

Works to install 8no. CCTV poles and 24 cameras

(BCC LPA 25/14649/PINS)

Dear Planning Inspectorate

I am both a member of the Bristol Tree Forum, representing the Ward of Stoke Bishop as a Tree Champion, and a very local resident, living but 390 metres from the nearest proposed CCTV pole with 3 cameras. Stoke Lodge Playing Field is on my doorstep, and a place of recreation for me.

I may well therefore submit more than one comment – but this is my first, all about the trees.

I am very much concerned that work on the Field anywhere near the trees, nearly all of which are Protected, will lead to their eventual demise. I do not accept that the School has any regard for the trees when it comes to wishes to develop a site. In 2009 Cotham School felled several trees on their own school site in a Conservation Area without consent. The deed became the subject of lengthy enquiry and debate at Council level, and there was much published about it in the local Press at the time. It is possible that it was that deed that precipitated the TPOs on the Stoke Lodge Playing Field site when Cotham School was given the lease on the land. You will probably know that it is unusual for Council owned trees to be subject to TPOs. The trees were judged to be “at risk”, as the Field is not within a Conservation Area, and they had no other protection. The local residents had made earlier application for TPOs, and been denied.

Amongst the TPO trees on Stoke Lodge, 8 are Notable and one is Veteran, according to the Woodland Trust. There were 10 Notable trees when the TPOs were awarded, but 2 have succumbed, one to disease/old age, and one to storm damage.

I note in the Planning Statement published in the Application this comment about the trees “some of which are protected by Tree Preservation Orders (TPOs).” This requires correction. Virtually all the trees on the Playing Field, thus those in the perimeter and those scattered about the land, and those close to the House, are subject to TPOs. TPO 1192, TPO 1236 and TPO 451. This is because they are splendid mature trees which are good examples of their species. They were planted as part of Estate landscaping and are typical of the single specimen tree planting that took place in the early 1800s right across England. It is because some of the trees are planted at the perimeter of the land e.g. T11 Black Pine and T 13 Turkey Oak and T39 Beech, and some are planted singly in the Field away from the House, T 35 and T 12 Turkey Oaks, and T 25 Lucombe Oak, that the view in the Community is reinforced that the whole parcel of land is “Stoke Lodge”, and that the Playing Field was the land belonging to Stoke Lodge at one time, as many records show, and should be included in the curtilage. Indeed, the Parkland was always understood and treated by BCC as being part of the listing recorded by English Heritage, until it was de-listed by Bristol Council after debate with Cotham School; a deed which has caused a deep wound in the Community’s heart.

It has been a struggle to protect the trees from developments at the site carried out by the School ever since. This is despite the Lease stating that the trees remain the responsibility and of the Council. t

I have read the Arboricultural Impact Assessment (AIA) submitted with this Application for 8 CCTV poles, each with 3 cameras, to be erected at various places around the perimeter of the land leased to Cotham School. The AIA is written in a professional way with some good practices detailed, no doubt describing the way that the work might eventually be done by contractors, but we locals know differently. I wish I could trust that the AIA, and presumably any Arboricultural Method Statement (AMS) flowing from it with the same practices described, could be relied upon. The idiom “Fine words butter no parsnips” comes to mind.

Firstly, the documents are somewhat confusing. The AIA would suggest a proposal that the cabling for the cameras follows (largely) the route of the recently re-built fence. There are a few places where the proposed route diverges from the line of the new fence. One of these is to divert around the larger RPA of the Veteran Oak. I am bound to ask why it was then that the latest 2025 build of the Fence saw fence posts set into the ground through the RPA of that very tree if it is recognised by the School's arboriculturist as a Veteran, and deserving of a larger RPA. The AIA says one thing, but something else actually then happens. The new fence posts are 7 metres closer to the trunk of the Veteran Oak than they should be in order to protect the health of this revered tree.

Another cable route document, purporting to be the "red line" for the Application, shows a cable route zig zagging across the Field. Which is correct?

I'll turn to a detailed discussion about the AIA submitted with this report:

"Para 4 of Summary:

Supervision by a suitably qualified arboriculturist will be required in the event of any unforeseen construction activity within the root protection area of retained trees at or near the development site. It is advised to inform the project arboriculturist and the local authority's arboricultural officer of necessary works near trees as soon as they become apparent."

My Comment: In past works to trees on the site undertaken by contractors for Cotham School there has been very little, or even no, supervision, either by the Project's Arboriculturist or LPA AOs. Indeed, local residents have had to summon, often quite desperately and repeatedly, LPA AOs to attend on occasion when the Project Arboriculturist has been on the Field.

"2.1.2 The proposed development site is currently school sports playing fields. A fence was installed around the perimeter of the site in 2020 but most of the fence panels have subsequently been removed."

My Comment: A fence has recently been re-built around the Field, often driving posts within the Root Protection Areas of TPO trees. There was no Application for Tree Works made to the LPA, and this is currently the subject of a Complaint by me to the LPA and BCC, both with regard to the LPA not asking for an Application for Tree Works to TPO trees, and with regard to Cotham School not asking for consent. The LPA uses the fact that the Fence has been erected under Permitted Development regulations to excuse the lack of an Application, suggesting that Permitted Development denies the requirement for an Application for Tree Works, but that is not so. Currently BCC is out of time for a response to my Complaints.

"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."

My Comment: This is an admission by Bosky Trees that working within the RPAs of tree is likely to sever roots. It also confirms the view that damage to tree roots can adversely affect the tree's health in the long term. LPA AOs say that they have seen no damage resulting from the cutting of roots during the latest erection of the Fence, and therefore there was no need for an Application for Tree Works. The Law does not work this way around. In addition, they have said this but a few days after the damage to roots and cutting of branches of TPO trees has been done, when it is known it can take years for the harm to become evident. Damage should not be done in the first place.

There is also a contradiction here in Bosky's own report. A study of the route for cabling around the Fence, as opposed to the zig zag alternative and confusing plan, shows the cabling following the Fence too close to T 24, a Walnut TPO Tree. There are posts from the 2025 Fence already planted in the RPA of this tree and trenching for cabling will add further insult to this tree.

“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 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.”

My Comment: The experience on site in relation to past works is that due regard to the effect on trees of working within the RPAs of a tree has not been made. We have seen concrete be mixed inside excavated holes within the RPA of protected trees, both with the construction of the Fence in 2019 and with the construction of the replacement Fence in 2025.

We have seen mechanical diggers plough through the roots of TPO trees well within the RPA, cutting them – see Enforcement Enquiry Ref. No: 19/30381/TPO

“3.4.1 There will be no need for tree protection fencing in this instance because the perimeter security fence will be adequate to protect tree root protection areas.”

My Comment: The experience on site in relation to past works is that due regard to the effect on trees of working within the RPAs of a tree has not been made. Thus the Fence itself is not a protection. The Fence has been built within RPAs, how can it be a protection? The trees need protection from the Fence posts.

“3.5.1 Trees are vulnerable to root damage caused by ground disturbance.....,”

My Comment: This is true. Why has this knowledge not resulted in care for the trees in past works? Can we believe that ground disturbance within RPAs will not happen in future?

“3.5.3 4) No utility trenches should be routed through a construction exclusion zone without written permission from the local authority’s arboricultural officer.”

My Comment: If this happens it will be a change for tree works on this site, as there was no such Application for Tree Works published on the Portal for the recent re-erection of the Fence.

“3.5.3 7) Cement and concrete mixing must take place at least 10m from any trees, over a suitable hard surface to prevent soil contamination from spillage or washing out.”

My Comment: Despite this being in the AIS and AMS for the Fence construction in 2019 it was not followed – even when the Project’s Arboriculturist was on site and supervising the work. Dry mortar mix from sacks was poured down the excavated holes and then water poured down afterwards. It took several desperate telephone calls to the LPA to achieve adherence to this provision in 2019, some made by me, so how can we expect it to be any different in 2025? We have, during the re-building of the Fence in 2025, seen mortar mixed down fence post holes rather than 10 metres away on a hard surface.

“4.1.1 Some minor pruning has been recommended to two trees (T13 & T43) and one group of blackthorn suckers (G17). These are minor works and will not impact the character or appearance of the local area.”

My Comment: Minor pruning works in the past on this site have proved to be major. There had been no application for Tree Works submitted.

Looking at which trees may be affected by this “minor pruning” proposed, this seems to be more to do with the views to be obtained from the cameras than anything to do with the health of the trees. There is no need to crown lift the Turkey Oak T13 nor the Pedunculate Oak T43 – certainly not for their own health – which is the only reason one is supposed to work on a TPO tree. I am more concerned about the appearance of the trees and would not want their form to be spoiled.

“4.1.2 Halo-thinning has been recommended for the veteran tree (T36) because this will improve the environment around the tree. Halo thinning helps alleviate stress on veteran trees that are shaded.”

My Comment: This tree is not shaded. It shades an adjacent garden. Any work to this revered tree should only be done at the suggestion of the Geographical Tree Officer for Stoke Bishop.

“5.2.1 The Town and Country Planning (Tree Preservation) (England) Regulations 2012 and the accompanying Guide to tree preservation procedures make clear that it is an offence to deliberately destroy a tree subject to a tree preservation order (TPO), or to damage it in a manner that is likely to destroy it, without the permission of the local planning authority. To do so is punishable by an unlimited fine and a replacement tree would normally need to be planted.”

My Comment: This opinion is refreshing. No Application for Tree works was made for the re-erection of the Fence in 2025. No AMS or AIS or AIA was published prior to completion of the Fence. Several fence post holes were dug inside the RPAs of protected trees (Veteran Oak T36, Walnut T24, Turkey Oak T13, Beech T39) and desperate calls and emails to the Planning Enforcement section of BCC as an LPA did not achieve the cessation of the digging in RPAs. During the construction of the replacement Fence in 2025 branches of TPO trees were sawn through. The trunk of a tree sapling in a Group TPO (12 cm in diameter) was completely sawn through. The fact that there was no immediate damage was deemed by Planning Enforcement to be a good enough reason for not taking any action. Trees do not show immediate damage.

“5.2.2 For trees protected by a TPO, written permission for tree management works needs to be provided by the local planning authority (even if planning permission for the scheme has been granted). The regulations require that an application for works to protected trees must be made to the local planning authority. Therefore, I advise that an application for works to protected trees is made and that it is accompanied by a copy of this report. Be aware that this is an 8-week process. Please contact Bosky Trees if you would like these matters explained in more detail.”

My Comment: See above. In addition, BCC keeps telling local residents that no Application for Tree Works to TPO trees is required because the development is relying on Permitted Development. This is absolutely incorrect.

“5.3.1 Supervision by a suitably qualified arboriculturist is required if any unforeseen construction activity is to take place within the root protection area of any trees retained on or near the site. The project arboriculturist and the local authority’s arboricultural officer should be informed of necessary works near trees as soon as they become apparent.”

My Comment: This supervision requirement has not been fulfilled with any successful outcome with regard to past works.

Future risks. In addition, this past Application, 20/03288/VP, just goes to show how the presence of CCTV cameras on the Field poses a future risk to the health and amenity of the trees, which are highly likely to become the victims of pruning requests, not for their own health and management, but to facilitate surveillance of the Field. I suspect that the inclusion of “minor pruning works” in this current application is really for CCTV views.

The application 20/03288/VP was allegedly because of one branch of an Ash(T8) rubbing on some mortar on a pavilion tower – but in the end a large portion of the crown was removed in order to provide a better surveillance of the Field by a CCTV camera. (See Application 19/04039, which was withdrawn.)

The fact that 20/03288/VP was a re-run of 19/04039/VP, just with what I think was a spurious reason for the same work eventually to be done, was obvious. The different reason given for the work did not delude. Much more of the tree than was required to reduce the risk to the mortar of the Tower was removed, with the consent of the LPA I am

saddened to have to say.

Past Enforcement History With regard to works on the Field, Cotham School has been the subject of several Planning Enforcement Enquiries. Three have been to do with trees. There are two about other transgressions. More than three breaches of TPO law have been reported to BCC, but few have resulted in any action being taken.

The “tree” ones are:

1) Enforcement Enquiry

Ref. No: 18/30326/ADV | Status: Case Closed

Installation of signs without advertisement consent and potential damage to protected trees.

2) Enforcement Enquiry

Ref. No: 19/30381/TPO | Status: Case Closed

Damage to roots of Ash Tree (T8).

This particular Planning Enforcement is an interesting one with regard to the current application. This was one where BCC eventually did intervene and take enforcement action. Contractors working on behalf of the school dug a trench, using a mechanical digger on tracks, straight through the RPA of a TPO Ash Tree (T8), severing many roots, some of quite a size, in order to run a cable to a CCTV camera on the tower of the pavilion. The residents who protested were not believed until a video of the work being done, and several affirmed statements were submitted to Planning Enforcement. The contractors had to aerate the soil using an air spade and enrich the soil with biochar mixed with mycorrhizal fungi. This is the same Ash Tree as was insulted with 20/03288/VP when large branches were removed to prevent a twig from rubbing against some mortar, 19/04039/VP having been withdrawn.

3) Enforcement Enquiry

Ref. No: 20/30195/TPO | Status: Case Closed

Activity in proximity to Ash Tree (T8).

In essence, the nub of my objection is that there is a probability that contractors will not take notice of the Arboricultural Impact Assessment nor any Arboricultural Method Statement intended to instruct and regulate their work, as there have been so many transgressions against the AIA/AMS/AIS, and breaches of regulation during past works affecting trees. Thus, as a document submitted with this Application in order to reassure a Planning Officer or Planning Inspector that all will be well, and the trees respected and cared about, my view is that its contents cannot be relied upon to achieve that aim. It may have been written with good intent but is unlikely to be followed.

The great sadness is that all of this tree risk and tree damage could and should have been avoided if the fence had been built just a few metres “inside” its current line.

I am against the erection of 24 cameras to monitor this site and will write separately about that, but, were consent to be granted, I wanted to point out to the Planning Inspector, based upon past experiences, the likely consequences for the truly splendid trees growing on Bristol’s Kew Gardens (Stoke Lodge Parkland). It is far too soon to be able to judge what damage was done to the trees in 2019 and since, including during the Fence re-construction in 2025, and there should be no further insults.

Tree Preservation Orders, extant across the Playing Fields, have been no protection. Arboricultural Impact Assessments and Method Statements and Impact Statements have proved to be of no value or use.