



Self-Build and Custom Housebuilding Register Policy

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Revision History

Date	Version	Summary of Changes Keep VERY brief	Section(s) Changed
October 2018	1.0	New policy	
September 2019	2.0	Review of policy and minor amendments made to the local connection test and removal of chairing policy	

Equalities Impact Assessment This must be done each time a policy/strategy is fundamentally revised

Assessment date	July 2019
Assessment location	This is a reviewed policy, which seeks to maintain a local connection test, financial viability assessment.

1.0 Introduction

- 1.1 The draft Allerdale Borough Council Local part 2, policy SA4 details the council's policy towards Self-build and Custom Build housing.
- 1.2 This policy describes how the Council will manage the Self-build and Custom Housebuilding register.
- 1.3 The Allerdale Borough Council register does not cover the Lake District National Park, who have their own register.
- 1.4 This policy is being reviewed following the introduction of the Self-build and Custom Housebuilding Act 2015, and sets out three key areas that support Local Authorities to meet its legislative requirements
 - Local connection test
 - Financial viability assessment
 - Charging fee

2.0 Legislative and national policy context

- 2.1 In March 2015, the Self-Build and Custom Housebuilding Act 2015 was enacted by Parliament. This Act placed a duty on local authorities to keep a register of individuals, and associations of individuals, who wish to acquire serviced plots of land, to bring forward self-build and custom housebuilding projects and to place a duty on those authorities to have regard to those registers in carrying out planning and other functions.
- 2.2 On 1st April 2016, *the Self-Build and Custom Housebuilding (Register) Regulations 2016* came into force. These implemented the requirement for local authorities to hold a register of individuals and associations who are seeking to acquire serviced plots of land in the authority's area in order to build their own home.
- 2.3 Through these Regulations, the Council was required to publicise the ability for individuals and associations to apply for entry on the Register, and the Regulations and subsequent national planning practice guidance set out what eligibility criteria the Council could use to assess those applications.
- 2.4 On 31 October 2016, two further sets of regulations came into force, *the Self-Build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016* and *the Self-build and Custom Housebuilding Regulations 2016*.
- 2.5 The Self-Build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016 placed a requirement on local authorities to grant sufficient planning permissions for serviced plots of land for self and custom-build to meet the demand evidenced by their Register, specifically to have granted these permissions within 3 years of a given base date.

- 2.6 These regulations also introduced the ability for local authorities to charge a fee for applications to the Register to cover reasonable costs incurred by a local authority in maintaining the Register and in delivering permissions for serviced plots to meet the demand on the Register.
- 2.7 The Self-build and Custom Housebuilding Regulations 2016 (the second set that came into force on 31st October) updated how a local authority might assess eligibility for entry on the Register, introducing the option of local eligibility criteria that a local authority might set that could include a local connection test and/or criteria that demonstrate whether an applicant has sufficient resources to undertake a self or custom build project.

The Regulations also introduced the idea of a Part 1 and Part 2 of the Register to distinguish between applicants with and without a local connection. The Regulations do not require the Council to ensure planning permission is granted for sufficient serviced plots to meet the demand on Part 2 of the Register (i.e. that is only required for the demand evidenced by Part 1).

3.0 Local policy context

- 3.1 The Allerdale Local Plan (Part 1) adopted in July 2014 sets out the strategic context for the Allerdale Plan Area and will be complemented by Part 2: Site Allocations Document, to be prepared in line with the timescales set in the Local Development Scheme.
- 3.2 The Local Plan (Part 1) contains strategic objectives designed to help in the creation of mixed and balanced housing markets.
- 3.2.1 Strategic Objective SO2a of the Local Plan is to “Enable a balanced housing market that delivers a mix of housing type and tenure to meet the needs of all communities.”
- 3.2.2 Strategic Objective SO2c of the Local Plan is to “Ensure a deliverable supply of housing land that meets the needs of the community and local economy”.
- 3.3 The Local Plan (Part 2) is at an advanced state of consultation and in the document, the Council supports self-build and custom housebuilding.
- 3.4 The National Planning Policy Framework set out the Government’s planning policies for England and how these are expected to be applied. Paragraph 50 means that local authorities must “...deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities...”
- 3.5 The Council plan identifies the Council’s key priorities between 2019-2023. One of the priorities is ‘Quality Places to Live’, which includes the right homes in the right places.

3.6 The 2016 Housing Study acts as an evidence base. It identified 152 households planning to move in the next five years who would be interested in self-build, of these 70 households expected to move into a self-build property¹.

4.0 Self-build and Custom Housebuilding Definition

4.1 Self-build and Custom Housebuilding provides an opportunity for individuals or groups of individuals who want to design and build their own homes as an alternative to that offered by volume house builders of existing housing stock.

4.2 Self-build is where a person is directly involved in organising and constructing their home. Custom housebuilding is where a person commissions a specialist developer to help to deliver their own home.

5.0 Scope of the Policy

Section 4 of The Self-build and Custom Housebuilding Regulations 2016 states that:

An individual is eligible for entry in Part 1 of the register if that individual—

- (a) is aged 18 or over;
- (b) is a British citizen, a national of an EEA State other than the United Kingdom, or a national of Switzerland;
- (c) satisfies any conditions set by the relevant authority under regulation 5²;
- (d) has paid any fee required by the relevant authority to be paid to be entered in or to remain on the register; and
- (e) is seeking (either alone or with others) to acquire a serviced plot of land in the relevant authority's area for their own self-build and custom housebuilding.

Households which meet all the conditions above will be placed on part 1 of the Register. Households who meet all the conditions above, excluding part (c) will be placed on part 2 of the Register. Households who do not meet parts (a), (b), (d) or (e) will not be placed on the Register.

This policy will direct the three key areas which the legislation enables councils to set, as follows:

5.1 Local Connection test

The applicant must meet one of the following:

- Resident in Allerdale for at least 12 months

¹ Part 4.50 of the Allerdale 2016 Housing Study

² Regulation 5 of the Self-build and Custom Housebuilding Regulations 2016 allows authorities to set additional criteria for eligibility

- No longer residing in Allerdale but was a resident for at least one of the last five years
- Family association with an existing resident of at least 12 months residence in Allerdale. Family association is defined as spouse, civil partner, parent, children and siblings. We will also allow family associations through marriage e.g. step parents, children and siblings.
- Permanent employment in Allerdale or acceptance of the offer of employment

5.1.2 The 2016 regulations also specify that any person in the service of the regular armed forces of the Crown is deemed to satisfy the local connection test whilst in service, and for a period after leaving the service equal to the longest of any periods required by the local connection test. This would support the Cumbria Armed Forces and Community Covenant, of which Allerdale Borough Council is a partner.

5.2 Financial Viability test

5.2.1 The applicant meets the financial viability assessment where they provide written evidence of sufficient resources to purchase land.

5.3 Charging Fees

The Council will not impose an administration fee on those wishing to be apply to be on the register.

6.0 Monitoring the Register

6.1 Each September the Council will send a registration form to all those who are currently on the register.

6.2 New applications to the register can be made at any time throughout the year, Applicants who entered the register before 1 September each year will be required to re-register.

6.3 Individuals or associations entered on the register may apply to amend their entry. Applications for amendments should be submitted in writing by the individual or the lead member of the association

6.4 The Council will remove an entry from the register upon receipt of a written request from the individual or, in the case of an association, the lead contact.

6.5 The Council may remove an entry from the register if it considers that the individual or, in the case of an association, any member of the association on the register is no longer eligible for entry on the register. Only the ineligible member of an association will be removed from the register.

6.6 Where it is decided to remove an entry from the register, the Council will notify the subject of the entry and give reasons for their decision.