

# Nicolson Street/Clerk Street Town Centre Guidance

January 2025

# 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 Nicolson Street/Clerk Street Town Centre and assists the implementation of development plan policy.

Nicolson Street/Clerk Street 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 This guidance was originally prepared, as statutory supplementary guidance, in accordance with the superseded 2016 Local Development Plan, prior to the National Planning Framework forming part of the statutory development plan.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.



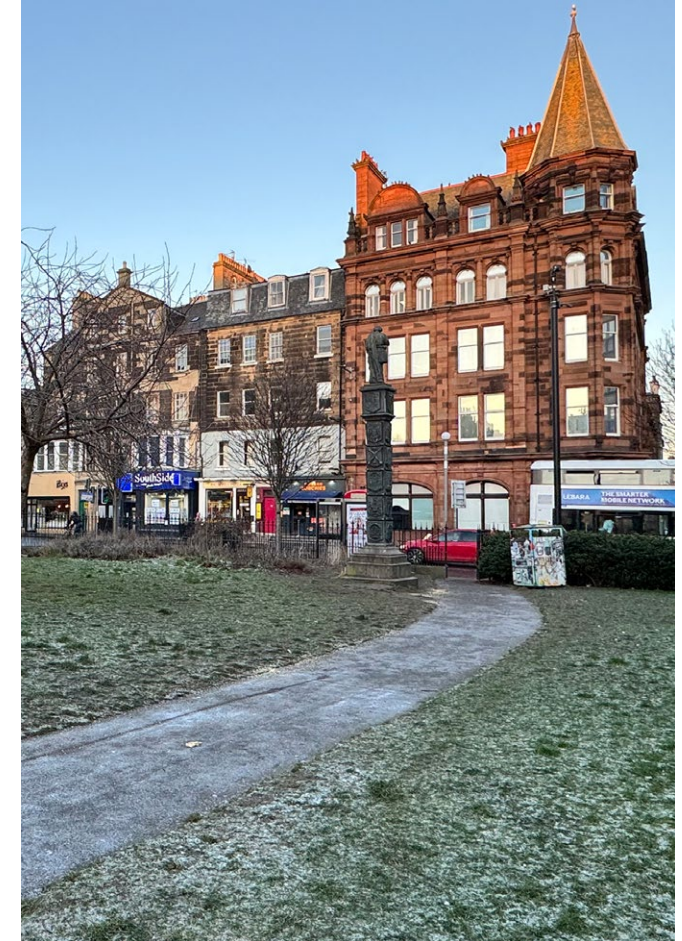
# AIMS AND OBJECTIVES

This guidance assists the delivery of National Planning Framework 4 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. These 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 centres strengths, vitality and viability, weaknesses and resiliencies.



# 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

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 are no 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.

## 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

## 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

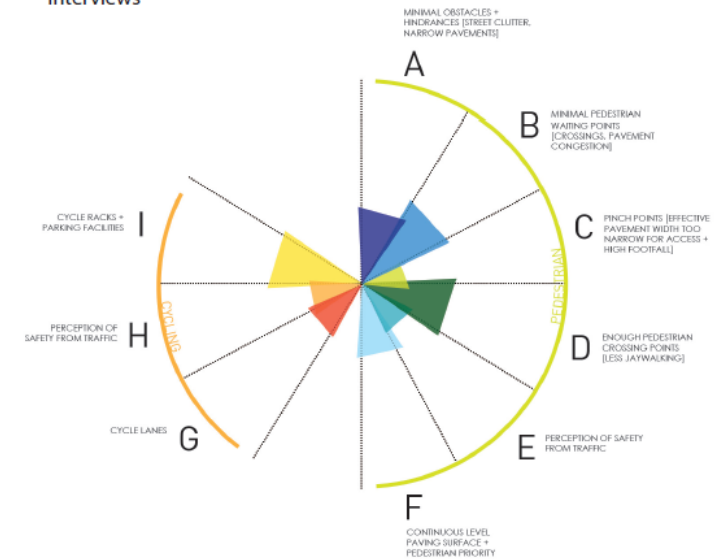
## FINDINGS FROM PUBLIC LIFE STREET ASSESSMENTS

Assessed against  
Gehl's 12 quality  
criteria



### Place Function

Based on direct  
observation  
techniques & user  
interviews



### Movement Function

## 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 guidance goes some way to achieve the wider vision through the following ten 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 for details). 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 Street Life Assessment:

- The Old Town Conservation Area Character Appraisal has been reviewed and identifies opportunities for enhancement.
- The World Heritage Site Management Plan is currently under review and will set out future actions within the site.
- A bus shelter replacement programme has recently taken place. Future replacement programmes will 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 have progressed a Wayfinding system for the City and the intention was to include town centres as part of the project.
- QuietRoutes – Edinburgh's local walking and cycling routes.
- A 20mph speed limit has applied to much of the town centre since February 2017. Reduced traffic speed will improve the sense of security for pedestrians and cyclists.
- A trade waste policy applies in 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 2nd edition of the South East Locality Improvement Plan set out a small area plan for the Southside Corridor which includes Nicolson Street/ Clerk Street Town Centre. It focussed on actions to improve the quality of life of those who live in the South East.



# CHANGE OF USE POLICIES

The policies in this guidance apply to shop units.

**What is a shop unit?** Premises accessed directly from 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.

**What is a shop use?** Shop use is now included within the Class 1A (shops, financial, professional and other services) as set out in the amended General Permitted Development (Scotland) Order 1992, e.g. charity shops, tattoo parlours, beautician, estate agents etc.

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/shop unit 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 Tollcross 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 if the building or unit is 300sqm or less.



## 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.

Separate policies are set out for defined Primary Retail Frontages and elsewhere within the Town Centre boundary. A Primary Retail Frontage is a group of shop units that has been identified as 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 vitality and viability of the town centre overall.





## Guidance Policies

### Policy NCTC<sub>1</sub>

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 unit 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 NCTC<sub>2</sub>

In the Secondary Retail Frontages, defined in the table below and Map 2, the change of use 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 or community 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 NCTC<sub>3</sub>

For those locations not identified as Primary Retail Frontage, but elsewhere within the Town Centre boundary, a change of use from a shop to a non-shop use will be permitted provided a proposal is:

- Class 3 – food and drink uses
- An appropriate commercial, community or leisure use which would complement the character of the centre, support the main shopping function, 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, therefore, changes of shop use to residential is not supported.



# OTHER RELEVANT INFORMATION

## National Planning Framework 4

Other relevant policies in City Plan 2030 include:

- Re 1** Town Centres First Policy
- Re 3** Town Centres
- Re 9** 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** – 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 areas 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.

## 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.

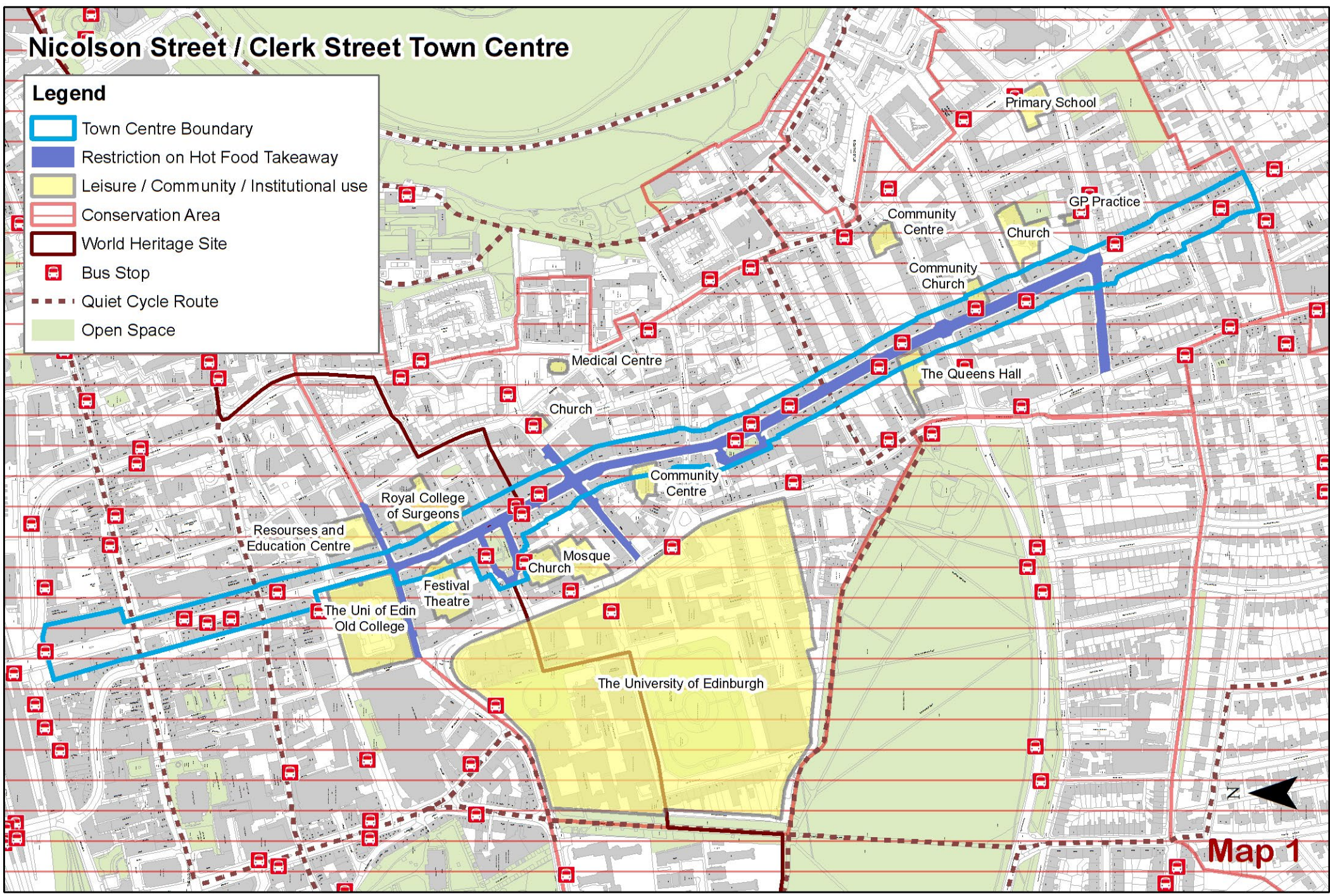
**Primary Retail Frontage** – a group of shop units that has been identified as providing a focus for retail within the town centre.

**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.

# Nicolson Street / Clerk Street Town Centre

**Legend**

-  Town Centre Boundary
-  Restriction on Hot Food Takeaway
-  Leisure / Community / Institutional use
-  Conservation Area
-  World Heritage Site
-  Bus Stop
-  Quiet Cycle Route
-  Open Space

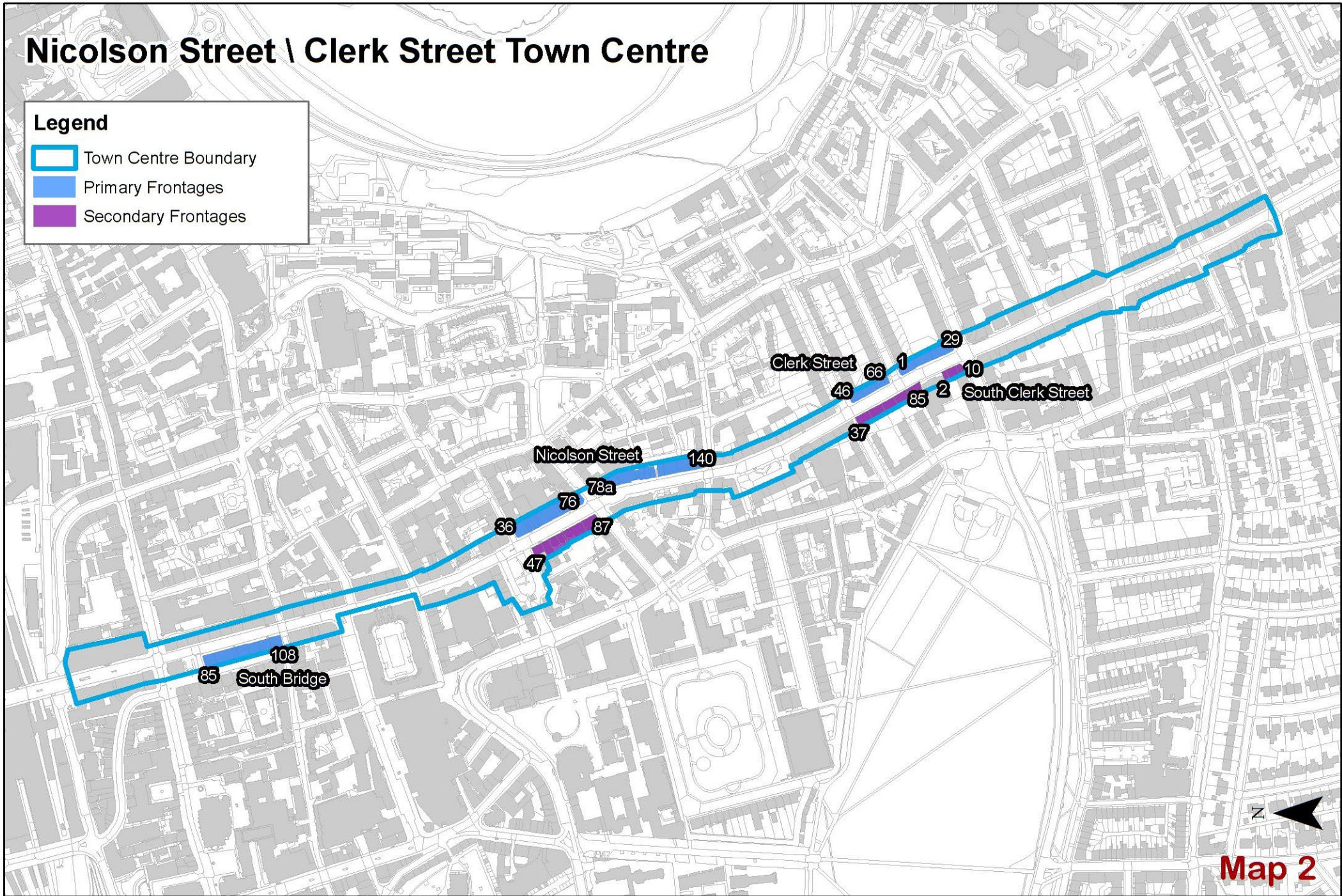


Map 1

# Nicolson Street \ Clerk Street Town Centre

## Legend

-  Town Centre Boundary
-  Primary Frontages
-  Secondary Frontages



Map 2

Contact us:

Email: [cityplan2030@edinburgh.gov.uk](mailto:cityplan2030@edinburgh.gov.uk)

[www.edinburgh.gov.uk/cityplan2030](http://www.edinburgh.gov.uk/cityplan2030)

# Nicolson Street/Clerk Street Town Centre Guidance

---

January 2025



HAPPY TO TRANSLATE

[www.edinburgh.gov.uk/its](http://www.edinburgh.gov.uk/its)  
email: [its@edinburgh.gov.uk](mailto:its@edinburgh.gov.uk)  
reference 24-1550