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Planning, Development & Heritage Consultants

The Bay Horse Tavern Ltd

The Bay Horse, 35 – 37 Thomas Street, Manchester City Centre

Planning Statement

7 June 2017

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1. Introduction

1.1 This Planning Statement has been prepared by Paul Butler Associates on behalf of The Bay Horse Tavern Ltd to accompany an application for planning permission and advertisement consent, and listed building consent at The Bay Horse, 35-37 Thomas Street, Manchester.

1.2 Following the recent closure of 'The Bay Horse' public house, the applicant has now acquired the building and are seeking to reopen the premises, which would operate as 'The Bay Horse Tavern', under the existing planning permission (ref: 072054/FU/2004/C1). The relaunched premises will have a traditional pub concept combining this with a high quality food offer. However, in order to maximise the chances of success of the business, a series of internal and external alterations to the subject building are applied for including, amongst other things, changes to kitchen extract and mechanical plant, and the installation of replacement signage. The application also seeks to extend the permitted opening hours of the premises.

Structure of the Statement

1.3 In order to provide a clear understanding of the application proposal and its relationship with the surrounding area, this statement includes:

- A description of the application site and surrounding area;
- A review of the application site's planning history;
- An overview of the proposal;
- A review of the relevant national and local planning policy guidance; and,
- An appraisal of the proposal against its planning policy context.

Supporting Information

1.4 The application is supported by a series of drawings prepared by Paul Astill & Associates and the following information:

- Planning Statement prepared by Paul Butler Associates [this document].
- Heritage Statement prepared by Paul Butler Associates.
- Noise Assessment for Planning Purposes prepared by AEC Ltd.
- Drawing C383/1 Rev A 'Air Conditioning, Cellar Cooling & Ventilation Services' prepared by Swan Projects.
- DEFRA Risk Assessment prepared by Swan Projects.
- Plasmaclean Carbon Filters Specification Sheet.
- Purified Air Brochure – Electrostatic Precipitation.
- Canopy Precedent Images.

2. The Application Site and Surrounding Area

2.1 The application building is located on the east side of Thomas Street within the Northern Quarter area of Manchester City Centre. The building is bounded by built development to the north (33 Thomas Street) and south (39 Thomas Street) and development fronting Edge Street to the east (see figure 1 below).

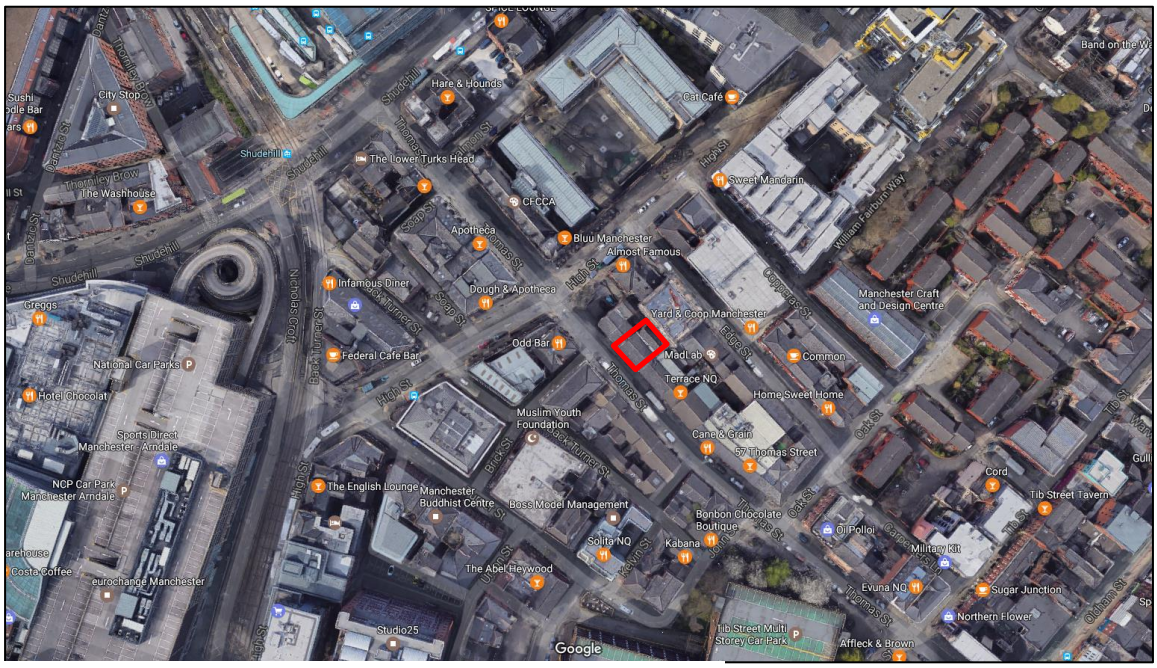


Figure 1: The application property location (outlined red).

2.2 The building forms part of a grade II listed designation which includes 31 – 35 Thomas Street and appears as an entry on the Historic Environment Record (No. 8637.1.0). The National Grid Reference of the site is SJ 8437 9864.

2.3 The application building is three storeys in height above a basement. The application relates to the ground floor and basement of the building only. The first floor is occupied by a martial arts centre, with the second floor a dance studio.

2.4 The building is constructed in red brick in Flemish bond. The west face of the building forms the front elevation, with two personnel doorways, one to number 35 the other to 37. Both have steps up to them although the doorway to 37 has an ornate surround with flanking pillars and small portico and pediment over. Flanking this doorway are two large windows,

both covered with roller shutters. A pair of windows lie above these at first floor level, each with a timber frame and containing a pair of top hung opening sash windows. Above these again are narrow timber framed casement windows, with a smaller one above the door. To the left and right, straight joints are clearly visible between number 33 and 39, running the length of the face. The rear elevation lies within a small yard and is constructed in modern red brick. There is a sash window on the ground and first floor of the outrigger extension. The rear elevation is otherwise featureless.



Figure 2: The Thomas Street elevation of 35 – 37 Thomas Street.



Figure 3: Small yard area to the rear of the application property.

2.5 Internally, the ground floor is plastered throughout, although where this has been removed the steel 'I' beam frame is visible as are the modern timber joists. The basement is likewise modern, with concrete floors and concrete block walls throughout. The whole is supported on the steel 'I' beam frame.



Figure 4: Interior of application property.



Figure 5: Interior of application property.

2.6 The Historic Environment Record lists the building as "31-35, THOMAS STREET" and describes it as:

> *'GV II. Row of 3 small town houses, or shops with dwellings and workshops over, now shops. Late C18, altered. Red brick painted white, slate roof. Double- depth plan, each house single-fronted, with back extensions. Three low storeys over cellars, a 3-window range; each has a doorway to the le", up 3 steps, those to Nos 31 and 35 round-headed with open-pedimented Tuscan pilaster doorcases, panelled doors and plain fanlights, and that to No.33 square-headed with similar door and plain overlight; each has one large square shop window at ground floor with a cornice on consoles (that to No.33 run out over the door), all now with C20 plate glass; one large segmental-headed window at 1st floor, all with coupled 4-pane sashes; at 2nd floor Nos 33 and 35 have low horizontal 3-light casements, and No.31 has 2 shorter but similar windows with 8 panes each. Large multiple-flue chimney stack to left. Rear and interior not inspected. Rare survival of domestic buildings of this period in city centre (and if originally shops, unique).'*

The Surrounding Area

2.7 The site lies inside the Smithfield Conservation Area and is close to other listed buildings, such as 75-77 High Street (HER No. 8425.1.0), a shop and warehouse from the 1880's. Smithfield was known as the centre for Manchester's food markets, where fruit, vegetables, meat and fish were sold on both a wholesale and retail scale. At its peak around the turn of the century, it was probably the largest market complex in Britain, occupying seven acres and the predominant building type was food markets. Buildings to the south of the Conservation Area, closest to the commercial heart of the regional centre along Oldham Street, Market Street and Church Street, are larger and of later date than the rest of the area. The contrast is especially noticeable around Turner Street and Back Turner Street, where there are some very smallscale houses dating from the Georgian period, subsequently converted or used for commercial purposes (Smithfield Conservation Area Description).

2.8 Today, the area around the site is commonly known as the Northern Quarter. It is part of the City Centre which is characterised by a broad mix of uses. Food and drink uses are particularly established within the Northern Quarter and have been successful in bringing activity and vibrancy to the area and providing vacant buildings with active uses.

2.9 Residential uses have also been important in the regeneration of the Northern Quarter whether this be through the conversion of historic buildings or the construction of new purpose built residential developments. The nearest residential property is within 'Bollin House' which fronts Edge Street to the east.

3. Planning History

3.1 Planning history research using the Council's planning application database identified a series of planning applications related to the subject property. These are set out in the table below for reference:

Planning Reference	Location (as per MCC database)	Description of development	Decision	Decision Issued Date
090601/FO/2009/C2	Second Floor 35-37 Thomas Street Manchester M4 1NA	Change of use of 2nd floor to fitness/dance studio (Class D2 use)	Approved	03.12.2009
072055/LO/2004/C1	35/37 Thomas Street Northern Quarter City	LISTED BUILDING CONSENT Internal and external alterations and erection of 2No. fascia signs and 1No. projecting sign (internally illuminated) in connection with change of use of premises to a public house (use class A3)	Approved	18.01.2005
072054/FU/2004/C1	35/37 Thomas Street Northern Quarter City	Retrospective application for change of use of premises from gallery and shop to public house (use class A3) and elevational alterations	Approved	11.01.2005
072056/AO/2004/C1	35/37 Thomas Street Northern Quarter City	2No. fascia signs and 1No. projecting sign (internally illuminated)	Approved	11.01.2005
064167/LO/CITY1/02	35/37, Thomas Street, City	LISTED BUILDING CONSENT External works in connection with signage application	Refused	05.07.2002
063224/AO/CITY1/01	35/37, Thomas Street, City	a) Two externally illuminated projecting banner signs b) Non-illuminated individual letter name signs above door	Approved	05.07.2002
049839/FO/CITY1/96	35/37, Thomas Street, City	Conversion of 1st floor into 2no.self-contained flats and second floor into 3no.self- contained flats	Approved	29.07.1996
049840/LO/CITY1/96	35/37, Thomas Street, City	LISTED BUILDING CONSENT Internal and external works in connection with proposed conversion into flats	Approved	29.07.1996
040977	35-37, Thomas Street, City CENTRAL	Two storey rear extension to form additional sales area	Approved	23.04.1992

Planning Reference	Location (as per MCC database)	Description of development	Decision	Decision Issued Date
040978	35-37, Thomas Street, City CENTRAL	LISTED BUILDING CONSENT Two storey rear extension to existing building	Approved	23.04.1992
036030	35-37 Thomas Street, City CENTRAL	LISTED BUILDING CONSENT Demolition and reconstruction of the existing building which is in a dangerous structural condition	Approved	07.01.1991
026464	The Bay Horse Hotel, 35-37, Thomas Street, City CENTRAL	LISTED BUILDING CONSENT Refurbishment and single storey extension to rear	Approved	25.06.1986
026400	The Bay Horse Hotel, 35-37, Thomas Street, City CENTRAL	Change of use and single storey rear extension to former public house to form wholesale clothing premises.	Approved	25.06.1986
F17681/LB	The Bay Horse, 35-37 Thomas Street, City.	LISTED BUILDING CONSENT External alterations and extension at rear to form toilet accommodation.	Approved	28.07.1982

3.2 The extensive application history for the application site reflects the fact that the building has had to adapt over the years to accommodate new uses. Until its recent closure the application property operated as 'The Bay Horse' public house under planning permission 072054/FU/2004/C1 which approved a 'Retrospective application for change of use of premises from gallery and shop to public house (use class A3) and elevational alterations'. Condition 7 of planning permission 072054/FU/2004/C1 gives the approved opening hours as 'Monday to Saturday 11:00am to 11:00pm and Sunday and Bank Holidays 11:00am to 10:30pm', however it is understood that the operating hours for at least the last 10 years have actually been:

- Monday – Thursday: Midday – 11:30pm
- Friday – Saturday: Midday – 01:00am
- Sunday: Midday – 10:30pm.

4. The Proposal

4.1 The application proposal is for a series of internal and external alterations including changes to kitchen extract and mechanical plant, installation of replacement signage, and increasing the permitted opening hours of the premises. The application is submitted for planning permission and advertisement consent and listed building consent.

4.2 Following the recent closure of 'The Bay Horse', the applicant has now acquired the building and is seeking to reopen the premises which would operate as 'The Bay Horse Tavern' under the existing planning permission (ref: 072054/FU/2004/C1). The relaunched premises will have a traditional pub concept combining this with a high quality food offer. The application is submitted to improve the offer of the premises and enable it to successfully compete with the existing and expanding evening and night-time leisure and entertainment offer within this part of the City Centre.

Physical Works

4.3 The application proposes the following physical works to the application property as detailed on the submitted drawings prepared by Paul Astill & Associates:

Works to Thomas Street Elevation

- Painting
- front elevation grey. Prior to rebuilding the building was historically painted as confirmed by historic photographs.
- Existing timber sash windows to upper floors to remain as existing and have new paint finish in black gloss.
- Redundant alarm box; up and down lights; and roller shutters to ground floor windows removed.
- Grills to half-basement windows to be removed and replaced with antique reclaimed cast iron grilles.
- Victorian style canopy/awning installed above ground floor windows.

- Menu/poster displays and ashtrays replaced with traditional brass fittings.
- Existing timber hanging pub sign removed and replaced with reclaimed curved brass pub lettering fixed on horizontal frame (to be back illuminated with LED warm glow strip). The replacement signage will reflect historic signage installed at the property.
- Contrasting nosing strip fitted to front side of steps.

Works to Rear Elevation and Yard Area

- Lower level vertical timber fence slats removed from outrigger return elevation, holes filled, and painted grey.
- Non-original low level pitched roof and exit doors replaced. Exit doors to be black gloss. Section above door to house kitchen extract duct.
- Existing cellar cooling unit replaced in new position on return elevation of outrigger. This will give the rear of the building a cleaner appearance.
- Existing extract ductwork from ground floor and basement removed terminating at roof level to be removed and replaced and replaced with ductwork terminating at ground floor level. This will give the rear of the building a cleaner appearance.
- New external canopy to be provided.
- Air conditioning units to be relocated above canopy. This will give the rear of the building a cleaner appearance.
- New window to outrigger return elevation to be similar appearance to ground floor windows on Thomas Street elevation.
- External store for gas canisters removed.
- Blockwork removed form rear of outrigger with new glazed 12-panel door installed. New steps and handrail provided to outside floor level to be black powder-coated steel.
- New toilet extract discharge position on return elevation of outrigger.

Internal Works on Ground Floor and Basement Level

- New glazed lobby to main entrance.
- Creation of 'snug' area off lobby.
- Relocation of kitchen from ground floor to basement.

- Provision of new exit to rear yard area.
- Various other internal layout changes.

Extended Opening Hours

4.4 As noted in the previous section, existing approved opening hours for the premises, (approved by condition 7 of planning permission 072054/FU/2004/C1) are:

- Monday - Saturday: 11:00am - 11:00pm
- Sunday and Bank Holidays 11:00am to 10:30pm

4.5 The current restricted opening hours will have a significant detrimental impact on the new operation's commercial viability and could challenge its future longevity and success. The need for the extended opening hours is bluntly demonstrated by the recent closure of the premises. The following extended opening hours are therefore applied for:

- Monday – Thursday: Midday – 11:30pm (courtyard open throughout)
- Friday – Saturday: Midday – 02:00am (courtyard open until Midnight)
- Sunday: Midday – 10:30pm (courtyard open throughout)

4.6 Despite these approved opening hours it is understood that the premises was actually operated by the previous owner for over 10 years up to 11:30pm Monday – Thursday and up to 01:00am on Friday and Saturday.

Operating Schedule, Dispersal Procedure and Smoking Strategy

4.7 The premises are proposed to be managed in accordance with an operating schedule, dispersal procedure and smoking strategy which is detailed below:

Operating Schedule

4.8 The operating schedule demonstrates the scheme's compliance with the Council's licensing objectives, namely: the prevention of crime and disorder; public safety; the prevention of public nuisance; and, the protection of children from harm.

Prevention of Crime and Disorder

4.9 A management policy will be instigated to ensure a safe and enjoyable environment is created for patrons and reduce any occurrence of antisocial behaviour or adverse impact on amenity.

4.10 The premises will be equipped with an effective and adequate CCTV system with a digital recording facility. The system shall be maintained and operated at the premises. Recorded images will be retained for at least 28 days and will be available to the police upon request.

4.11 Any person who appears intoxicated or is behaving in a disorderly manner will not be allowed to enter the venue. Staff will be trained to deal with intoxicated or disorderly customers in an appropriate manner and to recognise any suspicious behaviour.

4.12 The management shall seek advice from Greater Manchester Police's City Safe Team. Any person found to be using drugs will be removed from the premises. Any person found dealing drugs will be detained and handed to the police.

4.13 Regular toilet checks will be undertaken by staff to ensure no one is conducting criminal activities. The management will ensure that sufficient toilets with an appropriate number of male/female toilets as per British Standards are available. Sufficient lighting levels will be maintained.

Public Safety

4.14 The management shall implement staff awareness schemes and training to ensure compliance with health and safety and fire prevention legislation.

4.15 The management will ensure fire extinguishers are regularly maintained and inspected.

4.16 The management will ensure the development and implementation of evacuation procedures.

4.17 All staff will be trained to safely handle emergencies.

Prevention of Public Nuisance

4.18 Noise from amplified music shall not be such as to cause noise nuisance to the other occupants of the building or nearby premises.

4.19 The recommendations of the accompanying Noise Assessment for Planning Purposes prepared by AEC Ltd will be adhered to.

Protection of Children from Harm

4.20 Staff will be vigilant towards underage drinking. Prominent signage will be displayed about the laws relating to children and alcohol.

4.21 The venue will operate a "Challenge 21" policy, with staff trained at six monthly intervals in the law regarding sale of alcohol to underage people. Only photographic driving licences, passports, HM Forces cards, National Identity Cards or identification with the "PASS" hologram will be accepted.

4.22 Staff shall be informed that they have a shared responsibility for being satisfied as to the age of customers before alcohol is sold.

Dispersal Procedure

4.23 When the premises close staff shall advise patrons to leave the premises quickly and quietly. Notices will also be displayed requesting patrons to be quiet and considerate when leaving the premises.

4.24 Patrons will not be permitted to take food/drinks out of the venue, with staff removing any bottles or glasses from patrons as they leave. The management will provide patrons with a telephone number of a private hire taxi firm if requested, on the proviso that the taxi firm will operate a ring back system and not create any additional noise either by sounding their horn or leaving their engine running while they wait for customers.

4.25 Staff will also be advised to leave the premises in a quiet and considerate manner.

Smoking Strategy

4.26 The rear yard area will provide an external smoking area for patrons. The area will be covered by CCTV and wall-mounted cigarette disposal bins will be provided. Anyone seen dropping cigarette butts will be asked by staff to pick them up and dispose of them. Signs and staff will also request customers smoking with the yard area to keep noise to a minimum. Customers will also be able to smoke outside the main entrance.

5. National and Local Planning Policy Context

5.1 Planning policy guidance of relevance to the proposed scheme, and which provides the context for its assessment, is set out within the following documents:

- The National Planning Policy Framework (NPPF); and,
- The Development Plan for Manchester.

National Planning Policy Framework (NPPF)

5.2 Published on 27 March 2012, the National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. The document states that the purpose of the planning system is to contribute to the achievement of sustainable development. Of relevance to the proposed scheme it states that:

- Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including: making it easier for jobs to be created; replacing poor design with better design; and, improving the conditions in which people take leisure (paragraph 9).

- Planning should enhance and improve the places in which people live; proactively drive and support sustainable economic development to deliver business; secure high quality design and a good standard of amenity; promote the vitality of our main urban areas; encourage the reuse of existing resources, including conversion of existing buildings; and, focus development in locations which are sustainable (paragraph 17).

- Encouraging sustainable economic growth and ensuring that businesses are not overburdened by planning policy expectations and are afforded the flexibility to expand. Planning policies should recognise and seek to address potential barriers to investment (Section 1).

- Planning policies should be positive, promote competitive town centre environments, encourage growth and support the viability and vitality of town centres (Section 2).

- Achieving high quality and inclusive design for all development, including individual buildings. Developments should: function well and add to the overall quality of the area; establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, work and visit; create and sustain an appropriate mix of uses; respond to local character and history; create safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion; and, be visually attractive. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. (Section 7).

- Facilitating social interaction and creating healthy and inclusive communities by amongst other things: promoting opportunities for meetings between members of the community through mixed-use developments and active street frontages; and, creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion (Section 8).

- Contributing to and enhancement of the local environment by encouraging the effective use of land by re-use of previously developed brownfield land (Section 11).

The Development Plan for Manchester

5.3 The Development Plan for Manchester comprises the following documents:

- The Core Strategy Development Plan Document (July 2012);
- Saved policies of the Unitary Development Plan for Manchester (July 1995);
- Interactive Proposals Map; and
- The Guide to Development in Manchester Supplementary Planning Document and Guidance (April 2007).

The Core Strategy Development Plan Document (July 2012)

5.4 The Core Strategy, adopted in July 2012, is the key Development Plan Document against which proposals should be judged. Core Strategy objectives and policies of particular relevance to the proposed scheme include:

- Policy SP 1 'Spatial Principles' which states that the Regional Centre will be the focus for economic and leisure activity; and, that development should enhance/protect the built/natural environment, reuse previously developed land wherever possible and improve access to jobs.

- Policy EC 1 'Employment and Economic Growth in Manchester' aims to improve access to jobs and continue the social, economic and environmental regeneration of the City, whilst seeking efficient use of buildings and minimising detrimental impacts on adjacent uses.

- Policy CC 4 'Visitors - Tourism, Culture and Leisure' states that the City Centre will be the focus for culture and leisure; and, promotes development which improves facilities for visitors and residents.

- Policy CC 9 'Design and Heritage' states that development in the City Centre should preserve or enhance heritage assets, including conservation areas.

- Policy C 10 'Leisure and the Evening Economy' supports evening and night time economy uses which contribute to the city centre's vitality and the creation of a safe, inclusive evening economy and which do not have a detrimental impact on residential amenity in terms of noise, traffic and disturbance.

- Policy EN 1 'Design Principles and Strategic Character Areas' states that development in Manchester must follow the seven principles or urban design and should have regard to the strategic character area in which the development is located. With regards to development in the City Centre developers will be expected to consider the City's heritage and continue the rich pattern of activity in the core area.

- Policy EN 3 'Heritage' sets out that new developments must be designed so as to support the Council in preserving/enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance including conservation areas.

- Policy DM 1 'Development Management' sets out various issues that development should have regard to, including: appropriate siting, layout, scale, form, massing, materials and detail; impact on the surrounding areas; effects on amenity; accessibility; community safety and crime prevention etc.

Saved Policies of the Unitary Development Plan for Manchester (July 1995)

5.5 The Unitary Development Plan (UDP) was superseded by the Core Strategy. However, a number of UDP polices have been 'saved'. Extant polices contained within the UDP which are relevant to the proposed scheme include:

- Policy DC10 'Food and Drink Uses' seeks to ensure that food and drink uses protect the amenity of nearby residents; have safe and convenient arrangements for servicing; ease of access for all; and provide for adequate storage and collection of refuse and litter.

- Policy DC14 'Shop Fronts and Related Signs' seeks to ensure that the frontages and signage of commercial premises are in keeping with the character of the building and the surrounding area.

- Policy DC15 'Advertisements, hoardings and posters' which states that the Advertisement Regulations require that applications for advertisements be considered only in the interests of amenity and public safety. The Council will take account of the following matters in assessing these interests:

  a) The general location of the proposed development and the effect on visual amenity;
  b) The scope for posters and hoardings to make a positive contribution to the locality;
  c) The design of the structures, and the relationship with any premises on which they are located;
  d) The effect of the proposal on permanent redevelopment of the land;
  e) Public safety resulting from the positioning of the design of the display;
  f) The ease with which the structure is capable of being satisfactorily maintained;
  g) The use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;
  h) The number of advertisements in the locality and their cumulative effect on visual amenity.

- Policy DC18.1 'Conservation Areas' seeks to protect, preserve and enhance the character of the city's conservation areas.

- Policy DC19 'Listed Buildings' states that the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings.

- Policy DC26 'Development and Noise' aims to minimise the adverse impact of noise on noise-sensitive developments.

- Policy RC20 Area 4 'Swan Street/Shudehill/Tib Street/Church Street' This policy describes the area in 1995 and is of little relevance today. The policy confirms that investment in existing buildings will be encouraged.

Interactive Proposals Map

5.6 The Interactive Proposals Map shows both Core Strategy and Saved UDP Policies which apply in Manchester. This shows that the site is located within the City Centre and the Smithfield Conservation Area.

Guide to Development in Manchester Supplementary Planning Document and Guidance (2007)

5.7 This document aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development that everyone wants to see in Manchester. The sections of the guide that have been considered in the development of the proposed scheme include:

- Section 1 'Creating a Sense of Place' aims to encourage the creation of places which are welcoming, inclusive, neighbourly, interesting and attractive.

- Section 2 'Design' provides guidance under 7 key principles recognised as being urban design characteristics which together create successful places.

- Section 3 'Accessibility' sets out design principles that will help to achieve accessible development and makes reference to the guidance document 'Design for Access 2' which provides detailed information on design standards.

- Section 8 'Community Safety and Crime Prevention' promotes a safer environment.

Other Relevant Guidance

Manchester City Centre Strategic Plan 2015-2018

5.8 This document presents a vision for the City Centre and sets out the strategic action required to work towards achieving this over the period 2015-2018.

5.9 The site falls within the area designated as the Northern Quarter which is recognised for its rich mix of uses including many independent businesses which make a major contribution to the city centre offer. A key priority identified for the Northern Quarter is to build on the successes of the area's evening economy as well as encouraging more, and a greater variety of people, to visit and dwell within the area.

Stronger Together: Greater Manchester Strategy (2013)

5.10 The strategy aims to broaden the range of investment and activity in town centres through investment in the public realm and the physical and natural environment and through diversifying the day- and night-time economies to include a safe and welcoming residential, leisure and hospitality offer.

5.11 For the reasons given in section 6 below it is considered that the proposal is wholly consistent with the above planning policy guidance.

6. Planning Appraisal

6.1 Having regard to the planning policy guidance detailed in section 5, the key material considerations against which the proposed scheme should be considered include:

- Design and Heritage Considerations
- Replacement Signage
- Extended Opening Hours
- Sustainable Development: Economic, Social and Environmental Benefits
- Servicing: Waste Management, Deliveries and Parking of Contractor Vehicles
- Ventilation, Kitchen Extract and Air Conditioning
- Mechanical Plant Noise

Design and Heritage Considerations

6.2 As noted at section 3, consent is sought for various physical alterations to the application property. Research has been undertaken which found that the original building which occupied the site was demolished in the early 1990's and subsequently rebuilt. Despite this however the building continues to be covered by a statutory grade II listing designation, which covers 31-35 Thomas Street.

6.3 A Heritage Statement prepared by Paul Butler Associates and submitted as part of the application establishes that the rebuilt building does not contain any significant built fabric and is considered to be only of low heritage significance. This low level of significance is attributable to the Thomas Street elevation, which was rebuilt to match the proportions of the previously demolished building. The building was rebuilt in modern brick with no historic features/fabric remaining or reused. The proposed works will therefore not affect any significant fabric, or fundamentally alter the Thomas Street elevation. On this basis it is concluded that the proposal will not have any direct heritage impact on the building.

6.4 The proposed works will alter the appearance of the building and therefore have the potential to affect the Smithfield Conservation Area. An assessment of the impact of the

proposed works on the Smithfield Conservation Area is provided within the accompanying Heritage Statement. This assessment concludes that the various external works proposed by the application, which include: painting the elevation grey; painting of upper floor level window frames; replacement cast iron grilles to half-basement windows; installation of awnings/canopies above windows; and, removal of redundant fixtures including alarm box, up and down lights, and roller shutters; will have positive impact on the appearance of the building and will enhance the Conservation Area.

6.5 Furthermore, as the application premises is currently vacant, the physical works will allow the premises to reopen as 'The Bay Horse Tavern' by enabling it to compete with the existing and expanding evening and night-time leisure and entertainment offer within this part of the City Centre. By enabling the building to be brought back into active economic use, this will ensure it makes a full and positive contribution to the Smithfield Conservation Area. For the above reasons the application proposals are consistent with Core Strategy Policies SP 1, EC 1, CC 4, CC 9, C10, EN 1, and EN 3, and Saved UDP Policies DC18.1 and DC19; and, the Guide to Development in Manchester SPD.

Replacement Signage

6.6 The existing hanging pub sign on the Thomas Street elevation (figure 6) is proposed to be removed and replaced with reclaimed curved brass pub lettering fixed on horizontal frame bars. This replacement signage is a reference of historic signage installed at the premises (see figure 7 below).



Figure 6: Existing non-original handing pub sign.



Figure 7: Historic photograph of former signage (date unknown).

6.7 Paragraph 67 of the NPPF advises that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The replacement signage will be of high quality and a bespoke design to reflect historic signage installed at 'The Bay Horse Hotel'. This type of signage is appropriate in this conservation area location. The individual letters of the sign will be fixed to horizontal bars which will then affix to the face of the building. The sign is proposed to be back illuminated with LED warm glow strip lighting installed to the rear of the letters. This subtle form of illumination is appropriate and in keeping with the overall design of the premises. The signage will be installed at high level above the main entrance and will not impede pedestrian movements or affect vehicular movements. A single sign is proposed and will ensure there is no adverse cumulative impact from advertisements/signage along Thomas Street. For these reasons the replacement sign is appropriate and complies with Saved UDP Policies DC14 and DC15 and paragraph 67 of the NPPF.

Extended Opening Hours

6.8 The application proposes to extend the opening hours of the premises to:

- Monday – Thursday: Midday – 11:30pm (courtyard open throughout)
- Friday – Saturday: Midday – 02:00am (courtyard open until Midnight)
- Sunday: Midday – 10:30pm (courtyard open throughout)

6.9 This compares to the current opening hours (approved by condition 7 of planning permission 072054/FU/2004/C1), of:

- Monday to Saturday: 11:00am - 11:00pm
- Sunday and Bank Holidays 11:00am to 10:30pm

6.10 Despite these approved opening hours it is understood that the premises was actually operated by the previous owner for over 10 years up to 11:30pm Monday – Thursday and up to 01:00am on Friday and Saturday.

6.11 The later opening hours proposed by this application will help the reopened premises to successfully compete with the existing and expanding evening and night-time leisure and entertainment offer within this part of the City Centre. There are several licensed premises very close to the site which have later approved opening hours. Examples include:

- Cane & Grain, 49-51 Thomas Street – Permitted to open Midday to 02:00am Monday to Sunday and Bank Holidays (Application 104611/JO/2014/C2 approved 07.03.2014).
- Trof, 8 Thomas Street – Permitted to open 10:00 am to 01:00 am Wednesday – Thursday, and 10:00 am to 03:00 am Friday – Saturday (Application 079609/FO/2006/C1 – approved 22.09.2006).
- Odd Bar, 30 – 32 Thomas Street – Permitted to open 11:00am to 2:00am Monday to Sunday (Application 082776/JO/2007/C1 approved 14.06.2007).

6.12 The fact that the Council have previously accepted later opening hours than is currently permitted by planning permission 072054/FU/2004/C1 confirms that the principle is acceptable.

6.13 In order to confirm the acceptability of later opening hours it is necessary to ensure that the extended use will not have a detrimental impact on the amenity of nearby properties. A 'Noise Assessment for Planning Purposes' has been prepared by AEC Ltd and considers potential noise associated with the premises. The upper floors of the application building are in use as a dance studio and martial arts gym, whilst there is a jewellers adjacent to the north and Lifeline Charity to the south. These uses are operated during the daytime and evening and will not be affected by the proposed later opening.

6.14 The AEC Ltd report has also considered noise outbreak. A survey of background noise levels has been undertaken and calculations undertaken which have confirmed that the noise levels breaking out from the development would be at least 10dB below the lowest measured background noise levels in each octave band centre frequency which satisfies the requirements of MCC. The report also notes that the scheme will include a lobbied exit door to the rear courtyard which will help control noise outbreak.

6.15 As demonstrated by the AEC Ltd report, the later opening hours will not cause disturbance to nearby properties and noise associated will the premises with comply with MCC's criteria. Later opening hours have been granted for other nearby premises which confirms the principle is acceptable. For these reasons it is considered that the proposed extended opening hours are appropriate and would not conflict with Core Strategy Policy DM1, Saved UDP Policy DC26, or the provisions of the NPPF. Importantly the later opening hours will enable the premises to compete with the existing and expanding evening and night-time leisure and entertainment offer within this part of the City Centre and increase vitality and activity in the area.

Sustainable Development: Economic, Social and Environmental Benefits

6.16 The proposed scheme will achieve high sustainability credentials as a result of the economic, social and environmental benefits it will bring.

Economic

6.17 The proposed development will enable the application floorspace to be brought back into use as a public house. This will result in the creation of new permanent full-time jobs and part-time jobs. Construction, supply and service jobs opportunities will also be provided during the refurbishment works.

Social

6.18 The proposal will refurbish and upgrade the existing public house premises which will enhance the food and drink offer in this part of the City Centre. It will provide an additional venue for people to meet and socialise, whilst active use of the vacant floorspace will add vitality to the area and minimise the opportunities for anti-social behaviour and crime.

Environmental

6.19 The proposed scheme will have environmental benefits since it involves bringing vacant floorspace within an existing building into viable economic use. Also, the site is easily accessible by various modes of public transport and on foot, minimising the use of private cars. Sheffield Stands are located very close to the application premises on High Street/Back Turner Street (5 stands, 10 spaces) and Thomas Street/John Street (7 stands, 14 spaces). Both facilities are well-lit and covered by CCTV and offer sufficient provision for the storage of customer and staff bikes.



Figure 8: Sheffield Stands located at High Street/Back Turner Street



Figure 9: Sheffield Stands located at Thomas Street/John Street.

6.20 The sustainability benefits of the scheme are in accordance with the provisions of the NPPF; Core Strategy policies SP 1, EC 1, CC 4, C 10 and DM 1; and, the Guide to Development in Manchester SPD.

Servicing: Waste Management, Deliveries and parking of Contractor Vehicles

6.21 The application premises has operated as a pub for over 10 years. Waste collections have operated successfully during this period. The proposed layout of the premises will incorporate an internal waste store which will allow for the storage of refuse, glasses and cans, pulpable waste and biodegradable waste. An external bin store is provided to the rear of the building with space for 4no. 240L wheelie bins. Waste collections will be undertaken by a private waste contractor 'Fresh Start', who will be responsible for collecting bins and returning them following collection. Collection vehicles will temporarily park on High Street during collections. Waste collections are anticipated to be every 2-3 days.

6.22 In terms of deliveries there is a loading bay located directly outside the premises on Thomas Street for vehicles to park.

6.23 During refurbishment works it is anticipated that contractor vehicles would park on-street in designated pay and display bays. Waste generated during the works would be stored internally and then taken by hand by contractors to awaiting vehicles which would park in the loading bay during loading/unloading.

6.24 For the reasons outlined above, arrangements regarding waste management; deliveries to the bar/restaurant; and parking arrangements for contractor vehicles are considered to be satisfactory and will be in accordance with DM 1 of the Core Strategy.

Ventilation, Kitchen Extract and Air Conditioning

6.25 The scheme proposes the internal reconfiguration of the premises including relocating the kitchen and modification of the toilets and cellar. An air conditioning, cellar cooling and

ventilation services plan has been prepared by Swan Projects. The scheme will allow for the resiting and consolidation of mechanical plant and have a positive impact on the visual appearance of the ear of the building. The system will comprise:

Kitchen Extract and Air Supply

6.26 The kitchen is proposed to be located at basement level. The extract system will comprise an extract hood above the cooker. Duct work will then travel up the staircase at high level and discharge above the rear exit. Filtration will include electrostatic precipitation and carbon filters. A DEFRA Risk Assessment has been completed by Swan Projects which confirms that there will be no adverse impact cause by fumes or vapours and therefore complies with the provisions of NPPF and Core Strategy policy DM1.

6.27 A fresh air supply will be provided to the kitchen via ductwork from the rear yard area. A fan and filter will be installed to the ductwork.

Toilet Extract

6.28 Extract will take place from the male, female and disabled W/C via ductwork and will discharge into the rear yard area.

Cellar Cooling

6.29 A cellar cooling system will be installed comprising an internal unit within the cellar and a further unit installed at high level on a wall within the rear yard area.

Air Conditioning

6.30 An air conditioning unit will be installed within the lounge area, snug area, and basement of the premises (3 units in total). The three corresponding fan units will be installed at high level within the rear yard area.

Mechanical Plant Noise

6.31 The noise associated with the mechanical plant has been considered within the 'Acoustic Report for Planning Purposes' prepared by AEC Ltd.

6.32 The report recommends the installation of 900mm long silencers which would reduce the kitchen extract noise by 25dB. The total plant noise at the nearest residential windows has therefore been calculated as 46dB, which is 10dB below the lowest measured night-time background noise level. The above confirms that noise from mechanical plant will be at an acceptable level and will not cause disturbance to nearby uses. On this basis, Core Strategy Policy DM 1 and Saved UDP Policy DC26 are complied with.

7. Conclusion

7.1 The applications seek approval for a series of internal and external alterations to the subject building, changes to kitchen extract and mechanical plant, and the installation of replacement signage. The application also seeks to extend the permitted opening hours of the premises. The proposed works are required to improve the offer of 'The Bay Horse' and enable it to successfully compete with the existing and expanding evening and night-time leisure and entertainment offer within this part of the City Centre.

7.2 This planning statement has assessed the application proposals and has concluded that they accord with the relevant national and local planning policy context. Paul Butler Associates are pleased to submit this application on behalf of The Bay Horse Tavern Ltd and look forward to working with Manchester City Council in progressing the application through to a positive determination.

Appendix 1: Waste Management Strategy

MANCHESTER CITY COUNCIL

Planning Application – Waste Management Strategy

Planning Application Number: N/A - Prior to submission
Date Submitted: N/A - Prior to submission

Estimated volumes and types of waste produced by the development

Low Rise Domestic Not applicable

Waste Types	Capacity Required (litres)	Number of Bins required	To be provided ?
General refuse	240	1 x 240 litre bin	☐
Pulpable Recycling	140 / 240	1 x 140 litre bin 1 x 240 litre bin	☐ ☐
Mixed Recycling	140 / 240	1 x 140 litre bin 1 x 240 litre bin	☐ ☐
Garden Waste	240	1 x 240 litre bin	☐
Food Waste	23	1 x 23 litre caddy	☐

High Rise Apartment Developments Not applicable

N = Number of Apartments

Waste Types	(V) Volume of Waste Generated	Capacity Required (litres)	Number of Bins required	Number of Bins proposed by applicant
General refuse	V = N x 110	V =	V / 1100 =	
Pulpable Recycling	V = N x 55	V =	V / 1100 =	
Mixed Recycling	V = N x 55	V =	V / 1100 =	
Food Waste	V = N x 5	V =	V / 240 =	

Commercial Developments

Please state number and capacities of bins you propose, showing calculations where appropriate. Please ensure collection frequencies are included

Refuse and recyclable waste will be stored in a dedicated refuse store which will accommodate 4no. 240L bins for the storage of refuse, pulpable waste, biodegradable/food waste, and glasses and cans. Waste collections will be managed by 'Fresh Start' and will take place every 2-3 days. Bins will be taken from the store via the rear alleyway for collection on High Street.

Has / will a contract be obtained with a licenced waste carrier?	☒

Mixed Use Developments **Not applicable**

Are the stores for residential and commercial separate from each other?	☐

Internal Stores (Residential and Commercial)

Please provide details of internal stores / segregation of waste and recycling.

As above

Storage Areas for Waste Containers (Residential and Commercial)

Please provide details of container stores, attaching plans if appropriate.

As above

Are all bins in the store accessible?	☒
Are recycling facilities as easy to access as general refuse?	☒
Has consideration been given to ventilation and hygiene?	☒

Please provide details of who will be responsible for placing the bins at the collection point and returning them to the store / property promptly e.g. resident / management company

Staff employed at the premises will be responsible for transferring waste stored internally to the bin store. 'Fresh Start' will be employed and will be responsible for collecting bins from store retuning them following collection. Waste collection vehicles will temporarily park on High Street during collections.

Please ensure that you have attached:

Detailed plans of waste stores	☒

Location plans showing stores	☒
Location plans showing the proposed collection point and the route the collection vehicle will take	☒

Please ensure that you have completed this form in accordance with our Guidance document: GD04 Waste Storage and Collection Guidance for New Developments