



BY E-MAIL

Mr Cuma Ahmet  
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4 September 2024

Dear Mr Ahmet

**Response to Planning consultation 23/04590/OUT**

Friends of Cherry Hinton Brook (FCHB) was established to help ensure the health of Cherry Hinton Brook as a vital habitat for wildlife, with its adjacent footpath providing an important public amenity that allows the Brook to be enjoyed by local residents.

As in our responses to the 2021, 2022 and previous 2024 consultations, in this response we are focusing primarily on the proposals for Parcel C, which is adjacent to the Brook, and which are very likely to have an impact on it. The Brook is the key element in the green corridor that links the Gog Magogs area with the centre of the city, and the lakes and Brook are ecologically connected with wildlife dependent on both habitats (e.g. kingfishers which feed in one and nest in the other). The proposals for Parcels B and A are therefore highly likely to have negative impacts on the Brook, if implemented as planned.

We would also like to note that the proposal for a new science park on Parcel A seems at odds with the Council's development priority of housing – a new science park will simply create demand for new homes for the employees. Many now feel the City Council was wrong to allocate Parcel A for development, since building the proposed 4-6 storey buildings over former waste dumps poses so many risks to health and safety, as well as to the adjacent wildlife.

We feel that many aspects of this planning application need further consideration and discussion with those who are going to be impacted. Our detailed comments are provided below.

Best wishes

Sue Wells  
Chair, Friends of Cherry Hinton Brook

## FRIENDS OF CHERRY HINTON BROOK (FCHB) - OBJECTION

FCHB response to 23/04590/OUT: Land South of Coldhams Lane Cambridge

**FCHB OBJECTS to the application** (as in our previous three objections). In summary, our objections are as follows:

1. **Proposal for 24 hr public access to the site via four entrances** – we consider this completely inappropriate; the management and financing framework are based on this proposal and this must be re-visited before consent is given.
2. **Inadequate proposals for security and safety** – a system to secure the area must be identified before consent is given, to ensure that the site cannot be used for activities that are anti-social, unsafe and damaging to wildlife. Passive surveillance will not be sufficient
3. **Lack of clarity on leisure activities and their locations within Parcels B and C:** agreement on these is essential before consent is given, as the management, maintenance and funding framework depends on a good understanding of these.
4. **Negative impacts on the biodiversity of the lakes and Cherry Hinton Brook:** these are numerous and the BNG calculations continue to be questioned. FCHB believe that the 2006 recommendation for designation of this area as a Local Nature Reserve should be resuscitated.
5. **Location of the main entrance point at the junction of the Tins and Brookfields/Burnside:** this is completely inappropriate because (a) in periods of high rainfall it is liable to flooding (b) this corner of the lakes has high biodiversity value which would be lost if the visitor entrance is constructed there; (c) the corner junction is already a risky location for pedestrians and cyclists and this would increase.
6. **Inadequacy of the proposed Management and Funding Framework (MFF):** this needs to be revised once points 1, 2 and 3 above have been resolved in order to reflect more accurately the true management and maintenance requirements and associated costs.
7. **The many risks associated with pollution, water contamination and flooding:** it is clear that further assessments of these are required.
8. **Transport to the urban country park:** there needs to be further clarification of how visitors will be deterred from using cars to reach the lakes, and cycle routes will need a lot of additional work.

Further details are provided below

**1. The proposal for 24 hr public access to the site via four entrances** (at main arrival point, two other locations on the Tins, and the vehicle access point)

This seems particularly inappropriate in the light of the recent drowning tragedy. The 2018 Local Plan does not specify this – public access could also be achieved through regulated opening times. 24 hr public access would require on-site supervision much of the time on account of safety (young people accessing the lakes without supervision), anti-social behaviour (given the long history of this in the lakes, around the Brook and on Burnside), noise and disturbance at night for local residents, and disturbance of the wildlife. Experience at other country parks (e.g. Milton Country Park) confirms the need for some level of site staffing.

We think that there should be a single access point that can be easily controlled, and that further discussions are needed to determine the location. The Burnside entrance must be retained for the angling club and emergency vehicles, and could possibly be the entrance for visitors. Public access should only be allowed when there are authorised people on site who can oversee activities, and if young people are accompanied by responsible adults. Some kind of regulated periodic opening

(weekends, set times of day, seasonally) or guided visits might be appropriate, with paid staff and volunteer wardens. The arrangements for public access need further discussion and consideration of all options, involving the angling club, police, land owners, and representatives of local residents and wildlife group, BEFORE works are started to create the entrances. More detailed information explaining how adequate levels of health and safety are to be achieved, and any additional funding required, is essential before a decision is taken to open the lakes.

## **2. Inadequate proposals for safety and security**

The health and safety risks associated with the lakes are extremely high and have not been fully assessed. No underwater survey of the lakes has been carried out, and there are many reports of machinery and other hazardous objects on the bottom of the lakes. The cliffs and steep drop-offs in several areas pose a high risk of accidents; there is insufficient information about the proposed fencing along the cliffs to understand how this would mitigate risks. Prevention of trespassing has been largely unsuccessful, with both the Anderson and Peterhouse fences being frequently cut, and a police dispersal order having to be used two years ago. Local people do not agree with the developers' opinion that 'passive surveillance' by visitors to the lakes, once they are open, will be a deterrent. The prevention of trespassing urgently needs more discussion, as in hot weather this will remain an issue once the memory of the tragedy fades. Swimmers mainly access the lakes through the Peterhouse fence surrounding the Spinney (the woodland opposite Blacklands Allotments) and at a location on the railway line. The Wildlife Trust discussed security around the Spinney woodland about 2 years ago with the landowner, Peterhouse, and proposed planting along the fence to create a barrier of thorny vegetation. This recommendation was not followed through.

## **3. Lack of clarity on leisure activities to be allowed within Parcels B and C**

The 2018 Local Plan calls for the urban country park to be designed for "primarily passive outdoor recreation opportunities", and that this should be combined with protecting the wildlife values of the area. The Management and Funding Framework makes it clear that the developers are focusing almost entirely on the recreational potential of the lakes, with almost no reference to the need for maintain their biodiversity.

The application still fails to make it clear how little "dry land" surrounds the lakes in Parcel C, nor the steep cliffs and drop-offs adjacent to the water: although Parcel C covers 15.9 ha, we estimate that about 90% of this is open water, with the land limited to the relatively narrow path around each lake. The leisure activities to be permitted in each Parcel must be clearly defined before approval of the Master Plan, as this will influence the management and maintenance that are required and the associated costings. The activities to be permitted and restricted in each Parcel, and plans for which areas within each parcel will be restricted or closed to public access, need further discussion with all involved and with a full understanding of: the ownership patterns and what this means, the different physical characteristics of the lakes, the location of key wildlife, the opportunities for re-wilding and biodiversity restoration, and the concerns of particular interest groups, such as the anglers. There are still no estimates of potential visitor numbers once the sites are opened (the carrying capacity), and any seasonal variations. As outlined in previous responses, FCHB would object to any of the following activities being allowed, without the qualifications specified:

- **Proposed visitors' kiosk and toilets at the main entrance:** Servicing (provisioning and removal of waste) of the kiosk, and of toilets would lead to additional congestion in Brookfields and there would also be increased litter and congestion. There appears to be no particular reason why these would be necessary – Coldhams Common and Stourbridge Common, for example, are much larger areas and have no such facilities.

- **Creation of 'hard paths':** The lakeside 'paving' or 'self-binding gravel' proposed in the Master Plan are likely to cause run-off and prevent the growth of natural vegetation around the lake. In an earlier application, it was stated that paths and trails should "be safe to navigate but without the harsh physical and visual intrusiveness of tarmac" and "All materials should be naturalistic in appearance with minimal hard landscaping". A short stretch of self-binding gravel near the car park for wheelchairs and disabled people would be acceptable.
- **Dog walking:** Swans and great crested grebes nest very close to the path so are at particular risk of disturbance. There is now plentiful scientific evidence demonstrating that dogs are disruptive to wildlife, particularly birds but also mammals and reptiles: to wildlife, dogs are predators. They are naturally inquisitive, can accidentally disturb wild animals and often instinctively give chase. This can be particularly damaging if it is a bird on a nest, possibly on eggs or with nestlings, or an animal which is struggling to find food, or hibernating, to get through the long, hard winter months. Dog mess is a threat for uncommon wild plants which need low nutrient soils to survive (soils typical of the banks of the lakes). Soil enriched with dog faeces encourages the growth of coarser plants including nettles and thistles which out-compete most wildflowers.
- **Cycling:** We think this has been removed from the current application for Parcel C, but it needs to be made clear, and the provision of cycle spaces within the lakes at the main entrance, needs reconsidering. Cycle spaces should be installed outside the entrances wherever possible.
- **Boating:** As in our previous consultation responses, there should be no boats, other than emergency vessels.
- **Swimming:** We understand that some councillors have raised the question again of use of the area by one or more swimming clubs. Given the recent drowning, the issue of swimming needs to be discussed again with all involved, along with security and prevention of trespassing.
- **Picnic areas:** Given the small area available for walking and the assumed low carrying capacity of the site for visitors, and the increase in littering that such areas would create, we think that such facilities should be excluded.

FCHB would support, with some qualifications, the following:

- Walking, bird- and wildlife- watching, photography, and general relaxing are all activities that would be compatible with the ecology of the lakes, provided numbers of visitors are not too high and that individuals behave appropriately.
- The route of the walking trail needs further discussion with the angling club and wildlife experts.
- Angling will continue and the club should be recognised for the role it has taken in looking after the lakes and wildlife over the years.
- Proposed viewing platform on the high, open bit of cliff: however, given the height of the cliff, this is a location with a major safety issue and a viewing platform would need very careful design.
- Bird screen/hide: although appropriate for a nature reserve, we are not convinced that this would be necessary. Birds are easily visible all around the lakes, using binoculars, and the proposed location is not a particularly interesting one (it is also the location of much of the current swimming and trespassing; we think a structure here could encourage anti-social activities). If considered essential, this should be discussed with wildlife experts to determine the most appropriate location and design.

We object to the closure of Parcel B to public access, and consider that this proposal contravenes Policy 67 and the 2018 Local Plan. This Parcel could be used to help meet the growing need for public amenity space for this area (particularly the new housing to the north of Coldhams Lane) and could take some of the pressure off Parcel C. There is no reason why regulated public access should conflict with managing the area for wildlife; all other nature reserves within the City permit public access. If appropriately managed, some recreational areas would be compatible with the biodiversity restoration/re-wilding activities that are proposed; public access should be provided to the view from this elevated piece of land over the city, including King's College Chapel. We note the addition of a short document exploring the option for a cycle path through Parcel B to the Tins from Coldham's Lane, but would further exploration of options for recreation on this Parcel is needed.

The different uses of Parcels B and C, and the areas within them that should be closed, or have restricted access, need further discussion with all involved. There needs to be a full and common understanding of:

- ownership patterns and what this means;
- the different physical characteristics of two lakes;
- the locations of key wildlife;
- the opportunities for re-wilding and biodiversity restoration, and
- for the lakes, the interests of the anglers.

#### **4. Negative impact on the biodiversity of the lakes and Cherry Hinton Brook**

The wildlife will inevitably be disturbed by increased visitor numbers. The area encompassed by the 3 parcels is identified in the Cambridge Nature Network as a vital green 'lung' and 'corridor', linking the Gog Magog area with the River Cam, and includes both "core areas" and "stepping stones". Parcel C is a City Wildlife Site (no. 40 – Norman Cement Pits), and the original Design and Access Statement recognised that this parcel has the highest biodiversity value of the three parcels.

The lakes are important for both wintering and breeding birds, including tufted ducks (c. 60 often present), gulls, terns, swans, great crested grebes, water rails, as well as occasional visitors that stop over briefly (common scoter, goosander, shovellers have been recorded in winter months) and a bittern was recorded in the past. Being deep water, the lakes are valuable for wintering birds during extended cold spells when wetlands elsewhere are frozen over. The trees and bushes are a vital habitat for spring migrants such as willow, Cetti and reed Warblers, chiff chaff, blackcap, siskin and many others. The small areas of grassland and shaded wooded areas are important for key species including orchids: bee, white helleborine, and common spotted orchids were recorded in summer 2024 (photos available). In 2023, otters were reported in the lakes, with sightings in the Brook (photos available). Bats are also regularly recorded. The 2006 Cambridge Nature Conservation Strategy recommended that the lakes should be designated as a Local Nature Reserve, which would provide the wildlife some statutory protection whilst still allowing public access for recreation. FCHB would like to see this recommendation followed through.

The ecological surveys undertaken in 2015 for the Environmental Statement for Anderson's 2022 application did not take account of differences between years and the way in which species use the lakes according to periods of cold weather. FCHB has provided Anderson with the information it has gathered on the wildlife of the lakes and Brook and this still seems to have been ignored. It seems that no information on the aquatic life of the lakes has been gathered and no diving ecological survey undertaken. The angling club has stocked the lake with fish, and its members have good amateur knowledge of the ecology of the lakes, but there is no indication of this data has been used.

We are very concerned about the proposals for tree felling, particularly the removal of several of the trees on the corner of Burnside/Brookfields/The Tins at the proposed main entrance, many of which provide nesting and roosting sites for birds such as sparrow hawks, great spotted woodpeckers and Little Egret (which overwinters here). Some of the trees are of a substantial size, and replanting would mean a loss of mature habitat for many years. We note that the City Council Tree Officer also has concerns about the proposed overall loss of tree canopy throughout the site. Management should be such as to encourage existing plant species and to promote natural restoration and biodiversity improvement. We agree with the Wildlife Trust's comments that the prediction for Biodiversity Net Gain (BNG) on Parcel C is overly optimistic, given the anticipated recreational use of this Parcel, and that there will be an overall loss of biodiversity across the proposed urban country park if the application is accepted.

The impact of the proposals on Cherry Hinton Brook (City Wildlife Site no. 11) and its wildlife have not been clearly laid out. Chalk streams are national conservation priorities, and Cherry Hinton Brook is habitat for key species, such as breeding water voles (a nationally protected species), numerous bird species, and visiting otters. Restoration activities have been underway over the last 5 years as part of the City Council's chalk stream project. The increased visitor numbers, once the lakes are opened, will potentially disturb the Brook's wildlife.

#### **5. Location of the main entrance point at the junction of the Tins and Brookfields/Burnside**

There are three important reasons why this is not a sensible place to put the main entrance:

- This year it has become clear that this location is liable to flooding in periods of high rainfall. The woodland here flooded frequently in the winter and spring of 2023/2024, as did the bridge across the brook onto the Tins. With predictions of more frequent episodes of extreme rainfall, this is likely to continue to happen.
- Safety: the exit from the Tins at this point is already dangerous, as pedestrians and cyclists come out onto the junction of Burnside and Brookfields.
- It is a key wildlife area for nesting sparrow hawks and woodpeckers in the trees and great crested grebes, coots and swans in the reeds. A major entrance here will result in disturbance and inevitable loss of the biodiversity value of this part of the site.

The proposed kissing gate entrance into the lakes near the Tins railway bridge is also of concern, as it would lead onto a very narrow path directly adjacent to the steep lake cliff – it is unclear how this would be made safe whilst also allowing access. Orchids grow on the sides of the existing path on this side, and these would be lost if vegetation is removed to widen the path and create a security barrier along the lake edge.

#### **6. Inadequacy of the proposed Management and Funding Framework (MFF)**

The MFF document is extremely brief and superficial, and implies a poor understanding of the site and the issues involved; the proposals for both management and funding are inadequate and in many cases not feasible. The strategic aims of the development as laid out in Section 4 (p.6) of the MFF make no mention of the need to protect and restore biodiversity. Bullet 3 states (*sic*) "Support the objectives of Cambridge's Nature Recovery Network, by securing both public open space through this key corridor for Cambridge.", a sentence which is not grammatically clear. P. 7 of the document states that the lakes are to be opened to the public for passive recreational use, and also does not mention the wildlife objective. Section 5.4 briefly mentions the BNG requirements for the site, but the biodiversity and nature protection role of the park is under-played throughout the document.

Section 8.1. As pointed out in many objections, the estimated annual funding cost of £38,000 for management, maintenance and securing the site would appear to be a significant underestimate. It is based on the idea that the lakes will be similar to a standard town park, with no particular security issues. This section also proposes that *“a pilot scheme is carried out as part of the early implementation of the works on parcels B and C”* in order to *“to ensure that the maintenance regime of both parcels is tested out operationally and the related costs are monitored and considered sustainable before any longer term governance arrangements are fully implemented.”* It appears that the intention is to start this pilot scheme AFTER the works to instal public entrances and upgrade the paths - Section 12 states that the landscaping and enhancement work would be the first action.

Section 8.2 on income sources is less than 80 words long and has clearly not been researched – no suggestions are made beyond the generalities of “start-up funding” and an “endowment fund”. Before planning consent is given, serious thought must be given to how the necessary funding can be raised. Section 8.4 gives a proposed annual cost of £37,000 rather than the £38,000 stated in Section 8.1, emphasizing further the poor quality of this document.

Section 11. on the proposed governance structure provides a potential starting point. However, it needs further discussion and review before planning consent is given, as it will be essential to have some kind of structure in place extremely quickly. The structure should be such that there is confidence that environmental groups and the local community are well represented; the report points out the need for this but does not explore it further.

The Landscape Maintenance and Monitoring Plan, prepared by Bidwells, confirms that the concept for the lakes is that it should be similar to a town park. The vision for the lakes, as laid out in this document is *“to create attractive, enjoyable and connected spaces”*, with nothing about biodiversity protection or restoration. Section 3.5 proposes requirements to *“remove dead foliage, wood, broken or damaged branches or stems, unless expressly instructed by project Ecologist”*: this would rapidly change the appearance of the lakes, which currently is only managed where absolutely essential – currently most dead wood and foliage is left for the benefit of the wildlife. Appendix 2, with the Maintenance Specification, also includes the requirement (number 250) to collect fallen leaves and remove them from the site. The requirement to remove dead vegetation is re-iterated in numerous places in this document and is not appropriate for a site being managed for its nature value. Section 4 proposes that the Landscape Management Strategy should aim *“to create a safe, clean park and recreation facilities for use by the public”*, which sounds much more like the aims of a town park, rather than a wildlife area.

## **7. The many risks associated with pollution, water contamination and flooding**

Parcel A is known to be contaminated, with the contamination still active. There is insufficient detail on how the developers plan to address this. Given the unevenness of the land, there is concern about how could it be safely capped (a membrane is proposed but we understand from experts that a suitable membrane would be difficult to install and very expensive, and that a concrete capping would not be possible). Following development of Parcel A, water flow is likely to be increased into the lakes (there will be less vegetation in Parcel A to absorb rainfall) and will be more erratic. We are concerned about the impact this may have on the Brook, as well as the potential for pollution, particularly of diesel, fuels, oil, particulates and dust. We note that Cambridgeshire County Council has also objected to the application for reasons related to drainage and because insufficient information has been provided on mitigation of flooding and pollution. Anglian Water’s response specifically notes that the proposed development could lead to an unacceptable risk of flooding downstream. FCHB is currently working with

the Wildlife Trust and City Council to undertake a range of restoration activities in the Brook to allow it to return to a more natural state and these improvements will potentially be negatively affected.

#### **8. Transport to the urban country park**

Both bike and vehicle access to the lakes needs more thought, given the narrow roads, the poor state of Snakey Path and the Tins, and the dangerous Tins bridge over the railway. The application states that strong reliance will be placed on users accessing the site by cycle. There is already excessive, and increasing, cycle, e-scooter, moped use on the Tins and Snakey Path, with several points on the Tins, such as the railway bridge and the bridge over Cherry Hinton Brook (which leads directly into Burnside and Brookfields on a right-angle bend) that already have a high likelihood of accidents. Plans for access to the lakes must be integrated with the proposals for new transport schemes in this part of Cambridge and the upgrading of Snakey Path. If visitors need to arrive by car, we think that this should be via the business area on the north side of the railway line. Any additional parking could be provided on Parcel A. The Burnside vehicle entrance should be for the angling club, emergency vehicles and disabled visitors only.