

BABERGH DISTRICT COUNCIL

FROM: Head of Natural and Built Environment

REPORT NUMBER: **G207**

TO: Development Committee

DATE OF MEETING: 5 March 2008

SAFEGUARDING EMPLOYMENT LAND SPD

1. PURPOSE OF REPORT

1.1 To advise Members of work to develop a Safeguarding Employment Land, Supplementary Planning Document (SPD) – aimed at protecting Babergh’s employment land and to seek Members’ agreement to adopt this.

2. RECOMMENDATIONS

2.1 That Development Committee recommends to Strategy Committee the adoption of Safeguarding Employment Land SPD as a Supplementary Planning Document (SPD) within the Babergh, Local Development Framework.

Strategy Committee is able to resolve this matter.

3. FINANCIAL IMPLICATIONS

3.1 There are no direct financial implications of the adoption or use of the document as an SPD.

4. RISK MANAGEMENT

4.1 This report is most closely linked with the Council's Significant Business Risk No. 5 capacity. Key risks are set out below:

Risk Description	Likelihood	Seriousness or Impact	Mitigation Measures
Organisational capacity, if SPD is not adopted and implemented it could increase appeals and D.C. workloads	C (significant)	3	Ensure that the SPD is fully implemented by training/support for Development Control officers.

Risk Description	Likelihood	Seriousness or Impact	Mitigation Measures
Increased risk of developments gaining planning permission resulting in employment land loss.	D	3	Implement SPD through proper roll out publicity and training/support for planning practitioners to apply it.

5. **KEY INFORMATION**

- 5.1 This Supplementary Planning Document (SPD) deals with the implementation of policy EM24 Retention of Existing Employment Sites (and also relates to requirements within Policy CR19 Buildings in the Countryside (Residential)). Employment sites are under sustained pressure from other forms of development particularly housing proposals.
- 5.2 There are many reasons why it is important to safeguard employment land and these are set out in the SPD and the Sustainability Appraisal and Strategic Environmental Assessment of the document.
- 5.3 It is considered that the implementation of the SPD will help maintain sustainable communities where well located existing employment sites are safeguarded with a more sustainable environment by reducing the need to commute long distances. There should be more employment opportunities locally, with the increased possibility of people walking or cycling to work, which would have health benefits. If people work locally to where they live then there is a greater opportunity to participate in local activities and become a more active citizen. These benefits support the Council's current Corporate Plan priorities. The Corporate Plan is now under review and the updated outcomes for the new plan cannot be certain, but currently suggested outcomes are supported by this SPD.
- 5.4 During the public consultation for the draft SPD eleven organisations responded. Seven of these responses were from house builders seeking a more relaxed approach to housing development on employment land. Two organisations supported the document's general approach, with very positive support from Sudbury Town Council. There were no objections to the Sustainability Appraisal and Strategic Environmental Assessment.
- 5.5 Other comments from consultees and the Council's response to them are summarised in appendix (b).

The full consultee responses are available for members' inspection in the Members' room, as is a copy of the Sustainability Appraisal/Strategic Environmental Assessment report.

6. **APPENDICES**

- (a) Proposed Safeguarding Employment Land SPD
- (b) Schedule of Council responses to Consultee comments

7. **BACKGROUND PAPERS REFERRED TO:**

- (a) Sustainability Appraisal and Strategic Environmental Assessment of the proposed SPD.
- (b) Copies of Letters and emails from Consultees

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SAFEGUARDING EMPLOYMENT LAND

Supplementary Planning Document

FEBRUARY 2008

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1. INTRODUCTION

- 1.1 This Supplementary Planning Document (SPD) relates to policies concerned with alternative use of business, industrial and warehousing land in the existing development plan for the Babergh District and under-used redundant buildings in the countryside. The SPD has been drafted in response to the increasing number of applications for the alternative use of employment land and under-used redundant buildings in the countryside. It is intended to provide advice to prospective applicants and the general public on the criteria against which proposals for the alternative use of business, industrial and warehouse land will be considered.
- 1.2 Land allocated as Employment Area incorporates all employment types defined in Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Employment in other categories of land uses are also significant for providing jobs, accommodating business/commercial needs and for benefiting the wider economy. Accordingly, Babergh's policies for protecting employment land also apply to other such land uses.

2. BACKGROUND TO EMPLOYMENT LAND IN THE BABERGH DISTRICT

(Local Economic Context)

- 2.1 Babergh District covers 230 square miles and has a diverse economy that ranges from traditional retailing, in the market towns of Sudbury and Hadleigh, to a growing knowledge based business sector. Agriculture has been of traditional significance to the District but during the last two decades actual employment in this sector has fallen to below 7% also representation in the food processing industries has declined. Agricultural support industries, which include engineering, continue to face uncertainty with rapid sectoral changes.
- 2.2 Government policy guidance advocating development to take place on previously-developed land is resulting in many of the District's existing employment sites coming under substantial pressure from higher value uses, such as residential and many are being lost. The most intense pressures have been on the more isolated pockets of employment land and premises in the District. The Local Development Framework has to strike a balance between the provision of employment land and the housing needs of the District.
- 2.3 There are significant amounts of older industrial premises, many of which are located in what can be described as secondary locations, and sometimes located close to residential areas. It is often argued by developers and owners that these premises are no longer suited to the requirements of modern industrial practices. However, it should be recognised that although such sites may not necessarily represent high quality, major employment opportunities, they do, nevertheless, fulfil a role in providing for more affordable land and premises that would be attractive to the local market and, in this respect, play an integral role in strengthening the local economy. In addition, such sites also offer the opportunity for people to work close to where they live, thus potentially reducing travel distances and reliance on the private car as a way of travelling to work.
- 2.4 The substantial difference between employment and other higher value uses in the District means that companies that have received an offer for their site based on a higher land value often retain a "hope value" that is out of the reach of other employers or industrial developers that may be interested in the site. This has led to situations where businesses have closed down or relocated because it was more lucrative to sell their land to a developer of higher value uses, to the detriment of local employment. It is anticipated that this trend will continue given that employment land values in the District are far lower than those for other uses such as residential.

- 2.5 It is often argued by developers that there is no demand for a site and that its retention or its redevelopment for new employment uses is not a viable option. In some cases this may be true. However, it needs to be recognised that employment land is a limited resource and once it is lost, it is effectively lost for good. Employment can yield one of the lowest values for developed land and therefore, land developed for other uses is highly unlikely to return to employment use. Although the retention or redevelopment of a site for employment use may not be viable at a particular time, the economics of development may change over time and its redevelopment for employment uses may become a viable proposition in the future. On this basis, the loss of such sites to other uses would be regarded as a loss to the District's economic resource.

Babergh has carried out research into employment land in the district and analyses of supply and demand as follows:

Employment Study Evidence (Employment Evidence Base)

- 2001 Chestertons Study (Babergh-wide)
- 2003 Donaldson's partial study Sudbury area and beyond
- 2005 Haven Gateway Employment Land Study 2005

3. DESIGNATED EMPLOYMENT AREAS IN THE BABERGH DISTRICT

- 3.1 These are sites designated within the Babergh District Local Plan, Alt No. 2 2006. They are generally considered to represent coherent and well-used areas of industrial land and where business uses can be carried on with relatively little disturbance to surrounding residential areas. They are of varying quality. Many comprise modern purpose-built industrial estates. Some are open sites with less environmentally attractive uses such as timber yards etc. Some sites have older buildings that may not be suitable for modern uses, or may provide older premises attractive to smaller starter business uses and the creative sector. These reflect the range of types of sites, locations and premises necessary to support diverse functions and varying types of land users.

Other Employment Sites in the Babergh District

- 3.2 There are a number of other industrial and commercial sites scattered throughout the district. They perform a valuable local economic function by providing a supply of premises for enterprises. This might include business start-ups, and the creative enterprises that Babergh District Council wishes to foster. They are of varying quality, and their access to the road network, and orientation with respect to surrounding residential development sometimes is not favourable, sometimes occupying sites directly adjoining housing.

4. POLICY CONTEXT

- PPS1 Delivering Sustainable Development
- PPS12 Development Plans
- PPG 4 Industrial and Commercial Development and Small Firms
- Emerging RSS East of England Plan
- PPG13 Transport
- PPS7 Sustainable Development in Rural Areas

One of the Strategic Objectives of the Draft East of England Plan is:-

“providing for job growth broadly matching increases in housing provision and improving the alignment between the location of work places and homes”.

- 4.1 As part of the development process for this document a Sustainability Appraisal and Strategic Environmental Assessment has been carried out and consulted on. In addition to the more obvious economic benefits of the use of the SPD and policy EM24 there are wider social and environmental benefits which should help create and maintain sustainable communities in line with national and international guidance and legislation.
- 4.2 The combined effect of the SPD and policy EM24 is to encourage or allow the making of more sustainable choices. It will encourage the development of local businesses; there should be less need to use the car, along with increased opportunity to participate in the local community. There should also be reduced pressure to develop in the open countryside. If people can walk or cycle to work then there should be health improvements.
- 4.3 Increased local activity in and around employment sites will also increase natural surveillance and should help reduce the already low crime rates further. The one possible downside to this approach is that there is likely to be an increase in the use of vans and lorries, in, around and between employment areas, which could have an adverse impact on road safety, air quality and noise pollution. The Local Plan does contain policies relating to the use of cycles, walking and green travel plans. These policies will need to be used to mitigate the potential adverse effects of the increased use of employment land as well as trying to maximise the benefits of this SPD.
- 4.4 Babergh Local Plan Alteration No 2 (2006)
- EMO1 General
 - EMO2 General Employment Areas
 - EMO8 Warehousing and Storage
 - EM10 Offices
 - EM20 Expansion of Existing Employment Uses
 - EM22 Small Scale Industry
 - EM24 Retention of Employment Sites

Local Economic Development Objectives

- 4.5 The District Council considers that in an area under pressure for residential development and where appropriate new employment sites in villages and towns are hard to find, there is as a general rule, a pressing need to protect existing employment sites and premises.
- 4.6 Many proposals for re-using or redeveloping employment sites and premises for non-employment purposes come forward for determination. In such instances, Policy EM24 sets out a framework to:-
- Demonstrate that other forms of employment use have been fully explored, by way of either:-
 - An agreed, sustained marketing campaign, or
 - Demonstrating that the site is inherently unsuitable or unviable for all types of employment use, through documentary evidence.

POLICY EM24

Planning applications to redevelop or use existing or vacant employment land, sites and premises for non-employment purposes, will only be permitted if the applicant can demonstrate that their retention for an appropriate employment use has been fully explored. This may be undertaken in one of the two following ways:-

1. by an agreed and sustained marketing campaign, undertaken at a realistic asking price; or
2. where agreed in advance, the applicant can demonstrate that the land, site or premises are inherently unsuitable or not viable for all forms of employment related use.

- 4.7 Policy EM24 is one of a number of Local Plan policies that can guide the approach to such developments. All relevant policies must be satisfied in order for an application to be determined. These policies include transport, conservation, environmental sustainability issues and others. It is recommended that potential applicants should seek a discussion with a Planning Officer at the earliest opportunity in order to understand the issues relating to their particular development.
- 4.8 The use of the approach listed at 2. in Policy EM24 will only be considered acceptable when agreed in writing in advance by the determining authority and the applicant. This approach will require the applicant to employ appropriate commercial expertise to demonstrate that the land, site or premises in question are inherently unsuitable or not viable for all non-domestic forms of employment related use. The District Council recognises that occasionally it may be appropriate to permit the re-use or redevelopment of some “bad neighbour” businesses, if these are accompanied by firm proposals to relocate the business in the Babergh District.
- 4.9 Policy CR19 deals with the conversion of barns or other redundant or under-used buildings in the countryside and part of the requirement for the consideration of alternative uses is to carryout a marketing campaign as required by EM24. The policy is set out below:

POLICY CR19

Proposals for the conversion of barns or other redundant or under-used buildings in the countryside into dwellings or holiday accommodation will only be permitted if:-

- it can be demonstrated that the alternative uses for business, community and leisure uses have been thoroughly explored * and can be discounted;
- the building’s location makes it unsuitable for conversion to other uses;
- the building is of architectural or historic merit and is capable of conversion without significant rebuilding or extension;
- the method of conversion retains the character of the building and, in the case of barns, retains the single open volume with minimal change;
- the scheme is acceptable in terms of highway safety;
- the building is not at risk of flooding;
- there is scope for connection to a suitable drainage system; and
- there is no material adverse impact on protected species, particularly bats and barn owls.

* detailed requirements which may include marketing are set out in paragraph 6.65 above.

Proposals for conversion of barns or other redundant under-used buildings in the

countryside into dwellings or holiday accommodation may be subject to the same marketing requirements as per Policy EM24.

Note: In the policy quoted above (CR19) paragraph 6.65 refers to the Local Plan paragraph number, not a paragraph number in this document.

5. POLICY CRITERIA TO ASSESS PLANNING APPLICATIONS

Marketing and Viability

- 5.1 It is **important that all employment uses are explored** where applications are received for non-employment uses. Therefore, the applicant will as a rule be expected to undertake a marketing campaign to ascertain whether the site is demanded by a business occupier.

Applicants are strongly advised to undertake an agreed campaign prior to the submission of a planning application. Any application submitted without going through this process may be refused.

Marketing Campaign Details

- 5.2 If you are the owner of business premises that you are no longer proposing to trade from and wishing to sell on what should you do next?
- 5.3 Most importantly contact the Council's Planning Department to discuss your proposal. The Council's adopted Policies EM24 and CR19 seek to protect employment sites within the district; these apply to all types of employment locations ranging from small retail/office units including those in buildings with part residential use, redundant barns/outbuildings previously used for non domestic uses to the larger commercial buildings most commonly associated as employment locations.
- 5.4 It is important wherever possible to retain all employment generating locations within the district to ensure vital business and community services are maintained and to help build a stronger, growing economy. Where a business is coming to an end or has ceased trading the council will expect, where appropriate, that the property is offered for alternative business or community based uses 'subject to planning' in the first instance, residential use will not be considered.
- 5.5 **There may also be other planning policies that are relevant to your proposal so advice from the Planning Department should be sought at this early stage.**
- 5.6 If following your initial enquiries the council has advised you a marketing campaign is required the next step is to agree a marketing campaign with the Development Control case officer, (who will seek advice from the Council's economic development section) and advise you as to the requirements of such a campaign. The campaign should be up to date and relevant to the current owner of the property not partially carried out by a previous owner or out of date.
- 5.7 It is essential that **the campaign is agreed** from the outset as this ultimately will save you time and very likely costs in the future. The minimum period for a marketing campaign will be 12 months. Sites with specific allocated policies will be subject to a more

comprehensive and bespoke campaign covering a broader area and increased time period. It may also be necessary to review the effectiveness and quality of the marketing campaign every 6 months.

5.8 Please note: If a ‘non-agreed’ campaign is undertaken or has been undertaken where the council is not satisfied that it is in accordance with what we would expect from any marketing campaign it will result in a further period of marketing being requested at the planning application stage or could result in a refusal of permission.

5.9 This guidance will be used in all cases in a consistent manner where Policy EM24 applies.

Who can market your site?

You can or alternatively an agent appointed by yourself, such as an estate agent.

What are the principle requirements of a campaign?

- Property specification particulars
- Advertisement details
- Evidence based information
- Erection of ‘for sale/lease’ board on site

What details need to be included?

Site particulars

- Good quality internal and external photographs
- A description of the site/premises
- The current permitted use and potential employment uses, subject to planning permission
- Dimensions of:
 - the building,
 - internal rooms,
 - eaves height and door widths if relevant,
 - gross internal area,
 - size of the total site including any land.
- Services e.g. electricity, gas, water – any other relevant information
- Asking price see below
- Any restrictions, conditions and covenants
- Known costs, such as service charge, rateable value
- Any other known items included in sale (note – the price expected for these should be disclosed to the council.
- Terms of sale & tenure – leasehold, freehold etc (see also ‘tenure’ below)
- Extent of site, shown on a site plan
- Site location including map – the map extract should show the property in relation to the road network and nearest towns
- Contact details for viewing and more information
- Any residential element to the property should be removed or subordinate to the commercial particulars
 - (i) Parking availability
 - (ii) LPA contact number – (DC general number)

Price

It is important the price of the property reflects the current market value of such a property based on its current potential employment uses. If the building requires extensive conversion/repairs the price should be based on the unconverted state unless the works are to be undertaken prior to completion.

- 5.10 **The price should not include any potential residential or other non-employment use value.** You should seek a minimum of one independent valuation obtaining both freehold and leasehold prices for the building in its current condition/state.
- 5.11 It is recommended you obtain an independent valuation of the property, from an established commercial source familiar with the local area and with properties of the type to be marketed. Estate agents usually provide such a valuation service, although other sources may be considered if their credentials can be established. The cost of the independent valuation(s) will be borne by the applicant. This should also be backed by evidence. The Council may ask for justification of the price.

Tenure

You should be prepared to offer the property on both a leasehold and freehold basis to ascertain its employment viability. Flexible terms, such as short leases, monthly licences and regular break clauses are encouraged. Again any lease price should take into account the current condition and use of the building.

Advertisements

- An advertisement should be featured at least once a month within the Commercial Section of a local newspaper such as the East Anglian Daily Times, Sudbury Free Press etc. In cases where the property is part commercial/part residential, it is not appropriate for an advert to be placed solely in the residential section of the newspaper.
- Trade magazines specific to commercial property or to specific industries may instead be used if more relevant to the industry. The intervals of advertisement would depend on the regularity and circulation of publications.
- Format of the advert needs to be appropriate to the type of property being marketed, typically 10cm x 2 columns. Details to include one external photograph, description of property, size, price and terms and alternative commercial uses that may be acceptable. The term 'subject to planning' is encouraged if alternative uses are possible, even without current consent. Within the advert and below the contact details the wording "copy enquiry to planning.reception@babergh.gov.uk" to be included.
- **Advertising the property on the "land and property database" on the Choose Suffolk website www.suffolk-property.com must be undertaken.** This is a free service, for details of how to place the property information please contact

the Council's Economic Development Team at ecodev@babergh.gov.uk .

- Advertisements placed on agent's websites are also a useful marketing tool. A similar approach as described in the 'specification particulars' section and above should be followed in terms of details to be included.
- Site 'for sale/lease' board, unless otherwise agreed.

- 5.12 It is only when the relevant level of information has been submitted and approved in writing by the Development Control case officer that the agreed campaign date can commence; the length of the campaign will be confirmed in writing at this time. During the campaign period evidence of viewing details and follow up will also be expected this is detailed below.

Evidence

You should ensure that evidence is kept of the marketing campaign, as a record of what has taken place. Evidence should include:

- Evidence of the negotiations prior to the start of the campaign, including details of independent valuation, site particulars.
- Monthly reports (or at intervals agreed with the council at start of campaign) showing contact details of interested parties in the property, progress and negotiations undertaken including any offers made and reasons for these being rejected. It is not sufficient evidence to just quote number of viewings and generalise on the feedback.
- Copies of advertisements placed. The dates and publication should also be noted.
- Final summary of marketing campaign and its results to be sent to the Council's Development Control Case Officer for consideration. Written confirmation as to whether the campaign has been undertaken in a manner that satisfies the requirements of Policy EM24 will be forwarded to the applicant/agent.

- 5.13 For your guidance attached to this document is an example of a site particulars sheet and advertisement detailing the level and kind of information the council would expect to receive as part of the marketing information for consideration. All of the above evidence should be appended to any future planning application.

A checklist is also attached to assist in your preparations.

6. SITES WITH ALTERNATIVE LAND USE POTENTIAL

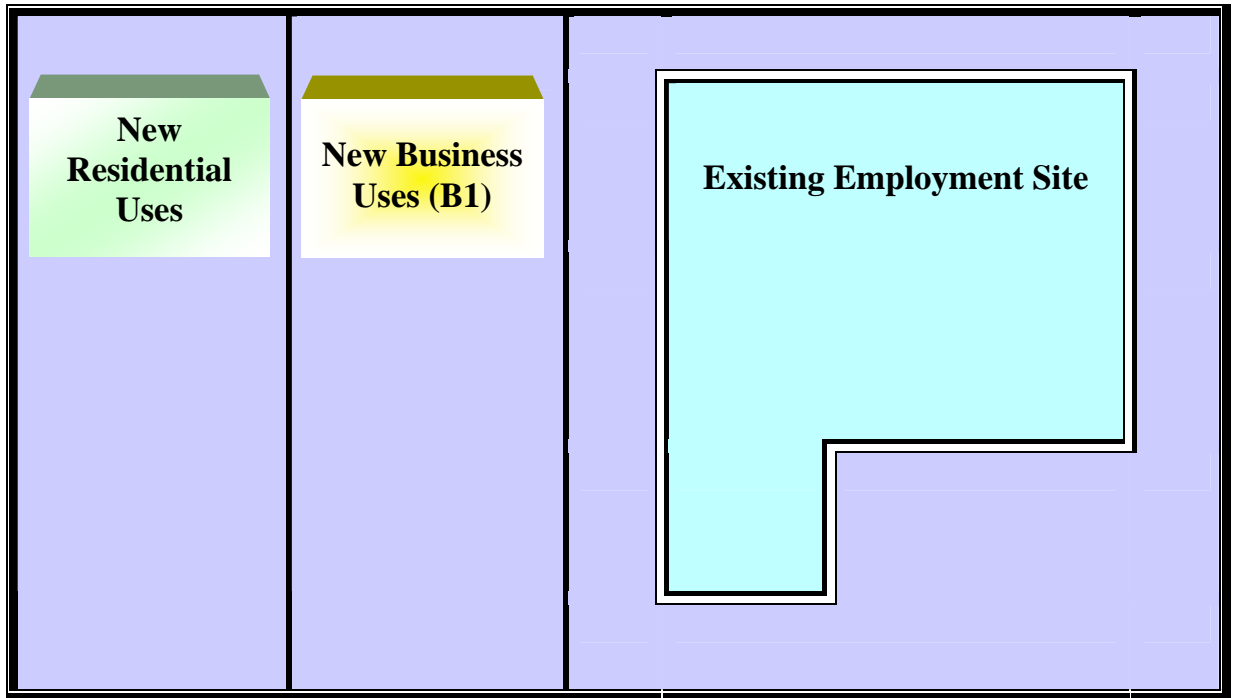
Viability Issues

- 6.1 There may be instances where an applicant can successfully demonstrate that there is no demand for a suitable employment site and that the site's buildings are of a state that, without remedial works, renders them unsuitable for continued 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 economic use of the land itself. As such, where a site contains buildings that are in a poor state of repair, consideration will be given to the prospect of refurbishing the existing premises or redeveloping the site for new employment uses in order to maintain the employment resource.

- 6.2 However, it is accepted that even if a site is suitable in land use terms, individual circumstances on the site may mean that its full retention in employment use, following either refurbishment or redevelopment, is not a viable option. If this is the case, applicants will be expected to clearly demonstrate this in a supporting statement accompanying the planning application. The Council will give full consideration to the evidence provided, **it may need to take independent advice on the information provided and the applicant will be expected to pay the Council's expenses for this.**
- 6.3 Nevertheless, although the retention of the site in employment use may not be viable at a particular moment in time, the economics of development may change over time and its refurbishment/redevelopment for employment uses could potentially become a viable proposition in the future. In this respect, such sites are still considered to have value as an employment resource.
- 6.4 There will be a number of sites across the Babergh District where their sole use for business and industrial purposes is no longer appropriate. In such cases, and where this is demonstrated by the Applicant/Agent, the Council will adopt a more flexible approach and, where appropriate, will seek to secure a mix of land uses.

Mixed-Use Development

- 6.5 Where an applicant can clearly demonstrate that the redevelopment or refurbishment of an existing employment site is unviable, and where it is considered appropriate to do so, developers will be expected, subject to other policy considerations, to explore the prospect of a (real) balanced approach to mixed-use development which incorporates an element of a higher value use to cross-subsidise the partial redevelopment of the site for employment uses. In doing so, employment opportunities can be retained on the site. Such mixed-use schemes will need to secure a reasonable proportion of business and industrial units, appropriate to each location and circumstance.
- 6.6 For example, the Council may encourage mixed-use development where the juxtaposition of the site in relation to other existing employment uses would mean that a mixed-use development is the preferred solution in terms of avoiding a conflict between uses. Where a proposal involves the redevelopment of a site which lies adjacent to another existing industrial use and involves an element of residential development, it may be appropriate to separate the residential element from the existing industrial use with less disturbing business, light industrial or office uses that are generally acceptable in residential areas. In doing so, not only will the amenity of the new development be preserved, but it will also prevent a situation that may give rise to pressure to curtail the existing industrial use. The concept is shown diagrammatically below.



- 6.7 When determining the proportion of the overall site to be developed for employment uses, the Council will assess the individual merits of each case, but in doing so will take account of the employment resource being lost and the potential level of employment that can be achieved within the mixed-use development. As a principle, due to the policy's aims to minimise/avoid the loss of employment land, the extent of employment land to be lost should be minimised as far as possible and the land use mix will need to be justified by documentary evidence.
- 6.8 Where a mixed-use approach is pursued, any planning permission will be conditional on a programme of phasing whereby the delivery of the employment element is linked to the delivery of the higher value use.
- 6.9 Schemes involving residential accommodation should also ensure that necessary community facilities are accessible or can readily be provided on the site. Contributions may be sought from developers towards the provision of necessary facilities. Open space and affordable housing and education provision in particular will need to be addressed.

Residential Development

- 6.10 The applicant or agent should explain why mixed-use development, including a reasonable proportion of business and industrial space is not feasible on a particular site. Where this is satisfactorily demonstrated, leisure/community uses will be preferred.
- 6.11 Residential development proposals will need to demonstrate that the resulting residential amenity conditions are satisfactory and that there would be no unacceptable impact on the operating conditions of existing and proposed businesses.
- 6.12 Residential schemes should ensure that necessary community facilities are accessible or can readily be provided on the site.

7. CONCLUSIONS

- 7.1 The current trend of increasing numbers of proposals for the redevelopment of employment land and premises to non-employment uses, most notably housing, has prompted the

Council to clarify its approach towards such proposals in the form of the Supplementary Planning Document. The Council is concerned that the loss of employment sites to other uses will have a negative impact on the competitiveness and social inclusiveness of the local economy. In addition, the Council is also concerned that a reduction in local employment opportunities will exacerbate the unsustainably high levels of out-commuting – particularly when employment sites are most commonly lost to residential development.

7.2 The Council does not want to reach a position where the success of the local economy is also threatened by a lack of genuinely available employment land. Where existing employment sites are to be redeveloped for other uses this SPD highlights the following sequential approach towards such proposals:-

- To retain suitable and viable sites in employment use as a 1st preference in all cases;
- To seek mixed-use development to cross-subsidise the delivery of new employment uses as part the site; where this is necessary to do so.

7.3 The successful implementation of this SPD will be complimentary and integral to the achievement of the aims and objectives of the Babergh District Local Plan and the Regional Spatial Strategy for the East of England. There are wider social, environmental and economic benefits of using the SPD and policy together and they will make a positive contribution to creating and maintaining sustainable and balanced communities.

8. CONTACTS

For information regarding the implementation of this Supplementary Planning Document, contact:-

Planning Policy
Babergh District Council
Council Offices
Corks Lane
Hadleigh
IPSWICH
IP7 6SJ

ldf@babergh.gov.uk

Advertisement Example

**Village Nr Sudbury
For Sale/To let**



Former agricultural building
suitable for a variety of commercial uses
subject to planning.

Approx 232 sq m (2,500 sq ft) in grounds of
one acre

Freehold price £
Lease price £ & terms

All enquiries (contact details)
Copy enquiry to
planning.reception@babergh.gov.uk

Marketing Campaign Check List

		Yes	No	Date
1.	Contact made with the Council's Planning Department.			
2.	Advice received from the Planning Department in relation to your proposal.			
	Did the advice request a marketing campaign to be undertaken? If <ul style="list-style-type: none"> • Yes – please continue steps below • No – An application can be submitted without following steps below 			
4.	Details of the required scheme received <ul style="list-style-type: none"> • Verbally or • written 			
5.	Submission of details forwarded to the Council's Development Control Case Officer for consideration. <i>(the following must form part of your submission)</i>			
a	Site Particulars: <i>Are the following included?</i> <ul style="list-style-type: none"> • external photo(s); description of the site/premises; • current permitted use and potential uses subject to planning; price and tenure; dimensions of: <ul style="list-style-type: none"> ◆ building, internal rooms, gross internal area, size of the total site including any land, services; • restrictions and covenants that may affect the site; • location map extract; contact details for viewings (<i>other relevant information to attract potential commercial investors should also be detailed</i>) 			
b	Advertisement details: <ul style="list-style-type: none"> • A draft advert indicating the size and format together with confirmation of where the advert will be placed and its regularity. • Confirmation of how the property will be added to the Choose Suffolk website 			
c	For sale/to let Board: <ul style="list-style-type: none"> • Confirmation that a for sale/to let board will be erected on site 			

		Yes	No	Date
d	<p>Evidence based information:</p> <ul style="list-style-type: none"> • Details of negotiations, independent valuation and sales particulars prior to start of campaign. • The method and format of reporting progress of interested parties, copies of advertisements placed the date and publication. • The methods and format of reporting the final marketing campaign and its results 			
6.	Have the above details been formally agreed by the Council and written acceptance been received?			
7.	Has the start date and length of campaign been confirmed in writing?			
8.	<p>Evidence based information:</p> <ul style="list-style-type: none"> • Submission reports (at agreed intervals) to the Council's Development Control Case Officer including copies of advertisements placed, the date and publication. 			
9.	<p>Evidence based information:</p> <ul style="list-style-type: none"> • Submission of final summary of marketing campaign to the Council's Development Control Case Officer for consideration. 			
10.	<p>Written confirmation received from the Council that the campaign has been undertaken in a manner that satisfies the requirements of Policy EM24.</p> <ul style="list-style-type: none"> • If yes please append all of the above evidence to any future planning application • If no further negotiations will be required before submitting a planning application. 			

Example

*Please note the level of details,
format and size may vary.*

Commercial Premises for sale or to let

**Suitable for a variety of commercial uses
subject to consent**

(Good External Photo(s))



(Good internal Photo(s))



**The Barn,
The Village,
Nr Sudbury
Suffolk**

**Freehold guide price and leasehold price(s)
to be inserted here**

- Premises: Redundant building approximately 2,500 sq ft in grounds of one acre.
- Location: Barn in a rural setting close to the attractive market town of Sudbury 18 miles north of Colchester and 20 miles west of Ipswich.
- Description: Traditional timber framed barn with thatched roof. Double bay frontage.
- Access details: A shared driveway off Jarvis Lane provides access to the site with parking allocated in the yard area to front of building.
- Accommodation: (two examples shown below) (gross internal area) ***Please note any residential details should be shown secondary to the commercial element at the end of the specification sheet or appended separately.***

Contact: **vendor details including address, telephone, fax, email.**

1. Building offers 2,500 sq ft of floor space, available as a whole or conversion to two units would be considered.

Dimensions of buildings/shop frontage identifying subdivisions (example shown below if the subdivided areas are available separately indicate prices accordingly)

2. Main barn 450 sq ft
Workshop 150 sq ft
Area 2 100 Sq ft

Total commercial area 700 sq ft (insert freehold guide price/rental price)

The main barn has ceiling height of 20ft and the entry doors are 12ft x 12ft.

Workshop has side entrance door to yard area, service pit and three-phase electricity.

Area 2 comprises storeroom, cloaks and small office.

External details:

Concrete yard with parking area for approx 20 vehicles.

Services:

Three-phase electricity and water are connected.

Planning:

The building has previously been used for agricultural purposes. It is available for a wide range of non-agricultural use such as business, tourism, community and leisure subject to obtaining the necessary consents. The site is located within the Stour Valley Special Landscape Area. (*any planning conditions affecting the site should be shown here*) if unknown please contact the Planning Department on 01473 822801 for clarification)

Covenant Restrictions conditions:

The premise is subject to a covenant to provide 10 parking spaces. (*Any other known legal restrictions or conditions should shown here*)

Tenure:

The property is offered for sale freehold at a guide price of £..... or lease terms to be agreed. Rental by negotiation subject to amount of work required in relation to converting the building As a guide rent in region of £..... per square foot per annum is expected.

Other items included in sale: Racking systems, shop shelves, stock

Rates:

To be assessed or

Rateable value £

Rates payable £

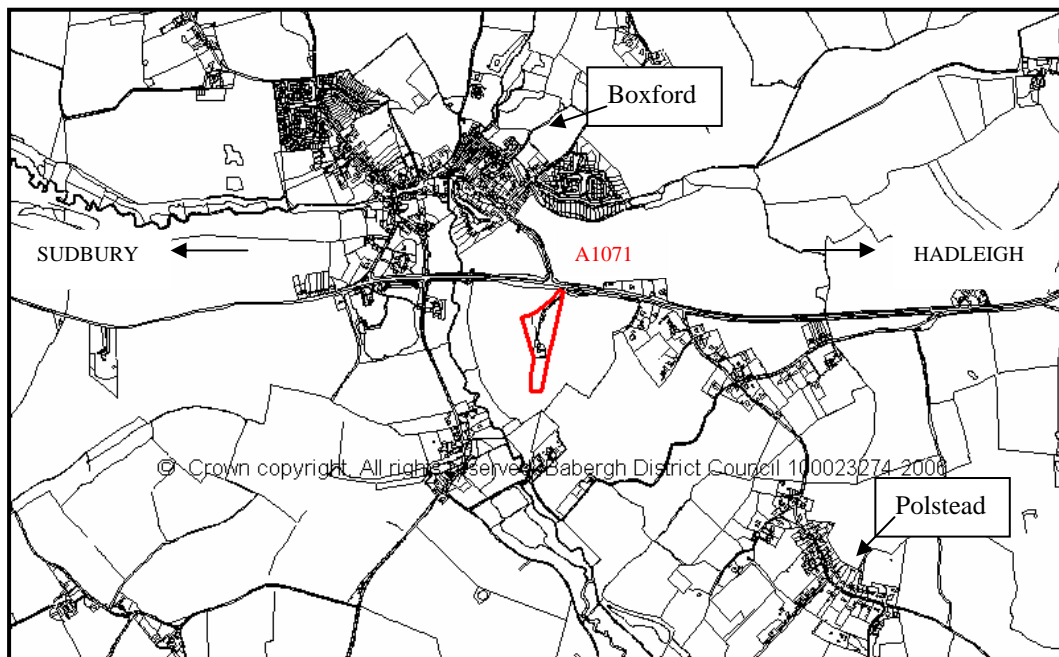
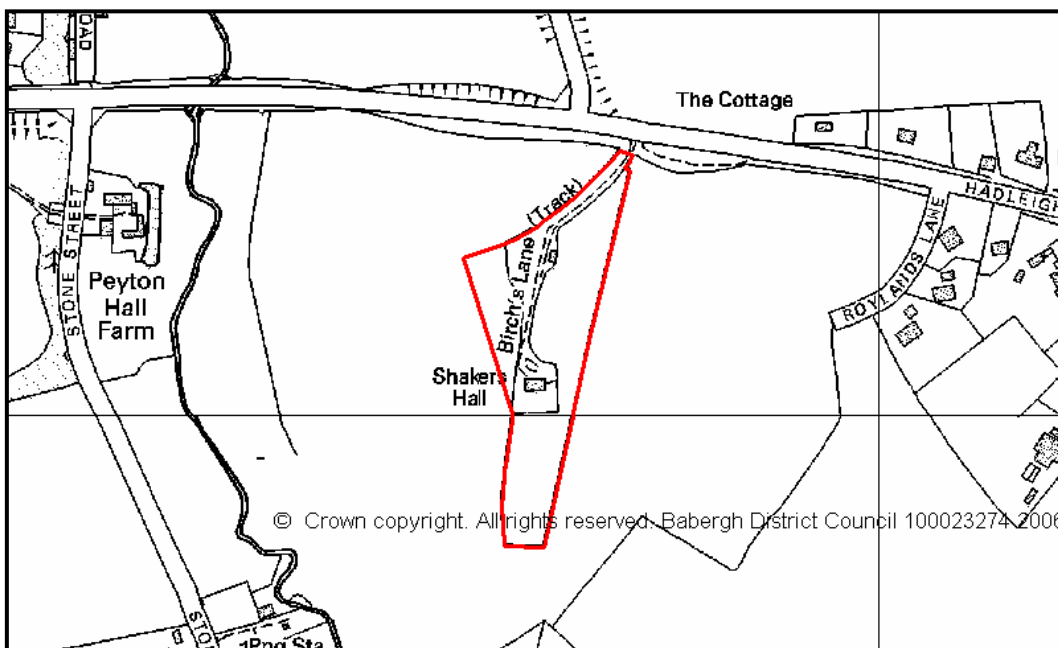
Contact: vendor details including address, telephone, fax, email.
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Local Authority: Babergh District Council, Council Offices, Corks Lane, Hadleigh, Ipswich, Suffolk IP7 6SJ. Telephone 01473 822801

Other information: Possibility of redundant workshop grant available from Local Authority all enquiries should be made direct to them on 01473 822801.

Viewing: Strictly by prior appointment with the agent/vendor
(Agent/vendor details here)

Location Maps: *Example maps*



Contact: vendor details including address, telephone, fax, email.

**Babergh District Council, Safeguarding Employment Land SPD,
Response to Consultees Comments. February 2008**

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Suffolk CC, Strategic Development	Short email	Whole document, made on behalf of SCC	No comment	Noted
Sudbury Town Council	1st part	Whole document,	None the Town Council fully supports the document in its current form, saying it clarifies and strengthens the policy.	The support is welcomed.
Sudbury Town Council	2 nd part	The name of the local paper	The name of the local paper is the Suffolk Free Press	Noted
Suffolk Preservation Society	1st part	The society thanks Babergh for the consultation, wants the whole letter reported to the appropriate committee and does not authorise any précising of this letter.	None	Noted
Suffolk Preservation Society	2 nd part	Objects to not being consulted before the draft was produced. They object to the process. SPS reserves the right to make an objection later.	None at present.	The objection is noted but at this stage the process is considered to be in accordance with legal requirements.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Suffolk Preservation Society	3 rd part	Offers cautious support	None	Noted
Suffolk Preservation Society	4 th part	Sustainability and sustainable communities.	Sustainable or sustainability should be added to para 4.4 in the sentence in the 3 rd line. It also refers to PPS1 and developing sustainable communities.	Reference should be made to these points somewhere in the document; it is referred to in the Sustainability Appraisal and SEA.
Suffolk Preservation Society	4 th part point 2	Sustainability and sustainable communities.	The document and policy delivers on sustainability and the loss of employment land can lead to less sustainable communities.	Additional wording will be added to this effect. The SA and SEA does refer to this.
Suffolk Preservation Society	4 th part point 3	Sustainability and sustainable communities.	Policy EM 24 should be amended to add a criterion which would require that any loss of employment would not harm or impact on the sustainability of the community.	The point is noted but the policy has only been adopted since 2006 and cannot be changed at the moment. However this does seem a good suggestion and may be covered by a general policy in the Core Strategy.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Suffolk Preservation Society	5th part	Letter acknowledgement, committee report and further consultation.	They would like the letter to be acknowledged and any committee report sent to them.	An acknowledgment letter will be sent, the report will be on the web site as will any proposed changes.
Home Builders Federation	1 st part	Thanks BDC for the consultation.	None	noted
Home Builders Federation	2 nd part	SPD and saved policies.	The policies referred to should all have been saved and agreed by GO-East	The Local Plan policy EM 24 has been saved. SP policies have changed in status and will be checked for the final document.
Home Builders Federation	4 th part	SPG and SPD	Cover says SPG and should be SPD	Noted and final version will be SPD
Home Builders Federation	5 th part	Para 4.1	Text should only refer to adopted and saved policies.	Noted, Local Plan Policies have been saved and most SP policies are not. The final SPD will reflect this.
Home Builders Federation	6 th part	Paras 4.5 and 6.1 to 6.12	The definition of viability has changed.	The Council have not changed the definition of viability but the note below Para 4.5 has been amended.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Home Builders Federation	7 th part	The restrictive nature of the SPD	This is contrary to PPS3	PPS3 encourages development of brownfield sites for housing but the whole planning system is trying to create sustainable, mixed and balanced communities and employment is an important part of that.
Home Builders Federation	8 th part	Paras 5.1 – 5.13	They question under which legal powers the Authority seeks to micro manage the marketing campaign, without regard to costs.	The approach has been through a local plan inquiry and accepted, a marketing campaign would have to be carried out in any event, and it now has to be to the satisfaction of the District Council.
Home Builders Federation	Consultation, the last 3 parts	The LDF process	They would like to be involved in other LDF documents, they would also like to be informed when DPD's or SPD's are adopted or submitted to the Secretary of State	This is noted.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
East of England Development Agency	2 nd part	EEDA's role	The document must provide a spatial framework for sustainable economic development and regeneration	It is considered that the SPD plays an important part in this process by safeguarding employment sites.
East of England Development Agency	3 rd part	Regional Economic Strategy	Goal 4 Priority 3 aims to 'ensure a quality supply of business land and premises'. Only sites which no longer meet regeneration and growth objectives should be made available for alternative uses.	The point is noted and supports the general approach of the SPD.
East of England Development Agency	4 th – 7 th parts	Employment Land Reviews Guidance Manual	EEDA will produce a new manual which should be read before the SPD is finalised and parts of it may need to be included in the document.	This is noted and if the document is available it will be considered.
East of England Development Agency	6 th part	BSC decision and issues relating to employment land retention.	These issues extend beyond marketing and viability and include meeting local and sub regional objectives.	The point is an important one and is noted.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Peal Estates LLP	1 st and 2 nd part	'Marketing' is flawed, does not distinguish between speculators and occupiers.	Not specified	Any person or company may change from one to the other very quickly.
Peal Estates LLP	3 rd part	The SPD is inflexible	Should allow consideration of other uses as in PPS3	<p>PPS3 encourages development of brownfield sites for housing but the whole planning system is trying to create sustainable, mixed and balanced communities and employment is an important part of that.</p> <p>There would be increased pressure for development on all employment sites reducing the chance that they will be available for employment uses.</p>
Peal Estates LLP	4 th part	Discounting marketing not agreed by the Council	Earlier marketing by agents before the Council has approved it should be allowed as evidence.	If the approach adopted in the SPD is followed it allows consistency of approach and is clear for all to see.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Peal Estates LLP	5 th part	Some sites might become bad neighbour development.	Allow more flexibility in the SPD	If this approach is adopted then it might encourage bad neighbours to cause problems and then seek permission for an alternative use.
Peal Estates LLP	6 th part	Mixed uses might create more jobs than certain employment uses e.g. Warehousing B8 use.	Allow more mixed use development.	B8 uses have to be located somewhere and job creation is not the sole criterion.
Peal Estates LLP	7 th part	Buildings might be obsolete.	Make the SPD more flexible.	It is more sustainable to renovate buildings for other uses.
Peal Estates LLP	8 th part	Businesses may need to raise capital from land sales.	Make the SPD more flexible.	All businesses need to raise capital so all employment sites would be vulnerable.
Sandhurst Newhomes	The whole letter	Seeks greater flexibility	Would like the SPD to be less prescriptive	These arguments have been dealt with above, but the approach suggested by the objector would put many employment sites under pressure from other developments.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Sandhurst Newhomes	10 th part	Advertisements	There should be flexibility allowed where these are placed.	The approach is designed to allow consistency but does not stop advertisements being placed elsewhere in addition.
Bidwells	Part 1	Viability tests.	More information should be given on this option.	The Council has amended the document
Bidwells	Part 2	Marketing campaign	Should say whether it is agreed with a planning officer or Economic Development Officer.	This will have to be agreed with the Development Control Case Officer.
Bidwells	Part 3	Marketing campaign	This should be tailored to each site.	The SPD is trying to achieve consistency and it does allow some flexibility.
Bidwells	Part 4	Length of marketing campaign	There should be a six month review.	The text has been amended to take this on board.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Bidwells	Part 5	Price on particulars	It may be better sometimes not to include a price.	As a general rule it will be expected that a price will be on the particulars, this is to ensure that it is clear and realistic, but if it is agreed before that it is best omitted and the price people are asked is still realistic then it may be acceptable to omit the price.
Savills on behalf of Ashwells	4 th and 5 th part	Marketing campaign	Why should this be carried out as a rule?	Marketing will help us understand the market and allows consistency of approach.
Savills on behalf of Ashwells	6 th part	Cascade approach to alternative uses.	Each site should be decided on a site by site basis.	There are a variety of uses which are important to have in a community but they may not be the most commercially valuable, it is important to safeguard these not just allow the highest value use on every site.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Savills on behalf of Ashwells	7 th part	Marketing campaign	Suggests that a marketing campaign should be agreed before an application is submitted.	This is the advice but the alternative is also mentioned, this is really the purpose of SPD's to try and improve the operation of the planning system and save time and resources, but also retain employment land.
Savills on behalf of Ashwells	8 th part	Smaller sites and length of campaign	There is no definition of a small site, shorter marketing periods should be considered.	The text has been amended and 12 months is the minimum time period however big the site is. In answer to the second part, the intention is to safeguard employment sites and so it is not intended that they should be lost quickly or over a short period of time.
Savills on behalf of Ashwells	9 th part	Paragraph 6.3	Implies that an owner should refurbish and then market the property.	This is not the interpretation that the Council puts on this paragraph, but it is a possibility, an evaluation may also be acceptable.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
Savills on behalf of Ashwells	9 th and 10 part	Paragraphs 6.3 and 6.5, mixed use developments.	If the site is unviable for employment then it will be unviable for employment in a mixed use scheme.	This point is not accepted in general terms but there may be cases where this is true.
Savills on behalf of Ashwells	11 th part	Paragraph 6.9	Seems to pre-empt the outcome of redevelopment.	This paragraph is trying to ensure that the location is sustainable and that appropriate facilities are available if required.
Savills on behalf of Ashwells	12 th Part	Appendix 2	This is too prescriptive	The aim is to ensure that the approach is clear and consistent with the best chance of selling/leasing the site for employment uses.
GeraldEve	2 nd part	The whole document.	Is poorly prepared.	This is not accepted.
GeraldEve	4 th part	The LDS	The SPD has been prepared too early	It is acceptable to produce documents before the timetable in the LDS.
GeraldEve	6 th part	Is the document an SPD or SPG?	This needs clarifying.	The document will be an SPD
GeraldEve	7 th part	Evidence base	This is unsound.	This argument is not accepted and there are studies which contradict the point made.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
GeraldEve	8 th to 19 th part	Marketing and Viability	The approach is heavily criticised and a definition of viability given	The points made are noted however it is considered that the approach is reasonable in the light of the Councils aim to safeguard employment land.
GeraldEve	21 st part	Paragraph 2.5 and Employment Land Assessment	It is impossible for an authority to make a decision without an ELA.	This is not accepted and guidance is being updated on producing one. There is other evidence that there is a need to retain employment land.
GeraldEve	22 nd part	Paragraph 4.4	RSS policies should be referred to as well.	The SPD is linked to the Local Plan and so they are the main policies to assess any development against. RSS policies are not adopted and therefore cannot be referred to.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
GeraldEve	23 rd part	Paragraph 4.5	The approach is flawed.	The Council does not accept that 'non domestic' is not clear. If the approach is agreed with LPA before, then it can help the process, and ensure that the method used is consistent.
GeraldEve	24 th part	Paragraph 5.1	There is no need for a marketing campaign to establish viability.	The market must be tested to establish what interest there might be, this point is not accepted.
GeraldEve	25 th part	Paragraph 5.3	Why is retail included in the list of employment uses.	The policy can be applied to a wide range of uses and employment on different scales.
GeraldEve	26 th part	Paragraphs 6.5 and 6.6 mixed use proposals.	These paragraphs go beyond Local Plan policy.	The Council are seeking to retain as much employment land as possible.

Name of Consultee	Section of Consultees Response	Subject	Proposed Change	The Council's Response
GeraldEve	Technical Matters	The overall production of the document.	The document is not capable of being adopted, and should be an SPD. Staff at the company would welcome the opportunity to advise on the document.	The document will be an SPD and will seek to retain employment land so this will be in the final title in some way. The offer of discussions is noted.
Hopkins Homes	The whole letter	The draft SPD is considered too prescriptive and too inflexible.	<p>The SPD should be more flexible and allow more housing on employment sites which is in accord with PPS3.</p> <p>They would like a copy of the document when it is adopted.</p>	<p>The whole planning system is geared towards creating mixed and balanced communities and employment opportunities close to where people live is an important part of the overall approach. To seek to retain employment sites is considered an important part of the planning process particularly in an attractive district like Babergh.</p>