

**Site:** 14 Mary Arches Street  
**Proposal:** Change of use of land to the rear of 14 Mary Arches Street to use in connection with the licenced premises at 14 Mary Arches Street and the onsite construction of a bar/storeroom (Retrospective)  
**Planning application:** 21/0514/FUL

The Planning sub-committee of the Exeter Civic Society has considered this application and believes that it should be refused.

The sub-committee objects primarily due to the likely adverse impact on the amenity of neighbouring residential properties and welcomes the Environmental Health Officer requesting a Noise Impact Assessment and appropriate mitigation measures.

The site location plan attached to permission 14/0454/FUL for the change of use from shop to restaurant and bar limits the planning permission to the premises as identified and does not permit an “ancillary” use on unidentified land. In essence, the building is the “planning unit”.

Planning permission 16/1266/07 for internal alterations to facilitate conversion from traditional hotel to a serviced apart-hotel shows the planning unit as including the garden, but does not include the building which is the subject of this application.

We therefore take issue with the assertion that “the garden is associated with the lawful use of the premises in accordance with the planning permission”. In planning terms there is no “association” between the building at 14 Mary Arches Street and the garden accordingly we do not agree that there is no need to apply for planning permission.

As well as the change of use the sub-committee is not aware of any planning permission for the erection of the bar/storage building which is clearly an “operational development” requiring planning permission.

There are several residential properties closely neighbouring the garden area. The Environmental Health Officer has identified the issue of noise which is a major consideration given the nature of the application and the juxtaposition of the application site to these properties.

The sub-committee understands that a number of these neighbours have windows overlooking the application site which raises issue of privacy.

The application site is within the setting of listed buildings and the application will affect the setting of these. Accordingly, the duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay “special regard to the desirability of preserving the building or its setting” applies.

Yours sincerely

Paul Barkley

On behalf of the Planning sub-committee of Exeter Civic Society