

Appendix I Marketing Evidence

- 23.1** A number of policies in this Local Plan require marketing evidence to be submitted with applications to justify that those sites or premises are no longer required for their existing uses. These policies are:
- Policy LP16 - Public Houses and Bars
 - Policy LP17 - Social and Community Infrastructure
 - Policy LP18 - Arts, Culture and Entertainment
 - Policy LP33 - Promotion and Protecting Offices
 - Policy LP34 - Managing Land for Industry and Distribution
 - Policy LP35 - Mixed use Development on Economic Land
 - Policy LP36 - Railway Arches
 - Policy LP44 - Local Shops and Services
 - Policy LP46 - Visitor Accommodation
- 23.2** This appendix sets out the details that should be provided to enable officers to assess the acceptability or otherwise of the marketing undertaken. The Council's assessment will consider the overall length, type and quality of the marketing. If the applicant/agent puts forward justification for any shortcomings in the marketing (e.g. the use of only one specialist website rather than a range of generic websites due to the nature of the existing employment use, or that a marketing board was not used because of advertisement controls) these will be considered. The expectation, however, is that the requirements below should be fully addressed.
- 23.3** Marketing of the site and premises must always involve a robust and active campaign that would have to:
- be ongoing for a minimum period of 18 months (24 months for public houses);
 - be through a commercial agent;
 - be marketed on property databases, search engines and other relevant websites which focus on the sale or letting of commercial premises, that are free to view and easily accessible by prospective purchasers / tenants; and
 - priced commensurate with the existing quality and location of the premises.
- 23.4** A marketing report must be submitted before the planning application is made and include the following details:
- Identification of the last occupier including name, address, nature of business and floorspace. If the land is and/ or the buildings are vacant, the date they were last occupied should be stated.
 - The date when marketing began and ceased (if relevant) including for each agent, if more than one is used.
 - Which land uses the property/site is being marketed for, identifying the dates of marketing for each land use.
 - Identification of the agents used for marketing and a copy of the agent's particulars, including any amended particulars to be supplied.
 - The price the site has been marketed at and whether the price was reduced, stating the date that it was reduced (if relevant) and contracting terms proposed. Marketing should always be at a price that genuinely reflects the market value of the property in its current use and current quality.
 - The marketing methods used. The report should include:
 - The marketing particulars. It should be stated which websites or press the property/site was advertised on, identifying dates when freely available to be viewed, and in the case of websites, the number of 'hits'. Details of any direct marketing used should be provided, including a copy of the marketing brochure, details of who the marketing particulars were circulated to (including the size of the database) and whether the database used is aimed at potential occupiers based locally or nationally. Distribution of marketing material should be on a quarterly basis.

- Whether a marketing board has been used and the dates it was displayed. The use of a marketing board is advised, where possible.
- Marketing outcomes, including any (a) expressions of interest; and (b) offers made. In both cases the interested parties should be identified and where the premises were rejected the reasons for doing so should be stated.

23.5 All marketing undertaken must meet the requirements set out above and a marketing report must be submitted.

23.6 More specific marketing requirements will be requested for different types of uses, as set out below.

Social and Community Infrastructure (including Cultural and Entertainment uses)

23.7 For applications involving any loss of a social and community infrastructure, it is very important that the potential of re-using or redeveloping the existing site for the same or an alternative social infrastructure is fully considered in line with Policies LPI7 (Social and Community) and LPI8 (Arts, Culture and Entertainment). No marketing evidence will be required where there is evidence that there is a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services.

23.8 Marketing evidence must also include:

- Evidence that the facility is no longer needed. Evidence of meaningful engagement with service providers or a public disposal process is required to demonstrate this.
- Evidence that the loss of the facility would not have a detrimental impact on social and community service provision and does not constitute the loss of a service of particular value to the local community which may impact the vitality of the area. A marketing report could, for example, provide details of alternative facilities in close proximity alongside evidence that existing users have all been successfully relocated and that this has not resulted in any shortfall in provision.

- Consideration should be given to the potential for adapting the site/premises to meet community needs either now or in the future.
- Evidence should be provided to show that premises have been offered at a reasonable charge to appropriate user groups; for example at a discounted rate to community groups or voluntary organisations.
- Viability evidence that considers the ability of the site to continue to accommodate an alternative community or cultural use.
- Where the site is an existing health facility, consideration should first be given to re-using the site for other health facilities, before other social infrastructure uses. Applicants should contact NHS Property Services and Wandsworth Clinical Commissioning Group (CCG) to discuss their needs for health floorspace in the area.
- Evidence that the local community has been notified, in writing, of the intention to close the facility and details of representations received.

Visitor Accommodation (C1 Use class)

23.9 Where the loss of visitor accommodation is proposed, marketing evidence must demonstrate that:

- The business is no longer viable as evidenced by a forward business plan and has no reasonable prospect of continuing. If the business has not operated recently, then a forward business plan must be presented with a clear demonstration that an attempt has been made to implement it.
- There has been a serious and sustained effort to run a tourism business in the premises using available business support services.
- The business has been actively marketed to potential purchasers of the business with a guide price reflecting the going concern value of the accommodation business (or its hotel/self-catering market value if not currently trading) normally for a minimum 18 months and that no reasonable offers have been received during this time. The guide price must reflect the potential earnings of the business and the cost of essential works.

- Alternative visitor accommodation business models have been tested and discounted.
- The accommodation has been marketed on at least three well-known holiday accommodation websites, such as Airbnb.co.uk and booking.com. It must be marketed at a reasonable price per night, available for a variety of time periods (for example 1 night, 2 nights, etc) and good quality marketing photos have been provided.

Retail (E(a) Use Class)

23.10 Where a proposal involves a change of use from retail, within designated and non-designated shopping frontages that is not supported by policy, marketing must also include:

- A comparison of rents achieved for other comparable E(a) uses relevant to the application site, considering the size of the unit and other matters such as location and servicing.

Public Houses (Sui generis)

23.11 The Council will resist the loss of public houses, which are considered to be a valuable community facility and/or of historic or architectural interest. Where the loss of a public house, or substantial reduction in floorspace is proposed, marketing must also include:

- Include details of the operation of the public house (including at the time of closure, if vacant) such as the turnover, trading accounts for the last 24 months, the percentage split between wet sales and food and whether the premises is used as a music or performance venue.
- Demonstrate that the public houses have been marketed via an estate agent specialising in the leisure industry. Where this is not the case, the applicant should explain why.
- Have had regard to the Campaign for Real Ale's (CAMRA) Public House Viability Test or show how a similar objective evaluation method has been used to assess the viability of the business.
- Demonstrate that consideration has been given to a full range of other social and community infrastructure uses.

Offices (E(gi) Use Class)

23.12 Where a proposal involves a change of use or redevelopment resulting in a loss of office space, marketing must clearly demonstrate that there is no longer demand for an office use and that there is not likely to be. Marketing evidence must demonstrate that:

- The premises has been marketed for the existing office use and other types of office-based uses such as flexible, start-up or co-working space.
- The marketing has been at a price commensurate with their existing quality or condition based on the local office market, including by reference to comparable facilities in the locality.
- The lease term is not unduly restrictive and includes the potential for a short-term lease in appropriate cases. Details of the lease terms offered should be included in the marketing report.
- The potential of upgrading the building or adapting the building to meet modern office requirements has been explored, if applicable. This may include a viability assessment addressing the feasibility of refurbishing or modernising the existing office space.
- For larger offices that provide over 1,000 sqms of office floorspace, it is not feasible or viable to adapt the office floorspace as smaller business units to meet demand from SME businesses.

Industry, Storage and Distribution (B2, B8, E(gii), E(giii) Use Classes)

23.13 Where a proposal involves a change of use or redevelopment resulting in a loss of industrial and/or storage and distribution space, marketing must clearly demonstrate that there is no longer demand for an industrial based use in this location and that there is not likely to be. Marketing evidence must also demonstrate attempts to market poorer quality premises have been on the basis of their present condition, and not on their potential for redevelopment to other employment uses.

Railway Arches (B2, B8, E(gi-iii) Use Classes)

23.14 Where a proposal involves a change of use or redevelopment resulting in the loss of an economic use, marketing exercises in relation to comparable

arches in the immediate vicinity will be deemed acceptable if they have the same servicing and access arrangements and if the timescales are consistent with those required.