

# INTRODUCTION

Development plans guide decisions on applications for planning permission. The statutory development plan comprises the National Planning Framework (adopted February 2023) and the local development plan, namely City Plan 2030 (adopted November 2024).

This guidance sets out the approach to the change of use of shop units within Bruntsfield/Morningside Town Centre and assists the implementation of development plan policy.

Bruntsfield/Morningside is one of Edinburgh's nine town centres (including the City Centre) defined and protected in the City Plan 2030 as a hub for a wide range of activities including shopping, providing local services and as a leisure destination.

The Local Development Plan provides a framework for a tailored approach to assessing proposals for change of use applications in individual town centres. This guidance was originally prepared, as statutory supplementary guidance, in accordance with the superseded 2016 Local Development Plan, prior to the National Planning Framework forming part of the statutory development plan. However, the substance of the planning guidance remains valid in the context of the current statutory development plan, and is unchanged by the update.

The guidance has been updated only to reflect:

- Statutory Changes to Permitted Development Rights
- The overarching Policy framework of the current statutory development plan, both in terms of:
  - National Planning Framework 4; and
  - City Plan 2030, including Policy Re 4: Alternative Use of Shop Units in the City Centre and Town Centres,
- Revisions to town centre boundaries to accord with the boundaries defined by City Plan 2030.

The updated guidance is no longer statutory supplementary guidance, but will remain as planning guidance and a material consideration in the determination of planning applications.



# AIMS AND OBJECTIVES

This guidance assists the delivery of NPF objectives and policies, in particular to ensure town centres are vibrant, healthy and resilient places for people to work, enjoy and visit.

This guidance assists the City Plan 2030 aim to support the existing network of city, town and local centres which are an important focal point for people who live and work in Edinburgh, providing shopping, leisure and community facilities in locations which are easily accessible by walking, wheeling and cycling or public transport. They also contribute to local living and 20 minute neighbourhoods.

This guidance is a material consideration for planning applications seeking consent for a change of use of a retail unit where permitted development rights do not apply. The Council's *Guidance for Businesses* is also of relevance to proposals of change of use. This will also be a material consideration in the determination of applications.

This 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 benefiting public life and a health check which has considered the centre's strengths, vitality and viability, weaknesses and resiliencies.



# **BRUNTSFIELD/MORNINGSIDE TOWN CENTRE**

Bruntsfield/Morningside Town Centre (defined in Map 1 and 2) is located along a main arterial route leading south from the City Centre. The boundary starts at the junction of Leamington Terrace/ Bruntsfield Place and continues down to the bottom of Morningside Road, taking in side streets like Church Hill Place and a part of Colinton Road.

Bruntsfield/Morningside is densely populated, with a population of over 10,000 within easy walking distance of the town centre. The area is historic in character, with a number of listed buildings and the majority of the town centre is located within Marchmont, Meadows and Bruntsfield, Merchiston and Greenhill, and Morningside Conservation Areas.



## **PUBLIC STREET LIFE ASSESSMENT**

A systematic methodology using direct observation techniques (pedestrian counts, behavioural mapping and tracing studies) was used to assess both the place and movement function of Bruntsfield/Morningside Town Centre. The results are summarised below and in the accompanying graphics.

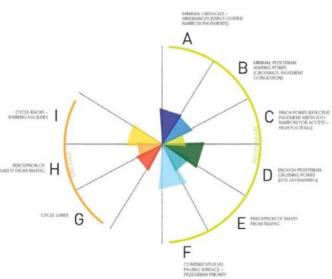
#### **Place Function Analysis**

As identified in the image below, Bruntsfield/Morningside Town Centre has a mix of place function scores, with some very high, for example feeling secure, and some very low, such as feeling safe from traffic and opportunities to walk. The diversity of small scale shops provide visual interest and a desire to stop and stay, particularly where awnings provide shelter. However, narrow pavements and limited opportunities to sit often restrict people's desire to stop and stay. Likewise, although there are many high points along the street which offer views to the Pentlands, there are little opportunities to appreciate these.

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#### **Pedestrian Movement Function**

As identified in the image below, Bruntsfield/Morningside Town Centre scored poorly for movement function, both for pedestrians and cyclists. These low scores are the result of narrow pavements, street clutter, poor material surfaces, poor drainage, and a lack of cycle facilities and pedestrian priority. Narrow pavements, heavy peak footfall and long waiting times at crossing points result in significant pedestrian congestion in many places throughout the town centre. This often results in incidences of jaywalking, single file walking and frequently stepping out into the road to avoid people and obstacles.



The map and images on the following page show the observational tracing studies carried out at the five locations (A-E) within the town centre boundary. The tracing studies mark pedestrian movement lines. As these build up, pedestrian desire lines and highly trafficked routes become more obvious, giving a graphical representation of the volume and direction of pedestrian movement.

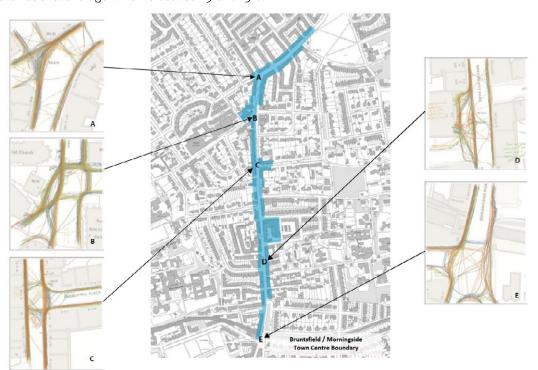
From March 2017, Bruntsfield/Morningside Town Centre introduced a 20mph speed limit, which is being rolled out across the city. Reduced traffic speed will improve the sense of security for pedestrians and cyclists. Since the Public Life Street Assessment was carried out, the town centre has also benefitted from the trade waste policy that only allows trade waste to be presented on the street/outside premises for one-hour within set collection windows. This has significantly reduced pavement clutter and improved pedestrian movement at peak times, for example commuter times and during lunch breaks.

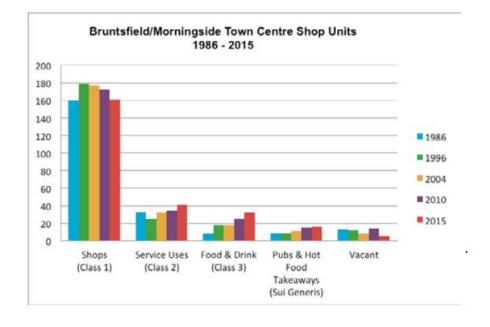
PLANNING GUIDANCE 5

#### Shops and other town centre uses

Similar to Edinburgh's other town centres, the shop units are predominantly ground floor units under traditional tenemental housing. The planning system cannot control what goods shops are selling, nor can it control which company occupies a shop. National retailers such as Boots and Superdrug are commonplace, but a good proportion of retail units are occupied by up-market independent operators. There are also a number of smaller supermarkets within the town centre, Marks & Spencers Simply Food and a large Waitrose. The mix of uses has been monitored in city-wide shop surveys periodically undertaken since 1986. As identified in the chart below, the survey shows a steady increase in other town centre uses. It also shows a steady decrease in the vacancy rates. The vacancy rate is 2%, which is significantly below the Edinburgh average of 7% and below the national average which is between 9 and 13%.

Notwithstanding the number of shop uses, the area also benefits from having a number of community, leisure and public uses located within and in close proximity, such as Bruntsfield Links, Morningside Library, Dominion Cinema, Church Hill Theatre, a number of health centres and the Eric Liddell Centre, which operates a range of caring services, educational courses, and activities for the community. As a result of the mix of uses, employment in Bruntsfield/ Morningside Town Centre is high at 4,900. Re-letting potential is also high, with vacancy rates being consistently low. Rents have increased or remained stable over recent years. The retail rent (2 years ending September 2015) is £24/sq ft; the highest of all eight town centres (excluding the city centre) and double that of Leith and Portobello.





# THE VISION FOR BRUNTSFIELD/MORNINGSIDE

There is great potential to improve the movement and place function of Bruntsfield/ Morningside Town Centre. Three key overarching aims have been identified for the town centre as a whole. Both the Planning and Transport Service and Localities team should endeavour to apply these, where appropriate. External parties should consider these when submitting planning applications.

#### Aim 1 -Prioritise pedestrian and cycle movement

- a) Improve connections with the wider active travel network as identified on Map 1 and 2.
- b) Increase opportunities for cycle parking facilities at key points along the town centre.
- c) Simplify complex pedestrian crossings at key junctions, for example Holy Corner.
- d) As part of the Capital Renewals Program and in line with Edinburgh's Street Design Guidance, explore the potential to move the kerbs to make pavements wider and carriageways narrower.
- e) Minimise appropriate pavement displays and other street clutter as identified in any relevant street audits prepared by the Council or Living Streets.
- f) Explore the opportunities of redesigning key junctions that currently present a barrier to pedestrian movement, for example Holy Corner, where the semi public space outside Bank of Scotland provides an opportunity for new civic space with seating, green space, and cycle racks.

#### Aim 2 -

Promote and facilitate staying times by making environmental improvements, which would enhance visual interest and comfort within the public realm.

- a) Incorporate and enhance natural and built features where they can contribute positively to new development, for example the former listed police box, the South Suburban railway line, any existing pedestrian links, and private/public open spaces.
- b) Ensure active frontages to the street by prohibiting the change of use from shop use to residential in ground floor units.
- The mix of uses at ground floor level must seek to activate the building, by providing glazing which will allow for natural surveillance and interaction to take place between the building and outdoor space.
- d) Support high quality shopfront design that complies with the Council's Guidance for Businesses, and the Listed Building and Conservation Area Guidance.
- Maximise opportunities for formal and informal outdoor seating incorporating shelter in the form of trees, planters or shop front awnings.
- f) Open up existing private open space, for example at Hermitage Terrace, to enable it to function as part of the town centre.
- Retain existing frontage set-backs along Morningside Road, as part of future redevelopment opportunities,

to provide for flexible pedestrian priority spaces with opportunities for outdoor markets on an otherwise very linear and narrow street. For example at Belhaven Terrace (Bank of Scotland), Morningside Park (M&S Simply Food/ Superdrug), Falcon Avenue (Waitrose), Balcarres Street (Bank of Scotland) and Hermitage Terrace (Post Office).

#### Aim 3 -

Ensure a mix of uses to meet the needs and demands of the population, thus maintaining it as a destination for both shopping and leisure activities that extend into the evening

- a) Planning applications for a change of use from a shop to a non-shop use must comply with the policies set out in Section 4.
- b) Opportunities should be considered for promoting residential use above shop units in any new development or redevelopment schemes within and on the edge of the town centre boundary, for example the M&S Simply Food/Superdrug, Post Office and Bank of Scotland buildings along Morningside Road.
- Where pavements are wider and there are clusterings of food and drink uses, outdoor seating permits should be encouraged.
- d) Support class 3 food and drink use on corner units where there is opportunity to activate the public street life.

## **CHANGE OF USE POLICIES**

#### The policies in this guidance 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. A shop unit is 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.

What is a shop use? Shops are now included within the Class 1A (shops, financial, professional and other services) as set out in the amended General Permitted Development (Scotland) Order 1992.

Other uses falling outwith the definition of class 1A include:

**Food and drink (class 3)** – Use for the sale of food or drink for consumption on the premises e.g. restaurants, café

**Business use (class 4)** – general office, light industry or research and development, which can be carried out without detriment to the amenity of any residential area.

**Assembly and leisure use (class 11)** – e.g. cinema, and gymnasium

**Sui generis uses** – e.g. betting shops, pay day loan shops, pubs and hot food takeaways.

#### **Permitted Development Rights**

Class 11A of the amended General Permitted Development (Scotland) Order 1992 does allow the change of a use

of a building within Class 1A to Class 3 (food and drink) without planning permission. However, change of use is not permitted by this class if it involves a unit directly below a residential dwelling or within 1 metre of a residential dwelling. In the case of Bruntsfield/Morningside Town Centre, Class 1A does not apply to the majority of shop units.

Class 11B of the amended General Permitted Development (Scotland) Order 1992 allows the change of use of a building unit from Class 1A to Class 4 (business) without planning permission.

#### **Purpose of the Guidance**

The purpose of this town centre guidance is to assist planning officers and applicants in determining whether a change of use of a shop unit would undermine the retail function of the centre. It has been prepared to support the delivery of Policy Re 4 of the City Plan 2030.

#### Policy Re 4: Alternative Use of Shop Units in the City Centre and Town Centres

In the City Centre Retail Core and town centres, changes of use of a shop unit to a non-shop use will only be permitted if it can be demonstrated that:

- a. The change would not undermine the retailing function of the centre, and
- b. The proposal is for an appropriate commercial, community or business use, which would complement the character of the centre and would not be detrimental to its vitality and viability.

The Council's city centre and town centre planning guidance will be used to assess whether the change of use would undermine the retail function of the centre. These guidelines have been prepared following detailed analysis of each centre and set out detailed advice tailored to identify the appropriate balance of uses within each centre to maintain their vitality, viability and deliver good placemaking.

Planning applications should be assessed against the policies in this guidance. Where a proposal meets the requirements of the policies a change of use is not expected to undermine the retail function of the centre. Where a proposal is contrary to the policies, there is a risk that a proposal would undermine the retail function of the centre, unless there are other material considerations that outweigh the loss of the retail unit, for example, a significant number of vacant units exist in the same retail frontage.

#### **Guidance Policies**

The three policies below set out when a shop unit can change from a shop use to a non-shop use.

#### BM 1 -Alternative Use of Shop Units in Primary Frontages

In the Primary Frontages, defined in Table 1 (see Map 1 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 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.

# Table 1: Primary Frontages 20-104 Morningside Road 179-235 Morningside Road 200-372 Morningside Road 237-265 Morningside Road 132-174 Morningside Road & 2 Bruntsfield Avenue 176-206 Morningside Road 103-129 Morningside Road 131-141 Morningside Road

#### BM 2 -Alternative Use of Shop Units in Secondary Frontages

In the Secondary Frontages, defined in Table 2 (see Map 1 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 half of the total number of units in the frontage will be in non-shop use; and
- 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.

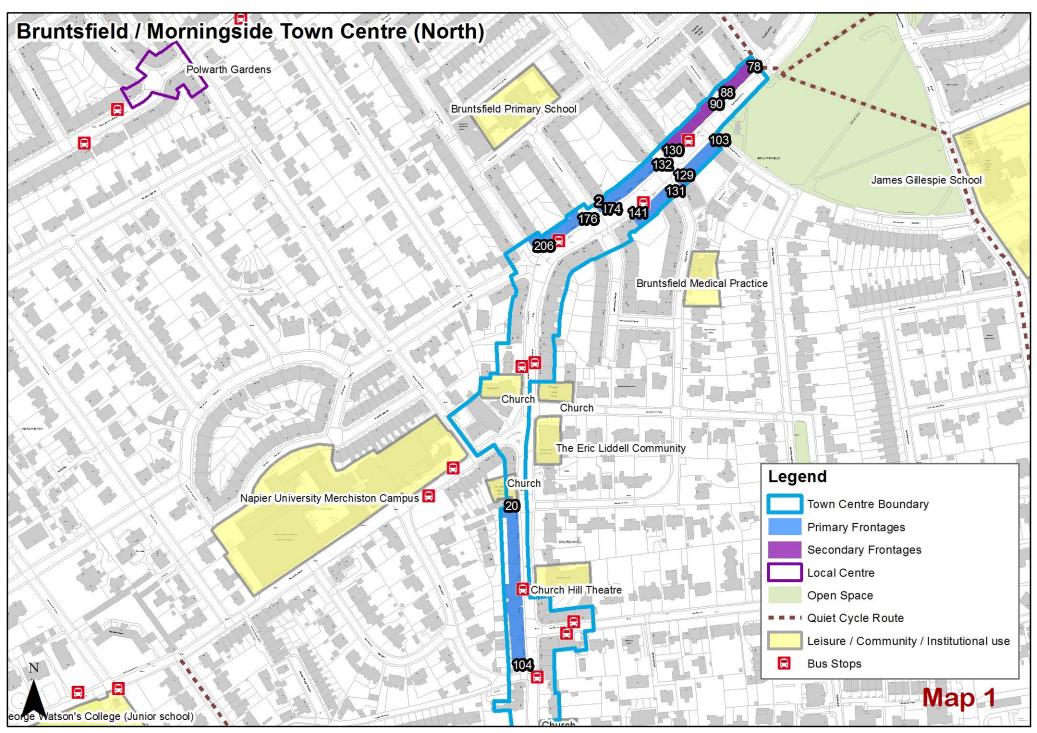
#### **Table 2: Secondary Frontages**

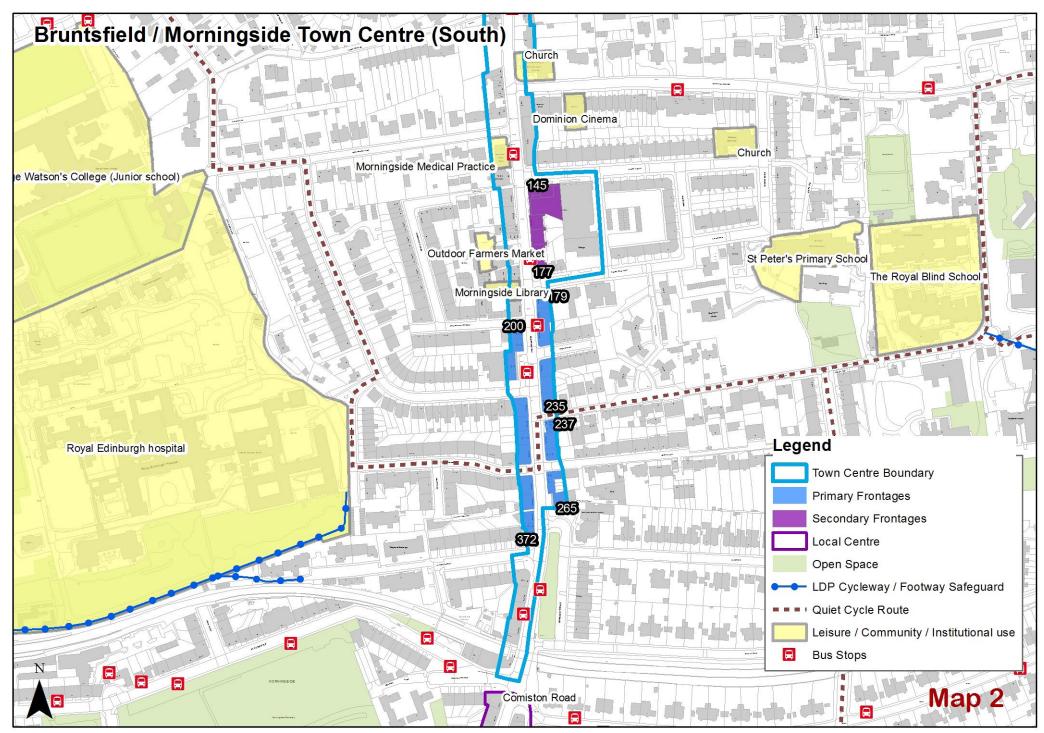
78-130 Bruntsfield Place 145-177 Morningside Road

#### BM 3 -Alternative Use of Shop Units Elsewhere in Bruntsfield/Morningside Town Centre

For those locations not within a 'frontage', but elsewhere within the Bruntsfield/Morningside Town Centre boundary, a change of use from a shop to a non-shop use will be permitted provide a proposal is:

- Class 3 food and drink
- An appropriate commercial or community use which would complement the character of the centre and would not be detrimental to its vitality and viability.





#### **Other Relevant Information**

#### **National Planning Framework 4**

#### City Plan 2030

Other relevant policies in City Plan 2030 include:

Town Centres First Policy

Town Centres Re 3

Entertainment, Leisure and café/restaurant developments – Preferred locations

Re 11 Food and Drink Establishments

Env 13 Shopfronts

Env 9 World Heritage Sites

Env 11 Listed Buildings – Setting

Env 12 Listed Buildings – Alterations and Extensions

Env 13 Conservation Areas – Demolition of Buildings

Env 14 Conservation Areas – Development

Env 15 Historic Gardens and Designed Landscapes

Policy Re 3 generally supports shop uses in town centres. Policy Re 9 supports leisure and entertainment facilities in town centres. Policies Re 11 considers the impact on nearby residents for proposals such as public houses and hot food takeaways. Env 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.

**Licensing** - 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 web site on *licenses* and permits.

Edinburgh Street Design Guidance - Edinburgh's new Street Design Guidance brings together previously separate CEC guidance on street design to achieve coherence and co-ordination across the city, with the ultimate goal of providing the people of Edinburgh with a world-class network of vibrant, safe, attractive, effective and enjoyable streets. The guidance will apply to a range of Council services who manage streets for various purposes.

Edinburgh Design Guidance - The Edinburgh Design Guidance sets out the Council's expectations for the design of new development in Edinburgh. The guidance is intended for all new buildings and should be used as a point of reference, a basis for the planning, design and communication of new development proposals and a material consideration in assessing planning applications. It aims to provide guidance on how to comply with the policies in the local plans, explain the key ideas which need to be considered during the design process, give examples of good quality design, and set out the requirements for design and access statements.

#### **Definitions**

**Shop unit** – As defined in the City Plan 2030, 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 1A** – are shops and financial, professional and other services. Uses under Subsection 1 are; retail sale of goods other than hot food, a post office, sale of tickets, a travel agency, sale of cold food for consumption off the premises, hairdressing, direction of funerals, display of goods for sale, hiring of domestic or personal goods or articles, a launderette or dry cleaners, for reception of goods to be washed, cleaned or repaired. These uses are where the sale, display or service is principally to visiting members of the public. Uses under Subsection 2 are; provision of financial, professional or any other service, which is appropriate to provide in a shopping area and where the sale, display or service is principally to visiting members of the public.

#### **Contact us:**

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# Bruntsfield/Morningside Town Centre Guidance

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