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www.eastdevon.gov.uk Self-build and custom build - Monitoring - East Devon

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Glossary of Terms

Self and custom house building
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.
But it does not include the building of a house on a plot acquired from a person
who builds the house wholly or mainly to plans or specifications decided or
offered by that person. Definition included in 2015 (amended) Self-build Act.

In this report the term self-build is used to describe both custom build and
self-build.

Private housebuilders, custom build and self-build
Private homebuilders are private individuals or groups of people who commission
the construction of their home from a builder, contractor or package company
(this is known as 'custom build' housing), or in a limited number of cases,
physically build the home on their own with or without the help of sub-contractors
(this is known as 'self build' housing). (Definition from Right to Build Toolkit
Glossary).

Serviced plot of land
A plot of land that—
(a) has access to a public highway and has connections for electricity, water and
waste water, or
(b) can be provided with those things in specified circumstances or within a
specified period.
Definition included in 2015 (amended) Self-build Act.

Community Infrastructure Levy (CIL)
A levy allowing local authorities to raise funds from owners or developers of land
undertaking new building projects in their area. Learn more about the Community
Infrastructure Levy. Definition taken from Planning Portal Glossary.
1 Requirements

1.1 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) places a duty on local authorities to keep a register of individuals and associations of individuals who wish to acquire plots of land on which to build their own home and to publicise that register. The Act also places a responsibility on councils to permission enough serviceable plots that can potentially be used for self-build housing in order to meet this demand.

1.2 The East Devon register is divided into 2 parts and, generally, only those with a local connection (they work or have lived in the District for the last three years) are included on ‘Part 1’. The requirement to provide enough serviced plots to meet the demand shown on the register only applies to Part 1, but both Part 1 and 2 are used to assess the general level of demand to inform decisions of the Council. The level of demand is measured in ‘base periods’ that run from 31st of October until 30th of October in the following year.

1.3 This report sets out both the demand for self-build in East Devon, as shown by the numbers on the self-build register and the supply of self-build plots in East Devon, as taken from the Councils residential monitoring figures.
2 Demand

2.1 The East Devon self-build register was started on 30th March 2016. Demand is measured in ‘base periods’ that run from the start of the register until 30th October 2016 and then annually from 31st October until 30th October the following year. In East Devon the first base period ran from 30th March 2016 until 30th October 2016; the second base period was from 31st October 2016 to 30th October 2017; the third base period was from 31st October 2017 until 30th October 2018 and the fourth base period was from 31st October 2018 until 30th October 2019.

2.2 Local Authorities have three years from the end of each base period to permission enough serviced plots to meet the demand shown in the respective base periods.

2.3 The number of people on the register for the first base period in East Devon was 32 and the requirement to permission sufficient serviced plots to meet this demand expires on 30th October 2019. This means that the Council needs to demonstrate that at least 32 plots suitable for self-build were permissioned between 31st October 2016 and 30th October 2019.

2.4 The number of people on Part 1 of the register during the second base period was 40, with 3 on Part 2 of the register (making a total of 43). This means that 40 plots suitable for self-build will need to be permissioned between 31st October 2017 and 30th October 2020.

2.5 The number of people on Part 1 of the register during the third base period was 9, with 9 on Part 2 (making a total of 18). This means that 9 plots suitable for self-build will need to be permissioned between 31st October 2018 and 30th October 2021.

2.6 The number of people on Part 1 of the register during the fourth base period (31/10/18 to 30/10/19) was 19, with 10 on Part 2 (making a total of 29). This means that 19 plots suitable for self-build will need to be permissioned between 31st October 2019 and 30th October 2022.

2.7 In total for the first four base periods there are a total of 122 on the register, 100 on Part 1 and 22 on Part 2.
3 Supply

3.1 The requirement to permission enough serviced plots that can potentially be used for self-build leaves some discretion for the Local Planning Authority to determine how much of its housing supply meets this definition.

3.2 The most likely sites to be purchased for self-build in East Devon at the current time are those with permissions for a single dwelling, although it is possible that sites with permission for more than one dwelling will come forward as self-builds. For example sections of larger developments could be secured for self-build or multiple plots could be brought forward exclusively for self-build. Although there are no such permissions in East Devon at the moment, the Cranbrook Plan (at examination February 2020) requires at least 4% of the expansion areas to be self-build and should provide over 150 self-build plots by 2031.

3.3 Our approach to considering which permissions should be included in our supply figures has been informed by recent appeal decisions, the approaches taken by other local planning authorities and our record of developments that have been granted an exemption from CIL (Community Infrastructure Levy) on the basis that they constitute self-build. Appendix 1 sets out further details of how our supply figures have been produced.

3.4 Table 1 shows our demand and supply calculations for the first four base periods (please note that supply figures are only available for the first three years until 30/10/2019). It is clear that sufficient permissions have been granted to meet the demand for the first three base periods.
Table 1 Demand and Supply

<table>
<thead>
<tr>
<th>Base Period</th>
<th>Demand</th>
<th>Supply (3 years from end of base period)</th>
<th>Residual supply to carry forward</th>
</tr>
</thead>
<tbody>
<tr>
<td>First base period</td>
<td>32</td>
<td>80 (2016 to 2017 supply*) +</td>
<td>36 + 114 = 150</td>
</tr>
<tr>
<td>(31/03/16 to 30/10/16)</td>
<td></td>
<td>36 (2017 to 2018 supply) +</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>114 (2018 to 2019 supply) =</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total 230</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>The demand for 32 plots is met entirely</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>from the 2016 to 2017 supply of 80. The</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>remainder of 48 plots from this time</td>
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<tr>
<td></td>
<td></td>
<td>period is not carried forward because</td>
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<tr>
<td></td>
<td></td>
<td>the supply to meet the second base</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>period cannot start until the 31/10/2017.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>The residual supply total to carry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>forward to the second base period is</td>
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<td></td>
<td></td>
<td>therefore</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>36 + 114 = 150</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(31/10/2016 to 30/10/2019)</td>
<td></td>
</tr>
<tr>
<td>Second base period</td>
<td>40</td>
<td>Residual of 150 +</td>
<td>110 (114 – 4) +</td>
</tr>
<tr>
<td>(31/10/16 to 30/10/17)</td>
<td></td>
<td>31/10/2019 to 30/10/2020 supply</td>
<td>31/10/2019 to 30/10/2020 supply</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The demand for 40 plots is met by the</td>
<td>(to be determined)</td>
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<tr>
<td></td>
<td></td>
<td>36 plots from the 2017 to 2018 supply</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>and by 4 of the plots from the 2018 to</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>2019 supply. So 150 – 36 – 4 = 110 and</td>
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<tr>
<td></td>
<td></td>
<td>this forms the residual supply figure</td>
<td></td>
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<td></td>
<td></td>
<td>(none of which predates the end of the</td>
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<tr>
<td></td>
<td></td>
<td>third time period of 30/10/2018) and</td>
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<td></td>
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<td>can be carried forward to the supply</td>
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<td>for the third base period.</td>
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<td>(31/10/17 to 30/10/2020)</td>
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</tr>
<tr>
<td>Base Period</td>
<td>Demand</td>
<td>Supply (3 years from end of base period)</td>
<td>Residual supply to carry forward</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------</td>
<td>-----------------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td>Third base period</td>
<td>9</td>
<td>Total 110 + 31/10/2020 to 30/10/2021 supply&lt;br&gt;The demand for the 9 plots is met from the 110 residual plots in the 2018 to 2019 supply. This means that the whole of the 31/10/19 to 30/10/21 supply (which is not yet determined) can be carried forward as a residual. None of the 101 remaining plots from the 2018 to 2019 supply can be carried forward because the supply to meet the fourth base period cannot start until the 31/10/2019. (31/10/18 to 30/10/21)</td>
<td>Whole 31/10/2019 to 30/10/2021 supply (to be determined)</td>
</tr>
<tr>
<td>Fourth base period</td>
<td>19</td>
<td>Whole of 31/10/2019 to 30/10/2022 supply to be determined.</td>
<td>To be determined</td>
</tr>
</tbody>
</table>

* Please note that all references to individual years supply are for the period from 31st October in the first year until 30th October in the subsequent year, so the 2016 to 2017 supply is taken from 31/10/2016 until 30/10/2017, the 2017 to 2018 supply is taken from 31/10/2017 until 30/10/2018 and so on.
4 Additional Information from the Self-build Register

4.1 In addition to the ‘standard’ questions that are needed to establish whether applicants meet the criteria set for inclusion on the self-build register, extra questions are asked to help establish things like where in East Devon people are most interested in building, what people are interested in building and how much money is available to finance it. The results are useful in helping to provide evidence to inform planning applications, Council decisions and policy development.

4.2 Charts are included in Appendix 2 of this report for the latest base period, but ‘highlights’ of the data show that:

- In contrast to the 2017/18 period the majority of people currently live in East Devon (59%), with 34% living in Exeter and only 7% elsewhere;
- The vast majority of people on the register are of ‘working’ age, with only 14% being over 65;
- The three most popular locations for self-building were Woodbury, Exmouth and Budleigh Salterton;
- 24% currently rent privately or live with family or friends with the remainder in home ownership (either with a mortgage or owned outright);
- The most popular number of bedrooms was three or four;
- 66% wanted to build a detached house and a further 21% a detached bungalow;
- 55% had less than £100,000 to spend on a plot;

In addition to the questions asked when people apply to go onto the self-build register, a short series of questions to those on the register was sent out in October 2019 and the results of this are included in Appendix 3 of this report.
Appendix 1 Self-build Supply Method

The requirement to permission enough serviced plots that can potentially be used for self-build leaves some discretion for the Local Planning Authority to determine how much of its housing supply meets this definition.

The assessment of self-build supply is complicated because there is no specific use class for self-build; it falls within the C3 use class for dwelling houses. We have a duty to grant suitable permissions for serviced plots that could be developed for self-build housing but there will be permissions that could be developed for self-build that are not actually self-built.

We are required to complete a self-build monitoring return to the Government, which is supported by guidance notes (Appendix 4) that give examples of criteria that could be used to determine which permissions are included in the supply figures, such as CIL exemptions or where it is clear that the initial owner will have primary input into the design of the home. The guidance concludes that: "Ultimately the local authority must be satisfied that the development permissions being counted meet the legislative requirements and that these can withstand the scrutiny of local constituents or any legal challenge".

The approach we have taken when compiling the supply figures in this monitoring report is to include all single planning permissions, including conversions and agricultural workers dwellings. If any plots on larger development sites had been specifically reserved or allocated for self-build we would also have included these: it is hoped that such sites will form part of our self-build supply in future years when the Cranbrook expansion areas are built out and in other parts of East Devon where specific self-build permissions may be granted.

The approach in this report is similar to the first (March 2018) self-build monitoring report (which covered the first and second base periods) when all single permissions, including conversions to single dwellings, were recorded as suitable for self-build. In the second (March 2019) monitoring period (which covered the third base period) this approach was adapted to exclude conversions from the supply on the basis that they may not be attractive to self-builders. However, an analysis of self-build exemptions from the Community Infrastructure Levy (CIL) has shown that conversions are undertaken by self-builders. In addition everyone on the self-build register was asked a series of questions (see Appendix 3 question 6 of this report). Three quarters of respondents indicated that they would consider converting an existing building. Given this evidence, our approach to assessing the supply of plots suitable for self-build for the 31/10/18 to 30/10/19 time period has reverted to that adopted for the first monitoring report and all single permissions, including conversions, have been included.

We recognise that not all of the single plots in East Devon will be developed as self-build: they may be sold to small builders who build speculatively or they may be built by the landowner to be sold as a completed dwelling rather than sold as a plot. However, we have evidence that some plots for two or more dwellings are used for self-build and these are not included in our figures. It is important to note that the legal requirement is not to show that enough permission have been granted that actually come forward as self-build, but to permission enough plots that are suitable for self-build.
There is no requirement to impose conditions or S106 requirements to ensure that the number of plots considered suitable for self-build are actually self-built, although recent appeal decisions in North West Leicestershire, The Forest of Dean and South Cambridgeshire suggest that this could be taken into account in planning decisions. In these cases inspectors granted planning permissions for self-build housing, contrary to the development plan, on the basis that insufficient self-build plots had been 'permissioned' to meet the need shown on the register.

In North West Leicestershire the application was accompanied by a draft S106 Agreement to ensure that the plots were developed as self-build. The Inspector concluded that it would be unreasonable to count any single plots as meeting the demand for self-build plots in the absence of evidence of a similar specific mechanism to secure self-build. In the other two cases the question of the contribution of single plots not specifically linked to self-build did not arise because the relevant local planning authority agreed that there was a shortfall in supply of self-build plots.

Unlike East Devon, none of the local planning authorities involved in these appeals has a Community Infrastructure Levy (CIL). This is significant because people who self-build their homes can get an exemption from CIL if it is occupied by them as their sole or main dwelling for three years from completion. This can save a self-builder tens of thousands of pounds and provides a strong financial incentive to self-build. This makes the number of CIL exemptions the best indicator we have of the levels of self-build that have actually been undertaken.

CIL was introduced in East Devon in September 2016 (the East Devon self-build register dates back to March 2016). CIL exemptions can be claimed up until the time that development commences on site and some of the developments concerned were granted permission during the previous three years (and cannot therefore be included in our supply figures). Between 31/10/2016 and 30/10/2019, around 115 plots were granted self-build exemptions from CIL. This comfortably exceeds the demand shown on the register for 81 self-build plots during this period and gives weight to the evidence that the number of self-build plots that have been permissioned exceeds the level of demand indicated on Part 1 of the self-build register.

This report has been informed by research undertaken into the approach taken by a sample of other planning authorities as summarised in Table 2 below. It should be noted that many authorities do not appear to have monitoring figures that specifically set out the potential supply of self-build plots or the method used to determine any supply. It can be seen that approaches vary with some authorities including sites of up to ten dwellings as being suitable for self-build whereas others only include single plots and one (Daventry) just counting CIL exemptions and only looking at single plot permissions if the number of CIL exemptions does not provide the required supply.
Table 2 Sample of local planning authorities approach to self-build supply

<table>
<thead>
<tr>
<th>Authority Name</th>
<th>Summary of Approach</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashfield</td>
<td>All one and two dwelling permissions included plus plots specifically put forward for self-build on schemes of three or more</td>
<td>Lists numbers of all applications with link to website so further information is readily available</td>
</tr>
<tr>
<td>Herefordshire</td>
<td>Number of planning permissions that have self and custom build in their description + Number of single plots that meet the legal definition set out by the Self-build and Custom Housebuilding Act 2015)</td>
<td>No details given of which sites are included in supply figures</td>
</tr>
<tr>
<td>South Derbyshire</td>
<td>Includes all single dwelling permissions, including conversions</td>
<td>Appears to include all permissions for single dwellings, including conversions</td>
</tr>
<tr>
<td>Warwick</td>
<td>Includes all sites of 10 or less dwellings</td>
<td>Introduced CIL in 2018 and plans to use it to inform next monitoring report</td>
</tr>
<tr>
<td>New Forest</td>
<td>Includes sites of 10 dwellings or less, including conversions but excluding flats</td>
<td>Also includes numbers of CIL exemptions, but notes that these apply retrospectively so may apply to permissions granted prior to the relevant base period</td>
</tr>
<tr>
<td>Craven</td>
<td>Appears to include all permissions for single dwellings except conversions, holiday lets and agricultural workers dwellings</td>
<td>Conversions and agricultural workers dwellings have been included in our supply figures because we have granted CIL exemptions for them</td>
</tr>
<tr>
<td>Daventry</td>
<td>Includes all CIL exemptions and considers additional permissions that may be suitable for self-build only if the number CIL exemptions do not meet the demand</td>
<td>The CIL exemptions included in the supply may apply to permissions granted before the relevant base period</td>
</tr>
</tbody>
</table>
Appendix 2 Additional information from register

Please note that the following figures relate only to the 31/10/18 to 30/10/19 period of the register, for which there were 29 entries. Some questions had more than one answer so totals do not equal 29 (the amount of entries).

Q1. Where do you currently live?

- East Devon: 59%
- Exeter: 34%
- Elsewhere: 7%

What is your age?

- 30 yrs and under: 14%
- 31-45 yrs: 10%
- 46-65 yrs: 28%
- Over 65 yrs: 48%
Q2. Are you on any other registers?

- Yes: 38%
- No: 62%

Q3. Where would you like to acquire a serviced plot?

- Woodbury: 3
- Whimple: 4
- West Hill: 3
- Uplyme: 4
- Sidmouth: 1
- Sidbury: 2
- Seaton: 4
- Ottery St Mary: 2
- Newton Poppleford: 4
- Musbury: 2
- Lympstone: 6
- Kilmington: 5
- Honiton: 2
- Hawkchurch: 1
- Feniton: 2
- Exmouth: 9
- East Budleigh: 5
- Dunkeswell: 1
- Cranbrook: 1
- Colyton: 5
- Clyst St Mary: 4
- Budleigh Salterton: 8
- Broadclyst: 3
- Beer: 3
- Axminster: 3
- Anywhere in East Devon: 7

Anywhere in East Devon
Q4. Do you have any existing links to the settlement(s) you are interested in?

- Yes: 24%
- No: 76%

Q5. What type of home do you currently live in?

- In a home owned by you outright: 21%
- In a home owned by you with a mortgage: 3%
- In a home rented privately: 3%
- With parents/other family members: 52%

Q6. How many bedrooms would you like?

- 5 or more bedrooms: 1
- 4 bedrooms: 3
- 3 or 4 bedrooms: 7
- 3 bedrooms: 4
- 2 bedrooms: 3
- 2 or 3 bedrooms: 1
- 1, 2 or 3 bedrooms: 0

Number of responses
Q7. What type of home would you like to build?

- Detached: 66%
- Detached bungalow: 7%
- Bungalow: 21%
- Detached, semi-detached or terrace: 3%
- Terrace: 3%

Q8. What size plot are you looking for?

- 200m² and 300m²: 13%
- Between 300m² and 500m²: 23%
- Between 500m² and 1000m²: 25%
- Between 1000m² and 4047m²: 14%
- Between 4047m² and 1 hectare: 17%
- More than one hectare: 6%
- Prefer not to say: 2%
Q9. What is your budget for acquiring a plot?
- Less than £50,000
- Between £51,000 and £100,000
- Between £101,000 and £200,000
- Between £201,000 and £300,000
- Over £300,000
- Don't know
Q10. How would you finance your house?

- Owned with a mortgage: 48%
- Owned outright no mortgage: 38%
- Owned outright or with a mortgage: 7%
- Prefer not to say: 4%

Q11. What is budget for total cost of your house building project?

- Less than £150,000: 10%
- £150,001 to £300,000: 7%
- £300,001 to £500,000: 31%
- Over £500,000: 42%
- Not sure: 10%
Q12. Are you interested in self-build or custom build?

- Custom build: 38%
- Self-build: 24%
- Custom or self-build: 17%
- Affordable self-build: 11%
- Group self-build: 10%

Q13. Ready to self or custom build?

- Within 1 year: 55%
- Within 1 to 2 years: 31%
- Within 3 to 5 years: 3%
- All options answered: 7%
- No response: 4%
Please note: People answered more than one option on questions 3 and 8 above.
Appendix 3 Self-build Register Survey October 2019
Summary of Responses

Emails were sent to 119 people and 24 responses were received.

<table>
<thead>
<tr>
<th>Question</th>
<th>Summary of Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q1 - Have you secured a plot on which to build your own home in East Devon?</td>
<td>One person had secured a plot for £250,000.</td>
</tr>
<tr>
<td>Q2 - Have you secured a plot on which to build your own home outside of East Devon?</td>
<td>Two people had secured a plot outside of East Devon.</td>
</tr>
<tr>
<td>Q3 – If you have secured a plot how was this achieved? For example did you buy it on the open market with planning permission or obtain planning permission on land you already owned.</td>
<td>Two of the plots were purchased on the open market, with one being bought privately through an Estate Agent.</td>
</tr>
<tr>
<td>Q4 - If you have not secured a plot what do you consider to be the biggest hurdle? For example lack of finance to afford a plot or lack of plots available.</td>
<td>Many respondents cited a lack of affordable plots.</td>
</tr>
<tr>
<td>Q5 - One of the main areas being planned for development in East Devon is the new town of Cranbrook – would you be interested in self-building at Cranbrook if plots were made available for sale?</td>
<td>Half of those who responded to this question said they would consider self-building at Cranbrook.</td>
</tr>
<tr>
<td>Q6 - Would you consider adapting/converting an existing building in order to fulfil your self-build aspirations?</td>
<td>75% of responses to this question were positive but 25% would not consider a conversion.</td>
</tr>
<tr>
<td>Q7 - Would it be helpful for the Council to provide any of the following? a. A self-build newsletter setting out any national and/or local initiatives?</td>
<td>There was general support for an electronic newsletter.</td>
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<tr>
<td></td>
<td>b. An East Devon self-build forum that met occasionally/regularly to share experiences and provide ‘self help’?</td>
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<tr>
<td></td>
<td>c. Detailed planning guidance on self-build similar to that offered in Teignbridge?</td>
</tr>
<tr>
<td></td>
<td>d. Plots of land for sale by the Council supported by guidance on what could be built?</td>
</tr>
<tr>
<td>Q8 - Do you have any other suggestions for how the Council could help you to self-build?</td>
<td>Encourage land owners to sell smaller parcels but not at unaffordable prices</td>
</tr>
<tr>
<td></td>
<td>When a developer wants to build on a multi-plot piece of land, ensure some of it is allocated for community self-builders. EG Knowle, future Persimmon development etc.</td>
</tr>
<tr>
<td>Support more plots that are not like Cranbrook.</td>
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</tr>
<tr>
<td>Approve more planning applications for self-build plots</td>
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</tr>
<tr>
<td>I think it would be good to have access to buy land before the numerous local ‘developers’ buy it all up. They have the buying power to pay a premium for land and I believe this is pushing up the price of land for those of us who wish to build and live in our homes.</td>
<td></td>
</tr>
<tr>
<td>Change eligibility criteria - not living recently in Devon should not bar applicants such as myself.</td>
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</tr>
<tr>
<td>Serviced plots from the Council would be a good idea.</td>
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</tr>
<tr>
<td>A database where searching for land that would be considered favourably for planning, low cost accessible plots, incentives to convert disused land/buildings in towns. We live in Axminster and love the town it would be amazing to give something back and to secure a home at the same time.</td>
<td></td>
</tr>
<tr>
<td>Publicise available plots on a central register where planning permission has been granted and the plot is to be sold.</td>
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<tr>
<td>A rough idea of plot size and the cost of a plot. We would also like to have a rough idea of when we could build.</td>
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</tr>
<tr>
<td>The local builders get all the easy (i.e. flat and low development cost) plots so offering self-builders uncomplex plots (flat ground, easy access, utilities close by) would be really helpful.</td>
<td></td>
</tr>
<tr>
<td>Strong focus on developing positive ‘countrywide’ self-build policies rather than focus on the very specific location of Cranbrook. Unless people work close to Cranbrook then we suspect this location would not be acceptable to many seeking to self-build in East Devon. Just to note that Government guidelines state the following: What can someone on a register expect for their membership? Relevant authorities must give suitable development permission to enough suitable services plots of land to meet the demand for self-build and custom housebuilding in their area. There is no duty on a relevant authority to permission land which specifically meets the requirements expressed by those on the register. Relevant authorities should use preferences expressed by those on the register to guide its decision when looking at how to meet its duty to grant planning permission etc. This will help ensure that relevant authorities permission land suitable for self-build and custom housebuilding which people are actually keen to develop. Paragraph: 028 Reference ID: 57-028-2017+0728 Revision date: 28.07.2017. (<a href="https://www.gov.uk/guidance/self-build-and-custom-housebuilding">https://www.gov.uk/guidance/self-build-and-custom-housebuilding</a>)</td>
<td></td>
</tr>
<tr>
<td>Free up more brownfield sites.</td>
<td></td>
</tr>
<tr>
<td>Grouping together likeminded people in specific areas who can search together for larger dividable plots and submit planning applications together.</td>
<td></td>
</tr>
<tr>
<td>East Devon intends to help provide plots in one area only (Cranbrook), other District Councils provide plots elsewhere in their districts. Can East Devon consider taking this approach?</td>
<td></td>
</tr>
<tr>
<td>Take a long hard look at the Scandinavian model which champions self-building over giving preference to developers. Statements such as we are meeting our legal requirements to hold a register is woeful.</td>
<td></td>
</tr>
</tbody>
</table>
Appendix 4 Self-build Government Return Guidance Notes

Notes and Definitions for the Self-build and Custom Housebuilding (SBCH) form

Q1 & 2 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 for their own self-build and custom housebuilding.

Question 1 is asking how many new entries have joined the register during this relevant base period (31 October 2018 to 30 October 2019).

Question 2 is asking how many entries on the register in total (base period 1, 2, 3 and 4).

Please note if you have a joint register with another local authority it is important to identify and separate the register numbers for each local authority based on the preferences expressed by the register participants at joining.

The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals. In considering whether a home is a self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout.

Q.3 Question 3 is asking how many planning permissions for serviced plots suitable for self and custom build were granted during the most recent base period (31 October 2018 – 30 October 2019).

Relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The level of demand is established by reference to the number of entries added to an authority’s register during a base period.

At the end of each base period, relevant authorities have 3 years in which to permission an equivalent number of plots of land, which are suitable for self-build and custom housebuilding, as there are entries for that base period.

Authorities should consider section 2A(6)(c) of the Self-build and Custom Housebuilding Act 2015 which defines ‘suitable development permission’ and the accompanying guidance.
The legislation does not specify how suitable permissions must be recorded, however, the following are examples of criteria an authority could use to determine if an application, permission or development is for self-build or custom housebuilding:

- the new 1APP form has been used (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/710897/Form004_england_en_v4__2__.pdf) and section 17 (residential units) identifies self or custom build units;
- a Community Infrastructure Levy or Section 106 exemption has been granted for a particular development;
- developers have identified that self or custom build plots will be included as part of their development and it is clear that the initial owner of the homes will have primary input into its final design and layout; and
- a planning application references self or custom build and it is clear that the initial owner of the homes will have primary input into its final design and layout. Ultimately the local authority must be satisfied that the development permissions being counted meet the legislative requirements and that these can withstand the scrutiny of local constituents or any legal challenge.

Q.4 Relevant authorities who choose to set a local connection test are required to have two parts to their register. Individuals or associations of individuals who apply for entry on the register and meet all the eligibility criteria must be entered on Part 1. Those who meet all the eligibility criteria except for a Page 2 of 3 local connection test must be entered on Part 2 of the register. Relevant authorities must count entries on Part 1 of the register towards the number of suitable serviced plots that they must grant development permission for. Entries on Part 2 do not count towards demand for the purpose of the 2015 Act (as amended) but relevant authorities must have regard to the entries on Part 2 when carrying out their planning, housing, land disposal and regeneration functions.

Q.5 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) enables relevant authorities to include up to two optional local eligibility tests. These are limited to a local connection test and a financial solvency test. We expect that relevant authorities will apply one or both of these tests only where they have a strong justification for doing so. They should ensure that they are proportionate and, in the case of the former, we expect these to be introduced in response to a recognised local issue. Relevant authorities should consider consulting on their proposals before they introduce the tests and should review them periodically to ensure that they remain appropriate and that they are still achieving the desired effect.
Q.6 Relevant authorities can only set fees on a cost recovery basis. Any fees charged must therefore be proportionate, reflect genuine costs incurred and should not act as a deterrent for people to be entered on or remain on the register.

To recover their costs of registering an individual or association of individuals, relevant authorities can charge an entry fee to individuals and associations of individuals who apply to be entered on their register. Relevant authorities can charge a different fee to associations than to individuals where they incur a different cost for processing an application from an association of individuals compared with an application from an individual.

To recover their costs incurred when complying with the ‘duty to grant planning permission etc’, relevant authorities can charge a higher entry fee to those whose entry onto the register counts towards the number of plots of permissioned land required. In most cases this will be people on Part 1 of the register where a relevant authority is not exempt from the ‘duty to grant planning permission etc’. As a result it is possible that where relevant authorities have set a local connection test and hence have two parts to the register, the fee charged when someone enters Part 1 of the register may be different to the fee charged to someone being entered on Part 2, which would reflect any additional costs of those on Part 1 contributing to demand and hence the number of sites which must have suitable planning permission granted.

Relevant authorities that are not exempt from the ‘duty to grant planning permissions etc’ can charge an additional annual fee in following years to those who are entered on Part 1 of their register (or the register if no local connection test has been set and so the register is not divided into two parts) and wish to remain on it.

Q7 Section 1(2) of the Self-Build and Custom Housebuilding Act 2015 requires each relevant authority to publicise its register. As a minimum, relevant authorities are recommended to hold a webpage on their website that is dedicated to self-build and custom housebuilding. This should be used to set out what the authority is doing to promote opportunities for self-build and custom housebuilding in their area, explain the purpose of the register and how to apply for entry on the register. Relevant authorities are also recommended to consider additional innovative methods of publicising their register and self and custom build activities to increase awareness of it. This could include, amongst other options:

- Advertising the existence of the register through promotional materials,
- Highlighting the option of self-build and custom housebuilding when engaging with parishes and neighbourhood forums on neighbourhood plans,
- Promoting or raising as an option when speaking to developers about their plans.
- Holding local self-build forums or town hall style meetings for the community to attend
- Open days and events
• Social media activity such as specific pages, groups or promotional mentions

**Q8 'Opportunities' could include:**

• Local authority or private land suitable for self and custom build that are available to be bid on

• Developments with planning permission and plots available to self and custom builders etc.

• Specific land identified in the local plan as for self and custom build

• If a developer wishes to make their project known to those on the register

We are interested in whether opportunities are currently available in your authority's area and whether you are sharing these with those people currently on the register.

**Q9** Section 1(2) of the Self-build and Custom Housebuilding Act 2015 places a duty on authorities to have regard to each self-build and custom housebuilding register that relates to their area when carrying out their planning, housing, land disposal and regeneration functions. We are aware that some authorities are approaching this, in part, through supplementary planning policies on self-build and custom housebuilding and we are interested in the variety of approaches that local authorities are putting in place such as through local plans.

Further guidance on the regulations is available here:

Data has previously been used by the Ministry to build up a national picture of how local authorities are taking forward self and custom build and complying with the requirements and reported to Ministers. In addition to this we may now choose to publish headline data on the demand for self-build and custom housebuilding revealed by register numbers. This can support development opportunities for self-build and custom housebuilding by increasing awareness among landowners, builders and developers of the level and nature of demand for self-build and custom housebuilding across England.