

# Planning Committee

2.00pm, Wednesday, 7 August 2019

## City Centre Retail Core Supplementary Guidance Review

Executive/routine

Wards

All

Council Commitments

[2 and 11](#)

### 1. Recommendations

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1.1 It is recommended that the Committee:

1.1.1 approves the revised City Centre Retail Core Supplementary Guidance for consultation.

**Paul Lawrence**

Executive Director of place

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## City Centre Retail Core Supplementary Guidance Review

### 2. Executive Summary

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- 2.1 The purpose of this report is to seek approval of the revised City Centre Retail Core Supplementary Guidance for consultation. The current guidance was adopted in February 2017 and forms part of the statutory development plan. Since the guidance was adopted there have been various changes in circumstance necessitating a review of the guidance. Revised guidance has been prepared for consultation following a stakeholder workshop held on 29 May 2019.

### 3. Background

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- 3.1 The Local Development Plan (LDP) was adopted in November 2016. Policy Ret 9 Alternative Use of Shop Units in Defined Centres requires Supplementary Guidance (SG) to be prepared for each town centre including the city centre retail core. The guidance for each centre is tailored to suit its individual circumstances in order to guide changes of use within the defined frontages.
- 3.2 SG is prepared under Section 22 of the Town and Country Planning (Scotland) Act 1997. The adopted guidance forms part of the statutory development plan when considering planning applications for change of use in defined centres.
- 3.3 When the current guidance was finalised, a commitment was undertaken to regularly review the guidance to take account of changes of use over time.
- 3.4 The [Planning Bill](#) was passed in June 2019. It will result in removed provision for statutory supplementary guidance to accompany local development plans. The Bill will not take effect for some time, because secondary legislation, guidance and transitional arrangements all need to be put in place by the Scottish Government. Accordingly, this supplementary guidance is being reviewed under the existing legislation.

## 4. Main report

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### Review of guidance and consultation

- 4.1 The current SG was adopted in February 2017. The guidance sets out the policies that apply to the city centre retail core, the boundary of which is defined on the LDP proposals map. The guidance identifies core frontages, which are the blocks along Princes Street and a series of primary frontages which relate to various sections of streets throughout the whole of the city centre retail core. There are a number of streets which do not have specific frontages identified and for policy purposes these are simply identified as within the city centre retail core. Three separate policies cover the area identified, ERC 1 City Centre Core Frontage (CCCF) (Princes Street), ERC 2 City Centre Primary Frontage and ERC 3 Elsewhere in the City Centre Retail Core.
- 4.2 Since the SG was adopted there has been various changes in circumstances that are expected to have an impact on the city centre retail core. The key changes are:
- 4.2.1 Wider changes to the nature of retailing are affecting traditional shopping patterns which is having an impact on traditional city and town centres. Although Edinburgh is well placed to face the challenges it is not immune to them. There is a need to adapt to change to maintain retail viability and vitality, for example, through maintaining active frontages and an appropriate balance of uses.
- 4.2.2 The Council has commenced the City Centre Transformation (CCT) strategy. The proposed strategy sets out an ambitious programme to prioritise movement on foot, bike and public transport in central streets and to adapt public spaces to better support urban life, a thriving economy, conserve our unique heritage and provide improved access and opportunity for all.
- 4.2.3 The Retail and Leisure Commercial Needs Study has been prepared as a background document to inform the preparation of the City Plan 2030. This study identifies the expected retail demand and capacity for Edinburgh over a ten-year period (2018/28). The study factors in the growth in the population of Edinburgh, existing retail capacity, consumer preferences through survey data and other retail trends including on-line shopping. The findings from the study shows that demand for convenience retail floorspace will be met over the ten-year period and that demand for comparison retail floor space will be met for the first five years. However, post 2023, additional comparison floor space will be needed and the city centre is best placed to meet the city's needs. This indicates that the SG should aim for a balanced approach which does not significantly prejudice the potential of the city

centre to accommodate growth in comparison retail floorspace in the long term. This is aligned with the national 'town centre first' approach, and the role of the city centre as the location within the city and wider region with the best accessible by sustainable transport modes.

- 4.2.4 The new Edinburgh St. James centre is under construction with the retail and leisure element expected to be complete and open in 2020. This proposal will significantly increase the amount of retail floorspace and footfall within the east end of the city centre, with possible implications for footfall levels in other parts of the city centre (particularly the west end), if existing retailers choose to relocate into the new centre leaving vacant units elsewhere in the city centre. However, in the longer term the impact should be more positive as the new centre draws in additional customers to the city centre which will benefit the wider area.
- 4.2.5 The City Plan 2030 project has commenced. This provides scope for a more significant change in the approach to retail policy. However, the plan will not be adopted until 2021 at the earliest and the SG can be updated more rapidly to reflect changing circumstances.
- 4.2.6 There have been numerous changes of use in the centre since the guidance was adopted, the result of which is some streets already exceed the shop/non-shop ratios set out in the current guidance. Details of the current balance of uses are attached in Appendix 1. There is evidence that the balance of uses has changed with a reduction in the percentage of units used for retail and an increase in the percentage of units used for cafes/restaurants, which is in line with the aims of the original guidance.
- 4.3 On 29 May 2019, a stakeholder workshop was held to facilitate and enable interested stakeholders to raise concerns about the city centre, to discuss the changes in circumstance that have happened since the guidance was adopted and to discuss options for amending the guidance to address and support these changes. A full summary of the results of the workshop is attached in Appendix 2. However, the key points from the workshop that have contributed towards the revision of the SG are as follows:

#### **General Comments**

- The SG needs to be more flexible to react to market forces.
- The city centre needs to diversify and address mixed uses more.
- Need more 'experiences' not just retail and combination of leisure and retail is attractive, particularly on Princes Street.
- Need to allow for market failure.

- Entertainment uses, night time economy is important. Princes Street largely shuts down after 6pm.
- West end could focus on tourist offer.
- George Street is currently more attractive to food and drink operators than Princes Street.

### **Specific Comments**

- The 500sq m size cap and outdoor seating requirement for Princes Street is too limiting.
- The 'four units in a row' policy restriction can be arbitrary and inflexible.
- Princes Street policy should not restrict change of use just to café/restaurants.
- Increase the thresholds for primary frontages.

4.4 This review has enabled consideration to be given to these key changes in circumstance and views raised at the workshop. It has allowed consideration to be given to how the guidance can be altered in a measured way to respond positively to these changes without compromising the underlying aims of the LDP and the purpose of Policy Ret 9.

### **Revised Guidance**

4.5 The draft revised guidance is attached at Appendix 3. The guidance has been renamed City Centre Shopping and Leisure Supplementary Guidance to make it more accessible to all users. The guidance has been amended to allow significantly more flexibility when considering proposals for non-retail use within the city centre but without compromising the importance of retaining a strong retail function within the city centre retail core. This is important in terms of delivering the aims and objectives of the LDP but also in taking cognisance of the evidence from the recently published Retail and Leisure Commercial Needs Study which identifies demand for additional comparison retail floorspace post 2023.

4.6 The key changes to the guidance are as follows:

4.6.1 altering the existing policy covering Princes Street to provide significantly more flexibility, by allowing change of use to class 11 (assembly and leisure) as well as class 3 (food and drink), allowing a third of units in each frontage to be in non-shop use and providing clarification that, where shop units have multiple levels, the policy applies to the ground floor only, allowing the possibility of alternative or mixed uses on other levels where consistent with relevant LDP policy;

4.6.2 creating a new separate policy for Castle Street, Frederick Street and Hanover Street which allows 50 percent of units within a frontage to be

in non-shop use and no longer limiting the number of non-shop uses in a row to three;

4.6.3 altering the existing policy covering primary frontages in the city centre retail core, provide more flexibility by no longer limiting the number of non-shop uses in a row to three; and

4.6.4 altering the existing policy covering elsewhere in the city centre retail core to provide more flexibility by no longer limiting the number of non-shop uses in a row to three and instead allowing 50 percent of units within a named street section to be in non-shop use.

4.7 An issue sometimes related to food and drink uses is installation of freestanding outdoor awnings and fixtures, independent of existing frontages, which can constitute development and therefore require planning permission. There has in the past been a presumption against such development, due to its potential visual impact on streetscape and built heritage designations, and its effect on use of public space. However, there may be merit in introducing scope for considering the use of temporary planning permissions for well designed, high quality fixtures in suitable locations. This would allow trials without risking irreversible adverse change and in order to assess the effect of development on the area. A question seeking views on this will be included along with the questions on the consultation draft SG. The feedback can inform reviews of the relevant guidance document, potentially Guidance for Businesses.

## **5. Next Steps**

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5.1 Once the draft revised SG is approved the document will be subject to a six-week consultation exercise (9 August to 20 September 2019). The document will be published on the Council's website with associated awareness raising on social media and other appropriate formats/outlets. In addition, all stakeholders who attended the May 2019 workshop will be invited directly to comment on the revised guidance.

5.2 A further report will be brought forward to the Committee, post consultation, recommending that finalised revised guidance be approved for formal adoption.

## **6. Financial impact**

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6.1 There are no direct financial impacts arising from the approval of this report. The costs of preparing the SG and delivering the consultation exercise will be met from existing budgets.

## **7. Stakeholder/Community Impact**

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- 7.1 A stakeholder event was held on 29 May 2019 with invitations sent out to the retail industry, business representatives, developers, investors, community groups and councillors. The programme for the project involves a six week consultation exercise the results of which will inform the finalised guidance.
- 7.2 This project involves the revision of existing guidance and no impacts on equalities and human rights have been identified. As a result, it was not considered necessary to carry out a full Integrated Impact Assessment (IIA).
- 7.3 There are no direct sustainability impacts arising from this report. The SG is statutory guidance and when adopted forms part of the development plan. As such it augments the policy set out in the development plan which was subject to strategic environment appraisal (SEA) during its preparation. In addition, the changes in environmental terms are insignificant. As a result there is no requirement to subject the SG to a separate full SEA. A pre-screening notification report has been prepared and submitted to the SEA Gateway.

## **8. Background reading/external references**

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- 8.1 [Edinburgh Local Development Plan - November 2016.](#)
- 8.2 [Supplementary Guidance : City Centre Retail Core - February 2017,](#)
- 8.3 [Edinburgh Retail and Leisure Commercial Needs Study - April 2019](#)

## **9. Appendices**

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- 9.1 Appendix 1 – Current Balance of Uses within the City Centre Retail Core
- 9.2 Appendix 2 – Results of the Supplementary Guidance Workshop
- 9.3 Appendix 3 – Draft Revised City Centre Retail Core Supplementary Guidance

## Appendix 1

### Current Balance of Uses with City Centre Retail Core

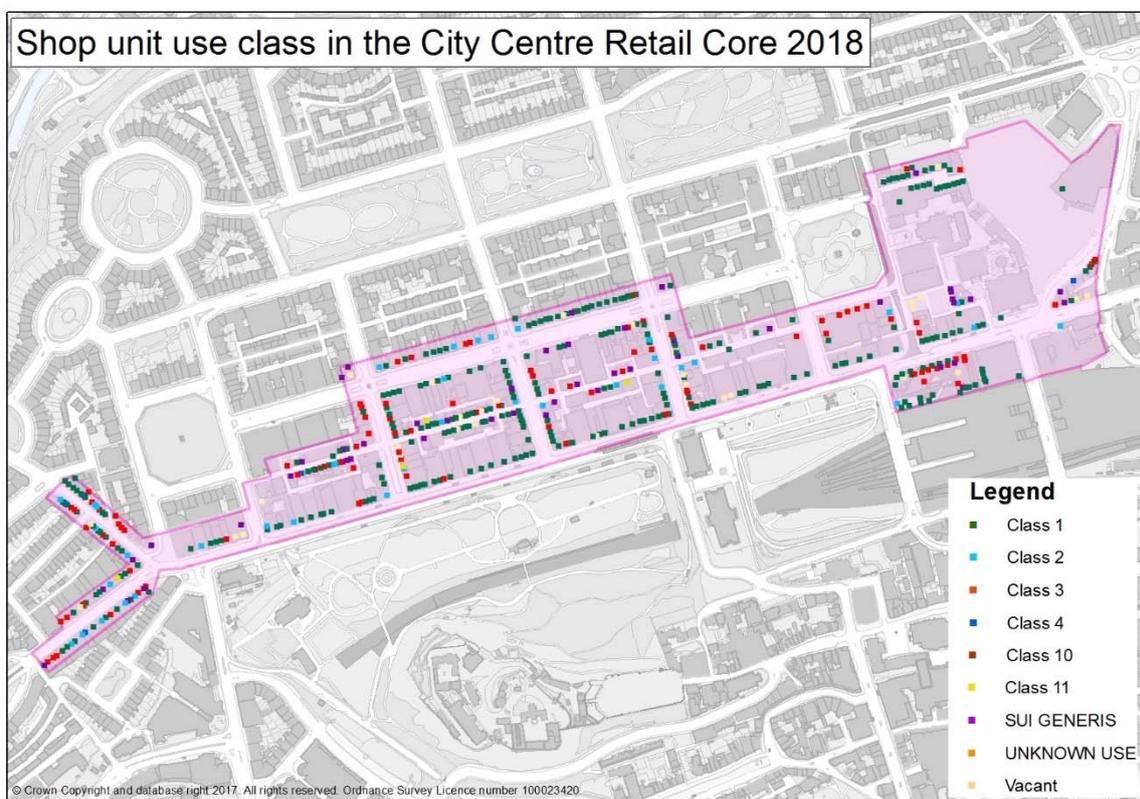
The purpose of this paper is to analyse the existing balance of uses and the changes of use in the city centre retail core since the Statutory Guidance (SG) was finalised in February 2014. The base year selected is 2013, as the annual City Centre survey is undertaken in September of each year, and therefore these are the uses that were in place when the guidance was finalised.

#### Existing mix of Uses

Based on 2018 audit data

Class 1 (Shops)	297 (57%)
Class 2 (Financial, Professional services)	38 (7%)
Class 3 (Food and Drink)	95 (18%)
Class 4 (Business)	5
Class 10 (Non-residential institutions)	1
Class 11 (Assembly and leisure)	3
Vacant	29 (6%)
Sui Generis	48 (9%)
<b>Total</b>	<b>516</b>

Over half the units within the city centre continue to be used for retail purposes. The next largest proportion of use is food and drink, with almost a fifth of all units. All the other uses represent less than 10% and the vacancy rate is currently 6%.

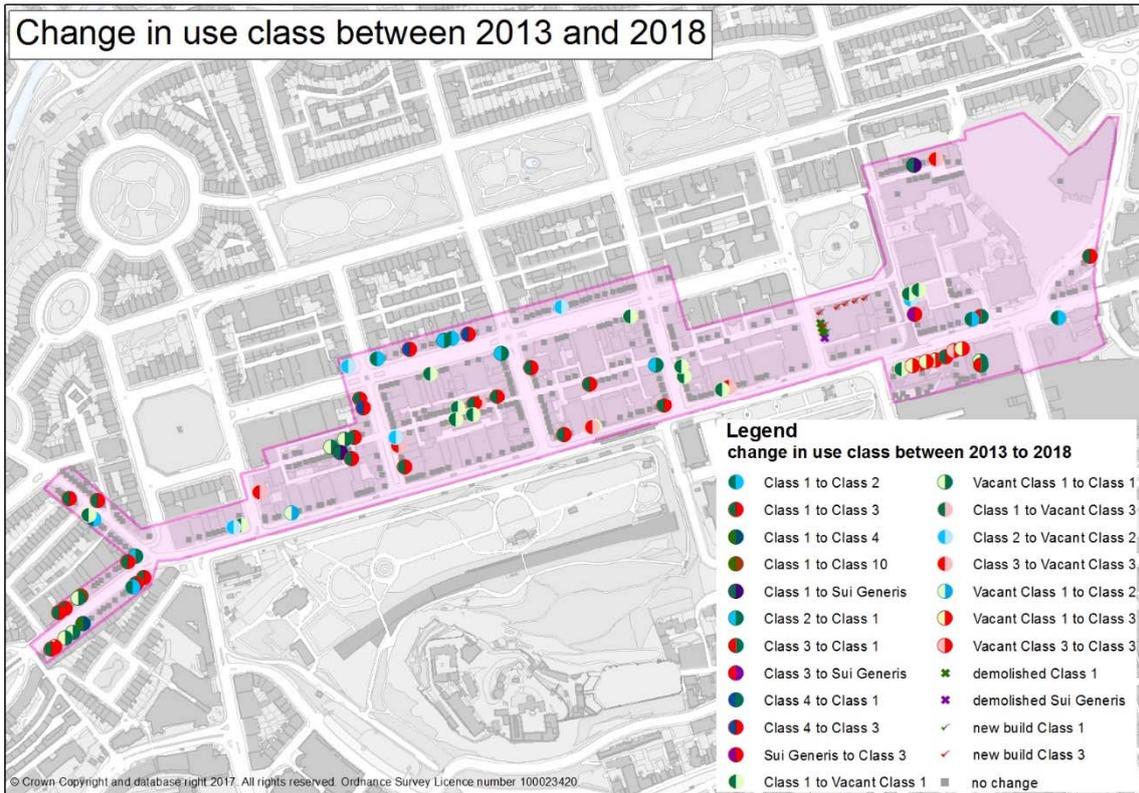


### Overview of Change of Use (2013/18)

Data from the centre city retail survey was analysed over the period 2013/18 to establish what changes of use had taken place. The following results were found.

<b>Change of use</b>	<b>Number of changes</b>
Class 1 to Class 2	6
Class 1 to Class 3	20
Class 1 to Sui Generis	2
Class 1 to Class 4	1
Class 1 to Class 10	1
Class 2 to Class 1	4
Class 2 to Class 3	0
Class 3 to Class 1	2
Class 3 to Sui Generis	0
Class 4 to Class 1	0
Class 4 to Class 3	3
Class 11 to Class 1	1
Sui Generis to Class 3	1
<b>Total number Changes of Use</b>	<b>41</b>
Class 1 to Vacant	12
Class 2 to Vacant	5
Class 3 to Vacant	7
<b>New vacant units</b>	<b>24</b>
Vacant to Class 1	6
Vacant to Class 2	1
Vacant to Class 3	8
<b>Vacancies back into use</b>	<b>15</b>

Out of a total of 41 changes of use, 20 or 49% have involved a change of use from retail to café/restaurant. This represents the largest proportion of changes of use and therefore the data shows there is a trend towards more cafés and restaurants. Overall there has been a net increase of 9 units in café/restaurant use. Only two or 5% of changes involved a change of use from café/restaurant to retail. Data regarding vacancies shows a slightly higher number of units becoming vacant compared to the number of vacant units coming back into use resulting in the vacancy rate increasing from 4% to 6%.



### Other Changes

Class 1 (demolition)	3
Sui Generis (demolition)	1
<b>Total loss of units</b>	<b>4</b>
Class 3 (new unit)	6
<b>Total number of new units</b>	<b>7</b>
<b>Virtual changes of use</b>	<b>4</b>

The demolition of South St. David's Street (former Standard Life Building) resulting in another four virtual changes of use and created an additional six class 3 units and a class 1. There were no changes of use back to retail. It should be noted that five of the six class 3 units face onto St. Andrew Square the other onto South St. David's Street along with the one class 1 unit.

## Appendix 2

### Results of the Supplementary Guidance Workshop

The following suggestions were made at the City Centre Retail Core Supplementary Guidance Workshop held on 29 May 2019 which have helped to inform the revision of the Supplementary Guidance.

#### Theme 1: City Centre as a Place

- Quality of shops lets Princes St down.
- Suggest pop up markets in City Centre.
- Improve experience in visiting city centre. People will shop whilst visiting.
- Princes Street is not currently a pleasant place to linger. It largely shuts down after 18:00 and is dominated by buses.
- Princes Street can be too busy – some of the footfall could be dispersed elsewhere in the centre.
- The centre of gravity for retail is moving to the east end of Princes Street. The west end could be focused on the tourist offer.
- George Street is currently more attractive to food and drink operators than Princes Street.
- Designs should reflect Edinburgh's climate, not just the summer months. Other countries have much more sophisticated approaches to rain. Awnings, covered areas, windbreaks, etc., can help make outdoor areas more pleasant. The success of George Street at Christmas time should be used to inform the year-round strategy.
- Areas currently try and be "all things to all people" – more focus is needed.
- Lothian Road needs improvement. Large office blocks like those on Lothian Road can engage poorly with the street.
- Shandwick Place also needs improvement. The stretch between the gardens and Princes Street is unpleasant.
- Commercial activities relating to Princes Street Gardens could be located on the north side of Princes Street.
- What is Edinburgh now? Hotels for example.
- What is Princes St meant to be? Empty blank storefronts but George Street better.
- Interface between ground floor and uses e.g. festival Square poor as no street level activity or permeability.
- BHS good example with balcony.
- Rates affect ground floor Class 3. Rates don't encourage small business. Could support small independents.
- Do people want to be on ground floor?
- Multi-use stores small franchises.
- Princes Street needs its own identity and diverse offer. Not tied to lots and lots of retail.
- Planning struggles with a proposal for mixed use.
- St James continuous loop makes a limited route.

- Allow changes to mixed use.
- How do you ensure quality? New uses poor, e.g. fast food restaurants, tourist shops.
- Not enough space, too much pollution, could wider public realm be important?
- Princes Street, reduce traffic making it easier to cross, establish more crossing points.
- No space for tables outside upper bow level.
- Retail format of existing stores “rabbit warrens”.
- Need another hub at the west end.
- Independent retailers/food and drink use more local suppliers who provide smaller deliveries (less efficient and will be impacted proportionately more by the Low Emission Zone (LEZ) restrictions).
- Public realm improvements are key for safety and accessibility for all ages.
- City Centre Transformation (CCT) offers opportunities for areas such as Rutland Sq. corner to re-imagined public space. Wayfinding project needs to be delivered.
- Castle Street - public realm made for more outdoor uses, markets, events, pop-ups, but the management and regulations for this space are overly expensive. Market will respond to improved public realm, but the regulatory framework shouldn't stifle.
- Can't achieve cafe culture unless the cost of outdoor seating is lowered and listed building/planning restrictions on awnings, umbrellas, heaters are overcome.
- Potential for a public realm strategy (street by street holistic approach) to deal with outdoor seating needs? How do other historic cities with cafe culture control this?
- Appears to be an over provision of licensed properties across the city centre - no more licenses being granted by the Board, and high competition in the hospitality sector - see growth in St Andrews Sq./Registers Lane new food and drink outlets. How many more in Edinburgh St James - 32 units? Need to have a joined up policy with licensing and street trading licenses to coordinate outdoor activity, and not be contradictory.
- Difficult conditions of a historic centre.
- Slow speed of response, leisure has peaked.
- George Street, new office focus?

## **Theme 2: City centre in the context of the wider city region**

- Quality of town centre shops is poor.
- Lack of choice in the city centre.
- Tension between tourist and residents
- City Centre important for those without a car.
- City Centre needs to be distinctive.
- May be lack of options in city centre for comparison floorspace increase.
- Opportunity to use large city centre premises for smaller multiple units.
- Out of centres expanding.

- City centre, use it as a retail and leisure centre (for both purposes), but if just shopping use out of town commercial centres.
- Edinburgh city centre should still be the core of the city region but it is about more than retail – it is a place where people can do many things (eat, drink, etc.). Out-of-town centres tend not to be pleasant places to linger.
- Removing barriers to accessing the city centre is key. Despite its small size Edinburgh can be difficult to navigate.
- Relaxed about the prospect of Edinburgh's share of the region's retail floorspace declining. Out-of-town centres have their own challenges.
- E-retailing is not thought to have peaked. It is not just trends in retail that are important but also trends in culture, leisure, etc.
- When forecasting supply, it is not just quantum that is important but location and quality.
- The city centre should perhaps cater more to high-spend visitors rather than trying to do it all.
- Retailers will compare Edinburgh with areas with similar demographics, not other core cities.
- Zero retail protection can result in areas becoming 100% food and drink, e.g. George IV Bridge.
- Flexibility is good but can drive up rents and result in assets being overvalued.
- Town centres are seen as being mainly for residents but this is changing, e.g. Leith/Leith Walk is a destination. Town centres are not uniform within – e.g. Leith Walk has different sections.
- Hotel growth is a major driver. Hotels should engage positively with the street.
- What has caused change – are rates too high rather than no demand in local areas?
- Secondary shopping centres e.g. Cameron Toll, Gyle failing, diversity e.g. more leisure, cinema. Neighbouring site development. Could help.
- Infrastructure e.g. trams to other commercial centres important.
- Gym in Cameron Toll helps footfall.
- Commercial Centre policy is short stay.
- City Centre is experiential (does not compete, should be a different offering) and longer stay.
- What were commercial centres intended for? Smaller units. St. James could impact on commercial centres. Fort has successful leisure mix.
- Construction access for Princes Street changes is attractive.
- Lease flexibility attracts independents.
- City Centre more important for tourists than as a regional centre.
- 'Click and collect' drives footfall.
- Bar leisure is saturated.
- Princes Street crowded no agent mix.
- Leakage to Glasgow, and Livingston.
- Potential for entertainment uses – music (theatre).
- Night time – entertainment could it be 'noisy' as no one lives there?
- Will continue to be good and attractive centre.

- Where pension funds/investors put money is changing.
- End of department stores.
- Strong office and residential market.
- Political environment, anti-development is an issue.
- Cultural issues.
- What changes of use have been granted?
- Should not be a binary choice between retail and leisure. Too narrow a focus on these two uses.

### **Theme 3: Options for amending the guidance**

- Hard to specify a specific percentage or number, as numbers seem arbitrary.
- Market demand for more class 3.
- Scope to relax policy in specific areas – more class 3 in Rose Street.
- ERC1 need to be more relaxed regarding class 3.
- Need to relax 500sq m rule.
- Should change of use be based on effect on amenity rather than use?
- ERC 2 Possible to increase threshold.
- Will St. James have separate policy – relationship with rest of City Centre Retail Core (CCRC)?
- Need to keep a specific policy for Princes Street but have more general policy elsewhere.
- Increase leisure use of Princes Street.
- Amenity important in leisure use developments, noise etc.
- ERC1, reference to seating space is dependent on CCT, extra burden on applicant. Current situation should be relaxed.
- The existing policies can be more constraining on smaller streets.
- The “X units in a row” policy can be arbitrary and inflexible and can be circumvented by combining planning units.
- The St James Quarter development would struggle if food and drink was not allowed. The retail floorspace within the development has been slashed from 65,000 sq m to 52,000 sq m.
- Class 2 units are not good footfall generators.
- Comfortable with the idea of retail units changing to class 4 units. New office concepts such as WeWork are good additions to a high street. Class 4 units can also help make the street busy at different times.
- Comfortable with retail units changing to flats, although serviced apartments might be more appropriate than build-to-sell, in part because this would avoid ownership of the wider property becoming fragmented.
- Hotels should be “street interactive”.
- Crossing Princes Street is difficult – more “bridging points” are needed. These should connect with destination points on the south side of the road.
- A more flexible policy could be trialled by (for example) holding a design competition for block 3 (Next, Zara, Debenhams, etc).
- The use classes order is badly outdated and the Council should lobby for it to be updated.

- Use the Commercial Needs Study to inform the project to attract users.
- Market vs Consumer – what do we have? A short fall of types of users not classes?
- Are policies too black and white?
- Flexible policy to say what could be allowable.
- Council can't control the market, out dated notion trying to protect. Protect only if people use it – needs to be informed by consumer demand.
- Could be need for active frontage help with a more flexible policy for uses. Need to be able to see in to units.
- Needs to move beyond balance between market forces and some control.
- Need to engage with landlords.
- Princes Street as a brand – need to manage it as a street.
- Policy off putting to landlords.
- Jan Ghel study– is this informing the SG or CCT?
- Move from large units towards smaller units and independents – rates currently discourage this.
- Active frontage – can offices, hotels have this? Need more attention to better shopfronts
- Doorways to upper floor uses – how do you see them?
- Need engagement with landlords
- Footfall is not an issue, its lack of spending that is the issue.
- Listed building consent issues.
- Can see a lot of change, do we need a strategy for roofscape?
- Edinburgh views, what can we do about this? Need to make use of assets.
- More differentiation in uses in areas not just flat look at in a vertical way
- Need different hubs/zones not treated all as one
- Vistas and connections important e.g. Castle St.
- Rose St, resurfacing needed.
- Public spaces at west end required, improvement of public realm
- Landlord consultation, how do we engage?
- Before statutory consultation more engagement with owners/investors.
- Consider core units that are likely to come up for sale.
- Concern about vacancies and competition for retailers and incentives  
Edinburgh St James will be applying to lure new tenants from elsewhere in Edinburgh City Centre.
- Do we know who is going into St James and how do we tie this up with Planning?
- Concern about the future disparity in public realm between east and west of the city centre once Edinburgh St. James is built. How will the public realm in the west of the city keep apace?
- Population/housing growth in East Lothian/Midlothian – these are being served by car based retail – Fort Kinnaird/Straiton.
- Servicing/deliveries/refuse collection issues.
- Business rates: limits the types of businesses that can afford to come in.  
Empty properties, if under renovation or being marketed must only whitewash

the windows, any animation or commercialisation of the windows when empty are subject to paying rates.

- Listed Building – internal alteration restrictions limit business' expansion, and development aspirations.
- Thought the new BHS model interesting in getting all floors into use. Debenhams likely to go in medium term - can see ancillary retail in ground floors leading to other uses above, or hotel.
- Allow the market to have the flexibility to respond to demand, allow new business ideas to try and fail. Don't let planning regulations dictate. Think more than retail and Class 3 to other attractions and experiences. Bring upper floors into use, balconies, and longer trading hours.
- Have a vision - define success - what we want the city centre to achieve - then state how this will be measured.
- ERC 1, should not restrict change of use to café/restaurants
- ERC 2, Focus on design guidance not just use restriction.
- Flexibility is required for all units in all areas.
- Focus should be on public realm to support street vitality and potential new uses.
- Need to be supported by changes to traffic arrangements, Princes Street especially.

## Appendix 3

# City Centre Shopping and Leisure Supplementary Guidance: Consultation Draft

## Introduction

This revised Supplementary Guidance (SG) sets out the policy approach to proposed changes of use of shop units within the City Centre Retail Core (CCRC). The City Centre Retail Core is defined and protected in the Edinburgh Local Development Plan (LDP). The city centre is the regional centre of the city region providing a broad range of functions including shopping, office, leisure, culture, tourism and government.

The LDP provides a framework for a tailored approach to assessing proposals for change of use applications within the CCRC and town centres. This revised 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 city centre retail core.

The SG aims to deliver two LDP objectives set out in Section 6 (Shopping and Leisure) of the Plan:

- to sustain and enhance the city centre as the regional focus for shopping, entertainment, commercial leisure and tourism related activities and encourage appropriate development of the highest quality; and
- to improve the appearance, quality and attractiveness of all centres.

This SG 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 also provides guidance on change of use. This is a material consideration in the determination of applications and should be considered alongside this statutory Supplementary Guidance.

### Side Box – **Changes to the Planning System**

A Planning Bill was passed by the Scottish Parliament in June 2019. It will not take effect for some time, because secondary legislation, guidance and transitional arrangements all need to be put in place by the Scottish Government. Accordingly, this supplementary guidance is being reviewed under the existing legislation. Further information on changes to the planning system is available on the [Scottish Government webpage](#).

## Vision for the City Centre

This SG aligns with the CCT programme, which outlines a programme for a vibrant and people-focused capital centre, which improves community, economic and cultural life.

Within the CCRC, the CCT programme seeks to improve the experience of George Street, Princes Street, Rose Street and the perpendicular streets of Castle Street, Frederick Street and Hanover Street as places to spend time and shop. The proposals include:

- Wider pavements, quality surfacing and public seating;
- Pedestrian priority at crossings;
- Inclusive design and disabled parking provision;
- New cycle infrastructure;
- Stronger links to Princes Street Gardens, St Andrew Square and Charlotte Square; and
- Improved public transport stops and journey times.

The retail core also forms part of a wider zone where people on foot, bike and public transport will have true priority over vehicles. Whilst access for residents and servicing will be maintained, reductions in on-street parking and carriageway space will see motor vehicles given access as 'guests'.



## City Centre Retail Core

The City Centre Retail Core extends from Shandwick Place in the West to the new Edinburgh St James in the East, Princes Street in the South to George Street in the north. The City Centre lies within the New Town Conservation Area and the Edinburgh World Heritage Site.

A mix of uses currently exists within the CCRC with shop units with direct access to the street (including multi-level units) comprising the largest proportion of units at 57%, cafes/restaurants the second largest at 18%, sui generis (non-class) uses comprise 9% and financial/professional services comprise 7%. There is a need to ensure a healthy balance of uses within the city centre in line with development plan policy to ensure its vitality, viability and maintain footfall, with a sufficient proportion of retail units to ensure that shopping continues to be a predominant use. However, there are also benefits in allowing shops to change to other uses to achieve a

diverse, thriving and welcoming city, allowing complementary uses that support the main shopping function and encourage use into the evening.

Changing circumstances since the original guidance was adopted including the trend towards online retailing, the publication of a Retail and Leisure Commercial Needs Study commissioned by the Council and the CCT programme provided justification for revising the guidance to make it more flexible to support alternative uses of shop units particularly on Princes Street and the three perpendicular streets (Castle Street, Frederick Street, Hanover Street).

## Change of Use Policies

The following policies apply to shop units only.

### Definitions

**What is a shop unit?** As defined in the Edinburgh Local Development Plan (2016), a shop unit is a premise accessed 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. In some cases, a shop unit may be multi-level, for example a department store.

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) to visiting members of the public, for example, clothes shop, post office, sale of tickets, travel agency, cold food for consumption off the premises, hairdressing, funeral parlour, launderette or dry cleaners. This is further defined in the Town and Country Planning (Use Classes) (Scotland) Order 1997. Scottish Government Circular 1/1998 contains guidance on use classes.

**What is a non-shop use?** Any use falling outwith the definition of Class 1 shop use, for example:

- Service uses – lawyers, accountants, estate agents, health centres, tanning studios and pawn brokers.
- Food and drink – restaurant, café, 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 – social and cultural activities.
- Leisure use – cinema and gymnasium.
- Other uses – betting shops, pay day loan shops, pubs and hot food takeaways.

Some other changes of use are permitted development, for example, a café (class 3) to a shop unit (class 1).

To maintain the shopping role of the city centre whilst providing flexibility, the guidance sets out four policies. These are described below.

Policy CC 1 relates specifically to Princes Street, and the revised policy now supports a wider range and greater number of non-shop uses in each street block or frontage as long as no more than a third of units are in non-shop use. Where shop units are multi-level the policy applies to the ground floor level only, allowing the possibility of alternative or mixed uses on other levels where they are in accord with relevant LDP policy.

Policy CC 2 is a new policy and relates to Castle Street, Frederick Street and Hanover Street. The policy supports a greater proportion of appropriate non-shop uses in each block or frontage as long as no more than half of the units are in non-shop use, and there is no longer a limit on the number of non-shop units in a row.

Policy CC 3 relates to primary frontages in the city centre retail core. The revised policy continues to support non-shop uses as long as no more than a third of units are in non-shop use, however, there is no longer a limit on the number of non-shop units in a row.

Policy CC 4 relates to elsewhere in the city centre retail core. The revised policy supports non-shop uses as long as no more than half of units are in non-shop use, but this applies to street sections rather than frontages, and there is no longer a limit of the number of non-shop units in a row.

## **Policies**

### **CC 1 Princes Street frontages**

Proposals for a change of use of shop units on defined frontages in Princes Street to non-shop uses will be permitted provided:

- a. the proposal is for a change of use to Class 3 (food and drink) or Class 11 (assembly and leisure); and
- b. as a result of permitting the change of use, no more than one third of the total number of units in the frontage of that block will be in non-shop use.

In the case of shop units that have multiple levels, the above criterion will apply to the ground floor level of the unit only.

### **CC 2 Castle Street, Frederick Street and Hanover Street frontages**

Proposals for a change of use of shop units on defined frontages in Castle Street, Frederick Street and Hanover Street to a non-shop use will be permitted provided:

- a. as a result of permitting the change of use, no more than half the total number of units in the frontage of that block 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 City Centre Retail Core and would not be detrimental to its vitality or viability.

### **CC 3 City Centre Primary Frontages**

Proposals for a change of use of shop units in the defined City Centre Primary frontages 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 in the frontage of that block 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 CCRC and would not be detrimental to its vitality or viability.

### **CC 4 Elsewhere in the City Centre Retail Core**

Proposals for a change of use of shop units elsewhere in the CCRC 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 on the same side of the named street as the proposal would be in non-shop use; and
- b. the proposal is for an appropriate commercial or community use which would complement the character of the City Centre Retail Core and would not be detrimental to its vitality or viability.

## **Defined Frontages**

### **Princes Street Frontages**

10-25 Princes Street, 30-46 Princes Street, 47-77 Princes Street, 78-98 Princes Street,

99-117 Princes Street, 188-134 Princes Street, 135-146 Princes Street

### **Castle Street, Frederick Street and Hanover Street frontages**

4-20 Castle Street, 22-32a Castle Street, 5-19 Castle Street, 21-31 Castle Street

6a-18 Frederick Street, 20-36 Frederick Street, 3a-19 Frederick Street, 21-31 Frederick Street

2-24 Hanover Street, 28-56 Hanover Street, 3-31 Hanover Street, 35-51 Hanover Street

### **City Centre Primary Frontages**

133a-167 Rose Street, 168-202 Rose Street, 77-131 Rose Street, 106a-160 Rose Street

37-73 Rose Street, 50-104 Rose Street, 2-40 Rose Street

6-19a South St. David's Street

1-15 Multrees Walk

16-27 Multrees Walk

# City Centre Retail Core

