

MEETING:	PLANNING COMMITTEE
DATE:	13 JANUARY 2016
TITLE OF REPORT:	151354 - PROPOSED ARCHERY COURSE WITH 3D FOAM ANIMAL TARGETS ON A CIRCUIT THROUGH THE WOODS. TO INCLUDE A RECEPTION AREA, OFF ROAD PARKING AND SERVICED PORTALOO TOILET FACILITIES AT LYNDERS WOOD, UPTON BISHOP, HEREFORDSHIRE For: Mr F Buchanan, 27 Archenfield Estate, Madley, Hereford, Herefordshire HR2 9NS
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=151354&search=151354
Reason Application submitted to Committee – Re-direction	

Date Received: 5 May 2015

Wards: Old Gore & Penyard

Grid Ref: 365076,226201

Expiry Date: 13 July 2015

Local Members: Councillors BA Durkin and H Bramer

Introduction

Members will recall that this planning application was deferred at the last meeting to allow a site visit to be undertaken. The previous report has been updated with the additional representations, previously set out in the December 2015 Committee Update. In addition, it should be noted, as per the previous update that the application site area has been clarified and is a reduction from that originally submitted, which included land in a third parties' ownership due to a drafting error. The recommended highways conditions referred to in the Update have also been included in this report.

1. Site Description and Proposal

- 1.1 The application site comprises the southeasterly part of Lynders Wood, an Ancient Woodland, in Upton Bishop, which lies between the M50 and the B4221 Roads. The northern and western sections of the application site (including the access and cleared area) is described as replanted ancient woodland, whilst the central and southern sections are classed as ancient and semi-natural woodland. The majority of the site, and indeed Lynders Wood falls within Old Gore Ward, but the most southeasterly section is within the Penyard Ward. It is accessed from an unclassified road to Linton, some 60 metres to the southeast of its junction with the B4221. There is an existing gated vehicular access into the site, which is some 8 hectares in area. The site is predominantly woodland, with a cleared area at the section nearest to the road, which includes an existing area of hardstanding. Almost opposite the entrance there is a detached dwelling known as Hill Top and to the east of the site a dwelling known as Lynders Lodge. To

the west of the application site lies the remainder of Lynders Wood and to the south a parcel of land used by PGL for recreation/leisure purposes with the M50 beyond.

- 1.2 It is proposed to use the site for an archery course. This would entail 3D foam animal targets being set out on a course within the woodland. An area next to the access would be used for parking, the provision of portaloos, a reception area comprising a canopy attached to trees and picnic tables and a practise target. There is an existing track within the woods, which it is proposed to utilise in part, and a new track is also proposed.
- 1.3 During the consideration of the application further details have been submitted. In total an Ecological Assessment, a Business Model and document entitled 'Setting out Parameters', along with a site plan, identifying the route through the woods and position of the targets, have been provided.
- 1.4 The applicant has advised that the nature of the business would be low key, chiefly set up to provide a facility that does not exist in Herefordshire, an archery course open to the public (by appointment), and to accommodate his and his partner's archery hobby. The land is rented and it is intended that the income will cover this cost along with the replacement of the targets as they age and wear. The course would only be open between April and the end of October, because the activity requires day light. No lighting is proposed and those wishing to use the facility would have to make a prior booking. It is proposed to be open at weekends and bank holidays only, between 9am and 6pm as a maximum and dependent upon the season. The number of archers on site will be limited to a maximum of eight at any one time, with the maximum number per group limited to four. A Director will escort those partaking in the archery around the course. The applicant has confirmed that a previously suggested 'national event' for a greater number of participants will now not take place and that the provision of barbed wire around the wood's perimeter was carried out by the landowner, and was not necessitated by this proposal.
- 1.5 The applicant has provided details of the methodology for setting out the course and the position of the targets. It is stated that these have been carefully planned, on the basis of experience and guidance set out in '3-D Archery, A Guide to Course Design' by Michael O'Leary. Due to this and the type of bows to be used it is asserted that it will not be possible for arrows to shoot out of the site. Cross bow and bows with any form of mechanical advantage will not be permitted. As set out earlier all participants will be under the supervision of one of the directors.
- 1.6 The use has already operated from the site, under the 'permitted development rights' afforded by Class B (Temporary use of land), Part 4 (Temporary buildings and uses), Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. This permits the use of land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total are for the holding of a market or motor car and motor cycle racing/trials and practising for these, and the provision on the land of any moveable structure for the purposes of the permitted use. Development is not permitted by this Class if, amongst other things, the land is a site of scientific interest and the temporary use is for motor car and motor cycle racing etc. clay pigeon shooting or war gaming. Lynders Wood is not a site of scientific interest. The applicant exceeded the permitted 28 days, because the portaloos (a moveable structure) remained on the land between its use for archery.
- 1.7 The Parish Councils and those who have submitted representation on the application have been notified of the submission of further information and plans. Any further comments received, which raise additional issues will be summarised in the Committee Update.

2. Policies

2.1 Herefordshire Local Plan - Core Strategy:

- SS1 - Presumption in Favour of Sustainable Development
- SS4 - Movement and Transportation
- SS6 - Environmental Quality and Local Distinctiveness
- MT1 - Traffic Management, Highway Safety and Promoting Active Travel
- SC1 - Social and Community Facilities
- LD1 - Landscape and Townscape
- LD2 - Biodiversity and Geodiversity

2.2 Upton Bishop Parish Council has designated a Neighbourhood Plan Area but has not yet started drafting their Neighbourhood Plan. Linton Parish Council are not undertaking a Neighbourhood Plan. At this juncture no weight can be given to the Neighbourhood Plans.

2.3 National Planning Policy Framework (NPPF):

The following sections are of particular relevance:

Introduction

Achieving Sustainable Development

Core planning principles

Section 3 - Supporting a prosperous rural economy

Section 4 - Promoting sustainable transport

Section 8 - Promoting healthy communities

Section 11 - Conserving and enhancing the natural environment

Decision-taking

2.4 The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>

3. Planning History

3.1 SH94/0374/FZ – New loading bay – no objection 15.4.1994.

4. Consultation Summary

Internal Council Consultees

4.1 Transportation Manager:

The application site has an existing gated access. Visibility from the existing access is reduced by railings to the left and right of the access. Whilst the road is subject to a national speed limit, due to the geometry of the road and width it is unlikely for this speed limit to be reached. Recommended conditions.

4.2 Public Rights of Way Manager: No objection.

4.3 Environmental Health Manager: I have no objections to this development. Informatives recommended in respect of drinking water and if food and drink production/sales are proposed.

4.4 Conservation Manager (Ecology):

I have reviewed the documentation for these proposals and would offer 'support in principle' to the enterprise. The two key aspects to the appraisal regarding the site sensitivity is the Ancient Woodland designation and the probable presence of hazel dormouse which has been recorded at the site. Excluding ground nesting birds (for which the report states that there is little habitat) there are two potential impacts from the activities proposed; trampling of pre-vernal and vernal flora already evident at the site together with the risk of disturbance to dormice during their active season for breeding and foraging. The latter may specially be the case during the latter end of the archery 'season' when autumnal foraging by the species is optimal. Trampling of flora is an especial consideration within the Ancient Woodland section of the prospective archery trail via the south-east loop of the path as it links back to the main entry point. This section appears not to follow an existing track as does much of the rest of the trail as such, passing through the ancient woodland habitat increases the impact risks from the above.

In respect of dormice the report indicates that the "sparse scrub or bramble layer are not conducive to low nesting sites for birds or for dormice." The photographic evidence certainly shows this and, on balance, I would agree that this aspect of disturbance to habitat could be minimal. In addition, the report states that "there will be no felling or surfacing in the wood." I take this also to mean no clearance of vegetation and therefore no risk to dormice or their habitat. The vegetation impact is likely to be greater from deer activity than from the archery. However, no survey has been conducted which I would like to have seen, and it is my view that there is a possibility of dormice being present in coppice stools growing within the area of trail activity. Dormice are predominantly arboreal, nocturnal and hibernate during the winter months – this coincides with the lack of activity proposed by the archery trail and so minimal impact should be envisaged at these times. However, the requisite surveys should be carried out to ascertain dormice presence/absence within the woodland. No doubt there will be a need to establish the trail with some minor works during the winter and early spring months and the location of any dormice should be known in order to avoid them. In addition, the most propitious places for erection of dormice boxes can be identified.

With regard to trampling of flora, especially during the main crowd event planned, I would advise that this is best organised during the school holiday period which will avoid the early field layer bloom of the woodland and allow some respite for the flora to build resources in recovery each year. In all events, I would have thought that defining the trail or exclusion taping areas of botanical interest would be a best practice protocol to follow. I suggest that confirmation and mapped photographic evidence is provided for the route of the trail to demonstrate that it avoids the most botanically rich field and ground layer. I assume some mapping will be required anyway in order to issue brochure information.

I note that there is email confirmation that lighting will not be required at the site. This, I assume, will be the case into the late autumn short days and the activities will be entirely a dawn to dusk venture.

If approved I would suggest two conditions as follows:

Prior to the change of use, a dormouse survey should be conducted and the findings together with full working method statement and enhancement measures for dormice if necessary should be submitted to, and be approved in writing by, the local planning authority, and the work shall be implemented as approved.

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons:

To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 and NC7 of the Herefordshire Unitary Development Plan

To comply with Policies NC8 and NC9 of Herefordshire's Unitary Development Plan in relation to Nature Conservation and Biodiversity and to meet the requirements of the NPPF and the NERC Act 2006

A report evaluating the impact of the trail upon ground flora and field layer of the woodland should be submitted to the local planning authority. Confirmation of the trail route should be made to the local planning authority in writing together with photographic evidence of the measures implemented.

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons:

To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 and NC7 of Herefordshire Unitary Development Plan.

To comply with Herefordshire Council's Policy NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of the NPPF and the NERC Act 2006.

5. Representations

5.1 Linton Parish Council:

Unable to support this application. There is insufficient relevant information with regard to health and safety we have been informed by the adjacent landowner that the archery circuit as shown on the map is not the same as that on the ground. It comes within a few metres of his property, the grounds of which are used by adults and children who would be at risk of injury from stray arrows and the children running into the barbed wire fence now partially hidden by vegetation, therefore the health and safety aspect does not appear to have been addressed. What type of bow and arrow will be used? What training/qualifications will staff have? Will each group be personally supervised? How often will the portaloos be serviced? Access to the course is from a narrow country lane, is this considered adequate? The Highway Authority should be consulted. It is also stated that the course will only be used each weekend, at which time there will inevitably be disturbance to the very diverse flora and fauna, what conditions can be imposed to alleviate this problem. It seems unlikely that if used only two days per week that this venture would be financially viable, would it be possible for the applicant to extend the hours or instigate a 'change of use' without consultation or permission? It should also be noted that before this Planning Application was made the area was surrounded by a barbed wire fence, the targets (foam animals and birds) and the portaloos were installed, as though planning permission was a foregone conclusion! It was then very disturbing to learn from the Planning Officer that this was all regarded as 'Permitted Development' and was valid for at least 28 days, The Council would appreciate being advised of the precise legislation to which this circumstance refers. We have also been advised that there is a boundary dispute with regard to the position of the barbed wire fence, therefore it would seem unwise for planning permission to be given if the extent of the ownership of the site is not accurately known. We trust great care will be taken and more information will be sought from the applicant before any decision is made.

5.2 Upton Bishop Parish Council:

As far as we can see from the application, and have been informed by a neighbour, the activity is taking place in the Linton end of the land using about a third of it. The only concerns of the parish council are that of the extra traffic and access, also that the whole exercise needs to be organised in a safe manner not only for the participants, but also (and especially) taking into account the neighbours. Apart from the comments above, the Parish Council are not opposed to the idea.

5.3 Seventeen letters of objection have been received from local residents (a total of 8 residents), the Preservation of Rural Beauty (PRuB) and the Woodlands Trust. The main points raised are summarised as follows:

- No justification for commercial use in a sensitive environment.
- Activity will displace wildlife.
- There has already been a loss of other woodlands (Ancient woodland is defined as an irreplaceable natural resource that has remained constantly wooded since AD1600).
- Natural England's standing advice for Ancient Woodland and Veteran Trees (published April 2014), paragraph 4.8.1 states: 'Ancient woodland is of prime ecological and landscape importance, providing a vital part of a rich and diverse countryside.'
- Intensification of the recreational activity of humans causes disturbance to the habitats of breeding birds, vegetation damage, removal of deadwood and litter.
- Implementation of structures and facilities in woodland leads to changes in soil conditions.
- Inevitable safety issues in respect of trees adjoining/overhanging the circuit and infrastructure, which will be threatening to the longer-term retention of such trees.
- As a result of changes in soil conditions there can be changes to the hydrology altering ground water and surface water quantities.
- Any effect of development can impact cumulatively on ancient woodland - this is much more damaging than individual effects.
- Likely that noise pollution would have an adverse impact on sensitive woodland species.
- Could be an embryonic theme park business, activity is likely to increase and expand with the need for buildings etc.
- Not farm diversification, no custodial care of the woodland.
- Environmental statement is inadequate, does not account for nesting birds in April.
- Highway safety, booking not required so no control on numbers, traffic could back up onto the 'B' road.
- Lack of parking for large event planned.
- Route and targets are too close to properties and PGL site to the south, and are in fact closer than shown on the submitted maps, being within 12 metres of Lynders Lodge.
- Would be better sited within the central or western parts of the wood.
- Proposal for 'free range' archery by unskilled participants is not safe or appropriate in the forest.
- Dog walkers use the area, this is not a safe activity.
- Proposal would be harmful to the diversity of the wood, which provides a habitat for birds, deer, dormice, foxes, badgers, muntjac, polecats etc.
- Participants may shoot wildlife rather than targets.
- Barbed wire has been provided to fencing around the site, this is apparently required for the use and is dangerous.
- Additional planting required due to tree felling.
- Ecological Assessment is inadequate and Council's Ecologist assumes that archer will not go off the track – they are likely to do so to retrieve stray arrows.
- Health and safety issues - two members of staff is insufficient.
- Route/position of target does not appear to meet guidelines – National Archery Association.
- No details of the directors experience in setting out courses has been provided, nor how stray arrows will be dealt with

- PGL use lake and facilities at Drummonds Dub for holidays for children (aged 7-13 years)
- Proposed use is in the summer when we wish to enjoy our garden, noise disturbance could result from the proposal.
- If approved would devalue our property.
- Use has already commenced on the site, without permission.
- Business model is implausible, it is not commercially viable and no evidence of demand.
- What is the real motive? With M50 nearby could give rise to greater commercial exploitation
- New altruistic dimension to business does not change the proposal
- Better location for such a use, if to serve Herefordshire should not be on the border with Gloucester and could take place at village fetes etc.
- Continuing lack of detail still does not give confidence to how the enterprise would be run
- No details of safety zones/perimeter buffer zones have been provided and two people operating it is still insufficient
- Site slopes, which would complicate course design
- Block plan includes a neighbour's land and notice has not been served on them. This results in the application being invalid and inaccurate in respect of the proximity of targets to neighbour's land. The proposal would be danger to users of the paddock
- At the time the Ecology Report was produced the site layout had not been submitted, therefore the Report cannot assess the proposal accurately
- Trees are proposed to block misfired arrows leaving the wood. This will damage trees, making them more susceptible to disease and the arrows not blocked will exit the woods and be a danger.
- Unclassified road is single track and used by pedestrians to reach the bus stop. It is unsuitable for large volume of traffic.
- Proposal still does not demonstrate that protected species and wildlife would not be harmed. Dormouse survey should be produced before the decision is made. Applicant's preference not to provide carry out the survey shows the level of appreciation for the woodland and wildlife
- The trampling of the woodland has been underestimated. This would be significant even for 16 people a day at weekends/bank holidays if the number of shots per target is taken into account.
- Will there be audible safety alarms?
- Recreational use could give rise to fire in the woods from discarded matches/cigarettes
- How often will the portable toilets be serviced?

5.4 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

6.1 The Development Plan now consists of the recently adopted Herefordshire Local Plan –Core Strategy (CS) and in accordance with the legal requirements set out in section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material planning consideration.

6.2 Both the CS and NPPF promote sustainable development, which encompasses three dimensions, namely social, economic and environmental roles. These are stated to be mutually

dependent and to achieve gains in all three roles they must be sought jointly and simultaneously.

- 6.3 There are no policies within the CS which are directly relevant to this proposal. CS policy SC1 is relatable in respect of the proposed provision of a recreational facility. The preamble to policy SC1 states that social and community facilities can be defined as facilities for different individuals and communities, which are provided by a range of organisations (public, private and voluntary). They provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community. They offer services for education, health and well-being; and support community cohesion and benefit the general quality of life of residents. This confirms that even a private facility is classed as a social and community facility and therefore it can positively contribute to the social role of sustainable development objectives. The NPPF takes a very similar stance in chapters 3 (Supporting a prosperous rural economy) and 8 (Promoting healthy communities). At paragraph 73 it states that opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
- 6.4 Turning to the environmental role CS policies LD1 and LD2 are relevant along with NPPF chapter 11 and the core planning principles with regards the provision of proposals achieving good standards of amenity. These CS policies require, in summary, that proposals conserve and enhance the natural and scenic beauty of important landscapes and by enabling appropriate uses and management ensure development integrates appropriately into its surroundings. Chapter 11 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by recognising the wider benefits of ecosystems and minimising impacts on biodiversity, providing net gains where possible, amongst other things. At paragraph 113 it advises that local plan policies for proposals affecting protected wildlife or geodiversity sites should be criteria based and distinction drawn between the hierarchy of international, national and locally designated sites, such that protection is commensurate with their status. Paragraph 118 of the NPPF states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodlands, unless the need for and the benefits of the development in that location clearly outweigh the loss.
- 6.5 The main issues in the consideration of this application are:
- 1) The impact arising from the use on the ancient woodland and protected species, namely dormice.
 - 2) The impact of the development upon the living conditions of nearby residential property and amenities of the area.
 - 3) The impact of the development on highway safety.
- 6.6 Firstly it should be noted that when assessing the impact of the proposal, the fall back position of the rights for temporary uses afforded by the 'General Permitted Development Order' should be borne in mind. This allows the land to be used for 28 days in any one calendar year for not only the use proposed here, but also for other, more potentially intrusive, uses and up to 14 days for motor racing. These rights do not afford any control over the hours of operation on each of the permitted days, the number of participants or protection of wildlife.
- 6.7 On the basis of the submitted information and plans the Council's Ecologist has no objection in principle, but seeks to secure conditions to require further surveys to be carried out to assess the impact on flora, the field layer of the woodland and dormice and set out mitigation measures where necessary. The Ecologist considers the use to have a relatively light touch on the existing woodland during a defined period of the year. The Woodlands Trust's comments are noted, but it is considered that these do not take account of the nature of this specific use, as clarified by the additional information. Nor does it assess the proposal against the impacts that would be derived from the use of the site under permitted development rights or the existing woodland use. As noted by the Ecologist, deer are likely to have a greater impact on the

woodland. It is considered that the proposal would not result in the loss or deterioration of an irreplaceable habitat and the assumption to refuse permission, as set out in paragraph 118 of the NPPF is not engaged. Rather the use can be satisfactorily controlled by conditions.

- 6.8 With regards the impact of the proposal on the living conditions of neighbouring properties and the wider community, these will be derived from the comings and goings to site and the activity of archery within the site. The initial concerns of local residents are appreciated, but the additional information received clarifies the nature of the proposal. It is considered that due to the limited number of participants, the proposed days and times of operation and the nature of the use, which is not inherently noisy, the proposal would not have an adverse impact on living conditions. In accordance with CS policy SD1 and the fourth core planning principle of the NPPF good standards of amenity would be provided for occupants of local dwellings. To ensure that a more intensive use could not result without further consideration of the impacts it is considered reasonable and necessary to impose conditions limiting the times when the activity can take place and the number of participants. Whilst the health and safety concerns raised pertaining to both participants and neighbouring residences are appreciated these do not fall within the planning remit.
- 6.9 No permanent buildings are proposed and the use would utilise the woodland such that the appearance of the site would not materially change. Portaloos are proposed to be sited to the south of the access and would not be unduly obtrusive. The canopy would also be unobtrusive due to its non-permanent appearance, size and siting. Overall the ancillary non-permanent/moveable structures, associated with the proposed use are considered not to be visually intrusive and in any event can be removed easily if the use ceases and when the use is not operating between the end of October and the beginning of April each year.
- 6.10 Turning to highway safety issues, the applicant has now confirmed that the maximum number of participants per day would be sixteen. In addition to the two directors who would be on site this would be a maximum of eighteen vehicles per day, with a likelihood that some of the participants would car share, given that group bookings are probable. Only eight participants would be on site at any one time, provided that the first group departs before the next group arrives. On this basis the number of car parking spaces required would be ten at anyone time. The applicant has stated that fifteen can be provided, and the size of the hardstanding adjacent to the access could accommodate this. The visibility at the existing access is limited to a degree by the fencing. However, on the basis of the likely speeds on this stretch of the lane, near to the junction with the B4221 the Transportation Manager has no objections. Furthermore, the existing use of the site for forestry and the potential for larger vehicles accessing and egressing from the site could also give rise to greater impacts. In light of this it is considered that the nature of the use proposed would not result in highway safety issues. The conditions recommended by the Transportation Manager are noted, but given the nature of the use it is not considered necessary to require consolidation, surfacing and drainage of the parking area, as the hard standing exists and the nature of the use proposed does not necessitate such a formal parking area.
- 6.11 Due to its location the site is most likely to be accessed by motorised vehicles. There is a bus stop nearby on the B4221, which depending upon the service offered at the time could enable participants to arrive and leave by public transport. Overall the site cannot be considered to be sustainably located, but given its rural location this is not to be unexpected.
- 6.12 In conclusion it is considered that the proposal would provide social benefits, in the form of the provision of a public recreational/sporting facility. The objectors' concerns are noted, but it is considered that with the protection afforded by the conditions recommended by the Ecologist this relatively low key activity would not result in the deterioration of the ancient woodland or harm to protected species. On this point it is considered that there would not be a negative impact on the environmental role of sustainable development. Weighing up the considerations,

under the three roles, it is considered that overall the proposal represents sustainable development and it is recommended that permission is granted.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. B03 Amended plans – received 16.11.2015**
- 3. Prior to the implementation of the change of use hereby permitted, a dormouse survey should be conducted and the findings together with full working method statement and enhancement measures for dormice if necessary should be submitted to, and be approved in writing by, the local planning authority, and the work shall be implemented as approved.**

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

- 4. Prior to the implementation of the change of use hereby permitted a report evaluating the impact of the trail upon ground flora and field layer of the woodland should be submitted to the local planning authority. Confirmation of the trail route should be made to the local planning authority in writing together with photographic evidence of the measures implemented.**

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

- 5. The use hereby permitted shall only be carried out in accordance with the following:**
 - 1. Participants shall only be allowed on site between the hours of 9am and 6pm on Saturdays, Sundays and bank holidays.**
 - 2. At any one time there shall be no more than 8 participants on the site, in addition to the 2 directors.**

Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 6. Upon cessation of the use hereby permitted the portaloos, canopy and targets shall be permanently removed from the site. Between the 1 November and 31 March each year that the use operates the canopy shall be taken down, the target practice area dismantled and the portaloos removed from the site, unless alternative details have first been submitted to and agreed in writing by the Local Planning Authority.**

Reason: To safeguard the amenities of the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 7. H03 visibility splays**
- 8. H13 access, turning and parking**

Informatives:

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

2. **Drinking water - The development may mean that non mains drinking water is necessary for the scheme. All new non-mains water supplies must be wholesome and comply with the standards set out in the Private Water Supplies Regulations 2009.**

3. **Food and drink - Please note that if the proposal includes the use of the premises for the production and/or sale of food and drink, in accordance with Article 6 EU Regulation 852:2004 on the Hygiene of Foodstuffs, the business will be required to be registered as a food with business with the Commercial team in Environmental Health and Trading Standards.**

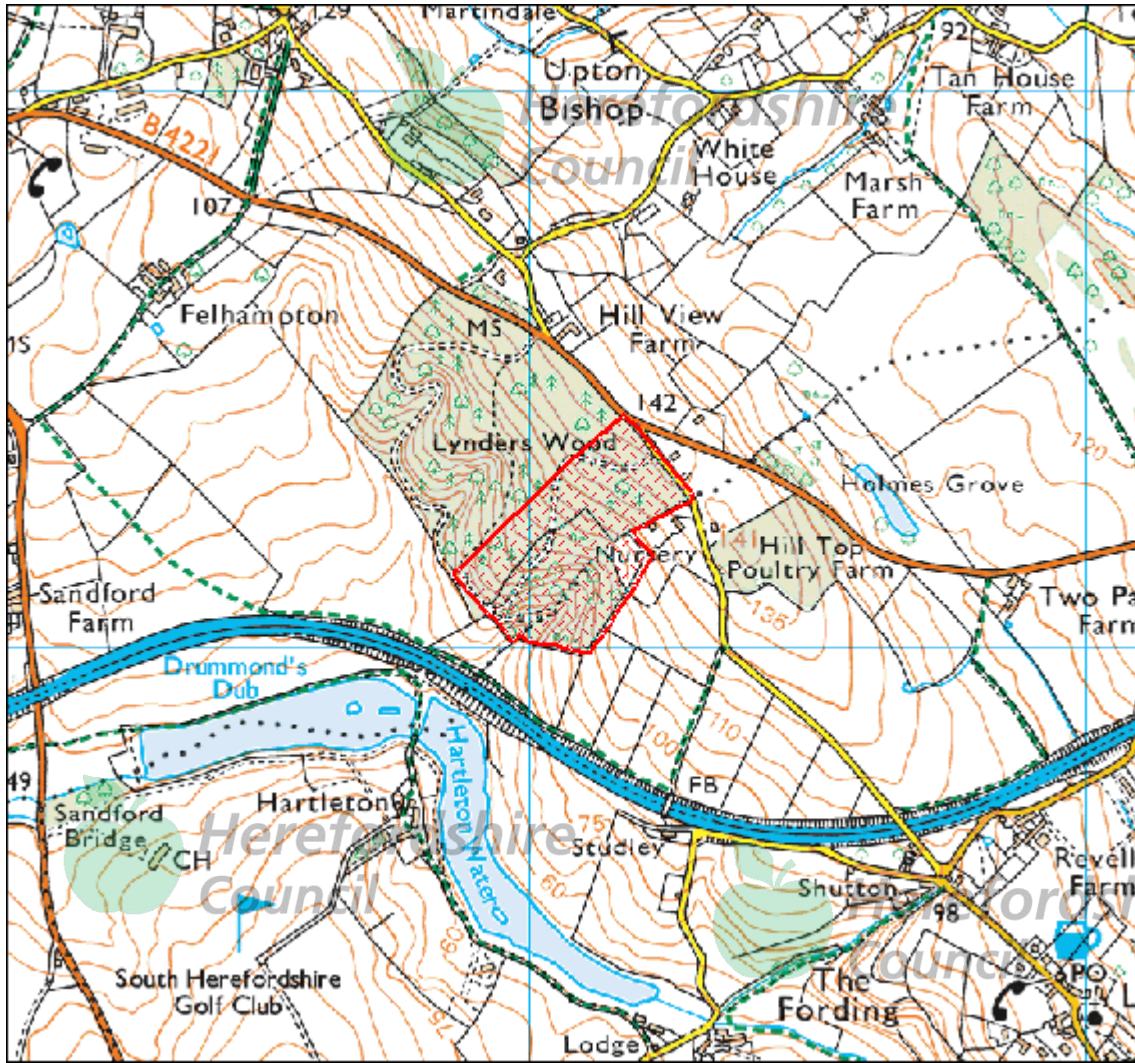
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: 151354

SITE ADDRESS : LYNDERS WOOD, UPTON BISHOP, HEREFORDSHIRE

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005