

Chichester District Council

THE CABINET

Update on Custom & Self-Build at Chichester and revisions to the Register

1. Contacts

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Cabinet Member:

David Betts – Cabinet Member for Housing and Revenue and Benefits

2. Recommendation:

- a) That Cabinet note the Custom and Self-Build health check and the subsequent workstream activity undertaken over the past year.
- b) That Cabinet approve the revision of the eligibility criteria for entrance onto Part 1 of the Custom and Self Build Register as set out in section 5 of the report.
- c) That Cabinet recommend further publicising of the CSB Register including through the hosting of an open event for those with an interest.

3. Background

Overview

- 3.1 As required by the [Self-build and Custom Housebuilding Act 2015](#), the Council has held a Self-build and Custom Housebuilding Register since April 2016. This is a register of individuals or groups of individuals who are seeking to acquire serviced plots of land in the district to build their own homes.
- 3.2 The Act (as amended by the Housing and Planning Act 2016) places two further duties on the Council:
 - A duty to have regard to the register when carrying out its planning, housing, land disposal and regeneration functions.
 - A duty to grant, within three years, 'suitable development permission' to enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area.

An external review in the form of a Health-Check of the Custom and Self-Build Register and wider workstream was undertaken by the Right to Build Task Force in January 2023. The feedback from this review made several recommendations and resulted in an Action Plan a copy of which is available at Appendix 1.

The Action Plan identifies a number of areas in which the Council could improve the Custom and self-Build workstream and the actions taken over the past year as per the recommendations of that Action Plan are set out below:

- **Resourcing** – whilst we don't have a designated officer, we have identified a Custom Self Build Officer Champion that has absorbed the workstream into their day-to-day role and acts as the Lead Officer for CSB.
 - **Political Backing** – Cllr Betts has agreed to be the current Custom Self-Build Member Champion and a training session for members in relation to CSB took place on Monday 13th November 23.
 - **Website & Communications Strategy** – at the time of the Healthcheck, the Council hadn't publicised the register other than how to join on the Council's website. As a result of the Healthcheck we subsequently included an article in the Initiatives magazine in Summer and this was followed by a wider campaign across multiple channels and a second article in September 2023. The website pages are updated as required and reviewed on a quarterly basis.
 - **Corporate Plan/Housing Strategy** – At the time of writing this Report neither the Corporate Plan or Housing Strategy refer specifically to Custom and Self-build Housing. The current Housing strategy is due to be refreshed for 2025 and this provides an opportunity for Custom and Self-build options to be captured so far as is appropriate to do so.
 - **Monitoring** – The Healthcheck indicated that monitoring data should be published. Subsequent to the Healthcheck the Levelling Up and Regeneration Act 2023 now stipulates that numerical data should be published and the Council has now done so on the Custom and Self-build webpage available here: [Custom and self-build housing - Chichester District Council](#). Furthermore, the Council continues to review it's monitoring of Custom and Self-build housing across Housing and Planning Divisions.
 - **Supplementary Planning Document and Neighbourhood Plans** – The Council at this stage does not envisage a separate Supplementary Planning Document specifically for Custom and Self-build, however, this option remains on the table should it become evident that there is a consistent and severe under delivery of Custom and Self-build housing. In relation to Neighbourhood Plans, the Housing delivery Team have written to Parish Councils to offer our services in terms of a range of data and assistance that can be provided to help such groups shape their plans, this includes Custom and Self-build housing policies.
 - **Member and Officer Training** - Regular training for officers has been undertaken since January 2023 and separate training has been undertaken for Members
 - **Development Management Process and legal controls / s106** – This is an area that continues to evolve and a joint meeting between Housing and Planning Divisions is currently in the works to discuss the best way forward in terms of appropriate wording for Conditions and/or a s106 template. Consideration needs to be given to which mechanism is the most appropriate for the scale of the proposed scheme.
- 3.3 Turning now to eligibility to join the Register, eligibility criteria for entrance to Part 1 of the custom and Self-Build Register was introduced in 2018 and required people

to have a local connection to Chichester. At this time a financial test was also introduced.

- 3.4 In relation to Recommendation C) the Council has a statutory duty to publicise the Register and one way to do this would be to provide an open event on Custom and Self-build –to enable those with an interest to find out more about securing a Custom Self-build home.

4. Outcomes to be Achieved

- 4.1. In relation to Recommendation A) the outcome is to raise awareness of the work that has been undertaken over the past year in relation to Custom and Self-build housing.
- 4.2. In relation to Recommendation B) the outcome is to simplify the process for registration for applicants bringing it in to line with the requirements to join the general Housing Register and to reduce unnecessary barriers for which officers are not qualified to reach a judgment.
- 4.3. In relation to Recommendation C) To encourage those wishing to undertake Custom and Self-build to join the register and to learn more about how it may be a viable option for them and meeting the needs of this section of the community.

5. Proposals

- 5.1. To reduce the length of time an applicant needs to have lived in the Chichester Plan Area from 5 years to 2 years.
- 5.2. To remove the need to provide financial evidence to join the register.
- 5.3. Eligibility criteria for entrance to Part 1 of the custom and Self-build Register was introduced in 2018 and required people to have a local connection to Chichester. The criteria is set as follows in the first column, with proposed changes being recommended in the second column:

Existing Part 1 Joining Requirements	Proposed Part 1 Joining Requirements
<ul style="list-style-type: none"> have lived in the Chichester District Local Plan area (i.e., not in the South Downs national Park) for at least 5 years immediately prior to the date you apply to join the register; or, 	<ul style="list-style-type: none"> have lived in the Chichester District Local Plan area (i.e., not in the South Downs national Park) for at least 2 out of 5 years immediately prior to the date you apply to join the register; or,
<ul style="list-style-type: none"> have been employed in the district for more than 16 hours per week for the last two years; or, 	No change
<ul style="list-style-type: none"> have close family who have lived in the district as their main 	No change

place of residence for the last five years and need the support of the close family or the close family needs the support of the applicant; or,	
<ul style="list-style-type: none"> • have been in the service of the regular armed forces or have left the service of the armed forces for a period of five years or less. 	No change

The above is in addition to the Requirements to join the wider CSB Register which is set out nationally in legislation as follows:

- aged 18 or over;
- a British citizen, a national of an EEA state other than the UK or a national of Switzerland; and,
- seeking (either alone or with others) a serviced plot of land in the plan area to build a house to occupy as your sole or main residence.

5.4 In addition, applicants are currently asked to provide evidence of their financial ability to undertake the build. Officers recommend that this requirement should be removed in its entirety as officers are not best placed to determine the affordability of a person's circumstances to undertake such a build. In addition, there are several other factors that may affect affordability such as whether the land is already in their ownership, interest rates, mortgage availability, build costs etc all of which will be unique to each case.

5.5 Those without a local connection are eligible to join Part 2 of the register.

6. Alternatives Considered

- 6.1 Do nothing and maintain the status quo. This is considered not to be the preferred option as it fails to recognise the particular needs of those looking to build their own home and puts in place barriers to those wishing to join the register.
- 6.2 The Council could choose to apply no restrictions, however, this would potentially lead to exceptional demand being placed on the district making it extremely challenging to fulfil our statutory duty in relation to meeting supply.
- 6.3 The council could choose to apply more restrictions, however, to do so would not reflect the Action Plan and Independent Healthcheck undertaken, nor would it reflect Best Practice.

7. Resource and Legal Implications

7.1. There are no direct or legal implications of following the recommendations other than those set out in this report. In terms of resource an undefined amount of resource would be required to hosting an event, however, officers consider this likely to be minimal and capable of being met out of existing budgets.

8. Consultation

8.1. The Housing and Communities Panel have been consulted with a view to bringing the Custom Self-Build Register Part 1 joining criteria into line with the Council's Housing Allocation Scheme.

9. Community Impact and Corporate Risks

9.1. There are considered to be no Corporate Risks associated with the Recommendations of this Report. In terms of Community Impact, it is considered to be a positive impact for those wishing to build their own home within the Chichester Plan area.

10. Other Implications

Are there any implications for the following? If you tick "Yes," list your impact assessment as a background paper in paragraph 13 and explain any major risks in paragraph 9		
	Yes	No
Crime and Disorder		X
Climate Change and Biodiversity		X
Human Rights and Equality Impact		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X
Health and Wellbeing		X
Other (please specify)		

11. Appendix

Appendix 1 – Right to Build Taskforce Custom and Self-build HealthCheck

12. Background Papers

None