



S62A/2025/0133 | 25/14649/PINS | Stoke Lodge Playing Fields, West Dene, Shirehampton, Bristol BS9 2BH

Bristol Tree Forum's response to this application

We object to this application on the following grounds:

1. The Local Plan will be contravened.
2. The redline boundary is incorrect.
3. The arboricultural evidence does not reflect the terms of the application.
4. The biodiversity net gain evidence has been minimised.
5. It contains procedural errors.

Our objections are set out in detail below.

Introduction

The applicant, Cotham School, asserts that Stoke Lodge Playing Fields are leased to it for 'sports /educational use'. However, this is not the full story. The playing fields have never been the exclusive domain of the applicant: the school has always shared this important historic, cultural open space with the wider community, which has an equal right to enjoy the amenity it offers. The terms of the school's 2011 lease with Bristol City Council expressly recognise that the tenancy is '*subject also to all existing rights and use of the property including use by the community*'.¹

Those using the fields also have a right to privacy. This is a fundamental human right that protects an individual's personal life, information, and autonomy from unwanted intrusion. It includes protection from unlawful surveillance.² While this right can be limited for lawful purposes such as national security, any interference must be necessary and proportionate. What is being proposed is neither necessary nor proportionate.

It is also notable that the tenant's covenants expressly exclude the usual Repair and Upkeep obligations to maintain the boundary walls and the trees growing on the site, or to repair and/or maintain the property to any level other than what is required for its own use (clause 2.1). These responsibilities remain with the Council as the Landlord. The lease also includes a prohibition against erecting new structures on the land (clause 3.5.2). This prohibition is absolute.

All these matters are material to the consideration of this application.

1. The Local Plan will be contravened.

The site is designated an Important Open Space (IOS) under Site Allocations and Development

¹ [The lease between the City of Bristol Council and Cotham School, dated 31 August 2011](#), clause 3.3.

² Article 12 of the Universal Declaration of Human Rights & the [European Convention on Human Rights](#) (Article 8) and the [EU Charter of Fundamental Rights](#) (Article 7). Article 8 is protected under the Human Rights Act 1998 - <https://www.legislation.gov.uk/ukpga/1998/42/schedule/1/part/1/chapter/7>



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Management Policies (SADMP) DM17.,³ which states that:

Development on part, or all, of an Important Open Space as designated on the Policies Map will not be permitted unless the development is ancillary to the open space use.

The erection of an array of eight CCTV cameras (in addition to those already installed) for the sole purposes of round-the-clock surveillance is not ‘*ancillary to the open space use*’ of this site. This is because, notwithstanding that the applicant has leased the land from Bristol City Council to use as a school playing fields, this is subject to the following ancillary uses:

- the applicant’s lease is expressly ‘*subject also to all existing rights and use of the property including use by the community*’.
- The site is crossed by four Public Rights of Way (PROWs) which members of the public may use unimpeded at any time.

None of these ancillary uses require the erection of an array of eight CCTV poles, each capable of mounting three cameras to give a 360° view.

The Parks and Green Spaces Strategy

The site is also identified as a **Parks and Green Spaces (2024)** site.⁴ The Bristol City Council 2024 **Parks and Green Spaces Strategy**, Green Space Provision Standards, commits (among other things) to providing quality:

*Our engagement shows quality is the most important factor for people visiting our parks and green spaces. We know from Bristol’s Quality of Life survey that satisfaction with local parks is lower for people from the most disadvantaged areas of Bristol, as well as disabled people, and single parents. Establishing a more equitable spread of quality parks and green spaces in the city is a significant priority for this strategy. This strategy outlines our ambition for more community participation, management, and control over green spaces in the city and we recognise that delivering better quality can only be achieved by working with communities and partners.*⁵

The strategy contains several *Priority Themes*⁶, including:

1. **Community Participation** - ‘We will empower park users, volunteers, and community groups to engage in park management and development. We will work collaboratively with local partners to support communities to make the most of their park.’
2. **Health and Wellbeing** - Our parks, green spaces and allotments provide a range of health benefits to all communities and contribute towards greater wellbeing across the city.

To realise these themes, the strategy commits to the following intended outcomes:

³ https://assets.publishing.service.gov.uk/media/671a6595593bb124be9c1479/DM17_-_Green_Infrastructure_-_Copy_checked.pdf.

⁴ <https://maps2.bristol.gov.uk/server2/rest/services/ext/datagov/FeatureServer/15>.

⁵ <https://www.bristol.gov.uk/files/documents/7567-parks-strategy-2024-accessible-version/file> - page 14.

⁶ Chapter 5, page 17.



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- *There will be joint action and management plans for implementing the changes required to deliver on quality assessments.*
- *Our parks and green spaces contribute to improving public health and reducing health inequalities as standard.*

This strategy forms part of the Delivery Strategy of the Local Plan.⁷

The unilateral erection of an array of CCTV cameras (in the face of the vehement objections of other stakeholders) to surveil their use of this green space is inimical to these themes and to the intended outcomes.

The proposed new Local Plan

The proposed new Local Plan (the Plan) is still being examined the Inspectors and so has limited planning weight. However, if adopted, the Plan intends to designate the application site as a Local Green Space (Ref. LGS32011), as defined by the National Planning Policies Framework (NPPF).⁸ Paragraph 107 of the NPPF requires that:

The Local Green Space designation should only be used where the green space is:

- (a) in reasonably close proximity to the community it serves;*
- (b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- (c) local in character and is not an extensive tract of land.*

This site, which covers 9.83 hectares, meets all these criteria.

Proposed Local Plan policy GI: Local Green Space states:

Land identified as Local Green Space as shown on the Policies Map will be retained as open space.

Development that would result in harm to the Local Green Space's characteristics, appearance or role will not be permitted.

*Ancillary development of a proportional scale that supports the function and role of the Local Green Space may be acceptable provided it does not have a harmful impact on the space as a whole.*⁹

Even if it subsequently transpires, as is now being proposed,¹⁰ that the site is instead designated as a Protected Open Space under proposed policy GI2, this too protects it:

Ancillary development of a proportional scale that supports the function and role of the

⁷ <https://www.bristol.gov.uk/files/documents/64-core-strategy-web-pdf-low-res-with-links/file> - page 77.

⁸ <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-and-safe-communities>.

⁹ <https://www.bristol.gov.uk/files/documents/7585-csd001-bristol-local-plan-main-document-publication-version-nov-2023/file> - page 137.

¹⁰ <https://www.bristol.gov.uk/files/documents/9954-exa061-bcc-examination-note-protected-open-space/file>.



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Reserved Open Green Space may be acceptable provided it does not have a harmful impact on the space as a whole.

The erection of an array of CCTV cameras would both '*result in harm to the Local Green Space's characteristics, appearance or role*' (GI1) and *have a harmful impact on the space as a whole* (GI1 & GI2).

2. The redline boundary is incorrect.

The redline area shown in the location plan is confined just to the area taken by the proposed cable runs, together with a small area identified for proposed tree planting.¹¹ No allowance has been made for the installation of the plinths that will need to be installed to support the CCTV poles.

It is notable that, when the applicant applied to install a single CCTV pole and camera adjacent to the gate behind the neighbouring Stoke Lodge Adult Learning Centre in 2020 (which was refused),¹² it relied on a block plan that had a redline area coterminous with all the area leased from the Council (Figure 1 below). This is the correct redline boundary to use here too.

The redline boundary is a shape that identifies the main site for an application. It is well-established law (see *Hillside Parks Ltd (Appellant) v Snowdonia National Park Authority (Respondent)*)¹³ that a redline must clearly include all necessary land. The applicant's purpose in making this application is to allow it to surveil the whole site; the infrastructure required to do this is ancillary to this purpose. Accordingly, the amenity of the whole site will be impacted and so must be included within the redline area.

¹¹ 2025_CCTV_P01-CCTV_Site_Location_Plan.

¹² <https://pa.bristol.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q9I4D1DNHP600> - 20_01826_F-BLOCK_PLAN-2588908.

¹³ <https://www.supremecourt.uk/cases/uksc-2020-0211>.

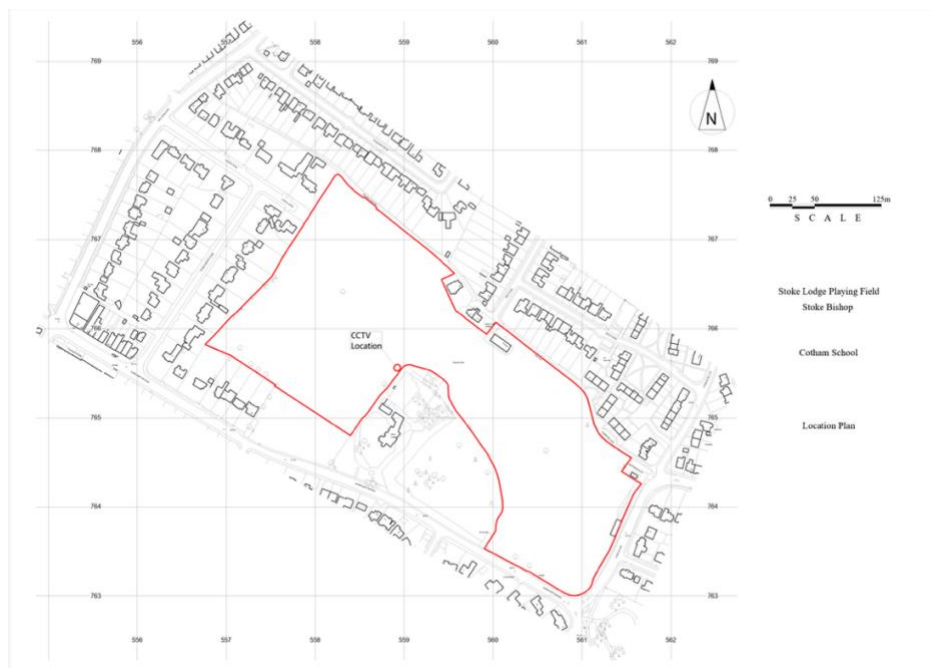


Figure 1: Redline area used in planning application 20/01826/F.

There are other inconsistencies in the various plans, which we address at point 5 below.

3. The arboricultural evidence does not reflect the terms of the application.

The applicant relies on an Arboricultural Impact Assessment and Tree Protection Plan (AIA) prepared by Bosky Trees and dated 25 September 2025.¹⁴ This is based on a survey undertaken on 03 September 2025 and updates an earlier report by Bosky Trees dated 14 November 2017, which is based on a survey undertaken on 12 September 2017, more than eight years ago.

The survey identifies six more groups of trees than were reported in the 2017 survey - tree groups G12 to G17. On average, the individual trees surveyed have increased in size by 7.40 cm in stem diameter, which is much as we would expect, even though only three have grown taller (T41 by 11, T42 by 13 & T43 by 6 metres respectively).

The AIA advises:

3.2 New service runs

3.2.1 Typical 'open trench' installation of underground services near trees is likely to sever roots; this will harm the tree's physiological condition, provide an opportunity for fungal infection, and could leave them prone to windthrow. Therefore, new underground services have been located and designed to avoid retained trees' root protection areas and the veteran tree buffer zone required by T36.

3.2.2 If any additional underground services are required it will be necessary for suitable members of the project team, including an arboricultural consultant, to design their

¹⁴ AIA_TPP_-_Stoke_Lodge_CCTV_-_25.9.25.



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routes. An appropriate specification and method statement are required for their installation and guidance provided in Volume 4 of the National Joint Utilities Guidelines (NJUG4)6 must be followed.

We also note that tree works on trees T13, T36, T43 and G17 are advised and that tree T41 will be felled. We have assumed that these works arise because of this application.

N.B. - Any tree works on or within the root zones of trees protected by a TPO - T13, T36 and T43 - will require prior permission from the LPA.

However, the Tree Protection Plan annexed to the report bears little resemblance to the other plans submitted. This plan is based instead on document 'CCTV Arrangement - 4D Landscape Design - Drawing # 2025 CCTV 01'. In particular, the proposed cable route is entirely different from the applicant's proposal (in some cases passing through root zones) and the dashed black and grey lines which, though not identified in the key, appear to represent either the proposed fence line and/or the purported 'School Boundary'.

As a result, the AIA cannot be relied on to support this application. A new AIA will be needed, given the likely impact on the nearby trees.

4. The biodiversity net gain evidence has been minimised.

The applicant has produced biodiversity net gain (BNG) evidence, which is based on its very narrow definition of the redline area. Despite this, it has also produced a baseline habitat survey dated October 2025, which encompasses all the area within the purported 'School Boundary' shown in the site location plan.¹⁵

The applicant has also produced a Statutory Metric (SM) calculation dated 13 October 2025.¹⁶ The baseline habitat reported comprises *Modified grassland* covering 0.1 hectares (ha). This is in good condition and of low strategic significance. It has a habitat unit value of 0.40, 0.099872 ha of which will be retained. The applicant proposes planting six small BNG category trees on site. These will achieve poor condition and have low strategic significance. They will generate 0.0244 hectares of *Individual trees - Urban* habitat after ten years and result in a BNG of 16.96%.

We do not accept that this is the correct approach. As we have argued in section 2 above, the correct redline area to use for this application should be the area included in the applicant's lease. The baseline area habitats (save for *Individual trees*, *Green walls* and *intertidal hard structures* habitats) must equal the redline area.¹⁷ This is the correct starting point for any SM calculation. All the baseline habitats found on the site, including the *Individual trees* habitat, must be included in the baseline calculation.

We note in passing that the Baseline Habitats Plan describes the trees around the boundaries of the playing fields as either *Native hedgerow with trees* habitat or *Line of trees* habitat. This

¹⁵ 7741_100_Baseline_Habitats_Plan.

¹⁶ BNG_Statutory_Metric_v3.

¹⁷ <https://www.bristol.gov.uk/files/documents/9094-bristol-city-council-biodiversity-net-gain-practice-note/file> - paragraph 1.2.2.



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is not correct.

The Statutory Biodiversity Metric User Guide defines *Individual trees* habitat as follows:

Individual trees are classed as ‘urban’ or ‘rural’. You should consider the degree of ‘urbanisation’ of habitats around the tree and assign the best fit for the location.

Use the broad habitat type ‘Individual trees’ to record:

- *individual rural trees*
- *individual urban trees*
- *lines, blocks or groups of trees found within and around the perimeter of urban land.*
- ...

Do not use the hedgerow module classifications ‘line of trees’ and ‘ecologically valuable line of trees’ to record linear formations of trees in the urban environment. These classifications should only be used for rural lines of trees.¹⁸

Stoke Lodge Playing Fields is in an urbanised setting. Accordingly, all the trees on the site, including the trees growing along the eastern boundary, must be defined as *urban Individual trees* habitat.

The trees growing along the northern boundary, by Ebenezer Lane, are not part of a hedge, native or otherwise. Figure 2 below sets out the UKHab definition of *hedgerows with trees* habitat.¹⁹

190 Hedgerow with trees

Definition

A linear feature at least 20m long with a woody component less than 5m wide at its base, a shrub layer present and with at least two prominent trees taking their natural shape that are less than 20m apart over most of its length.

Exclusions

Hedgerow lengths with only one prominent tree taking its natural shape (omit this code).

Linear features with trees but with shrub layer absent (see 1174 or 1175).

Figure 2: UKHab definition of hedgerows with trees habitat.

There is no evidence that a shrub layer is present or that the base of this feature is less than 5

¹⁸

https://assets.publishing.service.gov.uk/media/689c5ee17b2e384441636196/The_Statutory_Biodiversity_Metric_-_User_Guide_-_July_2025.pdf - page 58.

¹⁹ Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2023). UK Habitat Classification V2.0.



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metres wide. These trees must also be defined as *Urban Individual trees* habitat.

5. It contains procedural errors.

- The applicant acknowledges that there are several claimed public rights of way (PROWs) 'adjacent to the site' but has not included any reference to or consideration of the impact of the proposal on these rights of way within the scope of the application.

The National Planning Policy Framework and guidance on '**Open space, sports and recreation facilities, public rights of way and local green space**' refers to the Defra Rights of Way circular 1/09 for guidance on the consideration of PROWs in association with development. Paragraph 7.4 of the circular requires that 'all public rights of way crossing or adjoining the proposed development site must be marked on the plan to be submitted with the full planning application'.²⁰

As the applicant has failed to do this, we have transposed the PROWs onto Google Earth. These, together with the approximated location of the proposed CCTV cameras, are shown in Figure 3 below.

The applicant disputes the existence of these PROWs and objected to their designation. This issue is now before an Inspector for a decision. This application ought to be paused pending a decision.

However unless and until they are revoked, they continue to exist and are a material consideration.

²⁰ <https://assets.publishing.service.gov.uk/media/5a7971d9ed915d04220687b3/pb13553-rowcircular1-09-091103.pdf>.



Figure 3: Public Rights of Way (red lines with yellow pins) with planned CCTV cameras (pink pins).

- The plans and documents submitted contradict one another. In particular, the locations of some of the proposed CCTV cameras and the routes of the proposed cabling runs (see our comments at point 3 above) are inconsistent:
 - The blue lines in the CCTV Application Site Plan (the location plan), and the CCTV Existing and Proposed Site Plans and identified as 'School Boundary' bear no resemblance to the actual boundary of the applicant's leased land, which is coterminous with the redline boundary as shown in the lease²¹ and the plan at Figure 1 above.
 - Most of the duct lines shown on the CCTV Proposed Site Plan do not exist.
 - The proposed duct lines on the CCTV Proposed Site Plan appear to show a duct running along the newly installed fencing on the northern boundary by Ebenezer Lane. If this is correct, then the duct will run through the root zones of most of the

²¹ <https://bristoltreeforum.org/wp-content/uploads/2025/11/cotham-school-lease-of-stoke-lodge-land.pdf>



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trees growing there.

- The applicant has answered 'No' to question 13 b) of its application: Designated sites, Important habitats and other biodiversity features.²² This is not correct. There is a veteran boundary Oak (identified as T36 in the AIA) on the site. Veteran trees are identified as Irreplaceable habitat in both the NPPF²³ and the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024.²⁴

Taken separately and together, these omissions and inaccuracies are material. In the absence of accurate and relevant evidence, the presumption should be to refuse the application.

²² Application_Forms_Redacted

²³ https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf - Annex 2: Glossary.

²⁴ <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>