

From: Martin Sisman [REDACTED]
Sent: 23 November 2025 20:55
To: Section 62A Applications Non Major
<section62anonmajor@planninginspectorate.gov.uk>
Subject: Re: Application reference number S62A/2025/0133 Stoke Lodge Playing Fields, West Dene, Bristol BS9 2BH.

I should like to make and submit the following observations on, and objections to, the above referenced application, and request that the application be refused.

1. **1. Public rights of way**
2. The applicant acknowledges that there are several claimed rights of way '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. In fact, the four rights of way are **on** the site, not adjacent to it, and have been approved by the Council as landowner and are awaiting consideration by the Planning Inspectorate (ROW/3363939). At least one of the proposed CCTV poles (camera 5 and possibly camera 4) would obstruct a right of way.
3. The National Planning Policy Framework and guidance on 'Open space, sports and recreation facilities, public rights of way and local green space' refers to [Defra Rights of Way circular 1/09](#) for guidance on the consideration of rights of way in association with development. Defra circular 1/09 states at paragraph 7.4 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'. The applicant has failed to do this. In addition, the Defra guidance is clear that the information supplied by an applicant must make clear 'how the potential development will impinge on any rights of way', and that planning decision-makers must identify and take into account any rights of way affected by the development, including applications for the addition of a path, the possible existence of any other rights of way and paths not yet recorded on the definitive map. Based on the information provided by the applicant, the Planning Inspectorate will be unable to properly assess this aspect of the proposal. This is a material issue that affects the planning judgment of the Inspectorate and should cause the application to be rejected.
4. The existence of these rights of way will materially affect the location and positioning of the fence and the way in which the school uses the land. If the Planning Inspectorate confirms the addition of these paths to the Definitive Map then the fence is likely to be relocated or removed. This application (a) cannot be considered without consideration being given to the impact of the proposal on those claimed rights of way and the amenity of users, and (b) is premature since it seeks to position CCTV poles by reference to a fence that may not be there in the longer term – this would affect the visual amenity impact of the proposal and also significantly weakens the applicant's arguments about necessity.
5. **2. Use of land**
6. The history of the fence is that it first erected in 2019. The land was registered as a village green in August 2023. It is a criminal offence to enclose a village green and most of the fence was removed following registration. The High Court ruled

in June 2025 that the legal test for village green registration was not met and the school has recently reinstalled a fence under permitted development rights, despite the fact that in November 2024 Bristol City Council found that four public rights of way had been established across the land. The fence obstructs each of these rights of way. Cotham School's lease provides that the school's use is 'subject to all existing rights and use of the Property, including use by the community'. The High Court decision confirmed that this includes rights of way, whether recorded on the Definitive Map or not. Cotham School is objecting to the rights of way being added to the Definitive Map and this matter is due to be considered by the Planning Inspectorate at a public hearing next year (ROW/3363939).

In Q14 of the application form (Existing use of the site) the applicant states 'School playing fields leased for sports/education use'. The school's lease of the site is expressly 'subject to all existing rights and use of the Property, including use by the community'. Community amenity use of this designated important open space is ongoing. Sports club use was ongoing until the school refused to hire pitches to local clubs from September 2025. The only factor preventing ongoing sports club or school use is the school's decision not to use or hire out the fields.

7. The applicant has failed to make clear that Cotham School is some 3 miles away from the site. The school's lease of the site makes clear that its use is 'subject to all existing rights and use of the Property, including use by the community'. The school's use of the site is minimal compared to community use. It brings pupils in small groups (typically 30-60 pupils plus 2-4 staff) to the site for periods of 45-60 minutes, a maximum of eight times per week during term time, depending on the weather and ground conditions. The school typically only uses the top third of the site, not the whole fenced area, and as such it already has six CCTV cameras mounted on the pavilion and the storage hut at the top of the field. There is no basis to argue that four additional CCTV towers are required in this top half of the field, and the school scarcely uses the bottom (wetter) half of the field in any case.
8. The applicant states that it does not need to demonstrate necessity for the CCTV, but has gone into some detail about the alleged need to monitor pupils 100% of the time. However, pupils are never unsupervised or on break time while at the site, they are engaged in lessons and supervised by accompanying staff. The alleged risks of assault/abduction of pupils are completely unfounded, particularly in BS9 which has one of the lowest crime rates in Bristol.

To the extent that the applicant relies on the need for CCTV coverage to deter damage to the fence, it is clear based on its submissions that this has not been successful in the upper part of the field to date. In any event, both the Department for Education and Ofsted have confirmed that there is no requirement for detached playing fields to be fenced (still less any requirement for students to be CCTV-monitored 100% of the time).

3. Applicant's claims about deterrence of crime

9. The applicant has provided what it describes as a schedule of the reported crimes.. No alleged incidents are listed after June 2020.
10. While CCTV can increase security, BS9 is one of the lowest crime rate areas in Bristol and there are no known instances of theft, abduction or assault on the playing fields. The extent and positioning of cameras is disproportionate or

unnecessary and an intrusion on the amenity use of the land. It is also notable that some of the incidents listed took place within view of CCTV, demonstrating that the deterrent effect of cameras is overstated by the applicant.

11. 4. Visual impact

12. The school claims that its poles and cameras will not be visually intrusive, but they are wholly unsympathetic to the heritage parkland surroundings.
13. The installations as a whole will harm the character and appearance of the area. The cumulative impact of eight additional poles and cameras (in addition to the existing cameras) will destroy the tranquility of the open space environment and create a more hostile, overdeveloped space. By disrupting important views, sightlines, and the designed spatial relationship between the building and its grounds, the proposal would fail to preserve the setting of the listed building and would cause harm to its significance.
14. Visual amenity is particularly important as this site is a non-designated heritage asset. The applicant has attempted to argue that the site is not the heritage parkland of the listed building, and that it is 'largely without historic or architectural association with Stoke Lodge'. This is nonsense, as Cotham School is well aware. The High Court judge described the site in the recent village green decision as follows:
 1. 'Overall, the land looks like exactly what it is, namely, the former grounds of a large country house, now surrounded by modern urban development. For those who can see into it (whether from the roadway or from adjacent houses) it presents an attractive prospect of *rus in urbe*. It is easy to see why this land is important to local residents.'
15. An earlier assessment for the owner, Bristol City Council, stated:
 1. 'Stoke Lodge is far more enclosed than Redland playing fields because of the strong boundary that is formed by extensive trees and shrubbery... The Stoke Lodge site is characterised by its gentle topography, high level of enclosure, views into and out of the site and the parkland trees within the site... Stoke Lodge has a higher visual amenity due to the wide variety of trees that are in excellent condition spread throughout the site and as such represents parkland.'
16. The officers who refused Cotham School's previous application for just one CCTV pole, partly due to its detrimental impact to a non-designated heritage asset, were entirely correct to do so.
- 17. 5. Impact on privacy**
18. While the application suggests that privacy screening will be applied to mitigate the overlooking of private spaces, it fails to address the issue that the playing fields are subject to a lease which provides for shared use by the community. As a much-loved community amenity space, the proposed high level of surveillance (described by the school as monitoring 100% of a 22 acre field, 100% of the time) is inappropriate, unsettling and intrusive. It is also inappropriate for the area (which has one of the lowest crime rates in Bristol) and for the heritage parkland environment.

My understanding is that it is not possible to condition use of privacy screening as part of the planning process and in any case I and other members of the affected community have no confidence that Cotham School would abide by any promised

restrictions, given its previous deployment of covert surveillance cameras on site, in breach of its own policy and in breach of legislation (the Information Commissioner's Office ordered these covert cameras to be removed and data deleted following complaints from residents, councillors and our MP). The alleged benefits to the school of being able to monitor students who are already supervised and safeguarded by the presence of school staff, and deterring vandalism to a fence that may shortly be relocated by the school anyway, cannot outweigh the privacy impact on adjoining occupiers (including many families with young children) and their rights under Article 8 ECHR in respect of their private and family life and home.

19. While there is no specific expectation of absolute privacy in a public space such as the parkland, many people still object to having every movement recorded and potentially stored by the school, with the attendant potential for later review or misuse. Four public rights of way traverse the site and would be covered by the proposed surveillance. In addition to any obstruction of the routes, the presence of overt surveillance infrastructure in a heritage parkland setting would detract from the amenity and enjoyment of users. The effect would be to erode the sense of openness and calm associated with the parkland and discourage public use. This is contrary to policies safeguarding the quality and accessibility of public open space and the enjoyment of rights of way. The proposal has not assessed the amenity impacts on users or explored alternative siting that avoids surveillance of public rights of way. Nor has the applicant demonstrated that the extent and intensity of coverage is necessary or proportionate.

20. 6. Planning policy

From a planning perspective, the site is designated as Important Open Space with a role and value for recreation, leisure, community use, townscape, landscape or visual amenity quality (and was proposed for designation under the next Local Plan as Local Green Space although this is currently pending final adoption). Bristol's current policy DM17 states that development on part or all of an Important Open Space will not be permitted unless the development is ancillary to the open space use. Continuous CCTV monitoring cannot be described as being ancillary to the open space use of the land.

21. 7. Other matters

22. The applicant has not disclosed in its application that its lease includes a prohibition on erecting new structures on the land. This is an absolute prohibition, not something that is 'subject to landlord consent, not to be unreasonably withheld', which is a common modification in a lease, and so the absolute prohibition must have been intended.

23. 8. Conclusion

24. For the reasons set out above, and for many others, which other objectors and experts will no doubt separately innumerate to you, my submission and this opposition, is that the proposal would cause harm to the significance of the listed building through adverse effects on its setting, would compromise the historic and landscape character of the parkland, would diminish the amenity and enjoyment of four public rights of way and would be unacceptably intrusive of the privacy of local residents. The applicant has not demonstrated overriding public benefits or explored less harmful alternatives. The application is therefore contrary to the statutory duty to preserve the setting of listed buildings and to

relevant national and local planning policies on heritage, design, landscape, and public open space.

I respectfully request that the application be refused.

(Signed). Martin Sisman