

# Chichester District Council

THE CABINET

19 June 2017

## Custom and Self Build Register

### 1. Contacts

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### 2. Recommendation

**2.1. That the Cabinet approves the adoption of a two part register with local connection and resources conditions for entry to the Part 1 Register as set out in appendix 2 to the report.**

### 3. Background

- 3.1. Through the recently published Housing White Paper the Government has reaffirmed its commitment to increasing housing supply and consumer choice through custom build housing.
- 3.2. Since April 2016, under the Self-build and Custom Housebuilding Act 2015, authorities have been required to hold a register of people who want to acquire serviced plots of land in their area for self-build and custom housebuilding. Definitions are provided in appendix 1.
- 3.3. The Housing and Planning Act 2016 and The Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016 (No 1027) require local authorities to give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding on their register within three years. Accompanying planning policy guidance is expected shortly.
- 3.4. The Self-build and Custom Housebuilding Regulations 2016 (No 950) give local authorities the ability to divide the register into two parts. Part 1 is to be restricted to those with a local connection, the criteria for which is set by the local authority, and must include provision for members of the armed forces. Other applicants may join the Part 2 register subject to meeting statutory criteria.
- 3.5. People on the Part 2 register will not count towards the assessment of local demand. There are 66 entries on the current register, for plots in the Chichester Local Plan area, 27 of which live in the area.

- 3.6. Criteria may also be set so only individuals who can demonstrate they can afford the land purchase and building costs are eligible. Councils can also charge a fee for including or keeping an individual or association on the register (see para 5.3 below).

#### **4. Outcomes to be Achieved**

- 4.1. To establish a register that is reflective of genuine local demand for custom and self build serviced plots in the district. This will be used as the basis for assessing the land requirement for meeting this demand and will enable the council to fulfil its statutory duty and increase the opportunity for those wishing to self or custom build.

#### **5. Proposals**

- 5.1. It is proposed to split the register into two parts and introduce a local connection test, as set out in appendix 2.
- 5.2. Applicants for the Part 1 register will be required to provide evidence that they have sufficient resources to purchase the land, as set out in appendix 2. This is to ensure that applicants' aspirations are realistic and constitute genuine demand.
- 5.3. The Self-build and Custom Housebuilding (Time for Compliance and Fees) regulations 2016 (No 1027) allow authorities to charge fees to recover their reasonable costs of entering a person on the register, permitting them to remain on it and complying with their duty to grant planning permission to meet the demand. Where the council does not meet their full duty, (to provide sufficient plots to meet demand), only the costs of entering that person on the register can be charged. The register is currently maintained by the Housing Delivery Team and the resources and costs are minimal. They are sufficiently covered by the initial New Burdens funding received. It is therefore proposed that no fees are charged for the time being, but that this is reviewed once the planning policy guidance is received and the council is better able to assess the work involved.
- 5.4. Consideration will be given to how best the council can utilise the New Burdens funding, detailed in para 6.2 below, to fulfil our statutory duties to provide serviced plots to meet demand once the planning guidance has been received and further research has been carried out.

#### **6. Resource and Legal Implications**

- 6.1. The Government realises that these regulations create extra work for councils and so has provided New Burdens funding to support them to:
  - i) set up and maintain a register of people who want to acquire serviced plots of land in their area; and
  - ii) ensure there is sufficient permissioned and serviced land to satisfy demand on the self-build and custom housebuilding register.

- 6.2. A one-off payment of £5,850 of New Burdens funding was paid to local authorities in June 2016 in respect of their new statutory duty to set up a register. A further £90,000 will be paid to authorities between 2016/17 and 2019/20 to take account of additional dedicated resources required to identify land to satisfy the demand. The funding is not ring-fenced and the first payment was received on 17 March 2017.

## **7. Consultation**

- 7.1. This fund will help to implement the action plan set out in the Housing Strategy review, which was shaped by discussions with the Chichester Housing Delivery Partnership, members and officers across the council.
- 7.2. Further research is being undertaken and there are on-going discussions with the other West Sussex authorities as to how the council can best utilise the funds to meet our statutory duty to grant planning permission on sufficient land suitable for self and custom build housing.

## **8. Community impact and corporate risks**

- 8.1. The government believes that self and custom build housing can play a crucial role in securing greater diversity in the housing market, and in helping to deliver the homes people want. Local authorities are expected to play a role in achieving these ambitions.

## **9. Other Implications**

<b>Crime and Disorder</b>	None
<b>Climate Change</b>	None
<b>Human Rights and Equality Impact</b> see para 8.1.	None
<b>Safeguarding and Early Help</b>	None

## **10. Appendices**

- 10.1. Custom and self-build definitions
- 10.2. Local Eligibility Conditions

## **11. Background Papers**

- 11.1 None