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Our Ref: TL/2023/11/0037

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Date: 12/01/2024

Dear Sir/Madam

Planning Application for the Change of Use from Chiropodists Office (Class 1a) (Sui Generis) at 1st Floor Level at 10 Upper Craigs, Stirling, FK8 2DG.

Please find enclosed an application for the above proposal on behalf of our client, Aitchison (the applicant).

This application is accompanied by the following:

- Planning Permission Application Form
- Ownership Certificate
- Location Plan
- Existing and Proposed Floor Plans

This letter provides a description of the proposed development and an assessment of the policy requirements of relevance to the application.

#### Site Description and Proposed Development

The site is located within the south east of Stirling City Centre and is within the Royal Park Conservation Area. There are a variety of uses within the surrounding area including upper floor flats, retail units, barbers and takeaways. The site is also adjacent to the Citizens Advice Stirling office showing the variety of uses within this area of Stirling with the main element being commercial on the ground floor and residential flats on upper levels. The Thistle Shopping Centre is 0.2 miles north of the site and Stirling Train Station is 0.4 miles north of the site. Public transport is located on Wallgreen Road with 3 bus stops, 0.2 miles south west of the site. The Upper Craigs Road links Albert Place to the Burghmuir Road roundabout which is suitable for connection to the M9 Motorway north and south or Stirling University to the north east.

The proposal is for the Change of Use from a Chiropodists office (Class 1a) to a residential flat (Sui Generis). The Change of Use could create a one-bedroom flat which would have a kitchen/living space and a bathroom as shown in the indicative plans. The total size is 37.2 m2 with the layout being up to interpretation. The Change of Use would require minor internal alterations which are shown on the accompanying drawings. These include an indicative layout to show what a potential one-bedroom flat would look like within the premises. This change to a flat is compatible with the surrounding area given that flats on this road are situated on upper floors and commercial units on



the ground floor. The property is also accessed from a shared stairwell on which all other properties are in residential use.

### Planning History

A search has been carried out on the Stirling Council Planning Portal for any relevant planning history within the immediate area. No formal discussions have been held with the Council. The following planning history was found:

- (96/00690/DET) Change of use of office (Class 2) to 2 No. residential flats (Class 14) at 11 Barnton Street Stirling FK8 1HF. Granted 17/03/1997.
- (08/00192/DET) Change of use to flat at 81E Port Street Stirling FK8 2ER. Granted 03/03/2008.
- (15/00707/FUL) Proposed alterations and change of use of former first floor office accommodation to form 2No. flatted dwellings at No 16 First Floor King Street Stirling. Granted 18/12/2015.
- (16/00755/FUL) Proposed change of use from office to 2 dwelling flats at Land And Buildings At 54A And 54B Port Street Stirling. Granted 16/02/2017.
- (17/00416/FUL) Change of use of office to residential flat at First Floor 37A Murray Place Stirling FK8 1DQ. 06/07/2017.
- (18/00646/FUL) Change of use from offices into 6No. flats at 72B (Second Floor) And 74 (First Floor) Murray Place Stirling. Granted 20/11/2018.

The above planning history shows that the council have been supportive of the change of use from office to residential flats on 1<sup>st</sup> floor levels within Stirling City Centre. The application (96/00690/DET) shows flats as Use Class 14, though this has now been changed to Sui Generis for flats within the Town and Country Planning (Use Classes) (Scotland) Order 1997 as amended.



## Planning Policy Assessment

The relevant planning documents for the site are the National Planning Framework 4 and the Stirling Local Development Plan (2018). NPF4 was adopted on 13<sup>th</sup> February 2023 and as such has now become statutory part of the Local Development Plan and it takes precedent over the Local Development. The proposal has been assessed against both documents and the relevant policies have been assessed below.

### National Planning Framework 4

Policy 1 (Tackling the Climate and Nature Crisis) states:

“When considering all development proposals significant weight will be given to the global climate and nature crises.”

This is a Change of Use application which will only require minor internal alterations to allow a Class 1a unit to be converted to a residential flat (Sui Generis). When it comes to the layout when the change has been decided, further details for consideration will be made towards the global climate and nature crisis. The reusing of an existing building is a benefit in regards to being sustainable, walkable from employment and commercial use as well as being a City Centre location.

Policy 2 (Climate Mitigation and Adaptation) states inter alia:

- a) “Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.”

Again, this proposal is for the Change of Use from an office Class 1a to residential flat (Sui Generis). The reusing of an existing building is a benefit in regards to being sustainable, walkable from employment and commercial use as well as being a City Centre location which will help to minimise lifecycle greenhouse gas emissions as far as possible.

Policy 7 (Historic Assets and Places) states inter alia:

- d) “Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
  - i. architectural and historic character of the area;
  - ii. existing density, built form and layout; and
  - iii. context and siting, quality of design and suitable materials.
- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.”

The site is within the Stirling Town and Royal Park Conservation Area. The proposed Change of Use from an office (Class 1a) to residential flat (Sui Generis) will only be for internal works to allow for the conversion, no external works will occur, thus not effecting the character of the Conservation Area. The external fabric of the building will remain as previous.



Policy 15 (Local Living and 20 minute Neighbourhoods) states:

“Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- employment;
- shopping;
- health and social care facilities;
- childcare, schools and lifelong learning opportunities;
- playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.”

As the site is within the Stirling Town Centre boundary, the proposal for the change of use from Chiropodists Office (Class 1a) to Residential Flat (Sui Generis) at 1st floor level complies with Policy 15 of NPF4. The proposed residential flat is within walking distance to the town centre with a variety of shops, bars, takeaways and restaurants in the immediate vicinity. The site is suited within walking distance to the City Centre, the Thistle Shopping Centre is 0.2 miles north of the site and Stirling Train Station is 0.4 miles north of the site, further public transport is located on Wallgreen Road with 3 bus stops, 0.2 miles south west of the site. There are also a variety of opportunities for employment within Stirling in a range of industries which can be easily accessed from the proposed flat’s location.

Policy 16 (Quality Homes) states inter alia:

- f) “Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
- i. the proposal is supported by an agreed timescale for build-out; and
  - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
  - iii. and either;
    - the proposal is for smaller scale opportunities within an existing settlement boundary.”

The proposal is consistent with the local living and 20 minute neighbourhood idea from NPF4, it is also within the settlement boundary of Stirling and is a small scale application to allow for a residential flat to be created at 1<sup>st</sup> floor level on Upper Craigs. The positioning of this flat is compatible with surrounding flats which the council have supported in the City Centre. The proposal will allow for an opportunity for a flat to be marketed within the City Centre, and the indicative plans submitted with this application show how the layout of the proposed flat could be designed. In terms of the timescale, there is no timescale because the proposal is a Change of Use and the unit is already built, this is a simple conversion to allow for the Change of Use.



Policy 27 (City, Town, Local and Commercial Centres) states inter alia:

- a) "Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported.
- e) Development proposals for residential development within city/town centres will be supported, including:
  - iii. The conversion, or reuse of vacant upper floors of properties within city/town centres for residential.
- g) Development proposals for city or town centre living will take into account the residential amenity of the proposal."

The proposal accords with Policy 27 as the proposed conversion to a flat will be on 1<sup>st</sup> floor level within Stirling City Centre. This is also compatible with surrounding flats and supported by the Council policy, which supports upper floor flats and restrict ground floor residential units. The proposed flat would not be above any hot food or licensed premises so there would be no impact on residential amenity, and there are other residential uses located on the same stairwell as this property. This conversion from an office (Class 1a) to residential flat (Sui Generis) would be in suitable location for a City Centre flat in a popular location.

#### Stirling Local Development Plan (2018)

The site is unallocated within the Stirling Local Development Plan. The site is within the City Centre boundary and a Network Centres as well as within the Stirling Town and Royal Park Conservation Area.

Policy 2.6 (Supporting Town Centres) states inter alia:

- c) "In addition, within town centres including the city centre and local centres:
  - iii. Changes of use to residential use will not generally be supported on the ground floor of buildings.
- d) Within Stirling City Centre:
  - i. All developments should comply with masterplans, frameworks and design guidance produced for Stirling City Centre, where applicable.
  - ii. Within the Prime Retail Area, changes of use at street level away from Class 1 retail use will be resisted, except where a vacant unit has been unsuccessfully marketed for this use for more than 12 months to the satisfaction of the Council"

The proposal complies with Policy 2.6 of the LDP as the change of use from an office class 1a to residential flat sui generis will be at 1<sup>st</sup> floor level within the building at 10 Upper Craigs. The Council have also supported similar Changes of Use above ground floor level.



Policy 2.12 (Residential Alterations and Extensions) states inter alia:

“The alteration and / or extension of residential properties will be supported provided that all the relevant criteria are satisfied:

- a) The proposal is of a scale, size, massing and design that is subordinate and sympathetic to them building to be extended and the wider townscape, and uses materials appropriate to its context.
- b) The proposal does not result in an over-development of the plot, with sufficient space remaining for garden ground, parking, and bin storage, which is comparable to the amenity afforded to surrounding residential properties in this regard.
- c) The proposal does not result in a material detrimental impact on the amenity of surrounding residential properties in terms of privacy, noise or loss of daylight.”

Although not currently a residential flat, when converted from an office (Class 1a) to residential flat (Sui Generis), the scale of the development will be of small scale being only 37.2 m<sup>2</sup>. The indicative drawings show a potential layout for a one-bedroom flat, this will likely be how this Change of Use would be implemented if the proposal is granted. When converted this Change of Use will also not result in a detrimental impact to the amenity of the surrounding residential area given that the proposed use as a flat is compatible to surrounding uses at above ground floor level.

Policy 7.2 (Development within and outwith Conservation Areas) states inter alia:

- a) “Development within a Conservation Area and development outwith that will impact on the conservation area, shall preserve or enhance its character, appearance and setting. All new development should respect the architectural and visual qualities of the area, have regard to the character of the area as identified in the relevant Conservation Area Character Appraisal, and should:
  - i. Relate well to the density and pattern of existing development; the design, massing, scale and materials used in surrounding buildings; means of access and boundary and landscape treatments such as walls, railings, trees and hedges.
  - ii. Retain existing natural and built features which contribute to the character of the Conservation Area and/or its setting.

As the site is within a Conservation Area, Policy 7.2 is suitable. The proposal is for a Change of Use from an office (Class 1a) to residential flat (Sui Generis). However, the Change of Use will only require minor internal alterations to carry out the new use as a flat within the building. There will be no external alterations so there will be no detrimental impact on the Conservation Area. Thus, the proposal complies with Policy 7.2 of the LDP.



## Summary

This Planning Application the Change of Use from Chiropodists Office (Class 1A) to Residential Flat (Sui Generis) at 1st Floor Level at 10 Upper Craigs, Stirling, FK8 2DG.

The proposal has been considered against the relevant policies from National Planning Framework 4 and Stirling Local Development Plan (2018).

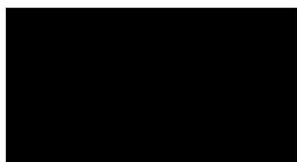
The proposal site is within Stirling City Centre and Stirling Town and Royal Park Conservation Area. The proposal is compatible with both NPF4 and LDP policies. The Council have historically supported changes from offices to flats in the local area and this unit is above ground floor level which the Council find is best suited for residential flats within Stirling City Centre. This is also the case within NPF4 which promotes residential uses on upper floors within town centres.

The accompanying drawings show that the Change of Use is a small scale proposal and the proposed floor plans shows an indicative layout for how the flat could be laid out.

It is therefore considered that the proposal is appropriate for the location and complies with relevant planning policies, and Planning Permission should be granted

I trust that the above and enclosed are acceptable, please do not hesitate to contact me at the details below if you require any further information

Yours faithfully



**Thomas Luke BSc Hons MRICS**

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Enc.