

# LEITH TOWN CENTRE

DECEMBER 2015



## Contents

1. Definitions	1
2. Introduction	2
3. Leith Town Centre	2
5. Opportunities for Change	7
6. Other Relevant Information	10
Map 1	12
Map 2	13

## Further information

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# 1. Definitions

## 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 mainly to members of the public. These types of use are grouped together and collectively called Class 1 Shops.

## 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.

## Types of non-shop use

Changing a shop to non-shop use is known as a 'change of use' and will always require an application for planning permission.

The non-shop uses which the Council will consider a change to are:

- **Service Uses** - lawyers, accountants, estate agents, health centres, surgeries of dentists, doctors and vets. These types of use are grouped together and collectively called Class 2 Financial, professional and other services. Other services may also include tanning salons, betting shops and pawn brokers.
- **Food and Drink consumed on premises** - restaurant, cafe, snack bar (not a public house or hot food take-away). These types of use are grouped together and collectively called Class 3 Food and Drink.
- **Pubs** - Sale and consumption of alcoholic beverages on premises. This type of use is Sui Generis.
- **Hot-food takeaways** - Consumption of hot-food off premises. This type of use is Sui Generis.

Some changes of use are allowed without planning permission, 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.

## 2. Introduction

Leith is one of Edinburgh's eight Town Centres, within which the Council is committed, in line with Scottish Planning Policy, to encourage a mix of uses to support its vibrancy, vitality and viability. One way it can do this is by guiding when a shop unit can change from a shop use to a non-shop use.

This Supplementary Guidance (SG) will help deliver the Council's requirement to apply the Scottish Government's Town Centre First Policy and the desire to promote the town centre as the heart of the community and a hub for a range of activities. It is being prepared in accordance with Policy Ret 8: Alternative Use of Shop Units in Defined Centres of the Second Proposed Local Development Plan (LDP) and applies to all shop units within the town centre. It aims to deliver two LDP objectives set out in Chapter 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.

Accordingly, this draft sets out options for defining shopping 'frontages', policy options on the change of use of units within defined shopping 'frontages', policy options on the change of use of units elsewhere within the town centre, and poses questions on residential uses and the town centre boundary. Inspired by the Scottish Government's Town Centre Toolkit, the SG also includes opportunity areas for change to enhance the attractiveness, activity and accessibility of the town centre. To help establish how the town centre should evolve to maximise the potential for benefitting public life, the Council has also commissioned a 'Public Life Street Assessment' which will feed into the finalisation of the SG.

## 3. Leith Town Centre

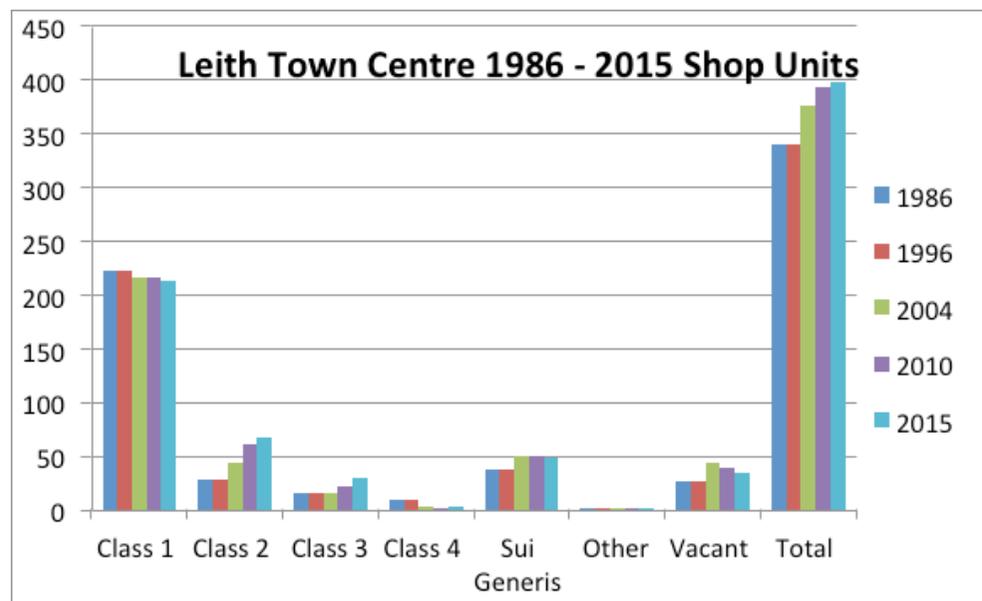
The Town Centre is defined as lying within the area shown on Maps 1 and 2. It is one of the city's more densely populated neighbourhoods with 16,453 people. This population information is obtained using the 2011 census data zones, within which a 400m walking distance has been measured from the town centre boundary. Leith Walk is an historic route leading from the Port of Leith to the city centre, and most of the town centre is within either the New Town or Leith Conservation Areas. Connections to the city centre are set to improve as the Edinburgh St James project gets underway and with the redesigned junctions at London Road and Picardy Place.

Leith Town Centre has a mix of independent shops and food and drink establishments, as well as a representation from national multiple retailers. Where a unit is used as a shop it is necessary to get planning permission from the Council to change to another use. However, the planning system cannot control what shops sell or control which company occupies a shop. Most of the shops along Leith Walk and Great Junction Street are small traditional units under tenemental blocks. Some units have been merged to accommodate larger units, often for the 'local' format national supermarkets (Tesco Metro, Scotmid, the Cooperative and other independent supermarkets). There is one large Tesco supermarket with a car park accessed from Easter Road. The Newkirkgate shopping centre provides a dedicated pedestrian shopping precinct, with Lidl and Farmfoods present with dedicated parking to the rear. The shopfront design is of varying quality across the centre.

The mix of uses, by Use Class (see definition above) has been monitored in city-wide shop surveys periodically undertaken since 1986; see the results in the table below. The survey shows a steady increase in non-shop uses (Class 2 professional services, Class 3 food and drink and sui generis uses such as pubs and hot food take-aways). It also shows a steady decrease in the vacancy rates since a high at 2004.

The continued existence of a variety of shops is seen as critical to the health of Leith and is required to serve convenience shopping to the large residential population that is within

a five minutes' walk of the centre. A mix of specialist shops also serves to make the centre a shopping destination. However, there are also benefits in continuing the trend for shops to change to other uses that maximise the town centre's easily accessible location for the community and to extend activity into the evening.



In addition to shops, professional services and food and drink establishments, there are numerous community uses and leisure facilities such as Leith Links and Pilrig Park, the Omni Centre, Playhouse theatre, McDonald Road library, Dalmeny Street Drill Hall, Leith Community Education Centre within or close to the town centre.

In recent years, the vibrancy of Leith Town Centre has been supported by numerous Council and community-led initiatives, including the 'I Love Leith' campaign, Leith Shutter Art Project, Leith Banners, Leith Shop Idol, and the annual LeithLate and Leith Festivals.

Leith Town Centre is the subject of an extensive road and public realm renewal programme, referred to as the 'Leith Programme'. Funded by the Council and Sustrans, it is focussed on delivering high quality public realm, focussing on walking, cycling, public transport and street life along Leith's principal street. The first three phases are complete (see Maps 1 and 2).



## 4. POLICY OPTIONS

### Defining 'frontages' within the town centre

The current policy approach set out in the Edinburgh City Local Plan has been to restrict changes of use in shop units within identified 'shopping frontages'. The Plan identifies seven 'primary frontages' (see Maps 1 and 2). The percentage of non-shop uses in each of the frontages is shown in the table below.

Frontage	% of frontage in non-shop use	% of frontage which is vacant
1-23 Elm Row Primary Frontage	42%	0%
25-75 Elm Row and 94-96 Brunswick Street	36%	3%
229-263a Leith Walk	63%	0%
265-295 Leith Walk	46%	0%
2-52 Great Junction Street and 1-3 Duke Street	17%	10%
1-67 Great Junction Street and 2-4 Leith Walk	30%	13%
Kirkgate – all units	10%	5%

Of these seven identified frontages, four exceed the one third in non-shop threshold (highlighted in red) as set out in the Edinburgh City Local Plan Policy Ret 9 – Alternative Use of Shop Units – Primary Frontages in the City Centre and Town Centres. These four are all located along Leith Walk and their vacancy rate is very low: one frontage has a single vacant unit (3%); the other three frontages have no vacancies.

Conversely, the three frontages where the non-shop uses are under a third of the total, the vacancy rates are higher at 5%, 10% and 13%. Permitting more changes of use to other uses probably has been a factor in the low vacancy rate. However, in the three

frontages (two along Great Junction Street and the Kirkgate units), despite the scope to allow further change of use to alternative uses, there are empty units. This could imply that there is no current market for non-shop uses in this location, at this time. Since the survey, however, one of the empty units on Great Junction Street is now operating as a dentist.

Factors including the quality of the environment, relatively narrow pavements and proximity to the junction are important for uses such as cafés. The Newkirkgate Shopping centre provides larger units for shopping and services from multiple retailers, and may not wish to pursue further alternative uses.

### Preferred Option

Remove four 'primary frontages' as defined in the Edinburgh City Local Plan that already exceed the one-third threshold for non-shop uses; keep restriction in the following 'frontages':

- 2-52 Great Junction Street and 1-3 Duke Street
- 1-67 Great Junction Street and 2-4 Leith Walk
- Kirkgate – all units

This policy approach removes the need to assess the change of use against whether it will result in four or more consecutive non-shop uses, and in doing so, adds a degree of flexibility in where non-shop uses can be located, so long as the overall percentage remains under the 33% threshold.

### Justification

Support the Newkirkgate shopping centre as a shopping destination for convenience and comparison goods in larger shopping units.

Vacancy rates in these locations are unlikely to be a result of the restrictions on change of use.

## Alternative Option – status quo

Continue to control the alternative use of shop units using all seven ‘frontages’.

Options for the specific wording of [Policy L1 – Alternative Use of Shop Units in Defined Frontages](#) and for [Policy L2 – Alternative Use of Shop Units](#) – Elsewhere are set out in the following section.

**Question:** Do you agree with the Council’s preferred option?

### Policy L 1 – Alternative Use of Shop Units in Defined Frontages

#### Preferred Option

Remove the criteria in ECLP Policy Ret 9 that states ‘permitting the change of use should not result in four or more consecutive non-shop uses’. Instead, the preferred policy option would state:

In the following frontages, the change of use of a shop unit to a non-shop use will be permitted provided:

- a) **no more than one third** of the total number of units in the frontage will be in non-shop use.
- 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.

#### Justification

Increased flexibility allows more non-shop uses to support and benefit from the pavement widening and other public realm benefits of the Leith Programme.

## Alternative Option 1 – Increasing proportion of non-shop uses within a defined ‘frontage’

Continue to designate those frontages that are over one-third in non-shop uses **1 – 23 Elm Row; 25-75 Elm Row, 94-96 Brunswick Street, 229-263a Leith Walk, 265-295 Leith Walk** (see Maps 1 and 2) but increase the allowance of non-shop uses from one third to two-thirds. This option also includes removing the need to assess the change of use against whether it will result in four or more consecutive non-shop uses. This policy option would state:

In the following defined frontages **1 – 23 Elm Row; 25-75 Elm Row, 94-96 Brunswick Street, 229-263a Leith Walk, 265-295 Leith Walk**, the change of use of a shop unit to a non-shop use will be permitted provided:

- as a result of permitting the change of use, **no more than two-thirds** of the total number of units in the frontage will be in non-shop use.
- 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.

#### Justification

Increased flexibility allows more non-shop uses to support and benefit from the pavement widening and other public realm benefits of the Leith Programme.

This option however still retains some control over the loss of shop uses in protected frontages.

## Alternative Option 2 – status quo

Continue to use all the previously identified frontages to control the change of use of shop uses to non-shop uses.

In defined frontages (see Maps 1 and 2), the change of use of a shop unit to a non-shop use will be permitted provided:

- 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
- permitting the change of use, would not result in four or more consecutive non-shop uses
- 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

**Question:** Do you agree with the Council's preferred option?

## Policy L 2 – Alternative Use of Shop Units – Elsewhere

The table below shows the proportion of Class 1, Class 2, Class 4 and Sui Generis uses outwith a frontage within the town centre:

Class 1	53%
Class 2	21%
Class 3	9%
Class 4	1%
Sui Generis	15%

The total percentage of non-shop uses is 47%. Even without the protection of a frontage designation, the dominant use within the town centre is still Class 1 shop use. If the remaining streets in the town centre are roughly divided into 15 blocks, there is a range

between 22% to 61% in non-shop uses. Each block has a fairly even distribution of Class 3 and sui generis uses, with no apparent grouping of certain uses in any given location within the town centre. In this regard, additional frontages are not proposed.

## Preferred Option

Within the defined boundary of Leith the change of use of a shop unit to a non-shop use will be permitted provided the proposal is:

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

## Justification

Increased flexibility allows more non-shop uses to support and benefit from the pavement widening and other public realm benefits of the Leith Programme.

## Alternative Option – status quo

Continue to use the criteria that states a change of use should not result in four or more consecutive non-shop uses. This policy option would state:

For those locations not within a frontage, but within the defined Leith Town Centre boundary, the change of use of a shop unit to a non-shop use will be permitted provided:

- a) permitting the change of use, would not result in four or more consecutive non-shop uses.
- 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.

**Question:** Do you agree with the Council's preferred option?

## Residential uses within the town centre

National planning policy states that planning for town centres should consider opportunities for promoting residential use where this fits with local need and demand. All of Edinburgh's town centres, including Leith, has an already large residential population despite the boundary being tightly drawn around the main concentrations of the shopping offer. The principal streets in Leith, as with other town centres, were designed with purpose built shop units at ground level with tenements above. However, there are a few residential blocks that break up the contiguous ground floor commercial units along the Walk (namely 212 Leith Walk; 302-308 Leith Walk; 318-324 Leith Walk and 19 Albert Place) and the rear of the Yardheads residential block along Great Junction Street.

For placemaking purposes it is important that uses at street level help bring activity into the street, encourage passing trade and visitors to linger in the area and extend activity into the evening. Generally, residential units at ground level tend to add little vitality to shopping streets and the use of shutters or opaque glazing to achieve an acceptable level privacy further reduces the animation of the street scene.

**Question:** Do you agree that change of use of shop units to residential use should not be permitted within the Leith Town Centre?

## Town Centre Boundary

Leith Town Centre boundary is identified in the Second Proposed Local Development Plan (see maps 1 and 2), it is tightly drawn along the main streets, Leith Walk, Great Junction St, the Kirkgate and a part of Duke St. It does not take in sections of side streets other than corner units. There is scope through the preparation of this SG to make recommendations to change the boundary in the next Local Development Plan.

**Question:** Do you think there are areas where there is scope and justification to amend the town centre boundary?

# 5. OPPORTUNITIES FOR CHANGE

Leith has three sites or areas with potential for change and improvement located within the town centre. These have been included in this draft SG to facilitate a coordinated approach to their potential redevelopment, and to explore their relationship with the town centre itself. The following section, where appropriate, will set out key development principles or relevant actions. For all the sites identified, reference should be made to the Edinburgh Design Guidance and Edinburgh Street Design Guidance (see Other Relevant Information section), and consideration should be given to the six qualities of successful places in Scottish Planning Policy:

- *Distinctive*
- *Safe and Pleasant*
- *Welcoming*
- *Adaptable*
- *Resource Efficient*
- *Easy to Move Around and Beyond*

## Site A – 165 Leith Walk former depot including land to the north (Map 1)

### The site and its current uses

The site includes a Council-owned B-listed building with a large derelict warehouse to the rear, previously a tram depot and more recently used as storage for construction of the Leith Programme. The two storey listed building has recently been leased for office space for a start up businesses. The northern half of the site comprises two related office blocks at 131-141 Leith Walk, Inchkeith House and Allander House, in use by NHS Lothian and its surface car park to the rear; and a further storage warehouse to the north, which has no frontage with the town centre, but takes its access from a narrow entrance way from Leith Walk.

## Potential Future Uses

Any proposals for this site should explore the potential to accommodate the following uses:

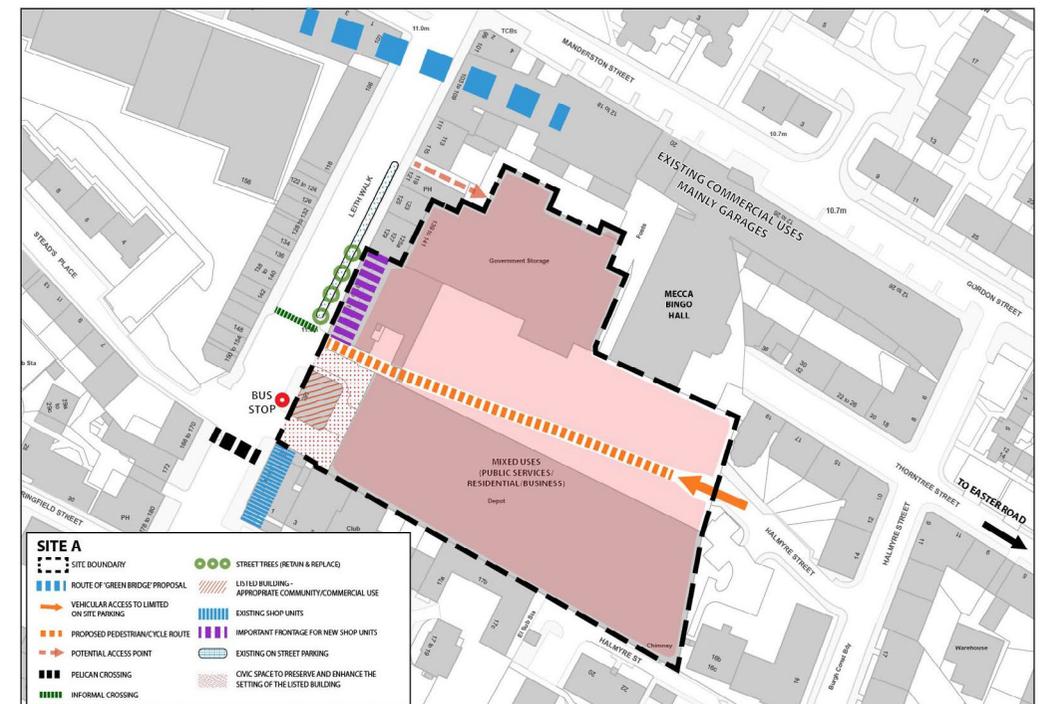
- Appropriate town centre commercial units (Classes 1-3) to create an active frontage along Leith Walk that supports and benefits from the pavement widening and other public realm benefits of the Leith Programme.
- Creative industries and small business 'incubator' units. There is a recognised need for more small business space, particularly for the creative sector (see the findings in the Leith Creative cultural mapping research project and the Leith Economic Framework 2014).
- The space needs of the Community Planning Partners. This site presents the opportunity to co-locate key public services in the heart of the town centre, supporting Leith residents and providing an exemplar partnership centre. An initial feasibility study has been undertaken for accommodating a proposed 'Leith Community Partnership Centre' at 165 Leith Walk.
- Residential uses – the Housing Land Study (June 2014) identified the depot site as a 'high' probability for development with an indicative capacity of 100 units; while the northern section is identified as Leith Walk/Manderston St and given a 'low' probability for development, with an indicative capacity of 44 units. This is a highly accessible brownfield site and introducing residential uses here could be delivered to complement the other uses proposed above.

## Development Principles

To guide its successful redevelopment, the following features and principles should be recognised and integrated into the site layout (see also Map 1 and extract below):

- The retention of the Listed Building, conserving and repairing its fabric and bringing it back into full use, including an area of civic space around the building to preserve and enhance its setting.

- Improved permeability across the site, and the opportunity to continue the street along Halmyre St. Vehicular access is proposed from Halmyre Street only for limited parking.
- Possible constraints on height – the sites lies within 'Key View 9 Calton Hill monuments from north end of Constitution Street' and Key View 11b Calton Hill across to Hub spire from Edinburgh Dock as identified in the Edinburgh Skyline Study.
- Increase the town centre activity along this section of Leith Walk. New ground floor shop units are required to create and continue the frontage
- Retain and improve the Leith Walk street trees.
- Explore the connections with the Leith 'Green Bridge' project, which is at an early feasibility study stage.



Site A Inset Map: Development Brief

### Site B – Annandale Street/Elm Row/Montgomery Street Junction (Map 2)

Observe and consult people using the junction as part of the Public Life Assessment. It is considered that improvements to the junction can be made for the benefit of pedestrian and cyclist safety. Currently there are six pedestrian crossing segments within this junction. Further consultation is required with the Leith Programme Team to determine what actions can be achieved. This section forms part of Phase 5 of the Leith Programme and is subject to its priorities and programming. Public consultation on this phase is intended to start in early 2016. Explore the urban realm potential for the Montgomery Street / Elm Row junction. Important features to consider include:

- Elm Row and 2 Montgomery Street is an A-listed 'palace-fronted' block, planned as part of William Playfair's Eastern New Town masterplan.
- Unlike other blocks along Leith Walk, Elm Row is set back with a small street providing direct access and on-street parking behind a tree-lined hedge and fence.
- Options to widen, improve the quality and make more use of the pavement space at this junction.
- Proximity and connections to the Elm Row bus interchange which is on the main carriageway.
- Montgomery Street leads to Montgomery Street park and the design layout should encourage a walking circuit to Easter Road Local Centre.

### Site C – Stead's Place/Jane Street Development Brief (Map1)

A development brief was prepared in 2008 for the business and industry area that lies between Leith Walk and Bonnington Road, and to the north of Pilrig Park. Its purpose is to guide the introduction of non-industrial uses into the area, while still providing some flexible business space, and to connect missing links in the pedestrian/cycle network. One area within the brief's study area is currently under construction and identified in Map 1. The area identified in the brief as Area A, which includes the two storey red sandstone block at 100-154 Leith Walk, states its redevelopment should:

- seek to establish a building height that matches adjacent and opposite buildings

- consider the options for the embankment (former railway line) to be incorporated into the development layout, possibly using a ramp/steps
- incorporate a pedestrian/cycle route from Leith Walk to Pilrig Park
- connect Great Junction Street to Pilrig Park by extending Pirrie Street
- retain town centre uses along the Leith Walk frontage.

Any redevelopment of this site should reflect the relevant principles in the Stead's place/ Jane Street Development Brief and explore the connections with the Leith 'Green Bridge' project, which is at an early feasibility study stage.

### Other opportunities for improvements

The following small sites are identified in Maps 1 and 2 and are included in this draft SG to explore their potential to contribute to improved on-street public life:

1. Private greenspace adjacent to Croall Place – explore the options for making this space function as a part of the town centre, taking into account its use as a private commercial amenity space associated with the digital advertisement board, its proximity to a bus stop, a former B-Listed Police Box in active use by community groups and the safeguarded cycle/pedestrian route from Powderhall.
2. Commercial amenity green space at entrance to rear access of units 100 – 154 Leith Walk – explore options to improve its amenity and function.
3. Duke Street – explore the options available to make environmental improvements to this small derelict site.
4. Signage is needed to assist navigation and legibility in the town centre and especially between Leith and the Shore, the commercial area of Constitution Street, Leith Links, and the attractions at the waterfront/Ocean Terminal and the Cruise Liner Terminal.

**Question:** Do you agree with the development opportunities identified above?

**Question:** Do you know of any other development opportunities which should be identified?

## Sites under construction

Within the town centre there are two purpose built student accommodation blocks under construction that include commercial units at ground floor: Haddington Place has 4 units (147, 138, 137 and 166 metres squared respectively) and Shrub Place there are plans for a Sainsbury's Local store and 4 smaller commercial units at ground floor. Two other commercial units have planning permission on the ground floor of Block A in the remaining Shrub Place development site.

Other sites under construction close to the Leith Town Centre boundary are shown in Maps 1 and 2.

# 6. OTHER RELEVANT INFORMATION

## Second Proposed Plan

Other relevant policies in the [Local Development Plan](#) include:

- Ret 2 Town Centres
- Ret 10 Food and Drink Establishments
- Hou 7 Inappropriate Uses in Residential Areas

Policy Ret 2 generally supports shop uses in town centres. Policies Ret 10 and Hou 7 consider the impact of proposals on nearby residents, such as public houses and hot-food takeaways.

## One-Door Approach

The One Door Approach to Development Consents aims to give the customer all the information they need at the start of the development process. 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](#)
- [Outdoor pavement seating](#)

For more information on these, see the Council's website on the [One Door Approach](#) to development consents, the [Council's Guidance for Businesses](#) or contact the [Business Gateway](#).

The [Guidance for Businesses](#) is Planning Guidance intended to assist businesses in preparing applications to change the use of a property or carry out physical alterations. It covers a range of relevant issues, including:

- Signage and advertisements
- Shop front alterations (design, security, canopies, and ATMs)
- Road permits
- Advertisement consent

There is scope to include guidance on A-boards and cycle parking provisions in future revisions of the Guidance for Businesses.

## Edinburgh Street Design Guidance

[Edinburgh's new Street Design Guidance](#) was approved by the Planning Committee on 1 October 2015 following its approval by Transport & Environment Committee on 25 August 2015. The 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. These include the Council's Transport and Roads teams, Planning and Building Standards, Parks and Greenspaces, Waste and Fleet Services, Economic Development and Trading Standards and Licensing for events, activities and street use including tables and chairs and market stalls.

## Edinburgh Design Guidance

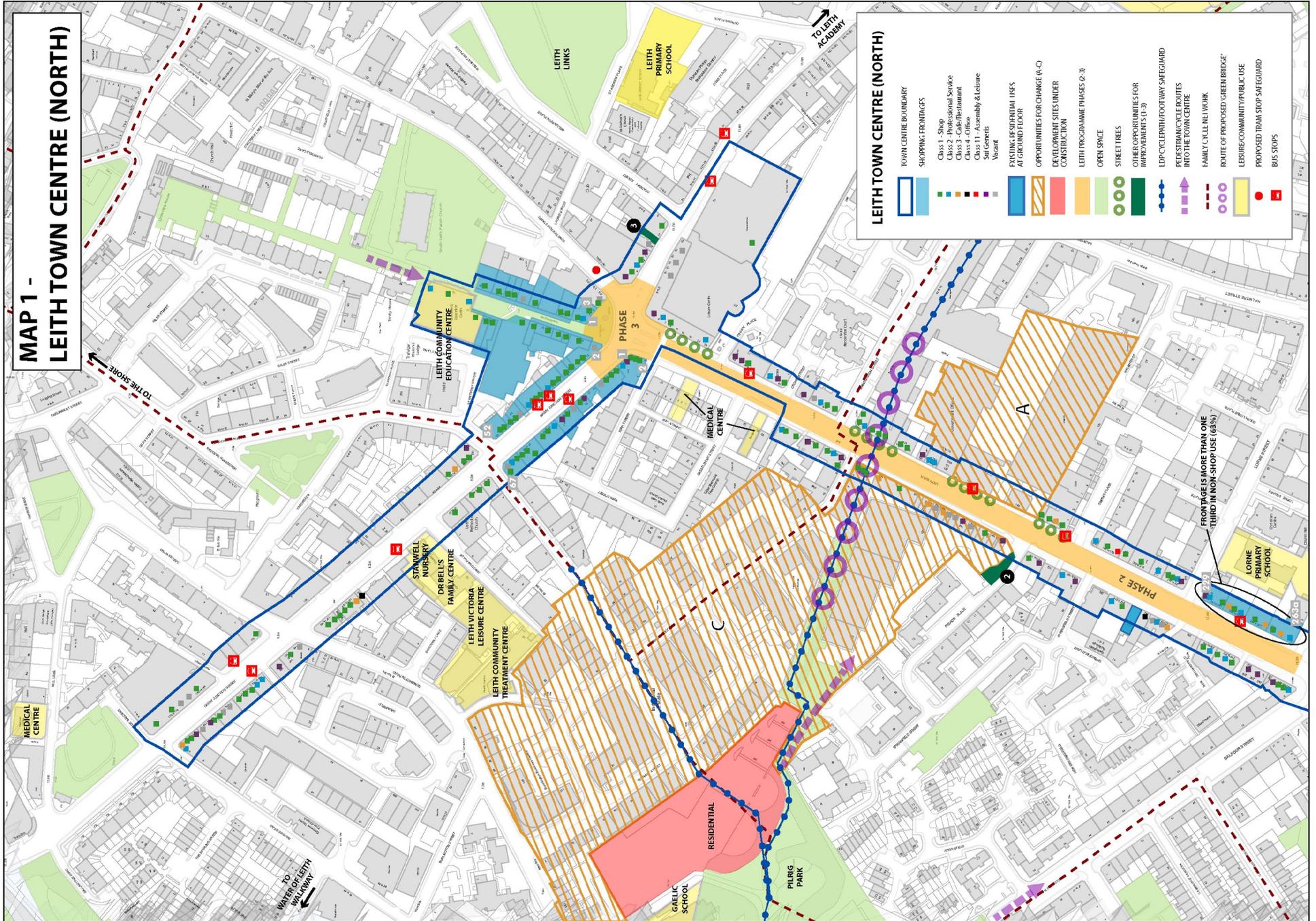
The [Edinburgh Design Guidance](#) sets out the Council's expectations for the design of new development in Edinburgh. The guidance is intended for all new buildings and should be used as a point of reference, a basis for the planning, design and communication of new development proposals and a material 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.

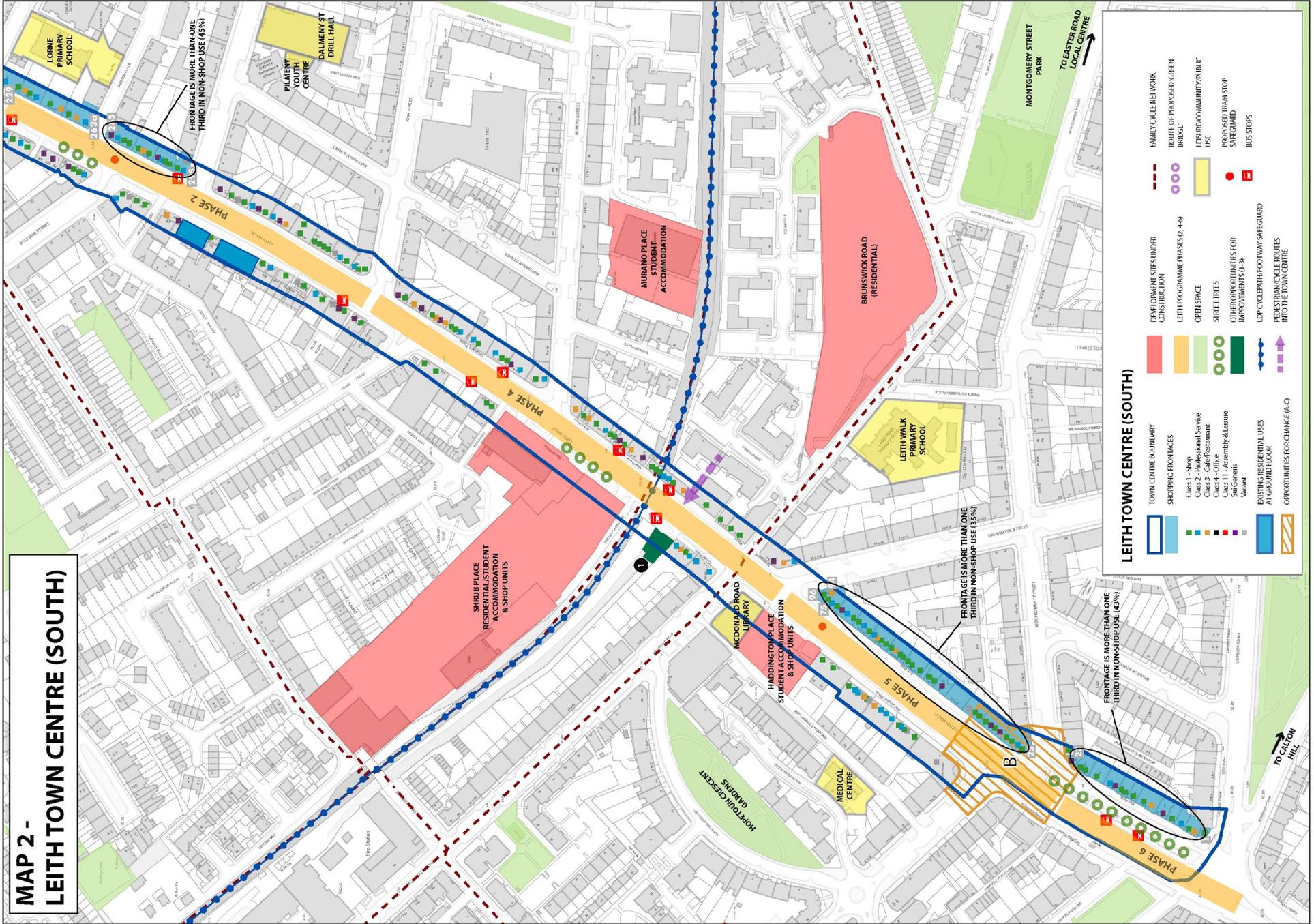
## Trade Waste Policy

The Council has introduced a new [trade waste policy](#) that will mean that trade waste bins will not be allowed to be stored on roads and pavements. Bins or bags of waste may only be put out for collection on streets at specific times for up to one hour. Leith has benefited from being the first town centre to pilot the trade waste policy and has seen the positive impact of less trade waste presented on the pavements.

## 20mph Speed Limit

Councillors approved a new speed limit network for Edinburgh at the Transport and Environment Committee on 13 January 2015, after three years of research and public consultation. Residential roads, shopping streets as well as the city centre are now included as 20mph roads. Leith town centre is in phase 2, commencing June 2016.





DRAFT SUPPLEMENTARY GUIDANCE

# LEITH TOWN CENTRE

DECEMBER 2015



Further information

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

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