



GUILDFORD
BOROUGH

Guildford Borough Council Marketing requirements Supplementary Planning Document

April 2025



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Front cover photos (clockwise from top left):

Unit 1, Guildford Industrial Estate (overhead/bird's eye view); Interior view of Unit 1, Guildford Industrial Estate; Units 2 and 3, Guildford Business Park; Aerial view of industrial and office employment sites to south of A25, Parkway, Guildford.

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Executive summary

This Supplementary Planning Document ('SPD') provides guidance to clarify the marketing requirements of policies H1, E3, E5, E6 and E9 and Appendix 4 of the Local Plan: Strategy and Sites 2015 – 2034 ('the LPSS'), and Policies ID7 and ID8 of the Local Plan: Development Management Policies ('the LPDMP').

It sets out and explains the marketing evidence that will be expected in support of planning applications involving the proposed loss of existing site(s) and/or buildings in Use Class¹ E(g), B2 and B8 employment use, public houses and other community facilities², and certain Class E(a) retail unit(s)³ through redevelopment or change of use. It also addresses specific issues relating to viability of existing employment uses and explains the requirements for marketing of plots for self-build and custom housebuilding homes in accordance with LPSS policy H1 (10).

The SPD is intended to help applicants to prepare planning applications that would affect any of the above types of existing development. Residents and other interested parties are also encouraged to refer to this document as it sets out the Council's expectations regarding provision of marketing evidence in support of proposed new developments.

This SPD is a material consideration in the determination of planning applications in Guildford borough. It has been prepared and updated in accordance with the Planning and Compulsory Purchase Act 2004 and Town and Country Planning (Local Planning) (England) Regulations 2012.

In accordance with the 2012 Regulations and the Council's [Statement of Community Involvement \(SCI\) \(May 2020\)](#), the draft SPD was made available for a four-week public consultation between January and February 2025.

¹ of the Town and Country Planning (Use Classes) Order 1987 (as amended).

² Defined in paragraph 6.52 of the LPDMP.

³ Buildings falling within Use Class E(a), as identified in the Town and Country Planning (Use Classes) Order 1987 (as amended).

1. Introduction

- 1.1 The purpose of this SPD is to provide guidance to help clarify the marketing requirements in relation to development proposals involving:
- a) the re-use via change of use, or redevelopment of any of the following uses:
 - i. Sites and premises in Use Class E(g)⁴, B2 and B8)
 - ii. Retail unit(s) in Use Class E(a)⁵ that provide for everyday needs, either within a local centre or in isolated locations⁶.
 - iii. Public houses (sui generis)
 - iv. Community facilities⁷
 - v. Leisure, visitor, and cultural attractions⁸
 - b) sites proposed as self-build or custom housebuilding plots.
- 1.2 In doing so, the SPD seeks to:
- a) assist applicants and their agents by clarifying the marketing requirements of these policies
 - b) ensure that the evidence of active and comprehensive marketing submitted by applicants is sufficiently robust, in line with the contents of Appendix 4 of the LPSS
 - c) guide the submission of related information to ensure it is in a format that is sufficiently clear to decision-makers, Councillors, officers and the public.
- 1.3 Whilst the policies are written in such a way as to enable other material considerations and material changes in circumstances to be taken into account, the provision of robust evidence demonstrating compliance with Local Plan requirements for marketing is important to ensure the retention of land uses covered by these policies where appropriate, and where their loss is not sufficiently justified.
- 1.4 Persistent loss of these uses, or of land designated for them, on the other hand, may have adverse consequences for their availability, and the long-term retention of and provision made for them in the Local Plan.

Note on use classes

- 1.5 The LPSS refers to several use classes that were abolished following amendments to the Town and Country Planning (Use Classes) Order 1987 (as amended) (“The Use Classes Order”) on 1st September 2020 (including Class A1 – Shops and B1 - Business). However, the descriptors for many of these uses have remained the same in the amended Use Classes Order. The marketing requirements of LPSS policies E3, E5 and E9 have therefore continued to apply to the uses that the previous use classes A1 and B1 denoted, which are now included within Use Class E – Commercial, Business and Service.

⁴ of the Town and Country Planning (Use Classes) Order 1987 (as amended).

⁵ of the Town and Country Planning (Use Classes) Order 1987 (as amended).

⁶ An isolated retail unit is defined in paragraph 4.4.02 of the LPSS and means any Use Class E(a) unit situated outside of the borough’s defined retail centres (Guildford Town Centre, district and local centres)

⁷ As defined in LPDMP Policy ID7, paragraph 6.52.

⁸ Defined in LPSS Policy E6. The uses covered by this policy are distinct from those covered by Policy ID7 (referred to in LPDMP paragraph 6.52) and have different marketing requirements.

- 1.6 Unless indicated otherwise, references in this document to employment uses therefore continue to apply to offices (Use Class E(g)(i)), research and development (E(g)(ii)), industrial processes (E(g)(iii)), general industrial (B2) and storage or distribution (B8). References to retail uses mean uses falling under Use Class E(a).
- 1.7 As a result of the September 2020 amendments to the Use Classes Order, marketing is no longer required for the proposed loss of a retail or employment use where the existing and proposed new use both fall within Class E. In such cases, provided that no external changes to the building (operational development) or additional floorspace are proposed, the proposal does not constitute development and therefore does not require planning permission (and therefore assessment against Local Plan policies).
- 1.8 The impact of this legislative change on the continued operation of the employment and retail policies in the Local Plan is explained further in a guide on the Council's website at: <https://www.guildford.gov.uk/article/24885/Local-Plan-Changes-to-legislation>.

2. National policy and guidance

2.1 The National Planning Policy Framework (NPPF) must be taken into account by local planning authorities in preparing local and neighbourhood plans and is a material consideration in planning decisions. Planning law⁹ requires that applications for planning permission must be determined in accordance with the development plan (which includes local and neighbourhood plans) unless material considerations indicate otherwise.

2.2 The NPPF (December 2024) made explicit the importance of supporting business growth and improved productivity. Paragraph 87 states:

‘Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for:

- a) clusters or networks of knowledge and data-driven, creative or high technology industries (including data centres and grid connections);*
- b) storage and distribution operations at a variety of scales and in suitably accessible locations that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain, transport innovation and decarbonisation*
- (c) the expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience.’*

2.3 Paragraphs 90-95 of the NPPF deal with planning for retail and other main town centre uses, including the sequential test, which seeks to ensure that main town centre uses are steered towards town centres (including district and local centres), or edge of centre sites where none are available in centre locations. Paragraph 90 states that *‘planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation’*.

2.4 The NPPF also emphasises that planning policies and decisions should *‘...guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day to day needs’* (para. 98 (c)) and *‘...ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community’* (para 98 (d)).

2.5 LPSS policies E5 and E9 protect against the loss of shops in local centres and in isolated locations that provide for everyday shopping needs (see section 5), as they reduce the need for residents to travel for everyday purchases and provide important social, as well as economic functions. Paragraph 88 of the NPPF supports this aspect of these policies.

⁹ [Section 70\(2\) of the Town and Country Planning Act 1990](#) and [section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#)

3. Marketing checklist for applicants

Appendix 4 of the LPSS (reproduced in Appendix 7 of this SPD) provides a broad list of the evidence of active and comprehensive marketing that will be required for any development proposal involving the loss of

- a) an employment site or premises in Use Class E(g), B2 or B8 (*LPSS Policy E3*);
- b) a leisure or visitor attraction (*LPSS Policy E6*); or
- c) a shop or service in Use Class E(a) in a local centre, or an isolated Use Class E(a) retail unit, that provides for everyday needs (*LPSS Policies E5 and E9*),
- d) a community facility (*LPDMP Policy ID7*); or
- e) a public house (*LPDMP Policy ID8*).

This checklist is designed to help applicants provide appropriate evidence of marketing in accordance with LPSS Appendix 4. It will also be used to appraise applicants' evidence to ensure a consistent approach is taken for all applications that trigger a marketing requirement under the above policies¹⁰.


The questions in the first column are requirements in LPSS Appendix 4, and the second column provides additional guidance. Most of the questions apply to all the above existing uses, however where they apply only to a particular use, this is indicated by text in blue boxes in the first column. Applicants may find it helpful to complete the last column to indicate how their evidence addresses each requirement.

Marketing evidence should be provided in a stand-alone document (marketing report) if possible, to ensure that policy compliance can be easily assessed by the case officer. This report should be structured clearly and include a detailed breakdown, with full details including screenshots, photographs, etc, and dates in chronological order for each individual marketing activity undertaken throughout the required marketing period.

¹⁰ LPSS Policy H1 includes a required minimum marketing period of 18 months for any self-build and custom-build plots on schemes of 100 or more dwellings, however these have separate marketing requirements, which are detailed in Section 9 of this SPD.



<u>Questions for applicants</u>	<u>Further information (if applicable)</u>	<u>Evidence supplied to demonstrate compliance</u>
Period of marketing (Q1-2)		
<p>1. Has the site and/or premises been actively and comprehensively marketed for its permitted use, and for relevant alternative uses where required (see requirement 4), for the minimum continuous period* specified in the relevant Local Plan policy?</p> <p>*Note: Minimum periods of marketing apply to applications that trigger LPSS Policies E3, E5, E6 and E9, and LPDMP Policy ID8.</p>	<p>See the relevant Local Plan policy for full details of the minimum marketing requirements.</p> <ul style="list-style-type: none"> Marketing should preferably include a range of marketing platforms and forms of advertising to demonstrate wide market exposure and an active and comprehensive approach to marketing – see Questions 14-15. 	
<p>2. Does the period of marketing end close to or immediately prior to submission of a planning application/pre-application enquiry for redevelopment or change of use, and are these dates supplied as evidence with the application?</p> <p>(LPSS Policies E3 (10)), E5 (5), E6 (3), and E9 (10); LPSS Appendix 4, list 2, item (f)); and LPDMP Policy ID8 (1)).</p>	<ul style="list-style-type: none"> The marketing period should end as close to the date of submission of the application as possible to ensure that the evidence is up to date. 	
Flexibility of use (Q3-9)		
<p>3. Does the marketing include marketing of the site/premises on a freehold¹¹ as well as leasehold basis? (LPSS Appendix 4, paragraph 2).</p>	<ul style="list-style-type: none"> The premise's freehold should be marketed explicitly in all advertisements and promotional material. For public houses, both freehold and leasehold options should be made available without a 'tie' requiring the purchase of drinks through the vendor and without restrictive covenants that would prevent re-use as a public house by other pub operators, breweries, local businesses, or community groups. 	

¹¹ Marketing the freehold of a site and/or building as well as leasehold increases the likelihood of enquiries by enabling potential purchasers to use the property for a wider range of future uses.

Questions for applicants	Further information (if applicable)	Evidence supplied to demonstrate compliance
<div data-bbox="208 363 253 395" style="display: inline-block; vertical-align: middle; margin-right: 10px;">  </div> <p>Requirement applies only to applications involving:</p> <ul style="list-style-type: none"> • loss of employment floorspace (use class E(g), B2 or B8) on Strategic or Locally Significant Employment Sites, or • the loss or partial loss of a public house or other community facility, or • the loss of visitor, leisure or cultural attractions. <p>4. Has the site and/or premises been marketed for other appropriate uses as specified in the relevant Local Plan policy, <i>in addition to</i> its existing or last permitted use?</p>	<ul style="list-style-type: none"> • Advertisements should clearly state all appropriate uses, including any pre-let uses. • For applications involving loss of employment floorspace within a Strategic or Locally Significant Employment Site (see LPSS Policy E3), appropriate uses include: <ul style="list-style-type: none"> • alternative suitable Class B or E(g) employment uses for which the site is designated, and • employment-generating uses that are either permitted or could be appropriate subject to planning permission, for example ancillary uses – see Policy E3 paragraph (15). • For applications involving the loss of a visitor, leisure or cultural attraction, LPSS Policy E6 requires that applicants demonstrate that there is no longer a need for the facility, and that its retention has been explored, including marketing for its existing and alternative leisure or visitor use¹². • For applications involving the loss or partial loss of a public house or other community facility, LPDMP Policies ID7 and ID8 require marketing for reuse by alternative community facilities¹³. <p>For more details, see Sections 4, 6, 7 and 8 of this SPD.</p>	

¹² The requirement to market these uses does not apply if replacement facilities of an equal or better standard and provision are proposed in a location equally accessible to the facility's current catchment area.

¹³ For the purposes of Policy ID7 and Policy ID8, paragraph (1), alternative community facilities include those specific uses listed in LPDMP paragraph 6.52.

<u>Questions for applicants</u>	<u>Further information (if applicable)</u>	<u>Evidence supplied to demonstrate compliance</u>
<div data-bbox="203 343 1043 499" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">  Requirement applies only to applications involving loss of community facilities defined under LPSS Policy ID7. </div> <p>5. Has the applicant engaged with Surrey County Council, integrated care boards¹⁴, Guildford Borough Council, the local parish council, and other providers regarding potential purchase or lease of the facility as part of the process of exploring its continued community use? Has commercial marketing also taken place where relevant? (LPSS Policy ID7)</p>	<ul style="list-style-type: none"> Evidence of direct engagement with these providers should be included in the applicant's marketing statement supporting the proposed loss of the community facility. 	
<div data-bbox="203 786 1050 959" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">  Requirement applies only to applications involving loss of employment floorspace (use class E(g), B2 or B8) and/or land within Strategic and Locally Significant Employment Sites: </div> <p>6. Has the site and/or premises been actively and comprehensively marketed for other suitable E(g)/B Use Class employment use and other employment generating uses, as well as for its current and/or last permitted use? (LPSS Policy E3 (11))</p>	<p>See further information under Question 4.</p>	
<p>7. Has the marketing allowed for sufficient flexibility in the space offered? This should include subdivision of large areas of floorspace or amalgamation of smaller areas where possible and practical, and alternative layouts and access arrangements.</p>		

¹⁴ ICBs replaced clinical commissioning groups in the NHS in England from July 2022.

<u>Questions for applicants</u>	<u>Further information (if applicable)</u>	<u>Evidence supplied to demonstrate compliance</u>
(LPSS Appendix 4, list 2 c)).		
8. Has the applicant considered the potential for refurbishment of the building(s) or redevelopment within the same use class (particularly where the age and/or condition of the existing premises may hinder interest from potential enquirers)? (LPSS Appendix 4, list 2 c))	<ul style="list-style-type: none"> The option of refurbishment or redevelopment to make a building more saleable or attractive to potential tenants and buyers may be considered necessary to demonstrate flexibility in accordance with this point, unless such work is shown to be economically viable – see question 9. 	
9. If the applicant considers that refurbishment or redevelopment (question 8) would be economically unviable, have they submitted a viability assessment alongside the planning application?	<ul style="list-style-type: none"> A viability assessment may be requested in some instances, particularly for Strategic and Locally Significant Employment Sites (see section 4). 	
Property details (Q10-14)		
10. Has an advertising board been posted in a prominent location on site throughout the period of marketing (subject to advertising consent, if required). Does the board include contact information and is it adjacent to or otherwise clearly visible from the public highway? Dated photographs should be provided with the application and/or pre-application enquiry. (LPSS Appendix 4, list 1 a))		
11. Is sufficient detail included on advertisements to inform potential enquirers of the opportunity available and allow them to gauge its suitability for them?	<p>12. Information that should be included on advertisements will depend on the circumstances of the site and planning application. The following is recommended for most sites:</p> <ul style="list-style-type: none"> Description of the site/premises and good quality internal and external photographs of the building(s) Current permitted use and all other appropriate potential employment uses, subject to planning permission 	

<u>Questions for applicants</u>	<u>Further information (if applicable)</u>	<u>Evidence supplied to demonstrate compliance</u>
	<ul style="list-style-type: none"> • Dimensions of the building and internal rooms and total site size • Asking price and tenure, including both freehold and leasehold options • Site location, including map • Extent and layout of site, shown on a site plan • Details of all restrictions, conditions and covenants¹⁵ • Known costs, such as service charges, rateable value and any other known items • Terms and conditions associated with the sale • Parking availability and access to public transport • Contact details for viewing and more information (details must be available to inquirers on request). 	
13. Full property details and particulars available to inquirers on request (LPSS Appendix 4, list 1(c)).		
Forms of marketing (Q10-14)		
14. Has the property been registered with at least one commercial property agent (LPSS Appendix 4, list 1 b)), and have any other sites or marketing methods been used?	<ul style="list-style-type: none"> • The site should be advertised continuously on the commercial agent's website as well as other commercial property websites over the marketing period. • For more specialised uses, marketing should utilise sector-specific sites and publications. The use of a range of sites is recommended to demonstrate comprehensive marketing. • The additional use of active marketing methods e.g., direct mailshots is encouraged. These should be on a frequent basis, if used, e.g., every two months throughout the required marketing period. 	

¹⁵ Local Plan Appendix 4, point f) requires that there should not be any covenants or other forms of tie restricting future use or operation of the property or land.

<u>Questions for applicants</u>	<u>Further information (if applicable)</u>	<u>Evidence supplied to demonstrate compliance</u>
15. Have details of where and how often the site was advertised, with copies of all printed advertisements placed and web pages, including publication dates, been supplied? (LPSS Appendix 4, list 2 a))	<ul style="list-style-type: none"> An on-site advertising board including contact details should be positioned in a prominent location clearly visible to passers-by. For larger units, the board should include details of the property, including guide price. Web addresses and dated screenshots of online advertising should be provided as well as dates of publication. Website listings should remain continuously visible to the public throughout the required marketing period. <p>See Appendix 8 for examples of web-based advertising.</p>	
16. Have the dates and periods for each individual marketing activity been clearly shown on the marketing statement? (LPSS Appendix 4, paragraph 3)	<ul style="list-style-type: none"> This information is needed to comply with LPSS Appendix 4, paragraph 3, which requires 'sufficient detailed information... to be submitted to demonstrate compliance with the above criteria'. 	
Price and terms (Q15-21)		
17. Has evidence of the asking price and/or rent at which the site or property has been offered, including any price reductions, been included in the marketing statement? (LPSS Appendix 4, list 2, item (b))		
18. Has the site/premises been independently valued by at least three independent agents and marketed at a reasonable and competitive guide sale price and lease amount and terms that reflects its current value taking into account the current state of the property (including in relation to use, condition, quality and location of floorspace)? (LPSS Appendix 4, list 2 b))	<ul style="list-style-type: none"> Evidence of valuations of the advertised sale price and lease amount should be provided within the marketing statement. 	
19. Does the marketing statement include the number and detail of enquiries and/or offers received for the site/premises, reasons for refusal of any offers and reasons why any offers fell through? (Local Plan Appendix 4, list 2 b))		

<u>Questions for applicants</u>	<u>Further information (if applicable)</u>	<u>Evidence supplied to demonstrate compliance</u>
20. Does the marketing statement include the reasons for prospective tenants not making an offer and/or taking up the space, and how these problems have been addressed? (LPSS Appendix 4, list 2 d))	<ul style="list-style-type: none"> Details of all enquiries and offers should be provided, as well as full explanation as to why any offer was not accepted. 	
21. Has information on any covenants or other forms of tie restricting the future use of the property or land been provided, or if applicable, a statement been provided to confirm that there are none? (LPSS Appendix 4, list 1, item (f)).		

4. Marketing requirements for loss of employment uses

- 4.1 This section provides guidance on the application of LPSS Policy E3: Maintaining Employment Capacity and Improving Employment Floorspace¹⁶ in terms of its requirements for marketing of employment uses (see below) proposed for redevelopment or change of use to a non-employment use. It also identifies considerations for assessing the viability of existing sites and/or buildings in current and/or permitted employment use.
- 4.2 The marketing requirement applies to floorspace in the Use Class E(g)(i), E(g)(ii), E(g)(iii), B2 and B8 employment use classes¹⁷. If floorspace last occupied by any of these uses is vacant at the time of submission of a planning application for change of use or redevelopment, then the marketing requirement applies to the building's most recently permitted, i.e., lawful use.
- 4.3 Policy E3 (reproduced in Appendix 1) lists the Strategic Employment Sites (SES) and Locally Significant Employment Sites (LSES). Employment floorspace within these sites proposed for redevelopment or change of use to a non-employment use is required, under paragraph (10) of the policy, to be marketed for its current employment use and, under paragraph (11), for any suitable alternative employment uses and employment-generating uses (see 'Uses to be Marketed', paragraph 4.14).
- 4.4 In addition to these designated sites, there are many other smaller office and industrial sites and units across the borough that are also important to meet the needs of existing and potential occupiers and to allow businesses to operate efficiently and expand. Policy E3 paragraph (12) requires marketing for loss of employment floorspace within one of these non-designated sites where redevelopment or change of use to housing¹⁸ is proposed, unless the LPSS allocates the site for an alternative (non-employment) use.
- 4.5 The policy also applies to land within the boundary of a SES or LSES that is vacant or occupied by non-employment uses. For further explanation of how the marketing aspects of the policy apply in these cases, please refer to paragraph 4.17.

Minimum marketing periods

- 4.6 Policy E3 specifies minimum periods for the evidence of marketing of employment land and premises to cover, on a sliding scale depending on the site's designation (or not) prior to submission of a planning application.
- 4.7 These minimum periods are:
- two years for a Strategic Employment Site (SES)
 - 18 months for a Locally Significant Employment Site (LSES).

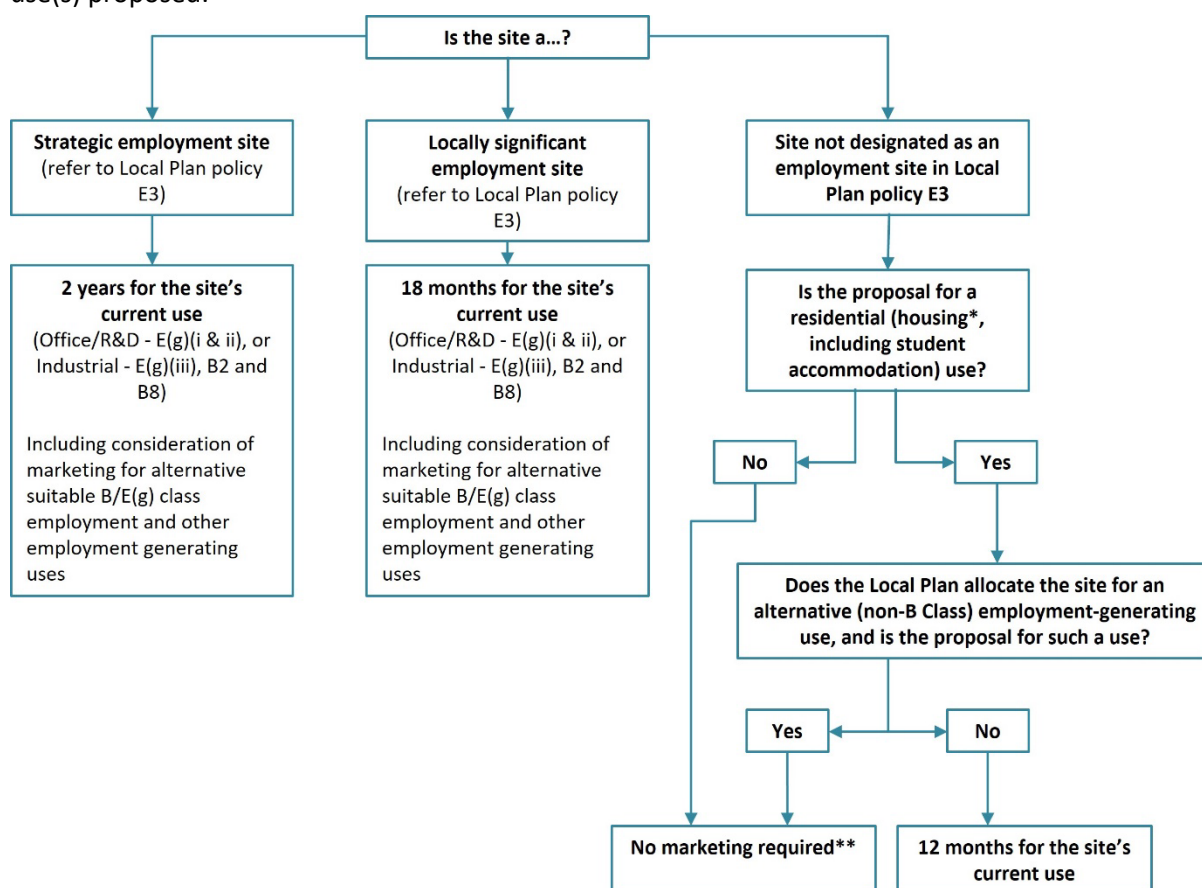
¹⁶ See Appendix 2 of this SPD for the full text of policy E3

¹⁷ The respective descriptions of these use classes are E(g)(i) – Offices; E(g)(ii) – Research and development; E(g)(iii) – Industrial processes; B2 – General industrial; and B8 – Storage or distribution.

¹⁸ Housing use is considered to be all residential uses within Use Classes C1, C2, C3, C4 and Sui Generis (e.g., student accommodation, care homes, HMOs)

- 12 months for employment floorspace outside the designated employment sites (subject to caveats at paragraph 4.4).

- 4.8 The longer periods of marketing for SES and LSES reflect their relative importance to the borough's current and future supply of employment floorspace and allow for longer-term fluctuations in the market which may make the existing employment use(s) more viable than when the site first became available for redevelopment.
- 4.9 Marketing should be shown to be both active and comprehensive (see 'Form of Marketing', paragraph 4.11). To ensure that the evidence upon which to base a decision on is up to date, it should also cover a continuous period ending close to, or immediately prior to submission of the planning application for redevelopment or change of use.
- 4.10 Figure 1 below illustrates the marketing periods and uses that must be marketed under LPSS Policy E3 (reproduced in Appendix 1), depending on the site's designation and replacement use(s) proposed:



* Housing use is considered to be all residential uses within Use Classes C1, C2, C3, C4 and Sui Generis (e.g., student accommodation, care homes, dwelling houses, HMOs).

** Marketing of less than 12 months may be considered as a potential means by which to overcome a conflict with the protection for employment floorspace implicit in Policy E3 paragraph (12)

Figure 1: Length and type of marketing required by LPSS Policy E3 for applications involving loss of employment uses

Form of marketing


- 4.11 Evidence should demonstrate that all employment floorspace proposed to be lost by redevelopment or change of use has been marketed actively and comprehensively, in accordance with LPSS Policy E3 and LPSS Appendix 4. To demonstrate an active marketing approach and wide market exposure, it is expected that applicants will use more than one website to market the property. They should also aim to use active marketing methods, such as direct mailshots. Direct marketing such as targeted emails, if used, should be on a frequent basis throughout the required marketing period.
- 4.12 Promotional material should be detailed and informative (Q11 of the Marketing Checklist in Section 3 of this SPD includes relevant points for advertisements to cover).


Strategic/Locally Significant Employment Sites (SES/LSES)

- 4.13 For sites designated by Policy E3 as SES, or LSES, the following additional points are especially relevant:

Uses to be marketed

- 4.14 Marketing is a key indicator of viability not just for a site's current use, but also for suitable replacement uses. Paragraph (11) of Policy E3 therefore requires evidence of marketing for a SES or LSES to '*include consideration of alternative suitable B class employment use and other employment generating use*' for the same continuous minimum period stated in paragraph (10). If the proposed use is an employment generating use, then it will be necessary to market the site for alternative suitable Class B/E(g) uses but not for other employment generating uses that fall outside of these use classes.

 An **alternative suitable B class employment use** could include any within Use Class E(g), B2 and B8, not just those that align with the employment site's designation (office and research and development; or industrial use).

 **Other employment generating uses** are considered to be non-employment uses (i.e., beyond Use Class E(g), B2 or B8) that provide jobs on site. These include retail and leisure uses for example, subject to relevant policy requirements for sequential and/or impact assessments for these uses being met²⁶. They do not include residential uses such as student accommodation or care homes, as any employment generated by such uses tends to be minimal and ancillary.

- 4.15 Applicants must provide evidence of marketing for all suitable policy compliant uses. If they consider that such a use would not be appropriate for the site, then they should explain why they consider this to be the case. Class B/E(g) and other uses that generate employment are

¹⁹ See LPSS Policy E7 (2); Policy E8 (4); Policy E9 (7); and paragraph 4.4.88.

generally viewed as more suitable for an employment site than residential or other uses that generate little or no employment.

- 4.16 Marketing on an 'all enquiries' basis will be considered acceptable only if the advertising gives prominence to the types of uses for which the premises could be leased or purchased. Advertisements should therefore clearly state all appropriate uses, including any pre-let uses.

Vacant land within designated employment sites (SES/LSES)

- 4.17 Due to the need to ensure that the SES and LSES continue to meet employment land requirements over the lifetime of the LPSS, Policy E3 (9) protects these sites for employment uses in line with their office and R&D or industrial use designation²⁰. Therefore, whilst the required marketing periods in Policy E3 (10) relate to existing employment floorspace, a proposal to redevelop either:
- a) an area of vacant land;
 - b) a car park or land used for parking cars or other vehicles; or
 - c) building(s) that fall within a permitted non-employment use (occupied or vacant)

on land within a SES or LSES to a new non-employment use which is not an ancillary use in accordance with E3 (15) would contravene E3 (9) as it would lead to a loss of land within these sites that could potentially be used for employment uses in future.

- 4.18 In the absence of other material considerations, the policy conflict would likely result in a recommendation for refusal. It would therefore be up to the developer in such an instance to demonstrate that there are material considerations that could constitute an exception to paragraph (9), i.e., benefits which may outweigh the breach of policy.
- 4.19 Appropriate evidence to demonstrate an exception as above should include marketing of the building or part of the site proposed for redevelopment for the site's designated employment uses under policy E3 (if applicable)²¹, alongside marketing of the existing building(s) and/or land for other suitable class B/E(g) employment uses and other employment generating uses. Vacant land within SES or LSES should be marketed on a freehold basis as well as (where relevant) for any suitable pre-let uses that comply with Policy E3 and other relevant Local Plan policies. It may assist applicants to liaise with the Council through pre-application engagement regarding suitable alternative uses.

Relocation of existing non-employment uses within SES/LSES

- 4.20 If it is proposed to relocate an existing non-employment use within the same designated SES/LSES (as opposed to introducing a new non-employment use), then it will not be necessary to demonstrate an exception to E3 (9), provided the proposal would not lead to a

²⁰ See Policy E3 paragraphs (2) and (4).

²¹ See E3 (2) and (4).

net loss of designated employment land and that the new location within the employment site would not harm the functioning of the site as a whole.

- 4.21 It is important in this situation that the unit from which the existing use is relocating (if it is not to be demolished) may revert in future to an employment use appropriate for the site's designation. The unit proposed to be vacated (or that was vacated, if it is now vacant) must therefore not be subject to a condition that it remain occupied by a non-employment use. In addition, it may be appropriate for a condition to be imposed on the new building to prevent it from being occupied until such time as the previous building is vacated, if this is not already the case.

Non-designated employment sites

- 4.22 For sites located outside the designated employment sites, Policy E3 (12) requires evidence of active and comprehensive marketing of the site for its current employment use²² only in the case of redevelopment or change of use to 'housing use'²³. Nevertheless, paragraph (12) protects employment floorspace on non-designated employment sites in line with the latest needs assessment²⁴ and resists its loss²⁵, even if the proposed change of use is to one other than housing.
- 4.23 To attempt to overcome this 'in principle' conflict and justify departure from LPSS policy, applicants intending to develop non-housing uses on non-designated employment sites with a resultant loss of Class E(g), B2 or B8 floorspace may wish to provide evidence of active and comprehensive marketing for the existing employment use(s) covering a reasonable period. They may also consider developing or marketing the site for alternative employment or employment-generating uses that would not result in loss of employment floorspace²⁶.

Viability of employment uses where building(s) are in need of refurbishment, redevelopment or internal works

- 4.24 To ensure that marketing campaigns for applications proposing the loss of employment floorspace are robust and comprehensive, LPSS Appendix 4 requires flexibility in the space offered on the site. This is indicated by point (c) of the second list of criteria, which states that applicants should submit evidence regarding the feasibility of subdividing large areas of floorspace or amalgamating smaller areas where possible and practical, and alternative layouts where relevant.

²² See footnote 8 of this SPD in relation to vacant employment land.

²³ Housing use is considered to be all residential uses within Use Classes C2, C3, C4 and Sui Generis (e.g., care homes, HMOs).

²⁴ This is generally the Council's latest Employment Land Needs Assessment, in combination with any more recent employment land monitoring.

²⁵ unless the site is allocated for an alternative use within the Local Plan.

²⁶ For example, mixed use schemes for redevelopment or change of use that comprise the same or greater quantity of Use Class B or E(g) employment floorspace as the existing development.

- 4.25 The applicant should also consider the potential to refurbish or redevelop the site or premises (in part or in whole) to meet demand for the existing employment use and, in the case of designated employment sites, demand for alternative employment uses.
- 4.26 There may be instances where an applicant considers that there is no demand for an employment site or premises and/or that the buildings are of such poor condition or outdated specification that they are no longer suitable for employment use. In such cases, it is important to recognise that the value offered by such sites does not arise solely from the existing buildings, but from the potential that the site offers for future employment.
- 4.27 A viability assessment to support the proposed loss of an employment use may therefore be requested where an applicant claims, and/or it is not possible to ascertain from evidence submitted, that a site or building in employment use could not be viably redeveloped or refurbished to attract a policy compliant use. This request is more likely for proposals within SES or LSES due to the importance of these sites to the borough's economy over the medium and longer-term.
- 4.28 The Council may opt to review viability assessments itself or appoint independent assessors to undertake this work on its behalf. If a viability assessment is considered essential to be able to fairly and objectively assess a proposal for redevelopment of an employment use, then the applicant will be expected to cover costs incurred by the Council in preparing or reviewing any such assessment.
- 4.29 If a viability assessment is submitted to accompany a planning application, it should:
- Reflect the Government's recommended approach as set out in the National Planning Practice Guidance on Viability²⁷, including standardised inputs
 - Take into account land value, sales revenue and costs, including the cost of any required Section 106 planning contributions
 - Clearly set out robust evidence behind any assumptions and inputs into the development appraisal
 - Use a recognised cash flow model which should be submitted in electronic copy, with outputs in an accessible format (e.g. Microsoft Excel).
- 4.30 In accordance with government guidance²⁸, viability assessments and any associated documentation in support of planning applications will be made publicly available, except in exceptional circumstances. If an applicant wishes to make a case for an exceptional circumstance in relation to withholding publication of any part of a viability assessment, then they will need to identify the material to be withheld and submit written justification for doing so. The Council has discretion as to whether to accept the applicant's request.

²⁷ NPPG, 'Viability', <https://www.gov.uk/guidance/viability>

²⁸ NPPG, 'Planning Obligations', Paragraph: 007 Reference ID: 23b-007-20150326

5. Marketing requirements for loss of retail uses

- 5.1 Policies E5 (Rural Economy) and E9 (Local Centres and Isolated Retail Units) require evidence of marketing to support applications proposing loss of a shop or service unit²⁹ that provides for everyday needs, whether occupied or vacant. Local shops and services that provide for everyday shopping needs³⁰ provide social, economic and environmental benefits by reducing people's need to travel far beyond their immediate neighbourhoods for basic essential purchases.
- 5.2 Policy E5 (5) applies in rural areas³¹ outside of local and district centres, whilst Policy E9 (10) applies either:
- a) A unit within a local centre³²; or
 - b) An isolated unit, i.e., a unit outside of the defined retail centres³³

Minimum marketing period

- 5.3 A minimum continuous period of 12 months of active and comprehensive marketing, ending immediately prior to or as close as possible to the date of submission of a planning application, is required for proposals as above.

Uses to be marketed

- 5.4 Marketing for retail uses must be for the building or site's permitted use. This means its current use, or in the case of a building in permitted Class E(a) retail use that was vacant or had been demolished at the time the application was submitted, its previous lawful use.
- 5.5 Further details regarding the form of evidence required to fulfil these policies' marketing requirements are provided in LPSS Appendix 4 and in the Marketing Checklist for Applicants in Section 3 of this SPD.
- 5.6 See Appendix 2 for the relevant parts of the wording of Local Plan policies E5 and E9 that relate specifically to this SPD.

²⁹ Within Use Class E(a) (formerly Use Class A1)

³⁰ This generally means businesses that provide a service that allows nearby residents to fulfil some of their shopping needs locally and reduces the need for them to travel further to alternative shops providing the same service. Paragraph 4.4.103 of the LPSS provides examples of shops and services that provide for everyday needs.

³¹ 'Rural areas' as defined in policy E5 (5) refers to areas of the borough that fall outside the urban areas of Ash, Tongham and Guildford, as indicated on the Local Plan Policies Map. This is distinct from the definition of 'rural settlements' applied in Local Plan policy H3. This latter definition applies to areas designated by the Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the South East) Order 1997 or as Designated Protected Areas by the Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009 (Statutory Instrument 2009 No. 2098).

³² The boundaries of the borough's local centres are shown on the Local Plan Policies Map.

³³ LPSS paragraph 4.4.102.

6. Marketing requirements for leisure and visitor uses

6.1 LPSS Policy E6: The Leisure and Visitor Experience states that:

The loss of existing visitor, leisure or cultural attraction, including arts and entertainment facilities, hotels and indoor sports venues, will be strongly resisted, unless replacement facilities of an equivalent or better standard and provision are proposed in a location equally accessible to the facility's current catchment area. Alternatively robust evidence must be provided that demonstrates that the facility causes significant detriment to the amenity of the locality or that:

- a) there is no longer a need for the existing facility or an alternative leisure or visitor use; and*
- b) the existing use is unviable, and its retention has been fully explored (including active and comprehensive marketing of the facility for its existing and alternative leisure or visitor use for a continuous period of at least 18 months prior to submission of a planning application).*

Minimum marketing period

- 6.2 A continuous period of at least 18 months of active and comprehensive marketing, ending immediately prior to or as close as possible to the date of submission of a planning application, is required for proposals covered by this policy.

Uses to be marketed

- 6.3 The evidence of marketing must demonstrate the opportunity to purchase/lease the site or building for alternative leisure or visitor uses, subject to planning permission if necessary, as well as in its existing use.
- 6.4 Leisure or visitor uses include 'visitor, leisure or cultural attractions, including arts and entertainment facilities, hotels and indoor sports venues'. The marketing requirement in Policy E6 (3) applies to all such uses proposed for loss by change of use or redevelopment, and in certain cases, demolition³⁴. It also applies whether activities that the facility caters for are based predominantly indoors or outdoors³⁵.
- 6.5 A broad list of marketing evidence required from applicants is provided in LPSS Appendix 4 and details of the specific forms of evidence and marketing activities needed to demonstrate an active and comprehensive marketing approach can be found in the 'Marketing checklist for applicants' in Section 3 of this SPD.

³⁴ Schedule 2, Part 11, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

³⁵ The reference to indoor sports venues is non-exclusive. Policy E6 therefore also covers outdoor sports venues.

7. Marketing requirements for community facilities

- 7.1 National planning policy³⁶ states that local planning policies should enable the retention and development of accessible community facilities as well as guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 7.2 Marketing for the proposed loss of community facilities as defined in LPDMP Policy ID7, paragraph 6.52 will be assessed against the requirements of LPSS Appendix 4. Applicants should therefore refer to this appendix as well as to Policy ID7 and its supporting text. The Marketing Checklist for Applicants in Section 3 of this SPD will also be helpful to refer to (point 5 is specifically relevant to community facilities).

Minimum marketing period

- 7.3 In most cases, a continuous period of comprehensive and active marketing for its current or alternate community use will be necessary to support justification for its loss under Policy ID7(5) b). The period specified in Appendix 4 to the LPSS, which is referenced in the LPDMP at para 6.61, is at least 12 months. In order to support a case that there has been a full exploration of retention it is expected that the marketing activities are sufficiently wide-ranging and comprehensive.

Uses to be marketed

- 7.4 Marketing should be for the site's existing use, as well as alternative community uses – if necessary subject to planning permission.
- 7.5 As part of the process of exploring the ongoing use of a community facility, applicants should also demonstrate in their submitted evidence that they have engaged with suitable public service providers, such as Surrey County Council, integrated care boards, Guildford Borough Council, the local parish council, and other providers regarding the facility's potential purchase or lease. In some instances, marketing may also need to be commercially focussed such as in the case of a local community shop (Use Class F2(a)). The nature of the marketing may thus need a degree of tailoring based on the specifics of the case.

Availability of alternative provision

- 7.6 Paragraph 5) a) of Policy ID7 requires applicants to also show that they have assessed other community facilities to establish whether alternative provision in the area is already sufficient or could be expanded to mitigate the proposed loss of the facility. This might include expansion in size of a particular existing facility or provision of a new replacement facility, subject to its impact on the amenity of neighbouring properties as detailed in the policy's reasoned justification.

³⁶ NPPF paragraphs 88 d) and 98.

- 7.7 A similar approach of assessing alternative provision based on LPDMP Policy ID8 (2) a) for that of public houses could be undertaken for the proposed loss of other community facilities. The community facility's current catchment area should be based on a broadly acceptable travel distance, and travel time, by sustainable forms of transport. This might include a reasonable walking distance, as well as access by public transport if services operate at regular intervals and at hours when they would reasonably serve the facility. In considering whether the accessibility of alternative community facilities is equally convenient to the facility's catchment area, a degree of judgement will be necessary, rather than an absolute measurement.

8. Marketing requirements for public houses

- 8.1 This section clarifies the marketing requirements that apply specifically to development proposals that would result in the loss of a public house. The ongoing loss of these venues – as highlighted in the introduction to LPDMP Policy ID8 – is of particular concern as they provide both social and economic benefits to local communities. This is especially true in rural parts of the borough and in urban areas outside of the town centre, where there can be few similar alternative facilities nearby within easy access of residents.
- 8.2 Policy ID8 (1) states that development proposals that would result in the complete or partial loss of a public house will be resisted unless marketing evidence demonstrates that the business is unviable and that options to retain the public house use have been fully explored.
- 8.3 Paragraph (3) of the policy clarifies that partial loss in this context means a reduction in size of either the building and/or its plot. This relates not just to existing trading areas or other space on the ground floor but to any part of the premises, as loss of upper storeys (living accommodation or meeting rooms, for example), or car parking areas, may similarly threaten the viability of a public house that is financially viable and of value to the local community.

Minimum marketing period

- 8.4 This evidence required under LPDMP Policy ID8 (1) must include a minimum 18-month continuous period of active and comprehensive marketing, ending close to or immediately prior to the date of submission of the planning application for change of use or demolition. A broad list of the evidence of marketing required from applicants is provided in LPSS Appendix 4 and fuller details of the specific forms of evidence and marketing activities needed to demonstrate an active and comprehensive marketing approach can be found in the 'Marketing checklist for applicants' in Appendix 1 of this SPD.

Uses to be marketed

- 8.5 The marketing should be for the site's existing public house use, as well as alternative community uses – if necessary subject to planning permission.

Evaluation of continued viability, and of alternative provision (for sites outside the town centre)

- 8.6 For public houses located outside the town centre boundary, In addition to the evidence of marketing required by Policy ID8 (1), paragraph 2) of the policy also requires:
- a) a comprehensive evaluation of the premises' continued viability, with detailed consideration of its existing and potential trade; and
 - b) an assessment of alternative premises within the catchment area of residential properties served by the public house that is subject of the application.

Evaluation of existing and potential trade (continued viability)

- 8.7 To address the requirements of Policy ID8 (2) a), applicants proposing to redevelop or change the use of all, or part of a public house are required to submit details of the business's current and potential trade. This should include trading figures from current and/or previous owners covering a reasonable period, e.g., at least the last three years of audited accounts. This information will be used to assess the premises' continued viability and any adverse impact of its loss to the area and its residents.
- 8.8 Applicants may also wish to bear in mind the following points when considering a public house's long-term viability:
- Its location relative to its customer base and whether there are, or will be, pending approved or planned development, clusters of homes within its broad catchment area, including just beyond its immediate current catchment (see LPDMP paragraph 6.70 for definition) which could offer scope for additional trade.
 - The availability of alternative licenced premises within 'reasonable walking distance' (see Policy LPDMP paragraph 6.70 for definition) that may be acting as competitors.
 - Whether reasonable efforts have been made to improve the venue's attractiveness to a greater range and number of customers, for example by extending its opening hours, and exploring options to diversify by for example incorporating additional community uses and/or social activities.
 - How well the premises (buildings and any car parking areas) have been maintained in the past and any potential scope for expansion and/or refurbishment.
 - The length and comprehensiveness of marketing undertaken thus far (see the Marketing Checklist in Section 3 for further details of policy requirements).
- 8.9 Please note that this is not an exhaustive list of criteria that will be used to assess whether the evaluation of continued viability is comprehensive in accordance with Policy ID8 (2) a). Applicants may also wish to consult additional sources of guidance³⁷.

Availability of alternative provision

- 8.10 LPDMP Paragraph 6.70 defines a catchment area of 800 metres, or approximately 10 minutes' walk³⁸, in which developers are required, under paragraph (2) b) of the policy, to assess the availability of alternative public houses. Applications that trigger this part of the policy (i.e. those proposing the loss or partial loss of a public house outside the town centre boundary) are required to identify all residential properties within this defined catchment of the public house proposed for redevelopment/ change of use, and to assess and provide

³⁷ LPDMP paragraph 6.70 refers to the Campaign for Real Ale (CAMRA)'s 'Public House Viability Test' (available at https://camra.org.uk/campaign_resources/public-house-viability/test/) as an evaluation method that applicants may opt to use.

³⁸ This distance is approximate and could be wider in particularly remote rural locations where a large part of a venue's trade would be from visitors arriving by car.

details of alternative licenced premises within a similar reasonable distance of most of these properties that could, or may already, serve them.

- 8.11 The assessment of alternative premises should consider not just the location, range, and number of alternative venues; but also, whether they offer similar facilities and community offering and would appeal to the same target market. For example, it might offer – or have the potential to offer – team games (e.g., darts, pool, or Aunt Sally) or other social events, have a restaurant, a beer garden, function room, car parking, or offer overnight stays for tourists.

9. Marketing requirements for self-build and custom housebuilding plots

- 9.1 This section outlines the additional marketing requirements particular to self-build and custom housebuilding plots (development sites on which plots of land will be available for sale to be developed for self-build³⁹ or custom housebuilding⁴⁰ homes). The Council is legally obliged to maintain an ongoing list of people that wish to purchase a plot of land for a self-build or custom housebuilding home, to be lived in as their sole or main residence. This list is known as the Self-build and Custom Housebuilding Register.
- 9.2 To help deliver a choice of accommodation, Policy H1 (9) of the LPSS requires developers to provide 5% of total homes on residential schemes of 100 homes (gross) or more as self-build or custom housebuilding plots whilst there is an identified need.

Local Plan Policy H1: Homes for all: Self-build and custom housebuilding

- 9.3 LPSS Policy H1: Homes for all includes a requirement for developers to make plots available and priced and marketed appropriately as self-build or custom housebuilding plots for at least 18 months (see extract of policy in Appendix 4 of this SPD). Within the reasoned justification for Policy H1, it states that where plots have been available at market value and marketed appropriately for at least 18 months and have not sold, the plot(s) may remain on the open market or be built by the developer.
- 9.4 This section sets out what is expected in terms of the appropriate pricing and marketing of self-build and custom housebuilding plots.

Pricing and sale of plots

- 9.5 The price of the plots shall not exceed the Open Market Value⁴¹ of comparable plots of land for sale with the benefit of planning permission in the form of reserved matters approval within the borough.
- 9.6 Plots must not be sold or disposed of to anyone other than an individual or associations of individuals who shall build, complete or procure the building and completion of the self-build or custom housebuilding units to be occupied as homes by those individuals.

³⁹ Self-build homes are where the proposed owner organises the design and construction of the homes themselves.

⁴⁰ Custom housebuilding is where a specialist developer helps find the site and manages the construction of the bespoke home on behalf of the proposed owner. The proposed owner must have primary input into the design and layout of the house.

⁴¹ Open market value is the price that the land might reasonably be expected to achieve on sale on the open market having regard to similar land in the area and calculated by reference to the Red Book assuming that it is freely exposed on the open market and that the transaction is between a willing vendor and purchaser and with there being no unusual or onerous restrictions.

Individuals and associations of individuals on the Guildford Borough Council's Self-build and Custom Housebuilding Register must be given a right of first refusal to purchase the plots⁴².

Marketing requirements

- 9.7 The active marketing period will commence from the date of the pegging out the boundaries of the self-build or custom housebuilding plots subject to meeting the criteria set out below. The applicant must notify the Council's Section 106 Officer in writing or by email⁴³ of the date of the pegging out of the plots and commencement of the active marketing period. The marketing period will be for 18 months from the date of pegging out the plots, unless stated otherwise within the planning permission or associated legal documents.
- 9.8 A written advertisement for the sale of each plot must specify:
- a) The full property address and plot number
 - b) Planning Reference Number
 - c) Land Registry Title Number (if available)
 - d) A full description, and plans (including a clear site layout plan with plot numbers) and photographs
 - e) The price of the plot (including servicing charge and Stamp Duty Land Tax)
 - f) That the plot will be fully serviced
 - g) Full agent contact details
 - h) That the plot is available for purchase
- 9.9 On the date that the marketing period begins, the applicant must place advertisements for the sale of the plots:
- a) with the Council acting through the case officer
 - b) with at least 3 well known residential estate agents first approved in writing by the Council and operating in the borough, such approval to be deemed to be given if approval is not received within 10 working days from the date approval is sought
 - c) on internet sites www.plotfinder.net, www.plotbrowser.com and www.plot-search.co.uk (or such equivalent sites available at the time of advertising) as well as other internet property sale sites such as Rightmove and Zoopla
 - d) on an advertising board posted in a prominent location on the land along the frontage of the site (subject to advertisement consent, if required)
 - e) on roadside boards in the vicinity of the Development (subject to advertisement consent, if required)
 - f) on their own website and through their own media channels if available.

⁴² Following completion of the pegging out of the boundaries for the plots, the developer is to keep each of the plots in a safe, secure and neat and tidy condition free of spoil and rubbish and available for Self-Build and Custom Housebuilding by potential purchasers of the plots (including those registered on the Guildford borough Self-Build and Custom Housebuilding Register kept by the Council) and not to use the plots for any purpose other than for Self-Build and Custom Housebuilding.

⁴³ To: s106.officer@guildford.gov.uk

and to maintain such advertisements throughout the marketing period and to provide full details and particulars of the plots to inquirers on request.

- 9.10 The applicant must provide quarterly updates to the Council's Section 106 Officer⁴⁴ on or around the first of each month of each quarter following the commencement of the marketing period of details of responses to the advertisements placed to include:
- a) the price of the plots
 - b) the number of people expressing an interest in acquiring a plot
 - c) the number of people who have entered into contracts for the purchase of a plot
 - d) if known, details of whether purchasers are on the Self Build and Custom Housebuilding Register

⁴⁴ In writing, or by email to: s106.officer@guildford.gov.uk

10. Environmental Assessments

Strategic Environmental Assessment (SEA)

- 10.1 The SPD has been screened to consider the likely extent of its effect on the environment, in accordance with European Directive 2001/42/EC (also commonly referred to as ‘The SEA Directive’)⁴⁵.
- 10.2 Under Article 3(3) and 3(4) of the SEA Directive, transposed into UK legislation under Regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004⁴⁶ (‘the SEA Regulations’), Strategic Environmental Assessment (SEA) is required for plans and programmes which ‘determine the use of small areas at a local level’ or which propose ‘minor modifications to plans or programmes’ where they are determined to be likely to have significant environmental effects.
- 10.3 The screening outcome concluded that a full SEA was not required for this SPD, pursuant to Regulation 5(6), as the SPD does not create new policy requirements but provides guidance to clarify the marketing requirements of adopted policies H1, E3, E5, E6, E9 and Appendix 4 of the Local Plan: Strategy and Sites, and policies ID7 and ID8 of the Local Plan: Development Management Policies, which were subject to SEA.

Habitat Regulations Assessment (HRA)

- 10.4 The Council is required to consider the impact of the SPD on protected European Sites (protected habitats). Within Guildford Borough, this includes Special Protection Areas (SPA) and Special Areas of Conservation (SAC). A Habitat Regulation Assessment (HRA) screening was carried out in accordance with the requirements of the Conservation of Habitats and Species Regulations 2010. This concluded that the SPD is not directly connected with or necessary to the management of the SPA/SAC and is not likely to have a significant effect on a European Site (including in combination with other plans or projects). A full HRA for this SPD was therefore not required.

⁴⁵ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment. Available to view in HTML format at <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32001L0042&from=EN>

⁴⁶ Available to view at <https://www.legislation.gov.uk/uksi/2004/1633/contents>

Appendix 1: Local Plan: Strategy and Sites Policy E3

Policy E3: Maintaining employment capacity and improving employment floorspace

B Class Uses

Strategic Employment Sites

(1) The designated Strategic Employment Sites together make up the borough's current core supply of employment land.

(2) The Office (B1a) and Research & Development (B1b) Strategic Employment Sites are:

- (a) Guildford Town Centre employment core
- (b) Surrey Research Park (extended)
- (c) Guildford Business Park
- (d) 1000, 2000 and 3000 Cathedral Hill
- (e) London Square, Cross Lane
- (f) 57 and Liongate Ladymead
- (g) The Guildway, Portsmouth Road
- (h) The Pirbright Institute
- (i) Send Business Centre/Tannery Studios Tannery Lane, Send

(3) When developed, the new employment site at the north side of Gosden Hill Farm (site allocation A25) will be treated as an Office and Research & Development Strategic Employment Site.

(4) The Industrial (B1c, B2 and B8) Strategic Employment Sites are:

- (a) Slyfield Industrial Estate
- (b) North and south of Lysons Avenue, Ash Vale
- (c) Riverway Industrial Estate, Astolat Business Park and Weyvern Park at Peasmarsh
- (d) Cathedral Hill Industrial Estate
- (e) Guildford Industrial Estate, Deacon Field
- (f) Woodbridge Meadows
- (g) Middleton Road Industrial Estate
- (h) Merrow Lane (incl Perram Works, Bridge Park, Merrow Business Centre, SCC depot)
- (i) Quadrum Park, Peasmarsh
- (j) Woodbridge Park, Woodbridge Road
- (k) Henley Business Park, Normandy

(5) When developed, the new employment land at Burnt Common, together with the existing employment floorspace, will be treated as an Industrial Strategic Employment Site.

Locally Significant Employment Sites

(6) The Locally Significant Employment Sites include all sites which meet the definition set out below and include:

- (l) 31 Chertsey Street and 1-7 Stoke Road, Guildford
- (m) Andrew House, College Road, College House (89 and 91), Stoke House, Leapale House and Bell Court, Guildford
- (n) 65 Woodbridge Road, Guildford
- (o) Broadford Business Park, Shalford
- (p) The Pines Trading Estate, Broad Street
- (q) (Intentionally blank)
- (r) Grange Court, Tongham
- (s) The Courtyard, Wisley
- (t) Abbey Business Park, Eashing
- (u) Home Farm, Loseley Park

(7) When developed, the new industrial employment land on the west side of the former Wisley Airfield, will be treated as a Locally Significant Employment Site.

(8) The Strategic Employment Sites and the Locally Significant Employment Sites are shown on the borough Policies Map.

(9) Strategic and Locally Significant Employment Sites will be protected for either B1a and B1b use or B1c, B2 and B8 use in line with their designation above.

(10) On Strategic and Locally Significant Employment Sites, employment floorspace will be protected and the loss strongly resisted. Redevelopment or change of use to a non-employment use will only be acceptable if evidence is provided of active and comprehensive marketing of the site for its current use for a continuous period of at least:

- a) two years for a Strategic Employment Site; or
- b) 18 months for a Locally Significant Employment Site, prior to submission of a planning application.

(11) On Strategic and Locally Significant Employment Sites, the comprehensive and active marketing should also include consideration of alternative suitable B class employment use, and other employment generating use, before change of use to residential or other use with no on-going employment use will be permitted.

(12) Outside the designated employment sites, employment floorspace will be protected in line with the latest needs assessment and the loss will be resisted unless the site is allocated for an alternative use within the Local Plan. Redevelopment or change of use to housing use will be acceptable if evidence is provided of active and comprehensive marketing of the site for its current use for a continuous period of at least 12 months prior to submission of a planning application. If the site is allocated for an alternative use within the Local Plan, the marketing period will not be required.

(13) The redevelopment of outmoded employment floorspace will be permitted to cater for modern business needs. The provision of improved ICT infrastructure will be encouraged in refurbished and redeveloped sites.

(14) Redevelopment or change of use to a non-employment use will only be acceptable where the land or premises are unsuitably located in terms of its impact on the environment, levels of traffic movement, its accessibility to public transport and its link with the infrastructure, and its impact on the amenity of the area or adjoining occupiers.

(15) The provision of ancillary uses on a Strategic or Locally Significant Employment Site that complement and positively enhance the functioning of the employment area will be supported.

Appendix 2: Extracts from relevant parts of Local Plan: Strategy and Sites Policies E5 and E9

Policy E5: Rural economy

[...]

(5) Proposals that would result in the loss of shops and services that provide for everyday needs (within Use Class A1) located in rural areas but outside of Local and District Centres, will only be acceptable if evidence is provided of active and comprehensive marketing of the site for its current use for a minimum of 12 months prior to submission of a planning application.

Policy E9: Local Centres and isolated retail units

[...]

(10) The loss of either

- (a) a shop or service unit (within Use Class A1) within a Local Centre that provides for everyday needs, or
- (b) an isolated Use Class A1 retail unit that provides for everyday needs

will only be acceptable if evidence is provided of active and comprehensive marketing of the site for its current use for a minimum of 12 months prior to submission of a planning application.

Appendix 3: Extracts from relevant parts of Local Plan: Strategy and Sites

Policy E6

Policy E6: The leisure and visitor experience

[...]

- (3) The loss of existing visitor, leisure and cultural attractions, including arts and entertainment facilities, hotels and indoor sports venues, will be strongly resisted unless replacement facilities of an equivalent or better standard and provision are proposed in a location equally accessible to the facility's current catchment area. Alternatively, robust evidence must be provided that demonstrates that the facility causes significant detriment to the amenity of the locality or that:
 - (a) there is no longer a need for the existing facility or an alternative leisure or visitor use; and
 - (b) the existing use is unviable and its retention has been fully explored (including active and comprehensive marketing the facility for its existing and alternative leisure or visitor use for a continued period of at least 18 months prior to submission of a planning application).

Appendix 4: Extract from relevant parts of Local Plan: Strategy and Sites Policy H1

Policy H1: Homes for all

[...]

Self-build and custom housebuilding

(9) Self-build and custom housebuilding will be supported if the proposed development has no adverse effect on the local character. On development sites of 100 homes or more 5% of the total homes shall be available for sale as self-build and custom housebuilding plots whilst there is an identified need. For phased development, self-build plots must be delivered and serviced at the earliest stage possible. Self-build and custom housebuilding plots are encouraged on smaller residential development sites.

(10) Self-build plots made available must respond to the sizes identified on the register. Plots must be made available and priced and marketed appropriately as self-build or custom build plots for at least 18 months.

Appendix 5: Extracts from relevant parts of Local Plan: Development Management Policies, Policy ID7

Policy ID7: Community Facilities

[...]

- (5) Community facilities will be retained for the benefit of the community and development proposals resulting in their loss or change of use will be resisted unless it is demonstrated that:
 - (a) adequate alternate provision exists or a replacement facility of an equivalent or better standard is to be provided in a location equally or more conveniently accessible to the facility's current catchment area; or
 - (b) there is no longer a need for the facility in its existing or alternative community use and its retention for such uses has been fully explored without success.

Appendix 6: Local Plan: Development Management Policies, Policy ID8

Policy ID8: Retention of Public Houses

- (1) Development proposals resulting in the loss or partial loss of a public house will be resisted unless the existing use is unviable and its retention has been fully explored. Evidence is required to be provided that the building has been marketed actively and comprehensively as a public house and alternative community facility for a continuous period of at least 18 months, ending close to or immediately prior to submission of the planning application.
- (2) In addition, for development proposals involving the loss or partial loss of a public house outside the boundary of Guildford Town Centre, applicants are also required to undertake and provide details of:
 - (a) a comprehensive evaluation of the public house's continued viability, with detailed consideration of its existing and potential trade; and
 - (b) an assessment of alternative public houses within reasonable walking distance of residential properties within the catchment area of the public house that is the subject of the application.

Appendix 7: Local Plan: Strategy and Sites Appendix 4

Appendix 4 (page 295) of the Local Plan: strategy and sites 2015 – 2034 (reproduced below) lists the requirements for evidence of active and comprehensive marketing to support redevelopment or change of use of uses covered by LPSS Policies E3, E5, E6 and E9, and Local Plan: Development Management Policies (LPDMP) Policies ID7 and ID8.

To ensure the Local Plan's requirement for detailed and robust evidence is met, applicants are advised to refer to and/or complete the marketing checklist provided in Appendix 1 of this SPD.

Appendix 4 – Evidence of active and comprehensive marketing

In policies E3, E5 and E9 certain applications are required to be accompanied by evidence of active and comprehensive marketing.

Marketing evidence requires demonstration of a comprehensive and active marketing campaign for a continuous period as specified in policy E3, E5 and E9, prior to submission of a planning application, unless otherwise agreed by the Borough Council. Any marketing of property or tenancy also require the site freehold to be marketed in the same fashion.

Marketing must be undertaken through a recognised commercial agent at a price that genuinely reflects the market value of the current or last use of the site. It must be shown to the Borough Council's satisfaction that marketing has been unsuccessful for all relevant floor space proposed to be lost through redevelopment or change of use. Sufficient detailed information is required to be submitted alongside any planning application to demonstrate compliance with the above criteria.

Evidence of active marketing is to include all of the following:

- a) contact information posted in a prominent location on site in the form of an advertising board (subject to advertising consent, if required)
- b) registration of the property with at least one commercial property agent
- c) full property details and particulars available to inquirers on request
- d) property marketed for its current or last use
- e) property marketed at a reasonable price and terms, including in relation to use, condition, quality and location of floorspace
- f) no covenant or any other form of tie restricting the future use or operation of the property or land

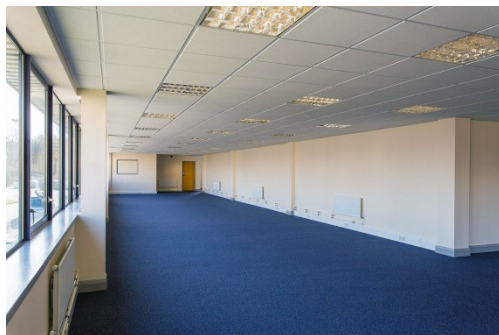
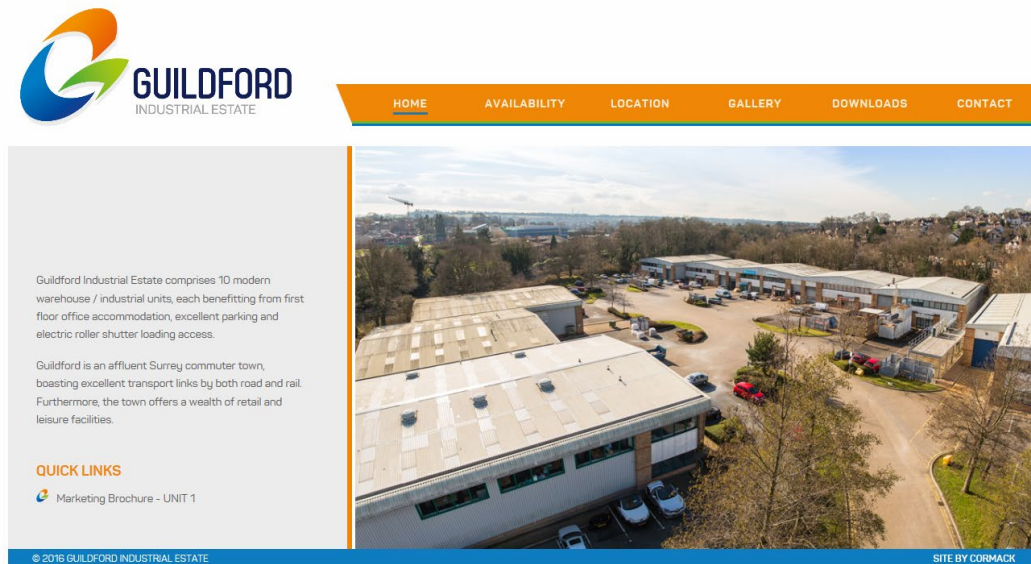
In addition evidence should be submitted regarding:

- a) the history of marketing, agent(s) and media used (press articles and advertisements);
- b) interest in the site/premises including
 - the number and details of enquiries received, the number, type, proposed uses and value of offers received;
 - reasons for refusal of any offer received, and reasons why any offers fell through;
 - the asking price or rent at which the site or property has been offered, including a professional valuation from at least three independent agents to confirm that this is reasonable and competitive (including the offer of renewal of lease to existing tenants at a reasonable market rate);
- c) flexibility in space offered, including dividing up large areas of floorspace where this is possible and practical and alternative layouts; and
- d) the reasons for prospective tenants not taking up space and how these problems have been addressed);
- e) alternative marketing strategies, including management of the space by specialist third party providers.
- f) the length of marketing period (at least 12 months continuous marketing), including dates; and
- g) the length of the vacancy period.

It is proposed that a checklist will be developed to appraise evidence of marketing and to ensure a consistent approach is taken for all applications. This will be published as part of an SPD. The Council must be satisfied that the evidence received is robust and the information is presented in a way that is clear to Councillors, officers and the public.

Appendix 8: Examples of web-based advertising showing clear photographs of site and premises

(Screen shots taken from <http://www.guildfordindustrialestate.com/index.html>)





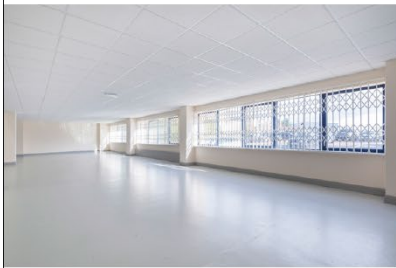
Example of online marketing brochure



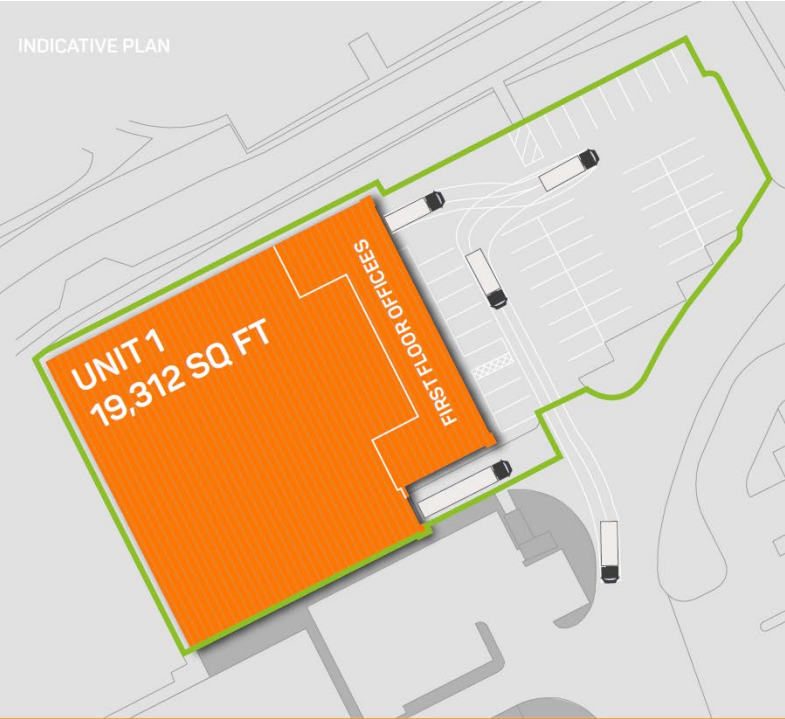
UNIT 1
GUILDFORD
INDUSTRIAL ESTATE

Deacon Field, Guildford, GU2 8YT

FULLY REFURBISHED MODERN WAREHOUSE
19,312 sq ft (1,794 sq m) **TO LET**



INDICATIVE PLAN



Specification



Fitted Offices at First Floor.



Male and Female WCs at ground and first floor



1 x roller shutter loading door, with planning consent granted for a second door*



3-phase power



Clear height 6.1m



50 parking spaces

Description

The building comprises a modern, detached industrial/warehouse unit of steel portal frame construction occupying the most prominent position at the front of the estate. Fully fitted offices are provided at first floor.

Second Loading Door

*Upon tender & following negotiations, expected build period is between 10 - 12 weeks.

Accommodation (Approx. GIA Area)

Floor	Description	sq ft	sq m
Ground	Warehouse	16,457	1,529
Ground & First	Offices	2,855	265
TOTAL		19,312	1,794

EPC

The building has an EPC rating of D(87)

02



Location

Guildford Industrial Estate is one of the primary industrial estates in Guildford, strategically located on the edge of the town centre. Road communications are excellent with direct access to the A3 London to Portsmouth trunk road which in turn connects with the M25 at Junction 10 (9 miles approx).

Terms

Available by way of new lease on terms to be agreed.
Subject to Contract

Rent & Rates

Upon application

Further Information

For further information please contact the joint sole agents.



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Appendix 9: Map of Strategic and Locally Significant Employment Sites

