

SUPPLEMENTARY GUIDANCE

NICOLSON STREET/CLERK STREET TOWN CENTRE

December 2017



taxi
Mon - Fri
7.30 - 9.30 am
4.00 - 6.30 pm

pdca for pets in need of vets pdca

VANTAGE SOUTHSIDE PHARMACY

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Further information

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1. Introduction

This Supplementary Guidance sets out the approach to the change of use of shop units within Nicolson Street / Clerk Street Town Centre.

Nicolson Street / Clerk Street Town Centre is one of Edinburgh's nine town centres (including the City Centre) defined and protected in the Edinburgh Local Development Plan (LDP) as a hub for a wide range of activities from shopping, providing local services and as a leisure destination.

The LDP provides a framework for a tailored approach to assessing proposals for change of use applications in individual town centres. The Supplementary Guidance has been prepared in accordance with **Policy Ret 9: Alternative Use of Shop Units in Defined Centres** and applies to all shop units within the town centre.

The Supplementary Guidance aims to deliver two LDP objectives set out in Part 2, Section 6 (Shopping and Leisure) of the Plan:

- To maintain the existing and proposed broad distribution of centres throughout the city and sustain their vitality and viability; and
- To improve the appearance, quality and attractiveness of all centres.

This Supplementary Guidance forms part of the statutory development plan. Applications for change of use must be determined in accordance with the development plan unless material considerations indicate otherwise. To assist in interpreting the LDP the Council issues non-statutory guidance. Guidance for Businesses provides guidance on change of use. This is a material consideration in the determination of applications and should be considered alongside this Supplementary Guidance.

The Supplementary Guidance has been informed by a 'public life street assessment' carried out by design consultants for the Council, which explored how the town centre should evolve to maximise the potential for benefitting public life and a health check which has considered the centre's strengths, vitality and viability, weaknesses and resiliencies.

2. Nicolson Street/Clerk Street Town Centre

Nicolson Street/Clerk Street Town Centre (defined in map 1) is located on a main arterial route leading from Edinburgh's historic Old Town through the inner suburb of the Southside. It extends for 1.7km from North Bridge south to the junction of Newington Road and Salisbury Place.

The Town Centre lies within the Conservation Areas of Old Town and Southside and contains a number of listed buildings. The northern section is located within the Old and New Towns of Edinburgh World Heritage Site. There are a number of prominent buildings and the proximity of Arthur's Seat and Salisbury Crags allow dramatic views throughout the area.

The area is densely populated with approximately 15,400 people within approximately 400 metres of the Town Centre. The University of Edinburgh has a major presence and reflecting the high student population more than half of the resident population is aged 16 to 24. This is much higher than that of Edinburgh as a whole.

It is a diverse lively area with a number of active evening uses including the Festival Theatre. There are three public squares within the town centre – Nicolson Square, St Patrick Square and Hunter Square.

There are a number of community cafes and churches providing a focus for the community. There is a strong sense of identity within the area. There are two active community councils and an established amenity group - The Southside Association.

Shops and other town centre uses

The Town Centre consists of a mix of primarily smaller shops and eating places, bars and different types of takeaway combined with a few larger cultural institutions. Shop units range in size from relatively small shop units up to small supermarket sized units. The majority of units are located within traditional tenement buildings with residential units above. Residential is therefore a major town centre use.

National retailers are represented in the Town Centre, particularly in the South Bridge area. A number of these operators have multiple units along the length of the centre. There are also a number of independent operators.

The northern section of the Town Centre intersects with the Royal Mile. Around this location there are a number of hotels. This area is increasingly focussed on the service for visitors.

Eating places are well represented and spread out fairly evenly throughout the Town Centre. The area is well served with services such as hairdressers, pharmacies, opticians, banks and a post office. There is no dentist or doctors within the town centre boundary, although there are practices within the surrounding area.

The mix of uses has been monitored in city-wide shop surveys periodically undertaken since 1986. There has been a steady decline in class 1 (retail) use and a subsequent increase in class 2 (office), class 3 (food and drink) and pubs and hot food take-aways. Just under half of the shop units in the Town Centre are in retail use. Vacancy rate is low and footfall is high.

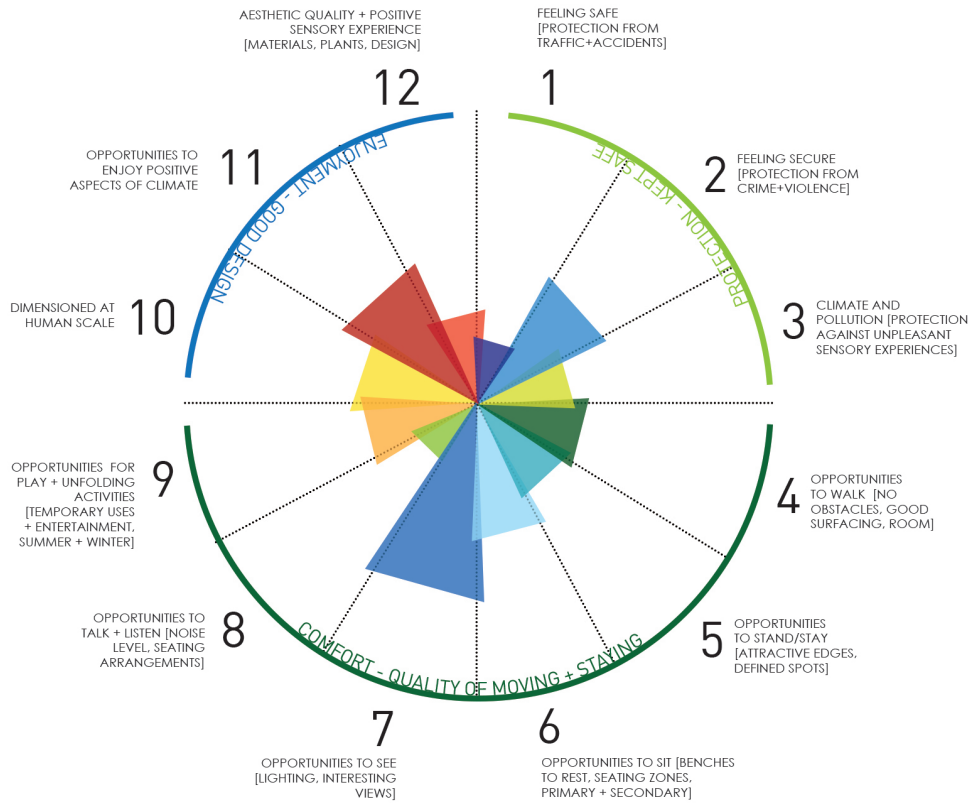
Strengths and weaknesses

To assess how the Town Centre functions in terms of pedestrian and cyclist movement and as a place to visit, a study called a public life street assessment was carried out by design consultants for the Council, and explored how the town centre should evolve to maximise the potential for benefitting public life. This study used a mixture of techniques, including direct observation (pedestrian counts, behavioural mapping and tracing studies), user interviews and land use surveys.

A health check has also been carried out to assess the Town Centre's strengths, vitality and viability, weaknesses and resilience.

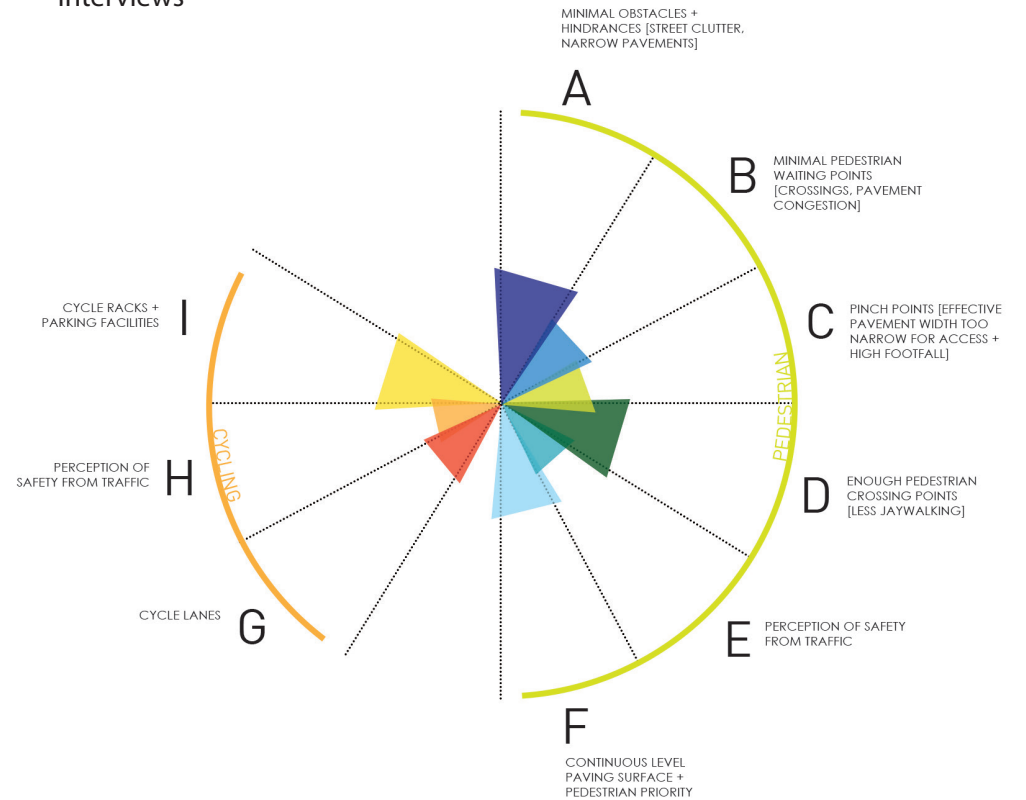
FINDINGS FROM PUBLIC LIFE STREET ASSESSMENTS

Assessed against Gehl's 12 quality criteria



Place Function

Based on direct observation techniques & user interviews



Movement Function

SWOT Analysis

STRENGTHS

- Strong sense of local identity
- High footfall
- Good public transport
- Access to natural space
- Diverse mix of shops and services
- Low vacancy rate

WEAKNESSES

- Narrow footpaths and pinch points
- Traffic noise and air pollution
- Linear centre inhibiting wayfinding
- Poor quality materials
- Integration of communities
- Perceived threat of anti-social behaviour

OPPORTUNITIES

- Improve cross connections
- Build on high footfall
- Enhance spaces
- Build on existing retail
- Improve quality of materials
- Improve conditions and facilities for cyclists
- Safeguarded tram route

THREATS

- Traffic noise, volume and pollution
- Length of centre
- Perceptions of threat in terms of anti-social behaviour

3. Vision and Principles

The Public Life Street Assessment and health check highlight areas for potential improvement in the Town Centre, particularly relating to the movement and place function. The vision for Nicolson Street/Clerk Street is to ;



The Supplementary Guidance goes some way to achieve the wider vision through the following principles, which should be considered when submitting and assessing a planning application for a change of use within Nicolson Street/Clerk Street Town Centre;

1. Supporting high quality shopfront design (see the Council's Guidance for Businesses and Listed Buildings and Conservation Area Guidance). Particular attention should be given to measures which could reduce anti-social behaviour such as gates on recessed doors and frontages that allow natural surveillance.

2. Ensuring active frontages to the street by permitting glazing which will allow for natural surveillance, whilst prohibiting the change of use from shop use to residential in ground floor units.
3. Supporting outdoor seating where pavements are wider.
4. Supporting class 3 food and drink uses around public squares and on corner sites where there is opportunity to activate the public street life and encourage people to spend time in the town centre.
5. Ensuring development makes a positive contribution to the public realm by meeting the Street Design Guidance and Edinburgh Design Guidance.
6. Incorporating and enhancing natural and built features where they can contribute positively to the Town Centre.
7. Supporting additional cycle parking facilities at key points along the Town Centre.
8. Taking opportunities to remove street clutter and other redundant items identified in any relevant street audits prepared by the Council or Living Streets.
9. Ensuring appropriate arrangements are in place for storage of waste, internally and externally.

A number of other programmes and plans have the potential to address some of the other issues highlighted in the Public Life Street Assessment:

- The Old Town Conservation Area Character Appraisal has recently been reviewed and identifies opportunities for enhancement.
- The World Heritage Site Management Plan is under review and will set out future actions within the site.

- A bus shelter replacement programme has recently taken place, including replacement bus shelters with advertising panels in the town centre. Future replacement programmes may present an opportunity to improve placement of shelters.
- Review of Air Quality Action Plan.
- Road and footway investment – Capital Programme.
- The Council and other stakeholders are currently progressing a Wayfinding system for the City and the intention would be to include town centres as part of the project.
- Quiet Routes – Edinburgh’s local walking and cycling routes.
- A 20mph speed limit has applied to much of the town centre since July 2016. The remainder of the centre introduced a 20mph limit in February 2017. Reduced traffic speed will improve the sense of security for pedestrians and cyclists.
- A trade waste policy applies to the town centre that only allows trade waste to be presented on the street/outside premises for one-hour within set collection windows.
- A locality based approach to service delivery operates in Edinburgh. The town centre is part of the South East Locality and the South Central Neighbourhood Partnership area. The Draft Locality Improvement Plan sets out a small area plan for the Southside Corridor which includes Nicolson Street/ Clerk Street Town Centre. It includes actions to improve public spaces.

4. Change of Use Policies

The policies apply to shop units.

What is a shop unit? Premises opening directly onto the street and designed primarily for shop use. In some locations the shop unit can be above street level or at basement level but still have direct access and be visible from the street.

Changing a shop unit to a non-shop use will always require planning permission.

What is a shop use? A unit used for the sale of goods (not hot food), e.g. post office, sale of tickets, travel agency, cold food for consumption off the premises, hairdressing, funeral parlour, launderette or dry cleaners.

All where the sale, display or service is principally to visiting members of the public.

Shop use is defined in the Town and Country Planning (Use Classes) (Scotland) Order 1997. These types of use are grouped together and collectively called class 1 shops. The Scottish Government Circular 1/1998 contains guidance on use classes.

Some other changes of use are permitted development, for example, a café (class 3) being turned into a shop unit (class 1). The Scottish Government Circular 1/1998 contains guidance on use classes.

To ensure that the retailing role of the centre is maintained while providing flexibility to allow a diverse mix of other uses a tiered approach will be applied. Separate policies are set out for defined Primary and Secondary retail frontages and elsewhere within the Town Centre.

A Primary Retail Frontage is a grouping of shops that has been identified as having a primarily retail focus. Within these areas the proportion of shop units in non-retail use is low. The policy will continue this focus while allowing an element of other uses which are appropriate to town centres and can add or maintain vitality and viability.

A Secondary Retail Frontage is a grouping of shops identified as an area where retailing should be protected but not at the same level as within the Primary Retail Frontage areas. The Secondary Retail Frontages retain a majority of units in shop use, however

at lower levels than the Primary Retail Frontages. The policy aims to preserve the retail provision within these frontages around current levels ensuring that the majority of shop units are retained in retail use.

Outwith the areas defined in Policy NCTC1 and NCTC2 there is a wide range of uses which contribute to the vitality and viability of the Town Centre. The policy will provide a flexible approach which will allow appropriate uses, accepting that retailing and the role of town centres are changing, to ensure the vitality and viability of the town centre overall.

Policy NCTC1 – Alternative Use of Shop Units in Primary Retail Frontages

In the Primary Retail Frontages defined in the table below and Map 2, the change of use of a shop unit to a non-shop use will be permitted provided:

- a) as a result of permitting the change of use, no more than one third of the total number of units in the Primary Retail Frontage will be in non-shop use; and
- b) the proposal is for an appropriate commercial or community use which would complement the character of the centre and would not be detrimental to its vitality and viability.

Primary Retail Frontages
36-76 Nicolson Street
78a-140 Nicolson Street
46-66 Clerk Street and 1-29 South Clerk Street
85-108 South Bridge

Policy NCTC2 - Alternative Use of Shop Units - Secondary Retail Frontages

In the Secondary Retail Frontages, defined in the table below and Map 2, the change of use of a shop unit from a shop use to a non-shop use will be permitted provided:

- a) as a result of permitting the change of use, no more than 45% of the total number of units will be in non-shop use; and

- b) the proposal is for an appropriate commercial, community or leisure use which would complement the character of the centre and would not be detrimental to its vitality and viability.

Secondary Retail Frontages
47-87 Nicolson Street
37-85 Clerk Street and 2-10 South Clerk Street

Policy NCTC3 - Alternative use of shop units elsewhere in Nicolson Street/Clerk Street Town Centre

For those locations not within an identified frontage, but elsewhere within the Nicolson Street/Clerk Street Town Centre boundary, a change of use of a shop unit from a shop use to a non-shop use will be permitted provided a proposal is:

- Class 2 – financial, professional or other services
- Class 3 – food and drink uses
- An appropriate commercial, community or leisure use which would complement the character of the centre and would not be detrimental to its vitality and viability.

Residential use

For placemaking purposes it is important that ground floor uses help bring activity onto the street. Residential units at ground floor level tend to add little vitality to the town centre. Nicolson Street/Clerk Street already has a large population living within walking distance of the main shopping streets and within the town centre itself, changes from shop units to residential is not supported.

5. Links to other Policies and Guidance

Other relevant policies in the Edinburgh Local Development Plan include:

- Ret 1 Town Centres First
- Ret 3 Town Centres
- Ret 7 Entertainment and Leisure Developments
- Ret 11 Food and Drink Establishments
- Des 13 Shopfront
- Env 1 World Heritage Sites
- Env 3 Listed Buildings - Setting
- Env 4 Listed Buildings – Alterations and Extensions
- Env 5 Conservation Areas – Demolition of Buildings
- Env 6 Conservation Areas – Development

Policy Ret 3 generally supports shop uses in town centres. Policy Ret 7 supports leisure and entertainment facilities in town centres. Policies Ret 11 considers the impact on nearby residents for proposals such as public houses and hot-food takeaways. Des 13 supports improvements to shop fronts..

Guidance For Businesses – non-statutory guidance to assist businesses in preparing applications to change the use of a property as well as providing guidance on shopfront design.

One-Door Approach - Food and drink, public house and hot-food takeaway uses will often require other consents and are subject to separate controls by licensing for: alcohol; hours of operation and outdoor pavement seating. For more information on these, see the Council's website on the One Door Approach.

Edinburgh Street Design Guidance - guidance on street design to achieve coherence and co-ordination across the city.

Edinburgh Design Guidance - sets out the Council's expectations for the design of new development in Edinburgh.

Old Town and Southside Conservation Area Character Appraisal - describes what is special about the conservation area and helps in making decisions on proposals that affect the area's special character.

World Heritage Management Plan- sets out how the Outstanding Universal Value of the site will be protected. The management plan informs a separate action plan.

6. Definitions

Shop unit - As defined in the Edinburgh Local Development Plan (2016), a shop unit is a premises accessed directly onto the street and designed primarily for shop use.

Primary Retail Frontage - a group of shop units that has been identified as providing a focus for retail within the town centre.

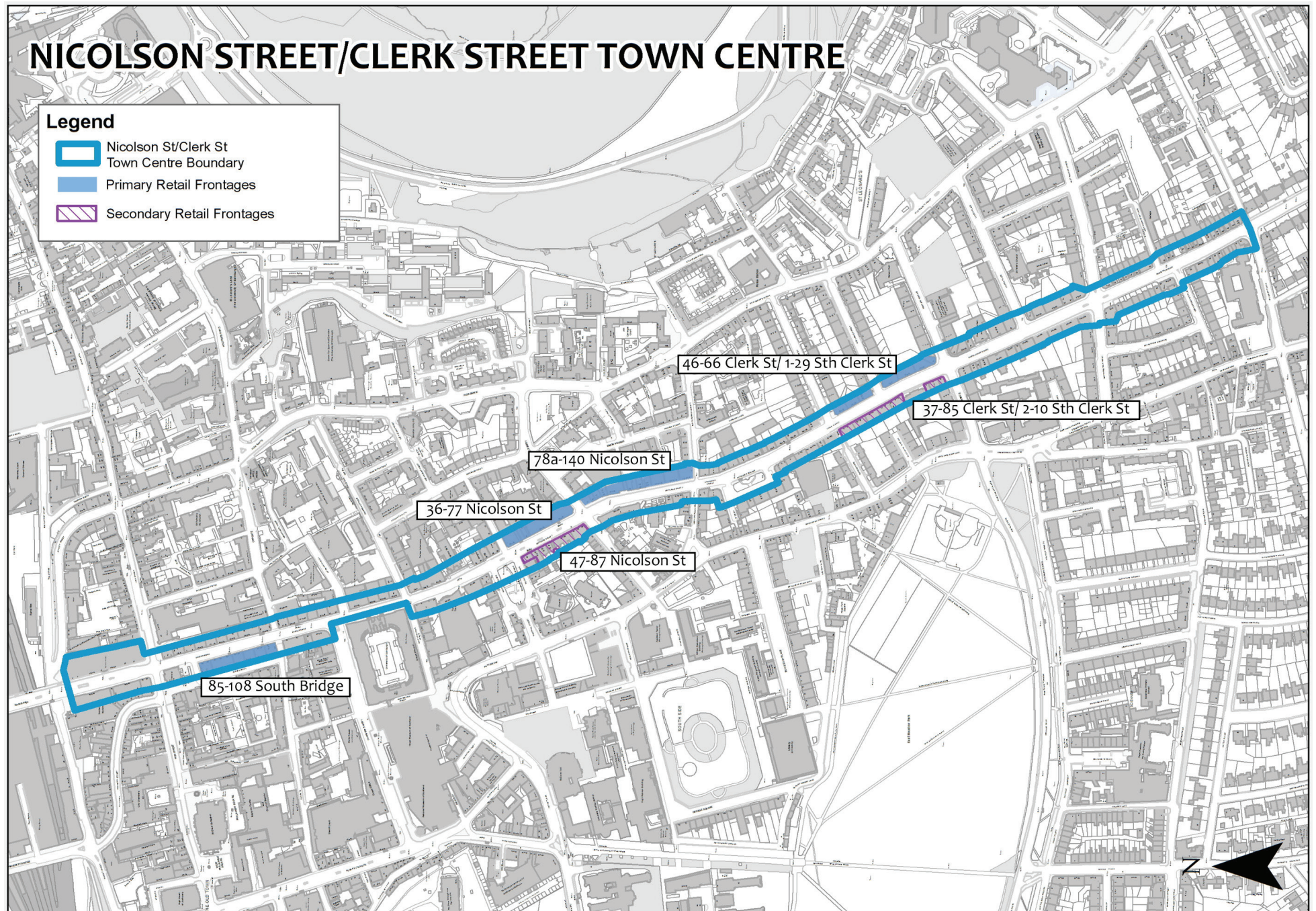
Class 1 shop use - A unit used for the sale of goods to visiting members of the public, for example, post office, sale of tickets, cold food for consumption off the premises, and hairdressing. This is further defined in the Town and Country Planning (Use Classes) (Scotland) Order 1997.

Non-shop uses – Any use falling outwith the definition of class 1 shop use. Examples of non-shop uses are:

- **Service uses** – e.g. lawyers, accountants, estate agents, health centres, tanning salons and pawn brokers.
- **Food and drink** – e.g. restaurant, cafe, snack bar.
- **Commercial/business use** – general office, light industry or research and development, which can be carried out without detriment to the amenity of any residential area.
- **Community use** – e.g. social and cultural activities.
- **Leisure use** – e.g. cinema and gymnasium.
- **Other uses** – e.g. betting shops, pay day loan shops, pubs and hot food takeaways.

Some changes of use are permitted development, for example, a cafe (Class 3) being turned into a shop unit (Class 1). The Scottish Government Circular 1/1998 contains guidance on use classes.







HAPPY TO TRANSLATE

ترجمے کے لئے حاضر آماندوں سے انوباد کررر

بسعنا توفير الترجمة MOŻEMY PRZETŁUMACZYĆ 很樂意翻譯

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