

# **Self and Custom Build**

## **Monitoring report**

**August 2024**

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## 1. Introduction

- 1.1 [The Self-build and Custom Housebuilding Act 2015](#) (as amended by the Housing and Planning Act 2016) and the Levelling Up and Regeneration Act 2023 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 self build 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 (or those capable of being serviced) 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 Levelling Up and Regeneration Act 2023 \(LURA\)](#), includes a number of provisions which amend the Self-build and Custom Housebuilding acts. Under these new changes, all Local Planning Authorities are now required to only count permissions that can be specified as self-build or custom housebuilding. These measures are intended to prevent Local Authorities counting all or a proportion of single plots as self-build or custom housebuilding. It should be noted however that Herefordshire Council has only counted plots where there is some evidence of self-build or custom housebuilding.

1.6 Another key change brought into effect by the LURA is on how unmet demand is dealt with by Local Authorities. The amendments in the LURA now specify that any unmet demand within the 3 year period will be rolled over to the following year.

1.7 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**

2.1 [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.

The Herefordshire Local Plan 2021 - 2041 is currently being developed, and a [Regulation 18](#) version was published for consultation between March and May 2024 and included draft Policy BC3 relating to self-build and custom build housing.

2.2

2.3 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.**

Base Period (BP)	Number of Individuals	Number of Associations of Individuals
<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>Base Period (BP)</b>	<b>Number of Individuals</b>	<b>Number of Associations of Individuals</b>
<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
<b>BP7</b> 31 October 2021 -30 October 2022	74	0
<b>BP8</b> 31 October 2022 -30 October 2023	33	0

#### **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 31 October 2016 and 30 October 2023 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.

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, 3, 4 and 5 can be found in the appendices. 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 5 base periods.**

<b>Base Period Number</b>	<b>Dates of Base Period</b>	<b>Number of plots required</b>	<b>Number of plots granted planning permission granted within the 3 years following the end of the base period</b>	<b>Shortfall in meeting demand</b>
1	1 April 2016- October 30 2016	175	175	0
2	31 October 2016 –30 October 2017	139	139	0
3	31 October 2017 – 30 October 2018	76	69	7
4	31 October 2018 –	82	73	9



<b>Base Period Number</b>	<b>Dates of Base Period</b>	<b>Number of plots required</b>	<b>Number of plots granted planning permission granted within the 3 years following the end of the base period</b>	<b>Shortfall in meeting demand</b>
	30 October 2019			
5	31 October 2019 – 30 October 2020	59	42	17
			<b>Total Shortfall</b>	<b>33</b>

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 of 7 plots in meeting the demand of base period 3, a shortfall of 9 plots in base period 4 and a shortfall of 17 plots in base period 5. This amounts to a shortfall of 33 plots.

4.5 The council considers that this shortfall is likely to be at least partially attributable to 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 Special Area of Conservation (SAC), a part of the River Wye SAC is currently failing to meet its conservation targets. Developments are required to demonstrate nutrient neutrality in order for a Habitat Regulations Assessment to be signed off and planning permission granted. As a result a number of planning applications have not been able to be determined. 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 shortfall on the register.
- 4.7 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. Details of these measures can be found on the council's [Nutrient Management web pages](#). These include a Phosphates credit system, which enables developers to acquire phosphate credits as a means of mitigating and achieving nutrient neutrality. Phosphate credits generated from the [wetlands project](#) are allocated in validation date order. The council is currently processing existing applications awaiting determination that were validated before 31 October 2021.

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

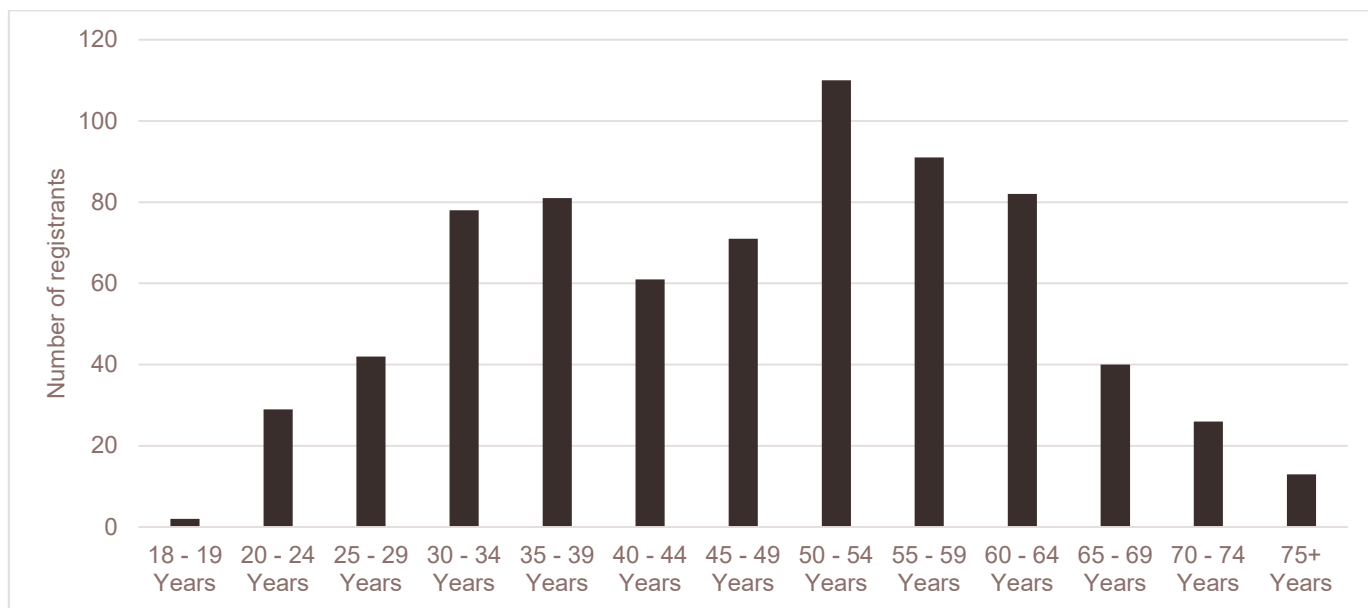
- 5.1 This section provides some anonymised information about the requirements and profiles of the registrants.
- 5.2 When people enter their details on the register they are invited to provide some background on the reasons for wanting to self or custom build. These are often referred to in the supporting information accompanying planning applications that have been counted towards meeting the self and custom build requirements. The reasons given for wanting to self or custom build are varied. The list below includes some of the frequently given reasons:
- 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 Age profile of residents:** The chart below represents the registrants categorised by age ranges. The age group with the highest interest is '50 – 54' and the lowest being those aged '18 – 19', despite this there is a growing interest among those in the younger age groups 30 and under.

### **Figure 1**

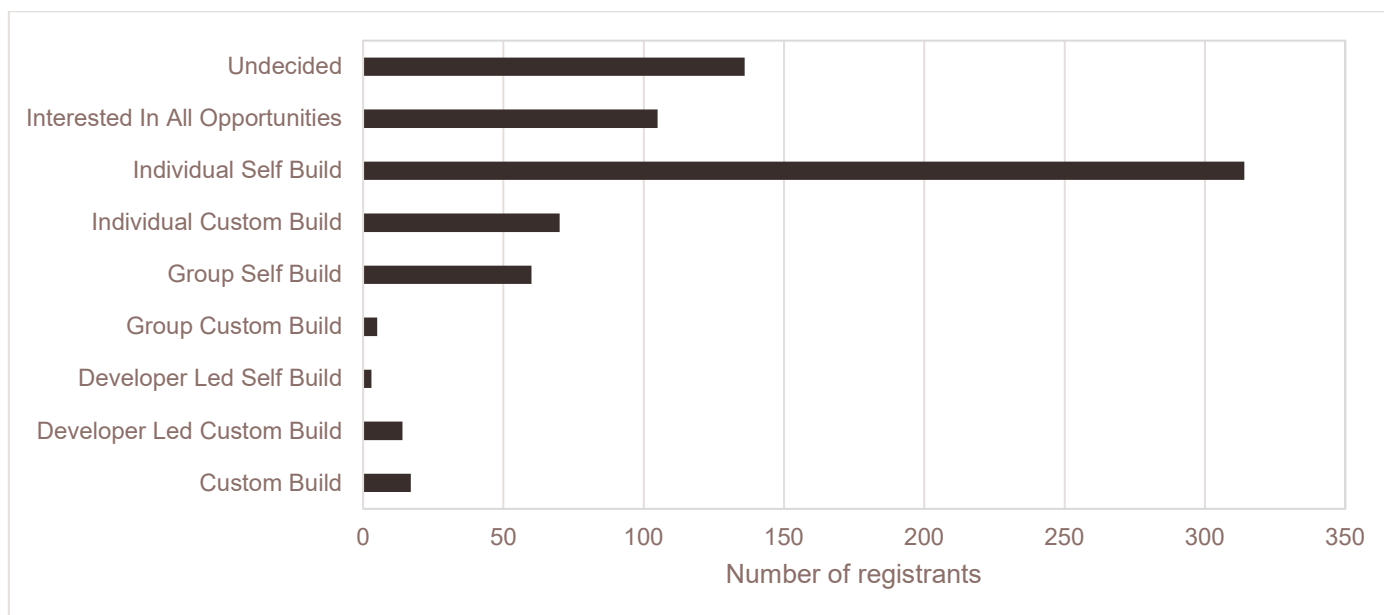
*Age of Registrants*



**5.4 Project Type:** The data from the register reveals that prospective individual self-build projects make up the highest number of registrants, followed by those who were undecided. Registrants were least interested in Custom build types

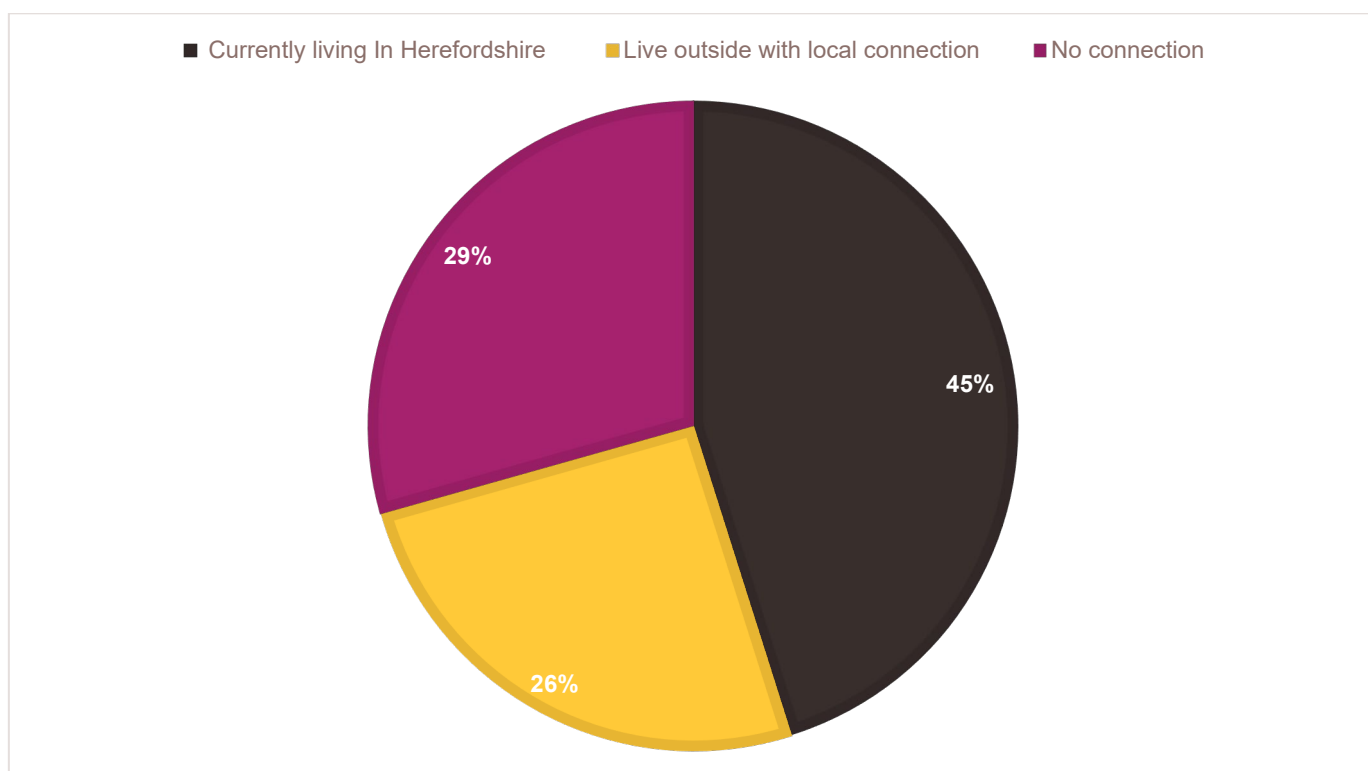
**Figure 2**

*Project Type*



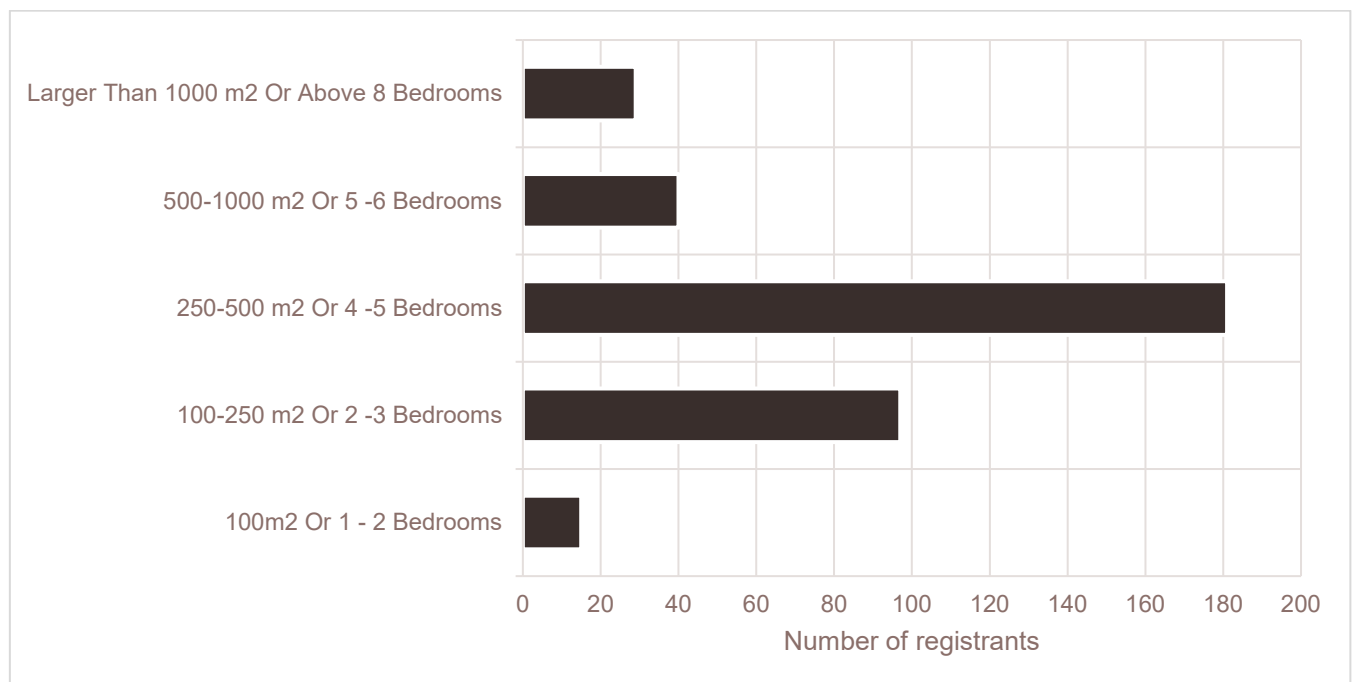
**5.6 Local connection:** The chart indicates that 45% of registrants currently live in Herefordshire, 26% of registrants lived outside the county but have a local connection (have close family or work in county). 29% of registrants had no local connection to Herefordshire. Although Herefordshire does not apply a local connection test to those registering, registrants are invited to provide information on their connection to the county for monitoring purposes.

**Figure 3 : Local Connection**



**5.7 Plot Size:** The data shows from registrants shows that the highest demand is for plots between 250-500 square meters or homes with 4 to 5 bedrooms. This is followed by a moderate interest in plots of 100-250 square meters or 2 to 3 bedrooms. Least interest was shown for the largest plots, over 1000 square meters or homes with more than 8 bedrooms and smallest plots of 100 square meters or 1 to 2 bedrooms indicating a smaller market.

**Figure 4: Plot Size**



**5.8 Location Preferences:** The chart below displays the location preferences of registrants. The majority (46%) prefer villages or settlements in rural areas, while 35% favour Hereford and/or the market towns. A smaller portion, 19%, are open to any location. This indicates a strong preference for plots in the rural areas.

**Figure 6: Location Preferences**

