

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES	
	Discretionary /	Need to be recommendations to Council	NO	
	Operational	Is it a Key Decision	NO	
Lead Member: Cllr R Blunt E-mail: cldr.richard.blunt@west-norfolk.gov.uk		Other Cabinet Members consulted: Cllr Lawrence & Cllr Beales		
		Other Members consulted: Custom & Self Build Policy Development Task Group		
Lead Officer: Nikki Patton E-mail: Nikki.patton@west-norfolk.gov.uk Direct Dial: 01553 616726		Other Officers consulted: Alan Gomm, Duncan Hall		
Financial Implications YES	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening/ Full Assessment	Risk Management Implications YES

Date of meeting: 5 February 2019

CUSTOM AND SELF-BUILD HOUSING ACTION PLAN

Summary

This report provides information on the Council's first comprehensive Action Plan on Custom and Self-build housing. The Plan sets out the Council's proposed actions to directly meet its own responsibilities to help deliver quality self and custom homes in the Borough to meet local demand. As well as meeting obligations, there are wider benefits to enabling this route of delivery as it provides opportunities to increase housing delivery, fosters creative design providing homes that meet people's needs and provides opportunities for smaller house builders.

The Action Plan has been produced by the Council's Custom Build and Self Build Policy Development Task Group. The final draft has been approved by the group. The purpose of this report is to inform Cabinet of the Council's responsibilities in relation to Custom and Self Build Housing and seek approval from Cabinet to implement the actions in the plan. **The Action Plan can be found at Appendix A**

The Task Group has endorsed the attached Action Plan and the Regeneration and Development Panel had endorsed the draft and has the final version on its agenda for 29 January 2019.

Recommendation

It is recommended that the Action Plan be approved.

Reason for Decision

The recommendation will ensure that the Council fulfils its statutory

obligations surrounding Custom and Self Build and provides a clear steer on the Councils position surrounding the delivery of Custom and Self Build housing in the Borough.

1.0 Background

- 1.1 Back in November 2011 the Government published 'Laying the Foundations: A Housing Strategy for England'.¹ This national strategy supported many proposals that had been set out in an industry-led Government Working Group Action Plan promoting self-build housing, produced in July earlier that year.² Within the strategy the Government explained how it was intent on doing more than ever to support individuals and communities taking the initiative to build their own homes, which in turn is considered beneficial to the national economy. However, the Government saw that there was a huge untapped potential for custom-built homes, especially when making international comparisons. The Government pledged to enable this housing sector to become mainstream, and to double the number of self and custom-built homes over the next decade. The Government recognised that there were also challenges to self-build and custom house-building, as well as limited information regarding this housing sector.
- 1.2 In October 2014, the Government produced 'Right to Build: Supporting Custom and Self Build',³ a consultation document, in which it explained how it intended to further empower aspiring self-builders to build their own home in their local area by bringing legislation through the next Parliament, as well as taking into consideration the experiences from the vanguards and the outcome of the consultation.⁴ This led to the Self-build and Custom Housebuilding Act (2015).
- 1.3 The key requirements of the legislation are set out in two acts of Parliament, The Self-Build and Custom Housebuilding Act 2015 as amended by the Housing and Planning Act 2016. The Acts introduce three duties for local authorities to meet demand for custom and self-build housing (collectively known as 'the Right to Build' requiring authorities to;
 - Prepare, publicise and maintain a register of individuals and associations of individuals "who are seeking to acquire serviced plots of land.
 - Have regard to the register 'when carrying out their planning, housing, land disposal and regeneration functions'; and
 - Give suitable development permission for enough serviced plots of land to meet the demand for custom and self-build housing in their area on a rolling three year basis.

2.0 What is Custom and Self-build housing

2.1 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom house building:

'Self-build and custom housebuilding means 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 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.'

2.2.1 Whilst legally self-build and custom house building share the above definition, custom build is commonly regarded as where an individual, commissions a specialist developer to deliver their own home. Whereas, self-build is where the individual is more directly involved in organising or constructing his or her own home. Both routes require more significant input into the design of their home than other forms of housing.

3.0 The Task Group

3.1 The Custom Build and Self Build Policy Development Task Group consisting of both Members and Officers, was established by a recommendation of the Regeneration and Development Panel. The purpose of the group is to examine and determine appropriate policy and practice proposals for the Council's Cabinet and Full Council to consider in relation to Custom and Self Build. The Action Plan has been produced by the Task Group. It is proposed that on going monitoring of the Action Plan is undertaken by the Task Group.

4.0 The Action Plan

4.1 The action plan sets the background as to why self-build and custom house building has gained increasing focus from Government, which has translated into national legislation, policy, regulations and guidance. The document marks the first corporate action plan that

comprehensively covers this issue.

It explains emerging local policies, strategies and development in the Borough, as well as the latest evidence the Council has regarding the local demand for self and custom build housing.

The Council recognises that self and custom house building developed in the Borough offers an important potential route to home ownership and contributes towards housing delivery. This action plan marks the first step in the Council in:

‘Positively influencing or helping to secure development opportunities where it can support individuals or organisations in our local communities to deliver high quality self-build or custom house building to meet demand in the Borough.’

4.2 Current approach

The Council is already carrying out a number of functions to support Custom and Self-Build Housing. Details of these are set out in section 5 of the Action Plan. However, the situation is evolving as changes to legislation and national policies come into place. The Action Plan identifies further actions that the Council can take to ensure compliance with government requirements and increase delivery of Custom and Self-Build housing. The actions are a mix of planning policy and operational interventions that can come forward over both the shorter and longer term.

4.3 Wider Benefits

Whilst the Council clearly has statutory obligations to meet surrounding custom and self build housing, there are important wider benefits to enabling and delivering custom and self build housing. It also forms part of the governments drive to speed up house building and boost housing supply. In summary they are;

- Increasing housing supply. Evidence that custom and self-builders get on and build. Assists Council in meeting Housing Delivery targets.
- Supports SMEs – small scale offers opportunities where volume housebuilders would not go
- Diversifying housing supply and fostering creative design
- Enables people to live in homes that meet their needs
- Helps people realise their ambitions and invest in homes that they want to live in

4.4 Key Actions

Whilst there are a number of actions in the plan there are three key actions that are considered to be of significant importance in fulfilling National

Planning Policy requirements and increasing the delivery of self-build or Custom house building to meet the Boroughs demand.

- **Action 1- Developing Planning Policy.** Evidence from the Councils Housing trajectory suggests that single plots contribute to housing completions in the borough. In the most recent financial years (2016/2017 & 2017/2018) approximately 50% of housing completions were on sites of 1 – 4 dwellings, with half of these being single plot sites. However, not all of these can be classed as custom or self-build as it also includes those that were built speculatively. If new national policy requirements are to be met, the Council needs to ensure that identified need can be met. At the same time of creating additional opportunities for plots, a mechanism needs to be applied in order to ensure such plots are available explicitly for the Custom and Self-Build delivery route. If not there is danger the route will not be available for those wishing to build in this way, and that sites are used purely for speculative development or, are traded and do not come forward for development in a timely way. It is important that any new policy developed under Action 1 takes account of this.
- **Action 7- Undertaking detailed assessment of demand.** In order to best respond with appropriate policies and approaches it is important, to first understand more about the nature of demand for self-build and custom house-building in the Borough. Whilst the existing register is a helpful guide, it relies on individuals and organisations' knowing the register exists. Through undertaking research, the Council will be able to get a realistic understanding of local demand, but also their ability to afford available options. This will provide robust evidence which will be used to inform Local Plan Policy.
- **Action 9- Direct delivery on a Council owned site.** The Council has a direct role where it is a landowner itself, to establish if the land is suitable for self-build and/or custom- build homes. This can be exercised through its land disposal, regeneration or housing functions. The Council can also assess the potential for self-build and custom housebuilding on its own land assets and seek to deliver a pilot scheme. Through the Custom Build and Self Build Policy Development Task Group, a site at Stokeferry which is owned by the Council, has been identified a potential pilot site to deliver as a custom build site. Approval for development of the site has been agreed in previous reports. Due diligence work is currently underway to determine viability and suitability.

5.0 Specialist input

The Task Group also recognised that this sector in many respects is in its infancy in the UK, and therefore sought input from Mario Wolf, Director of The Right to Build Task Force. Mario is seconded from Ministry Housing Communities and Local Government (MHCLG). Mario has provided expertise and assisted by facilitating a challenge session with members of the group to

develop thinking and understanding of Custom and Self Build Housing and what the Councils involvement might look like. Mario also presented at a Custom & Self build event organised by the Council earlier this year for landowners and agents. The event was well attended and received very positive feedback.

6.0 Risk Management Implications

There are a number of important aspects here;

- The Local Plan can be found unsound if it fails to adequately address the identified need for custom and self build plots in the borough.
- CSB provides a real opportunity to contribute to housing delivery targets. Without positive policies and actions there is a risk that Local Plan targets won't be met.
- Failure to respond appropriately to identified housing need not only creates further housing issues across the borough but also fails to meet national policy requirements

These risks can be mitigated by;

Implementing the proposed actions set out in the Custom and Self- Build Action Plan.

7.0 Options Considered

7.1 The Council can choose to approve the Action Plan or reject it.

8.0 Policy Implications

8.1 This Plan assists the Council in meeting its corporate objectives of housing and economic growth in the Borough. It will also help contribute to the Councils overall housing delivery and fulfils statutory obligations.

9.0 Financial Implications

9.1 A full business case will be prepared for the direct delivery site in Stoke Ferry, including detailed development costs and funding arrangements and will be subject to usual sign off procedures within the Council.

Personnel Implications

10.0 Statutory Considerations

10.1 There are no statutory implications.

11.0 Equality Impact Assessment (EIA)

(Pre screening report template attached)

11.1 There are no equality and diversity implications directly associated with this report.

Declarations of Interest / Dispensations Granted



**Pre-Screening Equality Impact
Assessment**

Name of policy/service/function	Custom & Self-Build Action Plan				
Is this a new or existing policy/ service/function?	New (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The Custom & Self-Build Action Plan sets out the Council's proposed actions to directly meet its own responsibilities to help deliver quality self and custom homes in the Borough to meet local demand.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				
3. Could this policy/service be perceived as impacting on communities differently?	No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	No	Actions:			
		Actions agreed by EWG member:			
Assessment completed by: Name	Nikki Patton				
Job title Housing Strategy Manager	Date 12th Dec 2018				

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.