

From: [REDACTED]
To: [Rights of way](#)
Cc: [REDACTED]
Subject: BCC Ref 169189 Stoke Lodge
Date: 04 November 2024 21:42:15

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Dear Members of the Public Rights of Way and Greens Committee,

As owners of the property at [REDACTED] Cheyne Road, Bristol, BS9 2DH, which includes the stretch of land from the boulders on Cheyne Road to the boundary of Stoke Lodge Playing Field, we would like to make a statement about the longstanding pedestrian access across our land, connecting to Stoke Lodge Playing Fields.

When we purchased this property, we were advised that public pedestrian access existed across this section leading to the field. We had to buy a public liability policy to cover individuals crossing our land on foot, reflecting our understanding and expectation of a public footpath. Since then, our view has remained that pedestrian access here constitutes a public footpath, and we have continued to maintain this understanding through our actions.

We support the proposed footpath designation on the Definitive Map and believe this accurately reflects both historical and current public usage of the access leading from Cheyne Road to the field.

We are grateful for your time and consideration in this matter. Thank you for considering our statement in support of formalising the pedestrian access.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

Consumer Intelligence Ltd

[REDACTED]

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From: [REDACTED]
 To: [Rights of way](#)
 Subject: Cheyne Road Submission
 Date: 06 November 2024 08:56:06

This Message Is from an External Sender

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[REDACTED]
 [REDACTED] Cheyne Road
 Bristol
 BS9 2DH

6th November 2024

Dear [REDACTED]

As the owner of [REDACTED] Cheyne Road, and as requested, below is my submission of the information I would like you to take into account when addressing the Application for a Modified Order to add public footpaths at Stoke Lodge to Bristol City Council's Definitive Map and Statement under Section 53 of the Wildlife and Countryside Act 1981.

Please could you confirm receipt of this email.

For the attention of Bristol City Council PROW team

I am the owner(s) of [REDACTED] Cheyne Road, Bristol BS9 2DH. The extent of the land that I own is shown with red edging on the attached plan. I have owned and lived in this property since June 2012.

I understand that on 27 November 2024, the Public Rights of Way and Greens Committee will consider applications to register public rights of way over Stoke Lodge Playing Field. One of the entry points to the field is near to the top of Cheyne Road and therefore any pedestrian rights of way that pass through the Cheyne Road entrance would start from a public highway and cross the field, or emerge from the field and join with a public highway, using a route in front Numbers [REDACTED] and [REDACTED] Cheyne Road.

Cheyne Road is a road in private ownership and the owners of numbers [REDACTED] and [REDACTED] Cheyne Road own the land in front of their home up to a boundary that forms the midline of Cheyne Road. There is a separate section of land which is not part of Cheyne Road that lies between the end of Cheyne Road and the boundary of the Stoke Lodge Playing Fields part of which land is owned with [REDACTED] and part of which is owned with [REDACTED] Cheyne Road.

Thus, part of the route used by pedestrians crossing to and from the Cheyne Road entrance to Stoke Lodge Playing Field crosses land that is owned by me and by the owners of numbers [REDACTED] Cheyne Road.

I confirm in respect of the part of the hard surfaced section of Cheyne Road which I own and which I currently use to gain access to my property, both with vehicles and on foot, that:

- (a) I am aware of longstanding use, which predates my ownership of [REDACTED] Cheyne Road, on foot by members of the public over that part of Cheyne Road while going to/from Stoke Lodge Playing Field via the Cheyne Road entrance,
- (b) during my ownership of [REDACTED] Cheyne Road such use by members of the public has been 'as of right' (without force, without secrecy and without my permission)
- (c) I have not at any time objected to or taken action to prevent or deter such use by members of the public.
- (d) such use has taken place frequently throughout the day and on a daily basis throughout the time that I have owned [REDACTED] Cheyne Road.

(e) I am not able to say where all members of public whom I have observed walking over the part of Cheyne Road that I own came from in the case of those entering Stoke Lodge Playing Fields via the Cheyne Road entrance or went to in the case of those leaving Stoke Lodge Playing Fields via the Cheyne Road entrance. However, I am aware that some of those members of the public walked to or came from Stoke Paddock Road.

If the Public Rights of Way and Greens Committee decides at its meeting on 27 November 2024 that the Definitive Map should be modified to show the claimed routes over Stoke Lodge Playing Field (applied for by Professor Alan Preece in application IE0/1415 on 30 May 2018) should be registered as footpaths, then I will not object to a modification which shows a public footpath over the hard surfaced made up part of Cheyne Road which I own and which is currently used by me to obtain access to my property both with vehicles and on foot.

Yours sincerely,

A solid black rectangular box used to redact the signature of the landowner.

■■■ Cheyne Road
Bristol BS9 2DH

Friday 18th October 2024

For the attention of Bristol City Council PROW team

We are the owners of ■■■ Cheyne Road, Bristol BS9 2DH. We have owned and lived in this property for 39 years, since 1985.

We understand that at the meeting on 27 November 2024, the Public Rights of Way and Greens Committee will consider applications to register public rights of way over Stoke Lodge Playing Field. One of the entry points to the field is at the top of Cheyne Road and therefore any relevant rights of way that pass through the Cheyne Road entrance would start from the highway and cross the field, or emerge from the field and join with the highway, using a route in front of our home.

Cheyne Road is an unadopted highway and the owners of each of numbers ■■■■■ and ■■■ Cheyne Road own the land in front of their home up to a boundary that forms the midline of Cheyne Road. Thus the route used by people crossing to and from the Cheyne Road entrance to Stoke Lodge Playing Field crosses land that is privately owned by us.

We confirm that:

- (a) We are aware of longstanding passage by members of the public over the land in front of our home while going to/from Stoke Lodge Playing Field,
- (b) We believe this to be 'as of right' (without force, without secrecy and without permission) and
- (c) We have no objection to such use.

Such use has taken place frequently throughout the day and on a daily basis throughout our ownership. We have never made any attempt to restrict or prevent such use in order to access Stoke Lodge, nor are we aware of any such attempt being made by anyone else.

We consider the use by members of the public of this route to have been 'as of right' and of a nature that would establish a right of way over this land. This right is currently unrecorded and it would not be possible to regularise the position by recording such a right of way without it connecting to a right of way over Stoke Lodge Playing Field.

If the Public Rights of Way and Greens Committee decides at its meeting on 27 November 2024 that the claimed routes over Stoke Lodge Playing Field (applied for by Professor Alan Preece in application IE0/1415 on 30 May 2018) should be registered, then we consider that the currently unrecorded way over our land should also be recorded on the Definitive Map.

■■■■■

██████████ Cheyne Road
Bristol BS9 2DH
██

████████████████████
Bristol City Council
Highways, Traffic & Parking
PO Box 3399
Bristol BS1 9NE

by email to: rightsofway@bristol.gov.uk

5-Nov-2024

Dear ██████████

Your letter of 15-Oct-2024, ref. 169189: Application for Modification Order to add public footpaths at Stoke Lodge to Definitive Map & Statement

We are the owners of ██████████ Cheyne Road, Bristol BS9 2DH. We have owned this property since 21-Jul-2006; we moved in 7-Jan-2007 and have lived here since.

Cheyne Road is a privately-owned road, at least the 'upper end' that has nos. ██████████ and ██████████ (I cannot speak for the other houses in the road). We at no. ██████████ own the land in front of our property to the mid-line of the road between us and no. ██████████ which is opposite, who also owns to the mid-line of the road on her side.

We understand that likewise the owners of ██████████ and ██████████ own the land in front of their respective properties, also up to the mid-line of the road.

There is a separate grass/mud/tree section of land that is between the end of roadway and the boundary of Stoke Lodge Playing Fields; we understand that this land is part owned by ██████████ and part by ██████████

For the whole time we have lived here members of the public have walked along the 'upper end' of Cheyne Road and over the grass/mud/tree section to access and cross Stoke Lodge Playing Field; we have been told that this went on before we lived here.

Since we have lived here we have many times walked up Cheyne Road (part of the route from A to B) and across the field using route B-C-D during the 'relevant period' and on to the shops/barber/restaurant at the bottom of Stoke Hill and also route B-G, to go to the Adult Education centre.

As far as we know there have never been any objections to these pedestrians or any attempt to deter any member of the public walking this route; certainly neither of us have ever attempted to deter anyone on foot crossing our land, to go on the footpaths of Stoke Lodge Playing Fields or the field generally. Such pedestrians (often with dogs, some with buggies) typically pass several / many times a day.

With respect to the public rights of way footpaths application by Professor Alan Preece enclosed with your letter, having looked into this matter in some detail and considered the implications (also with neighbours), we have no objection at all to the registration including a public footpath over the roadway part of Cheyne Road which we own.

Yours sincerely,

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