

APPLICATION REPORT – FUL/351029/23
Planning Committee 19th July 20223

Registration Date: 23 May 2023
Ward: Coldhurst

Application Reference: FUL/351029/23
Type of Application: Full Application

Proposal: Resubmission of application FUL/350248/22 for alteration and repair to facilitate new workspace use.

Location: The Prudential Assurance Building, 79 Union Street, Oldham, OL1 1JZ

Case Officer: Paula Stebbings
Applicant: Mr Jon Bloor
Agent: Miss Shaadi Karimi

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation as the proposal relates to a major application involving the Council as Applicant.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report and that the Head of Planning shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 This application relates to the Prudential Building, which is located on Union Street, Oldham. The principal façade faces Union Street, with alleyways to the east and west of the building, commonly used for access to Spindles Shopping Centre.
- 3.2 The Prudential building is grade II listed and sits within Oldham Town Centre Conservation Area. Dating back to 1889 the building was designed by Alfred Waterhouse for the Prudential Assurance Company. Currently vacant, the red brick and terracotta dressed heritage asset sits in a declining state of disrepair. The existing use class is Class E (offices) and Sui Generis (nightclub). Whilst the building appears relatively unaltered from its original design externally, internally it has changed uses several times. However, it is important to note that the buildings were designed to be in several uses with sections leased off e.g. the Basement was originally run as a restaurant.
- 3.3 The front elevation is the most decorative, with terracotta shown in various forms. The elevation consists of a 3-bay range, with recessed polygonal towers either side, rounded arches at ground floor, three light mullioned windows with transom windows above and three dormer windows located on the roof slope. The further elevations carry

some of this detail to a much lesser extent. Whilst the internal courtyard is characterised by white glazed brick.

- 3.4 Internally, much of the original interior has been lost. However, the main banking hall still maintains elements of the Victorian character, through its ornate plaster panelled ceiling and Burmantoft glazed tiled walls.

4. THE PROPOSAL

- 4.1 Planning permission and the associated listed building consent have been sought for the resubmission of applications FUL/350248/22 and LBC/350249/22 for alteration and repair to facilitate new workspace use. In comparison to the previous applications, previously required bat surveys have been carried out and submitted. Additionally, comments from The Victorian Society and Historic Buildings and Places (which is the working name of the Ancient Monuments Society) have been received, whereas no comments were received from these consultees previously.

- 4.2 The proposed works to be assessed as part of this application consist of the following:

4.3 Roof Alterations

- Insertion of new dormers, with a linear form, aligning with window positions and proportions below.
- Creation of lanterns on top of the existing turrets to provide a contemporary impact and emphasis at street level. These will contain meeting rooms and proposals include the use of lighting installations and features to add greater prominence.

4.4 Atrium

- New roof enclosing the central atrium.
- Creation of pop out spaces in existing window openings in the atrium, such as a stage area and a phone booth at different levels at a cantilever to overlook the atrium space.
- Window seats inside the existing openings.
- Tiling to be made good and restored.

4.5 External Windows

- Removal and replacement of damaged windows with new aluminium double glazed units to match existing, and repair or reinstatement of wood panelling.

4.6 Works to the Banking Hall

- Cleaning and repair to interior tiles.
- Reinstatement of plastered ceiling and restoration of parquet floor.
- Removal of screen partitions.
- New opening through arched niche, removal of some historic tiling.
- Insertion of new contemporary fittings for public use.
- Restoration of original timber screens from the Banking Hall and reinstatement of smashed glass.
- Restoration and repair of two historic Banking Hall Counters including removal and replacement of nonoriginal countertop, and incorporation of these fittings into the café/lounge.

4.7 Other Internals

- Creation of a number of new internal walls to create new usable spaces.
- Repair and reinstatement of cornices and skirtings.

- Removal of plastered ceilings.
- Retention and repair of existing fireplaces.
- Stripping back of the lift enclosures and fixing of the historic lift on the third floor.
- Internal wall linings.

5. PLANNING HISTORY

- 5.1 FUL/350248/22- Granted on 10/03/2023 for the alteration and repair to facilitate new workspace use
- 5.2 LBC/350249/22- Granted on 10/03/2023 for alteration and repair to facilitate new workspace use
- 5.3 LBC/351030/23- Pending decision at committee for the resubmission of application LBC/350249/22 for alteration and repair to facilitate new workspace use.

6. RELEVANT PLANNING POLICIES

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 The adopted Development Plan is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. In the Proposals Map, associated with this document, the site is located within the town centre boundary and Oldham Town Centre Conservation Area. As such, the following policies are considered relevant to the determination of this application:

Policy 20- Design

Policy 24 – Historic Environment

- 6.5 Relevant SPD:

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

7. CONSULTATIONS

| CONSULTEE | FORMAL RESPONSE |
|----------------------------------|--|
| Historic England | No objections- supports the application on heritage grounds. |
| Victorian Society | Objects due to the proposed dormers and lanterns. |
| Historic Buildings and Places | Objects due to the proposed dormers and lanterns. |
| Environmental Health | No objections. |
| Drainage | No objections, subject to condition. |
| Highways | No objections, subject to condition. |
| Transport For Greater Manchester | No objections, subject to conditions. |
| Coal Authority | No objections, subject to informative. |
| Greater Manchester Ecology unit | No objections, subject to informative. |
| Planning Policy | No objections. |
| United Utilities Water Limited | No comments received. |

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a major development by neighbour notification letters, display of a site notice, and publication of a press notice.
- 8.2 In response, no representations have been received.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 This application does not propose a change of use but alterations, identified through surveys and investigations, that are required to redevelop the building. Therefore, the main issue to consider is the impact of the proposals on the listed building and conservation area.
- 9.2 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'.
- 9.3 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.

- 9.4 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.

- 9.5 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...'

10. LEVEL OF SIGNIFICANCE

- 10.1 The Prudential Assurance Building in Oldham is one of 27 branch buildings built across England. All were designed by renowned Victorian Architect Alfred Waterhouse and share a common appearance. Waterhouse favoured the use of terracotta which is evident in the Prudential Building. Built of brick, sitting on a polished granite plinth, with extensive terracotta dressings to openings, banding and high-level decoration, under a red tiled roof.
- 10.2 The Prudential Building is identified in the Oldham Town Centre Conservation Area Appraisal as a detracting element due to its vacancy and poor condition which is in urgent need of restoration and reuse. The wider street scene has changed dramatically since the buildings erection in the late 19th century and it now stands alone as one of the few buildings of that era left. The building has incredible potential to improve the identity and by extension the significance of the conservation area as well as its own significance through sensitive restoration and reuse.
- 10.3 A significant building to the local area and conservation area which provides evidential value of how this part of Oldham has developed. It has known historical associations with leading Architects of the period and has an unarguably high designed aesthetic value. For these reasons the importance of this building has been recognised in its designation as a Grade II listed building, highlighting it as being of national significance.

11. ECOLOGY RESPONSE

- 11.1 As part of the previous applications (FUL/350248/22 and LBC/350249/22) a Preliminary Bat Survey identified a moderate bat roosting potential for the Prudential building. Therefore, Greater Manchester Ecology Unit (GMEU) requested the submission of two dusk/dawn surveys to be undertaken on the building. These surveys were submitted as part of the current applications and found no evidence of roosting bats at the time of surveys. Therefore, GMEU have no further concerns/objections with the proposed works. However, as bats are highly mobile creatures, GMEU have advised that an informative be added to any permissions which reminds the applicant that under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations

2019 it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately, a suitably licensed bat worker employed to assess how best to safeguard the bat(s) and Natural England should be informed.

12. HISTORIC ENGLAND, VICTORIAN SOCIETY AND HISTORIC BUILDINGS AND PLACES RESPONSES

- 12.1 Whilst the works proposed are extensive, Historic England have stated that this is a reflection of the state of the building. The designated heritage asset has suffered an extended period of unuse, lack of maintenance and failing of the roof coverings leading to widespread water ingress. Historic England consider that the proposal would be of benefit to the building and the wider conservation area through repairing and restoring historic fabric and details, both internally and externally, and giving the building an important community use once more.
- 12.2 The Victorian Society and Historic Buildings and Places (which is the working name of the Ancient Monuments Society) welcome the positive news that the Prudential will be brought back into a sustainable use, which will ensure its long-term viability and remove it from Historic England's 'At Risk' register. However, they raise concerns over the addition of the dormers and lanterns. They consider that the design would undermine and greatly detract from the significance of Waterhouse's elegant and well-proportioned façade, negatively affecting the visual appreciation of the building and being harmful to the character and significance of the heritage assets. The consultees recommend a subtler intervention or the reinstatement of lost 19th century dormers and turrets. The proposed dormers and lanterns are assessed in section 13 below and it is found that they would be acceptable as part of the overall scheme and not warrant the refusal of the application.

13. ALTERATIONS AND IMPACT TO THE LISTED BUILDING AND CONSERVATION AREA

- 13.1 Modern external interventions include the insertion of new dormers, roof lanterns and the atrium.
- 13.2 As shown in the appendices within the submitted Heritage Assessment (dated November 2022) the Prudential historically had three dormers with ornate detailing above, which dominated the roof slope fronting Union Street and followed the front elevation fenestration. The existing dormers are of a much lesser quality in terms of design and scale and due to water ingress the existing poor quality dormers are in a bad state of repair. The historic and existing dormers therefore provide a precedent to enhance the use of the top floors, providing added internal space and light for the building, making it attractive to potential tenants or occupiers and creating a new elevation treatment visible from the street.
- 13.3 The new dormers have been designed in a linear form and are to be clad in coated aluminium, providing a contemporary distinction between the historic fabric of the building, whilst aligning with the existing fenestration in terms of positioning and proportions. This approach does not try to replicate or reinstate the lost 19th century dormers but introduce a clear contemporary design that is easily distinguishable from the historic fabric.
- 13.4 Additionally, it is acknowledged that the side and rear dormers are significantly larger than the existing poor quality later additions. However, as these sit upon the third floor

of the building, lower than the existing prominent turrets to the front elevation, within the lesser architecturally significant side and rear roof slopes, which maintain a tight relationship to neighbouring properties (side elevations), it is considered that all the proposed dormers would introduce added internal space in a contemporary and easily distinguishable design that does not detract from the architectural significance of the building.

- 13.5 Again shown in the appendices within the submitted Heritage Assessment, historically, tall steeple-like roofs were located over each corner turret, which contributed to the further prominence of the building. The proposal creates a modern interpretation of the previous form, integrating light diffusing glazing, to allow for the lanterns to glow at night, highlighting the landmark building. This approach is supported by the LPA as it restores a key historical element of design in a modern approach that clearly demarcates new from old and provides the opportunity for emphasis on the building's corners, announcing its presence on a tightly constrained site.
- 13.6 The proposed atrium includes a series of modern interventions such as platform perches and cantilevered areas which overlook the atrium space, creating a hub of activity at the heart of the building. The new sloped, steel beamed, glazed roof will enclose the space and further protect the existing tiled finish of the atrium space, which is currently subject to extensive vegetation growth and water damage disrepair. Thus enhancing and protecting the inner leaf of the grade II listed building and introducing an accessible and usable space, enveloped by the existing building.
- 13.7 With regards to the window scheme, it is intended to remove and replace damaged windows with new aluminium double glazed units. However, the extent of damage to the windows is currently unknown until a survey is done to determine the amount of damp and rot to the existing timber windows. It is explained in the submitted Design and Access Statement that the reasoning for the aluminium double-glazed units replacing the existing timber single glazed units is to incorporate an environmental strategy and to allow new openings so the windows can be cleaned from the inside. The Conservation Officer has concerns with this approach at this stage as being a council owned building an exemplar should be set for others. Windows should be replaced like for like, including materials, proportions and openings. Where replacements are needed, Accoya timber can offer a similar longevity to aluminium windows and thermal efficiency can be increased through the repair of existing timber windows and use of secondary glazing. Therefore, a condition shall be added to ensure a window condition survey is submitted to the Local Planning Authority and further justification is provided that demonstrates why this is the only option and how the applicant has gone about minimising the impact on the significance of the original elements.
- 13.8 The main public banking halls are undoubtedly the most significant interiors within the Prudential. Incorporating ornate glazed tiling/faïence, colonnades, grand fireplaces, historic timber screens with stained glass and large arched windows on the Union Street elevation. The proposal includes the preservation of the space in its current configuration, whilst cleaning and repairing the interior tiles, reinstating and restoring the plastered ceiling and parquet flooring, removing the later screen partitions, restoring the original timber screens and reinstating the smashed glass and restoring and repairing two historic Banking Hall Counters including the removal and replacement of the nonoriginal countertop, and incorporating these fittings into the café/lounge. Additionally, it is proposed to create an opening through an existing arched niche in order to provide level access to and from the main entrance lobby adjacent, which would include the removal of some historic fabric and the insertion of new contemporary fittings for public use.

- 13.9 The approach to the Banking Hall is supported by officers subject to the submission of condition surveys, method statements, samples and specifications, to be conditioned. Additionally, the approach to add new modern ventilation totems, integrating with the existing architecture, is justified due to sensitive nature of the existing historic fabric.
- 13.10 With regards to further proposed internal alterations, further condition surveys will also be required through condition, including that for existing cills, surrounds and frames for windows, fireplaces, skirtings, cornices, architraves, dado and picture rails, plastered ceilings, flooring and doors. This will allow for a conservation approach to be agreed for each.
- 13.11 Finally, it is proposed that as part of the refurbishment, internal wall lining that utilises natural wood fibres as opposed to traditional insulation will be included to improve the thermal performance of the external walls. This approach will not be applied to the banking hall. Further information would need to be provided with regards to the environmental strategy to justify this, however, it is considered that the further information required can be requested and satisfied through the discharge of conditions.

14. CONCLUSION

- 14.1 The building is disused, in a severe state of deterioration and needs a use which will secure its long-term conservation.
- 14.2 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. In this instance, it is considered that the cumulative impact of the works has been explored within the application and individual elements can be further assess through the discharge of conditions.
- 14.3 As concluded in the submitted Heritage Impact Assessment, the proposals will result in less than substantial harm to the significance of the Prudential Building. 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.'
- 14.4 The identified harm is justified by the public benefits which include the retention, restoration, viable active use and public accessibility of the grade II listed building which is located within the Town Centre Conservation Area and currently upon Historic England's 'At Risk' register. Ensuring its long-term conservation, reducing the risk currently placed upon the conservation area, its wider potential socio-economic benefits, and sustainability benefits of the proposals.
- 14.5 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.

15. RECOMMENDED 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 51 of the Planning and Compulsory Purchase Act 2004.

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 to those individual elements stated in A – O in the below list, for the grade II listed building shall be carried out unless and until existing condition surveys and method statements, where applicable, and specifications and samples, for that item have been submitted to and approved in writing by the Local Planning Authority:

- A. Staircases, balustrades and handrails;
- B. Windows including cills, surrounds, frames and glass
- C. Timber panels;
- D. Timber lobby;
- E. Plastered ceilings;
- F. Walls, plastering, panelling and finishes, including skirtings, cornices, architraves, dado and picture rails;
- G. Doors;
- H. Floors;
- I. Fireplaces
- J. Tiling;
- K. Internal wall linings and provision of insulation;
- L. Leadwork;
- M. Rainwater goods;
- N. New internal lift;
- O. New glazed roof and lanterns;

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. The use of the development hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter.

Reason – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

6. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by Oldham Council (approval to be in consultation with Transport for Greater Manchester). The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and the Overhead Line Equipment and shall be adhered to throughout the construction period. The CMP shall, as a minimum, provide for: -

- protection of Metrolink equipment;
- the retention of 24hr unhindered access to the Overhead Line Equipment, trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational;
- pedestrian management proposals to ensure that a suitable footway width is retained and that pedestrians are not forced into the tramway path;
- loading and unloading of plant and materials;
- construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
- the design, erection, maintenance and dismantling of scaffolding, having due regard to climbing risk and also the provisions of BS EN 50122-1; please note the installation and dismantling is likely to require an electrical isolation of the Metrolink overhead wires;
- the erection, maintenance and removal of security hoarding, if used. This should be at a minimum distance of 1.5m from the kerb which demarcates the tramway path, unless otherwise agreed with Transport for Greater Manchester, please note that any hoarding along the footway would be within the Metrolink drop zone for the overhead wires and will therefore need to be made of non-conductive material or earthed, bonded or designed such that they do not become live should a failure of the overhead lines occur; and
- measures to control the emission of dust and dirt during construction;

Reason- In the interests of health and safety, to safeguard the amenities of the locality and to ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system. Having regard to Policies 5 and 9 of the Oldham Local Plan and paragraphs 183 and 184 of the National Planning Policy Framework.

7. Prior to the commencement of the development a scheme for acoustically insulating the proposed development against noise and vibration from the adjacent Metrolink line shall be submitted to and approved in writing by the local planning authority. The

approved noise insulation scheme shall be completed before the development is occupied.

Reason: To secure a reduction in noise having regards to policy 9 of the Oldham Local Plan.

8. No development shall commence unless and until a site investigation and assessment in relation to the landfill gas risk has been carried out and the consultant's report and recommendations have been submitted to and approved in writing by the Local Planning Authority. Written approval from the Local Planning Authority will be required for any necessary programmed remedial measures and, on receipt of a satisfactory completion report, to discharge the condition.

Reason - In order to protect public safety, because the site is located within 250m of a former landfill site, having regard to paragraphs 183 and 184 of the National Planning Policy Framework.

9. No development shall commence until full details of a scheme for a sustainable drainage system to serve the site, and method of implementation, including maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and timetable subject to a condition survey of the existing drainage network. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

Reason: To prevent the increased risk of flooding both on and off site and ensure satisfactory drainage facilities are provided to serve the site, having regard to Policy 19 of the Oldham Local Plan.

10. Prior to the erection of the external stairlifts to the front entrances of the building, details including elevations and specifications should be submitted to and approved in writing by the local planning authority and thereafter be built in accordance with the approved scheme.

Reason- 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.

SITE LOCATION PLAN (NOT TO SCALE):

