
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: 17 October 2025

Appeal Ref: APP/X5990/W/25/3367728

87 Dean Street, City of Westminster, London W1D 3SR

- 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 Sana Bana Limited against the decision of City of Westminster Council.
 - The application Ref is 25/02217/FULL.
 - The development proposed is the installation of replacement shopfront, including replacement windows and entrance door, and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development is retrospective, and the application form indicates that the development was completed in September 2022. I have considered the appeal on this basis.
3. At my site visit I observed the presence of two white, foldable tables attached to the exterior frontage of the building. These are not shown on the submitted plans. For the avoidance of doubt, I have considered the appeal on the basis of proposed plans¹.
4. 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.
5. I understand from the evidence before me that a separate advertisement consent application² has been granted by the Council. Therefore, although shown on the submitted plans, the signage does not form part of the appeal proposal.

Main Issue

6. The main issue is the effect of the development on the character and appearance of the host building and surrounding area, with particular regard to whether it

¹ Drawing Ref: CPGD-FTR-01-04-000 Rev 00

² Application Ref: 25/02218/ADV

preserves the setting of nearby listed buildings and preserves or enhances the character or appearance of the Soho Conservation Area.

Reasons

7. The appeal site 87 Dean Street (No 87) comprises a four storey, mid terraced building. It sits within a short row of four terraced properties and is currently in use as a hot food takeaway on the ground floor, with residential uses to the upper floors.

Special Interest and Significance

8. The appeal site is the only unlisted building within this short row of traditional terraced buildings located between Carlisle Street and St Anne's Court. It lies between 86 Dean Street (No 86), which is a Grade II Listed Building and 88 Dean Street (No 88), which is a Grade II* Listed Building. 89 Dean Street (No 89) within the same row is also a Grade II Listed Building and 90 Dean Street (No 90) on the corner of Carlisle Street and Dean Street is a Grade II Listed building.
9. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision-maker, when considering whether to grant planning permission for development affecting a listed building or its setting, to have special regard to the desirability of preserving the building, its setting, or any features of special architectural or historic interest.
10. No 88³ comprises a house and shop and dating from 1791. Its significance is derived primarily from its historical and architectural interest and in particular the rare survival of an original Rococo shop front. Moreover, the Soho and Chinatown Conservation Area Audit⁴ (the SCAA) identifies this as one of the best Rococo shopfronts in London. It has two projecting bay windows with thin mullions and central thin transom panelled risers, each side of shop double panelled and glazed shop door with rectangular fanlight.
11. No 86⁵ comprises a corner terrace building, originally built as a house in 1735-36, but now in use as a bakery and café on the ground floor. It sits on the corner of Dean Street and St Anne's Court. Its significance is derived primarily from its historical and architectural interest, being constructed from stock brick with red brick dressings, slate roof. It is a three-storey building with a dormered attic. The listing description notes the mid-C20th shop front to ground floor, which has multi-pane timber-framed windows and a timber-framed glazed doorway.
12. At the end of the row of four properties is No 89, also known as The Nellie Dean Public House⁶. Formerly known as the Highlander, evidence of a public house on the site goes as far back as 1748. The significance of this listed building is derived primarily from its historical and architectural interest as a prominently located public house, of the 18th century, or earlier origins. In particular, it is constructed of stock brick with a slate roof and has three storeys with a dormered mansard roof. The SCAA also identifies this building as a shopfront of special interest.
13. In terms of their setting, the buildings in this group are experienced collectively as a coherent and compact group of traditional buildings. Their close proximity,

³ List Entry Number: 1066920

⁴ Paragraph 4.51 of the SCAA

⁵ List Entry Number: 1066919

⁶ List Entry Number: 1290567

consistent scale, and architectural detailing contribute to a strong sense of visual unity. Most of these buildings retain well-preserved and sympathetically designed traditional shopfronts, which enhance their historic character. Although the appeal building is not a statutorily listed building, together with the other buildings in this short row, collectively they contribute positively to the setting of these assets.

14. On the opposite corner of Carlisle Street and Dean Street, No 90⁷ comprises a four-storey terraced building, originally built as a house between 1756 – 1767. Its significance is derived from its historical and architectural interest as a prominent building constructed of stock brick, with shallow rusticated stucco work to the ground floor. The elevation which faces onto Dean Street is three windows wide, and the elevation facing onto Carlisle Street is four windows wide. Some of the windows in the Carlisle Street elevation have been bricked up. The appearance of this building is notably different in that it is one of very in the area not to contain a shopfront at ground floor level.
15. While No 90 is situated in close proximity to the appeal site, its architectural character and functional use differ notably from the buildings that form part of the same continuous row as the appeal site. Nonetheless, the appeal site falls within the wider setting of this listed building, and any development on the site has the potential to affect its setting.
16. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
17. The 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 shopfronts and buildings on Dean Street are varied and characterful in their appearance which creates interest in the street and the locality. Where the shopfronts have been retained, their design and proportions enhance the buildings and the street as a whole and contribute positively to the significance of the SCA.

Effect of the Development

18. The City of Westminster Shopfront, Blinds and Signs – A Guide to their Design Supplementary Planning Document (the SPD) states that a shopfront should not be designed in isolation but should be conceived as part of the whole building into which it is fitted. With traditional shopfronts, it states that respect should be paid to the scale, proportions and architectural style of the building and the relationship with other surrounding façades. The same principle should be adopted in the design of modern shopfronts. It further states that in the design of a new shopfront it is important to acknowledge the common features which occur in adjacent shops or throughout the street. A common height of stallriser, consistent bay widths and depth of fascia and the existence of rhythmically positioned vertical subdividing glazing bars, mullions and columns should be noted.

⁷ List Entry Number: 1066921

19. Whilst it is not disputed that the replacement did not involve the loss of an original shopfront, the pre-existing shopfront was constructed in timber and subdivided into three windows. Therefore, although it was modern, its design was sympathetic to the architectural language of the host building and integrated well into the wider streetscape. The appellant has also provided a historical image showing the shopfront in approximately 1957, which shows a different style of shopfront, which I accept includes additional glazing to that in the more recent shopfront. However, unlike the current shopfront it still reflected the more traditional style and materials of adjoining properties.
20. This is not the case with the replacement shopfront, which includes expansive glazing, a fully glazed door, and a tall stallriser. Together, these elements create a shopfront that appears out of place within the building and visually intrusive in the streetscape. Furthermore, the design does not acknowledge common features which occur in adjacent shopfronts. As such, the replacement shopfront design fails to respond positively to the architectural character of the host building or the neighbouring shopfronts, which in this particular case includes the Grade II* listed building at No 88.
21. The design of the shopfront incorporates tall stallrisers to avoid the use of dark coloured film on the windows to obscure the appellant's food service and preparation area inside. However, I observed that it is commonplace for such areas to be visible in nearby premises, and I am mindful that the appellant has identified benefits associated with being able to view the food and beverage products on offer. On this basis, the justification provided is not sufficiently compelling to warrant stallrisers of such height.
22. My attention has been drawn to examples of 'tall stall risers' within Dean Street, these include 10 Dean Street (Pizza Express) and No 89. While the Pizza Express building is located on the corner of Dean Street and Carlisle Street, it is unclear whether the stallrisers on this particular building are an original feature or a later addition, nonetheless, it features a mix of tall stallrisers and full height glazed openings with timber surrounds. This is not comparable to the appeal site.
23. Despite No 89 having taller stallrisers than its neighbour, this is not comparable to thin height to No 87, the stallriser of which appears much taller than any found within this row of properties. Furthermore, unlike No 89 the increased height of the stallriser at No 87 is more emphasised due to its narrow frontage. Therefore, I find that together with their design and appearance, the height of the stallrisers at the appeal property are an incongruous feature in this part of the SCA and cause harm to the character and appearance of the area.
24. My attention has also been drawn to a number of examples of shopfronts⁸ within the SCA. Whilst many of these examples display the use of large single panes of glazing with minimal timber surrounds and fully glazed doors, they are not comparable with the appeal scheme. A number of these examples relate to corner buildings, which display a greater variety of designs and glazing styles throughout the SCA. They are also not found adjacent to buildings which retain more traditional patterns of glazing, whereas the appeal site is. Accordingly, I find that whilst there is variety in the types of glazing used throughout the SCA, the installed shopfront is a discordant addition to the street scene of its location.

⁸ 12, 60 and 80 Dean Street, 5 Carlisle Street, 43 Frith Street and 25 Old Compton Street.

25. Therefore, whilst I accept that there is considerable variety in terms of shopfront designs within the immediate area and wider SCA, this does not justify the replacement of an existing shopfront with one that is unsympathetic and fails to acknowledge the common features which occur in adjacent shops or throughout the street. It does not respond positively to the setting of the listed buildings and causes harm to their significance, through inappropriate design.
26. For these reasons, I find that the development, fails to either preserve or enhance the character and appearance of the host building or the SCA and therefore causes harm to its significance as a designated heritage asset. The development also fails to preserve the setting of the nearby listed buildings, causing harm to their significance. However, I find it would preserve the setting of No 90 which is visually separate from the appeal site and of a different architectural character, being originally designed as a house and without a ground floor shopfront.
27. In finding harm to the significance of designated heritage assets, 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. Given the nature and extent of the development, I find that the harm caused to the setting of the nearby listed buildings would be less than substantial, and at the moderate end of the scale. Given the positive contribution of the listed buildings to the SCA as a whole, I also find that the harm caused to the SCA would be less than substantial harm, and at the moderate end of the scale.
28. The Framework states that even less than substantial harm to a heritage asset should be afforded great weight, with the more important the asset the greater weight should be. In this particular case, I have identified harm to the setting of a Grade II* Listed Building, which should be afforded greater weight. Paragraph 215 of the Framework states that where the harm is less than substantial, this harm should be weighed against the public benefits of the proposal.
29. The public benefits put to me are the preservation of the site's contribution to the vitality and viability of Soho, the West End Retail and Leisure Special Policy Area and the wider Central Activities Zone, the provision of an active frontage to the ground floor unit along Dean Street and within Soho and a contribution to the range of shopfronts present within the Soho Conservation Area and the wider area. A further benefit is the opportunity for customers to be able to clearly view the food and beverage products on offer.
30. 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 nearby listed buildings and the SCA. It has therefore not been demonstrated that there are public benefits sufficient to outweigh the identified harm.
31. For these reasons, I conclude that the development causes unacceptable harm to the character and appearance of the host building and surrounding area. Consequently, it fails to preserve the setting and significance of the statutorily listed heritage assets and fails to 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 which require amongst other

things, a high standard of development, which contributes positively and is sympathetic to the character and appearance of the area and heritage assets.

Conclusion

32. For the reasons set out above, the proposed development conflicts 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. Therefore, the appeal should be dismissed.

K Lancaster

INSPECTOR