

Advice Note on proposals for Custom and Self-Build Housing (Revised December 2017)

1. Background

- 1.1. The Government has put in place a series of Acts and Regulations which require Local Authorities to support increasing the number of developments which come forward as custom and self-build properties. South Norfolk Council was part of the national Vanguard Project for delivering self-build and it is keen to support appropriate proposals.
- 1.2. Self- and custom-build can cover a broad spectrum, from people undertaking self-build projects themselves for affordability reasons (generating so-called 'sweat equity') to those wanting 'aspirational' homes. There are various types of potential self-build, including (1) individuals or associations of individuals applying for their own self-build plot(s), (2) land owners/developers providing plots for sale either as standalone self-build developments or (3) as part of a larger mixed tenure development or (4) affordable self-build units on 'exceptions' sites. The broad principles for these types of development (suitable locations, criteria against which applications will be assessed, affordable housing requirements etc.) are already covered under a range of [adopted Local Plan](#) policies.
- 1.3. For the purposes of this Advice Note, custom and self-build dwellings share the same definition¹ and the terms are used interchangeably. The practical difference is that custom-build is where a person commissions a specialist developer to help to design, build and deliver their own home, while self-build is where a person is more directly involved in delivering and constructing their home themselves (for example, doing their own brick-laying and plumbing).
- 1.4. This Advice Note aims to highlight some of the key issues that need to be taken into account when someone is considering/ proposing a custom-build development and signposts useful information which is already available on the Council's website, with direct links to relevant pages.

¹ Government definition from the Self-build and Custom Housebuilding Act 2015 (as amended): 'Self build and custom housebuilding' means the building or completion by - a) Individuals; b) associations of individuals; or c) persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals. But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person'.

2. Registering your interest in a self-build plot

- 2.1. In line with the Government's requirements, the Council keeps a register of those people interested in acquiring a serviced plot for self-build development within South Norfolk, known as the 'self-build and custom housebuilding register'. Currently most people register as individuals, although groups of individuals can also register as an association. At 30 October each year the Council will take the number of people who have been added to the register in the previous 12 months and this will form the basis of the requirement the Council will address over the following three years. At 30 October 2016, 112 people were on the register, and the Council will therefore need to ensure sufficient plots that could be used for self-build are granted permission by 30 October 2019; these will need to be serviced plots or plots which can, in the opinion of the Council, be provided with the services before the permission expires.
- 2.2. The Council does not apply a 'local connection criteria' and at present makes no charge for being on the register. Whilst the registration form (which is used by several Norfolk authorities) asks about the budget available to the self-builder for delivering the self-build, the Council does not currently use this as a criterion for being on the register.

3. Location of proposals

- 3.1. The Government and the Council are keen to promote self-build development within the overall framework of achieving sustainable development. As noted in all of the Council's Development Management Committee agendas, '*in accordance with legislation planning applications must be determined in accordance with the policies of the Development Plan, unless material considerations which are relevant to planning indicate otherwise*'. Therefore proposals will need to be in accordance with national and local policy and the fact that the proposal is for self-build will be one of the material considerations and given appropriate weight in the planning balance when making a decision. Whilst the registration form asks a number of questions about the type of plots and property being sought by those registering, the Council is not required to match the suitable sites that come forward with those requests; however, the Council will seek to meet self-builders' requirements where these are consistent with other local and national policies
- 3.2. The Council has an adopted Local Plan which sets Development Boundaries for a wide range of settlements across the district. The majority of these can be found in the [Site Specific Allocations and Policies Document](#), whilst [Long Stratton](#) and

[Wymondham](#) are covered by separate Area Action Plans. The Council is broadly supportive of sites coming forward within those Development Boundaries. Proposals within boundaries will need to be considered in the context of a range of criteria, including (but not limited to): design, access, residential amenity, impact on environmental and heritage assets, and drainage/flood risk. The Local Plan also details circumstances where dwellings can be located outside Boundaries, such as where they are part of the conversion of an existing building or replace a current dwelling. A range of policies in the Council's [Development Management Policies document](#) will be relevant, depending on the location and nature of the specific proposal. In terms of assessing proposals, potential applicants may find it useful to consider the [pre-application service](#) offered by the Council. Through the pre-application service the Council will alert all of those proposing smaller residential developments, of up to 5 units, of the possibility of bringing some or all of the site forward as self-build. For larger developments the Council will also encourage promoters to consider self-build as part of the overall mix of properties.

3.3. In order to provide a variety of development types in South Norfolk, the Council has made a number of smaller allocations in the Site Specific Allocations document, many of which are still undeveloped and which could be particularly suitable for self-build. It is possible that some (or parts of some) larger allocations or existing sites with outline planning permission may also be suitable for an element of self-build. The Council is currently working on a new Local Plan, jointly with Broadland District and Norwich City Councils, and potential self-builders may wish to put sites forward to be considered for inclusion in the emerging [Greater Norwich Local Plan](#). In addition to Local Plans, a number of South Norfolk parish councils have already undertaken or are undertaking [Neighbourhood Plans](#); a Neighbourhood Plan must be in general conformity with the strategic policies of the Local Plan, but could allocate additional sites, make amendments to the development boundary or introduce a new policy to facilitate self-build. Consequently self-builders may wish to contact the relevant parish council to find out whether a Neighbourhood Plan is being considered; contact details can be found on the [Town and Parish Councils](#) page of the South Norfolk website.

3.4. The Council publishes annually a list of all planning permissions which have yet to be completed, called the 'Residential Land Availability' (RLA). This is available on the Monitoring section of the Planning Policy page of the Council's website. The RLA includes details of numerous smaller sites (set out by parish) which may provide a source for those seeking available and suitable locations. Details of what each permission is for can be found by using the application reference at the Council's [online applications](#) page.

4. Design

4.1. Many self-build applications will come forward in the same way as those for other housing and the same requirements will be made in terms of achieving an appropriate design. However, the benefits of self-build include delivering properties tailored to the requirements of the self-builder and potentially providing a greater variety of design. Advice on key considerations can be found in the [Development Management Policies](#) part of the Local Plan and the [South Norfolk Place-Making Guide](#). Where self-build units form part of a larger scheme, it may well be useful to include a requirement for a design code at the outline permission stage, so that the constituent units come forward in a coherent (but not prescriptive) manner and achieve the requirement of Development Management Policy DM 3.8 '*to achieve high quality design and positive improvement from all development*'. A design code could include specifying the minimum requirements in terms of plot form, density, minimum/maximum floorspaces, building line/frontages, parking arrangements, massing and specific building/townscape features etc. Further advice can be sought through the Council's [pre-application process](#).

4.2 An alternative approach may be to have a more specific design code and overriding vision document for a group of houses to be designed to have a more harmonious appearance as a distinctive group, but with freedom to selectively 'pick and mix' design elements to meet individual plot purchaser/self-builders requirements at the build stage. Such an approach could be design led and coordinated by an architectural practice for example and may be desirable in areas of greater contextual sensitivity such as being close to listed buildings or conservation areas, or being very visible within areas of open countryside

5. Community Infrastructure Levy

5.1. One of the ways in which self-build housing is supported is through exemption from Community Infrastructure Levy (CIL). This exemption is not automatically applied and needs to be claimed by the applicant **before** the commencement of development. The exemption cannot be retrospectively claimed after construction of the house has started. There are two main considerations to ensure that the CIL exemption can successfully be claimed:

- **Phasing** - If the development includes more than one dwelling, then either the self-build exemption needs to be claimed for all of the self-build houses before any of the development is started, or the development needs a phasing condition as part of the planning permission, so that each self-build unit is a

separate phase and the need for an exception is not triggered until development of that phase is ready to commence;

- **Evidence** - The potential evidence which must be provided to claim the exemption is set out below:

5.2. In terms of **phasing** the development, advice can be sought from the Council's Planning Officers through the [pre-application process](#) or as part of the determination of the planning application itself. The Council would strongly encourage consideration be given to this issue before the submission of an application. In particular, consideration will need to be given as to whether the implementation of shared infrastructure, such as an access road, would need to be phased separately before any of the dwellings are commenced.

5.3. In terms of the **evidence** that is needed to claim the self-build exemption from CIL, this is set out by Government. In summary, this must include:

- Proof of the date of completion – a copy of the building completion or compliance certificate for the home issued by Building Control
- Proof of ownership – a copy of the title deeds (freehold or leasehold)
- Proof of occupation of the dwelling as the applicant's principal residence – a Council Tax certificate – and two further proofs of occupation of the home as a principal residence (a utility bill, bank statement or confirmation that the applicant is on the local electoral roll).

In addition to the above, applicants must also provide a copy of one of the following:

- An approved claim from HM Revenue and Customs under 'VAT431: VAT refunds for DIY housebuilders'; or
- A Specialist Self Build Warranty; or
- An approved Self Build Mortgage from a bank or building society.

5.4. Further details can be found on the [CIL pages](#) of the Council's website, which are updated regularly.

5.5. The Government's Housing White Paper 'Fixing our broken housing market' (February 2017) has committed to '*ensure the exemption from the Community Infrastructure Levy for self-build remains in place while longer term reforms to the system of developer contributions are being explored*'.

6. Other contributions to infrastructure

6.1. Whilst self-build units are not required to pay any CIL, the overall development may trigger other infrastructure requirements. Amongst other things, those proposing

larger schemes will need to consider whether there will be a need to provide affordable housing units, and children's play space/recreational space. The Council can provide guidance on the up-to-date requirements at the time an application is proposed to be submitted. The Council will work with the applicants to ensure that requirements do not undermine the viability of the development.

South Norfolk Council

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Note: Paragraph 2.2 revised following 4 December 2017 Cabinet decision not to continue with a local connection criterion.