



BY E-MAIL

Mr Cuma Ahmet
Principal Planning Officer
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Cambridge CB23 6EA

13 February 2024 2

Dear Mr Ahmet

Planning consultation 23/04590/OUT: Outline application for Parcel A for Offices (Use Class E(g)(i)), Research and Development (Use Class E(g)(ii)), ancillary retail & facilities (Use Classes E(a) and E(b)), car and cycle parking, landscape and public realm, infrastructure and associated works, all other matters reserved except for access, Detailed proposal for Parcel A Building 3 (Use Classes E(g)(i) (Offices), E(g)(ii) (Research and Development)), the Hub Building with associated car and cycle parking, employment space, and leisure uses (sui generis), and the Pavillion Building for community uses (Use Class E (a-f)), and Detailed proposal for landscape works and access to Parcel C. (The Development is the subject of an Environmental Impact Assessment)

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 and 2022 consultations, in this response we are focussing on the proposals for Parcel C, which is adjacent to the Brook, and which are very likely to have an impact on it. In addition, given that the Brook is the key element in the green corridor that links the Gog Magogs area with the centre of the city, and that 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), we are also providing comments on the application as a whole.

Our 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:

1. Outline application for: Parcel A for Offices (Use Class E(g)(i)), Research and Development (Use Class E(g)(ii)), ancillary retail & facilities (Use Classes E(a) and E(b)), car and cycle parking, landscape and public realm, infrastructure and associated works, all other matters reserved except for access,
2. Detailed proposal for Parcel A Building 3 (Use Classes E(g)(i) (Offices), E(g)(ii) (Research and Development)), the Hub Building with associated car and cycle parking, employment space, and leisure uses (sui generis), and the Pavilion Building for community uses (Use Class E (a-f)), and
3. Detailed proposal for landscape works and access to Parcel C.

FCHB OBJECTS to the application (as in our previous two objections). In summary:

1. **Policy 16 of the 2018 Cambridge Local Plan** – Land South of Coldhams Lane

We do not consider that the application has been made in the spirit of the intention of this “Area of Major Change (AOMC)”, as laid out in the 2018 Local Plan. AOMCs require “*a comprehensive approach to development and renewal that recognises the dependencies between sites in order to bring forward holistic change*” and “*careful integration with existing nearby communities*”. The proposed development of Parcel A and the associated major increase in traffic, pollution and human disturbance both during and after construction, combined with the anticipated greatly increased volume of visitors to Parcel C, will have a negative impact on the blue-green corridor, its wildlife and the benefits that local residents obtain from it. This area (all three Parcels cover an area about the size of Coldham’s Common) is a key opportunity for both providing more public access to open space and for protecting the City’s biodiversity, but this will require careful planning to maintain an acceptable balance and ensure benefits to wildlife as well as local residents.

2. **Omission of Parcel B from the application**

Policy 16 recommends that Parcel B is considered in the planning for Parcels A and C. We support this and object to the very recent removal of Parcel B from the proposals (at the time of the public consultation in St Andrews Church, Cherry Hinton and the Mission St presentation made at the online Cambridge East Community Forum in October 2023, Parcel B was clearly included in the application). According to the Design and Access Statement (DAS), Parcel B has been dropped on the basis that ‘any alterations here will not require planning permission’. Since the proposed works for Parcel B are not made clear, we question this reasoning. We note also that the Greater Cambridge Shared Planning Office has submitted a letter outlining several concerns about the omission of Parcel B from the application. We comment further on Parcel B below.

3. **Lack of information on what is intended for Parcel C**

Although detailed proposals for certain specific landscape works and access are provided as part of this application (our response on these is below), no further information is provided. Although we accept that Parcel C should ultimately be open to the public, as proposed in the 2018 Local Plan, we object to the approach being taken to this. We consider that the previous discussions about, and recommendations for, opening the lakes must be addressed. We do not support the opening up of the lakes until:

- A management body, with appropriate participation of local community groups and wildlife organisations, has been established and a funding mechanism that goes beyond the proposed 25 years has been identified.

- Agreement has been reached on the types of activities to be allowed in the lakes.
- A system to secure the area has been identified, to ensure that the site is not used for activities that are anti-social, unsafe and damaging to wildlife.
- Access and transport have been discussed further and some acceptable solutions identified.
- Impacts on biodiversity are further clarified and the 2006 recommendation that this area should be designated as a Local Nature Reserve is re-considered.
- Risks of pollution, water contamination and flooding in the Brook and surrounding area are better understood.

Detailed comments on Parcel C ‘Master Plan’ submitted with the application

We note that the previous application 21/05476/FUL (*For Parcel C (the Lakes): full application for the opening of the Site to public access for passive recreation, alongside delivering ecological enhancements, including landscaping and public open space*) made many recommendations for Parcel C and we have been led to believe that Anderson will be progressing these if this current application is approved. However, we have significant concerns, as described in our objection to the previous application.

In relation to this current application, in the absence of any descriptive text, we have extracted information from the documents that relate to Parcel C and summarised this in the table below. On the basis of this information, we object to the following:

- a. Location of the main arrival point at the junction of the Tins and Brookfields/Burnside, as this is a key wildlife area. The proposals for the entrance will result in disturbance and almost inevitable loss of the biodiversity value of this corner of the western lake, which is where sparrow hawks nest and which is very close to nest sites for great crested grebes and swans.
- b. Proposals for 24 hr access to the site via kissing-gates (at main arrival point, two other locations on the Tins, and the vehicle access point) unless the pros and cons for these are clarified. Although some FCHB members would like 24 hr access, there are numerous issues to be considered including safety (children 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.
- c. Proposals for a visitors’ kiosk and toilets. We fully reject these proposals as servicing (provisioning and removal of waste) of the kiosk, and of toilets would lead to additional congestion in the narrow access road (Brookfields). There would also be increased litter and congestion
- d. Proposals for changes to the angler car park. FCHB has always maintained that car access, should be via the business part on the north side of the railway line, where space could be provided on the applicants’ land for any additional parking. The Burnside entrance should be retained for the angling club and emergency vehicles only, with consideration given to access for some disabled visitors.
- e. Proposals for lakeside ‘paving’ or ‘self-binding gravel’. In an earlier application, it was noted 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”. Paving will cause run-off and prevent the growth of natural vegetation around the lake.

We support, with qualifications the following:

- Proposed viewing platform on the high, open bit of cliff: this is a location with a major safety issue and a viewing platform would need very careful design.

- Bird hide: although a good idea for a nature reserve, choosing a good location for will be difficult and we are not convinced that a hide is necessary here. Birds are easily visible all round the lakes, using binoculars, and the proposed location is not a particularly interesting one for looking at wildlife. If considered essential, this should be discussed with wildlife experts to determine the most appropriate location and design.
- Wheelchair access, provided this can be implemented without making a hard path around the lake, and does not also allow unimpeded access by cyclists.
- Walking trail, provided the route is discussed further with the angling club and wildlife experts. It should perhaps be limited to the north side of the lakes where there is no fishing (see further comments below).
- Cycle parking areas: see below for further comments in relation to cycling within the lakes which should not be allowed.

Document	Features shown	Notes
WHOLE SITE ILLUSTRATIVE MASTER PLAN	1. The lakes arrival point and facilities	Corner of Burnside and Brookfields
	2. Access from the tins cycle path	Immediately to the west of the Tins cycle bridge
	3. Loop trail around western lake	
	4. Retained club member car park integrated with pedestrian and cycle access and trail	Current vehicle entrance off Burnside
	5. East lake nature reserve with trail and bird hide	
	6. Tapestry of insect-focused habitats including aggregate cliffs	In Parcel B
	7. Structural shrub planting	In Parcel B
THE LAKES – ILLUSTRATIVE LANDSCAPE MASTER PLAN	1. Main public access point and tins cycle link	As per 1 above
	2. Public cycle parking	adjacent to main public access point
	3. Wheelchair friendly kissing gates at all trail accesses for pedestrians only	At main public access point, vehicle entrance, and two points on the Tins
	4. Access points with interpretation and orientation boards	At kissing gates as above.
	5. Potential location for kiosk	At main public access point
	6. Potential seating and picnic area	On high point of cliff in West Lake.
	7. Loop trail around western lake	
	8. Fencing to protect from falling on steep and raised lake banks	Along far sides of both lakes
	9. Viewing and resting opportunities around west lake, with protective fencing	About 6 locations in West lake
	10. Retained fishing posts on southern and eastern shores of west lake	Shown in about 6 locations.
	11. Tins connection	Tins cycle and footpath
	12. Retained club member car park integrated with pedestrian and cycle access and trail	Vehicle access gate on Burnside
	13. Accessible kissing gate, access to signed quiet nature trail	Located at top of causeway (currently a high metal gate)
	14. Bird hide facing east lake	At current swimming spot
	15. East lake nature reserve	East lake excluding the part owned by Peterhouse
	16. Access restricted to nature reserve at south-east of east lake	At the brook end of the causeway, near the old railway caravan

Document	Features shown	Notes
THE LAKES LANDSCAPE MASTER PLAN	Location of the features listed above, and identification of trees to be removed.	
THE LAKES DETAIL PLANS (1)	Main entrance, car park, and the two Tins path entrances	Detailed drawings
THE LAKES DETAIL PLANS (2)	Bird hide and the two entrances into the East lakes nature reserve	Detailed drawings
THE LAKES LANDSCAPE MATERIALS PLAN	Location of 'hard materials' to be installed: <ul style="list-style-type: none"> • Lakeside paving • Park bench • Park bin • Interpretation board • Cycle stand • Timber fence • Kissing gate • Timber gate • Fishing peg wheelchair rail 	Photos of examples included

General Comments

1. Negative impact on biodiversity of Parcel C

The area encompassed by the 3 parcels has been identified in the Cambridge Nature Network as a vital green 'lung' and 'corridor', linking the Gog Magog area with the River Cam. The 3 parcels include both "core areas" and "stepping stones" in the Nature Network which is being supported by the City Council to ensure the recovery of nature and biodiversity within the larger Cambridge area. Parcel C is a City Wildlife Site (no. 40 – Norman Cement Pits), and the Design and Access Statement (section 5.1) recognises 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 recently 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 on the near continent and elsewhere in East Anglia 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 others have been recorded. 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 provided Anderson with information it has gathered on the wildlife of the lakes and Brook but this did not appear to have been used. 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 information being used.

The wildlife will inevitably be disturbed by increased visitor numbers. There is a balance to be struck between public access and nature on such a constrained site, and planning for use of the lakes must be discussed further with biodiversity experts and representatives of the local communities who will visit the lakes, as well as the angling club who use it on a daily basis and are largely responsible for maintaining its current biodiversity value.

We are very concerned about the proposals for tree felling, particularly the removal of all the trees on the corner of Burnside/Brookfields/The Tins at the proposed main entrance. Many of these trees 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. 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 comment in their response that the prediction for Biodiversity Net Gain (BNG) on Parcel C is overly optimistic, given the anticipated recreational use of this Parcel. We also agree with the Trust's view that there will be an overall loss of biodiversity across the proposed urban country park if the application is accepted.

2. Negative impact on biodiversity of Cherry Hinton Brook

The application and master plan for the proposed urban country park must demonstrate that there will be no damage to Cherry Hinton Brook (City Wildlife Site no. 11). Chalk streams are national conservation priorities, and Cherry Hinton Brook is habitat for key species, such as breeding water voles, 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 if not carefully and well managed.

3. Pollution, water contamination and flooding

Parcel A is known to be contaminated, with the contamination still active. The land is known to be sinking and potentially, in the course of this, will squeeze contaminants into the aquifer, from where they will flow into the East Lake and then Cherry Hinton Brook. 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).

The plan is for surface water from Parcel A to flow out through the East Lake and then out into Cherry Hinton Brook (this is currently the case), with various mitigation measures put in place to prevent pollution and sedimentation. Nevertheless, as pointed out in several responses, following development of Parcel A, water flow is likely to be increased (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. 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 we are concerned about activities that will potentially reverse these improvements.

Increase in water run-off into the East Lake and then into Cherry Hinton Brook could potentially lead to flooding in Burnside. 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.

4. Activities to be prohibited/allowed within the lakes

This has been discussed on numerous occasions over the last ten years (from the time of the earliest discussions about allowing public access to the lakes). The new application does not give a prediction of the visitor numbers that will result from opening the site, and no estimate of the number that could be accommodated within the site at any particular time or season (the carrying capacity). In early discussions, the developers made it clear that an urban-style park, with hard landscaping, would NOT be considered. The application still fails to make it clear how little "dry land" surrounds the lakes, 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. The area available for leisure activities is essentially the narrow path around each lake.

The different uses of the two lakes and the surrounding areas need further discussion, with all involved having 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, the interests of the anglers, etc. The details of which areas should be open to the public, which should be closed and which should have restricted access should be decided collaboratively.

Dog walking: there has been long agreement that this would be prohibited. 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: There is long-standing broad agreement that this would not be permitted within the lakes area of the park. Provision of cycle parking spaces close to Parcel C is a good idea, but if placed within the area, careful attention would need to be paid to ensuring that this would not lead to cycle use around the lakes.

Benches and picnic areas: Given the small area available for walking and the assumed low carrying capacity of the site for visitors, we think that such facilities should be excluded or minimised.

Angling: this should be allowed to continue in both lakes; the locations for this should be discussed with the angling club. The club should be allowed to maintain the current "swims" unless impossible. The anglers have taken great care of the lakes and wildlife; their fishing activities do not cause problems.

Boating and swimming: Although neither of these activities are mentioned in the current application, FCHB wants to reiterate that, as in our previous consultation responses, there should be no boats, other than emergency vessels. In hot weather, the East Lake is regularly used, albeit illegally, for swimming and leisure and prevention of this is a major issue to be considered; to date, preventative measures taken by Anderson and Peterhouse have been largely unsuccessful.

The East Lake is proposed in the application as a 'nature reserve' in which public access would be restricted other than for bird/wildlife watching. However, the earlier proposal to install rafts for tern nesting has been removed (no reason given, although this is potentially a positive conservation activity). It is not clear how access to this lake will be managed and who will be responsible for unlocking the gates. The bird hide is proposed for the area currently used for illegal wild swimming and a range of anti-social activities; without very well controlled access arrangements the presence of a bird hide would more likely encourage such activities.

Peterhouse has recently fenced off access to this area more securely as trespassers cross their part of Parcel C. If there were to be 24 hr access to the lakes, as proposed, the swimming and leisure activities would undoubtedly continue and probably greatly increase.

In the previous application the Design and Access Statement implied that further commercial development is envisaged such as water-sports and 'other income streams' would be considered in order to generate revenue. Section 5.4.2 stated: "The design of the lakes will preserve the flexibility of the public spaces, for the future management trust, by identifying locations which will enable activity zones, cafes and other active uses in the future, whilst opening the west lake up to public access in a more immediate timeline. FCHB is strongly opposed to any such proposals, including motor-powered boats and water ski-ing.

5. Loss of designated "protected open spaces" (Local Plan Policy 67)

Cambridge has been recognised as lacking adequate public green space for its residents and, in the Cherry Hinton area, this is going to get worse as more housing is built. All three Parcels covered by this application are designated "protected open spaces" (POS). Policy 67 (on protected open spaces) of the 2018 Local Plan states that development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless: *the open space can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost; and the re-provision is located within a short walk (400m) of the original site.*

For Parcel A, despite the revisions in the new application, we do not think that the proposals are in line with Policy 67; a clearer explanation is needed as to how the POS proposals will meet the criteria. For Parcel C, a more transparent and inclusive discussion is needed to determine the types of activity that will be compatible with both biodiversity and the major safety concerns.

6. Health and safety

The health and safety risks associated with the lakes are considerable and the level of on-site supervision required to achieve the predicted benefits is likely to be high. No underwater survey of the lakes has been carried out, and there are many reports by older residents of machinery and other objects on the bottom of the lakes that are likely to represent hazards. 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 these would mitigate risks. More detailed proposals are required as to how adequate levels of health and safety would be achieved, and the funding provided for this.

7. Access and transport

In relation to visitors arriving by car, access should be via the business area on the north side of the railway line, where space could be provided on Parcel A for any additional parking required. The Burnside car entrance should be for the angling club and emergency vehicles only, with consideration given to access for some disabled visitors and minimal expansion, as this would entail the clearance of the natural vegetation the park is intended to enhance.

Mission St states in its application that strong reliance will be placed on users accessing the site by cycle. Currently there is increasing cycle, e-scooter, moped use on the Tins, and this would only be increased. There are already several pinch 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: both of these points 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.

8. Management of the “urban country park” and its financing

The application does not show how the proposals for the lakes will be delivered across the multiple ownerships (Anderson, City Council, Peterhouse), but the future management of the site must be treated as a whole, if it is to be sustainable. The maps do not show that the City Council has part ownership of Parcel C. The fact that a large part of the eastern lake is owned by a university college is also not made clear. We understand that Anderson is obliged to fund the management and maintenance of the lakes for 25 years, but we need to be certain that the public benefits will be secured in perpetuity if planning permission is granted for the development.

We consider that it will be essential to have a “management body” for the area. Successful integration of nature conservation and public access will require major investment, with the design and implementation of a high-quality management plan over an extended period. Management will require a collaborative approach, involving owners and developers (Anderson Group, City Council, Peterhouse, County Council, Mission Street), biodiversity experts and representatives of the various groups that have a key interest including the angling club, environment organisations, community groups such as Friends of Cherry Hinton Brook, and relevant Residents Associations. “Volunteer management” has been mentioned but requires much thought in the light of the complex situation and the need for a Long-Term Governance Arrangement. Considerable on-site supervision will be essential, and might need to include 365 days wardening, locking the gates at night, and setting up a night-time on-call system. Experience at other country parks (e.g. Milton Country Park) confirms the need for some level of site staffing.

We agree with the Wildlife Trust’s statement in their response that *“The costs of managing this site should not be underestimated, so we would advise the City Council to request that a site management plan and business plan with management costs be prepared now, ahead of any planning committee decision, in order to inform the decision. This is essential in allowing the City Council to reach an opinion on whether the proposals are deliverable through a S106 payment and the potential revenue streams.”* If the future management costs are under-estimated, there is a high risk that new recreational uses will be introduced to generate additional income, which might include activities that would further damage the wildlife, such as water-based recreational activities, use of the site for events, or café facilities.

PARCEL B MASTER PLAN

A document with this title is included on the planning application portal although the DAS says it is not part of the application. This document shows that Parcel B will include (*sic*):

1. Steep south facing wall compressed Aggregate for Invertebrate Colonisation
2. A variety of loose Aggregate unevenly distributed
3. Tall ruderal Vegetation with minimal self-sewn shrubs
4. Proposed controlled access to Parcel B (directly onto to Coldhams Lane).

In the 2018 Local Plan, Parcel B is proposed for recreation and we see no reason why it should not be made publicly accessible; public access appropriately managed would be compatible with the biodiversity restoration/re-wilding activities that are proposed. In addition, consideration should be given, as discussed in earlier consultations, to using part of Parcel B to provide cycle and pedestrian access to the Tins from Coldham's Lane.

For Parcel B, the application proposes **no** public access. FCHB objects to this and considers 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 the local community and that it 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.