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Planning Statement

Thistles Shopping Centre, Stirling

Scoop Asset Management

October 2023

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1. Introduction

- 1.1.1 This Planning Statement has been prepared by Colliers on behalf of our clients, Scoop (Terre Brune) Limited. It supports a detailed planning application seeking planning permission for subdivision of Debenhams store, into seven units across three floors within the Thistles Shopping Centre, Stirling.
- 1.1.2 Colliers, on behalf of the applicant, arranged a Pre-Application meeting in August 2023 with an officer at Stirling Council who confirmed overall, that they are supportive of the proposal in principle.
- 1.1.3 Following the liquidation of Debenhams in 2020, the Debenhams unit within the Shopping Centre (“SC”) in Stirling City Centre has been unused and vacant, for the last three years. The proposed subdivision of this large retail unit within the city centre will allow for a range of future occupiers to lease the smaller units being created.
- 1.1.4 This Planning Statement demonstrates that the proposed development complies with both national and local planning policy, this supports the theme of regeneration and redevelopment of Scottish town centres and their retail units.

1.2 Development Description

- 1.2.1 The application seeks permission for the following development:

“Subdivision of Debenhams store into seven units including the following: Four new Class 1A units, one Class 11e unit, Change of Use of unit from Class 1A to Class 11e, Change of Use of unit from Class 1A unit to Class 3.”

1.3 Statement Structure

- 1.3.1 This statement is set out as follows:

- Section 1 – Introduction
- Section 2 – Development Context

- Section 3 – Planning Policy
- Section 4 – Planning Policy Assessment
- Section 5 – Summary and Conclusions

1.3.2 This Planning Statement should be read in conjunction with a suite of documents forming part of the detailed planning application pack:

- Location Plan
- Site Plan
- Proposed Floor Plans

1.4 Pre-Application Consultation

1.4.1 Pre-application documentation consisting of a covering letter and Proposed Floor Plans were submitted to Stirling Council, following which a Microsoft Teams meeting was arranged on 9th August 2023. The key planning matters upon which Stirling Council views were sought were as follows:

- *Whether the Council concur with our view that Change of Use of the currently vacant unit (previously Class 1 would constitute permitted development under the Class 11A (Development consisting of a change of use of a building to a use within class 3 (Food and drink) from a use within class 1A (shops and financial, professional and other services);*
- *The local authority's view on conversion of the first floor of the Thistles Shopping Centre into a Family Entertainment Centre (comprising of activities such as minigolf, mini-carting and similar);*
- *The supporting reports/information required to support a valid Change of Use application, should this be required;*

1.4.2 Following the pre-application meeting, a Feedback Advice Letter was received on 9th August from Stirling Council planning officer, concluding the following:

“With reference to NPF4 and Stirling Local Development Plan 2018, the policies of both support retail, food and drink and footfall generating uses (such as commercial leisure

developments – family entertainment centre and gym) within city centre locations. It is noted that this unit has been vacant for a few years and, following Covid, the retail market seems to have changed with vacancy rates in centres increasing. The Planning Authority would support these appropriate uses for the city centre which may assist in bringing vitality and viability to the city centre. “

- 1.4.3 The floorplans have undergone minor revisions following advice from the commercial / leasing team, due to various parties being interested in leasing individual units, however the principle of the proposal remained unchanged. It is therefore considered that the principle of the proposal still could be supported by Stirling Council.

2. Site Context

2.1 Development Background

- 2.1.1 Located in the city centre of Stirling, the Thistles Shopping Centre provides the pre-eminent Shopping Centre of commercial and retail space in Stirling City Centre and its direct vicinity. It is of our understanding that the Thistles was constructed initially under a series of permissions issued in 1972, 1974 and 1979, additional retail floorspaces (known as the Marches) was permitted in 1995. Today, the centre accommodates retail stores, public services, food and drink premises.

- 2.1.2 Following the administration of Debenhams in 2020, the Debenhams unit within the Thistles Shopping Centre has been unused and vacant. Although the store previously accommodated an element of Food & Beverage (F&B) in the form of customers' cafés and staff canteen, it is understood that this was ancillary to the existing department store use.

2.2 Site Description and Allocation

- 2.2.1 The site is located within the Thistles SC in Stirling City Centre. The Thistles SC comprises a crucial city centre retail destination for the local population of Stirling and its hinterland. It is a covered roofed retail facility accessible from several entrances

including Murray Place from the North, Port Street from the North West, Goosecroft Road from North East, enabling access by car to the ground floor parking, as well as to the Stirling Bus and Train Station.

- 2.2.2 The site is located within the City Centre area classified as a “Prime Retail Area” in the adopted Stirling Local Development Plan (adopted in October 2018); Stirling City Centre is also allocated as Core Area: Urban Consolidation for retailing.
- 2.2.3 The site lies adjacent to Stirling Town & Royal Park Conservation Area and there are three Listed Buildings directly adjacent to the west of the Shopping centre; two of category B and one category C.
- 2.2.4 The proposed development however does not include any works to the exterior which could impact the Conservation Area or the nearby Listed Buildings. The sub-division of the retail unit involves works within the Shopping Centre only.

2.3 The Proposed Development

2.3.1 The development proposal comprises the following elements;

- The first is for the ground floor element of the former Debenhams store with frontage to Marches Mall (previously falling under Use Class 1 (Shops)) for conversion into a publicly accessible Food Court providing 251 seats, family leisure or retail and King’s Mall for conversion into up to three new retail units, together with a lobby entrance with access to the First Floor and/or Basement.
- The second relates to the first floor of the whole of the former Debenhams store for conversion into a Family Entertainment Centre.
- The provision of the Basement unit as a gym.

2.3.2 The following table details the proposed Use Classes:

Unit	Floor Level	Proposed Use	Use Class
1	Ground	Food Court	3 (Food and Drink)
2	Ground	Retail	1A (Shops, financial, professional and other services)
3	Ground	Retail	1A (Shops, financial, professional and other services)
4	Ground	Retail	1A (Shops, financial, professional and other services)
5	First	Family Entertainment Centre	11e (Assembly & Leisure – 11e: area for other indoor recreation not involving motorised vehicles or firearms)
6	Basement	Gym	TBC, possibly 11e (Assembly & Leisure – 11e: Gymnasium)
2	Basement	Retail	1A - as per unit 2 above

2.3.3 It is assumed that no external alterations to the wider shopping centre will have to be undertaken, however ancillary elements (i.e. ventilation and odour extraction) will be considered and incorporated, if necessary.

- 2.3.4 Although it is believed (and confirmed with the planning officer during the pre-application meeting), that a partial Change of Use would fall under the permitted development under Class 11A (development consisting of a change of use of a building to a use within Class 3 (Food and drink) from a use within Class 1A (Shops and Financial, Professional and other services), this element has been included in the detailed planning application submission for clarity and simplification of understanding the planning terms for the future use of the entire former Debenhams unit.
- 2.3.5 It was also agreed during the Pre-Application meeting, that subdivision of an individual unit within the Shopping Centre is regarded as creation of individual planning units and therefore requires planning approval.

2.4 Planning History of Site

2.4.1 Stirling Council online planning portal provides information about planning applications since 1st January 1947. From our review of the online version of the planning portal, the following table presents planning applications submitted for the site:

Application ref.	Address	Description of Development	Decision
15/00092/FUL	Unit 5, The Thistles, Goosecroft Road, Stirling	Change of use from Class 1 (retail) to Class 3	Granted in April 2015
16/00602/FUL	The Thistles Shell Goosecroft Road Stirling	Change of use of Castlegait Mall and amalgamation of Units 34-40, 41 and 41A to form new retail unit accessed from Murray Place, including facade works to Murray Place elevation and to Goosecroft Road elevation, and formation of new rooflight	Granted in March 2017

17/00962/FUL	Units 22 & 23, The Thistles, Goosecroft Road, Stirling	Amalgamation of two existing retail & restaurant units to form single unit for use within Classes 1, 2 and 3	Granted in March 2018
22/00613/FUL	Marches Mall, The Thistles, Goosecroft Road, Stirling	Change of use of shop (Class 1) to Bureau de Change (Class 2)	Granted in November 2022

2.4.2 We believe that principle of development, including the change of use and reconfiguration of the former large store unit into smaller units aligns with the previously granted applications within the shopping centre.

3. Planning Policy and Assessment

3.1 Planning Policy Context

3.1.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning Etc. (Scotland) Act 2006) states that *“Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”*

3.1.2 The development plan in this case comprises:

- National Planning Framework 4
- Stirling Local Development Plan

3.2 Existing Local Development Plan Position

3.2.1 Following the adoption of the National Planning Framework 4 (“NPF4”) in February 2023, NPF3 and Scottish Planning Policy are superseded. As a result, NPF4 and the Stirling Council Local Development Plan (adopted in 2018) comprise the Development Plan in Stirling. These documents set out policies to guide the development and are used for assessment and determination of planning applications.

3.2.2 Stirling Council is also in the process of preparing a new Local Development Plan (“LDP”) which will provide the primary basis for determining planning applications by guiding the future use of land. From the Development Plan Scheme updated in June 2023, it is understood that in Q3 2023, the plan has undergone Consultation and Engagement with various stakeholders as well as collected and reviewed environmental baseline information. In Q4 2023, the collected evidence will be reviewed as part of preparation for Draft Evidence Report. It is expected that the new Stirling Council Local Development Plan will be adopted and used from 2027 onwards.

3.2.3 To date, there are no specific site allocations proposed as part of the new Stirling Council LDP and the adopted LDP (adopted in 2018) will be used for the assessment as presented in the following paragraphs.

3.3 National Planning Framework 4 (adopted February 2023)

3.3.1 Published by the Scottish Government in February 2023, the fourth National Planning Framework replaces NPF3 and Scottish Planning Policy and guides Scotland's spatial principles, regional priorities, and national developments. The spatial principles aim to encourage delivery of Sustainable, Liveable and Productive places while considering of the climate change and improving biodiversity policies.

3.3.2 With regard to the proposed development, the following policies have been considered most relevant for assessment of the planning application proposals:

- Policy 9 – Brownfield, vacant and derelict land and empty buildings
- Policy 21 – Play, Recreation and Sport
- Policy 27 – City, Town, Local and Commercial Centres
- Policy 28 – Retail

3.3.3 Policy 9 encourages reuse of empty buildings in order to reduce the need for greenfield development and also to prevent loss of carbon and energy already embodied as part of the existing construction (policy 9d)). In compliance with Policy 9 of the NPF4, the proposed development reuses the vacant units within the existing building located within Stirling City Centre for further future use to prevent the degradation of the building. The works proposed will not impact the carbon and energy embodied but will build upon it.

3.3.4 Policy 21 encourages opportunities for play, recreation and sport, and for new facilities, effective management and maintenance plans including the parties responsible should be presented. The proposal is believed to be supported by this policy as it will likely to

be occupied or used by children and young people and will incorporate well-designed, good quality provision for play, recreation and relaxation. The proposed development therefore complies with policy 21 of the NPF4.

3.3.5 Policy 27 supports proposals for uses which will generate significant footfall, including leisure facilities and mix of uses in existing city centres. Policy 27 b) also emphasises consistency with the town centre first approach to be supported in existing centre. Due to the City Centre central location of the proposed development, there will be increase in footfall and consistency within the city centre shopping centre, as it will attract further occupiers improving the vitality and viability of the city – in full compliance with policy 27 of the NPF4.

3.3.6 Policy 28 a) supports development proposals for retail (including changes of use) where they are consistent with the town centre first principle. The previous Debenhams unit which was located on site occupied 3 floors (basement, ground and first floors) and included a customer café, similar to cafés in other retail units within the Thistles Shopping Centre. By undertaking the sub-division of one large unit, more occupiers will be attracted to this city centre location, in compliance with policy 28 of the NPF4.

3.4 Stirling Council Local Development Plan

3.4.1 The plan was adopted in 2018 under different economic and global climate circumstances with a Vision consisting of ten key aims, about Stirling to be:

- *“A place with a highly functional, beautiful and vibrant City Centre at its heart: the City Centre is vibrant, attractive to live in, work and visit, and is the primary location for a mix of uses, including new and better retail space, commercial leisure, office, community and cultural facilities.”*
- *“A place which attracts and supports business: there is a strong and diverse economy, where existing and new businesses within key sectors are supported in sustainable locations, and benefit from Stirling’s high quality and historic environment, and*

location within central Scotland. Stirling will be a place that provides valuable local opportunity, contributes to national productivity and competes internationally.”

3.4.2 There is also an overarching policy supporting good quality development which will contribute to the creation of vibrant, mixed and healthy communities.

3.4.3 The following map presents the policy allocation, as demonstrated in the Settlement Statements & Proposals Maps as part of the adopted LDP. The site is identified above in the red box.

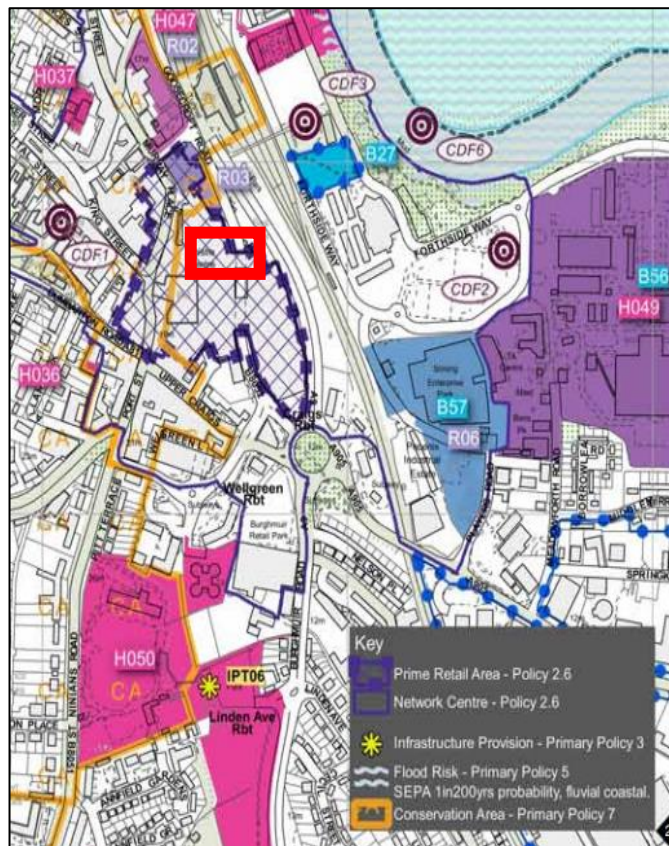


Figure 1 Site Allocation; Settlement Statements & Proposals Maps (Stirling LDP, 2018)

3.4.4 Paragraph 6.23 of the Stirling LDP highlights that “Stirling City Centre has the main role in meeting the current and future personal and convenience retailing needs for the Stirling area, as well as tourism, leisure and other services, and will continue to be protected.”

3.4.5 The following relevant LDP policies have been identified as applicable to the site:

- Policy 2.6 Supporting Town Centres
- Policy 2.7 Retail and Footfall Generating Uses

3.4.6 As presented by Figure 1, the site is allocated as a Prime Retail Area which falls under Policy 2.6 Supporting Town Centres; the policy emphasises that amongst other uses, retail and commercial leisure uses should be located within areas which generate significant footfall. Policy 2.6 c) further specifically supports Class 1 Retail uses, Class 3 Restaurants, Cafes, Snack Bars etc uses. Similarly, Policy 2.7 Retail and Footfall Generating Uses highlights that retail and commercial leisure development which would generate significant footfall should be located in the City centre.

3.4.7 In compliance with Policy 2.6 and 2.7 of the Stirling LDP, the site is allocated as a Prime Retail Area, therefore the proposed development complies with this allocation, as it will attract retail and commercial leisure users to this area resulting in increased footfall. Furthermore, the proposed development also supports the Vision, as presented in paragraphs 3.4.1 and 3.4.2 of this Planning Statement – as once delivered, the proposed development including the proposed Change of Use will lead to increased vibrancy within the City Centre and provide additional retail and commercial leisure facilities. It will also attract and support businesses within a city centre sustainable location.

4. Conclusion and Summary

4.1.1 Section 25 of the Town and County Planning (Scotland) Act 1997 (as amended by the Planning Etc. (Scotland) Act 2006) states that “Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”

4.1.2 Following a thorough policy review and assessment, it can be concluded that the proposal aligns with the requirements of both, national and local policies on retail, food and drink and footfall generating uses within the Stirling City Centre:

- NPF4 Policy 9 – Brownfield, vacant and derelict land and empty buildings
- NPF4 Policy 21 – Play, Recreation and Sport
- NPF4 Policy 27 – City, Town, Local and Commercial Centres
- NPF4 Policy 28 – Retail
- Stirling LDP Policy 2.6 Supporting Town Centres
- Stirling LDP Policy 2.7 Retail and Footfall Generating Uses

4.1.3 The principle of the development on the site is further supported through the allocation of the site and the support of regeneration and redevelopment of Scottish town centres, which is supported at all levels of the planning policy.

4.1.4 It is therefore respectfully requested that Stirling Council grants this planning application planning permission.