



Appeal Decision

Site visit made on 18 February 2025

by **J Heppell BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 March 2025

Appeal Ref: APP/V1260/W/24/3354238

Premier Food & Wine, 21 Charminster Road, Bournemouth, BH8 8UE

- 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 Erdogan Yigitoglu against the decision of Bournemouth Christchurch and Poole Council.
 - The application reference is 7-2024-7413-M.
 - The development proposed is to move the existing security shutter forward and enclose the forecourt area with clear glazed side screens.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development is described on the Council's decision notice as including 'a canopy over shop front'. However, as the canopy to the building and its neighbours is contemporary to the property, the appellant has not included it in his description of development. As a result, I have determined the appeal on the basis of the description employed by the appellant above.

Main Issue

3. The main issue is the impact of the proposed development on the character and appearance of the property and the street scene.

Reasons

4. The property forms part of a parade of shops which runs along both sides of Charminster Road. It sits within a terraced three storey building dating from the late nineteenth/early twentieth century, which is characterised by substantial chimneys, arched headers over the first floor windows and brick soldier courses. At ground floor a canopy runs the length of the building, supported by wrought iron columns. The area underneath the canopy is variously utilised for displaying goods and customer seating.
5. The proposal is to install a security shutter between the wrought iron columns which support the canopy, and install glazed clear sided screens at either end of the canopy. The appellant has explained that the purpose of the security shutter is to protect the shop forecourt at night from litter and rough sleepers, whilst the glazed screens would protect the products being displayed from shoplifting and adverse weather. The security shutter is said to have been suggested by the police.

6. The canopied area in front of the shops is an important element of the building's character, giving it a charm and open aspect which is integral to the street scene. Enclosing the sides of the forecourt with glazed panels would interrupt the openness of the canopied area; whilst a security shutter would enclose the forecourt with resultant harm to the street scene. Both aspects of the proposal would therefore be harmful to the character and appearance of the building.
7. The Council has drawn my attention to an enforcement notice served in 2022 in respect of the enclosure of the forecourt area by the erection of dwarf walls, window/glazed panels, and timber insert to the side elevations of the premises, the installation of a roller shutter door, and fixed shelving. A subsequent appeal against the enforcement notice was dismissed, with the Inspector concluding that the design and siting of the development failed to respect or make a positive contribution to the appearance of the site and its surroundings. Whilst in the current appeal, wholly glazed side elevations would lessen the visual impact of the scheme, I find no reason to depart from the overall conclusions of the previous Inspector.
8. I note the appellant's desire to protect the shop's produce from the elements, but it seems to me that the canopy itself provides the best means of achieving this aim. A sensible arrangement of goods together with surveillance of the shop front, which is reasonable to expect from a shopkeeper, should minimise shoplifting and its cost. I recognise the hygiene and security problems encountered by the appellant when the shop is closed, but these issues do not outweigh the harm that would result from installing a security shutter enclosing the forecourt. Where enclosed forecourts occur in the immediate area, they do not form part of an extended canopy whose openness is integral to that building's character.
9. I observed on my site visit that a number of security shutters have been installed in nearby shops, but the ones I saw were fitted flush with the front elevation of the shop rather than enclosing a forecourt, an arrangement which already exists at the appellant's premises. I therefore do not consider that there is an overriding justification for or need to install a second security shutter. I note the appellant's argument that the security shutter would only be in use for around 6-8 hours during the night time, but I nevertheless consider that it would be detrimental to the appearance of the street scene, particularly as the box housing the shutter would be visible at all times.
10. The Council's Guidelines for the Design of Shop Fronts advise that outside conservation areas, the introduction of roller shutters on commercial premises may be acceptable if the installation of the shutter will not damage the character or appearance of an historic shop front. The proposals would conflict with this guidance by introducing an inappropriate security shutter which would be out of character with the existing shop front, reinforcing my conclusion that the proposals would harm the appearance of the building.
11. I therefore conclude that the proposals would unacceptably harm the appearance of the building, as a result of enclosing a canopied forecourt whose openness is integral to the character of the street scene. A temporary or personal permission, together with a maintenance condition, has been suggested by the appellant. However, as harm would occur and there is no reason to expect that the planning circumstances of the proposal will change in a particular way in the future, a temporary permission would not be appropriate. In relation to a personal

permission, the personal circumstances of the appellant and his business do not warrant granting such a permission. Given the extent of harm identified below, conditions therefore securing such matters, including in relation to maintenance, would not make the development acceptable in planning terms.

12. The proposals would therefore conflict with Policy 4.21 of the Bournemouth District Wide Local Plan and Policy CS 41 of the Bournemouth Local Plan: Core Strategy, which together seek to preserve traditional shop fronts which make a beneficial contribution to the appearance or character of the street scene, in particular by ensuring that any security measures do not harm the appearance of the shop front or the street scene.

Conclusion

13. For the reasons given above the appeal should be dismissed.

J Heppell

INSPECTOR