

**TH Consulting**  
LAND USE PLANNING

# Planning Statement

Planning Application for the Demolition of Existing Garages and  
Erection of Dwelling House on Garage Foot Print

Address: **11 Melville Terrace, Stirling, FK8 2NE**

Client: **Larreb Ltd**

Date of Report: **July 22**

Document Reference: PS11MT

Stirling Council

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# 1 Introduction

1.1 This Planning Statement has been prepared by TH Consulting (“THC”), Chartered Planning Consultants, on behalf of our client Larreb Ltd (“the Applicant”) owner of 11 Melville Terrace, Stirling This statement is prepared in support of a planning application submitted to Stirling Council (“the Council”) by their architect and agent, Studio SJM (“SJM”).

1.2 Full planning permission is sought for the erection of a mews house on the existing garage footprint with hard and soft landscaping, parking and associated works on land to the rear of 11 Melville Terrace (“the Site”).

1.3 This Planning Statement demonstrates that the proposals mainly comply with applicable Development Plan Policy and Supplementary Guidance.

1.4 To summarise:

- The garages currently provide for 3 car access via the rear lane of 11 Melville Terrace (Gladstone Place Lane)
- There are currently 5 properties with their principal access from Gladstone Place Lane. There are also commercial properties which have principal access to rear car parks via the lane.
- The area is commercial in nature with extensive development already within the rear curtilage of existing historic buildings.
- Rear access to the lane, forms part of the pattern of existing development and this is recognised by the Council in determination of planning applications for neighbouring properties (illustrated in our review of neighbouring planning history).
- The Council have granted planning permission for demolition and redevelopment of non-historic buildings within Conservation Areas and in the curtilage of Listed Buildings. (See planning history review below)
- The demolition of the garages and replacement with a contemporary building using high quality materials accepted by Historic Environment Scotland as appropriate for use in a Conservation Area and on Listed Buildings.
- The existing boundary wall will be reinstated re-using original stone where possible.
- Contemporary design which reflects other new developments within the immediate area.
- The officer should conduct a site visit to understand the commercial characteristics of this section of the Conservation Area including the expanse of car parking, and to better understand how the lane is used.

## 2 Location, Application Site and Background

- 2.1 The Site is located within an established residential and commercial area of Stirling. The site is located within the Kings Park Conservation Area and within the curtilage of a Category B Listed Building.
- 2.2 The site is currently occupied by a single storey triple car garage, hardstanding and boundary wall with gate allowing access to the rear garden of 11 Melville Terrace. Much of the original wall was demolished to allow for the erection of the 3 car garage and rear garden access.
- 2.3 The extracts below and overleaf show the garages and views north and south.



Existing Garage and hardstanding. Much of the rear boundary wall was demolished to create this parking area.



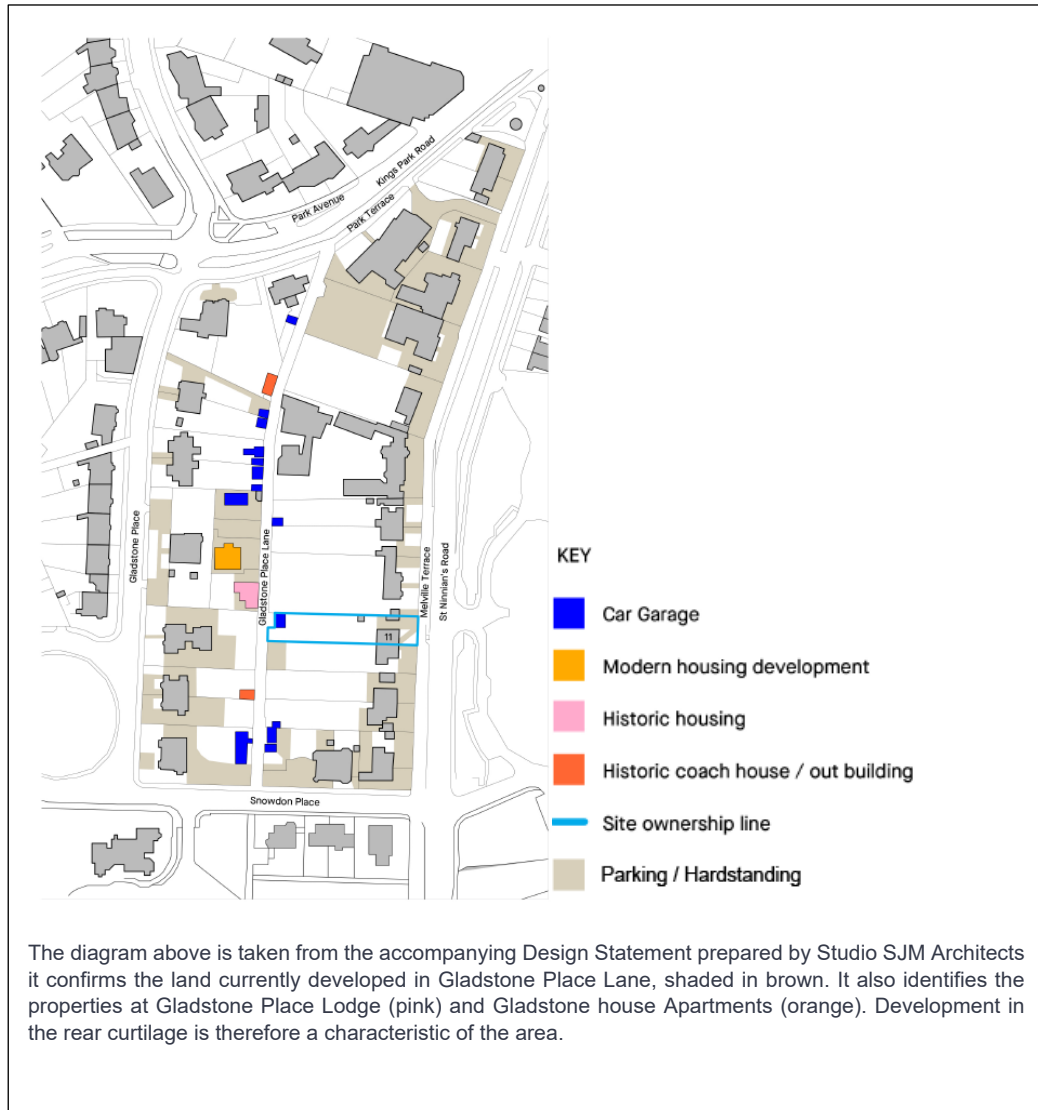
View north with Gladstone Lodge on the left – residential dwelling at 2 storeys high



View south with corner of Melville Terrace boundary wall in view to the left.

2.4 The Site is located towards the southern end of Gladstone Place Lane, an established single-lane private street with tarmac treatment. There are currently 5 properties with their principal address being Gladstone Place Lane:

- Flats 1 – 4 Gladstone House Apartments
- Gladstone Lodge



- 2.5 Gladstone Place Lane also provides access to parking for Gladstone House Apartments, Handelsbanken, 17 Gladstone Place, Garratts Gym and Leisure Centre, and various other commercial operations with addresses on Melville Terrace and Gladstone Place.
- 2.6 Additionally, there have been two significant residential developments within Gladstone Place Lane, being:
- Gladstone Place Lodge – substantial enlargement of the existing mews property
  - Gladstone House Apartments – change of use from modern office block to four flats and the addition of four new garages within the garden ground of Gladstone House
- 2.7 In each circumstance there has been substantial new development which sets a precedent for sympathetic new build development within this area of the Conservation Area.
- 2.8 The rear of the Property is situated c.100m from Snowden Place (the main road running East/West) and is not visible due to substantial mature tree coverage.

2.9 The historic development/removal of boundary features along the lane has, over the years, resulted in a mis-matched patchwork of developments which are unique circumstance in the overall Conservation Area.

### **Planning History**

2.10 We have conducted a review of available planning history via the Council online planning portal and there have been 2 previous applications at the address which relate to painting the Property and are not relevant to these proposals.

2.11 We provide a note of nearby planning history which are of relevance and we address why in each.

**Site Address: 13 Gladstone Place Stirling FK8 2NN**

**Application Reference and Description of Development: 18/00455/FUL and 18/00456/LBC - Alteration and conversion of coach house into domestic (lettable) accommodation**

**Approved 08 Aug 2018 but lapsed**

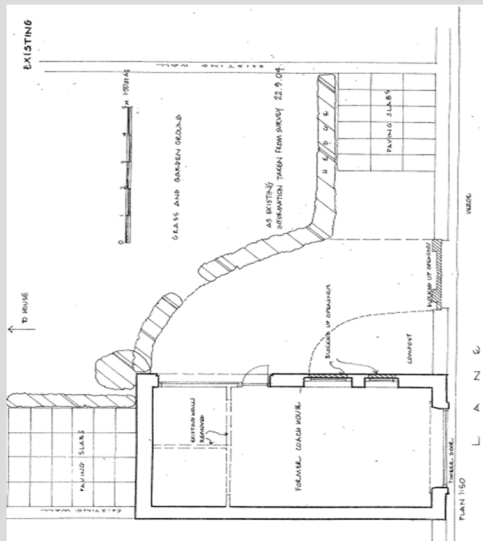
**22/00373/FUL and 22/00374/LBC - Renovation and extension of derelict coach house to form holiday let accommodation**

**Under Consideration**

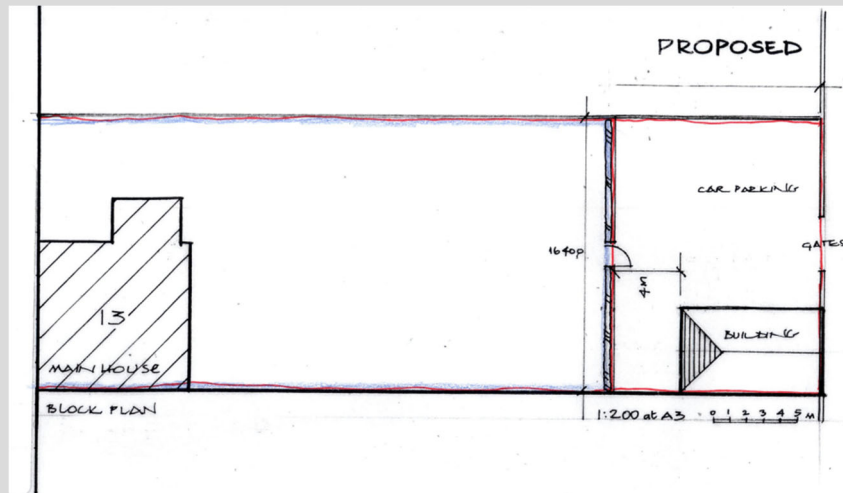
Planning Permission was granted for the significant alteration and extension the coach house at the rear of 13 Gladstone Place. Alterations the pitch of the roof being increased. In addition, the applicant proposed widening the existing access into the lane and the curtilage of 13 Gladstone Place was reduced to provide garden ground for the new dwelling and principal access was via the rear lane.

The officer commented that because there was an existing boundary treatment to separate the main building from the coach house that the proposals could be accepted.

Furthermore, the Council accepted a reduction in the curtilage of the main building.



The extract adjacent indicates the original boundary referred to in the officer's assessment – the proposals represented a significant reduction in the curtilage for the main house.



Proposed Garden Ground outlined in red on the above plan

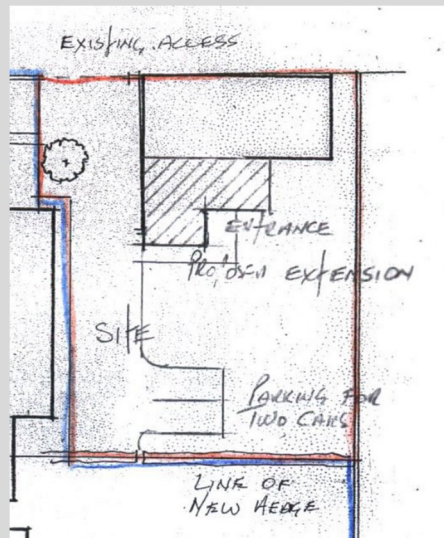
**Site Address: Land and Building to Rear Of 9 Gladstone Place Stirling**

**Application Reference and Description of Development: 13/00158/FUL and 13/00159/LBC - Proposed extension, alteration and conversion of office/boiler room to form 1 dwelling**

**Approved 07 Nov 2013**

Category C listed building within the King's Park Conservation Area. The property is accessed off Gladstone Place Lane to the rear of this site. SC approved significant extension to the elevation-facing west into the proposed garden area that almost doubled the footprint and allowed extensive new development in the curtilage of a listed building.





**Site Address: 9 Gladstone Place Stirling FK8 2NN**

**Application Reference and Description of Development: 12/00807/FUL and 12/00810/LBC - Redevelopment of offices to form 5 dwellings and erection of garage block**

**Approved 08 Aug 2013**

The proposals involved converting the modern building into 4 residential flats with associated parking to the rear of the main listed building, which is accessed off the rear lane. The proposals also included the erection of a 4-car garage block to the rear, accessed from the lane and to be used by the single house. SC accepted substantial new development within the curtilage of a listed building.

**Site Address: 3 Park Terrace Kings Park Stirling FK8 2NA**

**Application Reference and Description of Development: 06/00596/DET and 06/00603/LBC - Change of use of garage and extension to form dwelling house**

**Approved 18 Jan 2007**

No available documentation, however, this demonstrates that the Council have approved development to significantly increase the size of buildings within the lane over and above policy requirements of Policy 7.4.

**Site Address: 7 Melville Terrace Stirling FK8 2ND**

**Application Reference and Description of Development: 12/00302/FUL - Change of use from office to childcare nursery and erection of fence and exit gate**

**Approved 17 Jul 2012**

Planning permission was sought for the use of premises at 7 Melville Terrace as a childcare nursery. Planning Officer assessment states:

*The primary access to the nursery will be via the car park to the rear. Access from Melville Terrace will be discouraged.... A generous garden area and off street parking area exist to the rear of the building and the main access for staff and parents with children will be via the rear entrance and not Melville Terrace. Environmental Services (Roads) has no objection and is satisfied with the operational statement submitted in support of the application.*

Applicable to the proposals because the Council are actively encouraging access to the building via the rear lane and there is also support from their Roads colleagues.

**Site Address: Former Family Mediation Central Scotland 12 Melville Terrace Stirling FK8 2NE**

**Application Reference and Description of Development: 19/00701/FUL and 19/00700/LBC - New paths, rear landscaping, formation of rear staff car park for 4 No. cars and new rear wall opening for car park entry with electric sliding gate.**

**Approved 19 Dec 2019**

The proposals included the formation of a rear staff car park for four cars, including removing a section of the rear wall to provide a new rear wall opening for car park entry with electric sliding gate. Planning Officer assessment states:

*It is not considered that the small loss of listed wall to form the opening would severely disrupt the pattern of the back lane, and in turn impact visually on the character and setting of the Kings Park Conservation Area or this listed building. **A number of the neighbouring properties have formed rear access to the lane, which forms part of the pattern of existing development.** The wall is of historic interest and its existence in terms of the overall street pattern is important to the lane, but the minimal opening formed retains the wall to a large extent ensuring it is retained as a feature to preserve the Conservation Areas and listed buildings character and the overall contribution to the curtilage. The proposals also seek to*

*have a minimal impact upon the amenity ground available to the listed building, preserving its setting and that of the Conservation Area.*

*Overall, for these reasons the application is considered to preserve the character and setting of the Conservation Area and the listed building in accordance with Local Development Plan Policy 7.2 and 7.3.*

Applicable to the proposals because – the officer recognises that rear access to the lane forms part of the character of the Conservation Area. SC also allowing new development to the rear curtilage of a listed building.

- 2.12 We also conducted a search of Planning Applications within the Stirling Council area and found that planning permission has been granted for similar proposals which allow for contemporary interventions to a Listed Building within Conservation Areas.

**Site Address: Land and Building Adjacent and Northwest of No. 13 Kenilworth Road Bridge of Allan**

**Application Reference and Description of Development: 17/00660/FUL Proposed demolition of existing dilapidated garage and erection of dwelling**

**Approved 02 Jul 2018 at Planning Committee following site visit and hearing. There are no minutes available to review.**

Proposals included the erection of a new coach house type dwelling on an unused redundant gap site with existing dilapidated garage. Site is in the Conservation Area and adjacent to several listed buildings. The site is prominent and visible from the main road and allowed the demolition of unsightly buildings in the Conservation Area and re-build of a modern dwellinghouse in its place.



**Site Address: Kings Park House 21 Victoria Place Kings Park Stirling FK8 2QT**

**Application Reference and Description of Development: 21/00550/FUL Demolition of existing garage/outbuilding and erection of dwellinghouse**

**Officer recommended for approval however refused at Planning Committee**

The applicant sought planning permission for the erection of a dwelling house with associated landscaping, parking and site infrastructure. The proposed dwelling was to be built on the site of a former coach house and stables which was to be substantially demolished.

The coach house is Category B listed and the site sits within a Conservation Area. The officer recommended approval concerns from Historic Environment Scotland. The building

had been subject of substantial modern, and inappropriate alteration and the building had already lost significant aspects of its heritage value and could therefore be demolished.



- 2.13 The above planning history search confirms that Stirling Council have accepted demolition and re-build within the curtilage of listed buildings and within Conservation Areas.

### 3 Pre-application Discussions

- 3.1 SJM submitted a request for pre-application advice to the Council (ref PREAPP-2021-0277). A planning officer provided a response on the 17 December 2021. A copy of this is included at Appendix 2. Further to obtaining feedback SJM amended the proposals by reducing the proposed dwellings to one and reducing the footprint of the proposed dwelling to fit within that of the existing car garages and driveway. A further pre-application advice request was submitted (Ref PREAPP-2022-0099) and a response was issued 9<sup>th</sup> May 2022, we include this at Appendix 3.
- 3.2 It is important to note that the planning officers' comments were made without the benefit of a site visit.
- 3.3 We summarise the feedback received below and provide a brief response; further detail is contained within our report.

#### Principle of Development

- The garages currently allow access via the lane for 3 cars.
- The demolition of the garages would be considered acceptable.

- Policy 7.4 details how new development will not generally be supported within the garden and grounds of existing buildings or if served by rear access lanes. The proposals are contrary to Policy 7.4 and the principle of development is not founded and cannot be supported.
- 3.4 Response – Policy 7.4 does not prohibit development it seeks to control inappropriate development therefore the principle of development should be the determining factor and this Planning Statement provides thorough assessment and justification.
- The creation of a dwelling and associated garden ground significantly changes the nature of the site and the back lane which would be to the detriment of the Category B listed building and the wider conservation area.

- 3.5 Response – The site is designated ‘white land’ on the Proposals Map of the adopted Local Development Plan and therefore the principle of residential use is appropriate. Gladstone Place Lane is a single street which currently provides principal access for business, residential properties and is the principal address for 4 properties. The addition of a residential dwelling at this location will not affect the character of the lane. Furthermore, Stirling Council have approved proposals which significantly reduce the area of garden ground at other Listed Buildings adjacent to the site.

#### Design

- The officer commends the design and accepts it is high quality. But concludes the design is not appropriate for the site of location (in the curtilage of a listed building and access via a lane).
  - The scale of the development significantly reduces the curtilage of 11 Melville Terrace and would adversely affect the spatial qualities of the area.
  - The development will appear intrusive in the land to the detriment of the Conservation Area.
- 3.6 Design Response – our client has instructed SJM Architects who are specialists in heritage design and we refer you to the accompanying Design Statement which details how appropriate the architecture proposed is and how it will sit within the existing footprint of the current building and hardstanding.

#### Impact on Listed Building

- The development as discussed would reduce the garden space for no 11 Melville Terrace.
- 3.7 Response – the garden area would not be affected as we are using the footprint of the garage and hardstanding.
- The scale of the development and proximity to the listed building would also adversely affect the setting of the Listed Building contrary to Policy 7.3

3.8 Response – this comment is unsubstantiated, and we fail to see how the high quality sympathetic design using materials accepted in historic settings adversely impacts the setting particularly as the proposals will include the demolition of 3 garages which are currently harming the setting. We provide a robust response to this in our assessment of policy below.

#### Conservation Area

- The proposals would significantly detract from the valued character and setting of the conservation area (Policy 7.2)

3.9 Response – the officer has failed to adequately understand the character of the Conservation Area and Gladstone Terrace Lane in particular. We address this in our response to Policy 7.2 below.

#### Transport

- The officer suggests contacting the Transport Development Team in respect of access and parking requirements

3.10 Response – SJM will make approach to said team. It is important to note Transport Development have not objected to any proposals for principal access via Gladstone Terrace Lane nor have they objected to proposals for car parking in rear curtilage of Listed Buildings within Melville Terrace.

#### Ecology

- A Bat Survey is required

## **4 Proposals**

4.1 This section should be read alongside the Design Statement and full suite of planning drawings prepared in support of the submission. We also provide extracts from the supporting drawings below.

4.2 The applicant has engaged an architect that specialises in conservation and adaption of historic buildings and is adept at designing new architecture within sensitive settings.

4.3 The proposed development includes the demolition of the existing unsightly garages at the site which currently detract from the character, appearance and setting of the Conservation Area. There is no possibility of retrofitting the existing garages for residential accommodation given they have not been built to appropriate building standards. An application requesting Conservation Area Consent to demolish the existing buildings has been submitted to SC in tandem with this planning application.

4.4 The proposal is for a single residential property in a mews house style which is intended to be rented out by the Client. The mews will comprise a 1 and 1/2 storey building, with living

accommodation on the ground floor and two bedrooms on the first floor. The Client is proposing a bespoke contemporary design which meets their client requirements whilst also responding to the unique character of the Conservation Area.

- 4.5 The proposed Mews will be rectangular in shape and will sit within the footprint of the existing garages.
- 4.6 The supporting drawings and visualisations demonstrate that the proposed development, whilst being a modern intervention would sit well within the existing context.
- 4.7 The building will be constructed using sustainable products, high quality materials and finished to a high standard. We have taken reference from modern extensions within the area, and wider new build developments that have gained planning permission in the area. The design is found to mix well within the existing historic landscape.
- 4.8 See elevation drawing and Design Statement for more detail.

## **5 Development Plan and Justification**

- 5.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that *“where in making any determination under the planning act regard is to be had to the Development Plan, the determination shall be in accordance with the plan unless material considerations indicate otherwise”*.
- 5.2 In addition, under the terms of Section 59 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, the Council is required to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 64 of the same Act requires the Council to pay special regard to any buildings or other land in a Conservation Area, including the desirability of preserving or enhancing the character or appearance of that area.
- 5.3 This section of the Planning Statement provides an assessment of the relevant provisions of the Development Plan, Supplementary Guidance (“SG”) and associated Material Considerations.
- 5.4 While SG forms part of the Development Plan and has statutory status; it is important to keep in mind this is simply design guidance and flexibility can be used when responding to individual site requirements. It also ensures the principal of “each case is determined on its own merits” is applied in the decision-making process.

### **Stirling Council Local Development Plan (2018)**

- 5.5 The Development Plan for the area is the Stirling Council Local Development Plan 2018 (LDP) and its supporting Supplementary Guidance. The Proposal Site is not designated for a specific use and is therefore ‘white land’ within the urban area and therefore residential



use is acceptable. From the feedback received from Council Officers previously, the following policies of the LDP are relevant.

**Primary Policy 1 Placemaking**

5.6 Primary Policy 1 requires new development to make a positive contribution to quality of the surrounding built and natural environment. We have assessed the proposals against these below.

<u>Primary Policy 1</u>	<u>Response</u>
<i>Be designed and sited, not only with reference to their own specifications and requirements, but also in relation to the character and amenity of the place, urban or rural, where they are located.</i>	The proposals relate well to the existing density and pattern of development (again, as evidenced in the visualisations provided by SJM). The footprint of the Proposed Development is broadly in line with the existing hardstanding and garages combined and the height and massing are also found to be appropriate and reflective of other mews properties in the immediate area being 1.5 storey. Furthermore, all residential properties along the Lane have vehicle and pedestrian access directly onto the lane also.
<i>Be of quality, having regard to any relevant design guidance, landscape character guidance, Conservation Area Character Assessments and Settlement Statements.</i>	The accompanying Design Statement provides thorough justification for this contemporary design which responds well to the historic area.
<i>Be located so as to reduce the need to encroach onto greenfield sites and to maximise sustainability benefits. Developments should utilise vacant and under-used land and buildings within settlements at higher densities where appropriate.</i>	The application site is located within the settlement boundary in an area proposed for residential and commercial development. The site is also accessible by public transport and on foot.
<i>Safeguard and enhance built and natural heritage, contribute to the implementation of the Council's Open Space Strategy and Green Network objectives, and respect the Green Belts.</i>	The accompanying Design and Access Statement addresses this fully. We can confirm the proposals will not negatively impact the surrounding area.

<p><i>Have minimal adverse impact on air quality. Air quality assessments and appropriate mitigation measures will be required for any proposed development which the Council considers may significantly impact upon air quality, either on its own or cumulatively.</i></p>	<p>The proposals will not impact on Air Quality and the planning officer has made no recommendations for the applicant to consider this in detail.</p>
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### Policy 1.1 Site Planning

5.7 This Policy sets out the Councils' requirements for all new development to meet. We have assessed the proposals against those relevant below. We direct SC to the Design Statement which provides more justification in terms of site planning.

<u>Policy 1.1</u>	<u>Response</u>
<p><i>The siting, layout and density of new development should; contribute towards or create coherent structure of streets, spaces and buildings; respect, complement and connect with its surroundings; be safely accessed; and create a sense of identity within the development.</i></p>	<p>The development area sits within the footprint of existing development at 11 Melville Terrace. The design of the mews property reflects other comparable properties in the area. The access is via the rear lane which is accepted by SC in this location.</p>
<p><i>All new development should consider and respect site topography, and any surrounding important landmarks (built or natural), views or skylines.</i></p>	<p>Please see the submitted Design Statement for more detail in this regard. The proposals sit discretely behind the boundary wall and do not impede on views along Gladstone Place Lane.</p>
<p><i>The design should be appropriate to both any building to which it relates, and the wider surroundings in terms of appearance, position, height, scale, massing, and should use materials, finishes and colours which complement those prevalent.</i></p>	<p>Please see the submitted Design Statement for more detail in this regard.</p>
<p><i>In urban settings in particular, buildings should be positioned so as to respect an existing building line or establish one</i></p>	<p>Please see the submitted Design Statement for more detail in this regard.</p>

<i>where none exists. Thereafter, access, uses and orientation of principal elevations should reinforce the street or areas of open space.</i>	
<i>All buildings, streets and open spaces should be considered and designed in a manner so as to create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport. Any core path established rights of way, and other important access routes should be protected and retained.</i>	Not applicable to these proposals.
<i>It should be demonstrated that buildings and spaces have been designed with future adaptability in mind wherever possible and appropriate.</i>	Not applicable to the proposals however the mews is easily adaptable and could (subject to granting of planning permission) be suitable for various uses.
<i>Existing buildings, structures and natural features that contribute to local townscape and biodiversity should be retained and sensitively integrated into proposals.</i>	The proposals will not involve loss of existing buildings or structures. The rear boundary wall will be reinstated re-using historic stone where possible.
<i>Consider and plan for how the development will be serviced including the potential for heat networks and ensuring that adequate space is given to facilitating recycling and the storage of waste bins.</i>	The servicing and waste arrangements will match those existing residential and commercial properties on Gladstone Place Lane.

5.8 The proposals fully comply with Policy 1.1 Placemaking

**Supplementary Guidance 01: Placemaking**

5.9 This Supplementary Guidance (“SG”) supports Policy 1 by providing detailed guidance on all aspects of site planning and design. The supporting Design Statement details the approach taken to the concept design and how we confirm with the requirements of SG1 Placemaking.

### **Policy 2.11: Houses in Garden Ground/Curtilages**

- 5.10 Policy 2.11 is relevant as it sets out privacy requirements for properties in garden ground of existing dwellings. We respond to specific requirements in terms of settlements within Conservation Areas and / or the grounds of Listed Buildings further in this section.
- 5.11 The proposed development follows an established building pattern of buildings located at the rear of garden ground. It sits within the footprint of the existing garage and does not breach existing scale and massing of properties immediately adjacent.
- 5.12 The remaining curtilage apportioned to 11 Melville Terrace will be generous and this is illustrated in the accompanying section plans.
- 5.13 The property is located within a high density location and rear gardens already experience a level of overlooking. The proposals have been designed to allow maximum solar gain whilst preventing idling at windows. Furthermore, the applicant would welcome a discussion on planning to soften the proposed boundary fence.
- 5.14 Given the topography of the site the proposed new dwelling will have a private amenity garden to the rear of the property.
- 5.15 The existing boundary wall will be reinstated using existing stone where possible and new to match. The wall will also include access for pedestrians and cars.
- 5.16 The proposals accord with the requirements of Policy 2.11.

### **Policy 3.1: Addressing the Travel Demands of New Development**

- 5.17 Policy 3.1 seeks to ensure that proposed developments are accessible, sustainably located and connects to existing travel options.
- 5.18 The proposed mews property is in an accessible position being adjacent to bus service, also easily accessible on foot and by bike. The proposals also include for parking for 2 cars.

### **Primary Policy 4: Greenhouse Gas Reduction**

- 5.19 The Council support energy-efficient, low emission, climate-adapted development. Primary Policy 4 contains criteria which all new development should meet in the council's approach to reduction in greenhouse gas emissions.
- 5.20 The proposals comply with Primary Policy 4 being the proposal site is located adjacent to existing public transport, which can be accessed on foot and by bike.
- 5.21 The proposals are not expected to generate significant levels of traffic, nor would they give rise to an increased reliance on vehicular transport. The proposed accommodation will provide alternative accommodation options aimed at tourists or for single person/couple occupation on a long term rent basis. The tenure is to be established at this point. Should

the premises be proposed for holiday let then we would obtain necessary planning consents if required.

#### **Policy 4.1: Low and Zero Carbon Buildings**

5.22 Policy 4.1 requires all new buildings to be designed so that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards\* is met by the installation and operation of low and zero-carbon generating technologies.

5.23 While constrained by the existing site and heritage assets the client and design team recognise the importance of protecting and improving the environment and aim to adopt best practice sustainable design and construction principles when possible. Complying as a minimum with relevant energy and sustainability legislation, while promoting the use of locally sourced materials and services/labour, and responsible waste management. To meet these commitments the proposal endeavours to:

- Challenge the brief for spatial efficiency to reduce consumption of resources and limit carbon emissions during construction; Maximise natural light, orientation and adopt a fabric first approach to limit energy demand, running costs and carbon emissions in use;
- Enhance the sites natural assets to support biodiversity;
- Improve infrastructure to facilitate responsible waste management in use;
- Consider renewable building services strategies (noted below) to minimise fossil fuel consumption in use.

5.24 Further details in response to Policy 4.1 are contained within the Design and Access Statement. We are confident the proposals meet the aspirations of this Policy.

#### **Primary Policy 7: Historic Environment**

2.14 The Property is Category B Listed, and we attach a copy of this listing at Appendix 1. We summarise the Statutory Description below:

*“Early 19th century. 2-storey and basement, 4-window semi-detached, whin ashlar, twin arched fanlight doorpieces. One chimney removed, slated roof.”*

2.15 To summarise the special characteristics are focussed on the front of the historic property fronting Melville Terrace.

5.25 Primary Policy 7 seeks to safeguard, preserve and enhance the historical assets and developments and proposals that would have a negative impact on these assets will not normally be supported. On this basis we can ascertain that the consideration of this application is whether this new build proposal will preserve the character and setting of the main listed building and will preserve or enhance the character, appearance and setting of The Kings Park Conservation Area.

5.26 It is important to note that policies 7.2 and 7.3 do not specifically preclude development and specifically state that development which protects or enhances Conservation Areas and buildings or other built heritage of special architectural or historic interest will be supported.

5.27 The use of the site for housing is acceptable given the site designation as 'White Land' in the adopted Proposals Map.

**Policy 7.2: Development Within and Outwith Conservation Areas**

5.28 Policy 7.2 seeks to ensure that development in the conservation area preserves or enhances its character, appearance and setting.

5.29 The garages proposed for demolition are contemporary addition and detract from the wider setting and can be considered to cause harm to the Conservation Area. The focus of the listing as identified above is 11 Melville Terrace and the frontage to the street.

5.30 The Kings Park Conservation Area Character Appraisal (2014) confirms the Site is located within the Allan Park and St Ninians Road Character area as defined by Figure 12 in the Appraisal. The summary of significance states "*An excellent example of coherent planning with large 2-storey detached and semi-detached villas set within their own garden plots defined by stone walls.*" And Table 1 lists the key characteristics. Table 1b lists potential detrimental vulnerabilities which include "*pressure for development leading to erosion of garden ground, loss of trees and historic service lanes*".

5.31 The proposals will not result in the erosion of garden ground given that the proposals intend to take the footprint of the existing garages and hardstanding. Furthermore, the proposals will not amend the existing boundary wall to the north and south and will see the original rear boundary wall reinstated using stone to complement the historic wall. The service lane in this instance is not mentioned in the Appraisal and it is already a heavily used road for access to 5 residential properties and is unique when compared to other service lanes in the area.

5.32 The above illustration clearly shows the proposal will sit well behind the reinstated boundary wall with the top ½ storey visible. It is proposed that a mix of materiality will complement the area and we intend to use

5.33 We feel strongly these would sit well within the existing characteristics of the lane and demonstrate compliance with Policy 7.2.

**Policy 7.3: Development Affecting Listed Buildings**

5.34 Policy 7.3 part a) requires the layout, design, materials, scale, siting and use of any development must preserve the character of the Listed Building and its setting, and demolition will be opposed if it would adversely affect the special interest of a building or its setting. This does not mean that design solutions should necessarily be traditional, but

a contemporary approach should be appropriate and not compete with the traditional characteristics that are important in the area.

- 5.35 It is considered the proposals present a contemporary take on a traditional mews property and the integrity of the Listed Building is maintained by ensuring that the new building is subordinate in scale/massing to the listed building and does not compete with it. This design impact on the Conservation Area has also been mitigated by setting the build back from the boundary wall and reducing the mews to 1.5 storey to ensure an appropriate massing and scale. As a result, the proposal does not interfere with views of the listed building or disrupt formal approaches, preserving the setting of the listed buildings either side.
- 5.36 The materials are in keeping with the historic setting of the listed building, along with the extent of glazing that will lessen its massing and impact.
- 5.37 In terms of urban structure, the proposals are considered to preserve the character of the Conservation Area as views to the building from south of Gladstone Place Lane would be broadly similar primarily similar views. See illustration below from the Design Statement



Looking south along Gladstone Place Lane towards Snowdon Place with the proposals in situ on the left-hand side to the rear of 11 Melville Terrace. Gladstone Place Lodge s visible to the right hand side.

- 5.38 Given the above, it is considered the overall impact is one of preservation of the wider context and appropriate for the streetscape and the wider Conservation Area setting. The proposals are of an appropriate scale whereby views will not be adversely impacted, and existing mature trees will continue to obscure views through the lane. The proposals will not impact the character given in the Appraisal.
- 5.39 Furthermore, demolition of the garages has been accepted by SC in the pre-app advice request at Appendix 1 and 2.

5.40 The proposals fully comply with Policy 7.3.

**Policy 7.4: Development in Gardens/Curtilages Within Conservation Areas**

5.41 The clear aim of Policy 7.4 is to protect heritage assets from inappropriate development. However, it does not preclude development as it states, “*new development will not generally be supported within the gardens and grounds of existing buildings or if served by rear access lanes.*”

5.42 As set out above, and as per the visualisations, the Proposed Development represents a unique opportunity and circumstance to address an incongruous feature of the existing locality and fulfil the aim and objective of Policy 7.4 (noting that five properties are already accessed via the Lane, which have been developed within the garden ground of properties Gladstone Place) sympathetically and respectfully.

5.43 The Proposed Development will replace hardstanding and existing redundant buildings that are set within the garden grounds of an existing building. We note the principle of development within garden grounds is not generally supported by the Council. However, we request that the Council keep in mind the unique circumstance in this situation, being that we are building over the existing footprint of existing development, and no garden ground will be lost. We have also outlined the existing qualities of the immediate surroundings in earlier sections above and how these unique characteristics are at odds from the general observations set out within the Conservation Area Appraisal for Kings Park.

5.44 The proposed mews property will not harm the character and appearance of the main building at 11 Melville Terrace the existing boundary to the garden ground will remain and the proposed new infill will complement the historic sandstone in situ.

5.45 We feel strongly that removal of the existing garages which are to a degree historic by virtue of them having been in existence over a substantial period, and their replacement with a sympathetically designed single mews property could be allowed as a minor departure from the Development Plan.

5.46 The Conservation Area Appraisal for the Kings Park area outlines the Councils concerns that the area can suffer from pressure to develop garden ground, resulting in the loss of trees and historic service lanes. The loss of historic fabric used for boundaries. The erosion of boundaries and or garden ground through extension of properties and /or the creation of parking, hardstanding and garaging.

5.47 The Proposed Development will see no increase in garden ground being developed, the development footprint is broadly the same as the existing garages and hardstanding combined. Gladstone Place Lane is already used for access to residential and commercial properties and there will be no change as a result of the Proposed Development. There will be no loss to mature trees, nor will the boundary wall be eroded.



5.48 The subdivision of the site to form the new plot takes on a similar pattern as the subdivision at 12 and 14 Melville Terrace and 9 Gladstone Place leaving the existing house with a large garden area similar to neighbouring sites.

#### **Supplementary Guidance Historic Environment**

5.49 This SG provides further guidance on the treatment of external areas, boundaries, parking areas and will be reviewed in the accompanying Design Statement.

## **6 Material Considerations**

### **Scottish Planning Policy (2014)**

6.1 Scottish Planning Policy 2 (“SPP”) was published on 23rd June 2014. It sets out national planning policies which reflect Scottish Ministers’ priorities for the operation of the planning system and for the development and use of land. SPP contains the core principles and objectives for the operation of the planning system. Promoting sustainable economic growth is the overarching priority of the Scottish Government.

6.2 Paragraph 2 of SPP states that “planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources”.

6.3 SPP states that the layout, design, materials, scale, siting and use of any development which will affect a listed building, or its setting should be appropriate to the character and appearance of the building and setting.

6.4 In response to the above, we have demonstrated in this Planning Statement that the proposals will not affect the wider setting in any way.

### **Historic Environment Policy for Scotland (2019)**

6.5 The Historic Environment Policy for Scotland (HEPS) establishes the national policy in respect of the historic environment and contains policies, underpinned by core principles, for managing change in the historic environment.

6.6 Policy HEP 1 requires that decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance. This national policy seeks to promote positive and managed change.

6.7 Policy HEP 4 also requires that opportunities for enhancement should be identified where appropriate. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place if required. HEP4 recognises that change is inevitable and can be necessary.

6.8 The above provisions are supplemented by Historic Environment Scotland’s Managing Change in the Historic Environment series. The Managing Change document on Setting

defines setting as the way in which the surroundings of a historic asset contributes to how it is experienced, understood and appreciated, and indicates that the setting of a historic structure often extends beyond the immediate property boundary of that structure into the broader landscape.

### **Planning Advice Note 71 Conservation Area Management**

- 6.9 This Planning Advice note states “*Physical change in conservation areas does not necessarily need to replicate its surroundings. The challenge is to ensure that all new development respects, enhances and has a positive impact on the area.*”

### **New Design in Historic Settings’ (2010)**

- 6.10 This document states as section 3, “*the historic centres of Scotland’s towns and cities, burghs and villages exemplify the use of local or indigenous materials and vernacular traditions in establishing their distinctive identity. In these locations, high quality sustainable materials, well-detailed and finished will tend to harmonise with traditional building stock. The sensitive use of appropriate colour, texture and pattern of materials, whether traditional or contemporary, is also important. their use and detailing, particularly near to open landscapes, is crucial in making a development stand out or blend in.*”
- 6.11 In accordance with the principles of ‘New Design in Historic Settings,’ (2010) - our proposals are different and distinguishable from the main building, in terms of design. In addition, the highest quality materials are specified. The proposals will have no effect on any traditional architectural features
- 6.12 The proposals will see a contemporary take on the expected and will contrast the original building fabric in accordance with the principles of ‘New Design in Historic Settings’ (2010).

## **7 Conclusion**

- 7.1 This Planning Statement has demonstrated via a robust analysis of all valid policy that the proposals generally accord with the requirements of the adopted Local Development Plan and associated Supplementary Guidance. Where departures from the plan are proposed, material considerations have been illustrated.
- 7.2 The proposals will not prejudice from the prevailing character and appearance of 11 Melville Terrace. We have demonstrated above how this pocket of the Kings Park Conservation Area is unique and set apart from other mainly residential areas. The lane is an access for many residential and commercial business and development to the rear curtilage of buildings is already a common occurrence. Introducing new development in this location would not be uncharacteristic.
- 7.3 The design and use of materials are contemporary in this historic setting; however, this is an accepted practice by Scottish Government, Historic Environment Scotland and indeed

has been permitted by Stirling Council elsewhere as demonstrated in our planning history review above.

- 7.4 The scale of the Proposed Development will not affect the curtilage of 11 Melville Terrace and will have a positive effect on the spatial qualities of the area. The development will also sit well within the Gladstone Place Lane as demonstrated above and within the supporting documents. Furthermore, the mews will provide a contemporary reflection of Gladstone Lodge adjacent The Proposed Development accords with the principles of Policy 7.2 and 7.3.
- 7.5 The proposed development would contribute positively to the valued character and setting of the Kings Park Conservation Area. Also, in accordance with Policy 7.2.
- 7.6 The proposals are a thoughtful and well-designed development that relate well.
- 7.7 For the reasons set out above and in all other supporting documentation, it is considered that planning permission and Listed Building Consent should be approved.

# Appendix 1

## Address/Name of Site

**MELVILLE TERRACE 11, 12LB41357**

Status: Designated

## Jump To:

- [Documents](#)
- [Summary](#)
- [Description](#)
- [Statement](#)
- [References](#)
- [About](#)
- [Images](#)

## Documents

There are no additional online documents for this record.

## Summary

### Category

B

### Date Added

04/11/1965

### Local Authority

Stirling

### Planning Authority

Stirling

### Burgh

Stirling

### NGR

NS 79518 92795

### Coordinates

279518, 692795

## Description

Early 19th century. 2-storey and basement, 4-window

semi-detached, whin ashlar, twin arched fanlight doorpieces.

One chimney removed, slated roof.

# References

## Bibliography

Site taken but not built on in Wood.

## About Listed Buildings

Historic Environment Scotland is responsible for designating sites and places at the national level. These designations are Scheduled monuments, Listed buildings, Inventory of gardens and designed landscapes and Inventory of historic battlefields.

We make recommendations to the Scottish Government about historic marine protected areas, and the Scottish Ministers decide whether to designate.

Listing is the process that identifies, designates and provides statutory protection for buildings of special architectural or historic interest as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

We list buildings which are found to be of special architectural or historic interest using the selection guidance published in [Designation Policy and Selection Guidance \(2019\)](#)

Listed building records provide an indication of the special architectural or historic interest of the listed building which has been identified by its statutory address. The description and additional information provided are supplementary and have no legal weight.

These records are not definitive historical accounts or a complete description of the building(s). If part of a building is not described it does not mean it is not listed. The format of the listed building record has changed over time. Earlier records may be brief and some information will not have been recorded.

The legal part of the listing is the address/name of site which is known as the statutory address. Other than the name or address of a listed building, further details are provided for information purposes only. Historic Environment Scotland does not accept any liability for any loss or damage suffered as a consequence of inaccuracies in the information provided. Addresses and building names may have changed since the date of listing. Even if a number or name is missing from a listing address it will still be listed. Listing covers both the exterior and the interior and any object or structure fixed to the building. Listing also applies to buildings or structures not physically attached but which are part of the curtilage (or land) of the listed building as long as they were erected before 1 July 1948.

While Historic Environment Scotland is responsible for designating listed buildings, the planning authority is responsible for determining what is covered by the listing,

including what is listed through curtilage. However, for listed buildings designated or for listings amended from 1 October 2015, legal exclusions to the listing may apply.

If part of a building is not listed, it will say that it is excluded in the statutory address and in the statement of special interest in the listed building record. The statement will use the word 'excluding' and quote the relevant section of the 1997 Act. Some earlier listed building records may use the word 'excluding', but if the Act is not quoted, the record has not been revised to reflect subsequent legislation.

Listed building consent is required for changes to a listed building which affect its character as a building of special architectural or historic interest. The relevant planning authority is the point of contact for applications for listed building consent.

Find out more about listing and our other designations at [www.historicenvironment.scot/advice-and-support](http://www.historicenvironment.scot/advice-and-support). You can contact us on 0131 668 8914 or at [designations@hes.scot](mailto:designations@hes.scot).

## Images

There are no images available for this record, you may want to check Canmore for images relating to **MELVILLE TERRACE 11, 12**

Filename: Document1  
Directory:  
Template: C:\Users\tracy\AppData\Roaming\Microsoft\Templates\Normal.dot  
m  
Title:  
Subject:  
Author: Tracy Hughes  
Keywords:  
Comments:  
Creation Date: 25/06/2022 15:54:00  
Change Number: 1  
Last Saved On:  
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# Appendix 2



PER Studio SJM Architects  
Wraysbury  
Watt Road  
Bridge Of Weir  
PA11 3DN

<b>Reference No:</b>	PREAPP-2021-0277	<b>Date Received:</b>	17 December 2021
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### Address/Location of the proposed development

Land And Buildings At 11 Melville Terrace Stirling

### Description of the proposed development

Demolition of three modern garages and the construction of 3 high quality mews style houses on to the lane to the rear of 11 Melville Terrace and conversion of historic coal shed into workspace/studio flat

### Date of Site Visit (if required):

### Site Constraints:

Article 4 Directions,

## Planning Policy and Material Considerations

### 1.1 Placemaking

This policy details that new development is required to contribute, in a positive manner, to quality of the surrounding built and natural environment.

### 3.1 Addressing the Travel demands of New Development

This policy seeks to ensure that proposed developments are assessable, sustainably located and connect to existing travel options.

### 7.2 Development within and outwith Conservation Areas

This policy seeks to ensure that development in the conservation area seeks to preserve or enhance its character, appearance and setting.

### 7.3 Development affecting Listed Buildings

The policy states that the layout, design, materials, scale, siting and use of any development must preserve the character of the Listed Building and its setting.

## 7.4 Development in Gardens/Curtilages within Conservation Areas and around Listed Buildings

This policy seeks to preserve or enhance the historic, architectural and landscape qualities of Conservation Areas and Listed Buildings and their settings.

SG: Placemaking

SG: Addressing the Travel demands of New Development

Kings Park Conservation Area Appraisal

### Officer Assessment

#### Overview

Pre-application advice is sought to find out the theoretical view on a proposal to knock down 3no. modern garages and erect 3no. high quality, mews style houses. Advice is also sought about the theoretical view to convert a historic coal shed into a workspace/studio flat.

The application site for the 3no. dwellings is at the rear of 11 Melville Terrace and will be accessed via the rear lane, whilst the studio/annex is sited to the north of 11 Melville Terrace, adjacent to the boundary wall. The site is located in a residential area of Stirling, the host dwelling is Grade B listed and is located in the Kings Park Conservation Area.

Assessment.

Mews style housing

#### Principle

The existing garages can host 3no. vehicles, are linked and have a flat roof. It is accessed off the rear lane and it not considered to be a high quality building in the context of the conservation area. Therefore, the demolition of the garages would be considered acceptable.

The proposed development comprises 3no. mews style houses that will have off street parking, 2no. bedrooms and private garden area. The houses would be considered 'development in gardens/curtilages within a conservation area and around Listed Buildings' which is managed under Policy 7.4 of the Stirling Local Development Plan. The policy details how new development will not generally be supported within the garden and grounds of existing buildings or if served by rear access lanes. The policy goes on to detail how the sympathetic conversion, adaption or extension of existing properties or ancillary buildings of character where the development would preserve the character and appearance of the original building, setting and surrounding area, alongside small scale ancillary buildings would be acceptable. The proposed development fails to meet any of these criteria, it is also both in the garden grounds of an existing property and served by a rear access lane, as such the principle of development is not founded and cannot be supported.

#### Design

The design of the properties is 2 storey, Mews style housing with gable roofs, the massing has been broken down with part of the principle elevation being set back from the lane. The properties will also feature a single storey, flat roofed projection to the rear, they will all have integral garages, fenestrations to the front and rear elevations and roof lights. The principle elevations will be a mix of smooth Ashlar blonde sandstone and zinc cladding with the pedestrian and garage access doors being oak timber. The rear elevations and roof will be zinc, the fenestrations will also be timber framed. The overall development is well designed and appears to be high quality housing. However, this development is not suitable for the site or location. It is sited in the curtilage of a listed building and is accessed via a rear access lane, which is contrary to Policy 7.4.

The scale of the development significantly reduces the curtilage of 11 Melville Terrace, and coupled with the curtilages of the proposed dwellings, the overall development would adversely affects the spatial qualities of the area. The development will also appear very intrusive in the lane, all of which is to the detriment of the character and appearance of the Listed Building and Kings Park Conservation Area, which is contrary to Policy 7.2 and 7.3.

#### Listed Building Impact

The proposed development will be located in the rear garden area of 11 Melville Terrace which is Grade B listed. The development as discussed above would reduce the garden space for no. 11 Melville Terrace. The scale of the development and proximity to the listed building would also adversely affect the setting of the Listed Building which is contrary to Policy 7.3.

### Conservation Area Impact

The Kings Park Conservation Area Appraisal details that the area is characterised by large, detached and semi-detached villas that are set within their own garden plots defined by stone walls. The proposed development would significantly detract from this valued character and setting of the conservation area. As discussed above the location of this development would be detrimental to the character, appearance and setting of the Kings Park Conservation Area, contrary to Policy 7.2.

Collectively, the proposed development fails to comply with Policies 7.2, 7.3 and 7.4 of the Stirling Local Development Plan.

### Transport

If you are to pursue this development I would recommend contacting the transport development team in regards to the access requirements of the site.

### Studio/annex

#### Principle

The second part of the proposal comprises a studio/annex building that lies north of no.11 Melville Terrace, adjacent to the side elevation of the property. Again this would be considered a 'development in gardens/curtilage within a conservation area and around Listed Buildings' which is managed under Policy 7.4 of the Stirling Local Development Plan. The policy goes on to detail how the sympathetic conversion, adaption or extension of existing properties or ancillary buildings of character where the development would preserve the character and appearance of the original building, setting and surrounding area, alongside small scale ancillary buildings would be acceptable. This proposal seeks to convert and extend an existing ancillary building of character.

The design statement details the building will be converted to either a studio apartment or small business space. The conversion to a studio/annex space that would be used ancillary to the main dwelling house would be acceptable in principle. However, the design statement does not specify if this would be ancillary or the intension is to let this space out, for example as a holiday let, permanent residence or a commercial office space. If an application was made for this development, additional details of the definitive use of the building would be required and this may require a change of use and the consideration of other Policies from the Local Development Plan. If the proposed use of the building was considered acceptable we would potentially include an occupancy restriction on the building.

It is also noted that a conversion to commercial use would potentially raise the following issues:

- The separation from the main house
- Access requirements
- Parking Requirements
- Signage
- Amenity impacts

Overall, due to the arbitrary description, it cannot be concluded if this conversion would be acceptable.

#### Design

This part of the development also involves extending the coal shed. The scale of the extension raises some concerns. The extension would have the same ridge height as the existing coal shed, and the principle elevation would project forward of the principle elevation of the coal shed. As such, it fails to achieve the subservient design we would expect for an extension. It would appear incongruous and intrusive which detracts from the character of the coal shed. Therefore the development fails to preserve or enhance the character and appearance of the building, contrary to Policy 7.4.

The design of the conversion seeks to repair and upgrade the existing stone wall and slate roof and erect an extension to the rear elevation. The extension would be finished in either timber or zinc cladding with a slate roof, seeking to distinguish between old and new, whilst still integrating the development. The chosen materials would be considered acceptable as it creates a distinction in the development without competing with the historic nature of the building and setting. However, this pallet of materials would have to be balanced by a smaller scale extension to achieve the overall design/finish we would expect.

#### Listed Building Impact

The proposed development would be adjacent to the side elevation of the listed building, no.11 Melville Terrace. The coal shed traditionally would be ancillary to the main dwelling house, therefore any proposed development should not give prominence to the building or compete with the dwelling house. The proposed extension increases the prominence of the coal shed, whilst not necessarily

competing with the host dwelling, it does compete with the coal shed and the ancillary nature of this building. As such, would be considered detrimental to the character and setting of the listed building, contrary to policy 7.3.

#### Conservation Area Impact

In regards to the conservation area, the annex/studio would be confined behind the boundary wall and as such would be screened from public vantage points. As recognised above the scale of the extension is considered to be too large, however in the context of the wider conservation area it is relatively small and would not disrupt the spatial qualities of the area. Subject to the design of the proposed door in the boundary wall, on balance the development could be considered to preserve the character and appearance of the conservation area.

#### Transport

Depending on the intended use of the unit, there will likely be off street parking requirements for the development. Details of this can be found in our SG: Transport and Access for New Development.

### **Potential Consultees and Contributions**

Transport Development Team  
Conservation Officer  
Historic Environment Scotland  
Environmental Health

### **Additional Information Required**

If you are to progress with the application would likely request a Bat Survey due to the demolition and condition of the buildings.

We would also request a structural survey for down takings of gable wall of the coal shed.

#### Recommendations

- It is unlikely the proposed new style housing development would be acceptable in any scale, form or design due to the location.
- The conversion of the coal shed may be acceptable if the use is considered to be ancillary to the main dwelling house, whilst the extension is also reduced in size to create a more subservient appearance.

### **Conclusion**

Overall, it is considered that the proposals do not comply with Policies 1.1, 7.2, 7.3 and 7.4 of the Stirling Local Development Plan 2018 and as such would likely be refused.

### **Advisory Note**

Early engagement with Stirling Area Access Panel (SAAP) is encouraged, especially if your proposal is regarding buildings used by the public (e.g. leisure facilities, transport hubs, shops, cafes etc.). SAAP are able to provide feedback and suggestions regarding specific design elements of a proposal, and highlight any accessibility implications or issues that could be addressed prior to the submission of a planning application. More information on SAAP can be found at:  
[www.stirlingareaaccesspanel.org.uk](http://www.stirlingareaaccesspanel.org.uk)

**Response provided by Sarah Maguire, Planning Officer on 3 February 2022**

### **Making a Formal Application**

Should you wish to submit a formal application in due course, you can do so online using the link below:

### **Disclaimer**

While we will make every effort to ensure that any pre-application advice is as accurate and comprehensive as possible, any advice given by officers in response to a pre-application advice request does not constitute a formal decision of Stirling Council as Planning Authority.

In particular, any advice provided under this service constitutes the professional opinion of the officer(s) concerned and is based on the information provided by the applicant and the planning policies and site constraints prevailing at the time. While every effort will be made to identify all relevant policies and all issues material to the proposal, pre-application advice issued by us in relation to local developments will not normally include input from external organisations or consultees, such as SEPA or SNH, or from local residents, neighbours or community groups.

Such input during the assessment of any formal application may raise new issues or areas for concern and therefore the ultimate determination of any future statutory application could differ from the conclusions reached in this preliminary assessment. We will, however, endeavour to highlight any consultees, external bodies or parties that may be involved in any future application so that applicants can make contact themselves to discuss their proposals.

### **Additional Information**

The development plan for this area is Stirling Local Development Plan. It guides the consideration of development proposals, which together with Supplementary Guidance can be viewed at:  
<https://www.stirling.gov.uk/planning-building-standards/planning/local-development-plan/>

### **Freedom of Information**

All documentation associated with pre-application enquiries may, at a future date, if specifically requested be made available to the public under the Freedom of Information Scotland Act 2002.

# Appendix 3



PER Studio SJM Architects  
Wraysbury,  
Watt Road,  
Bridge Of Weir,  
PA11 3DN

<b>Reference No:</b>	PREAPP-2022-0099	<b>Date Received:</b>	9 May 2022
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**Address/Location of the proposed development**

Land And Buildings At 11 Melville Terrace Stirling

**Description of the proposed development**

Development of a single mews property in place of the existing modern garages

**Date of Site Visit (if required):**

**Site Constraints:**

Article 4 Directions,

## Planning Policy and Material Considerations

### 1.1 Placemaking

This policy details that new development is required to contribute, in a positive manner, to quality of the surrounding built and natural environment.

### 7.2 Development within and outwith Conservation Areas

This policy seeks to ensure that development in the conservation area seeks to preserve or enhance its character, appearance and setting.

### 7.3 Development affecting Listed Buildings

The policy states that the layout, design, materials, scale, siting and use of any development must preserve the character of the Listed Building and its setting.

### 7.4 Development in Gardens/Curtilages within Conservation Areas and around Listed Buildings

This policy seeks to preserve or enhance the historic, architectural and landscape qualities of Conservation Areas and Listed Buildings and their settings,

SG: Placemaking



## Officer Assessment

### Overview

Pre-application advice is sought to find out the theoretical view on a proposal to knock down 3no. modern garages and erect 1no. dwelling house.

The application site for the dwelling house is the garden ground of 11 Melville Terrace and will be accessed via the rear lane. The site is located in a residential area of Stirling, the host dwelling is Grade B listed and is located in the Kings Park Conservation Area.

### Assessment

#### Principle

The existing garages can host 3no. vehicles, are linked and have a flat roof. It is accessed off the rear lane and it not considered to be a high quality building in the context of the conservation area. Therefore, the demolition of the garages would be considered acceptable.

The proposed dwelling will be a 1.5 storey, dwelling that will have 2no bedrooms, off street parking and a private garden area. The proposed house would be considered 'development in gardens/curtilages within a conservation area and around Listed Buildings' which is managed under Policy 7.4 of the Stirling Local Development Plan. The policy details how new development will not generally be supported within the garden and grounds of existing buildings or if served by rear access lanes. The policy goes on to detail how the sympathetic conversion, adaption or extension of existing properties or ancillary buildings of character where the development would preserve the character and appearance of the original building, setting and surrounding area, alongside small scale ancillary buildings would be acceptable. The proposed development fails to meet any of these criteria, it is also both in the garden grounds of an existing property and served by a rear access lane, contrary to Policy 7.4, as such the principle of development is not founded and cannot be supported.

It is recognised that the existing garages are not considered to be high quality development and its removal would be favoured. However, the proposal for a dwelling house in this site is not an appropriate replacement. The creation of a dwelling and associated garden ground, significantly changes the nature of the site and the back lane which would be to the detriment of the grade B listed building and the wider conservation area, contrary to Policies 7.2 and 7.3.

#### Design

The house appears to be well designed and to be high quality housing. However, this development is not suitable for the site or location. It is sited in the curtilage of a listed building and is accessed via a rear access lane, which is contrary to Policy 7.4.

The scale of the development significantly reduces the curtilage of 11 Melville Terrace, and coupled with the curtilage of the proposed dwelling, the overall development would adversely affect the spatial qualities of the area. The development will also appear quite intrusive in the lane, all of which is to the detriment of the character and appearance of the Listed Building and Kings Park Conservation Area, which is contrary to Policy 7.2 and 7.3.

#### Impact on LB

The proposed development will be located in the rear garden area of 11 Melville Terrace which is Grade B listed. The development as discussed above would reduce the garden space for no. 11 Melville Terrace. The scale of the development and proximity to the listed building would also adversely affect the setting of the Listed Building which is contrary to Policy 7.3.

#### Conservation area

The Kings Park Conservation Area Appraisal details that the area is characterised by large, detached and semi-detached villas that are set within their own garden plots defined by stone walls. The proposed development would significantly detract from this valued character and setting of the conservation area. As discussed above the location of this development would be detrimental to the character, appearance and setting of the Kings Park Conservation Area, contrary to Policy 7.2.

#### Transport

If you are to pursue this development I would recommend contacting the transport development team in regards to the access and parking requirements of the site.

#### Additional information

If you are to progress with the application would likely request a Bat Survey due to the demolition of the garage.

#### Potential Consultees and Contributions

Transport Development Team  
Conservation Officer  
Historic Environment Scotland

#### Conclusion

Overall, it is considered that the proposals do not comply with Policies 7.2, 7.3 and 7.4 of the Stirling Local Development Plan 2018 and as such would likely be refused.

#### Advisory Note

Early engagement with Stirling Area Access Panel (SAAP) is encouraged, especially if your proposal is regarding buildings used by the public (e.g. leisure facilities, transport hubs, shops, cafes etc.). SAAP are able to provide feedback and suggestions regarding specific design elements of a proposal, and highlight any accessibility implications or issues that could be addressed prior to the submission of a planning application. More information on SAAP can be found at: [www.stirlingareaaccesspanel.org.uk](http://www.stirlingareaaccesspanel.org.uk)

**Response provided by Sarah Maguire, Planning Officer on 6 June 2022**

#### Making a Formal Application

Should you wish to submit a formal application in due course, you can do so online using the link below:

<https://www.stirling.gov.uk/planning-building-the-environment/planning/apply-for-planning-permission/>

#### Disclaimer

While we will make every effort to ensure that any pre-application advice is as accurate and comprehensive as possible, any advice given by officers in response to a pre-application advice request does not constitute a formal decision of Stirling Council as Planning Authority.

In particular, any advice provided under this service constitutes the professional opinion of the officer(s) concerned and is based on the information provided by the applicant and the planning policies and site constraints prevailing at the time. While every effort will be made to identify all relevant policies and all issues material to the proposal, pre-application advice issued by us in relation to local developments will not normally include input from external organisations or consultees, such as SEPA or SNH, or from local residents, neighbours or community groups.

Such input during the assessment of any formal application may raise new issues or areas for concern and therefore the ultimate determination of any future statutory application could differ from the conclusions reached in this preliminary assessment. We will, however, endeavour to highlight any consultees, external bodies or parties that may be involved in any future application so that applicants can make contact themselves to discuss their proposals.

**Additional Information**

The development plan for this area is Stirling Local Development Plan. It guides the consideration of development proposals, which together with Supplementary Guidance can be viewed at:  
<https://www.stirling.gov.uk/planning-building-standards/planning/local-development-plan/>

**Freedom of Information**

All documentation associated with pre-application enquiries may, at a future date, if specifically requested be made available to the public under the Freedom of Information Scotland Act 2002.