



Appeal Decision

Site visit made on 2 October 2025

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

Appeal Ref: APP/X5210/W/25/3367355

HSBC 122 Finchley Road, Camden, London NW3 5JD

- 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 Amir Shirafkan against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2024/4716/P.
 - The development proposed was originally described as "Planning application to alter the shopfront of 122 Finchley Road".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A new local plan for Camden is emerging (the Emerging Plan). I have quite limited information before me in relation to the Emerging Plan, including the precise stage it is at and the level of unresolved objection that there may be to it. However, on the basis of what is before me, it seems to me that the Emerging Plan remains at a stage where its content could very well be the subject of change, potentially markedly. I note that the appellant sets out in their statement that the Emerging Plan is a matter of limited weight and, given all that is before me, I agree.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the surrounding area.

Reasons

4. The appeal site, No 122 Finchley Road (No 122), forms a part of a detached building which fronts onto Finchley Road. The appeal site is situated within an area with a largely commercial character with many businesses and services. There is a variety of building styles within the surroundings to the appeal site, many are traditionally designed, but others exhibit a more contemporary appearance. Similarly, the shopfronts serving the commercial premises in the area also vary with both traditional and modern examples represented.
5. Owing to the likes of its hipped roof set behind a parapet, a prominent chimney and some ornate brick detailing on its upper storeys, the detached building the appeal site forms a part of is distinctive and by and large a traditionally designed one. No 122's existing shopfront's fenestration and external walling are largely well-balanced and visually distinctive. The 3 shopfront windows are noticeably recessed and centralised, whilst the walling and entrance door surrounds to their sides, stall riser beneath and fascia and cornice above, add a noticeable

robustness to the overall composition. There is a clear continuity in detailing between the door surrounds, the stall riser, and at fascia level, which enhances the shopfront's cohesion.

6. A local list is one means by which non-designated heritage assets may be identified. The evidence before me indicates that the building No 122 forms a part of is not currently included within Camden's Local List, but consideration is being given to its inclusion. Regardless, non-designated heritage assets can also be identified through decision making processes.
7. I'm particularly mindful of the Planning Practice Guidance's content on non-designated heritage assets which, in effect, highlights that most buildings have little or no heritage significance, and that only a minority have enough heritage significance to merit identification as non-designated heritage assets. This means that a building may have a modest amount of heritage significance, but that significance may, nevertheless, be insufficient to meet the threshold necessary to become a heritage asset.
8. Given the facets of architectural merit I have described, the host building positively contributes to this part of Finchley Road's street scene. However, there are many traditional buildings which contribute positively to their surroundings, and not all of them constitute heritage assets. The Council assert that the architecture of the host building is reminiscent of properties within Welwyn Garden City, however, the depth or strength of the linkage the Council refer to is very unclear to me.
9. Overall, although I find that the building the subject of the appeal contributes positively to the local area, the evidence before me does not compellingly demonstrate that it possesses sufficient heritage significance to be considered a non-designated heritage asset. My conclusions in this regard are based on the evidence before me, the Council's assessment of local list nominations is ultimately a separate matter for its consideration.
10. Upon completion of the proposed development the existing shopfront's stall riser would be removed. As a result, a traditional shopfront feature would be lost. Its replacement with more glazing would give rise to an erosion of the more solid and robust elements of the shopfront's overall composition and reduce the continuity presently exhibited by the shopfront as a whole. These effects would be harmful.
11. I acknowledge that the proposal was a resubmitted application, devised with the intention of being sympathetic, and the extended pilasters, the introduction of glazing around the location where the ATM was, and the horizontal emphasis of the low-level glazing proposed are not without their design merit. However, in the round, and for the reasons given above, the overall effect of the proposed development would be to harmfully diminish the design quality of the existing shopfront and, in turn, to detract from the street scene.
12. In reaching the above views, I have taken into account the appeal decision relating to the adjoining premises¹ in which the Inspector allowed the appeal and granted planning permission for alterations to a shopfront. However, it is clear from the Inspector's analysis that they considered that the shopfront proposed for redevelopment in that case did not exhibit the traditional design qualities of the premises the subject of my appeal. Indeed, the Inspector specifically identified that

¹ Appeal decision reference APP/X5210/W/24/3354281

the appearance of the premises the subject of their decision related poorly to No 122's shopfront. This specific context would have been an important factor in the Inspector reaching the conclusion that the insertion of the modern shopfront proposed in that case was appropriate and would result in no harm to the character or appearance of the host building or the area. Given this, the appeal decision I have cited does not weigh in favour of the appeal proposal to any meaningful extent.

13. Therefore, for the reasons I have given, I find that the effect of the proposed development on the character and appearance of the host building and the surrounding area would be unacceptably harmful. Consequently, the proposal conflicts with Policies D1 and D3 of the Camden Local Plan 2017. Policy D1 seeks to secure high quality design which respects local context and which would be complementary to local character. Policy D3 specifically relates to shopfronts, and it requires all new and altered shopfronts to be of a high standard of design, factoring in the likes of existing character and the merit of the existing building and its shopfront. I also find that the proposal conflicts with those policies within the National Planning Policy Framework which seek to ensure that developments add to the overall quality of an area, would be visually attractive and which would be sympathetic to local character.
14. Whilst the Council's reason for refusal cites conflict with the London Plan (the LP), no particular LP policies are listed within it, nor have any complete LP policies been put before me in evidence. In the circumstances, I cannot conclude that conflict with the LP arises.

Other Matters

15. I find the evidence before me that, in the absence of the development taking place, the existing shopfront forms a barrier to customer engagement, and that the premises would be likely to have an economically unviable future because of it, to be unconvincing. My view is that the proposal's contribution to the creation of conditions favourable to economic growth and business investment would be very modest.
16. The appellant asserts that, as a result of the proposed development, No 122 would become more visible and more navigable for the disabled. The Public Sector Equality Duty (PSED), contained in section 149 of the Equality Act 2010 (Equality Act), sets out the need to eliminate unlawful discrimination, harassment, victimisation and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The Equality Act sets out the relevant protected characteristics which includes disability. Any betterments brought about for the disabled as a result of the proposal would be limited to some improved visibility into and out of the premises. In my view this is a very modest benefit.
17. Overall, the benefits of the proposal would be insufficient to outweigh the harm I have identified in my main issue.
18. The appeal site is not within a conservation area, but 2 are located nearby: the Fitzjohns and Netherall Conservation Area (the Fitzjohns and Netherall CA) and the South Hampstead Conservation Area (the South Hampstead CA). In land use terms the Fitzjohns and Netherall CA is primarily residential in character. Its townscape is characterised by traditionally designed residential blocks with a

diverse range of architectural styles represented. The Fitzjohns and Netherall CA's landscape character is also an important facet of it, with many of the residential blocks within it being consistently served by smaller front gardens and larger rear gardens whilst an overall verdant character is formed owing to the presence of many street trees and grass verges.

19. The South Hampstead CA is dominated by residential properties many of which are traditionally designed and incorporate ornate architectural detailing. The ordered street layout, and the generally consistent set-back of many of the building blocks which line the area's streets, provides this conservation area with much formality. A verdant character, stemming from its many trees and hedgerows, is also exhibited by the South Hampstead CA.
20. For these reasons, the significance of both of the conservation areas is principally derived from their architectural interest but also from their historic interest since they provide evidence of the development of suburban London.
21. Since the appeal site comprises of a former bank, and is located on Finchley Road within a busy commercial area, its character and appearance is not very reflective of the leafy suburban character which largely epitomises both the Fitzjohns and Netherall CA and the South Hampstead CA. Given this, and coupled with the appeal site's degree of physical separation from the conservation areas, the significance of these designated heritage assets would not be harmed by the proposal, and their character and appearance would be preserved.

Conclusion

22. The proposed development conflicts with the development plan taken as a whole, and there are no material considerations of sufficient weight to indicate that a decision other than one in accordance with the development plan should be made. Therefore, I conclude that the appeal should be dismissed.
23. In coming to this conclusion, I have had regard to the PSED. However, I am satisfied that the effects of my decision upon those with protected characteristics would be proportionate and for legitimate and well-established planning policy reasons given the harm and development plan conflict I have identified.

H Jones

INSPECTOR