



Appeal Decision

Site visit made on 14 April 2026

by **Paul Martinson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 May 2026

Appeal Ref: APP/X5990/W/25/3373951

34 Craven Street, London WC2N 5NP

- 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 Mr James Lapushner against the decision of City of Westminster Council.
 - The application Ref is 25/03299/FULL.
 - The development proposed is Erection of an independent roof over an existing yard accessed off Hungerford Lane.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been received from Mr James Lapushner against City of Westminster Council. That is the subject of a separate decision.

Preliminary Matters

3. The appeal property forms part of a Grade II listed building referred to on the National Heritage List for England as '*33 and 34, Craven Street WC2*'. I have therefore had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). As the site lies within the Trafalgar Square Conservation Area (the CA), I have also had regard to section 72(1) of the Act.
4. The refused application for planning permission followed an earlier grant of planning permission in 2024 for erection of a folding gate between two free-standing posts¹.
5. The Council has also recently issued a Certificate of Lawfulness² which determined that the works comprising the appeal scheme do not require listed building consent.

Main Issues

6. The main issues are whether the proposal would preserve the Grade II listed building of 33 and 34, Craven Street WC2, and whether the proposal would preserve or enhance the character or appearance of the CA.

¹ Ref 23/04673/FULL.

² Ref 25/03600/CLLB.

Reasons

Special Interest and Significance

7. 33 and 34 Craven Street are a former pair of townhouses dating to 1731 with alterations in 1792, including the addition of a fourth floor. The pair have been occupied as one since the early to middle part of the nineteenth century. The listed building today comprises channelled stucco to the ground floor with brown brick above and red brick window dressings. The building has a closet wing planform with the closet wing extending out from the more restrained rear elevation alongside the rear yard, parallel with the rear elevation of the Ship and the Shovel public house which fronts Craven Passage. The yard is accessed from Hungerford Lane, a private gated route serving the rear of properties in the terrace and located to the rear of the Charing Cross Station Building.
8. The special interest and significance of the listed building derive from its architectural and historic interest. Key contributors in these regards, insofar as they relate to the appeal, are the building's Classical composition, the contrast between the formal front and the more restrained rear, and the building's evolution over time. Although I have limited information in that regard, the rear yard appears to have long been associated with the listed building and forms the space in which its rear elevation and the closet wing addition to the left can be experienced together, allowing for an understanding of the building's evolution over time. The yard also functions as a lightwell for the lower windows. On this basis, the rear yard, within its immediate setting, contributes positively to the special interest and significance of the listed building.
9. The CA is a highly significant conservation area nationally, and is a focal point of London's historic and cultural identity. The area includes Trafalgar Square, framed by grand stone buildings and dominated by Nelson's Column as well as numerous other landmark buildings including the National Gallery, St Martin-in-the-Fields, and Admiralty Arch. The CA also includes several areas of residential terraces dating to the earlier part of the eighteenth century.
10. 33 and 34 Craven Street form part of a larger Georgian residential terrace along this side of Craven Street. There is a high level of consistency to the front elevations here in terms of their Classical composition, materials, design, shared history and age. On this basis the terrace contributes positively to the character and appearance of the CA. There is less consistency to the rear elevations of the terrace, however, most properties include a projecting rear wing and a yard. As set out above, the rear yard provides space within which to appreciate the full vertical extent of the rear elevation of 33 and 34 Craven Street. Consistent with other properties in the terrace, the appeal site is a positive, albeit minor, contributor to the CA in that respect.

Proposals and Effects

11. It is proposed to form a roof over the rear yard. This would be a freestanding zinc structure with a small domed rooflight, and a slope from Hungerford Lane back into the site. Set behind and just above the approved gate on metal posts, the structure would take up the full extent of the yard. Notwithstanding the lack of physical attachment, given its proximity to the edges of the built form, the proposal would appear as an extension, infilling the yard to the rear of 33 and 34 Craven Street,

and linking the rear wing with the main rear elevation, eroding the definition between them.

12. Moreover, the proposal would diminish the ability to appreciate the rear of the building through preventing any views of the listed building from its associated yard. Furthermore, the yard itself would be obscured in views from the windows looking out onto it from the upper floors, preventing an appreciation of the full vertical extent of the building and the building's relationship with its rear yard. For these reasons the proposal would adversely affect the setting of the listed building, to the detriment of its special interest and significance.
13. The site can be easily seen from Hungerford Lane. However, as a private access road, the visibility of the effects of the proposal within the CA would be low. Nonetheless, Hungerford Lane appears to be in reasonably regular use and the yard can also be seen from the private windows that look down onto it. In that sense, the effect of the proposal in diminishing the significance of a pair of Georgian townhouses would, in a small way, incrementally erode the character and appearance of the CA. The effective loss of the rear yard seen alongside the rest of the terrace from Hungerford Lane would result in a minor loss of the consistency of rear yards set between rear projections. The extent of this harm would be very low in the context of the CA as a whole, but it would nonetheless fail to preserve its character and appearance.
14. I have had regard to the development to the rear yards of 30 Craven Street and 32 Craven Street. The Council has confirmed that there is no record of any planning permission or listed building consent for the partial roof over the rear yard at No 30 which limits the weight I can give to this precedent. Moreover, I would note that harm to another separately listed building is rarely justification for harm to another listed building.
15. The development at 32 Craven Street is a rear infill extension. This is also a separately listed building. However, I am not provided with the circumstances under which this was approved such as pre-existing development or any public benefits that ensued. On this basis and, given the clear visual differences between this development and the appeal scheme, this carries limited weight in favour of the appeal scheme.
16. For the above reasons, the proposal would fail to preserve the Grade II listed building 33 and 34, Craven Street WC2, or any features of special architectural or historic interest which it possesses. It would also fail to preserve the character and appearance of the CA. This would be contrary to the requirements of sections 66(1) and 72(1) of the Act. In doing so it would cause harm to the significance of these designated heritage assets.

Public Benefits and Balance

17. When considering the impact of proposed development on the significance of a designated heritage asset, the National Planning Policy Framework (the Framework) sets out that great weight should be given to the asset's conservation. It makes clear that 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.

18. Having regard to the extent and nature of the proposal, the harm to the special interest and significance of the listed building and the CA I have identified would amount to a low level of 'less than substantial' harm, as set out in the Framework. Paragraph 215 advises that this harm should be weighed against the public benefits of the proposal.
19. The appeal proposal has come forward to address security concerns of the appellant. The previous permission for the gates included a planning condition requiring keyless egress on the grounds of ensuring the means of escape of the occupants of the floors above the yard in the event of a fire. The appellant considers that keyless egress compromises security through allowing any intruder to escape, potentially with stolen property.
20. Whilst I acknowledge the appellant's concerns over security, I am not convinced that the appeal scheme is the only means of addressing those concerns. Moreover, the approved gates, notwithstanding the appellant's misgivings, would in themselves clearly improve the security of the rear yard. Furthermore, as set out above, Hungerford Lane is a private route with locked gates at both ends, which would likely reduce potential for any theft. Any public benefit arising from the appeal scheme in terms of a potential reduction in crime would, for the foregoing reasons, be limited.
21. As such, the limited public benefits arising from the proposal are not sufficient to outweigh the considerable importance and weight I attach to the identified harm to the significance of the designated heritage assets.
22. Through harm to its setting, the proposal would fail to preserve the Grade II listed building 33 and 34, Craven Street WC2, or any features of special architectural or historic interest which it possesses. It would also fail to preserve the character and appearance of the CA. This would be contrary to the expectations of the Act.
23. The harmful impact would conflict with Policies 38, 39 and 40 of the Westminster City Plan (2021), which, amongst other things, together, seek to ensure new development represents high quality design that is appropriate to its context, including the historic environment and townscape, and preserves heritage assets. There would also be conflict with the provisions within the Framework which seek to conserve and enhance heritage assets.

Conclusion

24. The proposal would conflict with the development plan. There are no material considerations that indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR