



25/14638/PINS | Application for planning permission for works to install 9 no. floodlight columns around the MUGA and AW pitches at Cotham School with associated planting and works. | Cotham School Cotham Lawn Road Bristol BS6 6DT

We object to this application because, contrary to the applicant's claim, it is not exempt from the obligation to deliver at least 10% biodiversity net gain (BNG). The statutory biodiversity gain planning condition applies here because the application impacts more than 25 square metres of on-site habitat with a biodiversity value greater than zero. The redline area shown in the site location plan covers approximately 0.69 hectares.¹

The applicant's Arboricultural Impact Assessment and Tree Protection Plan (AIA) has identified 28 trees within the redline area. Taken together, these 28 trees form *Individual tree - urban* habitat with a baseline habitat area of 0.1099 hectares and a biodiversity value greater than zero.

Tree T13, a Fastigate holly, will be translocated and seven others, trees T19, T24 to T27, T30 and T31, will be pruned. The AIA advises that these tree works are necessary for the proposed development.² Tree translocation is notoriously difficult, with a low success rate. Using the precautionary principle, this tree should be treated as being removed, resulting in a loss of habitat.

This is why the proposal impacts more than 25 square metres of on-site habitat with a biodiversity value greater than zero. This alone makes the application ineligible to claim the *de minimis* exemption of Section 4 of The Biodiversity Net Gain Requirements (Exemptions) Regulations 2024.³

As a result, the applicant is not entitled to go on to claim that it will deliver measurable net gains for nature conservation,⁴ which are proportional and locally appropriate. However, even if it were entitled to do so, the evidence it has submitted does not support this claim.

The applicant states that:

... Additionally, considerable tree and hedge planting is proposed along the eastern boundary of the site, as shown in the Planting Plan below. These additions are considered to vastly outweigh a 10% biodiversity net gain for this proposal, regardless of its 'de minimis' exemption.

This appears to be based on a plan annexed to the Mandatory BNG and Exemption Statement,⁵ which shows extensive new tree planting along the northern boundary of the site - some 29 new trees. However, this area already has well-established tree cover as this July 2024 Google Earth

¹ SITE_LOCATION_PLAN-4058179.

² ARBORICULTURAL_IMPACT_ASSESSMENT_AND_TREE_PROTECTION_PLAN-4058169.

³ <https://www.legislation.gov.uk/uksi/2024/47/regulation/4/made>.

⁴ December 2024 NPPF, paragraph 193 d).

⁵ BIODIVERSITY_MANDATORY_AND_EXEMPTION_STATEMENT-4058174.

image demonstrates:



Given this, it is hard to see how any more trees or hedging could be accommodated.

Based on the above analysis, the applicant is not entitled to claim that its application is either exempt from the obligation to deliver at least 10% biodiversity net gain or that it will deliver measurable net gains in accordance with NPPF 193 d).