

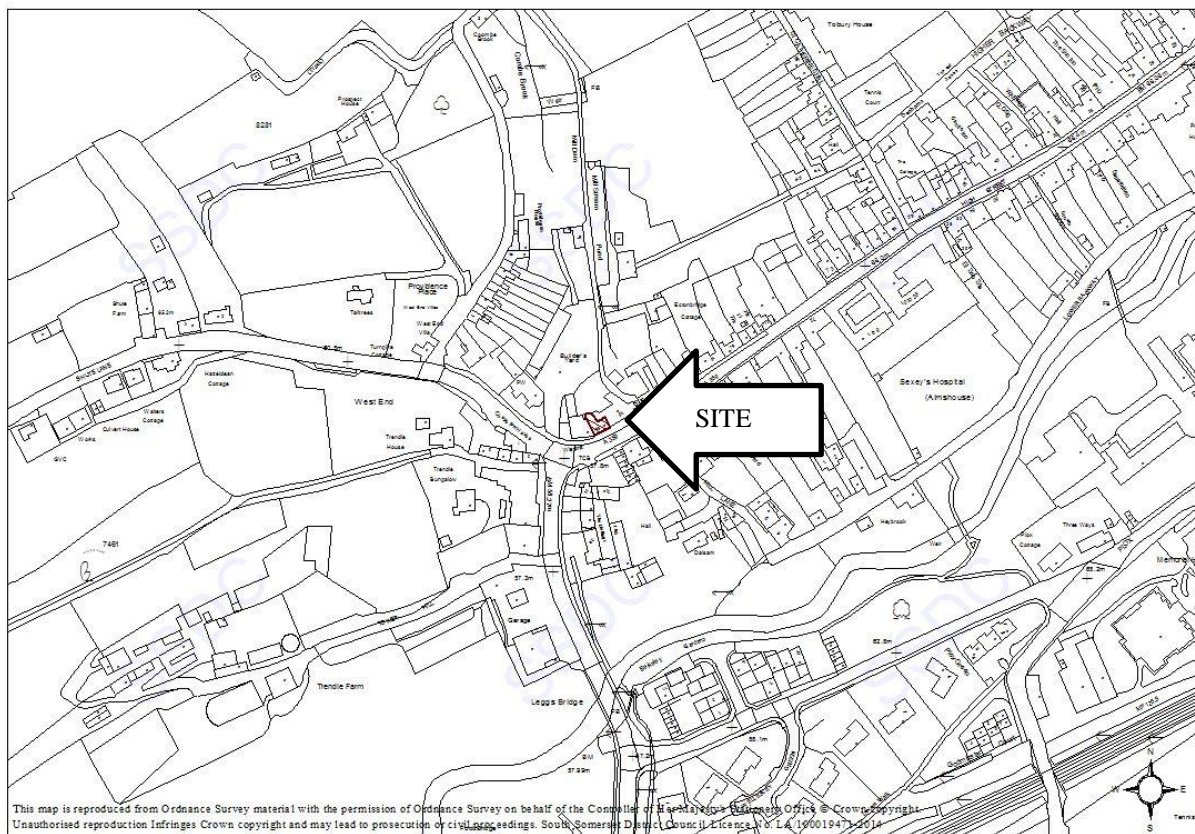
## Officer Report on Planning Application: 14/01631/FUL

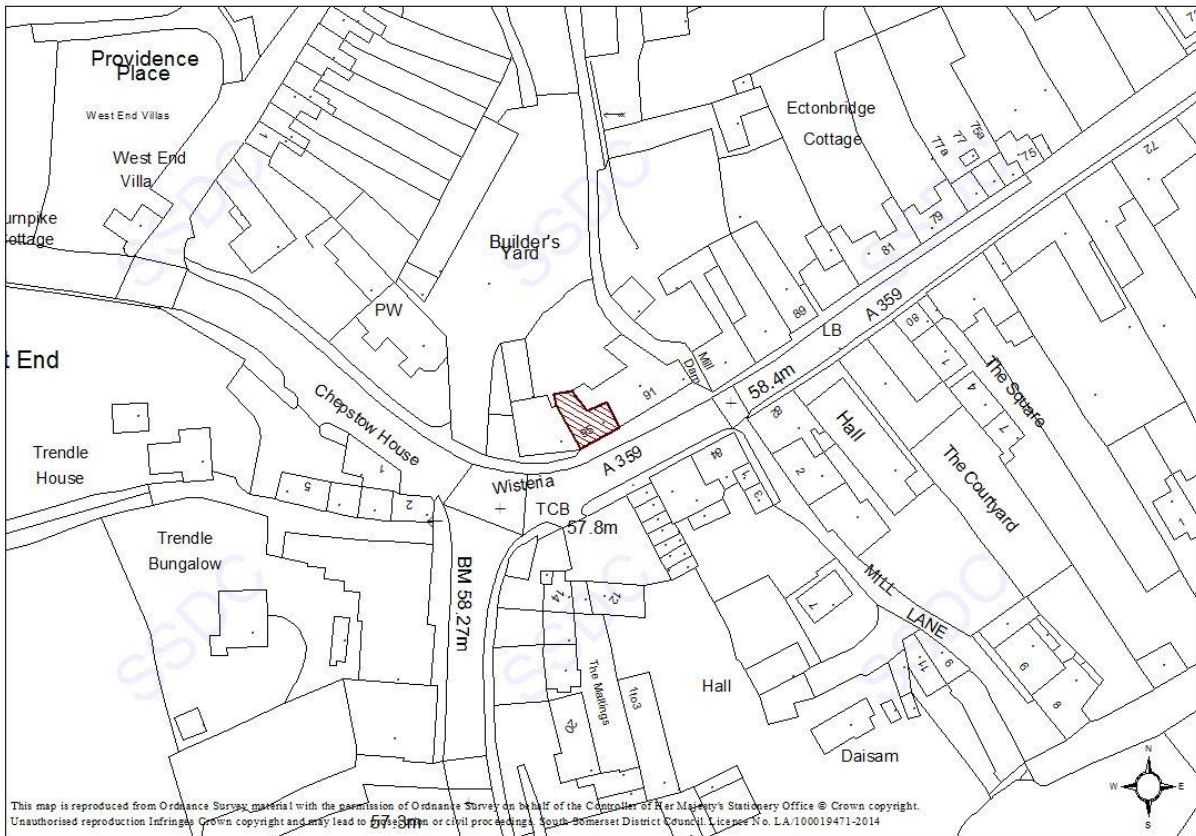
<b>Proposal :</b>	Proposed awning to front of brasserie (GR: 367986/134672)
<b>Site Address:</b>	Truffles Brasserie 95 High Street, Bruton.
<b>Parish:</b>	Bruton
<b>BRUTON Ward (SSDC Member)</b>	Cllr Anna Groskop
<b>Recommending Case Officer:</b>	Sam Fox Tel: 01935 462039 Email: sam.fox@southsomerset.gov.uk
<b>Target date :</b>	5th June 2014
<b>Applicant :</b>	Mr Richard Sorapure
<b>Agent: (no agent if blank)</b>	
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee as the officers recommendation is contrary to the Highway Authority comments in relation to an A class road.

### SITE DESCRIPTION AND PROPOSAL





The site is located at the bottom of Bruton High Street within the development and conservation areas.

The property is a terraced, two-storey building of stone construction with painted timber windows under a tiled roof. The building is currently being operated as Truffles Restaurant. Although not listed itself the adjoining building to the east is Grade II listed.

This application seeks permission for the installation of an awning to the front elevation. The proposal has been amended by plans submitted 12 June 2014 to address concerns raised by the neighbour, the Highway Authority and the conservation officer.

## RELEVANT HISTORY

14/01181/ADV – advertisement consent granted for display of non-illuminated advertisement signage and menu board.

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the relevant policy framework is provided by the National Planning Policy Framework and the saved policies of the South Somerset Local Plan 2006.

## Saved policies of the South Somerset Local Plan (April 2006)

ST5 - General Principles of Development

ST6 - The Quality of Development  
Policy EH1- Conservation Areas  
Policy EH5- Development Proposals Affecting the Setting of Listed Buildings

### **National Planning Policy Framework**

7 - Requiring good design  
12 - Conserving the historic environment

## **CONSULTATIONS**

**Bruton Town Council** - No objection

**Highway Authority** - As far as the application is concerned, the Highway Authority was approached on a pre-application basis and expressed the view that it would oppose any planning application that proposed any chairs or tables on the existing footway (as well as any canopy that did not provide sufficient clearance) due to the restricted width of the existing footway and the likelihood that pedestrians would be displaced into the carriageway as a result of the proposals. I would therefore recommend refusal of the application. With reference to the amended plans received on the 23rd June, I can confirm that the highway authority maintains its objection as the awning is still below the 2.75m minimum clearance which is required in cases such as this.

**Conservation Officer** - (Following receipt of amended plans) I note the revised size of the awning, but it is the principle of adding an awning to the front of the building that I consider to be wholly inappropriate. Architecturally it is simply not right to add an awning to a building such as this. A traditional awning should sit over the top of a traditional shop front, serving to shade the display window as well as advertise the business. It is not appropriate to fit an awning to the front of a building that essentially has the character of a dwelling.

Therefore I recommend refusal due to the impact of the awning on the character of the conservation area and setting of the adjacent listed building.

## **REPRESENTATIONS**

One letter has been received raising the following areas of concern:-

- Disproportionate to the small scale and wholly at odds with the aesthetic of the building.
- Would further add to what is already significant and intrusive visual, aural and physical issues at front of Truffles - specifically ugly, substantial green plastic storage bin, the adjacent area used for recycling and recently extended cowl for the kitchen extractor fan which discharges directly and loudly at street level.

## **APPLICANTS CASE**

Following discussions with the applicant raising concerns regarding the size of the awning it was agreed that he would contact the manufacturer to see if a smaller canopy could be made. An amended plan was received on 12 June 2014 showing a reduced scheme in both depth and width, in turn raising the height.

## **CONSIDERATIONS**

The key issues are considered to be:-

- Highway Safety
- Visual Impact

### **Highway Safety**

The Highway Authority recommends refusal of the revised scheme as it does not meet their height requirements of 2.75m. The revised scheme has reduced the width of the canopy from 4.5m to 4m wide, from 1.6m to 1.2m deep and this has raised the height at its lowest by 90mm to 2.140m. Although this is below the recommended 2.75m it is considered an acceptable height and with the reduction in depth the proposal is not considered to have any significantly harmful impact on users of the footpath.

### **Visual Impact**

The conservation officer comments have been noted, however, when taken in context with the signage on the building it is considered that the amended awning would be in keeping with the existing restaurant. The proposal will be relatively small and will cover a small outdoor seating area that when in use is also considered in keeping with its surroundings.

On this basis it is not considered that the proposed awning would be detrimental to the setting of nearby listed buildings and would preserve and enhance the character and appearance of the conservation area as required by policies EH5 and EH1.

### **Neighbour Comments**

The neighbour's initial comments are noted however it is considered that the amended plans reducing the size of the proposed awning have addressed this issue. No further comments from the neighbour have been received. The issue raised regarding the clutter to the front of the site and various items placed on the highway are not being considered as part of this application and some are being dealt with as a separate matter.

### **Conclusion**

The proposal is considered to be acceptable in terms of visual and residential amenity and is not considered to be harmful in terms of highway safety.

## **RECOMMENDATION**

Grant permission subject to the following conditions

### **Justification**

The proposal, by reason of its size, scale and materials, respects the character of the conservation area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policies EH1, ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006).

### **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as identified within the planning application and no other materials unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity to accord with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

03. The development hereby permitted shall be carried out in accordance with the following approved plans: Details received on 08 April 2014 and amended drawing number 1134/002/R1 received by email from the applicant on 12 June 2014.

Reason: For the avoidance of doubt and in the interests of proper planning.

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