



Woking Borough Council

Local Development Documents

**Self-build and Custom Housebuilding
Guidance Note**

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Produced by the Planning Policy Team

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1.0 Introduction

1.1 The government is committed to increasing the supply of housing. The Self-build and Custom Housebuilding Act 2015 and the Housing and Planning Act 2016 place a duty on local planning authorities to keep a register of individuals and associations of individuals, who are seeking to acquire serviced plots of land for self-build and custom housebuilding in their area as well as have regard to the register when they are carrying out their planning, housing, regeneration and disposal of land functions.

1.2 The Development Management Policies Development Plan Document (DPD) (2016) states that the Council will support in principle the development of self-build and custom housebuilding (Policy DM12). The DPD commits the Council to prepare a guidance note to set out the detail and delivery mechanisms behind the policy. The Council believes that self-build and custom housebuilding, if managed properly, can make a meaningful contribution to the overall supply of housing in the area and consequently to the delivery of the Core Strategy. This guidance note provides the detail and further clarification on the self-build and custom housebuilding process, how the Council will support the delivery of serviced plots and sources of further information and advice. This guidance note is a living document that will be regularly reviewed.

2.0 What is self-build and custom build?

2.1 Self-Build and Custom build housing is housing built by individuals or groups for their own use, either by building the home on their own or by working with builders. Self-build and custom housing could provide homes to meet individual requirements that aren't available in the current market. There are various types of self-build and custom build projects including:

- Individual self/custom build - an individual purchases a plot of land and builds a house to live in. They may do some or all of the build themselves (self-build), or employ a builder, architect and in some cases, a project manager to oversee the build (custom housebuilding).
- Group self/custom build - a group of people come together to design and develop a custom build housing development which they then live in. They may build this themselves or with help from a developer to manage the project.
- Developer-led custom build - a developer divides a larger site into individual plots and provides a design and build service to purchasers. This gives people a chance to tailor existing house designs to suit their own preference and needs.

2.2 To clarify, self-build and custom housebuilding do not include speculative housing delivered by a developer. This also includes when a developer delivers speculative units and the purchaser chooses the final specification of for example the kitchen or bathroom, as this is outside the definition¹.

2.3 Self-build and custom housebuilding require practical experience in a number of construction trades. Individuals and associations will need to consider how they could get training or make sure that they can afford to pay for tradesmen to do the work. There are books, courses, and self-build companies and organisations that provide access to a range of publications, courses and resources.

¹ The Housing and Planning Act defines self-build and custom housebuilding as '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.

3.0 What is the purpose of self-build and custom housebuilding registers?

3.1 The Self-build and Custom Housebuilding Act 2015 places a duty on Woking Borough Council to keep a register of individuals, and associations of individuals, who are seeking to acquire serviced plots of land in the Woking Borough area for their own self-build and custom housebuilding. The registers provide valuable information on need for self-build and custom housebuilding in Woking Borough and should form a key part of the Council's evidence base of demand for this type of housing. The Council must have regard to each self-build and custom house building register that relates to their area when carrying out their planning, housing, land disposal and regeneration functions. It is also a material consideration in the determination of planning applications.

4.0 How to register for self-build and custom build?

4.1 Government Regulations state that to be eligible for entry on to the Register, an individual must be:

- Aged 18 or over;
- A British citizen, a national of an EEA State other than the United Kingdom, or a national of Switzerland; and
- Seeking (either alone or with others) to acquire a serviced plot of land in the relevant authorities area to build a house to occupy as that individual's sole or main residence.

4.2 If the applicant is a group or an association, then each member must fulfil the eligibility criteria. The Council will verify to make sure that applicants meet the eligibility requirements.

4.3 The Council has already opened a Register in accordance with the Act. In order to better understand the need for serviced plots, information relating to locational preferences within the Borough, the size of the plot required and the type of house they would like to build are required.

4.4 If any persons or associations would like to be added to the register please complete the Registration Form on the Council's website (<https://www.woking.gov.uk/planning/selfbuild>). The Council will determine any application within 28 days from when the application was received. Entry onto the Register however does not guarantee that a suitable plot will be identified or become available.

4.5 In order to keep the register up to date and accurately reflect local demand, the Council will contact registered individuals and associations at least once a year to reconfirm their interest. Similarly, if the interests expressed by individuals or their registered information also changes, they should inform the Council.

4.6 Due to the administration costs of maintaining the register, the Council will undertake regular reviews of whether to set a fee and at what level to join and or remain on the register.

5.0 Delivering serviced plots

5.1 Policy DM12 of the Development Management Policies DPD has an in principle support for self and custom housebuilding where they comply with all other relevant policies of the Development Plan. Nevertheless it is recognised by the Council that land is a finite resource in the borough and land values are high making it difficult for self and custom builders to acquire suitable plots of land for development.

5.2 Whilst it is recognised that not all sites and locations will meet the specific requirements of local demand, the Council will encourage where feasible the provision of serviced plots² within residential schemes that are in accordance with the Development Plan. This includes considering self-build opportunities as part of the regeneration or redevelopment of Council owned land and encouraging developers to set aside land within development sites as serviced plots for self-build and custom housebuilding.

5.3 A significant proportion of residential development in the borough's town, district, local and neighbourhood centres are likely to be flatted schemes, where serviced plots may not be possible. In this instance, the Council will encourage the provision of 'complete shell' or 'self-finish' units where the purchaser can then define internal layouts, finishes and fixings as well as any exterior landscaping for flats with private gardens.

5.4 The Localism Act 2011 empowers communities to create Neighbourhood Plans for their areas. Through Neighbourhood Planning, communities have the opportunity to encourage self-build and custom housebuilding by creating new planning policies or allocating new development sites in their neighbourhood areas to meet local needs. More information on Neighbourhood Planning is available on the Woking Borough Council website.

5.5 Plot providers should seek to provide a mix of serviced plot sizes to meet the range of demand and affordability. This may include plots for lower cost market housing, family accommodation and for older people looking to downsize from large family houses.

5.6 The range of plots provided on development schemes should be informed by evidence including the Strategic Housing Market Assessment, the self-build and custom housebuilding register as well as information from the Council's Planning and Housing teams.

5.7 The Council will liaise with landowners with planning permission on stalled sites to consider self-build or custom housebuilding as a way of bringing forward these sites. Subject to agreement with developers the Council will consider publishing details of unimplemented sites/plots for applicants on the Register to consider.

5.8 The Council will publish on its website sites that are available for disposal and can be considered for self-build and custom housebuilding. It will agree with prospective applicants about the means of disposal.

5.9 The Council will publish SHLAA (Strategic Housing Land Availability Assessment) sites as a source of potential serviced plots. The Council will facilitate bringing together applicants and landowners to highlight the potential benefits of self-build and custom housebuilding. This will be done through support and advice given to those on the Register, including arranging workshops and meetings with stakeholders interested in self-build and custom housebuilding.

5.10 The Council will encourage developers to consider self-build and custom housebuilding through the Site Allocations DPD process as a potential means of developing their land.

5.11 Proposals for self-build and custom housebuilding should be in accordance with the Development Plan for the area, including the Woking Core Strategy, the Development Management Policies DPD and adopted Neighbourhood Plans. The Council's Supplementary

² A serviced plot is defined as a parcel of land with legal access to a public highway, and at least waste foul drainage and electricity supply available at the plot boundary, or can be provided with those things in specified circumstances or within a specified period.

Planning Documents are also a material consideration in the determination of self-build and custom housebuilding proposals.

6.0 CIL Exemption

6.1 The CIL Regulations 2010 (as amended 2014) defines self-build housing for CIL exemption purposes as follows:

6.2 Housing built or commissioned by a person and occupied by that person as their sole or main residence for the duration of the clawback period (3 years).

6.3 Qualifying self-build developments will still be required to accept liability for the CIL and declare that their development is intended to be self-build, prior to the commencement of development. The self builder must remain as the occupant of the dwelling for a minimum of 3 years after completion. If the dwelling is sold or let within 3 years of completion, the Council will claw back the CIL liability, meaning the owner will have to pay the full CIL charge for the dwelling. Since the CIL is a land charge, this will appear on any 'search' a potential buyer carries out regarding the property. Occupancy will be monitored through Council tax and electoral roll records.

6.4 Exemption for self-build dwellings will only be permitted where there is a convincing case that the development is genuinely self-build development and in the spirit of the CIL self-build exemption regulations. The Council will not consider development to be self-build where there is insufficient evidence provided, including the information provided on the form referred to in Regulation 54B. Where a speculative developer is considered to be seeking to avoid CIL, for example by selling off-plan dwellings with customised features via a full or reserved matters planning application, the Council will not consider this to be true self-build for the purposes of gaining exemption from CIL.

6.5 It is also important to note that for developers reverting self-build plots back to speculative or regular open market plots, the CIL exemption will no longer apply and the dwellings will be liable for the full CIL levy.

7.0 Securing self-build and custom housebuilding

7.1 In order to ensure that serviced plots identified for self-build and custom housebuilding are delivered, the Council will require appropriate conditions to be put in place on any outline planning permission. On schemes providing a range of housing types and tenures, development proposals should be divided into separate phases for site infrastructure, speculative development and each serviced plot. This should ensure that the delivery of self-build and custom housebuilding is not stalled and that CIL and any Section 106 obligations are triggered correctly.

7.3 A Section 106 Agreement can restrict the availability of finance from banks or building societies and this should be considered at an early stage by any persons or associations interested in self-build and custom housebuilding.

8.0 Affordable housing and self-build and custom housebuilding

8.1 The Council will continue to explore how self-build and custom housebuilding can qualify as an affordable housing product and this will be covered in future reviews of this guidance.

9.0 Design Requirements

9.1 To ensure that self-build and custom housebuilding is of high quality design, sites with multiple serviced plots will be required to be supported by a Design Code³. A Design Code should be prepared by the plot provider at the outline planning stage and should provide the Council as well as potential self and custom housebuilders with a clear set of design rules and parameters that future development will have to comply with. Design Codes vary depending on the amount of development proposed and the context of the site.

9.2 Nevertheless a Design Code may include some or all of the following:

- Building height, massing and bulk
- Plot size and width
- Plot ratios, site coverage and density
- Urban grain – street and building pattern and connectivity
- Building lines and boundary treatments
- Building orientation
- Landscaping and the public realm
- Building frontage and townscape features
- Car parking and cycle provision and access
- Provision of waste and recycling storage

9.3 A Plot Passport can provide potential plot purchasers with a simple and concise summary of the design parameters for a specific plot. It should clearly show the plot location, permissible building lines, heights and footprints as well as separation distances to adjacent plots. A Plot Passport should also be clear about the number of dwellings that can be built on a single plot as well as specify car parking provision and access arrangements. The Council will support the use of Plot Passports for self-build and custom housebuilding development where they are supported by a Design Code.

9.4 The Council recognises that modular housing, which is built off-site, can help deliver custom housebuilding that is more cost effective than traditional housing building methods. In order to promote design innovation and originality, the Council will support modular housing where it promotes or reinforces local character.

9.5 All residential development, including self-build and custom housebuilding, should comply with Core Strategy Policy CS21: Design, the design policies of the Development Management Policies DPD as well as the Design SPD (2015).

9.6 One of the benefits of self-build and custom housebuilding is the ability to design-in energy efficiency measures that can reduce the energy use and carbon emissions of the building. The Council will encourage self and custom housebuilders to exceed the minimum requirements of Core Strategy Policy CS22: Sustainable construction when designing self and custom build proposals. In particular [Passivhaus](#) and the underlying principles of Level 5 or 6 of Code for Sustainable Homes will be supported (or any future equivalents).

9.7 Proposals for renewable energy installations, such as ground source heat pumps or photovoltaic cells, will be supported provided the policy requirements of Core Strategy (Policy

³ PPG: Design Codes

http://planningguidance.communities.gov.uk/blog/guidance/design/which-planning-processes-and-tools-can-we-use-to-help-achieve-good-design/#paragraph_036

CS23: Renewable and low carbon energy generation) and the other policies of the Development Plan have been addressed. In these cases, the Council will consider each proposal on their individual merits with regards to scale, location, technology type and cumulative impact on the surrounding area.

10.0 Monitoring

10.1 The Council will publish in the Annual Monitoring Report (AMR) the number of individuals and associations on its self-build and custom housebuilding register as well as the number of plots secured through planning permissions. The number of serviced plots delivered during the reporting year will be monitored through CIL exemption certificates.

10.2 The Council will also publish information relating to the type of plots required by those on its register and any location preferences. It is expected that this information will help inform the delivery of serviced plots across the Borough.

11.0 Further advice and information

11.1 The Self Build Portal (www.selfbuildportal.org.uk/) provides a wide range of information on self-build and custom housebuilding. It is produced by the National Custom and Self Build Association (NaCSBA).

11.2 NaCSBA has also assembled an online toolkit to provide further information on and highlight examples of self build and custom housebuilding from the UK and Europe. The toolkit can be found at www.customandselfbuildtoolkit.org.uk.

11.3 There is a range of information including self-build finance providers and insurers set out on the [Build Store](#) website (please note that this is a commercial website and the Council is not responsible for its content).

11.4 The Government has also prepared a [Planning Practice Guidance](#) on Self-build and Custom Housebuilding.

11.5 The Council offers a pre-application advice service and applicants are encouraged to use this service at an early stage of the development process. Further information on the Council's pre-application advice service can be found [here](#). This service may be particularly helpful for sites with significant development constraints such as flooding or land contamination.

11.6 Once planning permission has been secured any self-build or custom housebuilding project will be required to be designed and built in accordance with Building Regulations and associated legislation. The Council's [Building Control](#) Team can provide more information on what is required at each stage of the design and construction process.

11.7 The construction of new build dwellings is not subject to VAT, so self builders can reclaim their VAT within 3 months of completing the work. Further information should be sought from [HMRC](#).

11.8 The Development Plan for Woking includes the Woking Core Strategy, Development Management Policies DPD and various guidance documents (SPD). These can be found on the [Woking2027](#) website.

12.0 Legislation

12.1 The [Self-build and Custom Housebuilding Act 2015](#) requires each relevant authority to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area in order to build houses for those individuals to occupy as homes.

12.2 The [Self-build and Custom Housebuilding \(Register\) Regulations 2016](#) made under the Act provides guidance on designing and administration of the Register.

12.3 The [Housing and Planning Act 2016](#) sets out the duties local planning authorities are required to meet regarding self-build and custom housebuilding.