



25/00516/FUL – The Varsity Hotel and Spa, 24 Thompsons Lane Cambridge CB5 8AQ

Application details

Report to: Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Market

Proposal: Construction of a pergola with retractable canopy and associated works.

Applicant: Mr Will Davies

Presenting officer: Charlotte Peet

Reason presented to committee: Called in by Cllr Mark Ashton - Recommended by Delegation Panel on the 10th June to be brought to Planning Committee

Member site visit date: N/A

Key issues:

1. Principle of Development
2. Heritage Impacts
3. Character and Appearance
4. Residential Amenity
5. Highway Safety
6. Other Matters

Recommendation: **REFUSE** the application.

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1. Executive summary

- 1.1 The application seeks planning permission for the construction of a pergola with retractable canopy and associated works.
- 1.2 This application has been amended from previous attempts by stepping the structure in from the edges of the building and replacing the glass sides with vinyl to reduce the vertical supports in the structure. Officers suggest that these amendments do not overcome the reasons for refusal, the proposal would continue to result in an incongruous extension to an already prominent building and would therefore fail to positively respond to its surroundings, and would be harmful to the skyline and surrounding heritage assets.
- 1.3 The application follows four previous applications for a similar canopy structure on the rooftop which have been refused both by Members of the Planning Committee (ref. 22/00778/FUL; 23/01137/FUL; 24/01408/FUL) and by Officers under delegated powers (ref. 24/00488/FUL). This application was considered at an hearing and was dismissed the reasons for refusal relating to harm to the skyline and heritage assets were upheld by the Planning Inspector.
- 1.4 This application does not overcome the reasons for the refusal, the report details that the proposal would continue to be an incongruous, dominating

extension to the rooftop that would detrimentally impact the historic skyline of Cambridge from several key views (including Jesus Green and Magdalene Bridge) due to its appearance, form, mass, bulk, scale and illumination.

- 1.5 In addition, it would result in less-than-substantial harm to several heritage assets including the Central Conservation Area, Grade I and Grade II listed buildings and buildings of local interest as it would result in modern, alien intervention towering above the special, historic landscape with this part of the historic core. The special attention and significant weight that should be paid to any harm is specified within the NPPF (2024) and Planning (LBCA) Act (1990) as detailed in the body of the report. Similar to the findings of the Planning Inspector from the recent planning appeal, officers are of the view that the proposal is considered to be void of significant public benefits that would overcome the harm outlined.
- 1.6 Officers recommend that the Planning Committee **REFUSE** the application.

Consultee	Object / No objection / No comment	Paragraph Reference
Cambridge City Airport	No objection. Recommend crane informative.	18.1
Ministry of Defence	No objection.	18.1
Historic England	The proposed canopy structure would add height and bulk to the existing building by way of a roof structure that is alien to its immediate context in terms of its architectural form, profile and materials. We consider that this would make an already over-scaled building appear even more unduly prominent within the conservation area and setting of other nearby heritage assets.	14.15

Conservation Officer	<p>Objection.</p> <p>The proposal results in a stark skeletal metal structure at high level which would by virtue of its height, form and materiality be intrusive and negatively impact the settings of listed buildings, Conservation Area especially when viewed from Magdalene College, Jesus Green and the River setting.</p> <p>The building would dominate BLI terrace streets.</p> <p>The structure would be incongruous with the towers and spires of the central core area.</p>	14.12-14.19
County Highways Development Management	No objection.	16.3-16.4
Urban Design Officer	<p>Objection.</p> <p>Support for the previous proposal was based on its ability to create a more visually cohesive structure and mitigate the horizontal emphasis on the upper floors.</p> <p>The pergola appears as a bolt-on addition to the roofscape that either aligns with the building's architectural rhythm nor introduces a more vertical, articulated form.</p> <p>Furthermore, the existing roof terrace balustrade—previously considered a weak termination to the building—has been retained, further undermining the overall design.</p>	13.35

Third Party Representations (6)	Comments have been submitted in both support and objection, these will be outlined below and covered within the relevant sections of the report.	(see report)
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Table 2 Consultee summary

2. Site description and context

- 2.1 The Varsity Hotel is a seven-storey building used as a hotel and restaurant within the city centre. The Glassworks gym occupy the converted warehouse which adjoins the application site to the north.
- 2.2 To the north west of the site, are two-storey residential dwellings that sit in terrace rows between the site and the edge of Jesus Green. These buildings are generally either buildings of local interest or grade II listed are have a low scale, finely detailed and uniform appearance.
- 2.3 To the southwest, the quayside and River Cam is located. The quayside comprises modern buildings, however the brick frontages and uniform grid windows help to integrate these with the historic surroundings. It is noted in the Conservation Area appraisal that the Varsity Hotel already rises above the roofscape of this buildings, having a negative impact on the city skyline. It is also visible from the River Cam itself, and therefore any changes have the potential to impact on the setting of this.
- 2.4 The proposal is located with the historic core of the city, it is a highly visible site from several key routes and views into this area such as along Magdalene Street and Jesus Green. Within this part of the Conservation Area, there are several highly significant listed buildings, such as those at Magdalene College (Grade I and Grade II). Due to the height of the proposal, it would also be visible in the context of buildings across the Conservation Area such as listed buildings at St Johns. The full context of the heritage assets will be given in more detail in the heritage section of the report.

3. The proposal

- 3.1 The proposal seeks permission for the construction of a pergola with retractable canopy and associated works.
- 3.2 The proposal seeks to install a metal framed pergola structure above the existing rooftop. The structure would be framed in PPC aluminium posts, and would contain retractable fabric within the roof and retractable vinyl

within the sides. The proposal is stepped away from the edges of the roof by approx. 1.5-2 metres around the east, south and west sides of the building, and so the balustrade would remain in place to define this boundary. The existing hotel has a height of approximately 21 metres, with the balustrade an additional 1 metre above this. The proposal would increase the height of the hotel, the metal structure would have a height of 2.97 metres.

- 3.3 This application follows four previous applications for a similar proposal, the majority of these were heard and refused by Members of the Planning Committee. The site history will be outlined in full below.

4. Relevant site history

Reference	Description	Committee Date	Outcome
22/00778/FUL	Installation of a new all weather lightweight retractable roof canopy and associated works	02.11.2022	REFSUED (appeal dismissed)
23/01137/FUL	Installation of a new all weather lightweight retractable roof canopy and associated works	05.07.2023	REFUSED
24/01408/FUL	All Weather Retractable Roof Canopy with Living Meadow Walls and Associated Works	07.08.2024	REFUSED
24/00488/FUL	Installation of a new all-weather lightweight retractable roof canopy and associated works.	Delegated	REFUSED (appeal dismissed)

Table 2 Relevant site history

- 4.1 The proposal to create an extension to the rooftop in the form of exoskeletal structure has been well-considered through four separate applications, three of these were considered and refused at Planning Committee and two were dismissed at an appeal.
- 4.2 The most recent appeal decision was given following a hearing which was dismissed only last month (appeal decision date: 20th May 2025). The appeal decision can be found at appendix 2 of the report.
- 4.3 The proposal has been altered slightly throughout these applications, however they have largely remained the same in principle, which include the proposal to enclose the rooftop through a metal frame structure. The first application had a pitched roof form, the second and fourth applications were largely the same and the third had an amended design to attempt to better connect the frame to the existing hotel. The third application remained the shape of the frame, however added living walls.

- 4.4 All applications were considered to have a harmful impact on heritage assets and the skyline of Cambridge, and the public benefits proposed were not considered to outweigh this. As members will be reminded of in the report, previous decisions can form material considerations in a planning decision and therefore Officers advise that these should be given significant weight in the decision-making process.

5. Policy

5.1 National policy

National Planning Policy Framework 2024
National Planning Practice Guidance
National Design Guide 2019
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
Circular 11/95 (Conditions, Annex A)
Technical Housing Standards – Nationally Described Space Standard (2015)
EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020
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 7: The River Cam
Policy 10: The City Centre
Policy 34: Light pollution control
Policy 35: Protection of human health from noise and vibration
Policy 37: Airport Safeguarding
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 Cambridge's historic environment
Policy 62: Local heritage assets
Policy 70: Protection of priority species and habitats
Policy 77: Development and expansion of visitor accommodation
Policy 79: Visitor attractions
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 Supplementary Planning Documents (SPD)

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

5.4 Area Guidelines

Cambridge Historic Core Conservation Area Appraisal (2015)

6. Consultations

Publicity

Neighbour letters – Y

Site Notice – Y

Press Notice – Y

Conservation Officer - Object

- 6.1 The proposal results in a stark skeletal metal structure at high level which would by virtue of its height, form and materiality be intrusive and negatively impact the settings of listed buildings, Conservation Area especially when viewed from Magdalene College, Jesus Green and the River setting.
- 6.2 The building would dominate BLI terrace streets. The structure would be incongruous with the towers and spires of the central core area.
- 6.3 There would be significant harm to the setting of the LB Listed buildings and the character and appearance of the central Conservation Area. This would be “less than substantial harm” in NPPF terms.

Historic England - Object

- 6.4 The proposed canopy structure would add height and bulk to the existing building by way of a roof structure that is alien to its immediate context in terms of its architectural form, profile and materials. We consider that this would make an already over-scaled building appear even more unduly prominent within the conservation area and setting of other nearby heritage assets.

Ministry of Defence - No Objection

6.5 No objection.

Cambridge Airport - No Objection

6.6 No objection.

6.7 Recommend crane informative.

Urban Design Officer - Objection

6.8 Support for the previous proposal was based on its ability to create a more visually cohesive structure and mitigate the horizontal emphasis on the upper floors.

6.9 The pergola appears as a bolt-on addition to the roofscape that either aligns with the building's architectural rhythm nor introduces a more vertical, articulated form.

6.10 Furthermore, the existing roof terrace balustrade—previously considered a weak termination to the building—has been retained, further undermining the overall design.

County Highways Development Management - No Objection

6.11 No significant adverse effect upon the Public Highway should result from this proposal should it gain benefit of Planning Permission.

7. Third party representations

7.1 Seven representations have been received, 2 in support, 5 in objection.

7.2 Those in objection have raised the following issues:

- Does not overcome previous objections
- Step in does not reduce height, scale, bulk, appearance and lighting
- Conflict with policies 60, 61 and 62 of Cambridge Local Plan (2018)
- Height harmful to views of historic centre
- Harm to historic environment including Magdelene College
- Appeal Inspector gives detailed analysis of impact to heritage, this assessment is a strong material consideration
- Impact to the skyline

7.3 Those in support have given the following reasons:

- Pergola compliments existing design of building, materials are appropriate
- Pergola discrete and would not look out of place
- Setting back and tapering helps ameliorate views
- Roof covering will provide shade
- Result in permanent jobs
- Make Varsity unique differentiator to improve business and leisure offering

7.4 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.

8. Member Representations

8.1 Cllr Ashton requests the applications be heard at Planning Committee as previous applications have generated public support and should be given opportunity to speak.

9. Local Groups / Petition

9.1 Cambridge Past, Present and Future has objected to the application on the following matters:

- The proposal would compete with the historic spires of the skyline due to height and uncharacteristic form
- The proposal would result in harm to heritage assets including Conservation Area, listed buildings and buildings of local interest as detailed in the appeal statement of case, Conservation comments and case reports.
- The visualisations highlight harm, particularly from Jesus Green and Magdalene Bridge, especially given illumination
- The amendment to step the proposal in does not reduce height, scale, bulk, appearance and lighting
- The listed buildings are of the highest significance and should be given great weight in the decision making process. The harm is not outweighed.

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. Planning background

- 10.1 The planning history is set out above, to summarise the proposal to create an extension to the hotel rooftop has come forward in various forms since 2022. The four previous applications have been refused for impact to the skyline, heritage assets and the character of the area, these decisions have been made both by Planning Committee (ref. 22/00778/FUL; 23/01137/FUL; 24/01408/FUL) and under delegated powers (ref. 24/00488/FUL). With each decision, the specialist consultees and members of the public had the opportunity to provide comments on the application and these were taken into account in the decision making process.
- 10.2 Most recently, the application refused under delegated powers was appealed and heard by the Planning Inspector at an Appeal Hearing held on 11th March 2025 (ref. 24/00488/FUL). This appeal was dismissed by the Planning Inspectorate 20th May 2025 and the reasons for refusal were upheld. The Inspector was taken on an extensive, accompanied site visit around the city where key views were offered. A full copy of the appeal decision can be found at appendix 2. Officers will refer to the appeal decision where appropriate, however to provide an overview, the Inspector outlines the harm that would result from the proposal to Grade I and Grade II listed building, the character and Appearance of the Central Conservation Area, and buildings of local interest. This is weighed against the public benefits of the proposal, however the Inspector outlines that there would not be significant public benefits to outweigh this harm.
- 10.3 The first proposal was previously tested at appeal prior to this, this was also dismissed and the reasons for the refusal upheld (ref. 22/00778/FUL). This appeal decision can be found at appendix 3 of the report.
- 10.4 It is important that members consider the application upon its own merits, however the appeal decisions and previous decisions made by the council are material considerations in the determination of this planning application.

11. Assessment

12. Principle of Development

- 12.1 Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 guided that decisions should be taken in accordance with the development plan unless material considerations indicate otherwise.
- 12.2 Policy 10 of the Cambridge Local Plan (2018) seeks to support Cambridge as a thriving regional centre, through supporting a mix of retail, leisure and cultural development in order to add to the viability and vitality

of the city centre. It outlines that development in the city centre should (a) add to the vitality and viability; (b) achieve a suitable mix of uses; (c) preserve or enhance heritage assets and their setting, open spaces and the River Cam; (d) be of the highest design quality and (e) promote sustainable transport. Policy 77 supports proposals for high quality visitor accommodation, based on the 'Cambridge Hotel Futures' (2012) study which at the time showed a market demand for hotel development.

- 12.3 NPPF (2024) seeks to support the vitality of town centres, and support businesses giving significant weight on supporting economic growth within paragraph 85.
- 12.4 The 'Jobs Topic Paper (2021) which forms part of the evidence base for the new local plan, outlines that between 2012-2020 there was an increase of 400 hotel bedrooms within the area with forecasting showing that growth could increase moving forward. It outlines that Covid-19 created uncertainty with less visitors staying overnight, however that in the future the policy position will be to continue to support visitor accommodation within sustainable locations.
- 12.5 Regarding material considerations, it is well established in Case Law that consistency in decision making is important and that previous decisions can be material considerations in the decision-making process. In this case, Officers suggest that Members of the Committee are mindful of the previous planning decisions regarding proposals to extend the rooftop, particularly with regard to the recent Appeal Hearing decision which came out only last month.
- 12.6 The Design and Access Statement sets out that the roof terrace is used as existing for visitors when the weather allows, the proposal seeks to enable the roof terrace to be used year round by covering the roof terrace with a pergola structure. It is understood that the use of the rooftop is limited to the warmer months and the proposal would support year-round use of the rooftop.
- 12.7 Officers continue to understand the logic behind the proposal and understand the desire of the hotel to operate the rooftop in a year-round manner. It is clear that the hotel operator's aim to improve occupancy and attraction to the hotel in order to support their business and Officers have no objections to this, in line with the policies within the Local Plan and NPPF, however in this case, this proposal would have unacceptable impacts to the surroundings, including heritage assets, the skyline and River Cam, and therefore cannot be considered acceptable in principle as it would not comply with Policy 10.

13. Design, layout, scale and landscaping

- 13.1 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.

- 13.2 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.
- 13.3 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.
- 13.4 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.
- 13.5 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. The application meets this criteria in heights of height and storeys and therefore should outline how it would maintain or enhance the character and qualities of its skyline.
- 13.6 The proposal seeks to install a metal framed pergola structure above the existing rooftop. The structure would be framed in PPC aluminium posts, and would contain retractable fabric within the roof and retractable vinyl sides. The proposal is stepped away from the edges of the roof, by approx. 1.5-2 metres around the east, south and west of the building and so the balustrade would remain in place to define this boundary. The existing hotel has a height of approximately 21 metres, with the balustrade an additional 1 metre above this. The proposal would increase the height of the hotel, the metal structure would have a height of 2.97 metres.
- 13.7 It should be noted that the previous applications were refused based on impacts to the skyline and heritage assets, as follows:
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, 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 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.

13.8 As above, reason 1 outlined that the previous proposal would adversely impact the character of the area and the skyline by virtue of the height, scale, bulk, appearance and lighting. In the Appeal Hearing decision ((paragraph 71 – Appendix 2), the Inspector has been highly critical of the height, form and appearance of the previous framed structure. The Inspector outlines that the proposal would fail to successfully contrast or be consistent with its environment and instead the exoskeletal form is described as alien and incongruous within the context of the skyline. The Inspector outlines that in addition to this, the increase in height and bulk resulted in the proposal competing with and dominating important heritage features within the skyline.

13.9 Officers do not consider that the proposal has overcome the reasons for the refusal, nor the Inspectors concerns as will be outlined. The third party representations which share this view are noted, the comments outline

that the proposal has not overcome the previous concerns and continue to be contrary to policy.

- 13.10 As previously, the application has been submitted with visualisations from various viewpoints around the city in order to satisfy criteria (a) of Policy 60. The viewpoints help Officers to understand the impact of the proposal.
- 13.11 The existing hotel is an unfortunate, prominent feature within the Cambridge Skyline and within the surrounding locality. It appears as such, not only due to its height and bulk, but also due to its design and the contrasting materiality. The Inspector specifies that its existing stepped design, and the extent of the zinc at the top of the building draws the eye in the streetscape (paragraph 9 and 10 – Appendix 2). Officers agree, that the proposal building currently sits in contrast to its surroundings. It is viewed at odds with the existing two-storey, residential character to the north east of the and the quayside to the south west given its modern appearance, form and materiality.
- 13.12 The proposal has been altered from the previous applications, to reduce the extent of the framework and reduce the footprint of the Officers are of the view, that this has a largely negligible impact to the harm from the views described and would not overcome the reasons for refusal.
- 13.13 The proposed form and appearance of the structure is largely the same, it would still result in a tall, exoskeletal form above an already prominent building. It continues the incongruous form and appearance from the unsuccessful floors below and would further draw the eye of those in the street scape and within wider views due to the increase in activity combined with the additional height, bulk and uncharacteristic appearance.
- 13.14 The step back is acknowledged as an attempt to reduce the bulk of the building, and it is noted that one of the representations supports this approach as it follows the floors below. In this case, however, it reiterates the weak termination by the balustrade which currently exists and simply adds further height and horizontal emphasis to the building. From Magdalene Bridge, which is one of the more sensitive viewpoints, the step back does little to reduce the harmful impact of the proposal, it would remain similarly visible as a tall, out of place structure with activity above the ridgelines of the existing quayside building. A large extent of the frame would remain visible and although the footprint is stepped back, the width, size and bulk of the structure would remain very similar to previous offerings. Its appearance is still of an alien, exoskeletal feature which

would punch into the skyline above the quayside development in contrast to the undulating roof form that exists in this location.

- 13.15 From Central Jesus Green, there is some reduction in bulk to the removal of the chamfered sections, however the proposal would continue to be visible as a detrimental, overly tall, excessively bulky framework that would sit in contrast to the existing historic features visible from this view. It is noted that one of the representations describes the structure as discrete, however it is extremely prominent from this location. The historic features at St John's College Chapel and New Court are finely, historically detailed slender punctuations into the skyline. The proposed development would fail to preserve or enhance these high-quality parts of the skyline and instead would increase the impact of the existing hotel to over dominate these features and the skyline.
- 13.16 From Jesus Green Café, the chamfered approach has been removed and the rectilinear form returned. The rectangular edge of the pergola structure would be visible from this view, emphasising its contrast with the historic features. By virtue of the height, bulk and scale as well as evening lighting the proposal would appear entirely incongruous within the skyline.
- 13.17 The Inspector picks out that the previous proposal, when viewed from St Mary's Church, would breach the ridge of St John's Chapel, so would result in a relationship with the chapel that is incongruous and anachronistic (Paragraph 25 – Appendix 2). The proposed frame would be of a very similar height so would continue to be visible in this regard, and would result in an unfortunate, horizontal frame structure puncturing above this heritage asset.
- 13.18 The proposal also continues to be visible from the Scholars Garden within Magdalene College, it has not been stepped away from this edge and remains visible as a box-shaped frame which is discordant with the existing roof scape and building form within this setting.
- 13.19 In regard to Castle Mound, is noted in the Local Plan (2018) that views from Castle Mound reveal a city of spires and towers emerging above an established tree line as to create a number of 'incidents', where important buildings rise above those of a prevailing lower scale. It is noted that the building is not part of the high-quality historic fabric within the city core as many of the other features within the skyline area, mostly relating to educational or religious buildings. Instead it is already visible and a modern intervention from this location, although the treeline does offer some relief from this view. It is noted that the proposal would be visible

from here in context with other modern buildings, however this does not justify the poor design.

- 13.20 The applicant has attempted to overcome concerns over lighting by retaining the existing lighting on the rooftop, rather than proposing to add additional lights within the structure or elsewhere on the rooftop. Whilst, this may reduce the illumination levels from the previous proposal, the development would still increase the level of lighting throughout the year. As explained by the applicant, the proposal is currently used 100 out of 365 days of the year, however with the proposal the structure and rooftop could be used all year around including the darker months when artificial illumination would have to be utilised into the afternoon and evening due to the reduction in natural light. The introduction of this additional lighting year round would draw further attention to the hotel year round, and would further exert dominance over the historic features which are not lit and do not host activity at this level.
- 13.21 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 applicant has submitted a Heritage Impact Assessment, which describes the significance of relevant heritage assets and the potential impact that the proposal may have on these features. The information submitted provides an assessment of surrounding heritage assets and the views detailed within this section. The impact will be fully assessed in the following section of the report.
- 13.22 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.
- 13.23 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.
- 13.24 The applicant has outlined that the proposal has been stepped away from the edge of the building, to take the pelmet of the metal structure away from the roof edge and follow the stepped character of the 5th and 6th floors below. Officers recognise this attempt, however find that there is no significant, meaningful reduction in the overall scale, mass and bulk of the

building from the key views. The proposal remains bulky and dominant in terms of scale and incongruous form and appearance, in contrast to the small-scaled architectural features of the surroundings. It fails to achieve an appropriate scale and massing, and would not appear well integrated into the surroundings.

- 13.25 It is considered that the move away from the chamfered approach which gave some relation to the floors below would water down the attempts to properly terminate the top of the building. The Urban Design Officer outlines that the pergola would not appear as a bolt-on which is not well articulated as to properly terminate the building.
- 13.26 In regard to part (d), the applicant has not submitted 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 to understand if any further information would be required.
- 13.27 Finally, in reference to criteria (e), the visualisations provide an indication of how the building would be viewed from various local viewpoints around the city and would inform the public realm. The building does not alter the street level directly, however would draw the eye of those within the street scene at the detriment of the existing built form within the surroundings.
- 13.28 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.
- 13.29 Policy 58 supports alteration or extension to existing buildings where the addition is carefully designed as to preserve the character and appearance of the area and not adversely impact the character of the area. The policy text states that any proposals should reflect or successfully contrast with existing built form, use of materials and architectural detailing whilst ensuring that the proposals are sympathetic to the existing building and surrounding area.
- 13.30 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 1 metre above the existing roof top with metal railings surrounding the glazing.

- 13.31 The proposal is not considered to relate well to the surrounding character, whilst amendments have been made to the roof structure, this has not overcome the harm that would result from the proposal. The attempt to reduce in metal struts around the form, through introducing vinyl rather than glazing is recognised. However, this does little to alter the visually prominent nature of the proposal due to its height, cage-like form, increased activity and year-round lighting at this level. The metal structure is not substantially altered and the appearance and materials would remain out of place in this location. It is noted that one representation describes the proposal as discrete, however Officers disagree, the visualisations show the prominence of the structure towering above the surrounding development.
- 13.32 The Urban Design Officer, who has previously supported the application, has removed their support. They have outlined that whilst the appearance of the structure would now be less heavy, it has lost the design integrity seen in earlier applications resulting in a bolt-on appearance. The Officer advises that the balustrade would now remain the edge of the roof, creating a weak termination that does little to reduce the horizontal nature or create articulation for the building. Officers agree, the proposal would now do less to mitigate the strong horizontal emphasis of the upper floors, the pergola instead emphasises this and therefore appears at odds with the structures in the skyline.
- 13.33 The proposal is not considered to overcome the previous reasons for the refusal, as has been outlined the proposal is vastly out of keeping with the surrounding character and would be a prominent, detrimental addition the Cambridge skyline.
- 13.34 Overall, the proposed development is considered to be of a poor-quality design that would fail to successfully reflect or contrast the surrounding character and it would result in an over dominant, incongruous feature within the historic skyline. The proposal is contrary with Cambridge Local Plan (2018) policies 55, 56, 58, 60 and paragraph 131 and 135 of the NPPF (2024).

14. Heritage assets

- 14.1 The application falls with the Central Conservation Area, and within the setting of several grade I and grade II listed building and buildings of local interest.

- 14.2 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.
- 14.3 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.
- 14.4 The application site is with the Historic Core of the city (Central Conservation Area) and within the setting of several listed building which are set out below.
- 14.5 Paragraph 212 of the NPPF (2024) outlines 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. As such any harm would be given significant weight in the decision-making process.
- 14.6 To start, in making the following assessment, Officers are minded to consider the recent appeal decision, in which the Inspector gives a detailed overview of the relevant heritage assets in this location and the harm that would result each one from the proposal.
- 14.7 The Inspector summarises the heritage harm that would result from the proposal (paragraph 47), and provides a detailed assessment of each heritage assets including designated assets (paragraphs 21-50) and buildings of local interest (paragraphs 51-55). The Inspector outlines that the previous proposal would have resulted in less-than-substantial harm at the higher end of the scale would result in harm to the following Grade I listed building (New Court and Buildings Surrounding the First, Second and Third Courts, both at St John's College; the Pepys Building, and the Buildings Surrounding First Court, at Magdalene College) and Grade II listed buildings (Magdalene Bridge, the Great Bridge).
- 14.8 In addition, there would be less-than-substantial harm at the lower end of the scale that would result to the following Grade II listed buildings (Walls lining the second court on north- east and south- west sides and Bright's Building, Magdalene College) and the buildings of local interest (Lower Park Street).

- 14.9 The Inspector outlines that there would be less-than-substantial harm to the Central Conservation Area.
- 14.10 Paragraph 212 of the NPPF (2024) is clear that great weight should be given to an assets conservation, and paragraph 213 sets out that any harm or loss should require clear and convincing justification.
- 14.11 Officers agree with the Inspector's assessment; there would be widespread heritage harm within the historic core of the city as demonstrated by the assets impacted. The historic core is of historic and architectural interest within the city and the buildings impacted hold some of the highest heritage significance in this part of the historic core.
- 14.12 The Inspector has also upheld that the proposal would adversely impact the River Cam, and be in conflict with Policy 7. The River Cam is a key part of Cambridge's definition character and any harm to its unique landscape should be strongly resisted.
- 14.13 The Conservation Officer has remained consistent through all of the planning applications and has objected to the application on the grounds that the proposal would result in a stark skeletal metal structure at high level, with the proposed height, form and materiality causing in a harmful intrusion within the settings of listed buildings and a harmful impact to the character and appearance of the Conservation Area especially as experienced from Jesus Green and the River Cam.
- 14.14 Historic England outline that the proposal would add height and bulk through the additional of a roof structure that is alien to its immediate context in terms of its architectural form, profile and materials. We consider that this would make an already over-scaled building appear even more unduly prominent within the conservation area and setting of other nearby heritage assets and how they are experienced.
- 14.15 Officers agree with this assessment. From the west of the site, the proposal would be visible above the quayside rooftops. The Conservation Area Appraisal (2017) outlines that the hotel is already visible above the roofscape as a negative intervention in the Conservation Area. The proposal would sit as a prominent, incongruous structure, that would not relate well to the existing roof scape and instead would produce a harmful modern intervention that would be visible from the River Cam and the grounds of Magdalene College and within the setting of several listed buildings within Magdalene College including Grade I and Grade II buildings and walls and Magdalene Bridge on Bridge Street which is also grade II listed. Magdalene College also houses the Fellows and Scholars Garden which provide a tranquil setting for these assets. As existing, the quayside provides a bustle of activity at street level, with the hotel/ restaurant providing some existing activity at a much higher level. The increase in this and the siting of additional height and an alien exoskeletal appearance would draw the eye up and dominate the finely detailed historic buildings to become excessively prominent within the setting of

these buildings as to result in less-than-substantial harm to the setting of these assets.

- 14.16 The proposal would be substantially visible from the River Cam, and along Magdalene Street and Bridge Street, and from the views would tower over the quayside activity and detract from the setting of the river and the relationship between the Quayside buildings and the listed buildings within Magdalene College. The Conservation Area appraisal (2017) outlines that the views along the River Cam to and from Magdalene Bridge are notably high quality and therefore Officers have significant concerns about the harm that would result to these views. The proposal is considered to diminish the special landscape of the River Cam which is in clear conflict with the guidance in the appraisal and Policy 7 of the Local Plan (2018).
- 14.17 It is noted that a number of third parties and Cambridge Past Present and Future share concerns about the impact on Magdalene College, and the listed buildings within these grounds. Officers are sympathetic to these concerns and concur that the proposal would be entirely at odds with the historic buildings in this location.
- 14.18 The Conservation Officer also raised the experience from Jesus Green. Jesus Green is a high-quality open space in the city, it is framed by mature trees and built form which is generally two-storey in height and modest in scale. There are punctuations above the treeline but these are the historic skyline features that have been previously discussed in regard to skyline. This relationship is visible within the visualisation from Jesus Green, which demonstrates that the existing hotel already extends well above the height of surrounding development and sits in contrast with the existing grain in this area. The frame would be out of keeping with the historic, slender skyline features and overdominance these structures due to overly horizontal, boxy, frame design.
- 14.19 The Conservation Officer also outlines that the building would become even more dominating of the BLI terraced house streets. The additional impact compared to the existing hotel would be harmful. The domestic buildings that frame the edge of Jesus Green are generally in the form of two-storey, uniform terraced buildings. Park Parade, St John's Road and Thompsons Lane are Buildings of Local Interest within the Conservation Area. The proposal site is highly visible down these roads in the setting of these buildings and is already disruptive to the aesthetic and architectural detailing of these building due to the height, bulk and horizontal emphasis. The proposal would only further emphasise and increase this harmful relationship. Lower Park Street which is a grade II terrace row of properties has a similar relationship, with its significance resulting from the historic and architectural interest. These buildings would similarly be adversely impacted through the resulting incongruous height, appearance, form and massing from the proposed extension. The proposal would result in less-than-substantial harm.

- 14.20 The proposal is within the Central Conservation Area. The Conservation Area is characterised by many of the aspects already discussed in this report such as public open space, mature trees, low height buildings and a district and historic skyline. There are key vistas from around the city into and around the Conservation Area, including from within the narrow streets in the surroundings and from the River Cam. As has been discussed, the Varsity Hotel is already noted in the appraisal as a negative feature that detracts from the Conservation Area. It is considered that to introduce the proposed structure would increase the detrimental impacts that result from the height, bulk, mass, appearance and illumination of the building. The proposed exoskeletal design would be completely out of place within this part of the Conservation and would become a detrimentally dominant feature and result in less-than-substantial harm to the Central Conservation Area.
- 14.21 This is only exacerbated by the illumination. The existing restaurant already exists as somewhat of an illuminated beacon above the tree line and surrounding development, however the rooftop would exaggerate this harmful impact and dominating relationship. Whilst the lighting will remain as existing, rather than have new features installed, the use of the building will increase year round to include the darker months. As such the lighting, at that height and level, will increase the harmful impact to the surroundings. Having considered the evening views, the lighting while reduced is still visible and appears to reflect off the frame.
- 14.22 Officers do not consider that the proposal has meaningfully addressed the harm outlined by Officers and the Inspector, and it remains the case that the proposal would result in a high level of less-than-substantial harm to grade I, grade II listed building and to the Conservation Area. The proposal would adversely impact the significance of the Buildings of Local Interest and detrimentally impact the setting of the River Cam.
- 14.23 The NPPF (2024) outlines that conservation of a heritage asset should be given great weight in the planning balance, and the more important the asset, the greater the weight should be. Members should carefully consider this in light of the level of harm identified to highly significant heritage assets across this part of the city.
- 14.24 Notwithstanding this, the NPPF (2024) outlines 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.
- 14.25 As part of the appeal decision the Inspector weighed the public benefits in their decision against the heritage harm (paragraphs 67-70) , and concludes that the proposal would result in largely private benefits to the commercial business and an absence of any defined significant public benefits. It is noted that third party representations have been received to outline that their view is that the benefits would not outweigh the

significant weight given to the harm to heritage assets of the highest significance.

- 14.26 The public benefits presented have not substantially changes from the planning appeal (Appendix 2). The additional staffing numbers include 12 part time and 12 full time staff and additional ancillary employment that would result both within the hotel and on the rooftop and potentially further along the supply chain. This increase will be felt within the hotel but is reasonably limited in the wider impact in terms of employment across the city and therefore Officers would give this low weight in the planning balance.
- 14.27 The Inspector outlined that they do not consider that the proposal would have a tourism benefits, as the tourism economy in Cambridge is driven by the Universities, heritage assets and other factors that the hotel would therefore not be a factor in encouraging tourism. Officers have previously recognised the tourism stance of the hotel, however understand that this is limited and therefore this is given little weight.
- 14.28 The applicant has presented various arguments about the site being able to be accessed and used by different groups and by different functions. They also outline that the proposal would offer access for visitors and residents to view heritage assets. The proposal site is ultimately a private site, that would certainly read as such for any visitors and therefore this cannot be given any weight in the planning balance.
- 14.29 It is noted that the potential for additional solar shading has been raised both by the applicant and by one third party. Officers share the view of the Inspector, it does not appear that shading would be substantially greater than the existing umbrellas on the rooftop, therefore this is given no weight.
- 14.30 Taking into account the significant weight to be given to the conservation of heritage assets, and taking into account the largely limited public benefits, the heritage harm is not considered to be outweighed by the public benefits.
- 14.31 It is considered that the proposal, by virtue of its height, scale, massing, bulk, appearance and illumination would result in a high level of less-than-substantial harm the character and appearance of the Conservation Area and the setting of several highly significant grade I and grade II listed buildings and buildings of the local interest.
- 14.32 There is a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and; section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 14.33 In addition, paragraph 212 of the NPPF (2024) sets out that great weight should be given to the asset's conservation.
- 14.34 The public benefits are limited, and the proposal instead provides primarily private benefits to the business. As such, the proposal is not compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF (2024) and Local Plan policies 60 and 61.

15. Biodiversity

- 15.1 The application is submitted with a BNG exception statement. As the proposal would impact less than 25 sqm of habitat, this is accepted, and the proposal would not be required to deliver biodiversity net gain nor any other enhancement. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

16. Highway safety and transport impacts

- 16.1 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 16.2 Para. 116 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 16.3 The Local Highways Authority have raised no objection to the application.
- 16.4 Officers note this and 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 movements to and from the site. 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.

17. Amenity

- 17.1 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.

- 17.2 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.
- 17.3 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.
- 17.4 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.

18. Other Matters

Airport Safeguarding

- 18.1 The proposal site is located within the Cambridge Airport Safety Zone. It would extend above the surrounding buildings up to approx. 26 metres in height. Cambridge Airport and Ministry of Defence have been consulted and raise no objection subject to an informative regarding crane use. As such, the proposal is not considered to adversely impact aircraft safety.

Accessible Design

- 18.2 The proposal seeks to enable the existing rooftop to be used year round rather than on a seasonal basis, however it is noted that the rooftop does not have level access and relies on a staircase to get to this level and as such it is not accessible. The lack of accessible design is disappointing to officers, and was noted by the Planning Inspector when considering opening up the space for public use. This has not been resolved under this application.

19. Planning balance

- 19.1 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).
- 19.2 It is important that Members have regard for the previous decisions made both by Members of the Planning Committee and by Officers, including those dismissed at appeal. Officers suggest that the most recent planning

appeal (Appendix 2 dated 20 May 2025) should be given significant weight in the planning balance given its similar nature and taking into account that the decision was made only last month using up to date policies with the Local Plan (2018), NPPF (2024) and Planning LBCA Act (1990).

19.3 Summary of harm

19.4 The proposal does not overcome the previous reasons for refusal, and remains detrimental to the historic skyline and heritages assets within the historic core of the city including listed buildings, the Central Conservation Area and buildings of local interest. Historic England, the Conservation Officer and third-party groups (Cambridge Past, Present and Future and Magdalene College) have raised significant concerns about the impact of the proposal on the surroundings and from key views with the area.

19.5 The proposal would result in conflict to policies 7, 10, 55, 56, 58, 59, 60, 61 and 62, which seek to support high quality development, and protect the significance of heritage assets, the character of the skyline and the landscape of the River Cam.

19.6 In addition to this, Officers must have regard to Section 66(1) 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and which set out that planning decisions must have special regard for the desirability of preserving listed buildings or their setting and must pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

19.7 The NPPF (2024) also outlines 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). The NPPF (2024) outlines that any harm should require clear and convincing justification.

19.8 As such, Officers give significant weight to the preservation of heritage assets. The harm to heritage assets is widespread and ranges between low and high levels of less-than-substantial harm to Grade I and Grade II listed buildings and the Central Conservation Area. There is also less-than-substantial harm to buildings of local interest and this should be considered as part of a balanced judgement. It is clear that in heritage terms, the proposal would result in harm to the setting of several buildings and the historic core of the city which are notable for their significance and historic and architectural value. The proposal would over dominate and

detrimentally impact important parts of the historic fabric of Cambridge which Officers suggest is entirely unacceptable.

19.9 Summary of benefits

19.10 The proposal has been presented with public benefits, including increase to jobs both at the hotel and ancillary to this and creating a social attraction. The Planning Inspector outlined that the proposal did not result in public benefits of a significant nature that would outweigh the harm outlined. Instead, the Planning Inspector outlines that the proposal resulted in largely private benefits. Officers agree that the public benefits do not outweigh the harm detailed above and therefore cannot be supported.

19.11 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**.

20. 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 (2024) and Cambridge Local Plan (2018) policies 55, 56, 58, 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 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 (2024) and Cambridge Local Plan (2018) policies 7, 10, 61 and 62.