



Appeal Decision

Site visit made on 18 August 2026

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 September 2026

Appeal A Ref: APP/X5990/W/26/3377217

33 Craven Road, London W2 3BX

- 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 Secret Layers Ltd against the decision of City of Westminster Council.
 - The application Ref is 25/05307/FULL.
 - The development proposed is described as “retrospective approval for the replacement of a previously damaged black timber panel with a new timber panel of the same material. The original panel had become unsafe, and the replacement was necessary to ensure safety. The new panel has been installed within the existing opening, with no changes to the size, structure, or appearance of the frame. The interior remains untouched. The panel is currently painted cream, but we are willing to repaint it black to match the original if required. No other alterations have been made or proposed.”
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Appeal B Ref: 6005051

33 Craven Road, London W2 3BX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Secret Layers Ltd against the decision of City of Westminster Council.
 - The application Ref is 25/05033/LBC.
 - The works proposed are described as “retrospective application for the replacement of an existing timber panel, formerly used as a letterbox access, with a new timber serving hatch on the Brook Mews North elevation at ground floor level. The hatch is constructed from high-quality timber in keeping with the character of the building and is proposed to be painted black to match the original panel. The previous panel had been broken and posed a safety concern. The new hatch improves both function and safety. The planter box installed beneath the hatch will be removed as part of this application. No further alterations are proposed.”
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Appeal A Decision

1. The appeal is dismissed.

Appeal B Decision

2. The appeal is dismissed.

Preliminary Matters

3. Both appeals relate to 33 Craven Road which forms part of a Grade II listed building, 29-45, Craven Road, W2¹, situated within the Bayswater Conservation Area (CA). The descriptions of development/works are the same for both proposals and the issues within the appeals are similar. As such I have dealt with them within the same Decision Letter. I have, however, set out two separate formal Decisions.

¹ National Heritage List for England Number: 1220842

4. In the interests of clarity, I have taken the descriptions of development/works from the Council's Decision Notices rather than those found on the original application forms. Though the original description of development states that the serving hatch would be painted black this detail has been omitted from the revised description and the submitted plans consider the painting of the hatch to be "optional but not preferred". The Council's Decision Notices omit reference to the colour, and both describe the development/works as "replacement of an existing black timber panel with a new timber serving hatch on the Brook Mews North elevation (Retrospective application)." I have determined the appeals on this basis.
5. Both descriptions of development relate to the installation of the timber serving hatch and do not refer directly to the use of the hatch for the commercial enterprise known as Secret Layers Ltd. However, the description of development is clear that the hatch is a "serving hatch" and there is no dispute between the parties that the serving hatch is in place to facilitate the commercial use. I have reached my conclusions on the appeals accordingly.
6. At the time of my site visit the development/works had been completed at the appeal property and the serving hatch is in situ. The submitted plans, with the exception of those denoted as "optional" appear to accurately reflect the hatch as installed. I have considered and determined the appeals against this background.
7. Following the issue of the Council's Decisions on these appeals a review of the Westminster City Plan 2019 – 2040, originally adopted April 2021, was completed and a revised version of the Westminster City Plan 2019 – 2040 was adopted in January 2026 (LP) prior to the submission of the planning appeals. I have determined the appeals on the basis of the up-to-date adopted development plan.
8. Furthermore, the National Planning Policy Framework (the Framework) was also updated in August 2026, during the consideration of these appeals. The parties have been given the opportunity to consider whether the Framework 2026 has relevance to these appeals and to provide comments on this matter. Any comments received have been taken into account in my determination of the appeals and no parties have been prejudiced as a result. I have considered the new Framework in my determination of the appeals.
9. Due to the status of the appeal property as a listed building within a Conservation Area and as required by sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Main Issues

10. The main issues in these appeals are:

- whether the scheme preserves the listed building or any features of special architectural or historic interest which it possesses and, linked to that, whether the development/works preserves or enhances the character or appearance of the conservation area; and, in relation to Appeal A
- the effect of the scheme on highway safety.

Reasons

Listed building and Conservation Area

Special interest and significance

11. The appeal property is part of a mid-19th Century, Grade II listed, row of houses. The property is set over four storeys with commercial uses at ground floor level. At first floor level a continuous bombé balcony runs across the row. The buildings are constructed of brick with stuccoed dressings and a consistent arrangement of windows.
12. The appeal property is sited at the junction of Craven Road, a busy main road with commercial uses at ground floor level, and Brook Mews North which has a calmer almost entirely residential character. The side elevation of No. 33 forms a wall within the arched opening of Brook Mews North and is of brick construction with a clear and interesting patina of age. Within the mews on the flank wall of No. 33 there has previously been a panel of some variety covering a niche of uncertain function.
13. The site is also located within the Bayswater Conservation Area (CA). The CA is characterised by large areas of 19th Century architecture and includes a significant number of listed buildings. The Bayswater Conservation Area Audit, adopted as Supplementary Planning Guidance in July 2020 (CAA) is clear in setting out that there is a clear hierarchy of spaces and streets in Bayswater. The CAA states that smaller streets and Mews developments are a key feature of the area; with their more modest buildings offering a contrast in scale and style and providing quiet havens from the bustle of the surrounding busy roads. The appeal property occupies a corner plot at the junction of a busy principal road and the calmer and more peaceful environment at Brook Mews North.
14. The significance of the building as a heritage asset insofar as it relates to these appeals derives, in part, from the architectural and historic interest of the building. Further significance is derived from its corner position and its role in the transition between the busier main road and the quieter mews development beyond. The building is an important heritage asset and also contributes positively to the significance of the CA.

The effects of the proposals

15. The serving hatch comprises a timber frame with two handle-less hinged doors opening outwards into the street. The timber frame is painted in a cream/off-white colour. Signage relating to the business is located externally on one of the doors. Further signage within the same burgundy and black colour palette is attached to the inside of each of the doors. A black metal latch is affixed to the wall on either side of the hatch in order to hold the hatch doors open during use. Further brackets have been attached to the wall beneath the hatch. These brackets are not pictured on the submitted evidence and presumably relate to the flower box which had previously been affixed underneath the hatch but no longer forms part of the proposal before me. The internal configuration of the serving hatch, which is made up of four inset timber boxes, does not appear to have changed from the arrangement which was previously in place.
16. Due to its siting, the serving hatch is visible when approaching the appeal property along Craven Road. The serving hatch sits proud of the flank wall of the appeal

property and is of a notable size and bulk; its profile is not slim. The relative bulk of the hatch combines with its colour, which contrasts markedly with the black paint beneath it, to cause it to appear as an obtrusive feature within this elevation of the building. The hatch is appreciably larger and more conspicuous than the plate/panel which was previously in place. The materials used in the construction of the serving hatch and timber frame are such that they too contrast severely with the brick wall within which they sit. The serving hatch draws the eye towards it and appears as a notable feature within the wall of the building. During times of operation the hatch doors would be held open against the wall of the appeal building. At these times the size of the hatch would be markedly larger thus further increasing its prominence.

17. Overall, the scheme appears as a visually disruptive addition which jars, and draws attention away from, the simple and attractive brick elevation of the historic building. The serving hatch introduces an incongruous feature to the building and adversely alters the appearance of the simple, residential side elevation.
18. The side elevation of the appeal building runs along Brook Mews North at a location where the road narrows and the archway marks a change from the bustling busy road to the more peaceful, residential Mews. Serving hatches, are commonly associated with commercial activity. Such features are not characteristic of buildings such as the appeal property, nor are they commonly found elsewhere within the CA. The signage on the hatch doors, both during times when the hatch is open and, to a lesser extent, when the doors are closed, clearly denotes a commercial use. Furthermore, the purpose of the hatch is for customers to use it to collect their orders from the business and thus commercial activity would be introduced. The encroachment of commercial activity into the mews compromises the more peaceful, residential character of Brooks Mews North and erodes the clear contrast between the quieter mews development and the vibrant activity found along Craven Road. The CAA considers that such contrasts are an important characteristic of the CA and values the contribution made by the tranquillity of mews development such as Brook Mews North. In raising the status of Brooks Mews North, the scheme would have a detrimental effect on the hierarchy of the streets and spaces in the area.
19. I accept that the scheme is considered to be fully reversible by the appellant and no historic fabric is said to have been lost. The somewhat temporary nature of the scheme does not, however, preclude it from causing harm whilst in place and I find this degree of harm to be unacceptable even if it were for only a short period. The fact that no historic fabric is said to have been lost is a neutral consideration and adds weight neither for nor against allowing the appeal.
20. I note that the opening behind the serving hatch is not new and that an alternative panel was previously in place. However, the evidence before me indicates that the previous panel was smaller, significantly more flush with the brick wall and sat relatively unobtrusively within the brick wall in such a way so as to not cause harm to the listed building or the wider area.
21. The appellant has stated that it would be possible for the serving hatch to be painted black in the interests of achieving a less discernible contrast between the hatch and the wall beneath it and to better reflect the former appearance of the panel. Though this amendment to the scheme would, to my mind, represent an improvement on the current situation the hatch would continue to visually protrude and the introduction of commercial activity to the mews would not be reduced. The

proposed amendments would not be sufficient to mitigate the harm I have set out above to any significant degree.

22. For the reasons set out above, I consider that the serving hatch unacceptably and harmfully alters the character and appearance of the listed building and thus undermines the significance of the designated heritage asset. The scheme therefore fails to preserve the special architectural and historic interest of the Grade II listed building.
23. Additionally, the introduction of a commercial feature and associated activity at a point where the character of the area has transitioned from the intensity of the lively main road to the more subdued mews causes harm to a key quality typical of the CA. The serving hatch also causes direct harm to an asset which adds positively to the significance of the CA. It follows that the scheme before me fails to preserve or enhance the character or appearance of the CA as a whole and harms its significance.
24. In finding harm to the significance of designated heritage assets the Planning Practice Guidance (PPG) requires the extent of harm within that category to be clearly articulated. In this instance, given the limited extent and nature of the scheme before me, the harm to the significance of the designated heritage assets is at the lower end of less than substantial. Notwithstanding this, the identified harm is of considerable importance and weight.
25. The approach set out in the Framework is that where a proposal causes harm to the significance of a designated heritage asset(s), as in this case, that harm should be weighed against the public benefits.

Public benefits and heritage balance

26. It is not unreasonable to conclude that the scheme has economic benefits in facilitating the effective operation of a small business enterprise. I also acknowledge that such benefits could stretch beyond the business itself and have a positive impact in encouraging footfall and activity into the area for the benefit of the wider economy. I have also taken into account the sustainable location of the appeal property.
27. Conversely, on the other side of the balance, I have found that the scheme causes harm to the Grade II listed building and fails to preserve or enhance the character or appearance of the CA. The Framework indicates that great weight should be given to the conservation of such heritage assets. Consequently, the public benefits of the scheme do not outweigh the harm identified.
28. The scheme, therefore, conflicts with the statutory presumptions of s.16(2), s.66(1) and s.72(1) of the Act. The scheme also fails to accord with Policies 42 and 45 of the LP. Amongst other things, these policies state that new development will be sensitively designed and incorporate exemplary standards of high quality, sustainable and inclusive urban design and architecture which positively contributes to the borough's townscape and streetscape by having regard to the character and appearance of the existing area, adjacent buildings and heritage assets and the pattern and grain of existing streets, squares, mews and passageways.
29. The scheme is also contrary to LP Policy 44 which expressly relates to Westminster's heritage and sets out that works to listed buildings will preserve their

special interest, relating sensitively to the period and architectural detail of the building and that development will preserve or enhance the character and appearance of Westminster's conservation areas.

Highway Safety

30. The proposed serving hatch would be located to the side of the building along the access archway to Brook Mews North. Access to Brook Mews North is from Craven Road. Craven Road is a fairly wide, busy street with high levels of pedestrian, bicycle and vehicular traffic. In the vicinity of the appeal site, Craven Road has commercial units along both sides of the road.
31. The opening to Brook Mews North is narrow and its enclosed nature has an impact on visibility and light levels along this particular stretch of the road. A number of residential properties, garages and what appears to be an access point to a car park are situated along Brook Mews North. As such vehicular traffic along the mews is expected. The entrance to Brook Mews North has double yellow lines along both sides of the road.
32. There is no formal footpath along this section of Brook Mews North; a very narrow kerb runs between the building line and the carriageway. The pavement along Craven Road is also fairly narrow and low level walls serving the properties either side are located at the junction with Brook Mews North. Street furniture, such as tables and chairs, serving the commercial properties nearby is also located along the pavement of Craven Road further limiting its width.
33. Due to the limited width of the pavement along Craven Road, the location of the hatch and the lack of formal pavement along Brook Mews North, customers utilising the hatch would be highly likely to wait within the narrow road. Though I note that customers are encouraged to collect their orders and take them elsewhere to enjoy, there is, nevertheless, a likelihood of customers spending longer amounts of time outside of the hatch before moving on. Pedestrians within this area would impede the flow of traffic, both in respect of other pedestrians and vehicles and other road users. In a restricted location such as this, any blockage along the route would represent a high risk to the safety of all road users.
34. Additionally, parking for motor vehicles within the area is limited and, due to the concentration of nearby commercial units, demand for parking is high. As such, customers attending the hatch via motor vehicle would be more likely to pull-in and wait in positions where the free flow of traffic would be obstructed.
35. I accept that the appellant has implemented systems, such as pre-ordering, pre-paying and arranging collection time slots, in order to reduce the numbers of customers attending the hatch concurrently. However, the exact numbers of customers attending at any one time would be difficult to control and multiple individuals could arrive at the same time to collect a single order. Moreover, due to the lack of any meaningful pavement area upon which to wait, even a single pedestrian waiting to collect an order would be likely to stand within the road itself and would cause an unacceptable highway safety risk. Furthermore, no enforceable mechanism to restrict customers from attending the site in motor vehicles or to prevent them remaining outside the hatch for a protracted period of time has been demonstrated.

36. I note that the serving hatch has, to date, been operational on a limited basis and does not operate full-time. However, during the periods where the hatch was in operation the implications on highway safety I have outlined above would, nevertheless, occur. Such implications are unacceptable, in my view, even for a short time.
37. Though I acknowledge the appellant's intentions, the information before me is limited in its specificity and I have not been provided with the details of a scheme which, to my mind, would reduce the degree of risk to an acceptable level. I also acknowledge the appellant's statement that there have been no complaints or incidents to date. However, the lack of notable or documented problems thus far does not preclude such occurrences in future and, as set out above, I am not satisfied on the basis of the evidence before me that the level of risk associated with the proposal is acceptable or that it could be satisfactorily mitigated.
38. For the reasons set out above I consider that the scheme has an adverse effect on highway safety. As such, I find conflict with the aims of Policy 28 and Policy 29 of the LP which, amongst other things, promote the creation of high-quality and safe streets. Additionally, the scheme departs from the aims of LP Policy 48 which sets out to ensure that development contributes to a well-designed and clutter-free public realm and is clear in its aims to minimise any obstruction to pedestrian movement or traffic conditions.
39. Furthermore, the scheme does not align with the Council's Westminster's Streets and Spaces Public Realm Guidance Supplementary Planning Document, August 2025 (SPD) which seeks to ensure that streets and public spaces within the area are safe and functional and specifically sets out that the function and character of the highway and public realm should not be compromised by commercial activity and should remain primarily accessible and free for all users.

Conclusion

40. For the reasons set out above, the scheme is contrary to the development plan. There are no material considerations that indicate that permission should be granted. Therefore, taking all other matters raised into account, the appeals are dismissed.

L J O'Brien

INSPECTOR