

# **Self and Custom Build Monitoring report February 2022**

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**Appendix 1 List of Neighbourhood Development Plans with references to Self/Custom Build**

**Appendix 2 List of planning permissions granted counted towards requirement of base period 1**

**Appendix 3 List of planning permissions granted counted towards requirement of base period 2**

**Appendix 4 List of planning permissions granted counted towards requirement of base period 3**

## 1. Introduction

- 1.1 [The Self-build and Custom Housebuilding Act 2015](#) (as amended by the Housing and Planning Act 2016) (“The Act”) forms part of the government’s agenda to increase the supply of homes through self and custom build. The Act provides a legal definition of self and custom housebuilding and is further described in [Planning Practice Guidance](#) as covering a wide range of projects. These can vary from where individuals or an association are involved in building or managing the construction of their home from beginning to end, to the other end of the scale where they commission their home, making key design and layout decisions. The Government wants to increase the capacity and diversity of the housebuilding industry to build more high quality new homes faster and believes expanding the self and custom build sector will make an important contribution to this.
- 1.2 The Act required local planning authorities to establish a register by April 1 2016 and to maintain it thereafter to keep a register of individuals and associations of individuals, who want to acquire serviced building plots in the authority’s area. Herefordshire Council established its self and custom build register on April 1 2016.
- 1.3 [The Self-build and Custom Housebuilding Regulations 2016](#), set out detail on the requirements for custom build registers including the ability for relevant authorities to define their own eligibility criteria in limited circumstances, and provide the detail required for the section 2A duty. However Herefordshire Council does not set any eligibility criteria. The regulations also define a serviced plot of land as being land with, or that can be provided with, utilities (electricity, water and waste water) and access to the public highway.
- 1.4 [The Self-build and Custom Housebuilding \(Time for Compliance and Fees\) Regulations 2016 \(legislation.gov.uk\)](#) requires local planning authorities to grant planning permissions for serviced plots to equal the number of entries onto the register in a given period (known as base periods) within 3 years of the end of each base period. These regulations also allow local planning authorities to charge a fee to be entered onto the register. However Herefordshire Council does not charge any fee for this.
- 1.5 The legislation sets out the information that should be collected by local authorities from people who are entering their details onto the register. However, applicants can be asked to provide optional additional information to help provide a better understanding of the nature of demand for self-build and custom housebuilding in their area. This in turn can be used inform local planning policies and assist in bring forward appropriate land. In the case of Herefordshire this will be used to inform the emerging Local Plan update and the Neighbourhood Development Plans.

## 2. Planning Policy Framework

2.5 [The Herefordshire Local Plan Core Strategy](#) was adopted in October 2015 prior to the legislation coming into force and the Herefordshire Self and Custom Build register being set up. Therefore the Core Strategy does not include policies that specifically refer to self and custom build but it does reference support for the principle to develop self and custom plots, in the supporting text of the document. A number of [Neighbourhood Development Plans](#) include policies, allocations or reference to self and custom build in their documents. A list of these can be found in Appendix 1.

## 3 The Herefordshire Self-Build and Custom Housebuilding Register

3.1 [The Herefordshire County Self-build and Custom Build Register](#) was established in April, 2016, and has been available for people to submit their application through the Herefordshire council website [online form](#).

3.2 The table below sets out the number of individuals and associations registered for each base period since the 1 April 2016.

**Table 1: Number of Registrants entered on individual base periods.**

| <b>Base Period (BP)</b>                       | <b>Number of Individuals*</b> | <b>Number of Associations of Individuals</b> |
|---|-------------------------------|--|
| <b>BP1:</b> 1 April 2016-30 October 2016      | 174                           | 1  |
| <b>BP2:</b> 31 October 2016 – 30 October 2017 | 139                           | 0  |
| <b>BP3:</b> 31 October 2017 -30 October 2018  | 76                            | 0  |
| <b>BP4:</b> 31 October 2018 -30 October 2019  | 82                            | 0  |
| <b>BP5</b> 31 October 2019 -30 October 2020   | 59                            | 0  |
| <b>BP6</b> 31 October 2020 -30 October 2021   | 111                           | 2  |

\*These figures take into account duplicate entrants within and across the base periods and correct a previous reporting error.

#### **4 Planning permissions granted to meet the demand on the registers.**

4.1 [Planning Practice Guidance](#) states that a relevant authority must be satisfied that development permissions being counted meet the legislative requirements. In order to achieve this, the Council has analysed planning permissions granted between October 31 2016 and October 30 2021 and has counted planning permissions using the following criteria:

- Planning applications that have self or custom build in their description;
- Those identifying the proposal as self-build in the 'housing type' section of the planning application form.
- Where there is evidence in the design and access statement, planning statement or correspondence relating to the planning application.
- Known to Planning Officers from discussion with agent and /or applicant.
- Building plots for sale with outline planning permission that provide an opportunity for self and custom house builders to design their home to their own specifications through reserved matters. They are sometimes advertised as opportunity for self-builders.

4.2 The council considers that this is a fair and reasonable approach and that these meet the legislative requirements. However there are some planning applications where it is not always clear whether an application is for self or custom build or is for market housing. In these cases, the permissions are not include in the monitoring.

4.3 Details of individual permissions that have been counted towards meeting the demand for self and custom build shown on the registers for base periods 1,2, and 3 can be found in Appendices 1,2, and 3 respectively. However the following table summarises this information:

**Table 2 Number of plots granted planning permission that meets definition of self and custom build for the first 3 base periods.**

| Base Period Number | Dates of Base Period              | Number of plots required | Number of plots granted planning permission granted within the 3 years following the end of the base period |
|--------------------|-----------------------------------|--------------------------|---|
| 1                  | 1 April 2016- October 30 2016     | 175                      | 175   |
| 2                  | 31 October 2016 –30 October 2017  | 139                      | 139   |
| 3                  | 31 October 2017 – 30 October 2018 | 76                       | 69  |

- 4.4 Table 2 shows that the demand expressed within Base Periods 1 & 2 has been met within the 3 years from the end of those periods. However it can be seen that there is a shortfall in meeting the demand of base period 3 of 7 plots.
- 4.5 The council considers that this shortfall is likely to be attributable to the current restrictions in granting planning permissions within the River Lugg catchment. In Herefordshire, the River Wye and its tributaries are recognised as being of international importance for their unique character and wildlife, requiring the highest level of protection, management, enhancement and, where appropriate, restoration. The River Lugg is part of this catchment. Herefordshire Council as the ‘competent authority’ under the Habitats Regulations, (The Conservation of Habitats and Species Regulations 2017) is legally required to assess the potential impacts of projects and plans, on internationally important sites which include the River Wye Special Area of Conservation (SAC).
- 4.6 The River Lugg is currently failing its conservation targets of phosphate levels as a result of water pollution from both ‘point’ source; in particular sewage outlets and ‘diffuse’ sources; from agricultural run-off. In light of the Dutch Case developments which cannot demonstrate within a Habitat Regulation Assessment that they will not affect the integrity of the River Wye or have a likely significant effect’ are unlikely to be acceptable.
- 4.7 The elevated levels of phosphates within the SAC is currently preventing the approval of developments which could release any additional phosphates into the River Lugg. Only where development proposals are able to meet a number of criteria which provide certainty that the development will not increase the level of phosphate within the River can such

developments be permitted. This has resulted in a significant number of planning applications being undetermined and others where conditions applied to planning permissions are not able to be discharged until the issue is resolved. Analysis of planning applications that are currently 'on hold' because of this situation, shows that they include a number that would help to meet the demand on the register within base period 3.

- 4.8 Herefordshire Council is addressing this issue through a number of projects and mechanism including the creation of the integrated wetlands in the Lugg catchment area. An [Interim Phosphate Plan](#) has been prepared to demonstrate how it will proceed with the design, planning applications, land acquisition and development of integrated wetlands to ensure new development can be demonstrated to be phosphate neutral or provide betterment, therefore allowing development to come forward.

## **5.0 Key characteristics of entrants for all base periods**

- 5.1 This section provides some anonymised information about the requirements and profiles of the registrants.

- 5.2 When people enter their details on the register they are invited to provide some background on the reasons for wanting to self or custom build. These are varied and the list below includes some of the frequently given reasons. Such reasons for wanting to self and custom build are often referred to in the supporting information accompanying planning applications that have been counted towards meeting the self and custom build requirements.

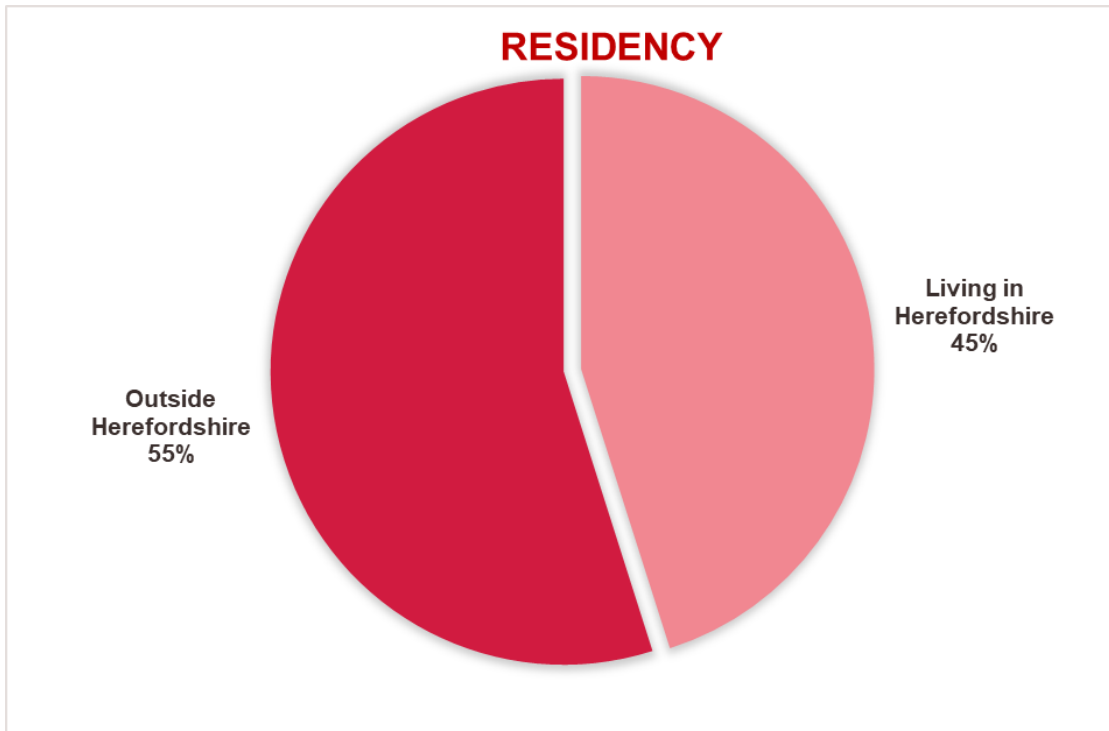
- To provide for caring needs of family member.
- To find location close to work / own business.
- To include workshop / work from home space.
- To provide a retirement home / to down size.
- To create an eco, green home / Passivhaus standards / zero emissions / low carbon.
- To downsize for smaller cost effective property.
- To create a modern sustainable home for young family.
- Want to build in a family group / create a multi-generational home.
- To reduce costs / own home within budget / to get on the property ladder.
- To meet own specific design requirements.
- To enable a garden big enough to meet requirements / grow own vegetables / small holding.
- To build a lifetime home.

### 5.3 Key characteristics

#### a) Location of entrants of the register.

Figure 1 shows that over half of the registrants were living in another county

Figure 1: Proportion of registrants living in and outside of Herefordshire

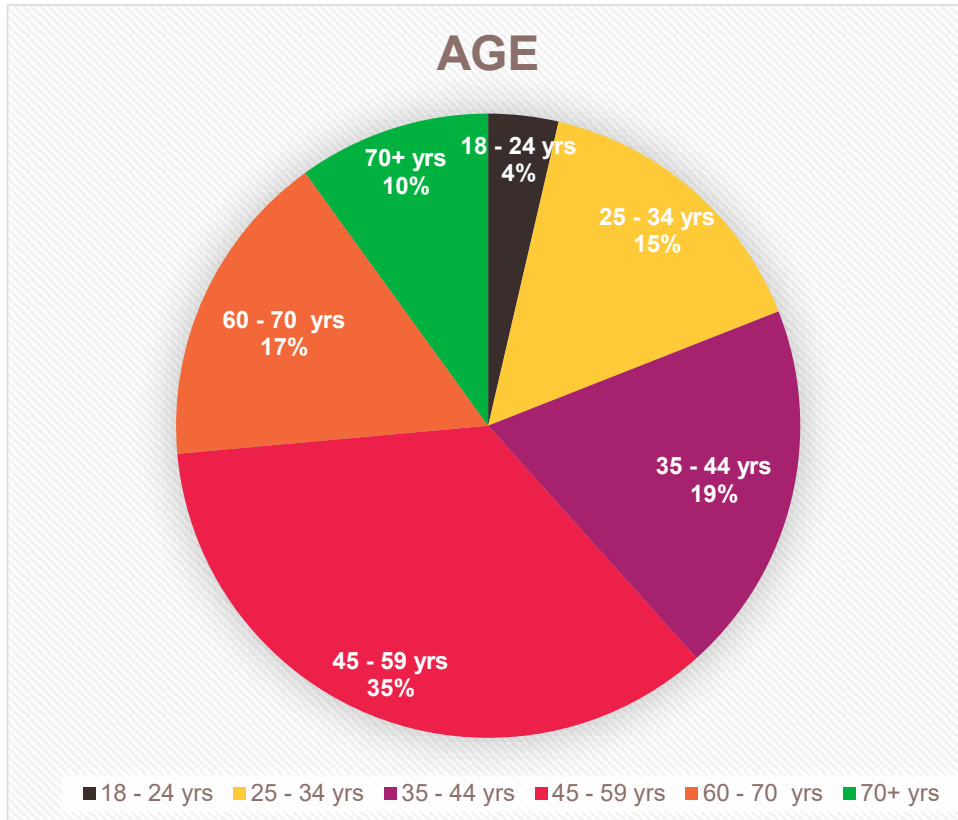




**b) The age of the applicants**

Figure 2 shows that the age of the applicants is representative of the counties demographics with over 60% of the applicants over 45 years of age. This generally had a link to access to finances, readiness to build and size of property and access to the property ladder.

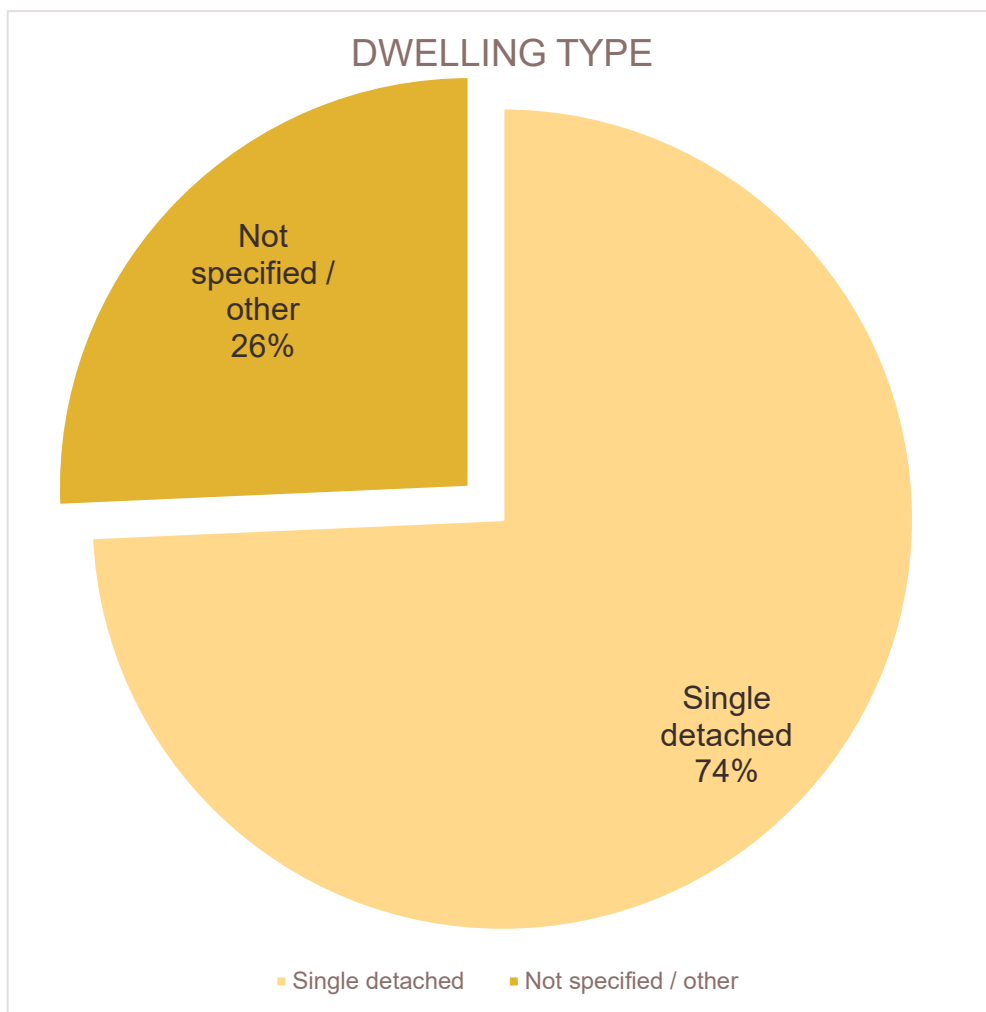
Figure 2 Age range of people on the registers.



**c) Dwelling type**

Figure 3 shows that there the majority of people on the register would like to build a single detached home. Most other registrants did not specify particular requirement although a very small number small number of others referred to wanting to build a bungalow or a semi-detached property.

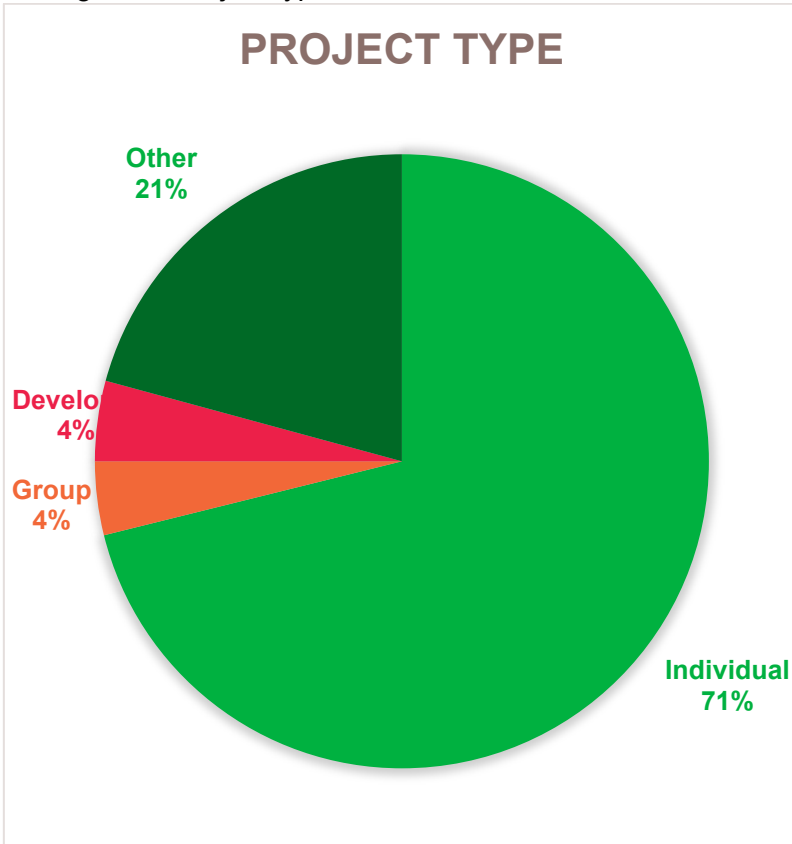
**Figure 3 Dwelling type**



**d) Project type**

Figure 4 shows that the majority of people want to pursue an individual project with a smaller number registering a preference for a group build or developer led build. The remaining 21% were either open to any type of build or did not specify a preference.

Figure 4: Project type



**e) Preferred location**

Over half of the registrants either did not specify a location or said they were open to any locations. Just over 40% stated a preference for a rural / village location with a small number identifying individual villages.

**Figure 5 Preferred location**

