

Planning Position Report

Laurel House
Laurelhill Business Park
Stirling
FK7 9JH

Prepared for FRP Advisory LLP
Prepared on behalf of Graham + Sibbald LLP
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Quality Assurance

This report has been prepared within the quality system operated at
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22/08/2023





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1.00 Introduction

- 1.01 This Planning Position Report has been prepared to accompany the marketing brochure and assess the current planning position and development potential of Laurel House, Laurelhill Business Park, Stirling.
- 1.02 The Planning Position Report sets out the current planning policy position for the site. The relevant planning history of the site and immediate surrounding area has also been identified. The Report considers the development potential of the site and what alternative uses may be acceptable.
- 1.03 The Planning Position Report has been prepared on a desk-top basis and the Planning and Development Team of Graham + Sibbald LLP have not undertaken a site visit or any discussions with Stirling Council.



2.00 Site Location + Description

2.01 The subject site is located within Stirling and is therefore under the jurisdiction of Stirling Council.

2.02 The site is located in a predominantly residential area, approximately 0.7 miles south west of Stirling City Centre. The site has a prominent position within Laurelhill Business Park and occupiers within the business park include Pearson Vue Test Centre, Tillhill and Capital Letters Property Management. The site is located off the Kings Park Road roundabout and can be accessed from Park Place and Polmaise Road.

2.03 The building on the site is currently in Class 4 (Business) use of The Town and Country Planning (Use Classes) (Scotland) Order 1997, as amended. The office building comprises of 2,225.32 sqm office floorspace over 2 storeys and features a central core and two wings. The site is bound by a stone wall along the perimeter of Polmaise Road. There are trees along the site boundaries and to the rear of the house, as well as landscaping throughout the site. The total site area extends to 0.95ha and includes a 72-space car park and land to the rear of the office building, as shown in Figure 1 below.



Figure 1 Site Location



3.00 Constraints + Designations

3.01 This section provides an overview of the relevant site constraints and designations. The constraints considered are:

- Built Heritage and Archaeological Designations;
- Flood Risk;
- Coal Mining Risk;
- Transport Considerations; and
- Environmental and Ecological Designations.

Built Heritage and Archaeological Designations

3.02 A search of the Historic Environment Scotland's online mapping system shows that the site is within Park Place/Randolphfield Conservation Area (denoted by the grey cross hatching). The building is not listed. There are two Category B listed buildings in close proximity to the site (shown as blue dots in Figure 2 below).



Figure 2 Map of Historic Environment Scotland Designations

Flood Risk

3.03 As shown in the below extract of SEPA's online flood map (Figure 3), the site is not at risk of flooding.



Figure 3 SEPA Flood Map

Coal Mining Risk

3.04 A search has been undertaken of the Coal Authority’s online mapping system and found the site is within a Coal Mining Reporting Area. The site is not located in a Development High Risk Area.

Transport Considerations

3.05 The site is accessed via the Kings Park Road roundabout which links to Park Place and Polmaise Road into the Laurelhill Business Park. The site is located around 80m north of the nearest bus stop on Polmaise Road. Stirling City Centre is approximately 1km north east of the site, which is approximately a 15-minute walk. The M9 Motorway is accessed to the south of Stirling, around 4km from the site, allowing for connection north to wider Stirlingshire and Perthshire and to the south to Glasgow and Edinburgh.

Environmental and Ecological Designations

3.06 A check has been undertaken on Nature Scot’s Site Link online mapping which has identified that the site is not covered or situated in close proximity to any environmental or ecological designation. The site is not covered by any Tree Protection Orders (TPO).



4.00 Planning History

4.01 A desktop search has been undertaken on Stirling Council's online planning portal in order to identify any relevant planning applications for the subject site and the immediate surrounding area.

4.02 It should be noted that no formal planning history search has been requested from Stirling Council.

4.03 The search has identified that there are no planning applications of relevance to Laurel House and previous applications for this property have related to minor works.

4.04 The search of the immediate area around Laurel House has identified the following planning application of relevance.

Application Reference	Description	Applicant	Decision (Date)
18/00420/FUL	Proposed alteration, extension, sub division and change of use of office accommodation to 3 dwellings and construct one double garage at 36 Park Terrace Kings Park Stirling FK8 2JS	Mr Ewan Campbell	Approved (27/07/2018)

4.05 The above planning application relates to an office building situated to the north east of Laurel House. This is a traditional style building that is Category C Listed and located within the Conservation Area. Stirling Council supported the conversion of this office building to create 3 residential dwellings.



5.00 Current Planning Policy Position

5.01 The adopted Development Plan for Stirling comprises of:

- Stirling Local Development Plan (2018)
- National Planning Framework 4 (2023)

Site Allocation in Stirling Local Development Plan

5.02 The Stirling Local Development Plan (LDP) was adopted in October 2018. As shown in the below Proposals Map extract (Figure 4), the site is unallocated 'white land' within the settlement boundary of Stirling. The site is located within a Conservation Area (shown as an orange line). A Green Corridor (shown as a green line) runs adjacent to the building and through the gardens to the rear of the site.



Figure 4 Stirling LDP Map Extract

5.03 The Stirling LDP policies of relevance to the current use of the site and location within a Conservation Area are summarised below.

5.04 As the building is currently in Class 4 (Business) use, **Policy 2.4 (Safeguarding Employment Land and Property)** is relevant. The policy states, inter alia:

- a) "All employment land and property, (particularly those sites allocated in the Plan at Appendix A), for Class 4 business, Class 5 general industry, Class 6 storage and distribution, and/or waste management purposes, will be safeguarded for employment generating uses*
- b) For allocated sites and sites within the Employment Safeguarding Areas shown on the Proposals Maps and for unallocated sites currently in Class 4, 5 or 6 use, other uses will only be supported where one or more of the following circumstances apply:*
 - i) The site is no longer required to maintain an effective supply of employment land set out within the Spatial Strategy*



- ii) *The use is ancillary to, or complements, the overall employment use (e.g. small scale renewable energy developments)*
- iii) *The use is consistent with Policy 2.8 dealing with sites suitable for a mix of uses, and is to be delivered in conjunction with an employment use, thereby enabling the majority of the site to be developed for employment purposes...*

5.05

As the site is located within the Park Place/Randolphfield Conservation Area, **Policy 7.2 (Development within or outwith Conservation Area)** is applicable. The policy states:

- 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. [See Policy 7.4 for the treatment of boundaries / hardstandings in Conservation Areas and Listed Buildings].*
 - ii) *Retain existing natural and built features which contribute to the character of the Conservation Area and/or its setting.*
- b) *Given the importance of assessing design matters, applications for Planning Permission in Principle will not normally be considered appropriate for development proposals in Conservation Areas.*
- c) *Where an existing building, Listed or not, contributes positively to the character of the Conservation Area, proposals involving demolition will be considered in terms of Part (a) (ii) and Policy 7.3. Proposals for demolition will only be considered if accompanied by a detailed planning application for a replacement development that enhances or preserves the character of the Conservation Area. If allowed, demolition should not commence until evidence is given of contracts let for the approved redevelopment.”*

5.06

Policy 7.4 (Development in Gardens/Curtilages within Conservation Areas and around Listed Buildings) is also applicable. The policy states:

“In the interests of preserving or enhancing the historic, architectural and landscape qualities of Conservation Areas and Listed Buildings and their settings, new development will not generally be supported within the gardens and grounds of existing buildings or if served by rear access lanes. Support may be given to developments which propose:

- a) *The sympathetic conversion, adaptation or extension of existing properties or ancillary buildings of character where the development will preserve the character and appearance of the original building, its setting and the surrounding area.*
- b) *The erection of small scale ancillary buildings directly associated with the use of the main building and sited and designed to respect the special architectural and visual qualities of the Conservation Area and / or setting and character of the Listed Building.*



- c) *The retention of existing boundaries and landscape treatments that contribute to the character of the area / building and proposed new boundaries and landscape treatments of a design, location and material appropriate to the character and appearance of the Conservation Area and setting of the Listed Building.*

National Planning Framework 4 Relevant Policies for Current Use

5.07 The National Planning Framework 4 (NPF4) was adopted on the 13th February 2023. NPF4 is now a statutory part of the Development Plan. The NPF4 policies of relevance to the current use of the property and its location within a Conservation Area are summarised below.

5.08 As the site is situated within a Conservation Area, **Policy 7 (Historic Assets and Places)** is relevant. The policy states inter alia:

- a) *“Development proposals with a potentially significant impact on historic assets or place will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.*

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records

- 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.*

- f) *Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:*

- i) reasonable efforts have been made to retain, repair and reuse the building;*
- ii) the building is of little townscape value;*

- g) *Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.”*

5.09 **Policy 26 (Business and Industry)** is of relevance as the site is currently in business use. The policy primarily relates to development proposals for business and industry use rather than existing business and industry premises. The policy states inter alia:



- c) *“Development proposals for business and industry uses will be supported where they are compatible with the primary business function of the area. Other employment uses will be supported where they will not prejudice the primary function of the area and are compatible with the business/industrial character of the area*

- e) *Development proposals for business and industry will take into account:*
 - i) *Impact on surrounding residential amenity; sensitive uses and the natural and historic environment.”*



6.00 Assessment of Planning Position + Development Opportunities

6.01 This section of the Report assesses potential alternative uses for the site and their compliance with planning policy. This should be read in conjunction with the relevant policies identified in Section 5 of this report. The assessment of potential alternative uses has been undertaken purely on the basis of planning policy. Any specific development proposal should be discussed directly with Stirling Council.

6.02 The following potential alternative uses have been considered for the site:

- Commercial – Retail/Food & Drink/Petrol Filling Station;
- Residential;
- Student Accommodation;
- Care Home;
- Hotel; and
- Community Use

6.03 This section of the report begins with a brief summary overview of the general planning policies that will be of relevance to any proposed alternative use for the property or redevelopment proposal.

Summary Overview of Relevant General Planning Policies in Development Plan

National Planning Framework 4

6.04 NPF4 was adopted on the 13th February 2023. The Town and Country Planning (Scotland) Act 1997, as amended, states that in the event of any incompatibility between a provision of the National Planning Framework and a provision of an LDP, whichever of these is the later in date is to prevail.

6.05 **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.”

6.06 **Policy 2 (Climate Mitigation and Adaption)** details that:

- “Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.*
- Development proposals will be sited and designed to adapt to current and future risks from climate change.*
- Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported”*

6.07 **Policy 3 (Biodiversity)** requires that:

- “Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.”*

6.08 Parts b) and c) of Policy 3 provide further guidance for national/major and local scale proposals and the requirements for biodiversity enhancement.



- 6.09 As there are a number of existing trees on the site, **Policy 6 (Forestry, Woodland and Trees)** will be applicable. Part a) of Policy 6 outlines that:
- a) *“Development proposals that enhance, expand and improve woodland and tree cover will be supported.”*
- 6.10 As there is an existing building on the site, part d) of **Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings)** will be applicable. This states that:
- d) *“Development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option.”*
- 6.11 **Policy 12 (Zero Waste)** details that:
- a) *Development proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.*
- b) *Development proposals will be supported where they:*
- i. *reuse existing buildings and infrastructure;*
 - ii. *minimise demolition and salvage materials for reuse;*
 - iii. *minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;*
 - iv. *use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;*
 - v. *use materials that are suitable for reuse with minimal reprocessing.*
- c) *Development proposals that are likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:*
- i. *provision to maximise waste reduction and waste separation at source, and*
 - ii. *measures to minimise the cross-contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities...”*
- 6.12 Part b) of **Policy 13 (Sustainable Travel)** details that:
- b) *Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:*
- i. *Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;*
 - ii. *Will be accessible by public transport, ideally supporting the use of existing services;*
 - iii. *Integrate transport modes;*
 - iv. *Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;*



- v. *Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;*
- vi. *Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;*
- vii. *Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users;*
- viii. *Adequately mitigate any impact on local public access routes.”*

6.13 If any proposed alternative use or redevelopment proposal for Laurel House would generate significant levels of traffic, then parts c), d) and f) of Policy 13 may also be applicable.

6.14 All new development requires to be considered in respect of **Policy 15 (Local Living and 20-minute Neighbourhoods)**, which states:

a) *“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.”*

Stirling Local Development Plan (2018)

6.15 As detailed in Section 5 of this report, as the site is currently in office use, policy 2.4 (Safeguarding Employment Land and Property) will be applicable. In accordance with the terms of this policy any proposed alternative use for Laurel House or redevelopment proposal will need to demonstrate that the site is no longer required to maintain an effective supply of employment land.

6.16 The table below provides a summary of the overall general policies contained within the Stirling LDP that may be of relevant to any future development proposal or alternative use.

Policy Number	Policy Name
Primary Policy 1	Placemaking
Policy 1.1	Site Planning
Policy 1.3	Green Infrastructure and Open Space



Policy Number	Policy Name
Policy 3.1	Addressing the Travel Demands for New Development
Policy 3.3	Developer Contributions
Primary Policy 4	Greenhouse Gas Reduction
Policy 4.1	Low and Zero Carbon Buildings
Primary Policy 6	Resource Use and Waste Management
Primary Policy 8	Conservation and Enhancement of Biodiversity
Policy 8.1	Biodiversity Duty
Policy 10.1	Development Impact on Trees and Hedgerows

Policy Assessment of Potential Alternative Uses of the Site

6.17

This section of the report assesses potential alternative uses for the existing property or redevelopment of the site from purely a planning policy perspective. It considers the policy requirements for each potential alternative use within both NPF4 and the Stirling LDP, and provides high-level commentary on the proposed use's potential compliance with policy. The potential alternative uses that have been considered for the site include:

- Commercial – Retail/Food & Drink/Petrol Filling Station;
- Residential;
- Student Accommodation;
- Care Home;
- Hotel; and
- Community Use

Commercial (Retail/Food & Drink/Petrol Filling Station)

NPF4 Policy

6.18

The site is not located within a defined city, town, local or commercial centre and is situated in an out of centre location in planning policy terms. Part b) of **Policy 27 (City, Town, Local and Commercial Centres)** of NPF4 states:

- b) *“Development proposals will be consistent with the town centre first approach. Proposals for uses which will generate significant footfall, including commercial, leisure, offices, community, sport and cultural facilities, public buildings such as libraries, education and healthcare facilities, and public spaces:*
- will be supported in existing city, town and local centres, and*
 - will not be supported outwith those centres unless a town centre first assessment demonstrates that:*
 - *all centre and edge of centre options have been sequentially assessed and discounted as unsuitable or unavailable;*



- *the scale of development cannot reasonably be altered or reduced in scale to allow it to be accommodated in a centre; and*
- *the impacts on existing centres have been thoroughly assessed and there will be no significant adverse effect on the vitality and viability of the centres...*

6.19 Part d) of Policy 27 relates to specifically drive through developments and details that:

“d) Drive-through developments will only be supported where they are specifically supported in the LDP.”

6.20 **Policy 28 (Retail)** of NPF4 states inter alia:

- a) *“Development proposals for retail (including expansions and changes of use) will be consistent with the town centre first principle. This means that new retail proposals:*
- i. *will be supported in existing city, town and local centres, and*
 - ii. *will be supported in edge-of-centre areas or in commercial centres if they are allocated as sites suitable for new retail development in the LDP. I*
 - iii. *will not be supported in out of centre locations (other than those meeting policy 28(c) or 28(d))”*

6.21 Part c) of Policy 28 continues that:

- c) *Proposals for new small scale neighbourhood retail development will be supported where the proposed development)*
- i. *contributes to local living, including where relevant 20-minute neighbourhoods and/or*
 - ii. *can be demonstrated to contribute to the health and wellbeing of the local community.”*

Stirling LDP Policy

6.22 Part a) of **Policy 2.6 (Supporting Town Centres)** of the Stirling LDP details that:

- a) *“Town centres, including the city centre and local centres, will be the preferred locations for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and other public buildings such as libraries and education and healthcare facilities where such uses support the vitality and viability of such centres and are consistent with their role, function and scale...”*

6.23 **Policy 2.7 (Retail and Footfall Generating Uses)** is applicable. The policy states inter alia:

- b) *“Support will be given to small-scale (maximum 500 sq.m. gross floorspace) convenience retail development to serve the needs of existing or new residential/employment/mixed use sites which are within a walk-in catchment of the proposed development, and are in a highly accessible location for walking and cycling*
- c) *Proposals for small-scale retailing in association with other uses will only be supported where there is a demonstrable locational need in association with an*



existing or proposed use, and the retailing element is clearly ancillary. Proposals will also be required to meet part (d) where they raise concerns in terms of the vitality and viability of Network Centres

d) All other retail or commercial leisure development or other town centre use, as defined in the LDP glossary, which would generate significant footfall must provide evidence that the sequential approach to site selection has been used in the following order of preference:*

- (1) City Centre, Town Centre or Local Centre*
- (2) Edge of Centre locations*
- (3) Commercial Centres*
- (4) Out of centre locations that are, or can be made, easily accessible by a choice of transport modes*

Full justification as to why more sequentially preferable sites have been assessed and discounted as unsuitable or unavailable will be required.

In addition, all of the following criteria (i) to (iii) must be satisfied where proposals are located either:

On sites outwith Network Centres that are not allocated for the proposed use or are inconsistent with the site allocation and its Key Site Requirements:

- i) Demonstrate that there will be no unacceptable individual or cumulative impact on the vitality and viability of any Centre within the Network. A Retail Impact Analysis (RIA) must accompany retail proposals for more than 2,500sq.m. gross floorspace. For smaller developments, the requirement for an RIA will be at the Council's discretion*
- ii) Demonstrate that the development will help to meet proven qualitative and quantitative deficiencies in existing provision*
- iii) Demonstrate that the development will be of a scale, character, and design, commensurate both with the size of the catchment to be served, and if applicable, with the Centre(s) closest to where it is located."*

Assessment

- 6.24 A proposal for a standalone small retail outlet (<500sqm) has the potential to be supported by Policy 2.7 part b), as this could be justified on the basis that it would serve the residential area. The site is situated on good transport links as well as within walking and cycling distance of a large residential catchment area. It is, however, unclear whether the passing trade from the road would be sufficient enough to support a roadside use such as a petrol filling station. This would likely need to be demonstrated to satisfy part c) of Policy 2.7.
- 6.25 For either a larger retail or a food & drink development, which would create footfall at this location, a proposal must justify the location and assess other sites within the City Centre, Edge-of-Centre, and Commercial Centres. This site would be considered an Out of Centre location, which is the least preferable location for new footfall-generating development, so a robust sequential assessment would be necessary. A Retail Impact Assessment (RIA) will not be required if the building is to be reused for retail purpose due to it being under the 2,500 sqm threshold, but if a new build development is over this then an RIA will be required. A commercial retail



development at this location will need to be of a scale, character and design to reflect the area outwith a Town Centre to comply with the policy.

6.26 Given the largely residential nature of the surrounding area, a commercial proposal will need to consider its impact on residential amenity through factors such as delivery times and method, opening hours, noise emissions, cooking fumes, and waste disposal.

6.27 Overall, it is considered that commercial use of the site may be difficult to justify both in terms of its Out-of-Centre location and potential impact on surrounding uses. The current building would not lend itself naturally to reuse for retail purposes as it lacks the physical characteristics many retail uses would require (i.e. large glazed frontage, delivery access, etc) and is arranged over multiple floors. A redevelopment of the site for a new retail store may be possible to justify but a detailed assessment of all other sites in more-preferable locations will be required. Depending on the size of this a Retail Impact Assessment may also be necessary. A small-scale retail element as part of other uses on site is more likely to be viewed favourably.

Residential Development

NPF4 Policy

6.28 **Policy 16 (Quality Homes)** is applicable to proposals for residential developments. The policy states, inter alia:

- b) *Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:*
 - i. *meeting local housing requirements, including affordable homes;*
 - ii. *providing or enhancing local infrastructure, facilities and services;*
and
 - iii. *improving the residential amenity of the surrounding area.*
- c) *Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:*
 - i. *self-provided homes;*
 - ii. *accessible, adaptable and wheelchair accessible homes;*
 - iii. *build to rent;*
 - iv. *affordable homes;*
 - v. *a range of size of homes such as those for larger families;*
 - vi. *homes for older people, including supported accommodation, care homes and sheltered housing;*
 - vii. *homes for people undertaking further and higher education; and*
 - viii. *homes for other specialist groups such as service personnel.*
- e) *Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:*
 - i. *a higher contribution is justified by evidence of need, or*
 - ii. *a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular*



types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.

- 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;
 - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained;
 - the proposal is for smaller scale opportunities within an existing settlement boundary; or
 - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan."

6.29 NPF4 introduces "Minimum All-Tenure Housing Land Requirements", a minimum target for the number of homes local authorities are expected to provide land for over a 10-year period, with this expected to be exceeded in each local authority. For Stirling Council, this figure is 3,500.

Stirling LDP Policy

6.30 The Council's housing development policy requires the maintenance of a 5-year Housing Land Supply. This is set out in detail in **Policy 2.1 (The 5 Year Effective Housing Land Supply)**. This Policy states that:

"The Council will, at all times, maintain a 5 year effective housing land supply through the annual housing land audit process and the LDP Action Programme. Where the current housing land audit identifies a shortfall in the 5 year effective housing land supply, proposals to extend the supply of land for housing development under SPP's 'presumption in favour of development which contributes to sustainable development' on sites not identified for housing development will require to:

- (a) Be consistent with the LDP Vision and Spatial Strategy; and*
- (b) Meet with the provisions of the LDP Overarching Policy, its accompanying Sustainable Development Criteria and all other relevant LDP policies; and*
- (c) Be proven, through detailed supporting information, to be effective and capable of delivery within the 5 year period under consideration; and*
- (d) Be over 30 units in size in order to make a reasonable contribution to the overall identified shortfall; and*
- (e) Demonstrate that development of the proposed site will not compromise delivery of necessary infrastructure supported by the LDP strategy.*

The submission of detailed planning applications for such developments will be encouraged by the Council. Any consents issued for planning permission in principle applications may, in line with current legislation, have a shorter time period imposed to assist in meeting the identified shortfall within the 5 year period under consideration. Developers are encouraged to engage in early discussions with the Council."



6.31

Additionally, residential development should accord with **Policy 2.2 (Planning for Mixed Communities and Affordable Housing)**. This Policy states that:

- (a) All new residential development schemes should provide a range of housing of different types and sizes, and where required, different tenures and affordability. The different kinds of housing should be well integrated through the entire development scheme, ensuring that the siting and layout and architectural quality and design, is appropriate to the site and surrounding area.
- (b) For larger development schemes (20 units or more) any market housing proposed should aim to meet the needs of smaller households, older people and lower income households consistent with local housing needs.
- (c) All new residential development schemes, including conversions, of 4 or more units within the Highly Pressured Areas, and of 10 or more units in the remainder of the plan area, where the developer is not the Council or a Registered Social Landlord, should include affordable housing or make a financial contribution to facilitate affordable housing provision elsewhere. The level of provision will be determined as follows:

	Site size	Contribution	Preference
Highly Pressured Areas	4 – 19 units (inclusive)	33%	On site or financial contribution if there are suitable alternative development sites in the housing market area.
	20 units or more	33%	On site
Remainder of LDP area	10 – 19 units (inclusive)	25%	On site or financial contribution if there are suitable alternative development sites in the housing market area.
	20 units or more	25%	On site

- (d) A planning obligation will be used to secure the affordable housing contribution and to determine the phasing and delivery mechanisms, consistent with Policy 3.3 and SG: Developer Contributions.
- (e) Although the priority is to deliver affordable housing on site, particularly on larger schemes, the Council will be flexible in implementing mixed community and affordable housing policy to suit the particular circumstances of the settlement, the site and funding arrangements.

Assessment

6.32

As the site is not currently allocated for residential development, it would be considered a “windfall” site. The most recent Housing Land Audit by Stirling Council (from December 2022) indicates that there is currently a 5-year programme of 2,830 units. Against the 5-year Housing Land Requirement stated in the same document, this is a surplus of 155 units. There is therefore not currently a shortfall in Stirling Council’s housing land supply. However, the provisions of Policy 2.1 also do not explicitly oppose residential development of windfall sites in such circumstances.

6.33

Policy 9 of NPF4 expresses support for the reuse of existing buildings for alternative purposes, so conversion of the building to residential flats would be supported in this regard. The building is capable of being converted for a number of residential units, though this number is not known at this stage and would be subject to a viability assessment. The proposal could be assessed against the criteria (a) to (e) of Policy 2.1 and potentially be justified favourably.

6.34

The use of the site for a residential development would require consideration of an affordable housing requirement, as per Policy 2.2 of the LDP. The site is not within a “Highly Pressured Area”, so the requirement would be for at least 25% of the units to provided for Affordable housing, with a preference that these be provided on-site, as per the table in Policy 2.2 part c) above.



6.35 As the site is unallocated with the LDP, a residential development on the site would need to comply with the circumstances laid out in part f) of Policy 16 of the NPF4. There is no definition of “small scale development” in this context, but the conversion of this building to residential flats is unlikely to be considered “small-scale”. Therefore, in order to comply with Policy 16, the development may need to be for a purely affordable residential development, or be accompanied by an analysis of the deliverability of the site ahead of other sites within the Housing Land Audit.

6.36 The site is considered to accord with the principles of the local living/20-minute neighbourhoods Policy of NPF4, being located only 0.7 miles from Stirling Town Centre, approximately a 20-minute walk from the nearest supermarket and less than this for schools, medical centres, and other services and amenities. The site is also generally well connected via public transport and road links. The conversion of the building for residential conversion is regarded as likely to be supported by Stirling Council. Demolition of the existing building and erection of a new-build development would likely be opposed due to the loss of embodied carbon and the preference now given to retaining buildings where possible.

Student Accommodation Development

NPF4 Policy

6.37 There is no specific policy in NPF4 relating solely to student accommodation development, though **Policy 16 (Quality Homes)** contains provisions related to the provision of such accommodation. Part c) of this Policy, as set out in Paragraph 6.28 above, states that:

“Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported.”

6.38 *“Homes for people undertaking further and higher education”* is listed as one such type of specialist residential accommodation that could be supported under this Policy.

Stirling LDP Policy

6.39 Previous decisions taken by Stirling Council have indicated that the conversion of existing buildings to managed student accommodation is not considered to be Housing in Multiple Occupation (HMO). Therefore, there is no specific LDP policy applicable to this type of development.

Assessment

6.40 Conversion of existing buildings to student accommodation previously in Stirling have not been considered “purpose-built student accommodation”, but have benefited from a departure from policy in terms of the provisions of part e) laid out above. This is a result of such a Change of Use being for a “managed student only accommodation unit”, and is “not considered to be a typical HMO” (as in the case of application ref: 19/00485/FUL). Therefore, the criteria i) to iv) of Policy 2.3 is not anticipated to apply.

6.41 The reference to addressing “identified gaps in provision” in part c) of NPF4 Policy 16 means that some demonstration of market requirement or demand for such development would have to be provided as part of a planning application.



6.42 It is regarded that other aspects pertaining to the use of the property for student accommodation could be demonstrated on site, including storage space for waste and recycling, appropriate parking, and maintenance of any garden areas or common spaces. Though it is not explicitly stated in the relevant policies, it is regarded that proximity to university buildings would be a factor in considering whether this use is appropriate for this location, and this may be difficult to justify given the relative distance to higher education institutions.

Care Home Development

NPF4 Policy

6.43 **Policy 16 (Quality Homes)** is also relevant for a care home development. Part c) of the policy states, inter alia:

- c) *“Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:*
 - vi) *homes for older people, including supported accommodation, care homes and sheltered housing.”*

Stirling LDP Policy

6.44 **Policy 2.3 (Particular Needs Housing and Accommodation)** contains specific provisions relevant to the development of care homes. In particular, criteria c) and d) are applicable:

- c) *Development providing particular needs accommodation should be located within residential areas where residents have a realistic choice of access to local services and facilities. Outwith these areas, accommodation will only be supported where the need for such accommodation in the locality is justified, a good accessible residential environment can be secured, and other appropriate locations are not available*
- d) *There will be a presumption against the further provision of private nursing or residential care home accommodation for adults and older people unless it supports the outcomes and commitments arising from the Integration Joint Board Strategic Plan. In determining applications for such accommodation, consultation will be undertaken with the Chief Officer and the Council’s Head of Social Services*

Assessment

6.45 Conversion of the site to a care home would need to be supported by the aims of the Integration Joint Board Strategic Plan, or else it will be likely to be strongly resisted. Subject to satisfying this requirement, a proposal for a care home could be supported by the provisions of NPF4 Policy 16 if it is on a suitable site and addresses a demonstrated gap in provision and demand.

6.46 Such a use is likely to be acceptable with the surrounding character as the area is defined by residential development and a care home would be unlikely to introduce any activity or impacts that would conflict with this.



Hotel/Serviced Apartment Development

NPF4 Policy

- 6.47 NPF4 **Policy 30 (Tourism)** contains provisions relevant to new tourist accommodation development. The policy states, inter alia:
- a) *Development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP, will be supported.*
 - b) *Proposals for tourism related development will take into account:*
 - i) *The contribution made to the local economy;*
 - ii) *Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors*
 - iii) *Impacts on communities, for example by hindering the provision of homes and services for local people;*
 - iv) *Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;*
 - v) *Accessibility for disabled people;*
 - vi) *Measures taken to minimise carbon emissions;*
 - vii) *Opportunities to provide access to the natural environment.*
 - e) *Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:*
 - i) *An unacceptable impact on local amenity or the character of a neighbourhood or area."*

Stirling LDP Policy

- 6.48 **Policy 15.1 (Tourism Development including facilities and accommodation)** is applicable to development of this type. This Policy states, inter alia:
- a) *Proposals for tourism and recreational development including facilities and accommodation, will be supported where they:*
 - i) *Are commensurate in scale with their location and setting within the built and natural environment;*
 - ii) *Complement existing tourist facilities and help facilitate the sustainable movement of tourists at or between major tourist destinations;*
 - iii) *Promote a wider spread of visitors and therefore economic benefits; and*
 - iv) *Promote responsible access to, interpretation of, and effective management and enhancement of the natural and historic environment, and cultural heritage.*

Assessment

6.49 A proposal for a hotel or serviced apartment development will need to take into account of the criteria in part b) of Policy 30 from NPF4. The proposal would have to demonstrate economic benefits, compatibility with the existing residences in the area, accessibility by public transport/active travel, and carbon-reduction measures (including re-use of the existing building). It is regarded that a positive case could be made in respect of these points.

6.50 Furthermore, such a use could be justified in terms of the relevant LDP policy, though it may be considered that the position in an out-of-centre location does not



complement the existing tourist facilities in Stirling. However, there are a number of guesthouses and self-catering apartments in the local vicinity which may set a precedent for such uses in this area. The use of the building for serviced apartments would have to demonstrate how any potential impact on residential amenity would be managed and mitigated.

Community Use Development

NPF4 Policy

6.51 **NPF4 Policy 25 (Community Wealth Building)** is relevant for proposals that would involve community uses in the building. This policy states, inter alia:

- a) *“Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets.”*

Stirling LDP Policy

6.52 There are no specific policies within the Stirling LDP relating to the development of new community facilities, however these are considered “footfall-generating” by **Policy 2.6 (Supporting Town Centres)**, which states that town and city centres would be the preferred location for such uses:

- a) *Town centres, including the city centre and local centres, will be the preferred locations for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and other public buildings such as libraries and education and healthcare facilities where such uses support the vitality and viability of such centres and are consistent with their role, function and scale*

6.53 Similarly, **Policy 2.7 (Retail and Footfall Generating Uses)** states that:

- a) *New retail development and other uses, including offices, commercial leisure, community and cultural facilities will be supported where it is located within a site allocated for such uses*

Assessment

6.54 The site is not allocated for community use and is also not located within the sequentially preferable locations for such a use. Justification similar to that for a retail development would likely be required for a new community facility at this site to ascertain that there were no available sites in more-preferable locations.

6.55 However, the use of the site for community enterprise or another form of community economic activity may be viewed differently and could be supported. These developments can contribute to the community economically. In this case, the site’s past use for an employment-generating purpose could be used to justify a similar type of use with an emphasis on community wealth building.



7.00 Summary + Conclusions

- 7.01 This report has been prepared to assess the planning position of Laurel House and provide some comment on potential alternative uses. The site is unallocated within the Stirling Local Development Plan (2018) but is within a Conservation Area. The building on the site is currently in use as an office. It is located on a small business park, though the character of the surrounding area is predominately residential.
- 7.02 There would be a presumption in favour of retaining the existing building, both from a built heritage perspective and from a sustainability point of view. Demolition within a Conservation Area can be supported where the building is of limited townscape value, but this should be a last resort where conversion is not physically possible or financially unviable.
- 7.03 The building could be suitable for conversion to a number of uses, subject to undertaking of a feasibility assessment. It is regarded that conversion for residential use could be supported by the relevant planning policies and is likely to be the most appropriate alternative use given the location and surrounding character, though this would need to be supported by a robust analysis of the Housing Land Supply and justification for the proposal against other policies in the Development Plan. A new-build residential development could also be supported, but it is regarded that conversion would be preferable to this and easier to justify to the Council.
- 7.04 A hotel or other form of tourist accommodation may also be supported by the Council, but locational justification would be necessary to demonstrate the use could be supported in this area and there was demand for such a use.
- 7.05 A conversion of the building to provide student accommodation could possibly be justified in terms of the relevant policy, though would need to provide some demonstration of demand for such a use in this location. However, the site is also not in close proximity to university buildings, and so its use for this purpose may not be supported on these grounds
- 7.06 It is not considered that a care home facility would be supported at this location without explicit support from relevant authorities and agencies, expressing a need for such a facility. Additionally, the site is in an Out-of-Centre location which would make commercial use of the building for any “footfall-generating” development, including community use, difficult to justify, and the current configuration of the building is unlikely to be suitable. Pre-application discussions should be undertaken in relation to any specific development proposals to agree supporting information.
- 7.07 Any external alterations to the building will need to take into account the setting within the Conservation Area, and redevelopment of the site would also require a sensitive design solution that was appropriate for the heritage designation. Through NPF4 there is a greater emphasis on sustainability and zero waste. The policies have preference to the reuse of the building rather than the demolition and rebuilding. This would also be more suitable for a Conservation Area. There is also the potential for new development to build around and incorporate the existing building on the site.
- 7.08 Prior to any planning application submission, it is recommended that pre-application discussions are undertaken with Stirling Council in relation to the principle of developing this site for any specific purpose.



7.09

If you require any further information in relation to the content of this report, or the planning position for this development site, please contact Murray Rankin, Associate Planner on 07803 896942, or at murray.rankin@g-s.co.uk.