techniques to promote good plant establishment; screen planting; details of treatment of internal faces of bunds; details of any retaining walls or similar; and a programme of implementation.
- 4) All landscape works shall be carried out in accordance with the details approved under Condition 3). The works shall be carried out prior to the use of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the local planning authority.
- 5) The proposed access shall be constructed in accordance with the details shown on Plan No. 142/15 Rev E, and shall be properly consolidated and surfaced (not with loose stone or gravel) over the first 8m of its length as measured from the edge of the adjoining carriageway. The access shall be available for use before any other works are carried out in order to implement the development hereby approved and shall be retained thereafter.
- 6) There shall be no gates erected along the access to the site within 8m as measured from the edge of the adjoining carriageway. The gates shown on Plan No. 142/15 Rev E shall be hung to open inwards and shall be retained as such thereafter.
- 7) No structure or erection exceeding 0.9 metres in height above the adjoining road level shall be placed in advance of lines drawn 2.0 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 90.0 metres either side of the access as shown on Plan No. 142/15 Rev E. Such visibility splays shall be fully provided before any other

works are carried out in order to implement the development hereby approved and shall be retained thereafter.

- 8) The areas allocated for parking set out on amended plan no. 16953 PR01 Rev A shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.
- 9) Before the development hereby permitted begins, a soil survey of the site shall be undertaken and the results submitted in writing to the local planning authority. The survey shall be taken at such points and to such depth as the local planning authority may stipulate.
- 10) In the event that ground remediation is required by virtue of Condition 9), a completion report shall be submitted to the local planning authority before the development hereby permitted comes into use. It shall provide a validation of the remediation work carried out and the measures taken to manage any risks for the development. It shall be accompanied by a remediation certificate, signed by the developer, confirming satisfactory remediation of the site on completion of all remedial works.
- 11) All foul drainage from the site shall be connected to and contained within a sealed and watertight cesspool tank, fitted with a warning device to indicate when the tank needs emptying. The disposal of collected waste shall be carried out by a licensed subcontractor.
- 12) Shooting shall not take place on the site other than between the hours set out in the table below :-

<b>Range</b>	<b>Days</b>	<b>Hours</b>
Indoor	Seven days a week	10:00 to 22:00
50 metre	Tues/Thurs/Sats	10:00 to 19:30
	Sundays	10:00 to 16:00
100 metre	Tues/Thurs/Sats	10:00 to 16:00
	Alternate Sundays*	10:00 to 14:00
Clay/Skeet	Tues/Thurs/Sats	10:00 to 16:00
	Alternate Sundays*	10:00 to 14:00

\* Provided that nothing in this consent shall allow shooting on the 100 metre range and clay skeet range on concurrent Sundays.

- 13) In addition, there shall be no shooting on the outdoor ranges on Christmas Day, Easter Sunday and Bank and Public Holidays, with the exception of Boxing Day and New Years Day when shooting will be restricted to between the hours of 10:00 and 14:00. On Remembrance Sunday, normal shooting hours will be permitted with the exception that the two minutes silence shall be observed at 11:00 hours.
- 14) No external lighting shall be installed or used at the site unless in accordance with details that shall have first been submitted to and approved in writing by the local planning authority. Those details shall

- include the number, type, technical specification and luminescence of each light source, as well as of any shielding proposed. Development shall be carried out in accordance with the approved details and shall be retained thereafter.
- 15) The 100 metre range hereby permitted shall not be used for the discharge of firearms with a muzzle energy exceeding 4,500 joules, and the 50 metre range hereby permitted shall not be used for the discharge of firearms with a muzzle energy exceeding 2,030 joules. No shotguns shall be discharged on either the 100 or 50 metre ranges hereby permitted. No firearms other than shotguns shall be discharged on the clay/skeet range hereby permitted. Details of these restrictions shall be recorded on the appropriate range safety certificates specified in Condition 14).
  - 16) Notwithstanding the provisions of Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no shooting shall take place on the site other than on the ranges and during the hours specified in Condition 12).
  - 17) Unless otherwise agreed in writing beforehand by the local planning authority, no more than 3 competitions, lasting no more than 2 days and involving competitors who are not members of the Frome and District Pistol Club, shall be held on the site per calendar year.
  - 18) Before the development hereby permitted comes into use, the timing, location and arrangements for the monitoring of its noise impact shall be submitted to and agreed in writing by the local planning authority. The noise level emitted from the site shall not exceed 57dB as a Shooting Noise Level, as defined in the Chartered Institute of Environmental Health's, *Clay Target Shooting: Guidance on the Control of Noise*, 2003, and as measured at any noise sensitive property outside the site boundary and existing at the date of this decision.
  - 19) Within not less than twelve months from the development hereby permitted first coming into use, appropriate safety certificates for all the ranges hereby permitted shall be obtained from the National Small-Bore Rifle Association and/or the National Rifle Association. These certificates shall be renewed at an interval of not more than three years and shall be made available for inspection by the local planning authority within 48 hours of any written request to this effect.
  - 20) Records shall be kept of the use of all the ranges hereby permitted, including the type and number of firearms used, the number of rounds fired and the hours used. These records shall be kept for a period of not less than ten years and shall be made available for inspection by the local planning authority within 48 hours of any written request to this effect.
  - 21) The indoor range/clubhouse hereby permitted shall be constructed so as to provide sound insulation against internally generated noise from firearms such that this shall not be audible at any point on the boundary of the site.
  - 22) All acoustic fences, shooting sheds and firing points shall be constructed in accordance with details submitted to and approved in writing by the

- local planning authority. All acoustic fences shall be in place prior to the first use of the development hereby approved. The fences shall be retained thereafter and maintained to the agreed specification.
- 23) No development shall take place until a geotechnical report prepared by a qualified structural engineer has been submitted to and approved in writing by the local planning authority in respect of the construction of the bunds. This report shall include details of the location and height of the bunds, cross-sections showing their detailed construction, taking into account the proposed landscaping works required by Condition 3), including details of topsoil depth; details of the type, extent and materials for reinforcement; and a detailed drainage design dealing with surface water run-off. It shall also provide details as to how the structural stability of the bunds and the structural integrity of the acoustic fences on top of the relevant bunds is to be achieved and maintained. The report shall provide for periodic inspection of the bunds during construction by a qualified structural engineer to ensure compliance with the specification, and for ongoing monitoring of the bunds during operation of the development to identify the need for any remedial works, including methods or measures to ensure that the bund heights are maintained if subsidence occurs. The report shall include a programme of implementation for the works. The permitted bunds shall be constructed in accordance with the approved details. The completed bunds shall be assessed by a qualified structural engineer and a written report confirming their structural integrity and compliance with the agreed specifications shall be submitted to and approved in writing by the local planning authority prior to the development hereby permitted coming into use.
- 24) Notwithstanding Plan no. 142/15 Rev E, the acoustic bund to the south and southeast of the 100 metre range and adjacent to the parking area shall be located in accordance with the position shown on Plan no. 16953 PR01 Rev A.
- 25) No development shall take place until full details of the shot netting and its supporting pylons to be provided on the skeet range have been submitted to and approved in writing to the local planning authority. The development shall be carried out in accordance with the approved details, shall be in place before the skeet range is brought into use and shall be retained thereafter.
- 26) No development shall take place until full details of an environmental management plan for the site have been submitted to and approved in writing by the local planning authority. These details shall include:
- i. a conservation management strategy that sets out how the biodiversity and ecological interest of the site and adjacent designated areas shall be protected and enhanced throughout the operation of the development
  - ii. measures to minimise defoliation of protected trees in Monk Wood occurring from the operation of the skeet range
  - iii. a comprehensive drainage strategy for the site (including run-off from all ranges and bunds)
  - iv. measures to protect the site from the importation of invasive plant species

- v. measures for the management and recovery of lead from the site and surrounding area and planned cleaning and maintenance procedures for the ranges, bullet catchers and back stop bunds. The operation of the site shall be in accordance with the approved details
  - vi. procedures for monitoring of the environmental management plan, ensuring compliance and undertaking periodic review.
- 27) No development shall take place, including any works of demolition, until a construction method statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period and shall be varied only with the prior written approval of the local planning authority. The statement shall provide details for:
- i) normal hours during which construction works shall take place, including details of any construction activities that may require works outside those normal hours
  - ii) temporary accommodation for site operatives and visitors
  - iii) storage of plant and materials used in constructing the development
  - iv) the amounts, type and sources of materials to be imported to or exported from the site, the traffic movements associated with these movements and the numbers and types of vehicles to be used
  - v) procedures for debris reclamation to avoid adverse effect to wildlife
  - vi) wheel washing facilities and other measures to ensure that mud and other debris are not deposited on the local highway network
  - vii) measures to control the emission of dust, dirt, fumes, odour, noise and vibration during construction, including measures to protect ponds and watercourses from silt run-off
  - viii) measures to protect the biodiversity and ecological interest of the site and adjacent designated areas during construction, including those required by the construction of the acoustic bunds
  - ix) measures to protect any existing trees or hedgerows on site that are to be retained in accordance with Condition 3). Protective fencing around such retained trees or hedgerows shall conform to BS 5837:2005 and shall be retained until the development is completed. The protected areas shall be kept clear of any building, plant, material, debris or trenching, existing ground levels shall be maintained, and there shall be no entry to those areas other than for approved arboricultural or landscaping works
  - x) procedures to deal with unexpected and unanticipated finds during the construction of the development, together with measures to ensure that appropriate corrective actions or mitigation are taken
  - xi) methods to deal with noxious species present on site, especially Giant Hogweed (*Heracleum Mantegazzianum*)

## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Martin Evans LLB Instructed by He called John Seller BSc MSc MIOA FSEE  Laura Dewey BSocSc MA	Consultant Solicitor Mendip District Council  Managing Director, John Seller Associates Ltd., 4 Marlowes, Hemel Hempstead, Hertfordshire, HP1 1CD Senior Planning Officer, Mendip District Council
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### FOR THE APPELLANT:

Christopher Young Instructed by  He called Matthew Kendrick BA(Hons) MSc MRTPI Colin Alden  Frank Haxton (Maj. RE (Retd.)) I Eng AMICE	Of Counsel Matthew Kendrick of Barton Willmore Planning Partnership  Consultant, Barton Willmore Planning Partnership, 101 Victoria Street, Bristol, BS1 6PU Consultant to appellants, 152 Heath Road, Orsett Heath, Grays, Essex, RM16 3AD Consultant to appellants, The Gatehouse, Bourn Hall, Bourn, Cambridgeshire, CB23 2TR
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### INTERESTED PERSONS:

*Cllr Gloria Cawood	District Councillor for Downhead and Cranmore, The Gardener's Cottage, East Cranmore, Shepton Mallet, BA4 4SG
Cllr Dick Skidmore	District Councillor for Wanstrow, Cornhill Lodge, Church Hill, Bruton, BA10 0CH
*Lynn Walker	Cranmore Parish Council, Clevelands, West Cranmore, Shepton Mallet, BA4 4QJ
*Stephen Britten	Chair, Downhead Parish Meeting, 'Green Farm', Downhead, nr Shepton Mallet, BA4 4LQ
Mary de Viggiani	Somerset CPRE, c/o Cranmore Cottage, Cranmore, Shepton Mallet, BA4 4SD
Michelle Osbourn	Planning and Advocacy Officer, Somerset Wildlife Trust, Tonedale Mill, Wellington, Somerset, TA21 0AU
*Rod Cochrane	Coles Farm, Wanstrow, Shepton Mallet, BA4 4TQ
*Ian Murphy	Headmaster, All Hallows School, Cranmore, BA4 4SF
*Frances Britten	'Green Farm', Downhead, nr Shepton Mallet, BA4 4LQ
*Bruce Taylor	6 Quaperlake St., Bruton, Somerset, BA10 0HE
*Camilla Heath	Coldharbour Farm, Cranmore, Somerset, BA4 4QR
*Julie Garbutt	South West Regional Development Officer, British Horse Society, Quarry Lodge, Leighton, Frome, BA11 4PN

*Rosemary Parr	Pear Tree Cottage, Wanstrow, Shepton Mallet, BA4 4TF
*Julia Hooker	Home Farm, East Cranmore, Shepton Mallet, BA4 4SG
*Michael White	Hailwoods, Wanstrow, Shepton Mallet, BA4 4SZ
*Michael Parkinson (Commodore RN (Retd.))	Bullocks Farm, Wanstrow, Shepton Mallet, BA4 4TE
Philip Stead	19 Catherine Hill, Frome, Somerset, BA11 1BZ
*Nigel Purchon	Mitchell's Elm House, Wanstrow, Shepton Mallet, BA4 4SN

\* These appearing submitted written proofs of evidence or further written material in addition to other representations previously made.

## DOCUMENTS SUBMITTED AT THE INQUIRY

### A. ADDITIONAL WRITTEN REPRESENTATIONS

- 1 Garry Crane, Rietzaunstrasse 2, 9472, Grabs, Switzerland
- 2 Peter Ashton, 20 Copheap Rise, Warminster, Wiltshire, BA12 0AR
- 3 AA Bowes, Moxhams, 1 Horse Road, Trowbridge, BA14 7PD
- 4 Guy Bottard, Lowerfield Barn, Yarde Farm, Combe Florey, TA4 3JB
- 5 Mark Peters, 49 The Elms Estate, Vallis Road, Frome, BA11 2EE
- 6 Jack Peters, 49 The Elms Estate, Vallis Road, Frome, BA11 2EE
- 7 Peter Russell, Longhedge, The Street, Wanstrow, BA4 4TF
- 8 Colin A Currie, 7 Frome Old Road, Radstock,
- 9 Graham Mason, 7 The Spinney, Bleadon Hill, Weston-super-Mare, BS24 9LH
- 10 TC Atkins, 40 High Street, Bruton, Somerset, BA10 0AE
- 11 Michael R Wilson, 6 Culverhill, Frome, BA11 5AD
- 12 Peter Cussmans, 34 Leys Lane, Frome, BA11 2ST
- 13 CA Rush, 19 Gladstone Road, Combe Down, Bath, BA1 5HN
- 14 AC Riddle, 46 Alcock Crest, Warminster, BA12 8NE
- 15 David J Mulroy, Greystones, Holcombe Hill, Holcombe, BA3 5DG
- 16 JR Kay, Sunbatch Cottage, The Batch, Draycott, Cheddar, BS27 3SP
- 17 CR Wilkinson, Naeforth, The Street, Kilmington, Wiltshire, BA12 6RG
- 18 RG Cowlshaw, Naeforth, The Street, Kilmington, Wiltshire, BA12 6RG
- 19 BS Morgan, 1 Portway, Bratton, Westbury, BA13 4SZ
- 20 Sam and A Moody, 27 Slait Hill, East Cranmore, BA4 4LL
- 21 JG Nicol, Bridge Farm High Street, West Lydford
- 22 Michel Jennings, Kildare House, Manor Farm, Cranmore, BA4 4QL
- 23 Patricia M Heath, 33 Carlton Court, Wells, BA5 1SF
- 24 Major JC Wakelin, Headquarters Land Forces, Commitments Division, Erskine Barracks, Wilton
- 25 Judith and Colin Ackerman, Twintops, East Cranmore Lane, West Cranmore, BA4 4QJ
- 26 Betty M Hayes, Rosedean, Dean, Shepton Mallet, BA4 4SA
- 27 Nicholas Clarke, Awen, The Street, Wanstrow, BA4 4TF
- 28 Sally and Dominic Slater, Wellington Farm, East Cranmore, Shepton Mallet, BA4 4SG
- 29 Robin LeMaire, Honey Bank, Wanstrow, Shepton Mallet, BA4 4TF

### B. ADDITIONAL CORE DOCUMENTS

- CD33 *'Propagation, Measurement and assessment of Shooting Noise'*, MSc thesis by Timo Markala, Espoo, Finland, 2006.
- CD34 *'Shooting Ranges : Prediction of Noise : The Nordtest Method'*, Espoo, Finland, 2002.
- CD35 ISO Draft International Standard ISO/DIS 17201-3, *'Acoustics: Noise from Shooting Ranges Pt 3: Guidelines for Sound Propagation Calculations'*, International Organisation for

- Standardisation, Geneva, 2007.
- CD36 'Summary of Gunshot Acoustics' by Robert C Maher, Montana State University, 2006.
- CD37 'Acoustical Characterisation of Gunshots' by Robert C Maher, Montana State University, 2007.

#### C. OTHER DOCUMENTS

- AD1 Supplementary Appendices to the Statement of Common Ground
- AD2 Corrections to Appendices of John Seller's Proof of Evidence
- AD3 Letter of instruction of 18 August 2008 to John Seller Associates Ltd from Mendip District Council
- AD4 Measurements made at Nuthampstead Shooting Ground on 14 April 2009 submitted by John Seller
- AD5 *Validation of a predicted Shooting Noise Limits (SNLs) by comparison with measured data*, extracts from Clay Target Shooting Reports produced by John Seller Associates from 2003 to 2008 and submitted by John Seller
- AD6 Results from test shoot at the Oxford Gun Company, Olney, on 24 April 2009 submitted by John Seller
- AD7 Letter of 21 April 2009 from Hepworth Acoustics, enclosing eight revised computerised modelling maps of noise, submitted by appellants
- AD8 Maps 1 and 3 of document AD8 above to show direction of affected residential properties submitted by John Seller
- AD9 Letter of 27 April 2009 from Hepworth Acoustics, giving calculated noise levels at Mitchells Elm House and Mitchells Elm Farm with extended bund mitigation, submitted by applicants
- AD10 Exchange of e-mails between Matthew Kendrick and John Seller following queries raised by latter after 23 April 2009 test shoot
- AD11 Extract on *Barrier Attenuation*, pp 73-74 of *The Little Red Book of Acoustics: A Practical Guide*, submitted by the appellants
- AD12 Calculations showing effects of extended mitigation and topography on the noise paths from the skeet range to Mitchells Elm Farm, Mitchells Elm House and Home Farm, submitted by Colin Alden
- AD13 Revised calculations correcting, amending and extending document AD13 above
- AD14 Additional submission by Colin Alden on the effects of shotgun firing from the proposed skeet range (firing position 4) on Torr Reservoir

#### PLANS

- A 16953 PR01 Proposed Bund Layout : Site Plan Extract (27 April 2009)
- B 16953 PR02 Proposed Bund Layout : Section A-A (27 April 2009)
- C 16953 PR01 (Rev A) Proposed Bund Layout : Site Plan Extract (*Amended version of A*)
- D 16953 PR02 (Rev B) Proposed Bund Layout : Sections A-A and B-B (*Amended, extended and re-scaled version of B*)

PHOTOGRAPHS

1-3 Photographs taken by John Seller at October 2008 test shoot