

North Norfolk District Council

Self-Build & Custom Housebuilding Guidance (Internal)

Produced by the Planning Policy Team to assist officers in the determination of development applications for self-build or custom housebuilding.

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**North Norfolk District Council
Planning Policy Team**

01263 516318

planningpolicy@north-norfolk.gov.uk

Planning Policy, North Norfolk District Council,

Holt Road, Cromer, NR27 9EN

www.north-norfolk.gov.uk/localplan

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Self-Build & Custom Housebuilding

Quick Reference: DM Officer Checklist for Assessing Self-Build and Custom Housebuilding Proposals

(For full internal guidance, see main document) *[Checklist consists of 5 points in total]*

Preliminary reminder: Self-build and custom housebuilding proposals should be assessed against the Development Plan and other material considerations in the same way as any other residential development proposal. Self-build status does not automatically outweigh conflict with the Development Plan.

1. Is the proposal clearly identified as self-build or custom housebuilding?

- ☐ Check the **description of development**, planning statement and application form for an explicit reference.
- ☐ If the description is silent but **other submitted information indicates** this intention (e.g. references in the planning statement, information on the application form, or within other supporting information):
 - contact the applicant/agent to confirm intention; and
 - where confirmed, officers **may request** written agreement to amend the description of development where this would aid clarity
- ☐ In all cases where self-build or custom housebuilding is indicated, **ensure the case is flagged (e.g. via Uniform or internal processes)** so that it can be recorded for monitoring purposes as self-build.

Note: It is not essential for the description of development to explicitly refer to self-build or custom housebuilding. However, including this will make monitoring easier and help confirm whether the permission can count toward the Council's statutory duty.

2. Has sufficient information been provided to assess whether the proposal meets the legal definition?

- ☐ Confirm there is sufficient information to understand:
 - who the intended initial occupier will be;
 - how that occupier will have **primary input** into the design and layout.
- ☐ Where information is unclear or insufficient to assess whether the legal definition is met, officers should request further information from the applicant. This may include completion of the **Self-Build & Custom Housebuilding Delivery Statement (Appendix 1)** where appropriate.
- ☐ Where sufficient information is not then provided to demonstrate that the legal definition is met, officers should not rely on the proposal being self-build or custom housebuilding when assessing any planning weight or policy consequences.

Note: The delivery statement provides a structured way of requesting the key information needed to

assess whether the legal definition is met, helping officers avoid follow-up queries and ensure a consistent and robust assessment.

3. How will the self-build or custom housebuilding element of a proposal be secured?

For proposals involving a **single** self-build or custom housebuilding dwelling, the self-build element will **normally be secured by condition** unless there is a clear need for a higher level of certainty.

- ☐ Consider whether the **applicant has provided or proposes a planning obligation** (Unilateral Undertaking or Section 106) to secure the self-build or custom housebuilding nature of the development.
- ☐ Where a planning obligation is proposed, ensure a draft has been submitted, is capable of being completed prior to determination, and is clearly drafted, enforceable and sufficient to secure compliance with the self-build definition. This will affect the weight that can be given to the self-build or custom housebuilding element. Where necessary, officers should seek advice or refer to standard templates and examples.
- ☐ Where an obligation has **not** been provided, consider whether **planning conditions** would be an appropriate securing mechanism. Conditions will normally be appropriate for **single-plot, policy-compliant**, or otherwise **low-risk** proposals where self-build or custom housebuilding is incidental **to the planning merits of the case** (i.e. the proposal would be acceptable regardless of self/custom build status, and securing self/custom build is primarily for monitoring purposes).
- ☐ A planning obligation will normally be required where:
 - the self-build or custom housebuilding element forms a **material part** of the planning justification;
 - the proposal is **multi-plot, outline**, or otherwise requires a higher degree of certainty;
 - the proposal conflicts with policy and self-build or custom housebuilding is being used to justify approval.
- ☐ **Officers are not required to pursue or chase a planning obligation.** However, officers may use their professional judgement to seek to resolve securing where appropriate, having regard to the scale and importance of the self-build or custom housebuilding element in the overall planning balance.

If an obligation is necessary for the claimed self-build or custom housebuilding benefits but the applicant has **not** provided one or has **not** demonstrated compliance with the legal definition the self-build or custom housebuilding element may attract **little or no weight** in the overall planning balance.

In such cases, the reasoning should be clearly explained in the officer report.

☐ Where planning permission is granted without any securing mechanism (no obligation or condition), the proposal should not be treated as self-build or custom housebuilding for monitoring purposes and will not be included in the Council's statutory duty calculations.

4. Is Planning Policy advice needed?

☐ Consider consulting Planning Policy where:

- the applicant or agent raises arguments relating to the Council's statutory self-build duty or alleged under delivery;
- significant weight is being sought for the self-build or custom housebuilding element; or
- there is uncertainty about whether the legal definition is being met.

Early consultation with Planning Policy can help officers provide a consistent approach to these issues.

5. Before finalising the decision, has the self-build or custom housebuilding status been clearly captured?

☐ Ensure the case is appropriately **tagged or recorded** in Uniform as self-build or custom housebuilding (to support monitoring by the Policy Team).

☐ Where a securing mechanism is required, confirm that:

- the **appropriate planning conditions have been added** to the draft decision; and/or
- the **planning obligation has been completed (or is capable of being completed prior to determination)**, and the decision notice **refers to it**, where applicable.

Guidance for Officers

This guidance sets out a proportionate, hybrid approach to securing self-build and custom housebuilding. In practice, most proposals are likely to be single-plot developments, which can often be appropriately secured by planning conditions. The approach taken in each case should be proportionate and based on ensuring that delivery is robustly secured and capable of withstanding scrutiny, rather than relying on any single mechanism in isolation.

Self-build or custom housebuilding proposals should be assessed against the Development Plan and other material considerations in the same way as any other residential development proposal. While self-build or custom housebuilding may attract weight as a material consideration in some circumstances, this does not automatically outweigh conflict with the Development Plan.

Planning obligations will typically be required where the self-build or custom housebuilding element forms a material part of the planning justification, or where additional certainty is needed (for example on multi-plot or outline schemes).

It is important that proposals described as self-build or custom housebuilding are supported by sufficient evidence to demonstrate that they meet the legal definition and, where necessary, are appropriately secured. Where delivery is not secured by either mechanism, the self-build or custom housebuilding element will generally be afforded limited weight in the planning balance, and the permission may not count towards meeting the statutory duty.

This approach ensures that permissions relied upon to meet the statutory duty are robust and capable of scrutiny, particularly where self-build or custom housebuilding is relied upon to justify development. This is important given the Council's duty to monitor and demonstrate delivery against the demand identified on the self-build and custom housebuilding register. Further detail on monitoring and reporting is set out later in this document and on the Council's website.

1. Introduction

For planning purposes, development will be treated as self-build or custom housebuilding only where the **initial occupier plays a primary role in determining the final design and layout** of the dwelling.

This internal guidance assists officers in:

- identifying whether a proposal meets the statutory definition
- understanding what information applicants should provide
- determining when and how delivery should be secured
- ensuring consistency in decision-making and monitoring.

(See Section 7 for securing mechanisms.)

What is self-build or custom housebuilding?

- 1.1 Under the Self-Build and Custom Housebuilding Act 2015 (as amended), a dwelling qualifies where it is built or completed by or for individuals who will occupy it as their own home. In applying this definition, national Planning Practice Guidance advises that authorities should be satisfied that the **initial occupier** has had *primary input* into the final design and layout. The occupier does **not** need to physically construct the home themselves.
- 1.2 Applicants should clearly state where a proposal involves self-build or custom housebuilding. This is most straightforward when referenced in the **description of development** and supported in the application form. Officers may request further information where required to confirm the proposal meets the statutory definition (see paras 1.5 – 1.7 below).
- 1.3 Although not currently a validation requirement, officers may request a **Self-Build and Custom Housebuilding Delivery Statement** to support assessment and assist in securing delivery. A template is provided at Appendix 1 to ensure consistency in the information sought.
- 1.4 The main types of self-build and custom build housing are:

Type	Description	Meets Definition?
DIY Self-Build	The intended initial occupier builds the home themselves, often physically carrying out the majority of construction work.	✓ Yes, if they can adequately demonstrate primary input into the design and layout.
Self-Commissioned (Contractor-built)	The intended initial occupier commissions a builder, contractor, or package company* to carry out the build to their specifications.	✓ Yes, if they can adequately demonstrate primary input into the design and layout.
Group Self-Build or Custom Build	A group of individuals come together to jointly secure land and build multiple homes. Each person is responsible for the home they intend to occupy as their own.	✓ Yes, if each initial occupier can adequately demonstrate that they have primary input into their own home's design and layout.
Custom Build with Pre-Approved Design Options	The developer offers a range of design choices for layout or materials, from which the intended	✓ Yes, if the initial occupier can adequately demonstrate that their choices meaningfully influence the final design

	initial occupier selects their preferences.	and layout. (A factory-built or modular 'turnkey' house may <i>not</i> meet the legal definition unless the initial occupier has genuinely commissioned the design and layout to their own individual requirements.)
Self-Finished / Shell Homes	The intended initial occupier purchases a partly completed home (e.g. to 'shell' stage) and completes the fit-out themselves.	✓ Yes, if they can adequately demonstrate significant input into internal layout and final finish.
Speculative Developer-Built	The home is designed and built entirely by a developer before being sold, with no input from the initial occupier.	✗ No, lacks meaningful input from the initial occupier into design or layout.

*Package company - A company that offers a bundled service for self or custom build projects, often covering design, planning, and construction.

Legal Definition (summary)

- 1.5 Section 1 of the 2015 Act defines self-build and custom housebuilding as the building or completion of a home **by or for individuals** who will occupy it as their own home. It *excludes* homes built wholly or mainly to a developer's standard plans or specifications.
- 1.6 For decision-making purposes, officers need to establish:
 1. **Who the initial occupier will be**, and
 2. Whether they have had **primary input into the final design and layout**.
- 1.7 Homes bought "off-plan" from standardised developer designs **do not** qualify. Developer-led models may qualify **only** if the initial occupier's choices meaningfully influence the final design/layout and suitable mechanisms are in place to secure this outcome.

2. Legal Framework & Requirements

- 2.1 When reading this guidance, **officers should be aware** of the following key legislation and policy documents:

- [Self-build and Custom Housebuilding Act 2015 \(the 2015 Act\)](#) (as amended by the *Housing and Planning Act 2016* and the *Levelling-up and Regeneration Act 2023*) Establishes the requirement for local authorities to maintain a register of individuals and associations seeking serviced self-build or custom build plots. It also places a duty on those authorities to have regard to the register when exercising planning and housing functions, and to grant sufficient relevant development permissions to meet demand arising from the register.
- [Self-build and Custom Housebuilding Regulations 2016](#)
Defines a *serviced plot*, prescribes eligibility criteria for entry onto the register, sets out the content of the register, and confirms that entries on Part 2 (those not meeting the local connection test) do *not* count toward the legal duty to grant permissions. Also sets out circumstances for removal from the register.
- [Self-build and Custom Housebuilding \(Time for Compliance and Fees\) Regulations 2016](#)
Prescribes the three-year compliance period within which relevant development permissions must be granted for each base period. Also enables authorities to charge a registration fee, provided it reflects the reasonable costs of delivering the duties under the 2015 Act.
- [Levelling-up and Regeneration Act 2023](#) (LURA)
Strengthens the 2015 Act by clarifying that development permissions must be expressly for self-build or custom housebuilding to count toward meeting demand. **LURA removes the previous ability to rely on general or speculative permissions that merely could be used for self-build**, ensuring a more robust and accountable system.
- [National Planning Practice Guidance \(PPG\): Self-build and Custom Housebuilding](#)
Provides guidance on interpreting and implementing the duties in the 2015 Act, including registering applicants, assessing demand, and granting permissions. (Note the PPG has not been updated since 2021 and does not reflect the LURA amendments).

Register of persons seeking to acquire land to build a home

2.2 Section 1 of the 2015 Act (as amended) states:

‘Each relevant authority must keep a register of

- a) individuals, and*
- b) 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.’

Duty as regards registers

2.3 Section 2 of the 2015 Act (as amended) requires relevant authorities to have regard to their register when carrying out the following functions:

- a) planning;*
- b) housing;*
- c) the disposal of any land of the authority;*

d) *regeneration.*

Duty to grant permissions etc

2.4 Section 2A of the 2015 Act (as amended) specifies that:

‘An authority to which this section applies must give development permission for the carrying out of self-build and custom housebuilding on enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority’s area in respect of each base period.’

2.5 The time for compliance is **3 years**, beginning immediately after the end of each base period. Base periods run from 31 October to 30 October each year.

Example: If 10 entries are added to the register between 31 October 2024 and 30 October 2025:

- these 10 entries create demand for that base period
- only permissions granted in the three years after 30 October 2025 can count toward meeting this demand
- permissions granted during the base period (i.e. before 30 October 2025) cannot count toward that base period.

Therefore, the Council must grant enough qualifying development permissions between 31 October 2025 and 30 October 2028 to meet that demand.

See Section 3 for further information on the register, assessing demand, and how the Council determines whether the statutory duty has been met.

Levelling Up & Regeneration Act 2023 (LURA)

[See Part 3, Chapter 6, Section 123](#)

2.6 Key changes introduced by the Levelling-up and Regeneration Act 2023 (LURA)

LURA amends Section 2A of the 2015 Act in several important ways that directly affect how the Council must assess and count permissions:

a) Only permissions expressly for self-build or custom housebuilding can count.

The previous ability to rely on “suitable” permissions has been removed. General housing permissions, or permissions that merely *could* be used for self-build, no longer contribute toward meeting demand.

b) Clarification of demand to be met.

The duty now applies to the demand arising in each base period **plus** any unmet demand from earlier base periods whose three-year compliance windows have expired (the “three-base-period rollover”).

c) Future regulations may specify which permission types qualify.

LURA introduces a power for regulations to define which forms of permission or permission in principle can (or cannot) be treated as development permission for self-build and custom housebuilding. Until such regulations are made, the Council must apply a clear and defensible interpretation (see Section 7).

d) Permissions in principle.

A Permission in Principle (PIP) **cannot normally secure self-build or custom housebuilding delivery**, as planning conditions and most planning obligations cannot operate at the PIP stage. Applicants may, in some cases, submit a voluntary unilateral undertaking with a PIP application; however, this does not change the status of the permission.

The Council's approach is that a PIP will not count toward meeting the duty until self-build and custom housebuilding delivery is secured at the Technical Details Consent (TDC) stage.

This reflects the most robust and defensible interpretation of the amended legislation, notwithstanding isolated appeal outcomes.

e) Planning Practice Guidance (PPG).

The PPG has not been updated since 2021 and does not reflect the LURA changes [correct at June 2026]. Officers should rely on the amended legislation and this guidance where discrepancies arise.

3. The Register and Assessing Demand

3.1 What the register is for

The 2015 Act (as amended) requires the Council to keep a register of individuals and associations who are *seeking to acquire* serviced plots for self-build or custom housebuilding.

Part 1 of the register provides the measure of **demand** that the Council must meet through the granting of development permissions.

For Development Management purposes, the register is a **policy and monitoring tool**. It does *not* confer any planning weight in its own right but informs how applications are processed and recorded.

3.2 Eligibility and the structure of the register

Applicants must be genuinely seeking to acquire a serviced plot to build a home they will occupy themselves.

The register has two parts:

- **Part 1 – counts toward the duty.**
Applicants meet both the basic eligibility criteria and the local connection test.
- **Part 2 – does not count toward the duty.**
Applicants meet basic eligibility but not the local connection test. These entries inform wider policy but do not contribute to the statutory requirement to grant permissions.

Basic eligibility (Regulation 4)

Applicants must:

- be aged 18 or over
- be a British citizen, EEA national, or Swiss national
- be seeking to acquire a serviced plot to build a home for their own occupation

Where an applicant already owns a serviced plot, they may not meet the requirement of “seeking to acquire”. This point is considered by the Policy Team when maintaining the register and does not require any action from Development Management.

Local connection test

The Council’s published criteria allow applicants to meet the test through residence, employment, or close family connections within the district. Eligibility is assessed at registration and reassessed at annual renewal.

Serviced Plots

3.3 The 2015 Act (as amended) defines a [serviced plot of land](#) as:

‘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;’*

3.4 For a proposal to qualify as self-build or custom housebuilding, the plot must be (or be capable of being) serviced for electricity, water, and waste water, and have access to a public highway. Where access is via a private road, appropriate arrangements for its delivery and future maintenance should be secured through the planning permission. In line with **Local Plan Policy HC5**, plots are also expected to be serviced for **telecommunications**, including fibre optic broadband to the plot boundary, to ensure digital connectivity from the outset.

3.5 Under **Local Plan Policy HOU2, plots delivered through allocated sites** must be fully serviced and made available for purchase on terms agreed with the Council. The policy requires that the plots are offered for sale for a minimum of two years from the point they are first marketed, to allow applicants on the register a fair opportunity to purchase a plot. Planning officers may request proportionate evidence that plots have been appropriately marketed and that reasonable steps have been taken to sell them for self-build or custom housebuilding.

Demand vs Need

3.6 The register provides the statutory measure of **demand** for self-build and custom housebuilding in the district. It is not a measure of housing **need**. This distinction is important: the Council’s legal duty under the 2015 Act (as amended) relates solely to demand as evidenced by entries on Part 1 of the register.

3.7 Applicants may attempt to frame their proposal as responding to an unmet “need” for self-build housing, particularly where the development would otherwise conflict with the adopted spatial strategy. Officers should note that the Council is not required to

demonstrate or meet a self-build housing “need”. **The correct approach is to have regard to demand**, as recorded on the register, and to apply weight accordingly.

Where proposals rely on assertions of unmet “need”, officers should ensure the planning balance remains grounded in:

- the Development Plan (**including the spatial strategy**)
- the statutory duty relating to **demand**, not need
- the material considerations relevant under Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the National Planning policy Framework (NPPF) paragraph 11(d)

This helps ensure that speculative or unsubstantiated “need” arguments do not distort decision-making.

Assessing whether demand is being met

- 3.8 Assessing whether demand is being met is undertaken by the Planning Policy Team as part of the statutory monitoring process. **Development Management officers do not determine this directly but should understand the principles because they inform how permissions are counted.**

For each base period, the Council must grant enough **self-build or custom housebuilding permissions** to meet the level of demand recorded on Part 1 of the Register, in accordance with the 2015 Act (as amended) (see paragraph 2.5 above for the statutory compliance window). This is not a one-to-one matching exercise, rather the total number of permissions granted in the relevant compliance window must at least equal the recorded demand. While there is no requirement to meet demand in specific locations, national guidance notes that the *nature* of demand may be a relevant consideration when assessing overall delivery; however, there is no requirement to match plot types, sizes, or locations.

- 3.9 Although demand in North Norfolk has been modest, the statutory duty applies in full. Larger outline permissions that include self-build or custom housebuilding elements may contribute toward meeting demand **once delivery is secured** and the permission clearly functions as a self-build or custom housebuilding permission. **These permissions will be monitored by the Planning Policy Team** to ensure that plots are genuinely capable of being delivered as serviced self-build or custom housebuilding plots and that they are not double counted across monitoring periods.

Meeting self-build and custom housebuilding demand

- 3.10 Self-build and custom housebuilding proposals must be assessed against the adopted Local Plan in the same way as any other form of residential development, having regard to the spatial strategy and other relevant policies. There is no **standalone self-build policy**, and proposals are **not afforded additional weight** simply because they are described as self-build or custom housebuilding. Any claimed benefits must be supported by evidence and, where relevant, secured by an appropriate mechanism (see Section 7).

- 3.11 The Council does not directly provide serviced plots. Delivery is instead supported through the Local Plan, particularly Policy HOU2, which requires a proportion of

serviced plots for self-build or custom housebuilding on qualifying larger housing sites. Evidence from the Self-build and Custom Housebuilding Register has informed this policy approach and continues to be monitored through the statutory register. **On HOU2 sites, officers must ensure that required self-build or custom housebuilding plots are appropriately secured through the permission, are realistically deliverable as serviced plots, and are marketed in accordance with Policy HOU2 so that they are genuinely capable of counting toward meeting identified demand.**

4. Policy Context

- 4.1 All proposals for residential development must be determined in accordance with the adopted Local Plan for North Norfolk. The Plan sets out the spatial strategy, identifying where residential development is acceptable (e.g. large and small growth towns and villages), subject to relevant policy criteria and exceptions.
- 4.2 Local Plan Policy **HOU2 (Delivering the Right Mix of Homes)** requires residential developments of **26 dwellings or more** to provide:
- **at least one serviced self-build plot, or**
 - **2% of the total number of dwellings, whichever is the greater.**

These plots must be fully serviced and **made available for purchase for a minimum period of two years** on terms agreed with the Local Planning Authority.

Although the policy wording refers specifically to “**serviced self-build plots**”, for the purposes of the statutory duty under the Self-Build and Custom Housebuilding Act 2015 (as amended), **both self-build and custom housebuilding may qualify**, provided the proposal meets the legal definition and delivery is secured (see Section 7).

Presumption in favour of sustainable development (“the tilted balance”)

- 4.3 If the Council cannot demonstrate a five-year supply of deliverable housing land, the presumption in favour of sustainable development (often referred to as the “tilted balance”) applies. In these circumstances, planning permission should be granted unless:
- **footnote 7 policies apply** and provide a clear reason for refusal; or
 - the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

This test (see NPPF paragraph 11d for full wording) must be applied in the context of the adopted spatial strategy, the role of sustainable locations for growth, and the normal requirement to make decisions in accordance with the Development Plan unless material considerations indicate otherwise.

4.4 Where a proposal would deliver self-build or custom housebuilding in line with the legal definition, this may weigh positively in the planning balance. The degree of weight will depend on:

- the extent to which delivery is secured through an appropriate legal mechanism
- the scale and nature of the contribution.

This positive weight is likely to be greater where there is **clear unmet demand** on Part 1 of the Register, and may be greater still where the Council **is at risk of not meeting, or has not met**, its duty to grant enough permissions within the statutory compliance periods.

Officers should seek advice from the Planning Policy Team on the most up-to-date monitoring position, including meeting demand for self-build and custom housebuilding and the Council's five year housing land supply.

5. Planning Applications

Establishing whether a proposal involves self-build or custom housebuilding

- 5.1 Whether a proposal meets the definition of self-build or custom housebuilding is not, in itself, determinative of whether planning permission should be granted. However, it is relevant to how the proposal is assessed, the weight it is given and whether it can be relied upon for monitoring and statutory purposes.
- 5.2 Where an application proposes (in whole or part) self-build or custom housebuilding, case officers must establish whether the proposal meets the legal definition in the 2015 Act (as amended) (see Section 1). Officers should refer to the **Development Management Checklist** at the start of this guidance for key points to verify during assessment.

Self-build or custom housebuilding elements are not always identified at validation. Where a claim only becomes apparent during assessment (e.g. through supporting information or design details), officers should seek clarification and ensure that any self-build or custom housebuilding elements can be properly evidenced and, where appropriate, secured.

Single plots and multi-plot proposals

- 5.3 Self-build and custom housebuilding proposals may relate to single plots or to multiple plots, either as standalone schemes or as part of a wider development. The statutory definition does not require that individual end users are identified at application stage.

For a single plot proposal, it will often be straightforward to demonstrate how the initial occupier will have primary input into the design and layout, and delivery can frequently be secured by condition.

For multi-plot proposals, the focus should be on whether the development provides genuine serviced plots and a clear mechanism to enable initial occupiers to influence the design and layout of their dwellings. This may be achieved through the way the scheme is structured, marketed and secured.

The key consideration in all cases is whether the proposal will deliver dwellings that meet the legal definition, rather than the number of plots or the identity of the initial occupiers at the point of determination.

In practice, self-build and custom housebuilding may take a range of forms. In some cases, initial occupiers will have significant freedom over the design of their dwelling. In others, particularly within multi-plot or developer led schemes, a framework may be established through plot parameters, design codes or palette restrictions.

Such approaches do not prevent development from meeting the definition, provided that the initial occupier is able to exercise primary input into the design and layout of their dwelling within those parameters.

Descriptions of development and recording proposals

- 5.4 The description of development should ideally make explicit reference to self-build or custom housebuilding. Although this is not required for validation, a clear description supports accurate internal processing and correct monitoring of relevant permissions. Where a proposal includes self-build or custom housebuilding elements, but the description is silent, officers **may request** written agreement to amend the description of development where this would aid clarity, in line with best practice, helping to ensure transparency and accurate monitoring. The description must not be altered without the applicant's explicit consent.

Including reference to 'self-build' or 'custom housebuilding' within the description may assist in identifying relevant permissions. However, the description alone does not determine whether a proposal meets the legal definition or can be relied upon for monitoring purposes.

Examples of appropriate descriptions include:

- "Erection of 1 no. self-build dwelling"
- "Residential development of 10 dwellings including 2 serviced plots for custom housebuilding"
- "Provision of 3 no. serviced plots for custom housebuilding with associated access and infrastructure"

Delivery Statement Template

- 5.5 The Council may, in future revisions to its local validation list, consider adding a requirement for applicants proposing self-build or custom housebuilding to submit a Self-Build and Custom Housebuilding Delivery Statement. Although not currently a validation requirement, the template at Appendix 1 provides a useful structure for the type of information case officers may request during assessment.

A delivery statement can help confirm:

the proposal meets the **legal definition** of self-build or custom housebuilding;

- any **serviced plots** will be delivered and made available; and
- the **initial occupiers** will have meaningful input into the final design and layout.

Officers may request such information where needed to ensure that the claimed or intended self-build or custom housebuilding element is clearly evidenced and capable of being secured in practice (particularly for outline applications where the principle is established before design choices are finalised).

Checking the Validity of Self-Build and Custom Housebuilding Proposals

- 5.6 As there is currently no **formal validation requirement** for self-build or custom housebuilding, case officers must ensure during determination that any claimed or intended self-build or custom housebuilding element is clearly evidenced and demonstrates that it meets the **legal definition** and explains how the development will be delivered in practice. This is particularly important where a proposal refers to self-build or custom housebuilding only briefly without explaining how delivery will occur.

Where information is unclear or insufficient, officers may request further explanation from the applicant. Clarification may be needed on:

- how the intended initial occupier will have **primary input** into the final design and layout, in line with national Planning Practice Guidance;
- how the proposal qualifies as self-build or custom housebuilding, including the stage at which initial occupiers will influence design;
- how (if relevant) any serviced plot will be delivered and made available, including any mechanism proposed to secure self-build or custom housebuilding delivery;
- whether the applicant is on, or eligible for, Part 1 of the Register — noting that register status is *not determinative* but may help demonstrate credibility.

Officers should ensure that delegated and committee reports contain a **clear explanation** of how the self-build or custom housebuilding element has been assessed. Where self-build or custom housebuilding forms part of the **planning balance**, any conditions imposed or obligations entered into should be appropriate to the proposal and capable of securing that element.

6. Exemptions from Developer Contributions

Biodiversity Net Gain

- 6.1 Prior to 6 August 2026, certain qualifying self-build and custom housebuilding developments could benefit from a Biodiversity Net Gain (BNG) exemption where the statutory criteria were met. This exemption has been removed for planning applications submitted on or after 6 August 2026. Such applications should therefore

be assessed against the standard BNG requirements, unless another exemption applies.

Transitional arrangements apply to certain applications submitted before 6 August 2026. Officers should therefore consider the application's submission date when determining whether the former exemption remains relevant.

For applications to which the former BNG exemption continues to apply under the transitional arrangements, officers should ensure that any claim to that exemption is supported by sufficient evidence and that the self-build or custom housebuilding element is secured through an appropriate mechanism. In these circumstances, a planning obligation will normally be the appropriate securing mechanism, as explained in Section 7.

Community Infrastructure Levy

- 6.2 The Community Infrastructure Levy Regulations 2010 (as amended) (CIL) include an exemption for self-build housing. The Council does not currently operate a CIL charging schedule; this exemption is not applicable at present.
- 6.3 Nevertheless, CIL requires occupation of a self-build dwelling as the principal residence for a minimum of three years in order to retain its self-build exemption. Whilst this requirement does not appear in self-build and custom housebuilding legislation, it has become standard practice nationally for authorities to secure a similar three-year first occupation requirement where self-build or custom housebuilding status is relied upon in planning decisions, as a safeguard against speculative development.

7. Securing Self-Build and Custom Housebuilding

Approach to Securing Delivery

- 7.1 Where a proposal is advanced as self-build or custom housebuilding and is intended to be relied upon as such, the self-build or custom housebuilding element should be secured in a way that is proportionate to the scale and nature of the development, so that it can carry appropriate weight in the planning balance, qualify for relevant exemptions, or be counted toward meeting the Council's legal duty to grant enough permissions. Supporting evidence, such as a Self-Build and Custom Housebuilding Delivery Statement (see Appendix 1), can assist in demonstrating compliance with the legal definition set out in Section 1 of the 2015 Act (as amended).

Where a clear and satisfactory mechanism to secure delivery is not in place, **officers should exercise caution** when attributing weight to the claimed self-build or custom housebuilding element. In such cases, it may be appropriate to give only limited weight to the self-build element in the planning balance, and to consider whether, in the absence of sufficient evidence, the proposal should be assessed as general residential development.

- 7.2 Only proposals where the self-build or custom housebuilding element is secured, or can be secured, through appropriate conditions or a planning obligation, should be treated as self-build or custom housebuilding for the purposes of decision-making and monitoring.

Such proposals can be:

- afforded weight in the planning balance (where secured with sufficient certainty);
- counted towards meeting the Council's Duty to grant enough permissions to meet the level of demand recorded on Part 1 of the Register;
- eligible for relevant exemptions, where applicable.

For outline applications, planning obligations are normally required, as delivery cannot usually be fully secured by conditions alone at outline stage. For full applications and smaller scale proposals, planning conditions will often be sufficient, particularly where delivery risk is low and the Council's approved self-build conditions can operate effectively without the need for a planning obligation.

Securing mechanisms: conditions and planning obligations

The choice of securing mechanism should reflect the scale, complexity and delivery risk of the proposal.

- 7.3 To ensure delivery is robustly secured, a planning obligation (often by way of a Unilateral Undertaking) is generally appropriate where:

- the self-build or custom housebuilding element is a **material part** of the planning justification;
- the proposal comprises **multiple plots** or forms part of a wider development;
- the proposal is **outline**, with key details to follow.

Planning obligations can provide a higher level of certainty around delivery, particularly for outline schemes, multi-plot developments, or proposals where the self-build or custom housebuilding element forms a material part of the planning justification. They also support clearer monitoring arrangements where delivery needs to be demonstrated.

Conditions may be proportionate for smaller-scale proposals where delivery risk is low, and the self-build or custom housebuilding element does not form a significant part of the planning justification. Such cases will often involve single-plot developments, but conditions may also be appropriate for other uncomplicated proposals where the Council's approved self-build and custom housebuilding conditions can operate effectively.

Content of planning obligations

- 7.4 It is considered good practice for any Unilateral Undertaking or Section 106 agreement to include:

- (a) confirmation that each dwelling or serviced plot will be delivered as self-build or custom housebuilding, and will only be occupied by a person meeting the requirements of the 2015 Act (as amended);
- (b) a covenant requiring the commissioning or building household to occupy the dwelling as their home for a minimum period of three years following completion;
- (c) provisions ensuring that liability does not extend to owners after they part with their legal or equitable interest;
- (d) confirmation of ownership arrangements and any other interests in the land;
- (e) confirmation that the agreement will be registered as a local land charge.
- (f) provisions requiring notification to the Council of the date of commencement and first occupation of each dwelling or plot.

For multi-plot developments, particularly those required to provide serviced plots under Local Plan Policy HOU2, planning obligations are also likely to need to include provisions setting out how such plots will be marketed and made available for self-build or custom housebuilding. This may include the marketing period, arrangements for sale, and any agreed mechanism for releasing plots for alternative uses where they are not taken up.

Final wording and structure should follow the Council's usual legal processes.

Application and decision-making considerations

- 7.5 If a planning obligation is required (see para. 7.3) but is not provided, and the proposal cannot otherwise be robustly secured as self-build or custom housebuilding, the application should not automatically be treated as self-build or custom housebuilding for decision-making, monitoring or the purposes of any relevant exemptions. In such cases, officers should carefully consider whether the proposal should instead be treated as general residential development.

Where an applicant asserts unmet demand or seeks significant weight for a self-build or custom housebuilding element that is not secured, officers should seek internal advice from Planning Policy so that up-to-date monitoring information can be provided.

- 7.6 Planning conditions can be used to secure self-build or custom housebuilding in appropriate circumstances, particularly for smaller-scale proposals where the delivery risk is low. The Council uses an approved set of conditions for securing self-build and custom housebuilding in such cases and officers should refer to these conditions where relevant (see Appendix 2).

Where conditions are used, officers should:

- request supporting evidence of self-build intent where necessary;
- ensure that the conditions used are consistent with the approved Council wording.

- 7.7 Any securing mechanism should be enforceable in principle, as this is necessary to ensure that the self-build or custom housebuilding element can carry appropriate weight and meet the legal tests. The purpose of securing delivery, whether through an obligation or condition, is to ensure clarity about what has been permitted and to

support reliable monitoring. This enables the Council to demonstrate whether it is meeting its legal duty to grant enough permissions to meet demand.

Decisions about enforcement are always made case by case, in accordance with the Council's Enforcement Policy and the public interest. Securing delivery provides certainty but does not predetermine how any future breach would be addressed.

Local Land Charges

- 7.8 Planning obligations used to secure self-build or custom housebuilding will be registered as local land charges in accordance with standard practice. This supports transparency in future land searches and assists with monitoring and enforcement where necessary.
-

8. Monitoring

- 8.1 To demonstrate the Council's performance against the legal duty to grant enough planning permissions to meet the level of demand recorded on the register, effective monitoring processes should be in place and applied consistently.
- 8.2 The Council's ability to monitor permissions that contribute toward meeting the duty, relies on accurate recording of permissions where self-build or custom housebuilding has been clearly demonstrated and secured through appropriate conditions or a planning obligation, as applicable. This includes ensuring that such permissions are correctly flagged in the planning system and reported through national data returns.
- 8.3 Where delivery is secured through a planning obligation, relevant clauses should require notification to the Council upon commencement and first occupation. This information helps provide assurance that development is progressing in line with the secured self-build or custom housebuilding status and supports accurate reporting.
- 8.4 **Planning, validation and monitoring officers should** ensure, where practicable, that case files and planning databases capture:
- Whether the application indicates that the proposal may involve self-build or custom housebuilding, so it can be flagged early for monitoring;
 - The mechanism by which delivery is, or is expected to be, secured, such as conditions or a planning obligation;
 - where secured, the identity of the initial occupier as set out in the legal mechanism;
 - Dates of commencement and first occupation, where provided.

Note: The Planning Portal does not currently provide a dedicated tick box for applicants to indicate whether a proposal is for self-build or custom housebuilding. This can limit the ability to capture this information systematically at registration stage.

- 8.5 Annual reporting of permissions, completions, and register activity will support transparency and inform future updates to policy and practice.
- 8.6 To improve consistency and support effective monitoring, the Council should consider:
- reviewing use of the 'Self-Build and Custom' tick-box within Uniform to ensure permissions are being appropriately recorded and can be easily reported;
 - maintaining strong links between Development Management, Planning Policy, and Enforcement teams to ensure a shared understanding of how self-build and custom housebuilding is being secured and monitored;
 - reducing the risk of knowledge or process gaps by ensuring that register management and monitoring activities are not dependent on a single officer, for example, through internal guidance notes or shared workflows.

Appendix 1: Draft Self-Build and Custom Housebuilding Delivery Statement Template

Applicants proposing self-build or custom housebuilding are encouraged to provide the following information to support the assessment of their proposal against the legal definition set out in the Self-Build and Custom Housebuilding Act 2015 (as amended), as informed by national Planning Practice Guidance. This information can help demonstrate that the development qualifies as self-build or custom housebuilding for planning purposes and may assist in informing the weight to be given to the proposal in the planning balance, depending on the strength of evidence provided.

Please note: This template is not currently a formal validation requirement, but applicants are encouraged to complete it where relevant. **Case officers may request** this information during the application process, as it can support a clearer and more robust assessment. Applicants should also ensure that an appropriate securing mechanism is proposed where required (e.g. a planning obligation).

Applicant and Site Information

- Applicant name:
☐ _____
- Application reference (if known):
☐ _____
- Site address:
☐ _____

- Number of self-build or custom housebuilding dwellings proposed:
☐ _____
- Is this a full or outline application?
☐ Full ☐ Outline

If this is an outline application

- A planning obligation will normally be required to secure delivery in line with the 2015 Act (as amended). Please confirm whether a planning obligation (e.g. Unilateral Undertaking or Section 106 agreement) is proposed:
☐ _____

- If you believe the proposal can be secured as self-build or custom housebuilding without a planning obligation, **please briefly explain why:**
☐ _____

- Briefly explain how opportunities for individual or custom design input will be addressed at the reserved matters stage (e.g. plot-based approach, bespoke design options, self-finish packages):
☐ _____

Eligibility and Intended Occupation

- Is the applicant intending to occupy the dwelling themselves?
☐ Yes ☐ No ☐ Not yet known
- Is the applicant (or intended initial occupier) on Part 1 of the Council's Self-build and Custom Housebuilding Register? (*This is not a requirement but may assist the Council in understanding local demand*)
☐ Yes ☐ No ☐ Not known
- If yes, please provide registration reference (if available):
☐ _____
- **If no**, is the proposal to provide serviced plots for occupation by self or custom builders?
☐ Yes ☐ No ☐ Not yet known

Delivery and Plot Provision

- Will the development provide one or more serviced plots for self or custom build?
☐ Yes ☐ No

If yes:

- Number of serviced plots:
☐ _____
- Please briefly explain how plot(s) will be serviced (e.g. access, utilities, drainage):
☐ _____

If more than one serviced plot is proposed:

- How will serviced plots be made available to individuals or associations of individuals for self or custom build (e.g., marketing approach, allocation process, sale arrangements, timing of release)?

☐ _____

If no, please explain how the proposal is intended to meet the definition of self-build or custom housebuilding:

☐ _____

Customisation and Design Input

- Please explain how the initial occupier(s) will have the opportunity to influence the design and layout of the dwelling(s).
(For example, internal layout, materials, or appearance. Please provide specific examples where possible.)

☐ _____

Note: National Planning Practice Guidance states that for a proposal to qualify, the initial occupant(s) must have had primary input into the design and layout of their home.

Legal Mechanism

- Is a planning obligation proposed to secure delivery of the development as self-build or custom housebuilding, where this is considered necessary?

(This may include a Unilateral Undertaking or a Section 106 agreement.)

☐ Yes ☐ No

Where a planning obligation is not proposed, the Council will consider whether delivery can be appropriately secured by condition.

- If yes, please specify which type (e.g. Unilateral Undertaking, Section 106 agreement.):

☐ _____

- Please confirm whether a draft planning obligation has been submitted, or when it is expected to be provided:

☐ _____

Appendix 2: Council's standard self-build and custom housebuilding conditions

SB01 - Self Build Commissioned and Constructed

The dwelling hereby permitted shall only be commissioned and / or constructed as a self-build and custom housebuilding house, as defined in the Self-Build and Custom Housebuilding Act 2015 (as amended).

Reason: To ensure the satisfactory development of the site as a genuine self-build and/or custom dwelling.

SB02 - Self Build First Occupied by Qualifying Person

The dwelling hereby permitted shall be first occupied by at least one qualifying person who:

- a) was involved in the commissioning and construction of the dwelling as a self-build and custom housebuilding dwelling, as defined Self-Build and Custom Housebuilding Act 2015 (as amended) **and**
- b) has had primary input into the dwelling's final design and layout.

Occupation by a qualifying person shall occur for a period of no less than three years following the date of first occupation of the dwelling hereby permitted.

Evidence that the dwelling is being occupied by qualifying persons for the first three years of occupation shall be provided in writing to the Local Planning Authority upon request. Such evidence shall be provided to the Local Planning Authority within 14 days of such request.

Reason: To ensure the satisfactory development of the site as a genuine self-build and/or custom dwelling.

SB 03 - Self Build Notification of First Occupation Date

The applicant / developer shall notify the Local Planning Authority in writing of the date of first occupation of the development hereby permitted. Such notification shall be provided within 14 days of the date of first occupation.

Reason: To ensure the satisfactory development of the site as a genuine self-build and/or custom dwelling.

Appendix 3: Self-build and Custom Housebuilding Monitoring Information

The information in this appendix reflects the Council's position at the time of publication. It provides a summary of the Council's monitoring position for reference only. As demand and permissions change over time, officers should refer to the latest published monitoring information and consult the Planning Policy team where applicants rely on the Council's current position in support of a proposal.

Base Period	Registrations (excluding renewals)	Demand Created	Statutory Duty Met	Notes
1 (1 April to 30 October 2016)	38	N/A	N/A	*
2 (31 October 2016 to 30 October 2017)	55	N/A	N/A	*
3 (2017/2018)	12	12	Met	
4 (2018/2019)	4	4	Met	
5 (2019/2020)	9	9	Met	
6 (2020/2021)	10	10	Not Met	9 of the 10 permissions required to meet demand were not granted within the Base Period 6 duty window. The unmet demand was carried forward to Base Period 7 where it was subsequently met.
7 (2021/2022)	4	13	Met	
8 (2022/2023)	3	3	Met	
9 (2023/2024)	1	1	Met	
10 (2024/2025)	9	9	TBC	To be confirmed (TBC) once the three-year duty window has closed on 30 October 2028, or when sufficient permissions have been granted.
11 (2025/2026)	3 (as at 01/04/26)	TBC	TBC	To be confirmed once the three-year duty window has closed on 30 October 2029, or when sufficient permissions have been granted.

* Base Periods 1 and 2 are shown as N/A because entries recorded during those periods were not assessed against the statutory eligibility criteria required for inclusion on Part 1 of the Register at that time. Those entries were later reviewed under the statutory process. Eleven eligible entries were identified and then included on Part 1 of the Register from Base Period 3 onwards, so that only eligible entries were counted for the purposes of the statutory duty.