



Appeal Decision

Hearing held on 11 March 2025

Site visit made on 12 March 2025

by Louise Nurser BA (Hons) MA Dip UP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2025

Appeal Ref: APP/Q0505/W/24/3354817

The Varsity Hotel & Spa, Thompsons Lane, Cambridge, Cambridgeshire, CB5 8AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by The Varsity Hotel & Spa against the decision of Cambridge City Council.
 - The application Ref is 24/00488/FUL.
 - The development proposed is Installation of a new all-weather lightweight retractable roof canopy and associated works.
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Decision

1. The appeal is dismissed.

Procedural matters

2. In determining this application I have borne in mind the statutory duty of 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.
3. During my preparation for the hearing, given the significance of the heritage assets involved, it became apparent that the Gardens Trust and Historic England should have been consulted during the consideration of the planning application. Therefore, prior to the hearing taking place both organisations were given the opportunity to submit representations. The Gardens Trust did not respond. However, Historic England made a representation which both main parties were made aware of, and which I have taken into account in making my decision.
4. Several people spoke in favour of the appeal proposal, and a statement was read out on behalf of a couple who could not attend in person. I asked that hard copies of these statements be provided. Although, these were received after the hearing had closed, no one would be prejudiced in my accepting them as they reflect what was said at the hearing.

Preliminary matters

5. I am aware that the use of the rooftop as a bar has planning permission, and there is an extensive planning history, including an earlier appeal, to provide a structure to enclose the rooftop. In addition, during the site visit I became aware of some

unauthorised glazed dome pods on the rooftop. Nonetheless, in the interests of clarity, my decision solely relates to the merits of the specifics of the appeal before me and the impact thereof.

Background and Main Issues

6. The Varsity Hotel and Spa is located in the heart of Cambridge's historic core. It is a building of modern appearance which is around 21 metres high and was converted from existing apartments. The restaurant on the top floor allows diners extensive, but not completely unimpeded views over central Cambridge. In contrast, the existing open roof top bar provides unrestricted panoramic views over central Cambridge and beyond. However, its operation is weather dependent. The proposed structure to house a retractable canopy would enable the rooftop bar to trade all year round.
7. From what I have read, heard and seen: I consider the main issues are the effect of the proposal on the character and appearance of the local area bearing in mind the special attention that should be paid to the desirability of preserving the setting of the nearby listed buildings, the registered park and garden at St John's College, and the Castle Mound scheduled monument, and the extent to which it would preserve or enhance the character or appearance of the Central Conservation Area (CA), and the effect on the skyline of Cambridge.

Reasons

8. The Framework is clear 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.
9. The hotel, including the existing glass balustrade on the roof, is already a prominent building within central Cambridge, constructed of gault brick, with zinc cladding at the fifth and sixth floors, and a glass balustrade surrounding the existing roof top bar. At the fifth floor, there is an open balcony for the guest rooms facing Thompson Lane. The sixth floor, which is further set back, includes a covered terrace with a retractable awning system, which again faces east. There is another balcony to the restaurant which faces onto the service yard. Consequently, not only is the hotel prominent due to its height and bulk which contrasts with the neighbouring buildings, but the stepped design and the extent of zinc at the top of the building draws the eye within the wider streetscape.
10. The exoskeletal cage would link the sixth floor to the roof top bar, and matching zinc cladding would be used where appropriate. The proposal would increase the height of the hotel by around 2 m over and above the existing balustrade, or more significantly, over 3 m above the existing roofline of what is already a prominent building.
11. The existing stepped profile would be altered with the restaurant and extended roof top bar following a similar profile which would provide a link between the top floors.
12. My understanding is that the telescopic glazing would be designed not to be reflective so as to reduce its visibility and glare.

13. In providing a retractable roof there would no longer be any requirement for ephemeral parasols and other paraphernalia associated with the roof bar. However, from the plans provided there would be planting and seating, and of course the canopies when extended would be visible. Consequently, I do not see this to be an advantage particularly in the context of the harms I identify below. I note that the elements of the structure are described as slender. However, it is clear from the detailed plans that the steel structure would appear as a robust design.
14. I have been referred to several other hotel rooftop bars which have successfully integrated a similar design solution in sensitive locations. Nonetheless, in this case, the proposal would neither contrast successfully with the wider built environment, nor would it be consistent with its immediate context. Irrespective of the finish of the exoskeletal structure, due to the prominence of the hotel, the proposal would be highly visible and would appear as a metal cage which does not relate to the wider historic environment either through its design, or materiality, and would appear as having been imposed upon the roof of the hotel, which, for the avoidance of doubt, I consider to be more harmful than the existing situation where there have been a number of incremental permissions.
15. The appeal proposal would enable the rooftop bar to operate throughout the year to provide views over Cambridge irrespective of weather conditions. It would sit above the existing restaurant which for the most part has large floor to ceiling glazing. Consequently, when the restaurant is lit the hotel's visibility is accentuated which I was able to see when I viewed the site in the evening. This effect would be compounded by introducing an additional storey immediately above it which would be likely to be lit from dusk into the evening.
16. I note that the appellant considers that the effect of the lighting on the additional enclosed space could be ameliorated using a condition. Nonetheless, whilst this would reduce the potential effect of the lighting, it would remain discernible after dark, and thereby emphasise, extend and further draw attention to the hotel which, even when viewed in the context of the modern Quayside development, due to its height and bulk already appears prominent.
17. Central Cambridge includes numerous heritage assets. I consider that the proposed development would take place within the setting of the following Grade I buildings considered to be of exceptional national interest: *St John's College the Buildings Surrounding the First, Second and Third Courts*, and *New Court*, both at St John's College; the *Pepys Building*, and the *Buildings Surrounding First Court*, at Magdalene College.
18. It would also sit within the setting of the Grade II*, Registered Park and Garden of St John's College, as well as within the setting of the following grade II buildings which have been listed as being of special interest: *Walls lining the second court on north- east and south- west sides* and *Bright's Building*, Magdalene College; *Magdalene Bridge*, the *Great Bridge* and houses along *Lower Park Street*.
19. I have also been referred to listed buildings along Thompson Lane (Grade II) and buildings of local interest within St John's Road, Thompson's Lane and Park Parade. All these designated and non- designated heritage assets lie within the CA.
20. It would also lie within the setting of the Cambridge Castle Mound which is a scheduled monument.

The effect of the proposed development on the setting of nearby listed buildings and registered park and garden:

St John's College, New Court and St John's College, Buildings Surrounding the First, Second and Third Courts: Grade I.

21. I am aware that a previous Inspector's decision found no harm in respect of the settings of the highly graded listed buildings within St John's College. Nevertheless, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, places a statutory duty on me to consider the desirability of preserving a listed building or its setting for myself.
22. Both sets of buildings were first listed in 1950. The First, Second and Third courts date from the sixteenth to the nineteenth centuries, and New Court was constructed in the mid nineteenth century. Whilst I would concur that the proposal would not impact on how the heritage assets are experienced from within the college grounds itself, or indeed, its direct surroundings, the extent within which the setting of a listed building can be experienced need not be restricted to the immediate locality. The glossary of the Framework defines setting as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
23. Specifically, the nineteenth century chapel of St John's College, and the nineteenth century clock tower within the New Court derive a historic significance due to their pre-eminence within Cambridge's skyline, which illustrates the influence and importance of both the church and academia within Cambridge. This illustrative historical value is also accompanied by the high aesthetic and communal value derived from the quality of the Gothic Revival architecture produced by Sir Gilbert Scott (St John's College Chapel) and by T Rickman and Hutchinson (New Court). All of this is designed to be viewed and experienced both within and outside the immediate environs of the College.
24. The appellant has argued that the impact on the longer views towards the heritage assets fall to be assessed as part of the impact on the skyline, and that the ability to experience the setting of these assets is not impacted due to their retained dominance.
25. However, it is clear when experienced from various viewpoints, most notably from the tower of Great St Mary's Church, where the existing domes appear to sit on the ridge line of the nave and apse of Sir Gilbert Scott's Chapel, that the exoskeletal frame, irrespective of its colour would be seen, above the easternmost element of the ridge line, due to its relationship with the roofline of the Chapel as an alien, incongruous, anachronistic and incidental intervention within the setting of the Chapel. This would appear visually jarring and adversely impact on the way the Chapel would be experienced. Similarly, when viewed from Jesus Green, the increase in height and the introduction of a permanent cage-like metal superstructure, on top of the roof would further exacerbate the impact of the hotel on the setting of these two heritage assets and further dilute their dominance within the skyline and thereby adversely affect their significance. This is notwithstanding, that due to the bulk and height of the existing hotel, it already is

highly visible and competes with the two landmarks within the skyline, and that both assets are not always viewed together.

26. In coming to this conclusion, I am aware of the mature trees within Jesus Green, which in places may shield views of the proposed development. Nonetheless, this effect would be limited to specific viewpoints. Moreover, during the winter months when the trees were not in leaf, this mitigation would be further reduced.
27. As such, I conclude that there would be harm to the setting of St John's College, *New Court*; and St John's College, *Buildings Surrounding the First, Second and Third Courts*. However, whilst the harm to the setting of both heritage assets would be significant, it should be considered as less than substantial harm, in the context of paragraph 202 of the Framework given the scope of the proposal. Moreover, were the extent of harm to be calibrated within the category of less than substantial harm, in my judgment this would be at the higher end of the scale. This harm carries considerable importance and weight in my decision making.

Registered Park and Garden at St John's College

28. Given my conclusion above that there would be no adverse impact on the heritage assets of St John's when experienced from within the grounds, I consider that there would be no impact on the Registered Park and Garden of St John's College.

Pepys Building and the Buildings Surrounding First Court, Magdalene College: Grade I.

29. Again, both these assets were listed in 1950. The Pepys Building was constructed in the late seventeenth and completed in the early eighteenth century. It has great historic, and architectural significance due to its classical form and its history as one of the first private libraries. Its principal ashlar elevation has been designed to be addressed from within the College whilst its southern brick and stone dressed elevation faces the River Cam and the busy commercial activity on the other side of the bank. Whilst the Pepys Building is accessed through the courtyard of the College, it is a detached building which sits within the extensive verdant College grounds, and as such there are clear expansive views across the river and to the hotel beyond. Therefore, the setting of the building, whilst primarily experienced as part of the academic closed college, is also experienced in the context of the life of the town.
30. At the time of my site visit, which took place around lunchtime, I noted that the busy hotel restaurant which lies behind and rises above the riverside buildings opposite, was clearly visible and formed part of the setting of the Pepys building. In contrast to much of the activity and character of the area on the other side of the river which involves the hustle and bustle of people walking or tourists punting, all of which takes place at around street level, the activity within the existing restaurant which towers over the smaller scale quayside development and the College buildings draws the eye upwards. Were the rooftop structure to be constructed this effect would be exacerbated, not only as a result of its incongruous design but as a result of the increased activity throughout the year, over and above that from the existing restaurant and roof bar, associated with customers enjoying the panoramic views afforded by the proposal. This would further disrupt the setting of the Library and adversely impact on its significance.
31. The Buildings Surrounding the First Court, which include the frontage to Magdalene Street, were commenced in the fifteenth century and are constructed of red brick

and have great historic, and architectural significance. They address both the River Cam and Magdalene Street. Due to their location on the banks of the River Cam, and adjacent to Magdalene Bridge, the setting in which they are experienced is extensive. Notwithstanding that the extended hotel and College buildings would not always lie within the same viewpoints, the proposal would negatively impact on the setting of the historic College buildings by exacerbating and adding to the existing harm to their setting from the existing hotel, which appears as a discordant and overbearing feature within the immediate environs of the College and riverbank.

32. Moreover, when viewed when travelling along Magdalene Street, where the College buildings and the hotel would be viewed together, the juxtaposition of the medieval College buildings and the proposed extension would further compound and add to the already adverse impact on the experience of the setting of the historic college buildings, This would be because of the incongruity of the design, its added height which would appear to loom over the immediate area, and the further and sustained activity on the roof.
33. As such, this would result in less than substantial harm to the setting of both assets, which are of exceptional national interest. Given the proximity and incongruous nature of the design, it would again be at the higher end of the scale. This harm carries importance and weight.

Walls lining the second court on north- east and south- west sides and Bright's Building, Magdalene College: Grade II.

34. The walls lining the second court on the north-east and south- west sides at Magdalen College were listed at the same time as the Grade 1 listed buildings referenced above. They are formed of reused ashlar and rubble and date from the late sixteenth and early seventeenth centuries. They are intrinsic to the sense of enclosure typical of the Cambridge colleges and have both historic and evidential significance and also contribute to the setting of the different constituent parts of the heritage assets of the College. Whilst the proposed development would be viewed as part of the setting of the walls, and its effect would be to result in harm to their setting for the reasons set out above, I consider that this harm whilst significant, and less than substantial would be at the lower end of the scale.
35. Bright's Building was listed in 1967. It is an early twentieth century Neo Tudor red brick build building. It faces the River Cam, and its gable addresses Magdalene Street and was designed to be consistent with the immediate architectural context of the buildings and grounds of Magdalene College, and its primarily red brick buildings. Its setting overlaps that of the Pepys Library and is of historic and architectural value, and the significance of its setting is similarly affected by the proposed development. As such, I consider this would result in less than substantial harm, but at the higher end of the spectrum.
36. The Fellows' and Scholars' Gardens sit within the grounds of Magdalene College and provide a peaceful open area of greenspace which abuts the River Cam, and form part of the setting of the designated heritage assets of the College. The proposed development for the reasons set out would similarly adversely impact on the quiet contemplative nature of the gardens, notwithstanding that on the opposite side of the Cam is the busy Quayside development.

Magdalene Bridge

37. Magdalene Bridge was built in 1823 and is of architectural and historic significance sitting at an ancient crossing over the Cam. It was listed in 1969. It also provides expansive views along the River Cam in both directions for those both crossing the river and using it as a convenient viewpoint to appreciate the various heritage assets nearby. The setting of Magdalene Bridge is extensive, including the modern Quayside development which sits on the opposite side of the Cam from Magdalene College.
38. I note that the Quayside development lies on the site of a former working dock and associated commercial buildings. However, due to its scale, materials and relationship with the river and nearby buildings it does not compete with or appear incongruous in the wider context, including the setting of Magdalene Bridge.
39. I have been provided with photographic evidence of historic activity at Quayside, together with a photograph of a tall slender chimney which was part of a power station which lay to the north of the appeal site on the banks of the Cam (ID:10). These demonstrate the changing nature of the historic environment within central Cambridge. Nonetheless, I must determine the appeal on the basis of the effect of the proposal on the significance of the setting today.
40. As such, when viewed from Magdalene Bridge the hotel, which appears to sit behind the Quayside development, and is highly visible, already appears incongruous due to its scale, height and modern design. As set out above, the proposal would result in the hotel being extended in height and made more conspicuous through the introduction of an exoskeletal form which would further exacerbate this impact and result in harm. This would be particularly evident in the evenings when the two top floors of the building would be lit. In my judgement, the proposal would result in less than significant harm, at the higher end of the scale, to the significance of the setting of Magdalene Bridge.

Thompson's Lane

41. I have been referred to numbers 29 and 30 Thompson's Lane. Number 30 was listed in 1950, and number 29 in 1972. Together, they form a group and are fine examples of nineteenth century merchant housing. However, from my site visit it appears that their setting is not extensive, and notwithstanding the proximity to the appeal site, their significance would not be harmed by the further extension to the hotel.

Lower Park Street

42. This is a terrace of two storey gault brick modest domestic nineteenth century dwellings which lead to Jesus Green from Park Street. These are of a uniform design the significance of which I consider derives from their historic and architectural interest. The existing hotel is visible, and appears incongruent, when viewed across the nearby primary school which falls within their setting, and when extended would be even more so. However, I consider any harm to their significance would be at the lower end of the spectrum.

Cambridge Castle Mound

43. The site of Cambridge Castle retains an overarching position which provides views over and into the historic core of Cambridge and beyond. Due to the distance from the appeal site and, given that the views across are from a raised viewpoint, the

dominance of the existing hotel is less pronounced and is seen within the context of other taller modern buildings within Cambridge's skyline. The appeal proposal would similarly appear within this wider context, and I am content that there would be no additional impact on the setting of the Castle Mound.

Cambridge Central Conservation Area

44. The appeal site sits within the Cambridge Central Conservation Area. This is characterised by contrasting elements of a vibrant commercial town centre, quiet enclosed Colleges, pockets of residential areas, as well as green space, such as at Jesus Green, punctuated with designated heritage assets of the highest significance. Whilst most of the colleges date from the medieval period, there is a mixture of architectural styles, including modern developments such as the Cripps Building at St John's College. There are other buildings within the CA consistent with its role as a sub-regional centre which are of neither historic significance nor of architectural excellence. However, for the most part, these do not dominate, with few prominent landmark buildings within the central core. Most buildings are typically of two or three stories in height, displaying an intimate architecture of quality detailing, and small-scale features. Binding it together is the River Cam, which itself, is a leisure route, and the narrow streets within the historic core.
45. Given that many of the views are foreshortened within the CA, where there are open vistas such as from along the Cam corridor or Jesus Green, the importance and sensitivity to the CA from prominent buildings is heightened. Similarly, glimpsed views make up an important element of the character and appearance of the CA, such as from the Pepys Library. Consequently, the appeal proposal which would extend an already dominant building and thereby increase its dominance and introduce an alien exoskeletal design which would also introduce activity all year round, would result in less than substantial harm, to the character and appearance of the CA as a whole.
46. In summary, I have found less than substantial harm, to the character and appearance of the Cambridge Central Conservation Area as a whole, but nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the NPPF advises that this harm should be weighed against the public benefits of the proposal which I explore below.

Conclusion relating to designated heritage assets

47. Paragraph 212 of the National Planning Policy NPPF 2024 (the NPPF) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have a clear and convincing justification. In summary, I have found less than substantial harm, to the setting of the following Grade I buildings considered to be of exceptional national interest: *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.
48. In addition, I have found less than substantial harm to the setting of the following grade II buildings which have been listed as being of special interest: *Walls lining the second court on north- east and south- west sides* and *Bright's Building*,

Magdalene College; *Magdalene Bridge, the Great Bridge* and houses along *Lower Park Street*.

49. There would also be less than substantial harm to character and appearance of the CA as a whole.
50. I have found the harms to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the NPPF advises that this harm should be weighed against the public benefits of the proposal which I explore below.

Buildings of Local Interest.

Park Parade

51. The substantial terrace of uniform late nineteenth century housing are individually identified as Buildings of Local Interest within the CA. They provide an extensive, attractive built edge to Jesus Green. Due to its height and bulk, the existing hotel punctures the horizontal emphasis of the houses and disrupts the unity of the historic street and its aesthetic and architectural significance. The proposal to increase the height of the hotel and to introduce an exoskeletal form, would further increase this impact, resulting in less than substantial harm to the significance of the setting of the non-designated heritage assets to which I accord moderate weight.

St John's Road

52. St John's Road links the appeal site to Park Parade and consists of modest, terraced, nineteenth century housing, which is of architectural interest and aesthetic value, and is domestic in scale. When viewed from St John's Road, the appeal site is of a significantly different scale and appears bulky and dominant, with the side elevation forming a backdrop to a number of houses on the western side of St John's Road. The proposal would increase the height of the building and introduce an additional design element which would further compete with the simplicity of the housing. As such, I consider that the proposal would result in less than substantial harm to the significance of the non-designated heritage asset to which I accord moderate weight.

Thompson's Lane (Richmond Terrace)

53. Thompson's Lane extends beyond the appeal site and dog legs up towards Jesus Green along a stretch of road which is known as Richmond Terrace. This is flanked on the western side by mid twentieth century modern flats designed by Del Pozzo. These are brick built. They have a strong horizontal emphasis, and are in keeping with the uniform, nineteenth century workers' housing on its eastern side which are again identified as Buildings of Local Interest, and like the other LBI, are of architectural and aesthetic value.
54. Notwithstanding that the former converted historic Glass Works building straddles the southern end of Thompson's Lane, it is the bulk and height of the existing hotel which sits, and looms behind it which dominates the views to the south and forms a disruptive backdrop to the setting of the uniform housing. The increase in height associated with the proposed development, together with the introduction of an additional material with the metal exoskeletal ribs would further impact on the

significance of the setting of the housing, and result in less than substantial harm to which I accord moderate weight.

Conclusion

55. In summary, I have found that the proposed development would result in less than substantial harm to the BLI identified above. Paragraph 216 of the National Planning Policy NPPF 2024 (the NPPF) states the effect of an application to the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Public Benefits

56. As set out above, given my conclusions relating to the designated heritage assets, I have found harm derived from the proposal to be less than substantial but nevertheless of considerable importance and weight.

57. Under such circumstances, paragraph 215 of the NPPF advises that this harm in relation to the designated heritage assets should be weighed against the public benefits of the proposal.

58. The Varsity Hotel and Spa is centrally located within Cambridge and appears to be a commercially successful enterprise. From what I gather the operation of the restaurant and rooftop bar are intimately related. Were the appeal proposal to be implemented this would allow both to function at full capacity, independent of the weather, and throughout the year. This in turn would give the hotel management the confidence to plan and employ the appropriate staff to maximise the commercial potential of both the restaurant and roof top bar. It would also enable the hotel to market the rooftop bar as a year-round attraction, and thereby increase the hotel's attraction further.

59. Clearly, this would be primarily a private benefit to the hotel. However, the estimated additional 12 full and 12 part time additional jobs, in addition to other ancillary employment, such as garden maintenance, would have a positive social benefit as well as make a contribution to Cambridge's wider leisure economy to which I accord moderate weight.

60. I have also been referred to the impact of the roof top bar on room occupancy during the winter months. However, I am not convinced that a roof bar operating all year round would be determinative, with other levers open to the commercial enterprise to encourage stays, and in any case the restaurant already provides similar views and operates all year round. Moreover, in the context of the Cambridge Hotel Futures report, which set out the need for additional visitor accommodation, I conclude that no weight should be accorded to this as a public benefit as the proposal would not increase the number of beds.

61. I have been referred to the synergy between the high-end retailers within the immediate area and guests staying at the hotel. However, whilst I have no doubt that there is a real link between the local businesses, such as wine merchants, and jewellers to the operation of the hotel, and therefore to the local economy, I consider that the benefit is localised, and I accord moderate weight to this as a public benefit.

62. The development of the proposal would result in related construction jobs, which, even though they would be for a finite length of time, would result in a positive impact on the local economy to which I accord moderate weight.
63. Reference has been made to the public benefit derived from the solar shading and cooling to be derived from the canopy. However, my understanding is that the appellant utilises parasols and therefore, there is no substantive advantage to be derived.
64. Lastly, I am aware that there are limited opportunities to enjoy rooftop views over Cambridge and its colleges, and thereby experience the significance of its myriad heritage assets and cityscape, one of which is the Tower at Great St Mary's. However, in contrast to the rooftop bar at the Varsity Hotel, this requires a strenuous walk up a spiral staircase and a fee. The appellant has proposed a condition to ensure that a S106 obligation be entered into, to enable free and unrestricted year-round public access to be maintained for those who wish to take advantage of the views afforded from the rooftop bar.
65. I consider this would be a public benefit, particularly, as, at the moment, the access is seasonally restricted. However, I only accord moderate weight to this, as it does not benefit from direct lift access. In any case, the enclosed restaurant on the sixth floor already provides views throughout the year. Moreover, whilst the planned condition and subsequent obligation would go some way to managing access, and welcoming visitors who are not customers to access the bar, it is likely that sightseers may feel uncomfortable accessing a viewing point within a private venue, thereby reducing the extent of the public benefit.
66. It has also been put to me that the roof top bar has a direct impact on Cambridge's relative attractiveness as a tourist location. Whilst it may be that for a certain visitor this may be a determinative factor, I am not convinced that the vast majority of visitors are not drawn to Cambridge by its combination of extensive heritage assets, renowned university and its economy. Therefore, I accord this minimal weight as a public benefit.

Heritage Balance

67. In sum, I have identified a number of public benefits to which I have attributed weight. However, these public benefits are not sufficient to outweigh the harm from the proposals before me, whether in their totality, or any individual element, to the significance of the setting of the designated heritage assets.
68. As it stands, I consider that the proposal would largely result in private benefits to the commercial business. Therefore, in the absence of any defined significant public benefit, I conclude, on balance, that the proposal would fail to preserve the setting of the Grade I St John's College, New Court and St John's College; Buildings Surrounding the First, Second and Third Courts; Pepys Building and the Buildings Surrounding First Court, Magdalene College; the Grade II buildings which have been listed as being of special interest: Walls lining the second court on north-east and south-west sides and Bright's Building, Magdalene College; Magdalene Bridge, the Great Bridge and houses along Lower Park Street and the character and appearance of the CA.

69. I also find, taking a balanced judgement required by paragraph 216 of the Framework, that the benefits of the scheme would not outweigh the harm to the buildings of local interest set out above which are non-designated assets.
70. This would therefore fail to satisfy the requirements of the Act, paragraphs 215 and 216 of the Framework and of the policies to which I have been referred, conflict with policies 10, 55, 58, 61 and 62 of the Cambridge Local Plan (2018) that cumulatively seek to ensure that development within Cambridge is controlled so heritage assets should be conserved in a manner appropriate to their significance. As a result, the proposal would not be in accordance with the development plan.

Skyline of Cambridge

71. The existing hotel is prominent within Cambridge's skyline. Whilst I am aware of other tall buildings within Cambridge such as the University Library and at Addenbrookes hospital, the appeal site lies within the central historic core of Cambridge whose delicate and historic skyline is highly sensitive to change. For the reasons set out above, the proposal would adversely impact on the skyline and would not result in a high-quality addition to the Cambridge skyline that would complement the character of the surrounding area and thereby be contrary to Policy 60 of the LP. In coming to this conclusion, I am aware of other development to which I was referred during the hearing which is taking place within Cambridge. Nonetheless, I have not been provided with details relating to these schemes, and I have determined the appeal on the basis of the specific scheme before me and the associated impacts thereof.

Other Matters

72. I have carefully taken into account the views which were eloquently set out at the hearing, of those who spoke in favour of the proposal, together with the written representations received supporting the scheme. I am also aware of the planning history of the site.
73. I note that the Council's Urban Design officer considered the scheme positively, and that the appellant is unhappy with the way in which the Council determined the application. However, it has fallen upon me as decision maker to determine the appeal before me on the merits of the case.

Conclusion

74. For the reasons given above the appeal should be dismissed.

Louise Nurser

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Matthew Dale-Harris, Barrister, Landmark Chambers

Will Nichols MTCP (Hons) MRTPI, Regional Director (Planning), Lanpro

Tristan Wilson BA (Hons) MA Principal (Historic Environment), Lanpro

Michael Vanoli BA (Hons) DipArch

FOR THE LOCAL PLANNING AUTHORITY:

Charlotte Peet BA Hons – Senior Planning Officer

Jane Rodens BA Hons MA RTPI - Area Development Manager

Christian Brady MRTPI IHBC - Historic Environment Team Leader

INTERESTED PARTIES

William Davies (Director of Varsity Hotel)

Michael Peacock (Taxi Driver and Local resident)

Yasmin Reefat (Local resident)

Cllr Delowar Hossain (Local Conservative Councillor for King's Hedges, Cambridge)

Cllr Mark Ashton (Local Labour Councillor for Cherry Hinton, Cambridge)

Vanessa Burkitt (Local business owner and local resident)

Clive Pawdsey (local business owner).

Martin Ruehl (Academic at Cambridge University and local resident)

Steven Hawkes (Local business owner and local resident)

DOCUMENTS

ID:1 Proposed public access condition

ID:2 Revised walking route

ID:3 Copy of statement by V Burkitt, Catherine Jones Jewellers, received 14/03/2025

ID:4 Copy of statement by Councillor Ashton received 14/03/2025

ID:5 Copy of statement by M Ruehl received 14/03/2025

ID:6 Copy of statement by C Pawsey received 14/03/2025

ID:7 Copy of statement by Y Reefat received 14/03/2025

ID:8 Copy of statement read by Y Reefat on behalf of Dr Neogi and M Smith received 14/03/2025

ID:9 Plan illustrating full extent of the Cambridge Historic Core Conservation Area.

PHOTOGRAPHS

ID:10 Historic photographs of area, including chimney associated with electricity power station.