



Planning Committee Date	7 th August 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	24/01408/FUL
Site	The Varsity Hotel And Spa, 24 Thompsons Lane, Cambridge
Ward / Parish	Market
Proposal	All Weather Retractable Roof Canopy with Living Meadow Walls and Associated Works
Applicant	Mr Will Davies
Presenting Officer	Charlotte Peet
Reason Reported to Committee	Called-in by Cllr Mark Ashton (Cherry Hinton)
Member Site Visit Date	TBC
Key Issues	<ol style="list-style-type: none">1. Principle of Development2. Context of Site, Design and External Spaces3. Heritage Assets4. Residential Amenity5. Highway Matters/ Parking6. Other Matters7. Third Party Representations
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks permission for an all Weather Retractable Roof Canopy with Living Meadow Walls and Associated Works.
- 1.2 The proposal would introduce a new structure to the rooftop of the building, comprising a steel frame with living wall and climbing plant elements. The retractable elements comprise a retractable awning system within the roof area and guillotine/ telescopic windows that open in the sides. The rest of the structure would remain as a permanent structure above the roof of the existing building.
- 1.3 The report details that this application follows three previous applications for a similar structure on the rooftop; all of which were refused with one being dismissed at appeal. This application has been amended since the previous application to set back the western side of the structure and introduce a new materiality in the form of the living walls.
- 1.4 The report outlines that whilst the proposal has been amended the proposal does not overcome the previous reasons for refusal and therefore cannot be supported. The report raises significant concerns about the proposed living wall approach in terms of the visual impact, the longevity of the proposal and the sustainability of such an approach. It is explained that the proposal would result in a poor-quality, incentive addition to the Cambridge skyline which would contrast with the existing historic, delicate features through its scale, bulk, mass, height, appearance and materiality. In addition, the proposal is considered to result in harm to the River Cam corridor and to several important heritage assets within the city including the Central Conservation Area and various listed buildings and building of local interest. The public benefits have not been altered from the previous application and would not overcome the significant harm resulting from the proposal.
- 1.5 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 (setting of)	X	Flood Zone	
Building of Local Interest (setting of)	X	Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument (setting of)	X	Controlled Parking Zone	X
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

- 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 planning permission for all weather retractable roof canopy with living meadow walls and associated works.
- 3.2 The Design and Access Statement outlines that this application has been submitted in response to the refusal of the planning application second application on the site (ref. 23/01137/FUL). This application was submitted before the third application was determined (ref. 24/00488/FUL).
- 3.3 It comprises an amended design in order to decrease the footprint of the structure and introduce new living meadow walls. To achieve this the applicant has reconsidered the structural arrangement of the roof of the building and seeks to replace part of the ring beam in order to step the structure away from the west side of the building. The structure would then follow the same format as the previous proposals with a fabric retractable roof and horizontal retractable windows. The meadow walls have been proposed to provide flow between the lower floor and the roof terrace in attempts to soften the framework. It seeks to use a meadow cladding system by Vertical Meadow that would accommodate a mix of wild grasses and wildflowers. The seeds inserted would be require replacement every 5-10 years, however the watering and monitoring integrated into the system.
- 3.4 This application follows three previous applications for a similar structure on the roof terrace.
- 3.5 The first application submitted comprised a glass structure to cover the entire roof of the building, with glass walls and a pitched roof (ref. 22/00778/FUL). This application was refused on its adverse impact to the Cambridge skyline and the harm that would result to important heritage assets within the city. The application was appealed to the inspector and the appeal was dismissed a copy of which is in appendix 1 of this report.
- 3.6 The inspector described the proposal as a development that would be highly at odds with the prevailing pattern of development within the city.

They expand that this would provide a jarring addition to the skyline and this would be exaggerated by illumination at night in the darker months of use. The inspector states that the proposal would fail to represent a high quality addition to the Cambridge skyline and to the character and appearance of the Conservational, the buildings of local interest and would result in harm to Magdalene College. The benefits of the scheme were not considered to outweigh the harm.

- 3.7 Following this, a second application was submitted (ref. 23/01137/FUL). The proposal continued to comprise a structure made of glass and steel to be installed on the roof, but with an amended design. This application was presented to Planning Committee, it also refused due to harm to the skyline and heritage assets.
- 3.8 Most recently, a third application was submitted which retained the previous design, however submitted additional information including details roof sections (ref. 24/00488/FUL). This application was refused 1st May 2024, for the same reasons as the previous application as it was not considered to have addressed these reasons for refusal.

4.0 Relevant Site History

Reference	Description	Outcome
22/00778/FUL	Installation of a new all weather lightweight retractable roof canopy and associated Works	Appeal Dismissed Following Refusal 04.10.2023 (Committee)
23/01137/FUL	Installation of a new all weather lightweight retractable roof canopy and associated works	Refused 06.10.2023 (Committee)
24/00488/FUL	All Weather Retractable Roof Canopy with Living Meadow Walls and Associated Works	Refused 01.05.2024 (Delegated)
24/02238/FUL	Installation of a new all-weather lightweight retractable roof canopy and associated works.	Application Returned 09.07.2024

- 4.1 A copy of the Inspector's Decision letter in relation to the appeal is attached at appendix 1.

5.0 Policy

5.1 National

National Planning Policy Framework 2023
 National Planning Practice Guidance
 National Design Guide 2021
 Environment Act 2021
 Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
 Conservation of Habitats and Species Regulations 2017
 Equalities Act 2010

Planning and Compulsory Purchase Act 2004
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
Technical Housing Standards – Nationally Described Space Standard
(2015)
ODPM Circular 06/2005 – Protected Species
Circular 11/95 (Conditions, Annex A)

5.2 **Cambridge Local Plan 2018**

Policy 7: The River Cam
Policy 10: The City Centre
Policy 35: Protection of human health from noise and vibration
Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding
Zones
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing New Buildings
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 Cambridge’s historic
environment
Policy 62: Local heritage assets
Policy 77: Development and expansion of visitor accommodation
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development

5.3 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020

5.4 **Other Guidance**

Cambridge Historic Core Conservation Area Appraisal (2017)
Cambridge Hotel Futures Study” (2012)

6.0 **Consultations**

6.1 **Conservation Officer**

6.2 Summary:

6.3 The additional height of the proposed roof structure, its form and its materials, would be a harmful intrusion on the character and appearance of Cambridge’s central conservation area and to the settings of Listed buildings including the Pepys Library, St John’s College Chapel, and the Bright’s building.

6.4 Commentary:

- 6.5 The frame would step-in from the West elevation by 7 metres. “Living Meadow” cladding panels would be hung onto the broader new structural elements and onto the existing 1m section of the zinc top of the sixth floor. Frame elements such as the chamfer steels would be too narrow for these cladding panels so instead would have climbing plants along them (D&A Statement p.14). Window frames in the canopy would be finished in a green colour. Thus, the top of the building would actually comprise a mixture of finishes – not really the uniform look suggested in the elevation drawings.
- 6.6 The “Living Meadow” walls are intended to link in with the trees in the foreground of views and the meadow and grass area in front of the river at Magdalene College. Their impact would vary from closer to broader area views. From closer views* such as from Magdalene Bridge, and past the corner in front of the Pepys Library, and from behind the Pepys Library, the top of the building would not be seen against trees or grass and would stand out as an uncharacteristic, intrusive feature. From a distant view such as from Castle Mound the green cladding may have some benefit. *including views in the submitted HIA (appdx 2) Plates 5; 12; 14; 16; 22; 24; 25;52; 60
- 6.7 The views from Jesus Green avenue and from Magdalene Bridge demonstrate that the extra height and materials would add to the unfortunate prominence of the building in the conservation area and the way it competes with St John’s Chapel and the cupola of New Court.
- 6.8 The extra height would also make the building become visible over roof tops viewed from the front of the terrace of Grade II Listed cottages on Lower Park Street (from circa No.34).
- 6.9 Whilst the intention of the West elevation set-back is understood, a consequence is that it must limit the applicants claims to be unifying the extension with the existing building as it breaks the extruded form so that it is not contiguous or unified. The extension would be visible and intrusive from points within Magdalene College.
- 6.10 The applicant’s submitted HIA fails to conclude about impact on Madalene Bridge.
- 6.11 Heritage Assets:
- 6.12 The application site is within the Central conservation area, and also forms part of the settings of statutory and locally listed buildings, including the Grade I Pepys Library and First Court buildings at Magdalene College, the Chapel at St John’s College, 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.

6.13 The conservation area is significant for the relationship of the river Cam with open spaces such as Jesus Green and for views of historic buildings. The proposed roof canopy would not make a positive contribution nor be a neutral feature.

6.14 Conclusion:

6.15 There would be significant harm to conservation area which taking into account the additional building height, uncharacteristic appearance, and increased presence of a lit all-year round top floor, would be at more than a minor level of NPPF “less than substantial harm”. The weight given to the heritage assets affected in the planning balance needs to be particularly great (“the more important the asset, the greater the weight should be”) as they include highly graded Listed buildings and the historic core of Cambridge.

6.16 **Urban Design Officer**

6.17 Background

6.18 Three previous applications—Application Nos: 22/00778/FUL, 23/01137/FUL, and 24/00488/FUL—for a lightweight all-weather canopy on the roof of the hotel have all been refused on the grounds that the proposals failed to create a high-quality addition to the Cambridge skyline and harm to heritage assets.

6.19 Comment

6.20 The current proposals indicate that the structure supporting the retractable canopy is of a similar form to one previously proposed (Application 24/00488/FUL), but with the frame set back approximately 7 meters from its most westerly elevation. Additionally, the structural frame will be cloaked with meadow grass planting. These changes aim to mitigate and reduce the impact of the framed structure on views of the skyline.

6.21 Urban Design raised no objections to Application 24/00488/FUL, considering that the added structural elements and canopy at roof level, which also removed the different canopy designs at the sixth floor, formed a visually coherent design. The current application’s proposal to set back the frame from the west elevation will not compromise the design and is an appropriate response to concerns about the impact of the previous proposals on views from Magdalene Bridge. However, there are concerns that introducing a different treatment (meadow grass) to the facades, which contrasts with the zinc cladding below, offers a more fragmented approach to the treatment of the upper floors of the hotel. The added depth of the planted columns and cross beams is also of concern, as this may make the framed structure appear thicker and less elegant, drawing undue prominence to the upper storeys of the hotel.

6.22 In conclusion, while the setback of the framing is acceptable, the living meadow wall cladding on the structural elements of the canopy and façade will result in a less unified and refined appearance for the elevations, and I cannot support the application.

6.23 **Cambridge Airport**

6.24 The airport safeguarding team has assessed the proposal in accordance with the UK Reg (EU) No 139/2014 (the UK Aerodromes Regulation) and it does not conflict with the safeguarding criteria for the airport. We, therefore, have no objection to this proposal.

6.25 Due to the site being within 6km of Cambridge City Airport the crane operator is required to submit all crane details such as maximum height, operating radius, name and phone number of site manager along with installation and dismantling dates to the CAA Airspace Coordination and Obstacle Management Service (ACOMS) system.

6.26 **Mystery of Defence:**

6.27 The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

6.28 I can confirm that, following review of the application documents, the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed.

7.0 **Third Party Representations**

7.1 The representations in objection can be summarised as follows:

- The application fails to address the fundamental problems of the previous application
- Scale, height and position of hotel is already incongruous to Conservation Area
- Plants would not mitigate bulk of structure, but would make it more obvious and would add bulk, mass and incongruity
- Insensitive addition to skyline and negative contrast with historic features within Central Conservation Area
- Harm to grade I and grade II listed buildings, Conservation Area and buildings of local interest
- The proposal adds height and prominence to the building and skyline
- Detrimental to skyline

- Creation of enclosed eighth storey
- Incongruous appearance
- Proposal will make building more prominent (particularly from Jesus Green)
- Inspector raised concerns about the previous structure and impact to heritage assets
- Scale, height, bulk, appearance and lighting fails to respond positively to surroundings
- Increased traffic and congestion along Thompsons Lane and surrounding area
- Noise and light pollution, particularly if used for partying
- Views from Beaufort Place flats, proposal dominates skyline
- Varsity is already tall compared to surrounding buildings

7.2 The representations in support can be summarised as follows:

- The application supports a local business and creates a local venue in town centre
- The proposal has addressed concerns of Conservation Officer by stepping away from college buildings
- The economic benefits of job creation should not be underestimated
- The proposal takes an environmental approach
- Permanent jobs created for local people
- Benefits to hotel guests
- Lighting appears muted
- Living wall is attractive from outside and softens appearance
- Innovative design
- Support rooftop venue for visitors
- More in keeping than new car park being built

The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 Member Representations

8.1 Cllr Mark Ashton (Cherry Hinton) has made a representation to call in the application to planning committee on the following grounds:

- Magdalene College End remove so as to not overlook college
- Materials used for structure redesigned to give " Living Meadow Wall "

9.0 Assessment

9.1 Principle of Development

9.2 As explained in the proposal section of the report, this application follows three previous applications, one of which was refused and dismissed at appeal, another application which was refused at planning committee and

a final application which was refused under delegated powers in May this year. This application has been submitted to attempt to address the previous reasons for refusal.

- 9.3 Cambridge Local Plan (2018) policy 10 seeks to ensure Cambridge expands its role as a multi-functional centre through supporting a mix of retail, leisure and cultural development in order to add to the viability and vitality of the city centre.
- 9.4 Policy 77 of Cambridge Local Plan (2018) supports the development and expansion of high quality visitor accommodation in city centre locations.
- 9.5 The “Cambridge Hotel Futures Study” (2012) identifies the importance of achieving a high quality and distinctive hotel offer in Cambridge City Centre and that around 1,500 new hotel rooms may be required up to 2031. High quality visitor accommodation is therefore important to the Cambridge economy if it is to remain competitive as a visitor destination.
- 9.6 The NPPF (2023) paragraph 90 states that planning policies should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 9.7 The proposal would seek to create a new structure to cover the existing rooftop level, which is currently used as a rooftop terrace as part of the restaurant on the floor below. The applicants explain in the information submitted with the application that the lack of cover on the existing rooftop means that the rooftop use is uncertain and limited due to weather variation, which limits both patron usage and employment certainty for staff. The proposal seeks to cover the roof to allow resilience to weather conditions (both rainfall and heat). The information submitted with the application explains that this would enhance the operational capacity of the rooftop and allow increased numbers of and more consistent staffing opportunities.
- 9.8 In principle, enhancing the rooftop facility is considered a reasonable response to the limitations set out by the applicant. The application is subject to all other considerations within policy 10 which will be discussed in the following section of the report.
- 9.9 **Context of site, design and external spaces**
- 9.10 Cambridge Local Plan (2018) 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.
- 9.11 Cambridge Local Plan (2018) policy 60 seeks to ensure that the overall character and qualities of its skyline is maintained and, where appropriate, enhanced as the city continues to grow and develop. The proposal states

that any proposal for a structure to break the existing skyline and/or is significantly taller than the surrounding built form should be assessed against the criteria listed in parts (a) – (e) of the policy.

- 9.12 Cambridge Local Plan (2018) policy 7 outlines that development within the River Cam corridor should preserve and enhance the unique physical, natural, historically and culturally distinctive landscape of the River Cam.
- 9.13 The NPPF (2023) paragraph 131 seeks to support the creation of high quality, beautiful and sustainable buildings. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 9.14 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.
- 9.15 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. The application meets this guidance and therefore is expected to address these considerations.
- 9.16 This application continues to present a structure to enclose the roof terrace that would made with a steel framework, retractable glazed windows and a retractable fabric roof, however it has been amended from the previous application submitted so that it is stepped in from the western edge of the building and comprises green/ living walls over the frame and a portion of the elevation on the floor below. The height and form with the chamfered design has been retained with this submission.
- 9.17 The application follows three previous refusals based on the impact of the proposal to the skyline and heritage assets, the most recent application was refused for the following reasons (ref. 24/00488/FUL):
- Policy 60 of the Cambridge Local Plan 2018 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 complements the character of the surrounding area. The proposed development is considered to result in a permanent incongruous addition to the Cambridge skyline that would fail to positively respond to the existing delicate and historic features through its height, scale, bulk, appearance and lighting. As such, the proposed development fails to contribute positively to its surroundings and the Cambridge Skyline and is therefore contrary to the National

Planning Policy Framework (2023) and Cambridge Local Plan (2018) policies 55, 56, 58, 60.

- 9.18 The National Planning Policy Framework and policies 61 and 62 of the Cambridge Local Plan 2018 aim to ensure that heritage assets of the City are conserved in a manner appropriate to their significance, including their setting. By virtue of the proposed height, scale, bulk, appearance and lighting, the proposal would result in less than substantial harm to character and appearance of the Central Conservation Area and the setting of listed buildings and would adversely impact the unique, historic landscape of the River Cam. Furthermore, it would also harm the setting of buildings of local interest, which make a positive contribution to the character of the Central Conservation Area. The harm to heritage assets is not outweighed by the public benefits. As such, the proposal fails to preserve or enhance the character and appearance of the Central Conservation Area and the setting of listed and buildings of local interest, contrary to the provisions of the Planning (LBCA) Act 1990, the National Planning Policy Framework (2023) and Cambridge Local Plan (2018) policies 7, 10, 61 and 62.
- 9.19 The first application was a scheme with a more rectangular form on the form (ref. 22/00778/FUL). This was refused for similar reasons regarding impact to the skyline and design and impact to heritage assets. An appeal was lodged against this decision, however this was dismissed by the inspector 2 October 2023. Following this, two further application were submitted with the same design (the latter with additional detailing), these were also refused for similar reasons (ref. 23/01137/FUL, 24/00488/FUL).
- 9.20 In attempt to address the reasons for refusal the scheme has been amended as outlined in the Design and Access Statement submitted.
- 9.21 The proposal has been amended on the western portion of the roof to step the covered framework in and away from the edge of the roof. Previously, the proposed roof structure covered the entire roof area and the balconies below with the structure, however the proposal would now extend only partially on the western leg of the roof terrace, leaving an open space with balustrade beyond this.
- 9.22 In addition to this change, the proposal has been submitted with an alteration to the external appearance of the roof structure, it is now proposed that the framework would comprise 'living meadow' walls. These would be partially living meadow walls, although from the isometric drawing and the Design and Access Statement it appears that this could not be achieved all parts of the structure due to its size and form and therefore some of the structure would be painted green, possibly with growing plants along these parts. From the information submitted, it appears that the steel beams extending horizontally around the bottom and top of the structure would have a living wall, as well as some of the corner beams and the chamfered beams. The beams in between this, extending vertically around the structure appear to just be finished in a

green colour with living plants rather than contain the living elements proposed elsewhere.

- 9.23 The application has been submitted with information about the living walls, outlining that they would use a meadow cladding system that would function either by sitting in front of existing cladding or being used cladding itself. It is slightly unclear to Officers how this would function on the framework of the building and if there would realistically be space on these structures for the panels to be installed, in addition it is not clear how these would sit on the building and if they would project from the structure and elevations.
- 9.24 Notwithstanding this, Officers will make an assessment on the proposal with the information submitted, noting the previous decisions and reasons for refusal as material considerations.
- 9.25 It should be noted that whilst the Urban Design Officer has previously raised no objection to the past applications, in the comments on this application the Urban Design Officer does raise concerns about the current proposal. The Urban Design Officer raises concerns that the proposed living wall material treatment would result in a fragmented appearance to the upper floors of the hotel and outlines that the added depth of the planted columns and cross beams would likely make the structure thicker and less delicate, drawing undue prominence to the upper storeys of the building.
- 9.26 The first reasons for refusal, which is relevant to this section of the report, outlined that the height, scale, bulk, appearance and lighting would adversely impact the Cambridge Skyline and fail to positively respond to the existing delicate and historic features that define it. As part of this application, the proposal has been partially stepped in from the western edge of the building. It is acknowledged that when viewing the proposal from the west that this has resulted in a reduced overall scale, however Officers are not convinced that this would mitigate the harm resulting from the proposal.
- 9.27 From the western views from Magdalene Bridge, Magdalene College and the River Cam corridor, it is acknowledged that there would be a reduction in the length of the structure, which reduce its overall scale. However, this reduction and the addition of a green roof does not mitigate the harm resulting from the proposal. The amendment is considered to have unfortunate consequences for the design, the reduction on this side has reduced the chamfered appearance and creates a square, blocky corner to the structure and on the floor below. Unfortunately, the structure would be finished in a living meadow which adds to its apparent prominence and visibility from this view, it creates regrettable visual bulk from this view, perhaps more so than the previous grey coloured framing proposed which appears closer in tone to the sky. The wrapping around of the living meadow walls on the western edge of the floor below seen from Madgalene Bridge makes this edge perhaps more prominent than existing.

- 9.28 It is in significant contrast with the roofscape within the surrounding area in terms of materiality and form and is not considered to be a successful resolution to the building nor is it characteristic of the delicate and historic features in the skyline. The inspector previously noted that original scheme would have resulted in a stark and highly visible addition to the building, which would have been in contrast to the buildings with pitched roofs and brick walls in this area. Officers find the same conclusion can be drawn in consideration of this scheme, it fails to ultimately address the main concerns about appearance, height and bulk which were previously raised.
- 9.29 The living wall approach is not considered to provide a high-quality appearance to the structure, instead the structure would now have living walls attached, which does nothing to integrate the structure into the existing buildings or surroundings. Officers have significant concerns regarding the living wall approach, especially given that it is difficult to understand how the living wall would fit into the steel frame and how much height, mass and bulk this would add to the structure.
- 9.30 In addition to this, Officers have discussed the proposal informally with the Council's Landscape Officer to understand the approach to green walls in the city and how successful they are likely to be. The Landscape Officers raised substantial concerns about the application, as there are no successful examples of this within the city. They outlined that there is little confidence in the longevity of the living walls and they are not a supported approach. The Officer also highlighted that they require significant irrigation and maintenance, which is not considered to be a sustainable approach. In addition, the applicant has not put any information forward about how the context of the application would impact the living walls. It is a highly exposed building, sitting well above the surroundings buildings and therefore exposed to weather conditions with little to no screening. The Officer also drew on the impact of having the amount of glazing so close to the plants, would this have an unfortunate impact on the plants and potentially scorch them due to the heat island impact.
- 9.31 In addition to the western views, the proposal would remain visible and extremely prominent from other surrounding views in the city. The inspector previously noted that original scheme would have resulted in a stark and highly visible addition to the building, and this remains the case. The proposal, from the surrounding views, has not reduced the height and bulk of the building. It would remain an excessively tall, highly prominent structure that would result in a completely alien feature in the skyline. Whilst, the green walls attempt to find cohesion between the structure and the green nature of the surrounding Jesus Green, this is not a successful approach. The living walls provide a stark and wholly uncharacteristic finish to the structure. It appears fragmented and extremely prominent. The living walls aim to provide a cohesive termination to the building, instead, through introducing another layer of material above the building, create a structure that reads as a tacked-on layer. This is especially

evident in the view from Jesus Green where you can see the horizontal layer of bricks, cladding and living walls. This is unfortunate, given that the chamfered design was created in order to integrate the structure into the floor below.

- 9.32 It is noted that representations have outlined the building would disrupt views from the nearby Beaufort Place flats. Whilst, 'views' cannot be considered a planning matter in this regard, the visual impact and prominence is noted and Officers find that from the public realm, the structure would be highly tall and disruptive to the visual amenity of the area.
- 9.33 It is noted that representations have raised that the design is innovative, in this case Officers find the proposed green walls are not a successful response to the character of the building and therefore this is not an effective approach.
- 9.34 As has been previously set out within the previous reports, the skyline of Cambridge is characterised by discrete incidents above tree lines of delicate spires and turrets. The proposal fails to respond in a positive manner to these features, and instead proposes an entirely incongruous addition that would over dominate and detract from the skyline due to its scale, bulk, height, appearance and illumination. The representations received have reiterated concerns over impact to the skyline due to the height and prominence of the structure and its ill-considered appearance.
- 9.35 The proposal has not addressed the concerns regarding lighting within the reason for refusal on the previous application, instead the same information has been resubmitted. As such, Officers remain substantially concerned about the illuminated nature of the proposal as it would result in a highly visible feature that would dominate the skyline.
- 9.36 Representations have been raised in support of the application; they outline that the illumination is muted. Officers disagree, the illumination adds to the structures prominence and demonstrates in height and incongruity to surrounding structures, including those of heritage value.
- 9.37 The proposal is not considered to be of a high-quality design, and it would fail to preserve the Cambridge Skyline. The proposal remains in conflict with 55, 56, 58, 60
- 9.38 **Impact on heritage assets**
- 9.39 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.
- 9.40 Section 66 of the Planning (Listed Buildings and Conservation Areas) 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 or any features of special architectural or historic interest which it possesses.

- 9.41 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.42 Para. 205 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. Para. 206 states that ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...’
- 9.43 Policy 61 of the Cambridge Local Plan (2018) aligns with the statutory provisions and NPPF advice.
- 9.44 Policy 62 of the Cambridge Local Plan (2018) seeks the protection of local heritage assets and proposals would be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 9.45 The second reason for refusal on the previous scheme, as set out above, was based on the adverse impact to heritage assets within the city. It outlines that the by virtue of the proposed height, scale, bulk, appearance and lighting, the proposal would result in less than substantial harm to character and appearance of the Central Conservation Area and the setting of listed buildings and would adversely impact the unique, historic landscape of the River Cam. Furthermore, it would also harm the setting of buildings of local interest, which make a positive contribution to the character of the Central Conservation Area. The harm was not considered to be outweighed by the public benefits amounting from the scheme.
- 9.46 This application follows the application above, the application has been altered through the reduction on the western aspect of the structure and the change to materials to include finishing the structure and floor below is a living wall/ climbing plants. Officers find that the proposal would continue to result in less-than-substantial harm to several national and locally listed heritage assets.
- 9.47 As part of the appeal decision the inspector made a judgement on the harm to heritage assets (ref. 22/00778/FUL). Whilst, it is appreciated the scheme considered here was different from the scheme presented now, the comments regarding setting, context and impact are useful here.
- 9.48 The inspector outlined that there was no harm to the setting of St John’s College as the experience of this was deprived by the First Court Chapel

and the surrounding college buildings and the views from the backs. The inspector goes on to outline that the proposal would fail preserve the setting of the nearby listed buildings at Magdalene College nor would it preserve the character and appearance of the Conservation Area and would therefore result in a moderate level of less than substantial harm due to its permanent nature and high visibility. The inspector also noted that the proposal would be in stark contrast to the buildings of local interest and their setting.

9.49 Whilst the design has evolved since this consideration, Officers find this a useful indication of the heritage assets that were impacted by the proposal and those which continue to be relevant.

9.50 The inspector outlines that they concur with the assessment made in the Heritage Statement which formed part of the Statement of Case within the appeal which outlines that the proposal would lead to harm due to the intervisibility between the appeal site and Magdalene College, including to the Fellows Garden on the opposite side of the River Cam and their setting. They conclude that the proposal would result in harm to the setting of Magdalene College. As well as recognizing this harm, they also recognize that the proposal would adversely impact the character and appearance of the Central Conservation Area and the buildings of local interest surrounding the site due to a culmination of the height, form, visibility, illumination of the previous proposal.

9.51 The Heritage Statement submitted with the application continues to conclude that the proposal would result in harm to the Fellows Garden at Magdalene College, to the River Cam corridor and to the historic skyline. As was described within the previous application reports (ref. 23/01137/FUL, 24/00488/FUL), Officer conclude that additional harm would result from the proposal of a less than substantial level to assets including: the Central Conservation Area, the Thompson Lane, St John's Street and Park Parade buildings of local interest and the buildings at Magdalene College and Magdalene Bridge. Officers consider that that the harm to the historic skyline should include harm to the setting of the spires of St Johns College and All Saints Church, particularly when viewed from Jesus Green. The proposal would be a highly visible illuminated feature which would be visible in the context of these assets and therefore their consideration of the this impact is highly important.

9.52 The Heritage Statement submitted with the application outlines that the living meadow walls are proposed to ensure the building would read well against the backdrop of the tree canopies and existing meadow and grassland surrounding Jesus Green, Castle Mount, Great St Mary's and Magdalene College. The Conservation Officer does not find this a successful approach and outlines that the top of the building would not be visible against trees or grass and would stand out as an uncharacteristic and intrusive feature. Officers agree with this assessment, it is appreciated that some wider views have greenery in the background of the building,

however from closer views the proposal would stand out as an incongruous and overly prominent structure.

- 9.53 Officers are in agreement with this view. The plates within the submitted Heritage Statement are helpful to understand this, however upon Officers visit to the surrounding area particular views were especially impacted and perhaps more so than shown in the submitted documentation as some visibility is limited by the position of the photograph in reference to trees. The closer views that would be impacted are in Plates 5, 11, 12, 14, 16, 19, 22-25, 32-36, 38, 42, 52, 60.
- 9.54 It is noted that representations, including from Cambridge Past, Present and Future and local residents, have been received raising concerns about the impact to the heritage assets. It is outlined in the comments given that Officers should acknowledge that listed buildings are of the highest significance and that the proposal is in contrast to the skyline and surrounding low level residential buildings. They raise the inspectors previous comments and suggest that the proposed greening would add to the bulk, mass and height of the building, making it incongruous and prominent.
- 9.55 The Conservation Officer outlines that the proposal would be unfortunately prominent from Jesus Green and Magdalene Bridge, impacting views within the Conservation Area and would compete in the Skyline with St John's Chapel and the New Court Cupola. Officers agree with this and have significant concerns about the close view (Magdalene Bridge, Jesus Green, setting of the River Cam), and longer views (Skyline, St John's cupola and New Court).
- 9.56 The inspector, in the assessment of the appeal on the first application (ref. 22/00778/FUL) outlined that the building would represent a stark contrast to the existing building, especially so from Magdalene Bridge. Whilst, the proposal has been reduced on this side, the materials proposed as well as the height, form, scale, illumination of the building continue to make it entirely prominent and incongruous within the setting of these buildings. The Officer outlines that the building is considered to adversely impact the setting of the locally listed buildings along Thompsons Lane, St Johns Road and Portugal Street, Officers share these concerns. The inspector, when considering the first application (ref. 22/00778/FUL) raised the contrast of height with the buildings in this area as a particular concern, suggesting that it would be jarring to the prevailing pattern of development within this setting.
- 9.57 Officers concur with this view. The proposal would result in an incongruous, highly visible addition to the building, that would adversely impact the character and appearance of the Conservation Area, the setting of several listed and locally listed buildings and both the city skyline and River Cam corridor. The level of harm is considered to be less-than-substantial to the heritage assets, in which case the NPPF (2023)

guides that the proposal should be weighed against the public benefits of the scheme.

- 9.58 The harm is given importance and weighting in accordance Section 66 and 72 of the Planning (LBCA) Act 1990, which outlines the special desirability in preserving heritage assets.
- 9.59 The public benefits from the previous application have not been altered. The social, economic and tourism benefits presented are noted, as well as those set out as part of the previous application (ref. 23/01137/FUL, 24/01408/FUL). It is noted that representations have raised this an environmental approach and that the proposal would lead to job creation and economic benefits. The economic benefits and job creation have already been considered due to the information submitted on this previously. Officers are not convinced that the proposed greenery would have significant environmental benefits to change this view and may have a detrimental environmental impact due to the maintenance needs. The benefits are acknowledged, however it remains the case that these are not considered to outweigh the harm of the proposal.
- 9.60 It is considered that the proposal, by virtue of its height, scale, massing, bulk, appearance and illumination 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 give rise to harmful impact on the identified heritage assets and is not compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.
- 9.61 **Residential Amenity**
- 9.62 Policy 35 seeks to protect human health and quality of life from noise and vibration.
- 9.63 Policy 58 of the Cambridge Local Plan (2018) permits extensions and / or alterations to existing buildings provided they do not unacceptably overlook, overshadow or visually dominate neighbouring properties.
- 9.64 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.
- 9.65 The applicant has not made an 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 as is required by Policy 60. However, in this case, given that the proposal would be sited on the roof of an existing building it is unlikely to result in significant adverse impacts in terms of microclimate and amenity.

9.66 It is noted that concerns have been raised about noise and light pollution, given the existing circumstances and use of the building, it is not considered that the potential additional noise and light would adversely impact any surrounding occupiers substantially.

9.67 Highway Matters/ Parking

9.68 Policy 80 of the Cambridge Local Plan (2018) seeks to prioritise sustainable transport. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact and paragraph 115 of the NPPF seeks to protect the safety of the public highway.

9.69 The proposal would seek to create a glazed canopy structure over the existing roof-top bar area with green/ living walls to allow for the roof-top to be used year-round. Officers have had regard for the proposal and the potential for increased use from seasonal to potential year-round use and acknowledge that the proposal may lead to an increase in users and therefore to and from the site. It is noted that concerns have been raised regarding additional traffic movements. Noting that the hotel and restaurant is already used year-round and taking into account that the building is sited in the centre of the city where sustainable transport methods are highly available and likely to be used, it is not considered that the proposal would be likely to lead to a significant increase in traffic as to adversely impact highway safety or the surrounding highway users.

9.70 The proposal is considered to be acceptable in highway safety terms in compliance with Cambridge Local Plan (2018) policy 80.

9.71 Other Matters

9.72 The application falls within the Cambridge Airport Safeguarding Zone. In accordance with Policy 37, the airport and MOD have been consulted on the application. No objections area raised to the proposal, however the airport have raised a point regarding crane use. If the application were to be approved an informative to raise this to the awareness of the applicant could be added.

9.73 One representation has raised the impacts to views from Beaufort flats as a concern arising from the proposal, unfortunately the impact to views is not a planning matter and therefore cannot be considered as part of the application.

9.74 Third Party Representations

9.75 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Address	Summary of Matters Raised	Summary of Response within Report
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Comments in Objection		
18 Park Parade, Cambridge	<p>Fails to address fundamental problems with application. The current scale, height and position of Varsity Hotel are already incongruous with the Conservation Area. Proposal expands scale and mass.</p> <p>Potential traffic disruptions.</p>	<p>Officers agree that the proposal has failed to overcome the reasons for the refusal and the impact to the Conservation Area as well as the scale and mass remain a concern.</p> <p>The proposal is not likely to lead to substantial traffic disruption, it is within a city centre location and already operational.</p>
Cambridge Past, Present & Future	<p>This has not overcome to the reasons for refusal. The proposal would compete with the finer, articulated spires and towers, the living wall does not change this and is incongruous.</p> <p>The previous report considered the impact to the heritage assets, the living wall does not overcome this.</p> <p>The inspectors comments are not overcome. The height, scale, bulk, appearance and lighting fails to respond positively to its surroundings. Harmful to Conservation Area, listed buildings, buildings of local interest and landscape of River Cam.</p> <p>Support for visitor attraction does not outweigh harm to heritage assets of the highest significance.</p>	<p>Officers agree with that the proposal would lead to an incongruous form that would result in harm to a number of important heritage assets in the city. The impact to heritage assets should be given special regard and in this case the harm to these is not overcome by public benefits.</p>
Magdalene College	<p>The proposal is an insensitive addition to the skyline which would negative contrast with the existing historic features and Conservation Area. It does not meet policy requirements. By virtue of the scale and bulk of the design substantial harm would result to character and appearance of the Central Conservation Area and listed buildings and BLIs. This is not outweighed by public benefits</p>	<p>Officers agree that the proposal is an insensitive addition to the skyline, the level of harm and balance is outlined in the heritage section, however the benefits are not considered to outweigh the harm.</p>
22 Beaufort Place, Thompsons Lane	<p>None of the views indicate that the plants would mitigate the bulk of structure. The living plants would make the frames thicker, and add bulk and mass and incongruity. The Jesus Green image shows the proposal as</p>	<p>Officers share the concerns that the living wall arrangement would leave to potential additional height and bulk to the structure and would not overcome</p>

	more obvious. Views from Beaufort Place would be impacted.	concerns. Views are not a material planning consideration.
1-50 Beaufort Place	Domination of skyline, impact to views from flats towards St Johns, Adding another storey increases impact and green foliage does not mitigate impact. The submission includes photographs from Beaufort Place and Magdalene College.	Officer agree that the proposal would dominate the skyline from multiple views in the surroundings. Whilst the impact to 'views' from private residences cannot be considered, Officers do note the height and prominence of the structure from the surroundings and agree it is harmful. The photos are helpful to understand the extent of the impact.
Unit 2, The Campkins, Station Rd, Melbourne	Detrimental impact on skyline, lack of consideration regarding traffic increase, noise disturbance	Officers agree that the proposal would continue to be detrimental to the skyline. Given the existing facility and sustainable location, the proposal is not considered to adversely impact amenity or traffic.
Comments in Support		
118 Huntingdon Road	Benefit for hotel guests. The structure takes on an environmental design and the heating system is energy efficient.	The benefits to hotel staff are private rather than public but are noted. The living walls are noted as bring nature into the site, as are attempts to make the heating energy efficient. However the proposal is not considered to be environmentally conscious due to the water demand from irrigation and concerns over longevity. The aspects raised do not add substantial benefit as to alter the planning balance.
52 Natal Road, Cambridge	Supports application.	Noted
11 Apple Close, Brandon	Supports local business and created economic benefits, concerns by Conservation Officer have been addressed.	The benefits to local business and the job creation are noted, however these are not considered to outweigh the harm resulting from the proposal. The set back from the western elevation has been considered, however fundamental issues such as height, scale, bulk, appearance and lighting has not been addressed.

4 The Old School, Norfolk Street, Cambridge	Weather proofing makes sense, living walls will be attractive. Illumination is muted and hospitality industry should be supported.	Officers agree that the weather proofing appears to help meet the needs of the business. The illumination is considered to add substantially to the prominence of the building in the local area and Conservation Area and adds to its competition with historic and skyline features.
31 Westmoor Avenue, Sawston	The building is innovative, buildings in Europe like this work well in Europe. Adds greenery in urban area to match open spaces around.	The idea of a green wall is an interesting proposal, however it does not offer a successful design solution in this case and is harmful to the surroundings. It is not guaranteed that this would be successful and Officers have substantial concerns.
15 The Crescent, Cambridge	The proposal would provide a covered venue to visit with friends, offer more jobs and this is the best design put forward.	The job benefits are recognized but do not overcome the harm.
3 Dodford Lane, Girton	The design is innovative and lots of thought has gone in, environmentally the living meadow is a good approach.	The design is not successful and fails to respond positively to its surroundings. The scheme does not result in environmental benefits, instead concerns are raised about the implications of irrigation and maintenance.
31 Stonefield, Bar Hill	The design fits into the skyline and would create more jobs for local people. It would enhance the hotel and benefit the people in Cambridge.	The design is considered to be a complete intrusion into the skyline. The benefits are not considered to outweigh the harm.
51A Ermine Street North Papworth Everard, Cambridge	Do not agree that there is impact to skyline, from Jesus Green and the car park dominates. The Varsity is not near historic buildings and not taller than the car park. The building looks unfinished at the moment.	The car park is not taller than the Varsity hotel, nor is considered to be of a height to adversely impact the skyline or heritage features. This application is judged by its own merit and considered harmful to the surrounding character.
22 St John's Rd, Cambridge	Living plants soften look from the ground, gardens are popular as leisure spaces in urban areas. The hotel is a popular, safe venue, being in town centre makes it ideal. The hotel managers have studied with care to mitigate concerns to Magdalene College.	The plants are not considered to soften the look, but in fact have the opposite effect, drawing the eye in contrast to the surroundings. The proposal does not create a garden space, plants are applied to the frame, it is not a public space, and there is no leisure offering. The proposal is not considered to have

		addressed the previous reasons for refusal or the impact to Magdalene College.
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10.0 CONCLUSION

- 10.1 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).
- 10.2 The proposal fails to comply with the requirements of the Cambridge Local Plan (2018) policies 7, 10, 55, 56, 58, 59, 60, 61 and 62 and the NPPF (2023).
- 10.3 The proposal is considered to harm the character of the area, the surrounding heritage assets including the Central Conservation Area, listed buildings and buildings of local interest and the Cambridge Skyline and River Cam Corridor. It is not considered to be of a high-quality design that would respond positively to the surroundings context, instead it is considered to be out of place and detrimental to the locality and the prestigious skyline in the city. The living walls approach raises significant concerns in terms of visual impacts and the building's longevity and success.
- 10.4 The proposal has presented limited benefits including private business benefits, and an increase in staff working hours. Additional benefits are noted by Officers including potential tourism benefits; however these are insufficient to overcome the significant harm that would result from the proposal.
- 10.5 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**.

RECOMMENDATION

REFUSE, for the following reasons:

1. Policy 60 of the Cambridge Local Plan 2018 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 complements the character of the surrounding area. The proposed development is considered to result in a permanent incongruous addition to the Cambridge skyline that would fail to positively respond to the existing delicate and

historic features through its height, scale, bulk, appearance and lighting. As such, the proposed development fails to contribute positively to its surroundings and the Cambridge Skyline and is therefore contrary to the National Planning Policy Framework (2023) and Cambridge Local Plan (2018) policies 55, 56, 58, 59, 60.

2. The National Planning Policy Framework and policies 61 and 62 of the Cambridge Local Plan 2018 aim to ensure that heritage assets of the City are conserved in a manner appropriate to their significance, including their setting. By virtue of the proposed height, scale, bulk, appearance, materiality and lighting, the proposal would result in less than substantial harm to character and appearance of the Central Conservation Area and the setting of listed buildings and would adversely impact the unique, historic landscape of the River Cam. Furthermore, it would also harm the setting of buildings of local interest, which make a positive contribution to the character of the Central Conservation Area. The harm to heritage assets is not outweighed by the public benefits. As such, the proposal fails to preserve or enhance the character and appearance of the Central Conservation Area and the setting of listed and buildings of local interest, contrary to the provisions of the Planning (LBCA) Act 1990, the National Planning Policy Framework (2023) and Cambridge Local Plan (2018) policies 7, 10, 61 and 62.



Appeal Decision

Site visit made on 23 August 2023

by Mr Cullum Parker BA(Hons) PGCert MA FRGS MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 4 October 2023

Appeal Ref: APP/Q0505/W/23/3319305

**The Varsity Hotel and Spa, 24 Thompsons Lane, Cambridge,
Cambridgeshire, CB5 8AQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Will Davies on behalf of The Varsity Hotel & Spa against the decision of Cambridge City Council.
 - The application Ref 22/00778/FUL, dated 15 February 2022, was refused by notice dated 3 November 2022.
 - The development proposed is described as 'Installation of a new All Weather Lightweight Retractable Roof Canopy and Associated Works'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) Whether or not the proposed development would fail to preserve the settings of nearby listed buildings, the effect of the proposal on the character and appearance of the conservation area, and the effect of the proposal on the skyline of Cambridge city.

Reasons

3. The Varsity Hotel & Spa is a seven-storey building, approximately 21 metres tall, located in Cambridge's city centre close to the Quayside area. The area immediately adjoining the Hotel & Spa is principally residential with some commercial uses forming part of the Quayside area.
4. The appeal site comprises the top floor roof terrace with garden which is used by hotel guests, tourists, and visitors. The top floor is an open roof top terrace with timber deck pathways, timber clad services penetrations, and glazed perimeter guarding. The proposed development would comprise a structure made with a steel frame and glass with a lightweight retractable awning, which would enable the rooftop terrace to be used as an outdoor space when the weather allows, and to be covered when needed. The proposed awning would be similar to that used on the balconies of the hotel on the floor below.
5. The site is located within Cambridge's Central Conservation Area, and within the setting of several listed buildings and buildings of local interest and between the Quayside development and Jesus Green. These include listed

buildings of Magdalene College including Fellow Garden, listed walls (grade II), Pepys Building (grade I), the Bright's Building (grade II), St John's College New Court and the First Court Chapel. Buildings of local interest are located on Thompson's Lane, St John's Road and Park Parade. These various heritage assets are shown in relation to the appeal site on Figure 1 *Designated and Non-Designated Heritage Assets*¹. These assets are the primary focus of the concerns of the main parties, and I see no reason to disagree.

6. The Appellant submitted a *Heritage Impact Assessment* in June 2022, and has also submitted a *Heritage Statement* as part of its *Statement of Case* dated February 2023. This identifies harm arising from the proposal in the form of the intervisibility between the appeal site and Magdalene College, including Fellows Garden which is partly on the opposite side of the River Cam, and to their settings. I concur with that assessment given the contribution the appeal site makes to the riverscape to which it is part of.
7. With regard to the St John's College the Appellant identifies no harm to those heritage assets. The experience of these is principally derived from the juxtaposition of the First Court Chapel against the surrounding buildings within St John's College, and from views from The Backs which would remain unaffected. I concur with the assessment that the proposal would result in no harm to the setting of these listed buildings.
8. With regard to the Central Conservation Area, I saw during my site inspection that its character and appearance in this part derives from the relatively low height of buildings – with most either two or three storey in height. The appeal building by contrast is considerably taller than this, comprising roughly seven storeys. A majority of the buildings have sloped or pitched roofs. The proposal would introduce a large and tall glazed structure on this already tall building. What this means in practical terms is that, from a number of views, the currently open lightweight glass and balustrade appearance of the building would change. Visually it would appear from ground level as an almost unfinished warehouse without side walls due to the highly glazed elements with grey coloured support struts proposed.
9. This is evident in the *Verified Views* dated 15 August 2022, where, for example, the proposed open and closed views from Great St Mary's Tower, Magdalene Bridge, Castle Mound, Central Jesus Green, Jesus Green Café, and Scholar's Garden are shown. It is clear that the proposal would represent a stark and highly visible further addition to the appeal building. This is especially so in the view from Magdalene Bridge, where pedestrians and others would be faced with a large, glazed box on top of a building, which typically in this area are structures with pitched roofed with brick walls.
10. This would be an addition that is at odds with the prevailing pattern of development in this area and would provide a jarring addition to the skyline of the city. This incongruity would be further exacerbated when the enclosed roof area is illuminated at night during the darker months of the year, when currently (according to the Appellant) it is not a usable space. This increase in illuminated activity throughout the year would further diminish the character of this part of the conservation area. The combination of these factors results in the proposal failing to represent a high-quality addition to the Cambridge skyline and also failing to preserve the character and appearance of the

¹ See *Heritage Impact Assessment*, Prepared by Lanpro Services June 22

conservation area. For similar reasons, the proposal would contrast sharply with the prevailing two storey nature of development found at the buildings of local interests.

11. Accordingly, I find that the proposal would fail to preserve the setting of the nearby listed buildings at Magdalene College. It would also fail to preserve or enhance the character or appearance of the Central Conservation Area. I consider that this harm is no greater than less than substantial harm as set out in the *National Planning Policy Framework* (the Framework). This is a position broadly shared by the main parties. Nonetheless, considerable importance and weight should be given the desirability to preserve heritage assets. Moreover, to articulate the degree of harm within less than substantial harm, given the long term nature of the proposal and its potential high degree of visibility within the city skyline at both day and night time this harm would be of a modest degree.
12. Paragraph 202 of the Framework sets out that the less than substantial harm needs to be weighed against the public benefits. In this case I acknowledge that the proposal would result in locally significant economic benefits, including the retention and creation of further jobs. The enclosure of the roof terrace area would also allow it to be used more widely throughout the year providing further economic benefits from visitors to the terrace, hotel and the wider city. However, I do not find that these benefits would outweigh the less than substantial harm to the various heritage assets identified including to their character and appearance and to their settings.
13. Accordingly, I find that the proposal would fail to preserve the settings of nearby listed buildings, would fail to preserve or enhance the character and appearance of the conservation area, and have an adverse effect of the proposal on the skyline of Cambridge city. As such, the proposal would conflict with Policy 60, Policy 61 and 62 of the *Cambridge Local Plan 2018* (CLP) which, amongst other aims, seek to ensure that to ensure the conservation and enhancement of Cambridge's historic environment, proposal should preserve or enhance the significance of the heritage assets of the city, their setting and wider townscape, including views into, within and out of conservation areas.
14. The Appellant has drawn my attention to Policy 79 of the CLP which sets out that visitor attractions will be supported where they complement the existing cultural heritage of the city. However, I have not found that to be the case here, given my findings above, and as such I do not find that this policy is in favour of the proposal.

Conclusion

15. The proposed development would not accord with the adopted development plan, and there are no material considerations that indicate a decision otherwise than in accordance with it. For the reasons given above I conclude that the appeal should be dismissed.

C Parker

INSPECTOR