



SUPPLEMENTARY GUIDANCE

TOLLCROSS TOWN CENTRE

DRAFT FOR CONSULTATION

MAY 2013

Introduction

This document comprises Supplementary Guidance (SG) under Section 22 of the Planning etc (Scotland) Act 2006 and once adopted will form part of the development plan. The SG was prepared in accordance with Edinburgh Proposed Local Development Plan Policy Ret 8 Alternative Use of Shop Units in Defined Centres. It applies to all shop units within the defined Tollcross Town Centre.

Other relevant policies in the Local Development Plan include:

- Ret 2 Town Centres – generally supports shop uses in town centres.
- Ret 10 Food and Drink Establishments – considers the impact on residential amenity.
- Guidance for Businesses December 2012

Purpose

The purpose of this SG is to guide the balance of shop uses with other related appropriate town centre services to meet the needs of those who live, work and shop here. It takes into account Tollcross's individual characteristics and responds to initial public engagement.

Scope

The extent of the area covered by this SG is illustrated in the attached maps.

Preparation

This draft SG has been prepared by:

- Survey work – analysis of shop unit history, current shop uses and the street environment.
- Community engagement – initial views and reactions from stakeholders informed the analysis map.

Further consultation on this draft SG will take place before it is finalised. It is intended to frequently review the SG (potentially every 2 years).

What is a change of use?

Most properties are classified under categories known as 'Use Classes'. Common uses in town centres include:

- Class 1 Shops
- Class 2 Financial, professional and other services
- Class 3 Food and Drink

Some uses fall outwith these categories and are defined as 'sui generis', meaning 'of its own kind'. Examples of sui generis uses include pubs and hot food takeaways. This is set out in The Use Classes (Scotland) Order 1997 (Amended in 1998).

Moving to a different use class is known as a change of use and may require planning permission, although some changes between use classes are allowed without planning permission. Planning permission is not required when both the present and proposed uses fall within the same 'class' unless there are specific restrictions imposed by the Council. The Scottish Government Circular 1/1998 contains guidance on use classes.

'Non-shop' uses are those defined as uses not covered by Class 1.

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 visible from the street.

Policies

- TC1** The change of use of a shop unit to classes 2 (Financial, professional or other services) and 3 (Food and Drink) uses or other appropriate commercial or community use will be allowed within the defined boundary of Tollcross, unless subject to TC2 or TC3 below.
- TC2** The change of use of the shop units on 120 – 148 Lothian Road and 2 – 48 Earl Grey Street will not be permitted, with the exception of the corner units where Class 3 uses are considered appropriate.
- TC3** The change of use of a shop unit on 1-11 Earl Grey Street to a pub or bar use will be allowed as an exception to the identified area of sensitivity (Council's Guidance for Businesses).

Further information

online: www.edinburgh.gov.uk/supplementaryguidance

email: naomi.sandilands@edinburgh.gov.uk

Explanatory Notes

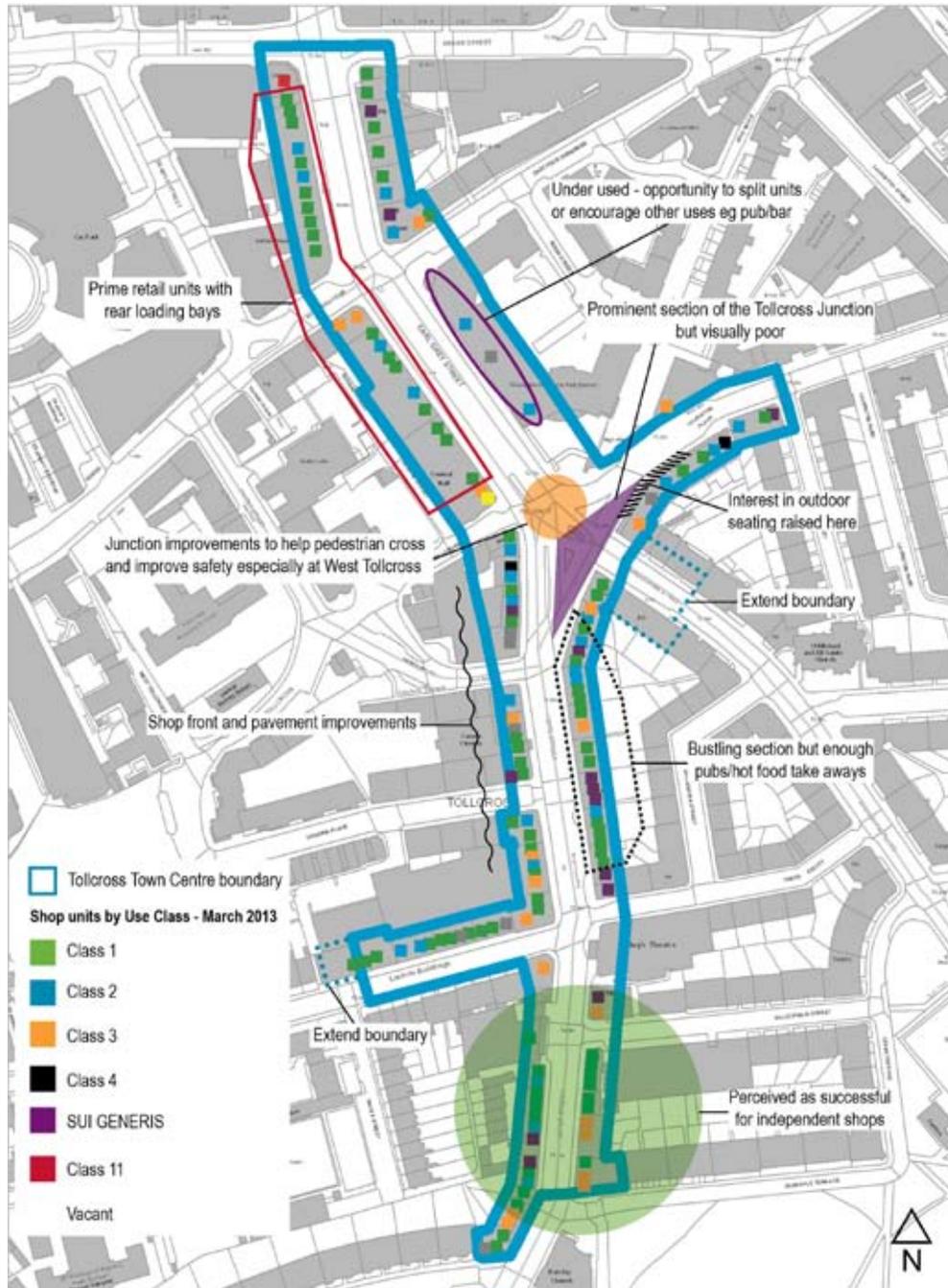
- In order to enhance the vitality of Tollcross and encourage footfall, the change of use of shop units to Class 4 Business Use and residential use will not be allowed.
- The larger shop units at 120 – 148 Lothian Road and 2 – 48 Earl Grey Street benefit from better loading options than elsewhere in Tollcross Town Centre. Keeping these units in shop use help ensure Tollcross retains a range of unit sizes in shop use.
- The corner units identified as appropriate for Class 3 use in TC2 are visually prominent and food and drink uses could help draw more activity to these junctions.
- The Council's Guidance for Businesses identifies Tollcross as an area of sensitivity with regards to pubs and hot food take-aways. In order to prevent an excessive concentration, no new hot food shops, pubs and bars will be allowed, with the exception of the units identified in TC 3. Additional flexibility of uses is considered appropriate to encourage activity along this frontage, where there are no residential properties above.

Any change of use proposals will only be permitted if they are for an appropriate commercial or community use.

Other Relevant Information

This policy deals with the principles of changes of use for planning purposes. Food and drink uses will often require other consents and are subject to separate controls by licensing for alcohol, hours of operation and outdoor pavement seating. For more information on these see the Council's website on the One Door Approach to development consents, the Council's Guidance for Businesses December 2012 or contact the Business Gateway.

Tollcross Town Centre Analysis



Tollcross Town Centre Policies

