



<b>Planning Committee Date</b>	5 <sup>th</sup> October 2022
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/00778/FUL
<b>Site</b>	The Varsity Hotel And Spa, 24 Thompsons Lane, Cambridge, Cambridgeshire.
<b>Ward / Parish</b>	Market
<b>Proposal</b>	Installation of a new all weather lightweight retractable roof canopy and associated works
<b>Applicant</b>	Mr Will Davies
<b>Presenting Officer</b>	Charlotte Peet
<b>Reason Reported to Committee</b>	Significant Public Interest
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1. Design, Scale, Layout and Landscaping 2. Heritage Assets 3. Amenity
<b>Recommendation</b>	<b>REFUSE</b>

## 1.0 Executive Summary

- 1.1 The application seeks permission for the installation of a new all weather lightweight retractable roof canopy and associated works. The proposed canopy would sit above the existing roof top, which operates as part of the existing restaurant.
- 1.2 The report details that the proposed canopy structure is an unacceptable addition to the building and would adversely impact the high-quality Skyline of Cambridge and the surrounding heritage assets due to its insensitive scale, form, bulk, mass and appearance. It is outlined that the proposal has failed to meet the policy requirements for a structure of this height, and that the proposal would detract from several important listed building and the central conservation area.
- 1.3 Officers recommend that the Planning Committee REFUSE the application.

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	X	Local Nature Reserve	
Listed Building	X	Flood Zone	
Building of Local Interest	X	Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 The Varsity Hotel is a seven-storey building used as a hotel and restaurant within the centre of the city adjacent to the quayside area. The Glassworks gym occupy the converted warehouse which adjoins the application site to the north. Other than this, to the northeast of the site, the character is predominantly residential and defined by consistent rows of two-storey terraced properties which are designated buildings of local interest. To the southwest, the character shifts, and is defined by taller, commercial use buildings which form part of the quayside area. Beyond this, is the River Cam.
- 2.2 The proposal is located with the Central Conservation Area, within the setting of a number of listed buildings and buildings of local interest which are summarised in the heritage section of this report.

## 3.0 The Proposal

- 3.1 The application seeks permission for installation of a new all weather lightweight retractable roof canopy and associated works
- 3.2 The proposed development comprises a structure made with a steel frame and glass which would sit across the over the entire rooftop area to provide year-round use of the rooftop bar. It would involve the removal of the existing balustrade and become a permanent fixture, although small parts of the structures glazing would be retractable, as well as a fabric roof.
- 3.3 The application was given the opportunity to submit further information/ amend the application following the concerns raised by the Conservation Officer, the following were submitted:
- Heritage Impact Assessment
  - Covering Letter
  - Response to Conservation Letter
- 3.4 Given that these responses failed to address the concerns raised or amend the application, the applicant was given one further chance to make amendments to the proposed structure. The applicant did not amend the proposal, however submitted the verified views to further demonstrate the result of the proposal on the surroundings.

#### 4.0 Relevant Site History

Reference	Description	Outcome
21/05201/NMA1	Non-material amendment of planning permission 21/05201/FUL (Creation of new basement/s for Hotel and Spa) Amendment of basement level, increasing depth by approx 2m	Pending decision
21/05201/FUL	Creation of new basement/s for Hotel and Spa	Permitted
21/03682/FUL	Creation of new basement/s for Hotel and Spa	Permitted
20/02622/S73	S73 to remove condition 4 (car parking layout) of ref: 09/0447/FUL (Change of use from two residential apartments on 6th floor to six hotel rooms).	Pending consideration
20/02504/S73	Removal of condition 2 (vehicle parking) of planning permission 08/1610/FUL	Permitted
18/1933/FUL	Erection of a lightweight retractable fabric awning system, together with minimalist sliding glass curtains above the existing glass balustrade on the 6th Floor.	Permitted
15/0396/S73	S73 application to remove the prohibition of restaurant, cafe, bar use on the sixth floor -	Permitted

	removal of condition 3 of planning permission 09/0447/FUL.	
14/0499/S73	S73 application to vary condition 2 of planning permission 08/1610/FUL to remove the part relating to the provision of a disabled parking space to amend to 'provision would be made offering valet parking free of charge for disabled guests'.	Refused
09/0775/S73	Variation of Condition 3 of planning permission 08/1610/FUL to allow the possibility of a restaurant	Permitted
09/0498/S73	Variation of Condition 3 of planning permission 08/1610/FUL to allow the possibility of a restaurant.	Refused
09/0447/FUL	Change of use from two residential apartments on 6th floor to six hotel rooms.	Permitted
09/0344/S73	Variation of condition 3 of planning permission 08/1610/FUL to allow the possibility of a restaurant.	Refused
08/1610/FUL	Change of use which involves conversion of an existing apartment block in the centre of Cambridge into a Hotel, with no change to the top floor which will remain residential.	Permitted
04/1270/FUL	Amendments to approved planning permission C/03/0808/FP to achieve acoustic improvements and minor internal changes and increase size of Flat 19, to accommodate these changes by varying Northern, Eastern and Western elevations.	Permitted

- 4.1 The building was originally built as a residential building, however was later converted to a hotel through subsequent applications which first converted the lower floors to hotel use and then the top floor and then added the restaurant. The most recent alterations to the building have been in the form of the creation of a basement for the hotel/spa.
- 4.2 In regard to this application, it is worth noting that no pre-application has been undertaken regarding any addition to the roof.

## 5.0 Policy

### 5.1 National

National Planning Policy Framework 2021  
National Planning Practice Guidance  
National Design Guide 2021  
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design  
Circular 11/95 (Conditions, Annex A)  
Conservation of Habitats and Species Regulations 2017

Environment Act 2021  
ODPM Circular 06/2005 – Protected Species  
Equalities Act 2010

## **5.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development  
Policy 2: Spatial strategy for the location of employment development  
Policy 10: The City Centre  
Policy 11: Development in the City Centre Primary Shopping Area  
Policy 28: Sustainable design and construction, and water use  
Policy 31: Integrated water management and the water cycle  
Policy 32: Flood risk  
Policy 34: Light pollution control  
Policy 41: Protection of business space  
Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 58: Altering and extending existing buildings  
Policy 59: Designing landscape and the public realm  
Policy 60: Tall buildings and the skyline in Cambridge  
Policy 61: Conservation and enhancement of historic environment  
Policy 62: Local heritage assets  
Policy 80: Supporting sustainable access to development  
Policy 82: Parking management

## **5.3 Neighbourhood Plan**

N/A

## **5.4 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020  
Cambridgeshire Flood and Water SPD – Adopted November 2016  
Health Impact Assessment SPD – Adopted March 2011  
Landscape in New Developments SPD – Adopted March 2010  
Open Space SPD – Adopted January 2009  
Public Art SPD – Adopted January 2009  
Trees and Development Sites SPD – Adopted January 2009  
Grafton Area Masterplan and Guidance SPD (2018)  
Mitcham's Corner Development Framework SPD (2018)

## **5.5 Other Guidance**

Central Conservation Area Appraisal (2017)

## **6.0 Consultations**

### **6.1 Conservation Officer - Objection**

- 6.2 The application site is within the Central conservation area, and forms part of the setting of a number of statutorily and locally listed buildings, including the Grade I Pepys and First Court buildings at Magdalene college, the Chapel and the New Court buildings at St John's College, which are also Grade I, the Bright's building at Magdalene College, and Magdalene Bridge, which are both listed Grade II, and the Buildings of Local Interest on the east side of the north section of Thompson's Lane, both sides of St John's Street, and the west side of Park Parade. The Design and Access statement does not identify these heritage assets, nor does it make any reference to possible impacts on their setting, or on the significance of the conservation area. It is therefore clearly in conflict with Para 194 of the NPPF, and with part b of Cambridge Local Plan policy 60, both of which require applicants to identify heritage assets and assess potential impacts in this way.
- 6.3 The application documents are unclear on exactly how much of the proposed structure would remain permanently in place, and how much would be removed or retracted at times of good weather. Both the awnings and the roofing columns are described as retractable, but how cumbersome this process would be, and how frequently the applicants expect retraction to take place is not stated. The perimeter panels are explained as replacing the present glazed balustrade, so they would presumably have to stay in place at all times for safety reasons, but whether any other part of the structure would remain in place in good weather is not stated. The birds-eye image included in section 6 of the Design Access and Heritage Statement implies that the overall metal roof structure would remain in place even on a day when the canopy itself was retracted or removed. Given normal weather conditions, however, it is clear that the whole of the proposed structure would be in place most of the time, especially as it is clearly intended to provide shade in bright sunshine as well as protection from rain. The effect of the proposal would therefore be to create an enclosed eighth storey to the building. The additional storey would be more lightweight than the existing seven storeys, but no less visible, as the submitted CGI of the [proposed view from Jesus Green makes clear. During twilight and darkness, the additional storey would be lighted within, and would hence appear as a very prominent illuminated volume against the darkening sky.
- 6.4 The existing roof terrace restaurant is already a very prominent feature. The Historic Core conservation area appraisal notes that:
- ‘The rooftop terrace of the new hotel and restaurant use can be seen from a wide surrounding area but is regarded as having detracted from the historic character of Cambridge's collegiate skyline’.
- 6.5 The photographs submitted in the application demonstrate the way in which the hotel substantially overtops all the surrounding buildings. It is also a visually discordant element in views from surrounding streets, because it reads anomalously against the predominantly pitched roofs of

the nearby domestic buildings, and introduces human activity and movement at rooftop level, in contrast to the wholly ground-level activity in its immediate environs. Seen across Jesus Green from the east, the building is prominent on the skyline, bulky and rectilinear, its massing and uncompromising modern materials contrasting aggressively with the delicate articulation of the pinnacle of St John's New Court, and the tower of St John's Chapel, and its scale overpowering both the collegiate buildings and the locally listed houses along Park Parade.

6.6 Additionally, in views from Magdalene College, especially from Second Court and the Fellows' Garden, the upper floors of the hotel building, and especially the roof terrace and its balustrade, are positioned directly against the listed Pepys and Bright's buildings, creating a jarring contrast with the profiles of those buildings, filling and towering over the opening revealed between the two.

6.7 The proposed additional structure would considerably exacerbate all these impacts, raising the effective height of the building, making it more prominent, more bulky, even more discordant in terms of form and materials, and more illuminated. It would thus erode the setting of all the nearby buildings cited above and harm the domestic character of the Thomson's Lane enclave, the collegiate and historic significance of Magdalene College, and the contribution which the western skyline makes to the quality of Jesus Green.

6.8 Recently published advice from Historic England: Historic Advice Note 4: Tall Buildings (March 2022) is relevant to this case. Paragraph 3.2 states:

'If a tall building is not in the right place, by virtue of its size and widespread visibility, it can seriously harm the qualities that people value about a place'.

6.9 This proposed canopy is not in the right place: the present building intrudes aggressively into the skyline and overwhelms nearby buildings. The proposed canopy would make it a taller and more intrusive building, even more inappropriately sited than it is at present.

6.10 Paragraph 4.5 of the advice states:

6.11 Understanding local context (including its evolution) is critical to achieving good design. This includes considering how the tall building relates to neighbouring buildings. It is important that the massing and scale of the building is appropriate in relation to its surroundings and responds to context to avoid or minimise harm to the significance of heritage assets.

6.12 The proposal to increase the height of this building has not considered how that development will relate to neighbouring buildings or its surroundings. It is not good design, because it does not acknowledge the domestic character of the Thompson's Lane enclave, the quality of the collegiate skyline seen across Jesus Green, or the historic collegiate

character of Magdalene’s Second Court and Fellows’ Garden. The canopy would be inappropriate in this context and would cause significant harm to heritage assets.

- 6.13 Policy 60 of the Cambridge Local Plan 2018 states in part (b) that tall building proposals must ensure that ‘the character or appearance of Cambridge, as a city of spires and towers emerging above the established tree line remains dominant’. The proposed canopy would further erode this specific aspect of the city’s character, going beyond the damage already done to the dominance of towers and spires by the existing building.
- 6.14 The parallel drawn in Section 3 of the submitted Design Access and Heritage Statement between this proposal and the lightweight system previously approved on the hotel balconies is not valid, because those balconies are not a feature of the skyline, and their visual impact is far more limited.
- 6.15 The harm already done to heritage assets by the existing upper floors of the hotel and its roof terrace does not provide any justification for this project. There is no basis in local or national policy for accepting harmful impacts on heritage assets because a lesser level of harm has already been done. The proposed canopy would considerably exacerbate the harmful impact of this building.
- 6.16 I do not see any scope for mitigating the impact of this proposal through conditions. Any proposal to limit the amount of time the canopy could be in place would still allow the extensive harm to heritage assets detailed above and below to be caused for substantial periods of time. It would also be extremely difficult, if not impossible, to enforce. Proposals to alter the materials, reduce the extent of lighting, or limit the proposed canopy to only part of the roof terrace would similarly fail to have any substantial impact on the harm caused by the canopy.
- 6.17 The proposal would conflict with Cambridge Local Plan policies 55, 58, 60, and 61, and with government guidance in paragraphs 199, 200, 202 and 203 of the NPPF. It would cause ‘less-than-substantial’ harm to a number of heritage assets. The degree and nature of such harm is indicated in the table below.

<b>Asset affected</b>	<b>Degree of harm</b>	<b>Nature of harm</b>
Pepys Building, Magdalene College	Serious harm, towards the top of the ‘less-than-substantial’ range	Jarring juxtaposition of the proposed canopy area with the profile of the building when seen from Second Court. Further erosion of the enclosed and historic character of the space in front of this building. Jarring juxtaposition of the proposed canopy with the

		rear profile of the building when seen from the Fellows' Garden. Erosion of the character of this space, which is important to the setting of the Pepys Building.
Bright's Building, Magdalene College	Serious harm, towards the top of the 'less-than-substantial' range	Jarring juxtaposition of the proposed canopy area with the profile of the building when seen from Second Court. Further erosion of the enclosed and historic character of the space in front of this building.
St John's College chapel	Significant harm, beyond the mid-point of the 'less-than-substantial' range	Competing with and overtopping this landmark building; eroding the prominence of historic college towers and spires in the skyline.
New Court, St John's College	Significant harm, beyond the mid-point of the 'less-than-substantial' range	Competing with and overtopping the landmark pinnacle of this building; eroding the prominence of historic college towers and spires in the skyline.
BLIs in Thompson's Lane, St John's Street and Park Parade	Significant harm, beyond the mid-point of the 'less-than-substantial' range	Dominating the skyline; contrasting awkwardly with the patterns of the domestic roofscape; exacerbating the hotel's existing distraction from the street-based focus of this residential enclave.
Central conservation area	Serious harm, towards the top of the 'less-than-substantial' range	Cumulative impacts on the small-scale character of surrounding streets, the collegiate character of Magdalene College, the western skyline when seen from Jesus Green, and the view east along the river from Magdalene Bridge.

### **Further comments following submission of Heritage Impact Assessment and Response Letter**

- 6.18 Comments subsequent to the additional (June) submission of an HIA, & response/letter:
- 6.19 The submitted HIA acknowledges harm to certain heritage assets:
- harm to the visual contribution the Magdalene College Brights Building makes to the adjacent riverscape;
  - harm to the Fellows Garden;
  - harm to the significance and character of this part of the river Cam corridor within the Conservation Area, and the skyline of Cambridge as seen from within Jesus Green.

- 6.20 The HIA considers that these harms would be “less than substantial” and at a minor level (in contrast to the Officer’s comments about the various buildings/places affected and levels of harm).
- 6.21 It then states that,
- “From within Jesus Green, the proposed rooftop canopy will alter the skyline from a small area within the parkland where there are vistas of The Varsity Hotel & Spa and St John’s College New Court and Chapel Tower. It is considered that that these views will not cause substantial harm to the overall character and appearance of the Cambridge skyline, as from many other areas within the historic core of Cambridge, these university buildings are still the prevailing tall features within the horizon.”
- 6.22 The latter is at issue. In terms of prevailing tall features, the proposed canopy would make it a taller building. Impact during twilight and darkness – when it would be lighted from within, would increase its prominence, and the introduction to the townscape, of a roof at high level, opening and closing would also be a feature uncharacteristic of the taller buildings of the historic core.
- 6.23 The applicant’s letter puts forward a justification (for in effect, the harms identified by the HIA) based on benefits to the business. However, NPPF para 202 states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...
- 6.24 The historic core is a very significant asset of the city. It has a distinctive skyline that combines towers, turrets, chimneys and spires with large trees. The aims of the Council’s Local Plan policy include to “maintain the character and quality of the Cambridge skyline” (page 329).
- 6.25 Notwithstanding the agent’s protestation that Council policy on tall buildings should not be applied to the proposal, the applicant’s HIA itself considers (at 8.4) Local Plan Apdx F “Tall Buildings” to be relevant.
- 6.26 The HIA in its methodology section, notes Historic England’s (2017) The Setting of Heritage Assets: Good Practice Advice Note 3 notes that ‘it is important that, at the preapplication or scoping state, the local authority, indicates considers approaches such as a ‘Zone of Visual Influence’ (ZVI) in order to better identify heritage assets and settings that may be affected.’
- 6.27 Nevertheless, various impacts are not given consideration in the HIA – for example, the impact on the character & appearance of the conservation area – viewed from the Castle Mound and from Great St Mary’s Church.

- 6.28 The Council as Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Taking into account the June submissions, it remains the case that the proposal would harm (preserve or enhance) the conservation area.
- 6.29 Section 66 of the Planning (LB & CAs) Act 1990 states that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting.....
- 6.30 The NPPF provides that irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) - Para 199.
- 6.31 Given these provisions, the proposal is not considered acceptable.
- 6.32 Further Comments Following Submission of Verified Views**
- 6.33 The Verified Views.
- 6.34 The images submitted confirm that there would be impacts from the viewpoints concerned. They confirm how out of character the retractable roof canopy would appear – the combination of its uncharacteristic form/volume, and its position atop the building resulting in an incongruous presence and intrusive (ref from Magdalene Bridge) appearance.
- 6.35 They illustrate impacts on the conservation area such as in the experience of Jesus Green (where the structure would also detract from the significance of the tower of St John's College chapel in the view). From Great St Mary's, the structure would also be seen in the setting of St John's College chapel and against a tree belt beyond.
- 6.36 The introduction of the structure (bare or covered) into the vista from The Castle Mound cannot be said to be sympathetic with the important characteristics of the cityscape there.
- 6.37 Comments on the 17th August 2022 LanPro assessment.
- 6.38 At the river Cam corridor, the suggestion the design and shape of this canopy would be in keeping with the overall character of the juxtaposition between the old and new, with the historic grounds of Magdalene College to the north and the repurposed industrial and more modern developments along the south bank of the river whilst the canopy will simply result in a slightly taller ridgeline, does not take into account the nature of this metal and glass structure.

- 6.39 From within Jesus Green they say the tower of St John's College Chapel is still the dominant feature within the historic core skyline and that there will be only less than substantial harm (minor level) harm. Even if this were so, this does not account of the character of the structure nor dynamic aspects of its operation which would in both cases increase its impact.
- 6.40 Whilst the verified views produced from Castle Mound indicate that the retractable roof canopy would not break the existing treeline, this does not mean it would not compete (as a volume/form) with the spires and towers. Therefore, it is not accepted that the proposed development will result in less than substantial harm (minor level) to the views across the historic core of Cambridge from Castle Mound.
- 6.41 I have referred above to the view from Great St Mary's, the structure would also be seen in the setting of St John's College chapel and against a tree belt beyond. The structure is referred to as simply a "grey-coloured rooftop canopy almost entirely blending in with the Chapel roof when either closed or open" but this does not take into account that this is an opening and closing "lightweight" structure of quite different appearance to the masonry and slate it would be seen in conjunction with.
- 6.42 Overall, I consider that whilst the verified views submitted are indicative of the proposed development resulting in what the NPPF terms "less than substantial harm", the level of this harm would be significant and therefore more than the minor level the agents suggest.

**6.43 Urban Design Officer**

Background information/additional comments

- 6.44 The site is located within the Central Conservation Area and documented within the Historic Core Appraisal, 'Thompson's Lane'.
- 6.45 The proposals seek to introduce a retractable roof canopy, that covers the footprint of the existing roof, and has an overall ridge height of 4m.
- 6.46 As far as we are aware, the applicant has not engaged with the Local Planning Authority (LPA) in pre-application discussions. Pre-application discussions are recommended for all sites, particularly where there are contextual and amenity issues to be addressed. Engaging in pre-application discussions is consistent with paragraphs 39-42 of the NPPF.

Tall buildings and the skyline in Cambridge

- 6.47 The proposals break the existing skyline, and as such trigger Policy 60 of the Cambridge Local Plan (CLP 2018). The applicant has failed to satisfy the criteria set out in Policy 60 for assessing the impact of tall buildings on the Cambridge skyline.

- 6.48 The applicant will need to use the criteria in Policy 60 & Appendix F (CLP 2018) to assess the sensitivity of the upper floor, and to inform the extent of any additional massing.
- 6.49 Given the footprint and height of the proposed canopy frame, the proposals effectively add an additional floor to the existing building. As such, we will need to see comparative CGIs and accurate visual representations, which have been chosen using the methodology set out in Policy 60 & Appendix F (CLP 2018) and in response to the sensitivity of the surrounding context. The technical parameters of the two views provided, from New Park Street and from Jesus Green, have not been provided, nor do they show comparative views (existing and proposed), and as such they cannot be used to make an accurate judgement about the likely impact of the proposals on the surrounding context.

#### Scale, massing, and appearance

- 6.50 The proposed scheme creates a single large massing to the existing hotel with an apex form rising to a proposed ridge height of 4m. The proposed form lacks any meaningful articulation, and we are concerned that the proposed form and materials will create a visually dominant addition on the skyline that negatively impacts on available views. As such the proposed scale and form are not supported in urban design terms.
- 6.51 In our view, it should be possible to add a canopy to the upper floor that creates a visually interesting roofscape and adds interest to the Cambridge skyline. The proposals are located on a building that is already breaking the prevailing skyline in terms of height and massing. An addition to the building has, subject to careful assessment and sensitive design, the ability to create a more sculptural and well-articulated form that makes a positive contribution to the skyline.
- 6.52 The Hyatt, Eddington is a good example where the design of the rooftop canopy appears lightweight and recessive and is successful in creating a sculptural and articulated form.

#### Conclusion

- 6.53 In the absence of an adequate assessment against Policy 60 (CLP 2018) and given the resulting bulky scale and appearance of the proposals, the scheme does not comply with Policy 55, 56, 57 & 60 (CLP 2018) and cannot be supported in urban design terms. A more successful response to the challenge of creating the canopy is needed and a design brief where the scale, massing, and appearance of the proposals combine to create an addition that makes a positive contribution to the skyline.
- 6.54 **Further Comments Following Submission of Verified Views**
- 6.55 We previously raised concerns about the bulky scale and appearance of the proposals, and the absence of an adequate assessment against Policy

60 of the Cambridge Local Plan (CLP) 2018. The proposed form lacks any meaningful articulation and has the potential to create a visually dominant addition on the skyline that negatively impacts on available views.

- 6.56 We concluded that it should be possible to add a lightweight canopy to the upper floor of the existing building and that an addition has, subject to careful assessment and sensitive design, the ability to create a more sculptural and well-articulated form that makes a positive contribution to the skyline.
- 6.57 The applicant has now submitted a set of Verified Views (15th August 2022) in line with Policy 60 (CLP 2018) but has not amended the proposals in response to the concerns raised. Having reviewed the Verified Views, our prior concerns remain.
- 6.58 The Verified Views show that the proposals are creating a large volume, which by virtue of the overall height, footprint, and detailing, results in a form that is bulky and heavy in appearance. The Urban Design comments provided by Raquel Leonardo on behalf of the applicant, fails to acknowledge the level of impact that the proposals can be seen to have, particularly from more local views. This can be seen in the Verified View taken from Magdalene Bridge, which shows the uncomfortable juxtaposition between the volume and bulk of the proposals against the finer, more articulated surrounding roofscape.
- 6.59 Given the resulting bulky scale and appearance of the proposals, the scheme does not comply with Policy 55, 56, & 60 (CLP 2018) and cannot be supported in urban design terms. We acknowledge that an additional form to the existing hotel roof top could be achieved, but a design led approach, that delivers a more articulated and slender form is needed to make a positive contribution to the skyline.

## **7.0 Third Party Representations**

- 7.1 The applicant has submitted two petitions in support of the application with over 400 total signatures, from people living both within and outside of the city.
- 7.2 In addition, representations have been received in objection and in support of the application. Those in objection have raised the following issues:
- Character, appearance and scale
  - Cambridge skyline
  - Highway safety and traffic movement
- 7.3 Those in support have raised cited the following reasons:
- Year-round use of hotel facilities
  - Provide entertaining and event space
  - Wider benefits including tourism and employment

- Character, appearance and scale

## **8.0 Member Representations**

Not applicable

## **9.0 Local Groups / Petition**

9.1 Not applicable

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

## **10.0 Assessment**

### **10.1 Design, Layout, Scale and Landscaping**

10.2 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

10.3 Policy 60 states that any proposal for a structure that breaks the existing skyline and/or is significantly taller than the surrounding built form will be considered against the following criteria: a. location, setting and context; b. impact on the historic environment; c. scale, massing and architectural quality; d. amenity and microclimate; e. public realm.

10.4 Appendix F (Tall Buildings and the Skyline) of the Cambridge Local Plan 2018, states that Cambridge has a distinctive skyline that combines towers, turrets, chimneys and spires with large trees with notable buildings including St John's College Chapel and others forming some of the important view to Cambridge.

10.5 It defines a tall building as any structure that breaks the existing skyline and/or is significantly taller than the surrounding built form, and states that within the historic core any proposal with six storeys or more and a height above 19 metres would need to address the criteria set out the guidance.

10.6 In regard to part (a), the applicant is required to demonstrate through a visual assessment or appraisal with supporting accurate visual representations, how the proposals fit within the existing landscape and townscape. Appendix F (paragraph F.29) expands on this criteria to suggest that the relationship of the proposed building, or buildings, to the surrounding context needs to be carefully examined through a townscape, landscape and urban design appraisal.

10.7 As submitted, the application did not provide any information to understand how the proposal had been informed by the surrounding

context, nor did it provide any assessment to understand how it would fit into the existing townscape and landscape. The examination of the visual impact was limited to two visualizations of the proposal from Jesus Green and New Park Street with no assessment or consideration of these views and the impacts that would result to the surrounding area. Following the comments made by the Conservation and Urban Design Officers the applicant sought to submit further information.

- 10.8 The information that was submitted includes a heritage impact assessment to assess the harm to heritage assets and zone of visual influence to demonstrate where the proposal would be visible within the surrounding context. In addition, further to this the applicant also submitted verified views of the proposed development to demonstrate its impact upon the surroundings.
- 10.9 Whilst Officers appreciate the additional information submitted, the information focuses on the highlighting where the proposal would be visible both in respect of heritage assets and its surroundings. It does not demonstrate how the proposal has been informed by an examination of the surrounding townscape and landscape. The zone of visual influence is partially helpful in its examination of potential viewpoints, however visibility or lack thereof does not justify the proposals siting, form or design. In addition, the verified views are helpful to assess how the proposal would appear from a variety of viewpoints, including in regard to some heritage assets, however these do not justify the approach taken. Instead, they highlight that the concerns raised by the Conservation Officer and Urban Design Officer are well-founded as they make clear the significant impact that the proposal would have on its surroundings and the skyline of Cambridge due to its poor articulation.
- 10.10 The information submitted does not demonstrate how the proposal has been informed by the surrounding context and the impact it would have in terms of the impact to the character and appearance of the area. It is considered that the application fails to meet criteria (a) of Policy 60.
- 10.11 Criteria (b) aims to preserve and enhance heritage assets and requires the applicant to demonstrate and quantify the potential harm of proposals to the significance of heritage assets or other sensitive receptors. The information submitted does provide an assessment of heritage assets, including surrounding listed buildings and buildings of local interest, however I agree with the Conservation Officer that the harm would be significant and the justification given for the harm is insufficient. This will be assessed in detail in the following section. The proposal fails to comply with criteria (b) of Policy 60.
- 10.12 Criteria (c) requires that the applicant to demonstrate through the use of scaled drawings, sections, accurate visual representations and models how the proposals will deliver a high quality addition to the Cambridge skyline and clearly demonstrate that there is no adverse impact not considered to be a high quality addition.

- 10.13 Appendix F (paragraph F.36) states that the appropriate scale and massing of buildings is an important consideration in achieving the good integration of new buildings within established urban areas and the wider landscape. An understanding of the surrounding context, as required in Policy 55 of the Cambridge Local Plan, is an important step in achieving appropriately scaled buildings.
- 10.14 As above, as submitted, the information originally submitted with application was extremely limited in regard to the assessment of the visual impact of the proposal. Whilst there continues to be no justification or demonstration provided into the choices made surrounding the scale, massing and architectural quality of the proposal, verified views have been submitted. These were submitted following the continuing concerns being raised by the Conservation Officer and Urban Design Officer. The submission of verified views is welcome given the requirements of Policy 60 as above, however the applicant has failed to make any amendments to the scheme following these views in order to address the concerns raised. Instead, the verified views demonstrate that the concerns raised are accurate to the proposal and that the proposed development would appear as a poor-quality, ill-considered addition that would be detrimental to the skyline and surrounding context.
- 10.15 As existing the hotel building already intrudes into the skyline above surrounding buildings, it unfortunately appears dominant above these due to its height and contemporary materials which differ from those more traditional examples in the surrounding context.
- 10.16 The proposed development would significantly exaggerate the dominating impact to the skyline and surrounding area, due to its poorly considered scale, form, mass, bulk and appearance. In terms of scale, the proposal would seek add a 4 metre tall glass structure over the entire top floor of the building to effectively create an additional storey that would reach to the edges edge of the roof top.
- 10.17 Appendix F describes that the Cambridge Skyline is defined by an established tree line with spires, cupolas, chimneys and towers reaching above this. The elements are generally slender, with minimal and historically appropriate massing. In this case, the proposal would appear totally incongruous with these existing features and comprise an inconsiderate proposal with excessive and blocky massing which would over dominate the skyline. As in the views submitted, it would span a length of 23.4 metres, and be completely out of proportion with the existing features. It is considered that the proposal would represent a gross intrusive into the skyline due to the excessive scale and massing.
- 10.18 From the information submitted, it appears that little consideration has been given to the architectural detailing of the proposal. The proposal comprises a boxy structure, with a wide steel frame and glazing to cover this. The steelwork on the floor below appears to be much more slender and infrequent, however the proposal would have the steelwork be very visible and a significant part of the proposal. No detail has been given to

the proposed fabric roof, and how this would visually impact the wide ranging views from which the proposal would be visible.

- 10.19 Overall, the proposal would be considered to be a poor quality addition to the Cambridge skyline, that would aggressively disrupt the delicate articulation of the existing features. The proposal fails to comply with part (c).
- 10.20 In regard to part (d), the applicant has submitted no information regarding any consideration of the amenity and microclimate of neighbouring buildings and open spaces. The amenity impacts of the proposal will be considered more fully in the amenity section of this proposal, however the applicant has failed to provide any evidence that demonstrates that this has been considered. The applicant fails to meet criteria (d).
- 10.21 Finally, in reference to criteria (e) of policy 60, no information has been submitted regarding how the proposal would impact the public realm and street level, the application fails on this criterion also.
- 10.22 Policy 55 states that development will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places.
- 10.23 Policy 58 supports alteration or extension to existing buildings where the addition is carefully designed to avoid them destroying the character or integrity of the existing building or negatively impacting on the amenity of neighbouring properties or area.
- 10.24 As existing, the building contains a brick facade with openings to serve the hotel from ground floor to the fourth, above this the building finish is a more contemporary grey zinc. The fifth floor contains balconies to serve the hotel rooms, the sixth comprises the restaurant with a covered balcony. Above this, is the roof top level which comprises a glass balustrade which wraps around the edge of the building. The existing glass balustrade projects only 1 metre above the existing roof top, and so appears as a minimal and modest element above the existing building.
- 10.25 The application seeks to install what is described as a retractable roof canopy at this level, so that the roof top can be used year-round. The proposal seeks to utilise motorised guillotine perimeter windows which would slide down to open up the upper section of the side panels. It is detailed that a wide steel framework would hold these and the fabric roof with glazed corners, although no specific detail has been given of the steel frame, glazing or fabric to be used. From the additional information submitted, it has been made clear that the canopy structure would be a permeant addition as the glass balustrade would be removed to accommodate this proposal.
- 10.26 It is noted by Officers that some representations have commented that the proposal would not be a solid structure nor permanent, however this is not

the case, the proposal would be permeant structure with a significant frame and glazing that would not easily be removed. The retractable elements are small areas of glazing within the sides of the structure and the fabric roof.

- 10.27 Through the course of the application, the applicant has submitted a letter to explain that the proposal will allow seasonal staff to be employed all year round and allow for better job security and career progression. They suggest the guests will be able to enjoy the roof top more as the weather variations can be dealt with.
- 10.28 As existing, the Varsity Hotel projects well above the surrounding buildings including the residential properties to the north and the commercial buildings which form part of the quayside to the south. The building comprises a height of 21 metres with the balustrade above projecting an additional metre, which is significantly taller than the adjacent buildings which are closer to 14 metres in height. The upper floors which protrude above the surrounding built form comprise a modern grey zinc materials which adds to the buildings prominence from various local and short distance.
- 10.29 The proposal would sit above the existing building, and with an additional height of 4 metres sit well above the surrounding buildings and protrude into the skyline of Cambridge. As have been described above, the proposed addition would result in a poorly considered, insensitive, addition to the building that is considered to be excessive in its scale, mass, bulk and height. The addition lacks any meaningful articulation and is instead in the form of a poorly considered box which does not preserve the high quality nature of the Cambridge Skyline nor the surrounding area. The details given surrounding the steel framework suggest that it would be significant in width and be quite visible as a substantial structure above the rooftop.
- 10.30 Officers note that representations have been received about the proposal, with commentors suggesting that the proposal would be better than alternatives such as using umbrellas which could be blown away. Officers, note that these residents would enjoy increased use of the rooftop, however the proposed scheme is entirely unacceptable in its visual impact and therefore the benefits of having year-round use do not outweigh the harm in this case.
- 10.31 The applicant has been invited to amend the application in order to address the visual concerns of the proposal twice through the course of the application, however they did not amend the proposal and chose to submit further information instead. As above, the further information is appreciated but does not address the concerns raised regarding the visual impact of the proposal.
- 10.32 Overall, the proposed development is fails to contribute positively to its surroundings and be appropriately landscaped. The proposal is not

compliant with Cambridge Local Plan (2018) policies 55, 56, 58, 59, 60 and the NPPF (2021).

### 10.33 Heritage Assets

10.34 The application falls within the Central Conservation Area (Historic Core). The application is within the setting of a number of listed buildings and other heritage assets both within the surrounding area and within the skyline which are summarised within the table below.

Address	Historic Listing
29 Thompsons Lane	Grade II
30 Thompsons Lane	Grade II
Brights Building, Magdalene College	Grade II
Pepys Building, Magdalene College	Grade I
First Court, Magdalene College	Grade I
Second Court Magdalene College	Grade II
Magdalene Bridge	Grade II
No. 1-3 St Johns Road	Building of Local Interest
5-12 St Johns Road	Building of Local Interest
No 16-22 St Johns Road	Building of Local Interest
No 1-14 Thompson's Lane	Building of Local Interest
Park Parade	Building of Local Interest
St John's College Chapel	Grade I
New Court, St Johns College	Grade I
Central Conservation Area	C/A

10.35 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

10.36 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significance of a heritage asset should require clear and convincing justification.

10.37 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.

- 10.38 The Conservation Officer has been formally consulted on the application on three occasions, first as it was originally submitted, then following the submission of the heritage impact assessment and finally upon the submission of the verified views. The Conservation Officer objected on all occasions to the proposal.
- 10.39 As submitted, the application contained no information regarding the impact of the proposal on the surrounding heritage assets, and the Conservation Officer concluded that the proposal would result in less than substantial harm to a number of heritage assets without justification. The harm was summarized within a table in their comments which I have inserted within the consultation section of this report. The consultation response included recognition of mid to the top level of less than substantial harm to several listed buildings, buildings of local interest and the conservation area.
- 10.40 Following the significant concerns raised, the applicant requested the opportunity to submit further information in the form of a heritage impact assessment which Officers allowed. The heritage impact assessment makes regard to the significance of the heritage assets and the impact, however argues that the proposal would result in differing levels of harm than concluded by the Conservation Officer including no harm where less than substantial harm was found to some buildings of local interest and listed buildings (Section 8.9 – 8.60 of the heritage impact assessment).
- 10.41 Officers agree with the assessment made by the Council Conservation Officer in regard to harm, and notwithstanding this, note that the applicant has failed to demonstrate significant public benefit that would outweigh the less than substantial harm as is required in paragraph 202 of the NPPF (2021). The applicant has provided a brief statement detailing that the benefits of the scheme would mainly be private in terms of the business and there may be some opportunity to support staff being employed on a more permeant basis rather than just seasonal. Unfortunately, no further details of this have been given regarding this, and the applicant has failed to undertake an exercise to weigh any benefit against the harm that would result from the proposal and so the proposal fails to comply with both Policy 61 and the NPPF (2021).
- 10.42 In addition to the above, Officers agree with significant concerns raised regarding the visual impact to the Conservation Area, setting of several listed buildings and buildings of local interest and the Cambridge skyline of the proposal as is detailed in the previous section. The verified views that have been submitted within the second round of re-consultation confirm that the impact to the heritage assets would be significant as is detailed below.
- 10.43 The proposal is significantly visible both within the Cambridge skyline and from views surrounding the proposal site.

- 10.44 To the east of the proposal site are the Thompson Lane, St John's Street and Park Parade buildings of local interest, which positively contribute to the Conservation Area due to their consistent two storey scale and uniformity in appearance. As existing these buildings sit within the setting of the taller and more varied buildings at the former brewery. Beyond these buildings is Jesus Green from which there are important views of the Cambridge skyline above the existing tree line. From this point the chapel of St Johns College and the spire of All Saint's Church can be seen, and positively inform the skyline. The rooftop of the Varsity hotel is also visible, but this is understood to be a negative feature which detracts from the skyline and character of the area. The proposal would protrude into views within this skyline, above the existing buildings of local interest, and as such would detrimentally impact the heritage assets. Due to the buildings insensitive form, bulk, height and poor quality architectural detail it would dominate these views and erode the high quality of the collegiate skyline.
- 10.45 The verified views submitted demonstrate this further and show how the built form would protrude above the existing tree line and dominate views from Jesus Green. The building would have a poor and detrimental relationship with existing historic features which inform the skyline.
- 10.46 To the east of the site is Magdalene College as the associated listed buildings and Magdalene Bridge, from which the proposal would also be visible as shown in the verified views. As existing the rooftop area sits well above the quayside buildings' rooftops, and is again recognized for having had an adverse impact on the city skyline and conservation area due to its height, bulky form and contemporary appearance. Officers agree with the Conservation Officer that the proposal would exarate these impacts through the imposition of a tall, poorly considered structure which would aggressively intrude into the skyline and over dominate the surrounding rooftops and the views from the listed buildings which surround this area to the east.
- 10.47 As seen in the verified views, the proposal would intrude in the skyline above the surrounding buildings and appear as a bulky and squat addition that would fail to preserve to enhance views from the existing heritage assets.
- 10.48 It is considered that the proposal, by virtue of its scale, massing and design, would harm the character and appearance of the Conservation Area and the setting of several listed buildings and buildings of the local interest. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.

#### **10.49 Amenity**

- 10.50 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance,

overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

- 10.51 Policy 60 requires the applicant to demonstrate that there is no adverse impact on neighbouring buildings and open spaces in terms of the diversion of wind, overlooking or overshadowing, and that there is adequate sunlight and daylight within and around the proposals.
- 10.52 The applicant has failed to make any assessment regarding the impact of neighbouring buildings in terms of the surrounding urban microclimate and impacts in regard to wind, overlooking, overshadowing and sunlight and daylight. Given this, the proposal would fail in regard to amenity, as Officers are not satisfied from the information submitted that the proposal would not result in adverse impacts to neighbouring occupiers.
- 10.53 Notwithstanding this, Officers will consider the proposal with the information available. The proposal seeks to install a glazed structure surrounding the entire top floor of the building. The proposal would be located on the rooftop of the building, which is used as part of the existing restaurant within the sixth floor of the building. It appears from the information submitted that the rooftop is used in a seasonal manner when the weather allows, and that the proposal seeks to install the structure to allow use of the rooftop year-round. The details of how often the roof top is used and how often it would be used do not form part of the application, however given the existing use of the sixth floor restaurant year-round and the existing use of the roof top, the proposal would not be considered to contribute to a significant increase in terms of noise and activity that would be detrimental to the surrounding occupiers.
- 10.54 As well as this, Officers note that the proposal site is situated adjacent to the quayside area, with the closest buildings comprising commercial uses and therefore these are not considered to be significantly sensitive to an any increase in noise and activity.
- 10.55 The proposal front onto Thompsons Lane which does contain residential properties, closest to the site are No. 28 and No. 29 Thompsons Lane. As these buildings have a height of only two and two and half storeys, and taking into account that the proposal which sits above the sixth floor at roof top level the proposed structure would not be considered to result in adverse impacts in terms of loss of light or overbearing.
- 10.56 The proposal fails to demonstrate that it would adequately respect the residential amenity of its neighbours and the constraints of the site and therefore would not be compliant with Cambridge Local Plan (2018) policies 35, 58 and 60.

#### **10.57 Highway Safety and Traffic**

- 10.58 The proposal would seek to create a glazed canopy structure over the existing roof-top bar area to allow for the roof-top to be used year-round. One representation raised that the increased use of the roof top would

contribute to increased traffic difficulties along Thompsons Lane due to potential additional users.

- 10.59 Officers have had regard for the proposal and the increased use from season to potential year-round use, however note that the restaurant is already used year-round. In addition, Officers note that the building is sited in the centre of the city where sustainable transport methods are highly available and likely to be used.
- 10.60 It is acknowledged that the proposal may result in some additional traffic and pedestrian movements to use the roof-top area outside of the usual season, however given the roof-top and restaurant is already in use and the building is located in a sustainable location it is unlikely this would result in significant car movements along Thompson Road as to result in adverse impacts to highway safety.
- 10.61 The proposal is considered to be acceptable in highway safety terms in compliance with Cambridge Local Plan (2018) policy 80.

#### **10.62 Planning Balance**

- 10.63 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 10.64 The proposal fails to comply with the requirements of the Cambridge Local Plan (2018) policies 55, 56, 58, 59, 60, 61 and 62 and the NPPF (2021). The proposal is considered to harm the character of the area, the surrounding heritage assets and the Cambridge Skyline.
- 10.65 The proposal has presented limited benefits including private business benefits, and the increase of staff working hours, however these are insufficient to overcome the significant harm that would result from the proposal.
- 10.66 The applicant has been given multiple opportunities to make meaningful amendments to the application, however, has failed to make any amendments to the scheme, instead choosing to submit further information which has only further increased concerns regarding the visual and heritage impacts of the proposal.
- 10.67 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for refusal.

#### **10.68 Recommendation**

10.69 **Refuse** for the following reasons:

1. Policy 60 requires that any proposals for a structure that breaks the existing skyline and/or is significantly taller than the surrounding built form must demonstrate that the proposal would result in a high-quality addition to the Cambridge Skyline, that would preserve the character of the surrounding area, heritage assets, amenity and the public realm. The proposed development would be considered to result in a poor quality, insensitive addition to the Cambridge skyline that would aggressively contrast with the existing delicate and historic features through its excessive scale, bulk, mass, height and form. The application is accompanied by very little information to demonstrate that the proposal would successfully fit within the existing townscape. In addition, the proposal fails to meet the criteria of Policy 61 including a consideration of amenity and microclimate. The proposed development fails to contribute positively to its surroundings and the Cambridge Skyline. The proposal is not compliant with Cambridge Local Plan (2018) policies 55, 56, 58, 59, 60 and the NPPF (2021).
2. Policy 61 aims to ensure that proposals preserve or enhance the significance of the heritage assets of the city, their setting and the wider townscape, including views into, within and out of conservation areas. In this case the proposal would result in less-than-substantial harm to a number of heritage assets across the city, both within the immediate setting of the proposal and within wider views towards the city skyline, including the Central Conservation Area, grade I and grade II listed buildings and buildings of local interest. The applicant has failed to justify the harm through public benefits which are considered to be limited. The proposal by virtue of its scale, massing and design, would harm the character and appearance of the Conservation Area and the setting of listed buildings and buildings of local interest. The proposal would give rise to less than substantial harm on the identified heritage assets and is not compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Cambridge Local Plan (2018) policies 60 and 61.