



A guide on marketing and viability assessment requirements

Consultation ends 4pm 10 September 2021

Contents

1.	Introduction	3
2.	Change from SPD to Guide.	4
3.	Consultation	4
4.	National Planning Policy on viability and marketing	5
5.	When do you need to assess marketing and viability?	7
6.	Relevant policies in the Local Plan	7
7.	Marketing your site/property Preparing and delivering a Marketing Strategy	9
7.1.	Introduction	9
7.2.	The requirement to market tourist accommodation Proposals involving the potential loss of tourist accommodation.	9
7.3.	Permitted Development	10
7.4.	The marketing strategy	10
7.5.	How to market your site	11
7.6.	Length of marketing campaign and re-advertising	14
7.7.	Expenditure on marketing	14
7.8.	Guide price/rent	14
7.9.	Marketing statement	15
8.	Preparing a Viability Assessment	16
8.1.	Introduction	16
8.2.	Community Infrastructure Levy (CIL)	16
8.3.	Viability Assessment – policy requirements like design, water efficiency and affordable housing.	16
8.4.	Viability Assessment – change of use/conversion/redevelopment	19
8.5.	Independent Review – both types of viability assessments.	21
9.6	Relevant links	21
9.	Summary	21
	Appendix A: SEA Screening	23
	Appendix B: Privacy notice	26
	Appendix C: Additional requirements relating to specific proposals/policies	28
	Introduction	28
	Economy section of Local Plan.	28
	Heritage section of the Local Plan	28
	Tourist accommodation section of the Local Plan	28
	Affordable Housing policy	29
	Converting buildings	29
	Rural enterprise workers dwellings	30

1. Introduction

1.1. Several policies in the [Local Plan for the Broads](#)¹ will require you, as an applicant or agent, to carry out a robust marketing [strategy campaign](#) and/or a viability assessment if your proposed scheme is promoting something different to the adopted policy position. This ~~Supplementary Planning Document (SPD)~~ [guide](#) explains what is meant by marketing and viability, and which Local Plan policies have this requirement. It highlights how to carry out these processes and provide information in the way the Broads Authority requires. Following this ~~SPD~~ [guide](#) will reduce the chances of a delay in determining your application in relation to these requirements.

1.2. The Broads Authority is the Local Planning Authority within the Broads area and this ~~Supplementary Planning Document (SPD)~~ [guide](#) applies only to land within the Authority's executive boundary. ~~The NPPF 2019 defines supplementary planning documents as 'documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.'~~

1.3. The Authority considers that this ~~(SPD)~~ [guide](#) will help applicants consider the issue of marketing and viability in an appropriate way. The ~~(SPD)~~ [guide](#) should be read alongside relevant policies of the Local Plan for the Broads (adopted 2019). The ~~(SPD)~~ [guide](#) is a material consideration in determining planning applications. The advice and guidance herein will not add unnecessary financial burden to development; [it is designed to help deliver policy requirements of the adopted Local Plan for the Broads.](#)

1.4. In the Local Plan, we refer to 'viability assessment'. This effectively has two meanings. The first is an assessment of the viability of continuing the current land use, when a proposal is submitted to change the use. The second is to determine the level of planning contributions that might be appropriate for a proposed development whilst maintaining its viability and deliverability.

1.5. We consulted on the first draft of this document back in September 2019. We then consulted on an amended version in March/April 2020. Comments received as a result of both consultations are here <https://www.broads-authority.gov.uk/about-us/how-we-work/transparency/consultations> (available week commencing 26 July 2021).

¹ Local Plan for the Broads: <https://www.broads-authority.gov.uk/planning/planning-policies/development>

36 ~~1.6. Historic England, Natural England and the Environment Agency were asked for their~~
37 ~~opinions relating to the need for a Strategic Environment Assessment. Historic~~
38 ~~England replied saying ‘we would advise that it is not necessary to undertake a~~
39 ~~Strategic Environmental Assessment of this particular SPD’. The Environment~~
40 ~~Agency said ‘an SEA likely is not required’. Natural England did not respond. The SEA~~
41 ~~Screening is at [Appendix A](#).~~

42 **1.7. It is important to note that the Broads Authority offers a free pre planning**
43 **application service. We encourage and recommend all applicants take advantage**
44 **of this. This service will provide initial officer level thoughts on proposals. We aim**
45 **to provide this advice within 21 days.**

46 **2. Change from SPD to Guide.**

47 **2.1. Because we have changed the requirement for a marketing strategy to be provided**
48 **up front, and as this is really more of a guide, we consider it more appropriate for**
49 **this document to be a guide rather than a SPD. We would welcome any views you**
50 **have on this.**

51 **3. Consultation**

52 **3.1. This version is an amended draft version out for its third consultation.** Please tell us
53 your thoughts and suggest any changes you think would make the SPD better and
54 set out your reasons.

55 **3.2. During the second consultation, movement and access to public venues was**
56 **restricted due to COVID19. We extended the consultation period twice and it ran for**
57 **many more weeks than originally intended. We also offered the opportunity to**
58 **request a hard copy of the document. Despite that, we do not think the**
59 **consultation was adequate so we are consulting a third time. We have assessed the**
60 **comments received as part of the second consultation and made amendments**
61 **accordingly.** These amendments are shown as **blue underline** for additions and **~~red~~**
62 **~~strikethrough~~** for text that is proposed to be removed.

63 **3.3. This consultation document and consultation process have been developed to**
64 **adhere to the Broads Authority’s Statement of Community Involvement². We have**
65 **updated our Statement of Community Involvement. The main changes to how we**
66 **intend to consult on this document are as follows:**

- 67 • **If you wish to discuss the document, you can still call on 01603 610734 and ask to**
68 **speak to Natalie Beal. You can also contact Natalie Beal to request a video**
69 **conference appointment to talk about the document.**
- 70 • **No hard copies will be placed in libraries**

² Current Statement of Community Involvement is here https://www.broads-authority.gov.uk/_data/assets/pdf_file/0024/209337/Final_adopted_SCI_formatted_July_2020.pdf

- 71 • [No hard copies will be in Yare House or district or county council offices.](#)
72 • [If you wish to have a hard copy, we can send this to you. This will initially be for](#)
73 [free, but if we get many requests, we may have to consider charging for postage](#)
74 [and printing. Please contact the number above to ask to speak to Natalie Beal to](#)
75 [request a hard copy.](#)

76 3.4. [The third consultation on this document is for 7 weeks from 23 July 2021 to 10](#)
77 [Spetember 2021.](#) We will then read each of the comments received and respond.
78 We may make changes if we agree with you. If we do not make changes we will set
79 out why. The final Guide will be adopted at a future meeting of the Broads
80 Authority. Please email us your comments: [planningpolicy@broads-
authority.gov.uk](mailto:planningpolicy@broads-
81 authority.gov.uk).

82 3.5. Information provided by you in response to this consultation, including personal
83 data, may be published or disclosed in accordance with the access to information
84 regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data
85 Protection Act 2018 (DPA), and the Environmental Information Regulations 2004).
86 Please see [Appendix B](#) for the Privacy Notice. We will make your name and
87 organisation public alongside your comment.

88 3.6. **Are you satisfied that this consultation has followed the Consultation Principles?** If
89 not, or you have any other observations about how we can improve the process,
90 please contact us at planningpolicy@broads-authority.gov.uk.

91 4. National Planning Policy on viability and marketing

92 4.1. The [National Planning Policy Guidance](#)³ (NPPG) states that: ‘Viability assessment is a
93 process of assessing whether a site is financially viable, by looking at whether the
94 value generated by a development is more than the cost of developing it. This
95 includes looking at the key elements of gross development value, costs, land value,
96 landowner premium, and developer return’.

97 4.2. The Local Plan for the Broads was examined under the 2012 National Planning
98 Policy Framework (NPPF). However, all planning applications submitted to the
99 Broads Authority will be considered against the most up-to-date version of the
100 NPPF, published in 2019.

101 4.3. Regarding viability, the [2019 National Planning Policy Framework](#)⁴ (para 57) states
102 that: ‘Where up-to-date policies have set out the contributions expected from
103 development, planning applications that comply with them should be assumed to
104 be viable. It is up to the applicant to demonstrate whether circumstances justify the

³ NPPG on viability: <https://www.gov.uk/guidance/viability>

⁴ NPPF:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf

105 need for a viability assessment at the application stage. The weight to be given to a
106 viability assessment is a matter for the decision maker, having regard to all the
107 circumstances in the case, including whether the plan and the viability evidence
108 underpinning it is up to date, and any change in site circumstances since the plan
109 was brought into force. All viability assessments, including any undertaken at the
110 plan-making stage, should reflect the recommended approach in national planning
111 guidance, including standardised inputs, and should be made publicly available.’

112 4.4. More information from the NPPG relating to viability assessments can be found
113 online: [Standardised inputs to viability assessment⁵](#).

114 4.5. Whilst not necessarily National Policy, the Royal [Institution](#) of Chartered Surveyors
115 have a guidance note⁶ and are intending to update it.

116 4.6. Regarding marketing, the NPPF and NPPG seem to only refer to marketing relating
117 to the use of heritage assets (NPPF paragraph 195).

⁵ NPPG: <https://www.gov.uk/guidance/viability#standardised-inputs-to-viability-assessment>.

⁶ Financial Viability in Planning, 1st edition <https://www.rics.org/uk/upholding-professional-standards/sector-standards/land/financial-viability-in-planning/>. Please note that at the time of this consultation, this document is being reviewed. (<https://consultations.rics.org/consult.ti/financialviabilitygn/consultationHome>)

118 **5. When do you need to assess marketing and viability?**

119 5.1. If you are required to prepare a marketing and viability assessment, this should be
120 completed before a planning application is submitted. Marketing and viability
121 assessments carried out after an application has been submitted to justify a new
122 use or development, will inevitably lead to a delay in determination of the
123 application due to the sustained period required for marketing.

124 5.2. It will be necessary to provide information on how a site has been marketed and to
125 assess the viability of the site in these circumstances:

126 a. When a policy of the Local Plan for the Broads requires appropriate marketing of
127 a site (and evidence of this marketing to be provided) to assist in proving to the
128 Broads Authority that the current use of the site is no longer appropriate.

129 b. When a policy requires the submission of viability evidence to demonstrate that
130 a use of a site is not viable.

131 c. When a policy requires something to be provided as part of a scheme (such as
132 affordable housing and planning obligations) and a promoter assesses the
133 impact of this provision on the viability of the scheme.

134 **6. Relevant policies in the Local Plan**

135 6.1. The following policies of the Local Plan for the Broads refer to marketing/rent and
136 viability requirements. If your scheme is promoting something different to the
137 position set out in these policies, you will need to carry out a marketing **strategy**
138 [campaign](#) and/or a viability assessment. The objective is to assess the economic
139 viability of the existing business/use and, if necessary, market it at a reasonable
140 price to find a new owner/occupier and retain that use.

141 6.2. [The following table/matrix sets out which policies require marketing or viability](#)
142 [requirements. See Appendix C for more information.](#)

<u>Policy</u>	<u>Requires marketing?</u>	<u>Requires viability information related to a new scheme/as a result of a policy requirement? To check if a policy requirement is not viable.</u>	<u>Requires viability information related to redevelopment or change of use? To check if the existing use is still viable.</u>	<u>Relevant section of SPD guide.</u>
<u>Policy DM4: Water Efficiency</u>		<u>X</u>		<u>9.3</u>
<u>Policy DM12: Re-use of Historic Buildings</u>	<u>X</u>		<u>X</u>	<u>8 and 9.4</u>
<u>Policy SP11: Waterside sites</u>			<u>X</u>	
<u>Policy DM26: Protecting general employment</u>	<u>X</u>		<u>X</u>	<u>8 and 9.4</u>
<u>Policy DM30: Holiday accommodation – new provision and retention</u>	<u>X</u>		<u>X</u>	<u>8 and 9.4</u>
<u>Policy DM34: Affordable housing</u>		<u>X</u>		<u>9.3</u>
<u>Policy DM38: Permanent and temporary dwellings for rural enterprise workers</u>	<u>X</u>		<u>X</u>	<u>8 and 9.4</u>
<u>Policy DM43: Design</u>		<u>X</u>		<u>9.3</u>
<u>Policy DM44: Visitor and community facilities and services</u>	<u>X</u>		<u>X</u>	<u>8 and 9.4</u>
<u>Policy DM48: Conversion of buildings</u>	<u>X</u>		<u>X</u>	<u>8 and 9.4</u>
<u>Policy HOR8: Land on the Corner of Ferry Road, Horning</u>			<u>X</u>	<u>9.4</u>
<u>Policy THU1: Tourism development at Hedera House, Thurne</u>		<u>X</u>		<u>9.3</u>
<u>Policy SSPUBS: Waterside pubs network</u>			<u>X</u>	<u>9.4</u>

143 7. Marketing your site/property ~~Preparing and delivering a~~
144 ~~Marketing Strategy~~

145 7.1. Introduction

146 7.1.1. This section sets out the detailed requirements for marketing a site to show that
147 there is no demand for the existing use and to justify a change of use. Be aware that
148 there are experienced organisations who can help with your marketing campaign;
149 we suggest you seek their assistance.

150 ~~7.2. The requirement to market tourist accommodation~~ Proposals involving
151 the potential loss of tourist accommodation.

152 7.2.1. We note that the marketing requirement is slightly different for proposals that
153 would result in a loss of tourist accommodation. ~~The policy seeks marketing the~~
154 New tourist accommodation should be operating and available to potential
155 customers for at least 12 months to understand the demand for the
156 accommodation. If there is sufficient evidence to demonstrate limited interest in
157 people staying at the holiday accommodation, the next stage is to market the site
158 for tourist accommodation or an alternative tourist use on the open market for a
159 year. Marketing the unit to another potential operators is considered a sound
160 approach to demonstrating that holiday use is unviable in the long term rather than
161 marketing it for 12 months to sell it on the open market.

162 7.2.2. If you believe that your tourist accommodation is not successful or not viable
163 enough, then we will need to understand why this is. We need to understand, in
164 order to be successful and take into account the various costs associated with the
165 accommodation, what % occupancy (in days or weeks in a year) is the 'break even'
166 level. When marketing the accommodation for 12 months, we can then see how the
167 occupancy level rates against that 'break even' level in that time.

168 7.2.3. Tourist accommodation permitted in the first few months of a calendar year may
169 not receive many bookings for the following summer/peak period because people
170 may book their holidays well in advance. Therefore, the 12-month period for
171 marketing is best to start from the following December (1st) to be available for
172 booking when people may book their holidays.

173 7.2.4. When marketing your accommodation, we would expect the accommodation to be
174 available for rent on at least three well-known holiday accommodation websites.
175 These may include Air BnB and bookings.com for example. You will need to explain
176 and justify the websites you use. If you consider that your site should be available
177 for rent/hire on fewer than three websites, please explain why this is the case. We
178 would expect good quality photos posted on those websites to help the
179 accommodation be attractive to those looking for somewhere to stay.

180 7.2.5. The price charged per night needs to be reasonable and a level that is acceptable
181 and one that someone is likely to pay to stay at your accommodation. This price will
182 require justifying.

183 7.2.6. The property should be able to be let for a variety of time periods (for example 1
184 night, 2 nights, 7 nights etc), in accordance with any planning conditions attached to
185 the property. Again, these time periods need to be justified.

186 7.2.7. If the property is unavailable for rent during the 12 months, you need to contact the
187 Broads Authority to discuss this. The policy does say that a sustained period of 12
188 months is required. We may require the time the property is unavailable to be
189 added on to the end of the 12 months.

190 7.2.8. The marketing report presented to the Broads Authority at the end of the 12 month
191 period will need to detail what bookings were made and for how long. The report
192 needs to say how many days or weeks in a year the accommodation was rented for
193 and how that relates to what was expected to be successful year for the
194 accommodation. This could usefully include information from the websites used to
195 advertise the property. Indeed, information of the reviews received for the holiday
196 accommodation will be of interest and relevance. If a negative review raises issues
197 that can be addressed, how have you addressed those issues?

198 ~~7.2.9. A different approach as stated above could be acceptable, but would need agreeing
199 with the Broads Authority in advance.~~

200 ~~7.2.10. The rest of this section (section 6) may not necessarily apply to changes of use of
201 tourist accommodation, but we advise you to speak to the Planning Team (who
202 offer free pre application advice).~~

203 7.3. Permitted Development

204 7.3.1. Permitted Development rights allow changes of certain uses to other uses, subject
205 to particular criteria. As part of marketing the site, the site will need to be marketed
206 and/or investigated in terms of its potential for other uses permitted by the General
207 Permitted Development Order⁷ as well as for its current use.

208 ~~7.4. The marketing strategy~~

209 ~~7.4.1. How you market the site will vary based on the type of premises being advertised.
210 The scope of the marketing exercise and how you intend to market the site needs to
211 be set out in the marketing strategy and agreed with the Broads Authority
212 beforehand. This will ensure the marketing strategy meets the requirements set out
213 in this SPD/section, and will avoid the need to repeat the marketing exercise should~~

⁷ https://www.planningportal.co.uk/info/200187/your_responsibilities/37/planning_permission/2

214 ~~the Authority consider the marketing is not up to standard, saving you time and~~
 215 ~~money.~~

~~7.4.2. The marketing strategy will need to explain why the property is being marketed and its location, a description of the site, a summary of the planning history of the site including any restrictions, how the site will be advertised and markets and guide terms. More detail is provided in the following paragraphs.~~

~~7.4.3. The strategy will need to include a marketing matrix like the template below.~~

216 **Table 1**

Marketing initiative	Budget (£)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Marketing boards													
Targeting mailing													
Online advertisement													
Etc.													

217 7.5. How to market your site

218 7.5.1. As a minimum, the following initiatives need are expected to be used for all
 219 premises. The Broads Authority may request other ways of marketing. ~~The strategy~~
 220 How you market your site will be proportionate to the site/property that is being
 221 marketed/proposed for change of use. ~~Your strategy will need to explain how you~~
 222 ~~will use the following methods in marketing your site. If you do not wish to use a~~
 223 ~~particular method, you will need to fully explain and justify this in your strategy. The~~
 224 ~~Marketing Strategy will be agreed with the Broads Authority in advance.~~

225 7.5.2. Method of marketing and approach to advertisement

226 This will cover:

- 227 • Basis of instruction - sole agent or joint agent, etc. We would need to know the
 228 details of the agent appointed and their expertise/qualifications. If no agent was
 229 used, we would need to understand why.
- 230 • Method of disposal - private treaty or informal/formal bids.
- 231 • Advertisement option - sale boards, internet, PR, publications, mailing, etc.

- 232 7.5.3. Marketing board
- 233 a. A simple ‘for sale’ board for small commercial premises, single tourist unit
- 234 accommodation and community facilities.
- 235 b. For larger commercial units and tourist accommodation sites, larger boards
- 236 giving details of the property including the guide price are required.
- 237 c. Boards need to be placed so they can be seen from the main public vantage
- 238 point (which could be a road and/or river in the Broads) but not so they cause
- 239 obstructions or inconvenience to the public or neighbouring uses. They should
- 240 also be designed and located in a way to not impact the special qualities of the
- 241 Broads.
- 242 d. Temporary ‘for sale’ boards do not generally require consent, subject to certain
- 243 restrictions, and it is the land owner’s responsibility to comply with these⁸.
- 244 7.5.4. Marketing particulars
- 245 a. The details of the site need to be advertised. ~~The Marketing Strategy also needs~~
- 246 ~~to explain how you will advertise these particulars.~~
- 247 b. For a small site, this could be on the website or be a simple handout.
- 248 c. For larger commercial units and tourist accommodation sites, which are more
- 249 likely to have a regional or national audience, the particulars need to be set out
- 250 in a bespoke, well-designed brochure. This needs to include layouts of the
- 251 building and professional photos.
- 252 d. In all cases, the following information is required:
- 253 • Background –why the property is being marketed.
- 254 • Description – including details on floorspace, number of floors, layout, car
- 255 parking and yard facilities.
- 256 • Internal and external photographs
- 257 • Location - including information on proximity to regional centres such as
- 258 Norwich, Ipswich and Lowestoft, links to transport networks and general
- 259 setting (e.g. Business Park / enterprise zone).
- 260 • Description of accommodation

⁸ [The Town and Country Planning \(Control of Advertisements\) \(England\) Regulations 2007, Schedule 3, Part 1, Class 3A; 'Miscellaneous temporary advertisements'](#)

261 • Terms (leasehold, freehold, long lease, etc.) - these should be flexible and
262 consider prevailing market conditions. The length of leases should not be
263 unduly restrictive.

264 • Guide price/rent

265 • Planning information – a summary of the existing planning use and status,
266 history and restrictions.

267 • Services and utilities

268 • Energy Performance Certificate

269 • Rateable value and business rates

270 • VAT status

271 • Legal and professional costs

272 • Viewing arrangements

273 • Contact information for the agent

274 • If an ongoing business, a summary of the trading history needs to be
275 included.

276 7.5.5. Advertisement in press/press release

277 a. For small commercial units, community facilities and single unit tourist
278 accommodation, an advert is to be placed and maintained (for a period to be
279 agreed with the Authority) in a local newspaper and estate/property agents
280 (including with specialist trade agents if appropriate).

281 b. For larger commercial units and tourist accommodation sites, specialist
282 publications are to be used (again for a period to be agreed with the Authority)
283 and estate/property agents (including with specialist trade agents if
284 appropriate).

285 c. Advertisements in both local and national publications should include a colour
286 picture of the premises.

287 d. For larger commercial units and tourist accommodation sites, a press release
288 could be given to the local and regional press.

289 7.5.6. Online advertisement

290 a. The site needs to be published on the agent's website

291 b. Also, if for a commercial site, one national commercial property search engine.

- 292 c. For very large commercial units and tourist accommodation ~~parks sites~~, a
293 bespoke website for the property should be created.
- 294 d. The information set out in 8.5.4 needs to be displayed on the website.
- 295 7.5.7. Targeted mailing
- 296 a. This would be completed by the agent.
- 297 b. They may mail their contacts and/or purchase a database of contacts and send
298 them the details.
- 299 7.6. Length of marketing campaign and re-advertising
- 300 7.6.1. As set out in the Local Plan, the marketing of the site must be for a sustained period
301 of 12 months at a realistic price (Appendix C).
- 302 7.6.2. This period may have the added benefit of allowing communities time to develop
303 community led proposals, and will also be relevant if the property has been
304 registered as an asset of community value with Broadland District, Great Yarmouth
305 Borough, North Norfolk, Norwich City, South Norfolk or East Suffolk Council.
- 306 7.6.3. If there has not been a willing buyer/occupier in the first three months of
307 marketing, the site/property will need to be re-advertised, ~~using the above strategy,~~
308 at three monthly intervals unless otherwise agreed with the Authority. ~~This will~~
309 ~~need to continue for at least 12 months.~~ This advertisement will be for a total of at
310 least 12 months as set out in the Local Plan for the Broads.
- 311 ~~7.6.4. The strategy needs to address these requirements.~~
- 312 7.7. Expenditure on marketing
- 313 7.7.1. The budget for the marketing campaign should be proportionate to the anticipated
314 return from the property. The budget for the marketing campaign should be
315 proportionate to the nature of the property and the interest being sold . You will be
316 required to justify the marketing spend as being appropriate. ~~As a guide, the~~
317 ~~budget should be about 3% of the anticipated return from the property. The~~
318 ~~strategy needs to provide details of this.~~
- 319 7.8. Guide price/rent
- 320 7.8.1. This needs to be commensurate with the current market price for similar premises
321 (which may reflect if the market is stagnant). To provide impartial evidence
322 regarding viability and marketing of the property, an independent assessment or
323 valuation is likely to be required. It is expected that the value of the property will be
324 derived from a suitably qualified expert or practioner who may well be a member of
325 RICS (Royal Institution of Chartered Surveyors) or other appropriate professional
326 organsiation. ~~valuation is likely to be required. It is expected that the value of the~~
327 ~~property will be derived from an expert RICS registered valuer (likely to be the~~

328 ~~District Valuation Office) or accredited member of RICS (Royal Institution of~~
329 ~~Chartered Surveyors)~~. The marketing must be at a reasonable and realistic value for
330 the current permitted use class and for other permitted use classes (see 8.3) both
331 for sale and rent. ~~The strategy needs to provide details of this.~~

332 7.9. Marketing statement

333 7.9.1. If there has been no success in selling or letting the unit after 12 months of
334 marketing, a marketing statement must be prepared and submitted with any
335 planning application for redevelopment or change of use. The marketing statement
336 should set out the following details:

337 ~~a. The original marketing strategy as agreed with the Broads Authority (which is~~
338 ~~likely to be in accordance with this SPD)~~

339 b. The duration and dates of the marketing campaign

340 c. The value of the property used in the marketing campaign and the justification
341 to support this value

342 d. Evidence ~~that the marketing strategy~~ how the marketing campaign was
343 delivered – to include photos of the marketing boards, copies of particulars,
344 screenshots of online advertisements, copies of press articles and adverts

345 e. A full record of enquiries received throughout the course of the marketing
346 campaign. This needs to record the date of the enquiry, details of the
347 company/individual, nature of the enquiry, if the property was inspected, details
348 of any follow-up and reasons why the prospective occupier deemed the
349 premises unsuitable. If any offers were rejected, the grounds on which the
350 offers were rejected must be provided. This will be subject to GDPR
351 requirements.

352 f. If the record of enquiries indicates a lack of interest during the marketing
353 campaign, the report needs to detail the measure undertaken to alter the
354 ~~strategy~~ campaign and to increase interest.

355 7.9.2. The statement will need to be independently reviewed. This review will be entirely
356 at the applicant's expense.

357 8. Preparing a Viability Assessment

358 8.1. Introduction

359 8.1.1. This ~~SPD~~ [guide](#) gives general information about requirements for viability
360 assessments.

361 8.1.2. [There are two types of viability assessments covered in the Local Plan and in this](#)
362 ~~SPD~~ [guide. The first is related to whether a scheme can meet policy requirements](#)
363 [like water efficiency and affordable housing. The second relates to proving if a](#)
364 [current use is not viable when an applicant is seeking a change of use or](#)
365 [redevelopment.](#)

366 8.2. Community Infrastructure Levy (CIL)

367 8.2.1. At the time of writing, the Broads Authority does not have a CIL in place.

368 8.3. [Viability Assessment – policy requirements like design, water efficiency](#) 369 [and affordable housing.](#)

370 General information

371 8.3.1. It is not intended that this ~~SPD~~ [guide](#) goes into detail about completing viability
372 assessments; instead it discusses viability assessments more generally. For more
373 detailed information, visit the NPPG: <https://www.gov.uk/guidance/viability>.

374 8.3.2. It is important to note that the Local Plan and its policies underwent a viability
375 appraisal⁹ as part of the production and examination. The viability appraisal and its
376 assumptions should be an important consideration when producing a site-specific
377 viability assessment¹⁰.

378 8.3.3. Viability assessments must now not be based on information specific to the
379 developer, and therefore need not be treated as commercially sensitive. If
380 commercially sensitive information is included, then it should be aggregated in
381 published viability assessments and executive summaries.

382 8.3.4. If no viability assessment is submitted then it will be assumed that the application is
383 policy compliant and full policy ask is being delivered / not contended

384 Requirements of viability assessments

385 8.3.5. A ~~independent chartered surveyor~~ [suitably qualified expert or practitioner who may](#)
386 [well be a member of RICS \(Royal Institution of Chartered Surveyors\) or other](#)
387 [appropriate professional organisation](#), must complete the viability assessment.

⁹ https://www.broads-authority.gov.uk/data/assets/pdf_file/0020/256115/EP28-Updated-Viability-Appraisal-for-the-Broads-Local-Plan-Nov-2018.pdf

¹⁰ By way of background, the Local Plan for the Broads was examined using the 2012 NPPF. It is noted that the NPPG and the new NPPF have specific requirements relating to viability appraisals and these are noted. When determining the specifics of a site-specific viability appraisal, the current NPPF and NPPG will be referred to, noting that the Local Plan was examined under the 2012 NPPF.

- 388 8.3.6. The level of detail and type of evidence and analysis presented should be
389 proportionate to the scale and nature of the site and/or property in question.
- 390 8.3.7. The assessment must be clear and transparent, setting out robust evidence behind
391 the assumptions and inputs that go into the development appraisal. There must be
392 no hidden calculations or assumptions in any model or appraisal.
- 393 8.3.8. Viability Assessments need to include details of the proposed scheme including site
394 area, unit numbers, number of habitable rooms (if residential), unit size, density and
395 the split between the proposed tenures/uses. Floorspace figures need to be
396 provided for residential uses (gross internal area) by tenure, and non-residential
397 uses in gross internal area (GIA) and net internal area (NIA). Information needs to be
398 provided relating to the target market of the development and proposed
399 specification, and be consistent with assumed costs and values.
- 400 8.3.9. Details of the assumed development programme and the timing of cost and income
401 inputs need to be provided.
- 402 8.3.10. Any assessments submitted needs to include an executive summary along with the
403 detailed viability assessment which clearly shows the inputs applied and the
404 outcome and should include a detailed cashflow. The information provided must be
405 able to be reviewed and interrogated without the need for additional information
406 being provided . There are several specialist appraisal models that can be used to
407 undertake the a viability apparaisal and provide the information in a suitable format
408 including the use of Microsoft Excel. ~~Any assessments submitted needs to include~~
409 ~~an executive summary and a spreadsheet version of the viability assessment model~~
410 ~~that can be opened and interrogated in Microsoft Excel and similar spreadsheet~~
411 ~~software applications. We strongly recommend Homes England’s Development~~
412 ~~Appraisal Tool, an open sourced spreadsheet that anyone can use.~~

413 Land values

- 414 8.3.11. Site promoters and developers need to ensure that the price paid for land does not
415 negatively affect the delivery of this Local Plan's objectives. The NPPG says:
- 416 • ‘The price paid for land is not a relevant justification for failing to accord with
417 relevant policies in the plan. Landowners and site purchasers should consider
418 this when agreeing land transactions’
 - 419 • ‘It is important for developers and other parties buying (or interested in buying)
420 land to have regard to the total cumulative cost of all relevant policies when
421 agreeing a price for the land. Under no circumstances will the price paid for land
422 be a relevant justification for failing to accord with relevant policies in the plan’

423 8.3.12. Where land with planning permission is subsequently sold, the price paid for land
424 should not be inflated to such an extent that it compromises the existing
425 permission. Such land transactions should remain at a price that ensures that the
426 development remains policy compliant.

427 Affordable housing

428 8.3.13. Policy DM34: Affordable housing reasoned justification says that effectively, the
429 district's percentage will be a starting point for assessment. If viability is an issue,
430 the assessment can assess lower percentages. In assessing lower percentages, the
431 assessment should demonstrate at what percentage the scheme becomes unviable.
432 Any assessment should use different tenures as they have different transfer values.
433 For example, shared equity may be 50% market value; Low Cost Home Ownership
434 may be 80 % market value. Where a developer is suggesting a scheme is unviable
435 and seeking to reduce affordable housing they should model the highest transfer
436 values in order to maximise the choice. Conversely, for any market housing, the
437 assessment will work up from zero.

438 Confidentiality

439 8.3.14. Planning practice guidance is now clear that viability assessment should be
440 prepared on the basis that it will be made publicly available other than in
441 exceptional circumstances. In general, viability assessments are published online (as
442 part of the supporting documents for planning applications on the Broads
443 Authority's website) and are kept in the planning application file with the other
444 studies, plans and information contained within the planning application. Members
445 of the public may ask to see these files.

446 8.3.15. In exceptional circumstances, where the publication of information would harm the
447 competitiveness of a business due to the necessity to include commercial
448 information unique to that business, the Authority will consider keeping some of
449 the viability assessment confidential. In such cases, the applicant will need to
450 provide full justification as to why the harm caused would outweigh the public
451 interest in publishing the information.

452 8.3.16. Even when there are exceptional circumstances (i.e. the Authority is satisfied that
453 the information is commercially sensitive) the executive summary should be made
454 public. In such publications, the commercially sensitive information should be
455 aggregated into costs in the executive summary. This does not mean that the
456 information is not split out in the appraisal; just that it is not published in
457 agreement with the Authority. Also note the reference to confidentiality in section
458 9.4.11. Please see detail in NPPG Paragraph: 021 Reference ID: 10-021-20190509

459 Revision date: 09 05 2019¹¹ entitled 'should a viability assessment be publicly
460 available?'.

461 Circumstances

462 8.3.17. Any Issues relating to the personal circumstances of the applicant or to the price
463 paid for the building cannot be taken into consideration.

464 8.4. Viability Assessment – change of use/conversion/redevelopment

465 General Information

466 8.4.1. This section relates to schemes that seek a change of
467 use/conversion/redevelopment contrary to what is permitted in the local plan.

468 Requirements of viability assessments

469 8.4.2. A ~~independent chartered surveyor~~ suitably qualified expert or practioner who may
470 well be a member of RICS (Royal Institution of Chartered Surveyors) or other
471 appropriate professional organisation

472 8.4.3. The level of detail and type of evidence and analysis presented should be
473 proportionate to the scale and nature of the site and/or property in question.

474 8.4.4. The assessment must be clear and transparent, setting out robust evidence behind
475 the assumptions.

476 8.4.5. The viability assessment needs to assess the current and likely future market
477 demand for the site or property. For the existing and future demand in terms of
478 bookings, this could be by using recent and future bookings. For future demand in
479 terms of someone taking on the property/site, expert opinion would be useful, as
480 well as interest in buying the property/site when it is marketed.

481 Assisting a business to be run in a viable manner - grant funding/financial support

482 8.4.6. As part of the assessment, the applicant will need to demonstrate that they have
483 explored all possible options to improve the viability and sustainability of the
484 service/business. It is up to the applicant to investigate and demonstrate the steps
485 they have taken, but it could include the following. Details of the grants or support
486 investigated, whether the application was successful (and if not, why not), and the
487 impact of this funding or support on viability must be provided as part of the
488 viability assessment, but this part of the viability assessment, in discussion with the
489 applicant, may be confidential.

490 a. **Business rate relief:** The district council may provide business rate relief.
491 Owners or operators of the site in question should approach the district council

¹¹ NPPG: <https://www.gov.uk/guidance/viability>

492 to discuss the potential for this, and evidence of any such discussions with the
493 district council will need to be provided with any planning application.

494 b. **Interventions to improve the commercial attractiveness:** The owner or
495 operator of the site will need to provide evidence showing how they have
496 considered reasonable interventions to improve the attractiveness of the site,
497 and evidence if these interventions are not feasible (if that is the case).

498 c. **Grant funding and financial support:** Information showing that all available
499 opportunities of grant funding and financial support to help retain the current
500 use(s) have been fully explored and that none are viable (if that is the
501 conclusion).

502 Proposals relating to Public Houses

503 8.4.7. Owners wishing to pursue other uses of a public house will need to make a planning
504 application and submit a report undertaken by a ~~independent chartered surveyor~~
505 suitably qualified expert or practitioner who may well be a member of RICS (Royal
506 Institution of Chartered Surveyors) or other appropriate professional organisation,
507 that meets the tests as set out in the CAMRA Public House Viability Test¹². The
508 Authority will need to verify the content of the report and may need to employ
509 external expertise to do so. The applicant will need to meet this expense.

510 8.4.8. The Public House Viability Test does not seek to protect the continued existence of
511 every pub -circumstances can change and some pubs find themselves struggling to
512 continue. It does, however, help all those concerned in such cases – local
513 authorities, public house owners, public house users and Planning Inspectors – by
514 providing a fact-based method to rigorously scrutinise and test the future viability of
515 a pub against a set of well-accepted measures.

516 8.4.9. The fundamental basis of this viability test is to assess the continued viability of a
517 pub business. The question to address is what the business could achieve if it were
518 run efficiently by management committed to maximising its success.

519 8.4.10. It is also important to note that some public houses may be listed as Assets of
520 Community Value¹³. These are allocated as such by the District Council, in liaison
521 with the Broads Authority. There are certain requirements relating to these Assets
522 which can be found here: [https://mycommunity.org.uk/help-centre/resources/land-](https://mycommunity.org.uk/help-centre/resources/land-and-building-assets/assets-community-value-acv/)
523 [and-building-assets/assets-community-value-acv/](https://mycommunity.org.uk/help-centre/resources/land-and-building-assets/assets-community-value-acv/)

¹² CAMRA Public House Viability Test: https://camra.org.uk/campaign_resources/public-house-viability-test/

¹³ It should be noted that other properties/venues/sites can be allocated as Assets of Community Value. Again, see websites of our [Councils](#).

524 Confidentiality

525 8.4.11. There may be some instances where parts of the assessments are deemed
526 confidential.

527 Circumstances

528 8.4.12. Any Issues relating ~~to the personal circumstances of the applicant or~~ to the price
529 paid for the building cannot be taken into consideration.

530 8.5. Independent Review – both types of viability assessments.

531 8.5.1. The Authority will need to verify the content of a viability assessment and may need
532 to employ external expertise to do so. The applicant will need to meet this expense.

533 8.5.2. The independent review will assess and scrutinise the assumptions and inputs
534 applied in undertaking the assessment and give a view on whether the assessment
535 is robust. If the assessment is not considered robust, this will be discussed with the
536 applicant who may be asked to amend the assessment. Depending on
537 circumstances, the independent review may include a revised viability assessment
538 in accordance with this ~~SPD~~ guide and again the applicant will need to meet this
539 expense.

540 9.6 Relevant links

541 8.5.3. The following links may contain useful information:

- 542 • [Financial viability in planning: conduct and reporting \(rics.org\)](#)
- 543 • [RICS guidance note on the National Planning Policy Framework](#)

544 **9. Summary**

545 9.1. If you intend to submit a planning application to the Broads Authority, please check
546 at an early stage whether your proposal will require marketing of the site and/or a
547 viability assessment. If it does, you must submit the assessment with your
548 application as the Authority cannot validate your application until the assessment is
549 received.

550 9.2. Please note that the assessment will be treated as public information in support of
551 the application, along with all the other required documents and plans. As discussed
552 in this Guide, there could be some instances where parts of the assessments are
553 deemed confidential.

554 9.3. During the determination of the application, the Authority will assess the
555 information you have provided against the marketing and viability requirements set
556 out in this ~~SPD~~ guide. It will verify the content of any viability assessments and may
557 need to employ external independent expertise to do so. As the applicant, you will
558 need to meet this expense. The Authority will consider the expert advice and let you
559 know whether: (a) the assessment adequately demonstrates the argument you

560 have put forward; (b) further information is required; or (c) the assessment does
561 not demonstrate the case. The application will then be determined accordingly.

562 **Appendix A: SEA Screening**

563 ~~The Strategic Environmental Assessment (SEA) Directive is a European Union requirement~~
 564 ~~that seeks to provide a high level of protection of the environment by integrating~~
 565 ~~environmental considerations into the process of preparing certain plans and programmes.~~
 566 ~~Its aim is “to contribute to the integration of environmental considerations into the~~
 567 ~~preparation and adoption of plans and programmes with a view to promoting sustainable~~
 568 ~~development, by ensuring that, in accordance with this Directive, an environmental~~
 569 ~~assessment is carried out of certain plans and programmes which are likely to have~~
 570 ~~significant effects on the environment.”~~

571 ~~With regards to an SPD requiring a SEA, the NPPG says:~~

572 ~~Supplementary planning documents do not require a sustainability appraisal but may in~~
 573 ~~exceptional circumstances require a strategic environmental assessment if they are likely to~~
 574 ~~have significant environmental effects that have not already have been assessed during the~~
 575 ~~preparation of the Local Plan.~~

576 ~~A strategic environmental assessment is unlikely to be required where a supplementary~~
 577 ~~planning document deals only with a small area at a local level (see regulation 5(6) of the~~
 578 ~~Environmental Assessment of Plans and Programmes Regulations 2004), unless it is~~
 579 ~~considered that there are likely to be significant environmental effects.~~

580 ~~Before deciding whether significant environment effects are likely, the local planning~~
 581 ~~authority should take into account the criteria specified in Schedule 1 to the Environmental~~
 582 ~~Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies.~~

583 ~~The following is an internal assessment relating to the requirement of the Draft Marketing~~
 584 ~~and Viability SPD to undergo a Strategic Environmental Assessment.~~

The Environmental Assessment of Plans and Programmes Regulations 2004 requirement	Assessment of the Marketing and Viability SPD
Environmental assessment for plans and programmes: first formal preparatory act on or after 21st July 2004	
Is on or after 21st July 2004.	Yes. The SPD will be completed in 2019.
The plan or programme sets the framework for future development consent of projects.	No. It elaborates on already adopted policy.
The plan or programme is the subject of a determination under regulation 9(1) or a direction under regulation 10(3) that it is likely to have significant environmental effects.	See assessment in this table.

The Environmental Assessment of Plans and Programmes Regulations 2004 requirement	Assessment of the Marketing and Viability SPD
Criteria for determining the likely significance of effects on the environment	
1. The characteristics of plans and programmes, having regard, in particular, to	
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The SPD expands on adopted policy. It will be a material consideration in determining planning applications. It is considered that the subject of the SPD does not negatively impact this criterion.
the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD does not influence other plans, rather expands on adopted policy. That is to say, it has been influenced by other plans or programmes.
the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	It is considered that the subject of the SPD does not negatively impact this criterion.
environmental problems relevant to the plan or programme	It is considered that the subject of the SPD does not negatively impact this criterion.
the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	It is considered that the subject of the SPD does not negatively impact this criterion.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to	
the probability, duration, frequency and reversibility of the effects	It is considered that the subject of the SPD does not negatively impact this criterion.
the cumulative nature of the effects	It is considered that the subject of the SPD does not negatively impact this criterion.
the transboundary nature of the effects	The Broads Authority sits within six districts so by its very nature there are transboundary considerations, in relation to administrative boundaries.

The Environmental Assessment of Plans and Programmes Regulations 2004 requirement	Assessment of the Marketing and Viability SPD
	It is considered that the subject of the SPD does not negatively impact this criterion. The requirements will relate to a specific scheme and site.
the risks to human health or the environment (for example, due to accidents)	It is considered that the subject of the SPD does not negatively impact this criterion.
the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will cover the Broads Authority which includes 6,000 permanent residents. There are also visitors throughout the year.
the value and vulnerability of the area likely to be affected due to— <ul style="list-style-type: none"> • special natural characteristics or cultural heritage; • exceeded environmental quality standards or limit values; or • intensive land use; 	The Broads is special in its natural characteristics and cultural heritage. Unsure if standards or limits have been exceeded in the Broads Not relevant
The effects on areas or landscapes which have a recognised national, Community or international protection status.	The area to which the SPD applies is the Broads with an equivalent status to that of a National Park.

585 ~~Response to consultation with Historic England, Natural England and Environment Agency:~~

586 ~~Historic England~~

587 ~~In terms of our area of interest, given the nature of the SPD and on the basis of the~~
588 ~~information provided in this consultation, we would concur with your assessment that the~~
589 ~~document is unlikely to result in any significant environmental effects and will simply~~
590 ~~provide additional guidance on existing Policies contained within an Adopted Development~~
591 ~~Plan Document which has already been subject to a Sustainability Appraisal/SEA. As a result,~~
592 ~~we would advise that it is not necessary to undertake a Strategic Environmental Assessment~~
593 ~~of this particular SPD.~~

594 ~~Environment Agency~~

595 ~~As stated, it elaborates on already adopted policy. We therefore agree with the conclusions~~
596 ~~you have drawn in that an SEA likely is not required.~~

597 Appendix B: Privacy notice

598 Personal data

599 The following is to explain your rights and give you the information you are entitled to under
600 the Data Protection Act 2018. Our [Data Protection Policy](#) is available on the Broads
601 Authority website..

602 The Broads Authority will process your personal data in accordance with the law and in the
603 majority of circumstances this will mean that your personal data will be made publicly
604 available as part of the process. It will not however be sold or transferred to third parties
605 other than for the purposes of the consultation.

606 1. The identity of the data controller and contact details of our Data Protection Officer
607 The Broads Authority is the data controller. The Data Protection Officer can be contacted at:
608 dpo@broads-authority.gov.uk or (01603) 610734.

609 2. Why we are collecting your personal data

610 Your personal data is being collected as an essential part of the consultation process, so that
611 we can contact you regarding your response and for statistical purposes. We may also use it
612 to contact you about related matters. We will also contact you about later stages of the
613 Local Plan process.

614 3. Our legal basis for processing your personal data

615 The Data Protection Act 2018 states that, as a Local Planning Authority, the Broads
616 Authority may process personal data as necessary for the effective performance of a task
617 carried out in the public interest, i.e. a consultation.

618 4. With whom we will be sharing your personal data

619 Your personal data will not be shared with any organisation outside of MHCLG. Only your
620 name and organisation will be made public alongside your response to this consultation.

621 Your personal data will not be transferred outside the EU.

622 5. For how long we will keep your personal data, or criteria used to determine the retention 623 period.

624 Your personal data will be held for 16 years from the closure of the consultation in
625 accordance with our [Data and Information Retention Policy](#).

626 6. Your rights, e.g. access, rectification, erasure

627 The data we are collecting is your personal data, and you have considerable say over what
628 happens to it. You have the right:

629 a) to see what data we have about you

630 b) to ask us to stop using your data, but keep it on record

- 631 c) to ask to have all or some of your data deleted or corrected
- 632 d) to lodge a complaint with the independent Information Commissioner (ICO) if you
- 633 think we are not handling your data fairly or in accordance with the law. You can
- 634 contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.
- 635 7. Your personal data will not be used for any automated decision making.

636 Appendix C: Additional requirements relating to specific 637 proposals/policies

638 Introduction

639 Some schemes are specific and trigger slightly different approaches to marketing and
640 viability. In these instances, as set out above, the approach to marketing needs to be agreed
641 with the Authority and viability and marketing assessments will be reviewed by external
642 expertise with the cost met in full by the applicant. The specific differences are highlighted
643 in bold.

644 Economy section of Local Plan.

645 The reasoned justification to policy DM26: Protecting general employment says that any
646 assessment needs to consider employment, tourism, recreational and community uses of
647 the site.

648 ‘To prevent the loss of established employment sites and properties, proposals to redevelop
649 them to uses related to community facilities or to sustainable tourism and recreation uses
650 will only be permitted if it can be demonstrated that employment uses (uses within Classes
651 B1, B2 or B8 of the Town and Country Planning (Use Classes) (Amendment) (England) Order
652 2010) are unviable. **Only then will alternative uses be permitted, again subject to
653 demonstrating that employment, tourism, recreational or community uses would be
654 unviable’.**

655 Heritage section of the Local Plan

656 The reasoned justification to policy DM12: Re-use of Historic Buildings says that
657 assessments need to consider and detail conversion costs and market for economic, leisure
658 and tourism uses of the site.

659 ‘Applications to convert a historic building to residential use will be expected to be
660 accompanied by a report, undertaken by an independent Chartered Surveyor, **which
661 demonstrates why economic, leisure and tourism uses would not be suitable or viable as a
662 result of inherent issues with the building.** Issues relating to the personal circumstances of
663 the applicant or as a result of a price paid for the building will not be taken into
664 consideration. **Details should be provided of conversion costs and the estimated yield of
665 the commercial uses, and evidence provided on the efforts that have been made to secure
666 economic, leisure and tourism re-use** for a continuous 12-month period’.

667 Tourist accommodation section of the Local Plan

668 Policy DM30: Holiday accommodation – new provision and retention says that the emphasis
669 is on demonstrating no demand for tourist accommodation in the area as well as assessing
670 the impact of a net loss of accommodation that is necessary.

671 'Existing tourism accommodation will be protected. Change of use to a second home or
672 permanent residence will only be considered in exceptional circumstances **where it can be**
673 **fully and satisfactorily demonstrated that there is no demand for tourist accommodation**'.

674 'To make sure new holiday accommodation is used for tourism purposes that benefit the
675 economy of the Broads, occupancy conditions will be sought to prevent the accommodation
676 from being used as a second home or sold on the open market. To ensure an adequate
677 supply of holiday accommodation is retained, the removal of such a condition will only be
678 permitted where the proposal is accompanied by a statement, completed by an
679 independent chartered surveyor, which demonstrates that it is financially unviable or **that**
680 **any net loss of accommodation is necessary to allow appropriate relocation or**
681 **redevelopment**'.

682 Affordable Housing policy

683 Policy DM34: Affordable housing reasoned justification says that effectively, the district's
684 percentage will be a starting point for assessment.

685 'The independent review process will require the applicant to submit a site-specific viability
686 appraisal (to include a prediction of all development costs and revenues for mixed use
687 schemes) to the Authority's appointed assessor. **They will review the submitted viability**
688 **appraisal and assess the viable amount of affordable housing or the minimum number of**
689 **market homes needed to cross subsidise the delivery of affordable housing on a rural**
690 **exceptions site**. This review shall be carried out entirely at the applicant's expense. Where
691 little or no affordable housing would be considered viable through the appraisal exercise,
692 the Authority will balance the findings from this against the need for new developments to
693 provide for affordable housing. In negotiating a site-specific provision with the applicant,
694 the Authority will have regard to whether or not the development would be considered
695 sustainable in social terms'.

696 Converting buildings

697 Policy DM48: Conversion of buildings reasoned justification says that assessments need to
698 consider and detail conversion costs and commercial yield and consider proposals for
699 economic, commercial, leisure and tourism uses.

700 'Residential conversions may be appropriate for some types of buildings and in certain
701 locations, providing that it has been demonstrated that a **commercial or community use of**
702 **the building is** unviable and that the building is of sufficient quality to merit retention by
703 conversion. Applications to convert a building outside of a development boundary to
704 residential use should be accompanied by a report undertaken, by an independent
705 Chartered Surveyor, which **demonstrates why employment, recreation, tourism and**
706 **community uses would not be viable due to inherent issues with the building**. This should
707 include **details of conversion costs, the estimated yield of the commercial uses, and**

708 **evidence of the efforts that have been made to secure employment, recreation, tourism**
709 **and community** re-use for a sustained period of 12 months’.

710 Rural enterprise workers dwellings

711 Policy DM38: Permanent and temporary dwellings for rural enterprise workers addresses
712 what to do if the condition relating to a rural enterprise dwelling is proposed to change to
713 make it market residential.

714 ‘Should a new dwelling be permitted under this policy, the Authority will impose a condition
715 restricting its occupation to a person (and their immediate family) solely or mainly
716 employed in agriculture, forestry or a Broads related rural enterprise, as appropriate.

717 The **removal of an occupancy condition** will only be permitted in exceptional circumstances
718 where it can be demonstrated that:

719 a) There is no longer a long-term need for the dwelling on the particular enterprise on
720 which the dwelling is located; and

721 **b) Unsuccessful attempts have been made to sell or rent the dwelling at a price that**
722 **takes account of the occupancy condition**

723 Applications for the removal of occupancy conditions will also need to **be accompanied by**
724 **robust information to demonstrate that unsuccessful attempts have been made, for a**
725 **continuous period of at least 12 months, to sell or rent the dwelling at a reasonable price.**
726 **This should take account of the occupancy condition, including offering it to a minimum of**
727 **three local Registered Social Landlords operating locally on terms which would prioritise**
728 **its occupation by a rural worker as an affordable dwelling, and that option has been**
729 **refused. With regards to criterion j), unless there are special circumstances to justify**
730 **restricting the dwelling to the particular enterprise where the dwelling is located, an**
731 **occupancy condition is likely to allow occupation by other workers in the locality. In this**
732 **case it should be considered whether there is other demand locally, not just whether the**
733 **demand for this particular enterprise has ceased’.**