

**APPLICATION REPORT - LBC/347139/21**  
**Planning Committee: 10<sup>th</sup> November 2021**

Registration Date: 25<sup>th</sup> June 2021  
Ward: Coldhurst

Application Reference: LBC/347139/21  
Type of Application: Listed Building Consent

Proposal: Conversion of the former Oldham Library and Art Gallery to create a Heritage Centre, including alterations to floor slabs, infilling of sub-basement, removal of sections of flooring, walls and staircases around the building, formation of new entrances to side elevation, new lift pit, air vent, plaster removal, alterations to fenestration, PV panels to southern roof and change of proposed roofing from zinc to aluminium, proposed roof access and plant position updated, and landscape plans.

Location: Former Oldham Library and Art Gallery, Union Street, Oldham.

Case Officer: Paula Stebbings  
Applicant: Mr. Nigel Fraser (Oldham Borough Council)  
Agent: Mr Chris Smallwood (EWA)

## **THE SITE**

This application relates to the former Oldham Central Library and Art Gallery which is located on Union Street, Oldham. The site, rectangular in plan, is bound by Southgate Street to the east, Union Street to the north, 84 Union Street (former post office) to the west and Gallery Oldham to the southwest.

There are two principal areas which form the application site. The first is the formal garden adjacent to 84 Union Street that provides soft landscaping and outdoor seating interconnecting Union Street to the front entrance and public realm area to Gallery Oldham. The second area comprises a Grade II Listed Building, formerly Oldham's Central Library. The building constructed in 1883 is a high two storey symmetrically planned civic structure with central gable entrance and flanked blocks. The building is finished in a rustic rubble, course and square in small blocks with a tiled roof and clerestory windows serving the top floor. The flanks are punctuated by tall segmentally arched mullioned and transomed windows many of which retain the original stain glass sections. Internally, the building is subdivided on the basement, ground and first floor adapted over time for the previous library use but retaining a significant number of original features.

## **BACKGROUND**

In 1996 the Council produced plans to create a cultural quarter in Oldham Town Centre. The initial work to the project resulted in the completion of Gallery Oldham and the Lifelong Learning Centre with a view of further developing the Central Library building to complement the

established uses. Similarly, the Coliseum Theatre Trust were exploring options for a new location due to the existing building on Fairbottom Street being in poor condition and restricting the future potential of the group.

To facilitate both the interests of the Council and the Theatre Trust the Oldham Coliseum Theatre and Heritage Centre (OCTHC) project was formed working collaboratively to develop the site. With the securing of a Heritage Lottery Fund and Arts Council England Fund the project strives to relocate the Coliseum theatre, museum, archives, local studies, and stores to a dedicated part of the town centre and in combination with the existing Gallery Oldham to develop Oldham's wide cultural offering and preserve the lasting legacy of the heritage of Oldham.

Listed building consent and planning permission (LB/336342/14 and PA/336343/14) were granted in 2015 for the adaptation of the existing library and the erection of a new theatre building with interconnecting link. In 2016 LBC and planning permission (LB/339478/16 and PA/339479/16) were granted for a revised design which also entailed remodelling of the external areas to coincide with the Council's aspiration in creating a cultural quarter in the town centre. Further to this a Listed Building Consent and Variation of Conditions application (Approved Plans Condition) (LB/340858/17 and PA/340857/17) were granted in 2018 for further alterations required to progress the redevelopment of the building.

## **THE PROPOSAL**

Listed building consent and planning permission have been sought in relation to proposed changes to the extant listed building consent and planning permission (LB/340858/17 and PA/340857/17). These granted approval for the alterations to the Former Oldham Library to create a Heritage Centre with internal, external, and public realm changes.

Following the grant of these previous applications, subsequent surveys and investigations have been undertaken in the building which have identified several additional alterations required to progress the re-development of the building.

Specifically, the proposed works to be assessed as part of this LBC and the associated planning application consist of the following:

- Removal of the first and second floor slab in the southern block and replacement with a composite slab;
- Removal of the ground floor slab for soft strip replacement;
- Lowering of the first-floor slab to provide level access;
- Sub-basement infill;
- Removal of sections of flooring, walls, and staircases around the building;
- Formation of a new lift pit;
- Air vents added to public realm for lower ground Plant Room;
- Plaster removal due to condition;
- Fenestration alterations to strategy;
- PV panels to southern roof;
- Changes of proposed roofing from zinc to aluminium;
- Proposed roof access and plant position updated; and,
- Landscape plans updated to reflect latest scheme.

The previous applications have been lawfully implemented, however, it is the intention of the owners of the site, Oldham Council, to follow the below strategy:

- The existing listed building consent and planning approvals will be utilised for the delivery of the Priority Works programme where these proposals form part of the Approved scheme. Outstanding Condition Discharge submissions will be made by the appointed works contractor.
- Where the Priority Works programme deviates from the original approved scheme this application covers these specific changes.
- Any further decisions regarding the further changes to the building would result in additional listed building consent and planning proposals (as required) for approval covering the fit-out proposals.

## **RELEVANT PLANNING HISTORY**

LB/340858/17- Listed Building Consent for the conversion of the former Oldham Library and Art Gallery to create a Heritage Centre facility including 1) removal of part of the first floor slab and replacement with a composite slab 2) replacement plant basement 3) removal of sections of flooring and staircases throughout the building 4) formation of new entrance to side elevation 5) removal of lift 6) alternative flooring in exhibition areas 7) insertion of staircases and lifts 8) air vent added to public realm for LV Room. Granted 13 April 2018.

PA/340857/17- Variation of Condition No. 2 attached to PA/339479/16 for 1) removal of part of the first floor slab and replacement with a composite slab (above restaurant) 2) replacement plant basement 3) removal of sections of flooring and staircases throughout the building 4) formation of new entrance to side elevation 5) removal of lift 6) alternative flooring in exhibition areas 7) insertion of staircases and lifts 8) air vent added to public realm for LV Room 9) removal of a tree. Granted 13 April 2018

LB/339478/16 – Adaptation and re-use of the former Oldham Library and Art Gallery to create a Heritage Centre Facility, along with associated public realm works and improvements. Granted 20 April 2017.

PA/339479/16 – Adaptation and re-use of the former Oldham Library and Art Gallery to create a Heritage Centre Facility, along with associated public realm works and improvements. Granted 20 April 2017.

PA/336343/14 - 1) Adaption, extension and re-use of the former Oldham Library and Art Gallery to create a Heritage Centre facility 2) Construction of new link extension 3) Erection of a new theatre building 4) Associated public realm works and improvements. Granted 12 March 2015.

LB/336342/14 - 1) Adaption, extension and re-use of the former Oldham Library and Art Gallery to create a Heritage Centre facility 2) Construction of new link extension 3) Erection of a new theatre building 4) Associated public realm works and improvements. Granted 12 March 2015.

PA/336341/14 - Creation of access doors and associated works. Granted 10 March 2015.

LB/335726/14 - Installation of external lighting to the Union Street elevation. Granted 19 August 2014.

PA/042356/01 – New Access Staircase. Granted 21 February 2002.

PA/040704/00 - Landscaping works to library garden including new disabled ramp. Granted 11 January 2001.

CA/040723/00 - Demolition of stone wall, railings and steps to Union Street, brick wall to Ashworth Street, steps and retaining wall to Library service yard. Granted 11 January 2001.

PA/040183/00 - High level pedestrian link bridge between proposed Oldham Cultural Quarter Project (Phase 1) Art Gallery and existing Oldham Library and Art Gallery. Granted 24 August 2000.

LB/040184/00 - Alterations to rear elevation to take high level link bridge from proposed new gallery at Ashworth Street. Granted 29 August 2000.

PA/040706/00 - Pedestrianisation and landscaping of Ashworth Street, Oldham. Granted 11 January 2001.

PA/039082/99 - Reserved matters application for proposed Art Gallery, siting, design, external appearance (including materials) and means of access to be considered. Landscaping to be reserved. Granted 29 November 1999.

PA/038411/99 - Outline application for proposed art gallery and library development; conversion of existing library to museum, all matters reserved. Granted 23 June 1999.

PA/033197/95 - Works to roofs including replacement of glazing and erection of a steel scaffold maintenance rail. Granted 4 August 1995.

PA/033196/95 - Works to roofs including replacement of slates with tiles and replacement glazing. Granted 4 August 1995.

LB/030989/93 - Listed building consent for advertisement sign. Granted 7 January 1994.

PA/028449/92 - Change of use to temporary carpark. Granted 30 January 1992.

## **RELEVANT PLANNING POLICIES AND GUIDANCE**

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that with respect to conservation areas special attention should be paid to the desirability of preserving or enhancing the character or appearance of the area.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is located in the town centre boundary by the Proposals Map associated with this document and is part included in Oldham Town Centre Conservation Area.

The following DPD Policies are relevant:

Policy 24 – Historic Environment

Relevant SPD:

Oldham Town Centre Conservation Area Appraisal and Management Plan (Adopted August 2019)

The Former Oldham Library and Art Gallery is located within the Cultural Quarter and identified as a positive contributor to the conservation area.

## CONSULTATIONS

Arboriculturist:	Raises no objection to the application providing that condition(s) are attached requiring further information to ensure that adequate measures are put in place to protect existing trees from the propose construction works. These would require the submission of an Arboricultural Impact Assessment and an Arboricultural Method Statement.
Greater Manchester Ecology Unit:	No objections
United Utilities:	No objections
Environmental Health:	No objections
National Grid:	No objections
GMP Design for Security:	No objections
Transport for Greater Manchester:	No objections
Metrolink:	No objections
Joint Committee of The National Amenity Society:	No comments received
Highways:	No comments received
Regeneration:	No comments received
Electricity North West Limited:	No comments received
Education:	No comments received
Historic England:	No comments received
Drainage:	No comments received

## REPRESENTATIONS

The proposed development has been advertised by means of individual consultation letters sent to the occupiers of the neighbouring properties, a Press Notice, and a Site Notice being erected adjacent to the site. As a result of the publicity, no representation has been received.

## PLANNING CONSIDERATIONS

In respect to Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Governance and Legal Director of English Heritage ('Legal Developments' Conservation Bulletin Issue 71: Winter 2013) states that the courts have said that these statutory requirements operate as 'a paramount consideration' and 'the first consideration for a decision maker'.

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see above) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan.

The NPPF puts 'a presumption in favour of sustainable development' at its heart and identifies sustaining and enhancing the historic environment as a key element. It sets out a requirement within paragraph 199 to apply 'great weight' to the assets conservation when considering the impact of a proposed development on the significance of a designated heritage asset. In paragraph 190(a) it also advises that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

The NPPF at paragraph 194 states:

'...In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance...'

### **Level of Significance**

The works relate to the Grade II listed library building situated in a prominent location within Oldham Town Centre Conservation Area. The building was formally opened in 1883 and extended in 1894 to accommodate a Lecture Hall and further reading rooms/gallery spaces. Its style is described as 'vaguely Gothic' by the Buildings of England series. It has a highly symmetrical style, avoiding elaborate ornamentation and thus characterising the robust nature of the Town and the instigators of the project, who intended to build this addition to encourage the development of its residents.

The information included within this application contains an extensive assessment of the development of the building. It demonstrates that while the exterior of the building has retained much of its character, with the loss of the roof over the 1894 extension being the main change. The interior has lost several features and been greatly altered over the years. This has included the loss of the original Victorian library fixtures and fittings, the insertion of a floor within the former Lecture Hall and the infilling of the void within the top floor.

Despite the changes, this building plays an important role within the Oldham Town Centre Conservation Area. It is situated on the edge of the area and forms an appropriately strong introduction to the high-status buildings located in this part of Union Street, which is considered Oldham's principal street. Its prominence and architectural quality contribute to the significance of this part of the town centre, where it enhances the setting of several other high quality listed buildings.

The building is experiencing a steady decline, worsened by its failing roof. Resulting in high levels of water egress into the building, this can be seen in the deterioration within the plasterwork on the walls to the point that 90% of it now need replacing. The signs of deterioration highlight the need of a use which will secure its long-term conservation.

The building will be refurbished to provide new facilities for Oldham Council as part of the regeneration of the Cultural Quarter of the town. The existing building is of great heritage significance to Oldham and is Grade II listed with Historic England. As part of this proposal the stated intention is to restore several elements of the original layout of the building and make alterations which would allow the new use to be accommodated in a building with appropriate environmental controls.

## Alteration and Impact

Officers are supportive of the new proposed circulation routes around the building to bring this building into use through its conversion to a heritage and arts centre. The impact of the works will result in the loss of elements of significant fabric and in instances large scale changes to the building. The NPPF requires any harm or loss to a heritage asset to have clear and convincing justification (para 200).

The removal of the first and second floor slab in the southern block and replacement with composite slabs; the removal of the ground floor slab for soft strip replacement; and the lowering of the first-floor slab to provide level access, are justified by the public benefits associated with bringing these parts of the building into a positive use. Along with the management of these changes in such a way that will allow the services and structural supports to be less intrusive. Therefore, no objections are raised to these elements of the proposal and it is considered that all realistic options for these areas have been considered.

As explained in the Heritage Overview section of the submitted Design and Access Statement, the heritage fabric of the sub-basement area, which is to be in-filled to provide lateral support for the existing walls, are to be retained and the fill works are fully reversible, therefore no major concerns are raised to this element of the proposal.

The removal of certain staircases around the building, including the lecture hall gallery steps, were questioned by the Conservation Officer/Case Officer, prior to carrying out the site visit. However, it is considered that clear and convincing justification was provided on site that ensured that although the removal of the lecture hall gallery steps, which gives clues to the story of the original format of this second phase of the building, leading to the gallery level now lost; this story can also be read through the railing, the Dado feature and skirting which also follow the original line. This removal is further justified through enabling the previously approved proposal for the relocation of the Plant Room to the basement, which provides additional benefits that offsets this loss.

As part of this relocation of the Plant Room, new louvre openings are proposed to the south façade with a ventilation well to be added to the west façade. These elements of the proposal will remove a small area of existing stonework; however, these facades are of the lowest quality of any of the facades and part of the later extensions. Other options have been discussed to serve adequate ventilation to the modern plant room, together with the necessary air handling systems, however this approach is considered as the least intrusive.

The excavation of a new lift pit, to allow for a central glass lift, would avoid the foundations of the cast iron columns. The previous approved schemes have the first floor opened to extend the atrium downwards giving a greater feeling of accessibility to all parts of the building whilst also providing light to this dark enclosed central space. Additionally, the new wall openings on the second floor, to either side of the atrium space and the opening of the currently infilled entrance to the spine wall of the south block, along with this new central lift, would allow better access and visibility throughout the building, providing a sense of movement to the space, supported by officers.

The plaster within the Old library building is largely original. However due to persistent damp issues through the deterioration of the building, the plaster is generally in very poor condition. Detailed inspections have been carried out to determine the extent of plaster repairs which have confirmed that most of the flat work will require removal and replacement. However, many of the plaster moulded features remain affixed to the building and where possible these will be retained for future use. The plaster detailing will be reinstated to match the original

detailing and only areas of defected plaster will be removed. Therefore, these works will result in less than substantial harm to the heritage significance of the building.

Further fenestration changes, including the opening lights to windows will not require the fitting of secondary glazing, approved in the previous application, allowing the windows appearance to be kept true to their original forms. Additionally, the additional glazing replacing the louvres to the second floor will allow daylight to enter the second-floor area, improving the aesthetics as well as contributing to a more usable/accessible space. The Heritage Overview section of the submitted Design and Access Statement also states that the change to glazing rather than louvres has no heritage impact on the building as the new roof construction above the Lecture replicates the original lost roof profile in modern materials.

Alterations to the roof, including replacement ventilators, relocation of the plant deck and access hatches and mainly the change of materials from zinc (approved in previous scheme) to aluminium are justified as there is little difference in aesthetic appearance and therefore there is no perceived impact to the heritage significance of the building.

Finally, the updated landscaping plans, submitted as part of this application, differ to those previously approved. This application includes the proposed removal of three trees and the replanting of only four new trees. Subject to Saved Unitary Development Plan Policy D1.5, a minimum of 3:1 planting ratio is required, therefore this part of the proposal does not suffice. Additionally, a further and more adequate Tree Survey, Arboricultural Impact Assessment and an Arboricultural Method Statement, all to BS5837:2012, have been requested by the council's Arboriculturist, to ensure that all works are undertaken in such a manner to ensure the protection and long term retention of the trees to be retained. Thus, aiming to preserve and enhance the character of the conservation area and setting of the listed building. Therefore, as the principal of the planting scheme is acceptable, it is considered that the further information required can be requested and satisfied through the discharge of conditions.

## **CONCLUSION**

The building is mainly disused with signs of deterioration and needs a use which will secure its long-term conservation.

The current proposal is to convert the building to a Heritage and Arts Centre. As part of this proposal the stated intention is to restore several elements of the original layout of the building and make alterations which would allow the new use to be accommodated in a building with appropriate environmental controls. Paragraph 202 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

Officers have considered the requirement for clear and convincing justification for any harm or loss to the significance of the heritage assets and carefully considered the alterations proposed to the building and its setting. It is considered that the proposals will cause 'less than substantial harm' to the heritage asset.

In this instance, it is considered that the individual and cumulative impact of the works has been fully explored within the application and any harm is justified by the public benefits which will result in bringing this building back into full use. The application asserts that the works will result in increased accessibility and its long-term preservation, and therefore deliver considerable public benefits. It is considered that the level of intervention and loss has been justified and the design of the new interventions will have an overall positive impact on the building and the conservation area. Therefore, subject to the imposition of planning conditions, to



allow the further assessment of the detailed information unavailable at this time, the development is considered acceptable in this respect.

## **RECOMMENDATION**

It is recommended that the Planning Committee resolves to grant permission, subject to the following conditions:

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission.

Reason - To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. No works listed in A - P below for the Grade II Listed Library Building shall be carried out unless and until detailed sections, elevations, samples and specifications, where applicable, for that item have been submitted to and approved in writing by the Local Planning Authority:

- A. Balustrades and handrails;
- B. Ceilings and covings – existing and proposed;
- C. Damp proofing, tanking and rot treatment, including any suspended timber floors;
- D. Doors - proposed and existing;
- E. Floors – alterations, finishes, raised floors, removals;
- F. Internal and external stonework;
- G. Ironmongery;
- H. Ironwork;
- I. Mechanical ventilation and Electrical Installations – existing and proposed;
- J. New internal lifts;
- K. New roof and lantern roof;
- L. Provisions of insulation
- M. Staircases - existing and proposed
- N. Structural supports;
- O. Walls, plastering, panelling and finishes;
- P. Windows including secondary glazing, tinted glass, blinds and louvres

Thereafter the development shall not be brought into use until the works have been completed in accordance with the approved scheme.

Reason - The Local Planning Authority considers it expedient in order to protect the historic fabric of the listed building and to protect amenity, having regard to Policies 20 and 24 of the Oldham Local Plan.

4. The development hereby permitted shall not be occupied unless and until full plans and a detailed specification of a comprehensive lighting scheme within the curtilage of the proposed development have been submitted to and approved in writing by the Local Planning

Authority. The lighting scheme shall not be brought into use unless and until the Local Planning Authority has approved the scheme in writing. The lighting shall be operated in full accordance with the approved scheme and maintained thereafter.

Reason - To ensure the appearance of the development is acceptable in the interests of the visual amenity of the area within which the site is located and to protect the historic fabric of the listed building. Having regard to Policies 20 and 24 of the Oldham Local Plan.

5. No removal of or works to any trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of bird habitats, which are protected species under the Wildlife and Countryside Act 1981, having regard to Policy 21 of the Oldham Local Plan.

6. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 m high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2005, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.

Reason - Prior approval of such details is necessary to protect existing trees and hedges having regard to saved Policy D1.5 of the Unitary Development Plan.

7. No landscaping works shall be commenced until an accurate tree survey, including any measures to protect trees identified as worthy of protection, have been submitted to and approved in writing by the Local Planning Authority and all proposed protection measures have been implemented in full. The survey details shall be at a scale of not less than 1:500, indicating species, position, height, girth, crown spread, health, condition, structural defects, life expectancy and desirability for retention of all existing trees, shrubs and hedgerows within the site and on land adjacent to the development which may be affected by it. On the plan shall be marked the positions of spot heights, changes of levels, all proposed buildings, hard landscaping, roads, service trenches and footpaths. The plan shall indicate all trees, shrubs and hedgerows it is proposed to prune or remove, to BS3998.

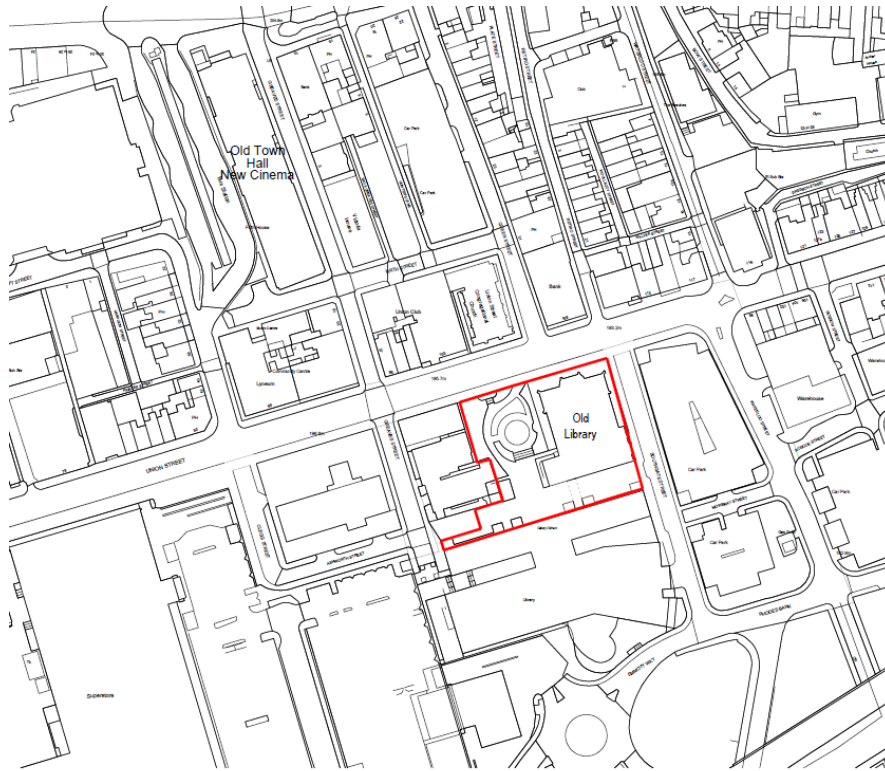
Reason - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

8. No landscaping works shall take place until a full Arboricultural Impact Assessment and a Arboricultural Method Statement, authorised by an Arb specialist and complying with BS5837:2012, have been submitted to and approved in writing by the local planning authority.

All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

Reason - Prior approval of such details is necessary as the site may contain features which require incorporation into the approved development, and to ensure that the development site is landscaped to an acceptable standard having regard to Policies 9, 20 and 21 of the Oldham Local Plan, and saved Policy D1.5 of the Unitary Development Plan.

# SITE LOCATION PLAN (NOT TO SCALE)



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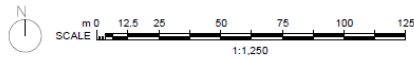
Rev	Date	Notes	By	Cnk
01	15/06/21	Planning Issue	CS	EWK

**elliswilliams**  
ARCHITECTS

Project Number: 2877  
Project Name: Old Library

Drawing Status: Planning  
Drawing Number: OL- EWA- ZZ- DR- A- 10001  
Drawing Name: LOCATION PLAN

Date: 08.08.21  
Drawn By: CS  
Rev: P1  
Scale: 1:1250 @ A3



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