



Appeal Decision

Site visit made on 12 August 2025

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 September 2025

Appeal Ref: APP/X5990/W/25/3367295

10 Beak Street, City of Westminster, London W1F 9RA

- 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 Stonegate Group against the decision of City of Westminster Council.
 - The application Ref is 24/08496/FULL.
 - The development proposed is described as alterations to the ground floor frontage of the property, add new awnings and decorations to Beak Street elevation, replace existing opening windows with folding doors and balustrade to Warwick Road elevation, and add canopy to entrance door.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The City of Westminster City Plan 2019-2040 is currently the subject of a partial review, and examination of it has commenced. However, I have limited information before me on the precise stage at which the examination has reached, the level of unresolved objection that there may be to it, which policies are the subject of the review and the degree of consistency of those policies with the content of the National Planning Policy Framework (the Framework). In such circumstances, the partial review of the City of Westminster City Plan 2019-2040 is a matter of very limited weight in my decision.
3. A separate and concurrent application¹ was submitted to the council for advertisement consent. I understand from the evidence before me that this was also refused. Therefore, although these are shown on the submitted plans, the signage does not form part of the appeal proposal.
4. The submitted plans show a number of awnings, as well as signage. However, the Council has confirmed that planning permission is only required for the installation of a new shopfront on the Warwick Street elevation of the building which includes bifold doors and glazed balustrade with drinking shelves for when the doors are opened and provision of new canopy over the corner entrance. I have therefore considered the appeal on this basis.

¹ Application Ref: 24/08666/ADV

Main Issues

5. The main issues are:

- The effect of the proposed development on the character and appearance of the host building, with particular regard to whether it would preserve or enhance the character or appearance of the Soho Conservation Area; and
- The effect of the proposed development on highway safety, with particular regard to the free flow of pedestrians.

Reasons

6. The appeal site 10 Beak Street comprises part of an unlisted building situated on the corner of Beak Street and Warwick Street. The facades are of Portland stone with black granite architectural surrounds at ground floor level which contain modern windows. It is a corner property which has an attractive corner entrance under a decorative archway.
7. The appeal site is located within the Soho Conservation Area (the SCA). The significance of the SCA lies in its mix of Georgian, Victorian, Edwardian, and modern buildings, reflecting successive phases of development. The area retains narrow plot widths, modest building scales, and original street layouts, which contribute to its intimate and urban character. The Council identifies the appeal building as one which makes a positive contribution to the SCA.
8. The appeal site also lies in close proximity to the Regent Street Conservation Area, the significance of which lies in its historical, architectural, and cultural contribution to London's urban landscape, as well as its role as a carefully preserved example of early town planning and commercial development. Its grandeur and wide streets are in stark contrast to the density and narrow streets of Soho.
9. In respect of the Beak Street elevation, the only works proposed involve the repainting of the existing shopfront. The Council has raised no specific concerns to this element of the proposed works. Based on the evidence before me and my own observations, I see no reason to disagree with this assessment.
10. The curved corner of the building is a distinct architectural feature which is attractively embellished for its full height. It is surrounded by detailed stonework which includes an archway with accentuated voussoirs and a scrolled keystone. The proposed addition of a curved awning in this location would appear out of character with the design of the building and it would also detract from the attractive architectural details of the entrance. Whilst there is an existing awning on the Warwick Street elevation, these are not a common feature of the area, particularly in corner locations such as this.
11. My attention has been drawn to examples² of corner awnings within the wider area. However, these examples do not reflect the prevailing character of the area which does not typically include awnings, particularly of the position and style proposed. Furthermore, I have not been presented any details of whether or not planning permission was granted for these awnings. I therefore attribute this very limited weight.

² 40 Beak Street and 1 Upper John Street

12. Whilst I accept that the existing shopfront is a modern addition to the building, it would nonetheless be replaced by modern glass balustrades which would have drinking shelves attached to the top of them. These would be an incongruous and overly modern addition which would fail to be sympathetic to or respond positively to the character of the traditional building. Although a relatively minor alteration in the context of the overall building, I find that the proposed replacement shopfront would not contribute positively to the character and appearance of the host building, nor the wider SCA.
13. Overall, the proposed alterations to the shopfront and addition of a awning above the corner entrance would cause unacceptable harm to the character and appearance of the host building and surrounding area. Therefore, I find that the proposed development would cause harm to the significance of the SCA as a designated heritage asset.
14. In finding harm to the significance of a designated heritage asset, the National Planning Policy Framework (the Framework) and the Planning Practice Guidance require the category of harm to be explicitly identified and the extent of harm to be clearly articulated.
15. Given the nature and extent of the development, I find that the harm caused to the SCA would be less than substantial harm, and at the lower end of the scale. Nevertheless, Paragraph 215 of the National Planning Policy Framework (the Framework) states that where the harm is less than substantial, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
16. The public benefits advanced by the appellant include the appellant having genuine and reasonable requirements to undertake these proposed appeal works, in order to successfully continue to viably operate their appropriate town centre use of these premises that will continue to safeguard the economic well-being of their beneficial use of these premises, for a use that attracts pedestrian footfall and public access into them, and which ensures the on-going maintenance and upkeep of the premises.
17. However, the extent of such benefits arising from the proposed development has not been clearly articulated in the evidence. Moreover, it is not clear that there are no alternative means of providing these benefits, which could avoid harm to the significance of the CA. It has therefore not been demonstrated that there are public benefits sufficient to outweigh the identified harm.
18. For these reasons, the development causes unacceptable harm to the character and appearance of the host building and consequently does not preserve or enhance the character and appearance of the SCA. Thus, it conflicts with Policies 38, 39 and 40 of Westminster's City Plan 2019- 2040 , adopted 2021 (the City Plan) which require amongst other things, a high standard of development, which contributes positively and is sympathetic to the character and appearance if the area and heritage assets.

Highway Safety

19. The appeal site is located along a busy pedestrian route, on the corner of Warwick Street and Beak Street close to the Regent Street and Carnaby Street. The pavement outside the appeal property on Beak Street is narrow, whilst the

pavement on Warwick Street is wider. The surrounding area at the time of my site visit, had a steady flow of pedestrians.

20. The Council's Highways Planning Manager objected to the proposed development on the basis that if the drinking shelves are used for trading, that this could lead to queuing within the highway and obstruction of the footpath. However, the proposed drinking shelves would be broadly in line with the existing building line. whilst I accept that the proposal is likely to increase the number of customers using the area immediately to the front of the Warwick Street elevation, there is no substantive evidence before me to demonstrate that when the drinking shelves are in use this will be detrimental of the free flow of pedestrians.
21. Furthermore, the evidence before me indicates that the appeal premises has previously been granted planning permission³ for the use of part of the pavement outside of the Warwick Street elevation for a small seating area.
22. For these reasons, I therefore find that the proposed development would not restrict the flow of pedestrians along the footpath, nor has it been demonstrated that it would make it difficult to clean the footpath. Thus, the proposed development would not be harmful to highway safety, with particular regard to the free flow of pedestrians. Thus, the proposed development would not be in conflict with Policies 25 and 43 of the City Plan which require amongst other things, development which promotes sustainable transport by prioritising walking and cycling and will not compromise pedestrian movement.

Other Matters

23. No. 20 Warwick Street is a Grade II listed building⁴ constructed between 1906 and 1907 by J.W. Randall Vining. It is a substantial four-storey building with a gabled attic, designed in the Arts and Crafts style. The building holds both historic and architectural significance, contributing positively to the character of the surrounding area. The council concluded that the proposed development would not harm the setting of the listed building. Based on the evidence before me and my own observations during the site visit, I see no reason to disagree with this conclusion.

Conclusion

24. For the reasons set out above, whilst I have found that the proposed development would not cause harm in respect of highway safety, it would result in unacceptable harm to the character and appearance of the host building, surrounding area and the SCA. Therefore, the proposed development would conflict with the development plan taken as a whole. There are no material considerations, including the Framework, of sufficient weight which indicate a decision should be made other than in accordance with it and the appeal should be dismissed.

K Lancaster

INSPECTOR

³ Planning Application Ref: 23/01347/TCH

⁴ List Entry Number: 1066140