


# CUSTOM AND SELF-BUILD HOUSING

## SUPPLEMENTARY PLANNING DOCUMENT

May 2024



## How to use this document

The document comprises of 11 chapters and 8 appendices, with each chapter covering a different topic. The best way to navigate through the document is by using the interactive contents. By clicking on a specific chapter in the contents, it will automatically take you to that part of the document. Moreover, if you want to go to a different section quickly, the easiest way is to click  the home symbol in the top right corner of the page. This will take you back to the contents where you can then select a different chapter. There is also a guide on the right-hand side of each page, this will show you what chapter of the document you are currently in and where that sits within the rest of the document. Throughout the document there are hyperlinks in the text that provide links to further information.

## What is a supplementary planning document?

Supplementary Planning Documents expand upon policy and provide further detail to support the implementation of policies in Local Plans. Whilst not a part of the development plan, they are a material consideration in the determination of planning applications. The Local Plan policies, which this SPD provides guidance on, can be viewed on the Council's website: [www.eastsuffolk.gov.uk/localplan](http://www.eastsuffolk.gov.uk/localplan). Other adopted and emerging Supplementary Planning Documents can also be viewed on the Council's website: <https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/supplementary-planning-documents/>



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# 1 Introduction

1.1 The Custom and Self-build Housing Supplementary Planning Document (SPD) provides guidance for the consideration of planning applications that include custom and self-build housing, primarily in relation to the following Local Plan policies:

- SCLP5.9 (Self Build and Custom Build Housing) of the [Suffolk Coastal Local Plan](#)<sup>1</sup> (adopted September 2020), and
- WLP8.3 (Self Build and Custom Build) of the [Waveney Local Plan](#)<sup>2</sup> (adopted March 2019).

1.2 The above policies give positive support to custom and self-build housing proposals. They require large developments of 100 homes or more to provide 5% of the homes as custom and self-build homes on serviced plots and they allow the possibility of these plots to be built out by the developer if the plots do not sell following an agreed marketing exercise. They each specify that proposals for five or more custom and self-build homes should be built in accordance with agreed design principles.

1.3 Other Local Plan policies also provide opportunities for custom or self-build housing, in particular SCLP5.4 (Housing in Clusters in the Countryside) and WLP8.7 (Small Scale Residential Development in the Countryside). Detailed information about these two policies (SCLP5.4 and WLP8.7) is available in the Council's [Housing in Clusters and Small Scale Residential Development in the Countryside SPD](#)<sup>3</sup>.

1.4 Other policies that may be relevant include:

- SCLP5.8 (Housing Mix)
- WLP8.1 (Housing Mix)
- SCLP5.10 (Affordable housing on Residential Developments)
- WLP8.2 (Affordable Housing)
- SCLP7.1 (Sustainable Transport)
- WLP8.21 (Sustainable Transport)
- SCLP8.2 (Open Space)
- SCLP10.1 (Biodiversity and Geodiversity)
- WLP8.34 (Biodiversity and Geodiversity)
- SCLP11.1 (Design Quality)
- WLP8.29 (Design)
- SCLP11.2 (Residential Amenity)
- SCLP11.3 (Historic Environment)

<sup>1</sup> [www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Suffolk-Coastal-Local-Plan/Adopted-Suffolk-Coastal-Local-Plan/East-Suffolk-Council-Suffolk-Coastal-Local-Plan.pdf](http://www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Suffolk-Coastal-Local-Plan/Adopted-Suffolk-Coastal-Local-Plan/East-Suffolk-Council-Suffolk-Coastal-Local-Plan.pdf)

<sup>2</sup> [www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Adopted-Waveney-Local-Plan-including-Erratum.pdf](http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Adopted-Waveney-Local-Plan-including-Erratum.pdf)

<sup>3</sup> <https://storymaps.arcgis.com/stories/64c3d4c794ee4577baef2726b9fc51aa>



- WLP8.37 (Historic Environment)
- 1.5 This Custom and Self-build Housing SPD applies to the whole of East Suffolk, except the area within the Broads Executive Area, for which the Broads Authority is the local planning authority.
- 1.6 Custom and self-build housing is legislated for in the [Self-build and Custom Housebuilding Act 2015](#)<sup>4</sup> (as amended) (the 2015 Act). The Act places three legal duties on local authorities:
- To hold a register of individuals who are seeking to acquire serviced plots of land for their own custom and self-build home (section 1),
  - To have regard to the register when carrying out its functions relating to planning, housing, land disposal, and regeneration (section 2), and
  - To grant enough planning permissions for custom and self-build housing to meet the demand on the register (section 2A).
- 1.7 The Government's [National Planning Policy Framework](#)<sup>5</sup> (NPPF) (2023) and [Self-build and Custom Housebuilding Planning Practice Guidance](#)<sup>6</sup> (PPG) are material considerations

in the determination of planning applications and set national policy and guidance relating to custom and self-build housing.

- 1.8 In furthering the Council's commitment to custom and self-build housing it is important to note the Council's Strategic Plan ([Our Direction 2028](#)<sup>7</sup>), which expressly supports the provision of self-build housing.

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<sup>4</sup> [www.legislation.gov.uk/ukpga/2015/17/contents](http://www.legislation.gov.uk/ukpga/2015/17/contents)

<sup>5</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1182995/NPPF\\_December\\_23.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_December_23.pdf)

<sup>6</sup> [www.gov.uk/guidance/self-build-and-custom-housebuilding](http://www.gov.uk/guidance/self-build-and-custom-housebuilding)

<sup>7</sup> [www.eastsuffolk.gov.uk/yourcouncil/how-your-council-works/east-suffolk-strategic-plan/](http://www.eastsuffolk.gov.uk/yourcouncil/how-your-council-works/east-suffolk-strategic-plan/)



## 2 What is Custom and Self-build Housing?

- 2.1 Custom and self-build housing, as distinct from other forms of housing, offers a greater degree of design freedom which can help meet occupants’ needs and desires, and can lead to higher quality homes with improved energy efficiency standards. Custom and self-build housing can therefore deliver greater choice in the housing market and diversify housing supply, which as the [Letwin Review](#)<sup>8</sup> identified can help speed up housing delivery.
- 2.2 Custom and self-build housing share the same legal definition, as set out in [section 1 of the 2015 Act](#)<sup>9</sup>, which can be broadly defined as housing whose initial occupants have a primary input into its final design and layout. Notwithstanding the single legal definition, the differences between custom and self-build housing

can be best understood as a spectrum of design and delivery control as shown in figure 1.

- 2.3 The 2015 Act makes clear that homes built wholly or mainly to plans or specifications decided or offered by someone other than the initial occupant are not custom or self-build homes. In other words, the initial occupant must have the primary input into the final design and layout of the home.
- 2.4 The 2015 Act also requires custom and self-build homes to be occupied as a sole or main residence.
- 2.5 It is of great importance that clarity is provided as to whether a development proposal includes custom and self-build

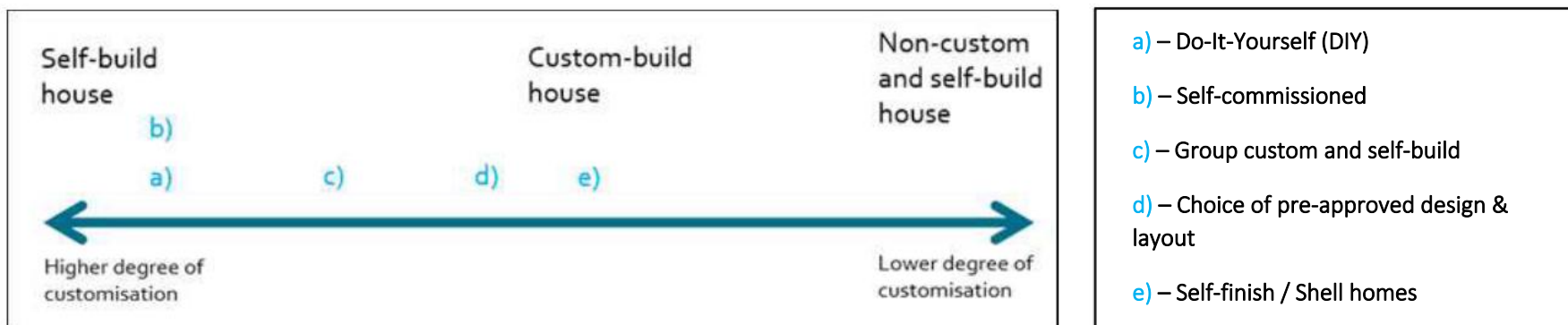


Figure 1: Custom and self-build housing spectrum of design and delivery control

<sup>8</sup> [www.gov.uk/government/publications/independent-review-of-build-out-final-report](http://www.gov.uk/government/publications/independent-review-of-build-out-final-report)

<sup>9</sup> [www.legislation.gov.uk/ukpga/2015/17/section/1](http://www.legislation.gov.uk/ukpga/2015/17/section/1)



housing and how the proposed custom and self-build housing satisfies the legal definition in section 1 of the 2015 Act. It will be expected that planning applications state clearly that a proposal is for custom and self-build housing, including reference to custom and self-build housing in the description of development, which will weigh favourably in the determination of the planning application. Further guidance is provided in Appendix 1 (recommended format of planning applications). Many planning applications for new homes in the form of infill development, barn conversions, replacement dwellings, and 'cluster' proposals<sup>10</sup> can potentially be custom and self-build housing. These developments can also potentially gain exemption from Community Infrastructure Levy (see section 6 for more information).

- 2.6 Appendix 2 (custom and self-build delivery statement) provides a custom and self-build delivery statement template that should be completed and submitted with all relevant planning applications for custom and self-build housing. It is expected that the form is submitted with applications that seek to secure the principle of the development, such as outline planning applications or full detailed planning applications.

- 2.7 The approaches set out in the SPD, including the appendices, will aid the monitoring of custom and self-build housing planning permissions.
- 2.8 Table 1 sets out some common types of custom and self-build housing, how they qualify as custom and self-build housing, and case studies of their implementation. In determining the appropriate degree of design freedom for initial occupants, consideration will need to be given to section 8 (Design Codes).

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<sup>10</sup> Development proposals that accord with Local Plan policies SCLP5.4 (Housing in Clusters in the Countryside) and WLP8.7 (Small Scale Residential Development in the Countryside)



Type of custom and self-build housing	What is it?	How is it custom and self-build housing?	Case studies
Do-It-Yourself (DIY)	Housing whereby the initial occupants undertake all or the majority of the design, project management, and construction work themselves.	Initial occupants retain all decision-making powers in the design, layout and delivery of their home.	Graven Hill, South Oxfordshire; Long Four Acres, South Norfolk
Self-commissioned	Housing whereby the initial occupants commission professionals to undertake the design, project management, and construction works on their behalf.	Initial occupants retain all decision-making powers in the design, layout and delivery of their home.	Graven Hill, South Oxfordshire; Long Four Acres, South Norfolk; Almere, Netherlands
Group custom and self-build	<p>Housing whereby groups of households come together as intentional communities to design and deliver, or commission professionals to design and deliver, housing which they will live in.</p> <p>Co-housing usually also involves an element of communal living, such as for example a communal building within the housing development and/or communal amenity space shared by all residents.</p>	Initial occupants may have to compromise to some extent on their individual preferred design and layout choices in order to agree the design and layout of their house and wider development with a group of households. However, the initial occupants will be involved in the design process and retain decision making powers from the outset and be able to veto design options they do not support.	Marmalade Lane, Cambridge; Hockerton, Nottinghamshire; New Ground Co-housing, London Borough of Barnet
Choice of pre-approved designs	Housing whose design and layout is chosen by initial occupants from a set of pre-approved, customisable design options in a design code offered by the site wide landowner, developer,	Initial occupants will usually not be involved in the preparation of the design code and therefore will have no input into the house design options. It is therefore of critical importance that the pre-approved designs offer a substantial	Marmalade Lane, Cambridge





Type of custom and self-build housing	What is it?	How is it custom and self-build housing?	Case studies
	<p>or specialist developer often known as a custom and self-build enabler.</p>	<p>degree of design and layout customisation for initial occupants. The design options should demonstrate consideration as to how design freedom is offered to initial occupants over matters including, but not limited to, the:</p> <ul style="list-style-type: none"> <li>- Size and shape of the home, including outbuildings,</li> <li>- Position, size and shape of all windows and doors across every elevation,</li> <li>- Materials across every elevation and roof,</li> <li>- Internal layout (e.g. location, size and shape of rooms),</li> <li>- Build specification (e.g. insulation, heating configuration, heat pumps),</li> <li>- Sustainability features (e.g. solar panels, solar hot water, triple glazing), and</li> <li>- Finishes (e.g. kitchen, bathroom, flooring, lighting).</li> </ul>	
<p>Self-finish/Shell home</p>	<p>Housing built as a watertight shell by a developer, the internal layout of which is then designed and finished by the initial occupant.</p>	<p>To qualify as custom and self-build housing initial occupants must have complete layout customisation (i.e.</p>	<p>Blenheim Grove, London borough of Southwark</p>



Type of custom and self-build housing	What is it?	How is it custom and self-build housing?	Case studies
	<p>Self-finish housing will usually not provide initial occupants with an input into the built form and external appearance of the home.</p>	<p>location and design of all internal walls, rooms, staircases), and ideally ceiling heights and external design customisation (e.g. materials).</p> <p>This type of custom and self-build housing cannot be delivered through the 5% requirement on 100+ dwellings schemes (Local Plan policies SCLP5.9 or WLP8.3) as it does not constitute the provision of serviced plots.</p>	

Table 1: Some examples of common custom and self-build housing



### 3 Custom and Self-build Housing Data



1 in 3 people are interested in building their own home

**64,000** Entries on the England register

**99%** Entries on the England register from individuals

Statistics show there is **demand** for custom and self-build housing in **England** (2022 - National custom and self-build housing register data 2016 to 2021-22 <https://www.gov.uk/government/publications/self-build-and-custom-housebuilding-data-2016-2016-17-2017-18-and-2018-19>)

3

Custom and self-build **benefits the local economy and community** (2019 - Chamberlain Walker Economics Ltd <https://www.middevon.gov.uk/media/353400/housing-strategy-2021-25.pdf>, page 34)

Amount in every £1 invested locally

<b>45p</b>	<b>22p</b>
Custom & self-build	Major housebuilders

**65%** Local labour compared with 43% for major housebuilders



**613** Individuals on the East Suffolk register

**5** Groups on the East Suffolk register

**Top 4** reasons why people on the register want to build their own home in East Suffolk

- Environmental performance
- Design
- Build quality
- Running costs

There is strong demand for custom and self-build plots in **East Suffolk** (2023 - East Suffolk Council custom and self-build housing register data 2015 to 2023 <https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/self-build-and-custom-build/key-statistics-from-the-self-build-and-custom-build-register/>)



## 4 Affordable Custom and Self-build Housing

- 4.1 Custom and self-build housing is not, by definition, Affordable housing. However, it can provide an opportunity for some cost savings where initial occupants undertake a degree of building work themselves (known as sweat equity). It is only Affordable housing if it is delivered in a manner that meets the definition of Affordable housing set out in the [NPPF glossary](#)<sup>11</sup>, about which further information is provided in the Council's [Affordable Housing SPD \(2022\)](#)<sup>12</sup>.
- 4.2 Solely custom and self-build housing proposals will be required to deliver a policy compliant Affordable housing mix, as set out in policies [SCLP5.10 \(Affordable Housing on Residential Developments\)](#)<sup>13</sup> and [WLP8.2 \(Affordable Housing\)](#)<sup>14</sup>. In general, priority consideration should first be given to accommodating conventional affordable housing which is not custom and self-build within the scheme as this is most beneficial to the significant affordable housing needs of the district. In respect of developments of 100+ dwellings which are required to deliver 5% serviced plots, the affordable housing provision of such sites should be entirely within the

developer-built element of the site and not delivered as affordable custom and self-build housing.

- 4.3 The NPPF (2023, Glossary) makes clear that Affordable housing is housing for those whose needs are not met by the market. Custom and self-build housing is for those whose desires and demands are not met by the market. Consequently, where there is a conflict between meeting the policy compliant Affordable housing mix and custom and self-build housing the Council will be minded to resolve the conflict in favour of the Affordable housing mix. For example, it may not be possible to deliver affordable rented housing in a custom and self-build manner due to the difficulty in engaging the initial occupant early enough in the process for them to have a primary input in the final design and layout of the home.
- 4.4 Appendix 2 (custom and self-build delivery statement) provides a template delivery statement that should be completed and submitted with all relevant planning applications for custom and self-build housing. It is expected that the form be submitted with applications that seek to

<sup>11</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1182995/NPPF\\_December\\_23.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_December_23.pdf)

<sup>12</sup> [www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Supplementary-documents/Affordable-Housing/Affordable-Housing-SPD.pdf](http://www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Supplementary-documents/Affordable-Housing/Affordable-Housing-SPD.pdf)

<sup>13</sup>

<https://eastsuffolk.inconsult.uk/consult/ti/suffolkcoastallocalplan2020/viewCompoundDoc?docid=11955764&partid=11960180#11960180>

<sup>14</sup>

<https://eastsuffolk.inconsult.uk/consult/ti/eastsuffolkwaveneylocalplan/viewCompoundDoc?docid=11491476&partid=11497460#11497460>



secure the principle of the development, such as outline planning applications or full detailed planning application. In completing the delivery statement, the applicant will need to set out the proposed approach to affordable housing delivery.

- 4.5 Where the applicant is seeking to deliver affordable custom and self-build housing, the applicant will need to demonstrate how the affordable housing will be delivered in a manner that meets both the affordable housing definition (NPPF glossary) and the custom and self-build housing definition (Self-build and Custom Housebuilding Act 2015). Potential mechanisms for this can include:
- a) Land offered to registered providers and/or community led housing groups to be delivered with a primary input from initial occupants.
  - b) The sale of plots at below market value with the reduction in market value captured through the section 106 agreement and secured in perpetuity by a restriction on the title.
  - c) Discounted self-finish homes with the reduction in market value captured through the section 106 agreement and secured in perpetuity by a restriction on the title.

4.6 Where it is proposed, and deemed acceptable, that affordable housing is delivered as affordable custom and self-build housing, an affordable housing scheme should be submitted

prior to or in conjunction with the submission of the first reserved matters planning application or prior to commencement (whichever is sooner). In addition to the provisions set out in the Council's [Affordable Housing SPD \(2022\)](#)<sup>15</sup>, the affordable housing scheme will need to demonstrate:

- a) The method by which the developer and/or registered provider shall ensure that the affordable dwellings shall be custom and self-build housing; and
- b) Where discounted sale plots/self-finish dwellings are proposed and deemed acceptable, the method by which the owner shall ensure the initial occupant is not unfairly disadvantaged financially by the discount to be retained.

4.7 In circumstances where the affordable custom and self-build housing is proposed to be taken on by a Registered Provider, and the Council agrees that there is clear evidence that no registered provider has been willing to take on the affordable custom and self-build element, non-custom and self-build affordable housing can be delivered. In such circumstances, the applicant should engage East Suffolk Council to consider whether it is necessary to vary the s106 agreement.

4.8 Where affordable custom and self-build housing is proposed, and deemed acceptable, the section 106 obligations for affordable custom and self-build housing will set out the mix

<sup>15</sup> [www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/supplementary-planning-documents/](http://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/supplementary-planning-documents/)



of tenure types, eligibility criteria for future occupiers and the sales procedure for any discounted plots, and the appropriate clauses will be considered on a case by case basis. To avoid issues arising and potential delays during the course of the development, applicants should carefully consider and set out in their application how the affordable custom and self-build housing is proposed to be delivered to enable suitable clauses to be included in the section 106 agreement.



## 5 Serviced Plots

- 5.1 The Housing and Planning Act 2016 amended the Self-build and Custom Housebuilding Act 2015 to define a [serviced plot of land](#)<sup>16</sup> 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;”
- 5.2 Custom and self-build housing must therefore be serviced for electricity, water, and waste water and have access to a public highway. If a private road is proposed to connect plots to a public highway it will be expected that the private road be secured through the planning permission. It will also be expected that custom and self-build housing be serviced for telecommunications, with fibre optic broadband to the plot boundary.
- 5.3 Early engagement with infrastructure providers is recommended to ensure the timely delivery of infrastructure and other development.
- 5.4 Each custom and self-build plot, or the plots taken together, will need access to a construction compound/s and material storage area/s.
- 5.5 Given that custom and self-build housing on serviced plots can take longer to build out than developer housing, it is important that early consideration is given to the approach and likely timescales for finishing the construction of access roads to the serviced plots and whether access roads will be private roads or adopted by Suffolk County Council as the Highway Authority. Early phasing of custom and self-build housing on developer led sites is recommended. This will help ensure that custom and self-build housing is completed before the site wide developer has moved off the site. Consequently, the site wide developer will be on site to complete the access roads as required. The objective is to complete access roads as early as possible, although not so early that the completed street will carry a significant volume of heavy construction traffic.
- 5.6 Custom and self-build housing can be marketed before being serviced; however, the minimum 12-month marketing period will only commence when the agreed marketing strategy has

<sup>16</sup> [www.legislation.gov.uk/ukpga/2015/17/section/5](http://www.legislation.gov.uk/ukpga/2015/17/section/5)



been initiated, the plot has been serviced, has defined boundaries, and is available for immediate purchase.





## 6 Community Infrastructure Levy

6.1 The Community Infrastructure Levy (CIL) is a charge levied on new development in East Suffolk that helps fund infrastructure to support development. The [East Suffolk CIL Charging Schedule](#)<sup>17</sup> sets the CIL rates for development across East Suffolk. The [CIL Regulations 2010](#)<sup>18</sup> (as amended) provide for a CIL exemption for self-build housing.

### Self-build CIL exemption qualification

6.2 To qualify for self-build CIL exemption the initial occupant must build or commission the construction of the home, which they will occupy as their sole or main residence for at least 3 years from the completion<sup>19</sup> of the home.

### Self-build CIL exemption process

6.3 In order to benefit from the exemption, the following process must be adhered to. If this legislative process is not followed CIL will be charged on the development. The [Planning Portal](#)<sup>20</sup> provides the forms referenced below.

6.3.1 Step 1 (Assume liability and claim self-build exemption) – Assuming liability for CIL and claiming a CIL exemption can be actioned at the same time, however two forms must

be used. The person seeking the self-build exemption must first assume liability to pay CIL in relation to the development by submitting a completed 'Form 2: Assumption of Liability' to East Suffolk Council (ESC). The person who assumed liability must claim the self-build exemption by submitting a completed 'Form 7: Self Build Exemption Claim - Part 1' to ESC. ESC, as the collecting authority, will notify the claimant of a successful exemption (or the amount of relief granted). If the development commences before ESC notifies the claimant of its decision on the claim, the exemption will be lost, and CIL will be payable.

6.3.2 Step 2 (Commencement notice) – The claimant must submit a valid 'Form 6: Commencement Notice' to ESC before development is commenced. If development is commenced before ESC receives and acknowledges the commencement notice, a surcharge will be imposed.

6.3.3 Step 3 (Completion) – No later than six months after the development is completed the claimant must submit a completed 'Form 7: Self Build Exemption Claim - Part 2' to ESC along with the necessary supporting evidence. If the

<sup>17</sup> [www.eastsuffolk.gov.uk/planning/developer-contributions/community-infrastructure-levy/cil-rates/approved-cil-rates-for-the-east-suffolk-area/](http://www.eastsuffolk.gov.uk/planning/developer-contributions/community-infrastructure-levy/cil-rates/approved-cil-rates-for-the-east-suffolk-area/)

<sup>18</sup> [www.legislation.gov.uk/ukjs/2010/948/contents](http://www.legislation.gov.uk/ukjs/2010/948/contents)

<sup>19</sup> Completion is defined as the date on which a compliance certificate under the building regulations is issued.

<sup>20</sup> [www.planningportal.co.uk/planning/policy-and-legislation/CIL/download-the-forms](http://www.planningportal.co.uk/planning/policy-and-legislation/CIL/download-the-forms)



form is not submitted to ESC within six months of completion the exemption may be lost, and CIL will be payable. Completion of the development is defined as the date on which a compliance certificate under the building regulations is issued. The CIL exemption is also lost if the house is sold or let within 3 years of the completion date.

- 6.4 Developments for multiple homes that include self-build plots must be phased to ensure that each self-build plot can benefit from CIL exemption. The description of development (set out on the planning application form) must reflect the fact that the development will be phased. A phasing plan must be submitted prior to, or in conjunction with, the first reserved matters application setting out that each self-build plot is a separate phase that is capable of being delivered before or after any other self-build plots as well as any other parts of the development (e.g. site wide infrastructure). This is so that the commencement of development on one self-build plot or part of the site does not trigger the commencement of development for CIL purposes on other self-build plots.
- 6.5 A phasing plan will also be required for planning applications for a single self-build home if the developer wishes to commence work on for example highway access and/or servicing to the plot boundary without triggering the

commencement of development for CIL purposes on the self-build dwelling.

- 6.6 Once a self-build plot has commenced development the self-builder must be the person to build out, or commission the build out of, the development. Self-build exemption cannot be claimed by another person in the event that the plot is sold or transferred after commencement.



## 7 Phasing

- 7.1 Custom and self-build housing must be delivered in individual plot phases to ensure that:
- Custom and self-build housing is delivered in a timely manner,
  - Self-build plots can benefit from CIL exemption,
  - Custom and self-build plots do not unnecessarily hold back later development phases, and
  - Custom and self-build plots are not required to deliver any part of the site wide infrastructure.
- 7.2 Applicants are encouraged to use the model phasing plan provided in Appendix 5.

### **Delivery of custom and self-build housing in a timely manner**

- 7.3 Where custom and self-build housing is to be delivered as part of a larger development, the Council will expect the early delivery of custom and self-build plots. However, where clear justification is provided to demonstrate why parcels of custom and self-build plots may not be delivered early in the build programme, the Council will expect all custom and self-build plots to be marketed in accordance with the agreed marketing strategy and available for immediate purchase when not more than 50% of the total dwellings are occupied. This will be dealt with via a section 106 agreement, as set out in Appendix 4 (model section 106 obligations).

- 7.4 Delivery of a custom and self-build plot means providing access, servicing to the plot boundary, making the plot available for immediate purchase, and marketed in compliance with any marketing requirements. It is also important that each custom and self-build plot, or the plots taken together, has access to a construction compound/s and material storage area/s.
- 7.5 Early attention in the design process must be given to how the phasing best enables access and servicing of custom and self-build plots. Such plots should be designed in a way which avoids conflicts with construction arrangements with the main developer(s) and ensure suitable access, site safety and security. Furthermore, care needs to be taken in how different build out rates of custom and self-build plots might interact with the main development site and amenity of new residents. For further information in relation to design see section 8 on design codes.

### **CIL exemption**

- 7.6 As set out in the CIL section (section 6), self-build housing can gain exemption from CIL provided the correct statutory procedure is followed.
- 7.7 If self-build plots are not identified on the phasing plan as individual phases that can be delivered independently of



other elements of the development, any commencement of the development would result in the loss of potential CIL exemption on self-build plots other than those for which CIL exemption has been already granted. The description of development must specify that the development is phased.

### Later phases of development

- 7.8 Custom and self-build housing can often take longer to deliver than, for example, housebuilder homes for a variety of reasons, including the potentially limited experience of custom and self-builders in construction and less readily available funding sources. Consequently, it will be important to avoid a situation whereby the commencement of housebuilder homes within a later phase of a large development is prevented until custom and self-build homes have been completed.
- 7.9 The phasing plan must therefore separate, for example, the housebuilder phases from custom and self-build housing phases and ensure that the commencement of housebuilder phases is not dependant on the completion of any custom and self-build housing phases.
- 7.10 For large strategic sites consideration will need to be given to marketing clusters of custom and self-build housing at different times to avoid a large number of custom and self-build plots flooding the market and resulting in unsold plots after the minimum 12-month marketing period. Further detail is provided in paragraph 8.7.

### Site wide infrastructure

- 7.11 Site wide infrastructure requirements such as transport infrastructure, sustainable drainage systems, and Biodiversity Net Gain must be delivered by the site wide developer and must not trigger the commencement of development on custom and self-build plots. The phasing plan must therefore ensure that site wide infrastructure is not part of any custom and self-build housing phase.
- 7.12 For custom and self-build plots as part of wider developments, the potential impermeable area of custom and self-build plots should be considered in the wider drainage strategy. This should be at least 60% impermeable area per plot. If infiltration is viable site wide developers should consider the required size of plot soakaways and that the plot is suitably sized to allow soakaways clearance to buildings (5m).
- 7.13 For single plot custom and self-build proposals, the design of custom and self-build homes should consider SuDS principles in the management of surface water on-plot. This should include the use of pervious surfaces, raingardens, and other



SuDS techniques where appropriate. Please see the [Lead Local Flood Authority technical guidance](#)<sup>21</sup>.

### **Recommended approach to phasing**

- 7.14 The description of development must specify that the development is phased. A phasing plan will be required for all development proposals delivering multiple custom and self-build homes. The phasing plan will be expected to be submitted prior to, or in conjunction with, the first reserved matters application.

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<sup>21</sup> [www.suffolk.gov.uk/asset-library/2023-sf3967-scc-suffolk-flood-risk-appendix-a2.pdf](http://www.suffolk.gov.uk/asset-library/2023-sf3967-scc-suffolk-flood-risk-appendix-a2.pdf)



## 8 Design Codes

- 8.1 Design codes play an important role in the delivery of custom and self-build housing, in maximising the level of design freedom for initial occupants while demonstrating a coherent and high quality development that responds to its context. A design code is a set of written and illustrated rules that establish the design parameters of a development and of each plot.
- 8.2 The Council requires a design code to be agreed for developments that include 5 or more custom and self-build homes. The design code must be agreed prior to marketing plots for sale to provide certainty for potential plot purchasers as to what can and cannot be built on each plot.
- 8.3 Custom and self-build housing, by its nature, must offer initial occupants sufficient design freedom to meet their needs and desires and the custom and self-build housing legal definition. The 2015 Act makes clear that homes built mainly to plans or specifications decided or offered by someone other than the initial occupant will not constitute custom and self-build housing. This means the degree of design freedom available to initial occupants is of critical importance in determining whether a development proposal constitutes custom and self-build housing.
- 8.4 The greater the degree of design customisation afforded to initial occupants, the lower the likelihood that such custom and self-build housing will compete with other new build residential development, thereby adding to the housing supply rather than substituting from new build sales. This is particularly relevant in housing markets dominated by volume housebuilders ([Bacon Review, 2021](#)<sup>22</sup>). Understanding local demand for particular types of custom and self-build housing and the need to improve affordability will be important in the preparation of design codes.
- 8.5 As a general rule, in preparing a design code the starting point will be to secure as much design freedom for the initial occupant as possible and only fix design parameters where demonstrably necessary. Consideration must also be given to the cumulative effects of design code parameters to ensure that when taken together the parameters do not unnecessarily restrict design freedom and initial occupants have the main input into the design and layout of their home. Site context will often help determine whether it is necessary to restrict design freedom in relation to certain design

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<sup>22</sup> [www.gov.uk/government/publications/independent-review-into-scaling-up-self-build-and-custom-housebuilding-report](https://www.gov.uk/government/publications/independent-review-into-scaling-up-self-build-and-custom-housebuilding-report)



parameters. For example, if the site lies within a conservation area or its setting, or the setting of a listed building (or other designated heritage asset, such as a scheduled monument or registered park and garden) it will be important for the design code to exert some control over external appearance and scale.

- 8.6 However, it should not be assumed that innovative or contemporary design would be inappropriate in a historic context. It is often the case that historic areas exhibit a significantly diverse range of built forms and architectural styles in close proximity, which represents the many centuries over which settlements have evolved. Historic areas are often protected for this very reason. It therefore follows that diversity of building design should be encouraged in certain contexts. Over time such diversity of buildings and architecture can be understood to add significant value to an area's character. Consequently, it will rarely be necessary to restrict design freedom to built forms and appearances of neighbouring existing or proposed buildings, unless such buildings are protected for their special architectural or historic interest.
- 8.7 Design parameters addressed in a design code must be capable of being measured and assessed. Table 2 below sets out a number of parameters that could be addressed in a design code. It will rarely be necessary to address all of these parameters, and design codes may identify ranges to ensure flexibility, e.g. a range of acceptable materials. Design codes

will be expected to address (fixed, ranges, or total freedom) the following parameters:

- a) Layout,
- b) Plot size and shape,
- c) Developable footprint,
- d) Building height or number of storeys,
- e) Orientation,
- f) Landscaping,
- g) Boundary treatment,
- h) Material palette,
- i) Number and location of car parking and cycle storage spaces,
- j) Refuse storage, and
- k) Construction compound and materials storage area/s.



Table 2: Design parameter examples

Other types of parameters	Example of parameters
Development form	E.g. Arrangement of plots (layout)
Plot form	E.g. Plot size and shape
Developable footprint	E.g. Maximum proportion of plot that may be developed; parameters of dwelling position on plot, maximum hard landscaped area, distance between plot boundary and developable area
Building form	E.g. Bulk, massing, height, storey heights
Building orientation	E.g. Orientation towards the sun, position on plot, overlooking, natural surveillance
Density	E.g. Site coverage, dwellings per hectare, plot ratios
Building line	E.g. Frontage continuity, roof-line parameters, set backs, boundary treatments
Building type	E.g. Detached, semi-detached, terraced / town house, flat
Building frontage	E.g. Active frontage, frequency of building features such as windows and entrances, architectural styles, features, proportions, materials, colours, balconies, porches
Environmental sustainability	E.g. Thermal performance, rainwater harvesting, solar panels, heat pump, water efficiency
Townscape features	E.g. Materials, Eave lines, rooflines, chimneys, corner treatments, focal points, advertising
Street network	E.g. Urban grain - street and building pattern and connectivity
Landscaping	E.g. Standards, species planted, biodiversity, lawns and verges, planters





Other types of parameters	Example of parameters
Boundary treatment	E.g. Plot boundary treatment (hedge, wall, fence)
Views and vistas	E.g. Relationship to heritage assets, topography, corridors and backdrops
Street trees	E.g. Species, numbers, placements
Parking (car and cycle) standards	E.g. number of spaces, location of spaces (on-street, off-street, on-plot parking, courtyard parking), electric vehicle charge points
Refuse	E.g. Refuse storage location, communal and private
Infrastructure	E.g. Community energy facilities such as combined heat

**Layout**

8.8 For custom and self-build housing forming part of larger residential developments it will be important to consider how the construction of custom and self-build homes will interact with the construction of developer homes in a health and safety compliant manner. Consideration should therefore be given to the location of custom and self-build plots in relation to developer housing, and the provision of access to custom and self-build housing plots during construction separate to highway access for the developer homes. Generally, it is expected that custom and self-build plots will be clustered together.

8.9 It will however be of critical importance that the development is planned in a comprehensive manner and that custom and self-build homes are not segregated from the wider development by, for example, a lack of cycling and walking infrastructure.

**Plot size and shape**

8.10 It will be necessary to set the size and shape of plots in the design code to provide certainty for plot purchasers as to the nature of the acquired land.

8.11 On sites proposing multiple custom and self-build homes a variety of plot sizes will be expected to help meet the needs

and demands of a range of potential occupants, whilst making efficient use of land.

### Developable footprint

8.12 A common approach is for the exact developable footprint of each home on each plot to be defined in a design code. However, it will often be acceptable for the developable footprint to be located in a number of positions on a plot. Therefore, design codes will be expected to set the size and location of the development zone of each plot, within which the chosen position of the custom and self-build home, of a specified size, should be left to the initial occupant. Figure 2 demonstrates how this should be achieved.

8.13 In identifying the development zone for a plot it will be important to consider:

- a) the location of any existing or planned vegetation;
- b) the extent to which the development zone should be set back from the plot boundaries due to privacy issues;
- c) whether a front garden/defensible space between the home and the highway/public plot boundary should be required; and
- d) whether a consistent building line should be required.

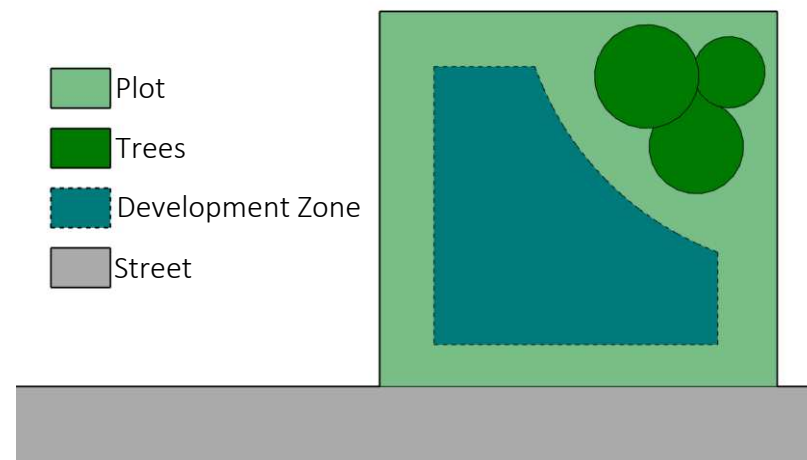


Figure 2: An example of the development zone approach to identifying suitable locations for the home on each plot

### Building height or number of storeys

- 8.14 Design codes will be expected to set a maximum number of storeys, or building height, and allow for flat and pitched roofs.
- 8.15 Building height and the number of storeys of a development are often used interchangeably to control the height of buildings. However, it is important to recognise that they can result in different built forms. Controlling for building height can lead to a very consistent roof line across a development. Whereas controlling for the number of storeys can lead to a varied roof line as buildings can be built to different floor to ceiling heights and different roof pitches. Deciding which of



these parameters to code for will therefore depend on the desired built form. Rooms in the roof will constitute a half or full storey, additional to the number of storeys below.

- 8.16 Settlements often display a wide variety of roof pitches, from flat to steeply pitched. Design codes should therefore usually not control for both eaves and ridge height as it will unnecessarily restrict potential roof design choices for initial occupants. Design codes should set out how flat roofs will be considered. If flat roofs are considered acceptable on a given site, the general expectation will be that flat roofs can be built to the ridge height. In allowing flat roofs built to the ridge height it may be important to consider controlling the number of storeys in addition to the ridge height.
- 8.17 In considering the appropriate building height on a plot it will be useful to consider whether different heights will be acceptable on different parts of the plot. For example, development may be acceptable on areas of a plot closer to other buildings provided the development is of a lower height or number of storeys than elsewhere on the plot. It will also be important to consider whether the maximum building height should be different on each plot.
- 8.18 Design codes should consider whether roof terraces and/or balconies would be acceptable. A roof terrace on top of a custom and self-build home will be considered an additional

storey if its internal floor area is at least half of the internal floor area of the largest storey in the building. In considering the suitability of a roof terrace and/or balcony it will be important to address privacy issues.

### Orientation

- 8.19 Design codes will be expected to orientate homes to maximise solar gain and the potential efficiency of solar panels, regardless of whether solar panels are secured with the development. However, there may be situations where a different orientation would be more appropriate, for example to follow a strong building line parallel to the street. The Council's [Sustainable Construction SPD \(2022\)](#)<sup>23</sup> provides guidance on orientation and other sustainability matters.

### Landscaping

- 8.20 In order to support biodiversity throughout developments, where on plot parking is provided no less than 50% of the plot frontage (plot area between building and front plot boundary) will be expected to be landscaped.
- 8.21 Custom and self-build developments will be required to deliver Biodiversity Net Gain (BNG) in accordance with national mandatory requirements, other than where the [national custom and self-build exemption](#) applies<sup>24</sup>. The exemption will not apply to the application of the 5%

<sup>23</sup> [www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Supplementary-documents/Sustainable-Construction-2022/FINAL-Sustainable-Construction-SPD.pdf](http://www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Supplementary-documents/Sustainable-Construction-2022/FINAL-Sustainable-Construction-SPD.pdf)

<sup>24</sup> Paragraph 003: Reference ID: 74-003-20240214 of the biodiversity net gain planning practice guidance



requirement under Local Plan policies SCLP5.9 and WLP8.3 as the 5% requirement is only triggered for developments of 100 or more dwellings. Arbitrarily slicing up development proposals in an effort to apply the exemption will not be acceptable. Where developments are exempt from mandatory BNG requirements, they are encouraged to deliver biodiversity gain proportionate to the scale of development. To qualify for this BNG exemption, planning applications must clearly demonstrate that the development meets the custom and self-build legal definition, and planning permissions must be secured as custom and self-build housing (see Appendix 3: Model Conditions and Appendix 4: Model Section 106 Obligations).

### Boundary treatment

- 8.22 The expectation will be for plots to be bounded in a consistent manner throughout the development with hedges, trees and/or walls appropriate to the local context. This will be especially important for public facing boundaries. This consistency of landscaped boundary treatment throughout a development can support the creation of a pleasant green character and appearance, enhance biodiversity, and enable significant variation in the design of custom and self-build housing to easily assimilate into their context. Fencing will

usually be inappropriate on public facing and edge of site boundaries.

### Material palette

- 8.23 Design codes will be expected to offer a very wide variety of materials in relation to colour and texture, including at least 10 different roof material finishes and 10 different elevation material finishes for each plot. Design codes will also be expected to allow for similar alternative materials to be used. It will not be acceptable to restrict the choice of materials to specified elevations or sections of an elevation.

### Number and location of car parking and cycle storage spaces

- 8.24 The number of car parking and cycle storage spaces must accord with the [Suffolk Guidance for Parking \(2019\)](#)<sup>25</sup> or any successor document. Cycle storage must be covered, secure, and accessible via an obstruction free and direct route. The location of car parking and cycle storage spaces must be set out in the design code, and plot passport.

### Refuse Storage

- 8.25 Bins will be expected to be sited in well-designed refuse stores, the location of which must be identified in the design code. The location must be convenient to ensure their continued use, and well-integrated into the house design for

<sup>25</sup> [www.suffolk.gov.uk/asset-library/imported/Suffolk-Guidance-for-Parking-2019-Adopted-by-SCC.pdf](http://www.suffolk.gov.uk/asset-library/imported/Suffolk-Guidance-for-Parking-2019-Adopted-by-SCC.pdf)



each plot to minimise visual impact and avoid clutter. Bin storage and presentation areas must be located outside the public highway.

### **Construction Compound and materials storage area**

- 8.26 Construction compounds and materials storage areas should be located in areas that are accessible for all of the build period, should not be located on the street, and must avoid Root Protection Zones or any other sensitive vegetation. These could be located on each plot and/or a secure shared area accessible to all self-builders.

### **Homes chosen from pre-approved designs**

- 8.27 This subsection applies to development proposals for pre-approved designs (as defined in Table 1), in addition to the above elements of the Design Codes section.
- 8.28 Pre-approved designs must be configured in a manner that secures as much design freedom for the initial occupant as possible and only fixes design parameters where demonstrably necessary. Pre-approved designs must collectively express all of the possible design options afforded by the accompanying design code.
- 8.29 In addition to the requirements set out throughout the Design Codes section, pre-approved design options should demonstrate consideration as to how design freedom is

offered to initial occupants over matters including, but not limited to, the:

- a) Size and shape of the home, including outbuildings,
- b) Position, size and shape of all windows and doors across every elevation,
- c) Materials across every elevation and roof,
- d) Internal layout (e.g. location, size and shape of rooms),
- e) Build specification (e.g. insulation, heating configuration, heat pumps)
- f) Sustainability features (e.g. solar panels, solar hot water, triple glazing), and
- g) Finishes (e.g. kitchen, bathroom, flooring, lighting).



## 9 Plot Passports

- 9.1 Plot passports are concise and visual documents that provide potential custom and self-build plot purchasers with the key design and development parameters that must be abided by in the design and construction of a custom and self-build home on the plot. Their purpose therefore is to provide certainty as to what can and cannot be built on the plot.
- 9.2 Plot passports will be required for all custom and self-build developments of 5 or more homes where a design code is required.
- 9.3 Plot passports shall, as a minimum, provide the following information:
- a) Plot location,
  - b) Plot size and shape,
  - c) Developable footprint (Gross Internal Area),
  - d) Building height or number of storeys,
  - e) Number and location of car parking and cycle storage spaces,
  - f) Refuse storage,
  - g) Any other design and development parameters established in the design code (if any),
  - h) Likely ground conditions, including any on-site constraints such as root protection zones,
  - i) Servicing infrastructure location,
  - j) Construction compound and materials storage area,
  - k) CIL exemption,
  - l) Plot price, and
  - m) Access to surveys conducted by the site wide applicant.
- 9.4 Plot passports can also contain information relating to the plot sales process, and planning application process (if any).
- 9.5 Plot passports should be prepared as early in the design and planning process as possible and must be available to potential plot purchasers as soon as plots are marketed. Plot passports should be as concise as possible, ideally kept to a single A4 page.
- 9.6 Applicants are encouraged to use the model plot passport provided in Appendix 6.



## 10 Marketing Strategy

- 10.1 A marketing strategy sets out the approach to be taken to the marketing and sale of custom and self-build housing, in particular when they form a part of a larger development and will be secured through a section 106 agreement. See Appendix 4 (model section 106 agreements) for further information.
- 10.2 This section applies mainly to the implementation of custom and self-build homes as part of larger residential or mixed-use development. However, for custom and self-build only developments, the Council will as a minimum require by section 106 agreement or condition, as appropriate, the applicant to notify the Council as soon as each custom and self-build plot is serviced, marketed, and available for immediate purchase. This provision is to support those on the Council’s custom and self-build housing register by enabling the Council to notify them about the opportunity to purchase a custom and self-build plot.
- 10.3 The Council expects custom and self-build housing to be adequately and appropriately marketed. For larger sites providing a percentage of homes as custom and self-build homes, this marketing will be for a minimum 12-month period as required by the Local Plan policies and in accordance with marketing principles set out in the Suffolk Coastal Local Plan (Appendix E) and the Waveney Local Plan (Appendix 4). A

marketing strategy is required to demonstrate accordance with these marketing principles.

- 10.4 A marketing strategy must be submitted by the applicant and agreed in writing by the Council prior to the marketing and sale of plots.

### **Content of a marketing strategy**

- 10.5 The following information must be provided in a marketing strategy for custom and self-build housing that forms part of larger residential or mixed-use developments:
- a) The arrangements on which the custom and self-build plots will be marketed for a period of not less than 12 months. This should address:
    - I. Details of marketing materials. Good quality visual information should be made available, such as drone photos/videos, website content, and inspiration brochures to aid marketing.
    - II. Details of marketing and promotional methods. This should include social media; website advertising; database marketing; and information packs as a minimum.
    - III. On-site signage. As a minimum the serviced plots must be promoted as plots for sale with signage at the site entrance and by the plots themselves.



Information must be displayed at each plot which includes as a minimum the plot number and plot passport information. QR codes are encouraged to provide quick access to further information. Plots must be clearly demarcated and be in a clear and tidy state. Main site developers should set out methods to enable potential plot purchasers to gain safe access into the site to view the plots.

- b) The price that each custom and self-build plot will be advertised for including valuation methodology, derived from an experienced local RICS registered valuer who ideally has experience of valuing custom and self-build housing;
- c) The contact details for the marketing agent. The agent should be experienced in selling custom and self-build plots;
- d) Signposting to specialist custom and self-build mortgage brokers;
- e) Information on 'Help to Build' and any similar initiatives to assist custom and self-builders;
- f) The [eligibility criteria](#)<sup>26</sup> purchasers must comply with to purchase an affordable custom and self-build plot (if applicable);
- g) The site visit arrangements;
- h) The plot passport for each custom and self-build plot;

- i) A commitment that the site wide developer notifies the Council when plots are serviced and available for immediate purchase;
- j) A commitment that the site wide developer holds a record of sales enquiries for each plot, which will be provided to the Council upon request;
- k) The arrangements for the delivery of any custom and self-build plots not taken up after the minimum 12 months marketing period; and
- l) Any alternative or additional marketing in the event that interest in a custom and self-build plot is low.

10.6 The record of sales enquiries in each plot (as set out in paragraph 10.5j) above) should include:

- a) date of enquiry;
- b) nature of enquiry;
- c) whether the enquirer visited the site; and
- d) reason/s why the enquirer did not purchase the plot or find it suitable.

### Commencement of marketing

10.7 Marketing of the custom and self-build plots can take place as soon as the developer wishes. However, this alone will not trigger the minimum 12-month marketing period. The minimum 12-month marketing period for a plot shall only commence once the agreed marketing strategy has been

<sup>26</sup> [www.eastsuffolk.gov.uk/housing/affordable-housing/eligibility-and-allocation/](http://www.eastsuffolk.gov.uk/housing/affordable-housing/eligibility-and-allocation/)





initiated, the plot has been serviced, has defined boundaries, and is available for immediate purchase.

- 10.8 For large developments providing a percentage of dwellings as custom and self-build homes, which total at least 15 custom and self-build plots, marketing should not commence for more than 15 plots at the same time. Marketing subsequent clusters of no more than 15 plots should only commence at least 12 months after the marketing of the previous cluster of plots commenced. This provision aims to avoid flooding the market with custom and self-build plots and reduce the likelihood of custom and self-build plots remaining unsold after the minimum 12-month marketing period.
- 10.9 The plot provider shall notify the Council when each custom and self-build plot has been serviced, is available for immediate purchase, and the 12-month marketing period for each plot has commenced. The Council can facilitate marketing by contacting those on the Council’s [Custom and Self-build Housing Register](#)<sup>27</sup> at this stage.

**No sale after 12-month marketing period**

- 10.10 The following guidance relates to developments that comprise custom and self-build housing as part of larger residential or mixed-use developments whereby the planning permission and/or section 106 agreement allows the plots to

be built out as non-custom and self-build homes if no sale has been agreed after the minimum marketing period.

- 10.11 Continued marketing after the minimum 12-month marketing period has expired is encouraged. However, if a sale has not been agreed during this period it may be possible to build the plot out as an open market or affordable home in line with any requirements of any planning conditions and section 106 agreements. An affordable custom and self-build plot can only be built out as an affordable home; however, an open market custom and self-build plot could be built out as an affordable or open market home.
- 10.12 If the planning permission to which the custom and self-build plot/s relates sets out that a specified number of custom and self-build plots are to be delivered (including as part of the phasing plan condition), evidence would be required to be submitted to and agreed by the Council to demonstrate that marketing requirements have been fully complied with and the sale of the custom and self-build plot/s has not been agreed within the minimum 12-month marketing period.
- 10.13 Evidence to demonstrate compliance with marketing strategy should include:
- a) Dated details of published marketing material,
  - b) Dated estate agent instructions,
  - c) Dated social media posts,

<sup>27</sup> [www.eastsuffolk.gov.uk/selfbuild](http://www.eastsuffolk.gov.uk/selfbuild)



- d) Dated correspondence with Council in respect of marketing to those on the Council’s custom and self-build housing register,
- e) Dated records of sales enquiries and outcomes of those, and
- f) Dated changes in sales price.



# 11 Neighbourhood Planning/Community Led-Housing

11.1 A neighbourhood plan contains planning policies which are a statutory consideration in determining planning applications for the use and development of land. They are prepared by a Parish or Town Council (or neighbourhood forum where relevant) for a designated neighbourhood area. More information about neighbourhood planning can be found on the Council's [neighbourhood planning webpages](#)<sup>28</sup> and the [Locality website](#)<sup>29</sup>.

11.2 Community led housing is housing delivered by, and to meet the needs of, the community. [Community land trusts](#)<sup>30</sup>, [co-operative housing societies](#)<sup>31</sup>, and [cohousing](#)<sup>32</sup> are the three main community led housing models. Custom and self-build housing can be particularly suitable for delivering community-led housing projects. It presents the opportunity for local people to be involved in designing and building their own homes which can offer many benefits such as stronger communities; democratically delivered and managed homes; lower cost homes; environmentally friendly development; and learning new skills. The initial occupants of the housing must have primary input into the final design and layout of their

homes to qualify as custom and self-build housing. More information about community led housing is provided in the Council's [Affordable Housing SPD](#)<sup>33</sup>, and Community Led Homes' ['A Planner's Guide to Community Led Housing'](#)<sup>34</sup>.

11.3 The bottom-up nature of some forms of custom and self-build housing lends itself to consideration through neighbourhood planning and community-led housing initiatives. The main reasons that those on the Council's [Custom and Self-build Housing Register](#)<sup>35</sup> state for their desire to build their own home include:

- a) The ability to include higher environmental performance than available on the open market;
- b) Higher build quality and specifications;
- c) Lower running costs; and
- d) To live in a specific location/personal links to an area.

11.4 Planning for custom and self-build housing through neighbourhood planning and/or community led housing can

<sup>28</sup> [www.eastsuffolk.gov.uk/planning/neighbourhood-planning/](http://www.eastsuffolk.gov.uk/planning/neighbourhood-planning/)

<sup>29</sup> <https://neighbourhoodplanning.org/>

<sup>30</sup> [www.communitylandtrusts.org.uk/](http://www.communitylandtrusts.org.uk/)

<sup>31</sup> [www.cch.coop/](http://www.cch.coop/)

<sup>32</sup> <https://cohousing.org.uk/>

<sup>33</sup> [www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Supplementary-documents/Affordable-Housing/Affordable-Housing-SPD.pdf](http://www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Supplementary-documents/Affordable-Housing/Affordable-Housing-SPD.pdf)

<sup>34</sup> [www.communityledhomes.org.uk/resource/planners-guide-community-led-housing](http://www.communityledhomes.org.uk/resource/planners-guide-community-led-housing)

<sup>35</sup> [www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/self-build-and-custom-build/](http://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/self-build-and-custom-build/)



therefore help to deliver high environmental performance housing that meets the needs and desires of initial occupants.

- 11.5 As an example, the [Bungay Neighbourhood Plan](#)<sup>36</sup> includes a policy (H4: Land to the east of St Margaret’s Road) for the delivery of approximately 70 homes within the parish. Included within this policy is a requirement for at least 10% of the homes to be set aside for custom and self-build housing.

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<sup>36</sup> [www.eastsuffolk.gov.uk/planning/neighbourhood-planning/neighbourhood-plans-in-the-area/bungay-neighbourhood-area/](http://www.eastsuffolk.gov.uk/planning/neighbourhood-planning/neighbourhood-plans-in-the-area/bungay-neighbourhood-area/)



## Appendix 1: Recommended Format of Planning Applications

- 12.1 Planning applications can be submitted as outline, full, or hybrid. Each route to planning permission can impact the commencement of development and subsequent CIL liability, and the ability for the initial occupant to have a primary input in the design and layout of their home. It is therefore important to consider the implications of the chosen planning application format at the outset. Potential applicants are advised to seek [pre-application advice](#)<sup>37</sup> to help ensure that planning applications are more likely to be successful.
- 12.2 Planning applications should clearly state that they include custom and self-build housing so that they can be assessed accordingly. The description of the development should include custom and self-build housing and the 'Self Build and Custom Build' part of 'Residential Units' question in the 'full' or 'outline' planning application forms should be completed. Appendix 2 (custom and self-build delivery statement) provides a template delivery statement that should be completed and submitted with all relevant planning applications for custom and self-build housing. It is expected that the form be submitted with applications that seek to secure the principle of the development, such as outline planning applications or full detailed planning application.
- 12.3 The bullet points within the following table set out the recommended approach to the sequencing of planning applications for different types of development.

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<sup>37</sup> [www.eastsuffolk.gov.uk/planning/planning-applications-and-enforcement/find-out-if-you-need-planning-permission/pre-application-advice-service/](http://www.eastsuffolk.gov.uk/planning/planning-applications-and-enforcement/find-out-if-you-need-planning-permission/pre-application-advice-service/)



Table 3: Recommended format of planning applications

Type of development	Recommended planning application format
<p>More than one custom and self-build home, either as part of a:</p> <ul style="list-style-type: none"> <li>a) Solely custom and self-build housing development, or</li> <li>b) Larger residential/mixed use development</li> </ul>	<p>Phased hybrid or outline application is recommended. Phased Full applications could also be acceptable for developments where there is clear evidence that such applications meet the custom and self-build housing definition.</p> <p>Developments including 5 or more custom and self-build homes will be required to submit a design code.</p> <p>Hybrid application process:</p> <ol style="list-style-type: none"> <li>1. Outline permission for custom and self-build homes and full permission for the other elements of development. The description of development specifies that the development is phased and includes custom and self-build housing. Custom and self-build delivery statement submitted with outline application (see Appendix 2).</li> <li>2. A phasing plan is agreed to ensure each plot can come forward independently of other plots and the other elements of the development and does not trigger CIL payments for other plots.</li> <li>3. Design code and plot passport agreed prior to marketing.</li> <li>4. Marketing strategy agreed prior to the sale of plots.</li> <li>5. Site wide infrastructure delivered, and plots serviced.</li> <li>6. Reserved matters permissions granted for each plot.</li> </ol> <p>Outline application process:</p> <ol style="list-style-type: none"> <li>1. This route is only different to the above hybrid approach in that the site wide infrastructure and/or other elements of the development come forward as separate reserved matters applications rather than as part of the initial hybrid application.</li> </ol> <p>Full application process:</p> <p>If the initial occupants are known prior to the start of the planning process and have had a primary input into the final design and layout of their home through the preparation of the planning application a full planning</p>



Type of development	Recommended planning application format
	<p>application may be appropriate. Of particular importance will be the need to demonstrate how initial occupants have had a primary input into the design and layout of their home. Consequently, a marketing strategy will not be required, and a design code may not be required. However, if initial occupants drop out of the project after the design of the homes has been finalised the applicant will need to demonstrate how initial occupants that take their place will have a primary input into the final design and layout of their home (this may be through later amendments to the proposal to personalise the design).</p> <ol style="list-style-type: none"> <li>1. Full application submitted, including a custom and self-build delivery statement (see Appendix 2).</li> <li>2. A phasing plan is agreed to ensure each plot can come forward independently of other plots and site wide infrastructure, and any other elements of the development.</li> <li>3. Site wide infrastructure delivered, and plots serviced.</li> <li>4. Homes built to designs specified in the permission.</li> </ol>
<p>Single custom and self-build home</p>	<p>Outline and full applications are both acceptable.</p> <p>If the initial occupant will not have a primary input into the design and layout of the home prior to the submission of the planning application, an outline application is recommended. On the grant of outline planning permission, the site can be sold to the initial occupant. The initial occupant will then be able to achieve full planning permission having had a primary input into the final design and layout of the home at the reserved matters stage. Alternatively, if a Full application is submitted, the eventual custom/self builder can make later Non Material amendments (Section 96a) or Minor Material amendments (Section 73) to ensure that they have influenced the eventual design of the proposal.</p> <p>Outline application process (assuming the initial occupant has not had a primary input into the design and layout of the home through the preparation of the planning application):</p> <ol style="list-style-type: none"> <li>1. Outline permission for all matters reserved except access. Custom and self-build delivery statement submitted with outline application (see Appendix 2).</li> <li>2. There is no requirement to submit a design code as the development is for less than 5 custom and self-build homes.</li> </ol>



Type of development	Recommended planning application format
	<ol style="list-style-type: none"> <li>3. Plot passport agreed prior to marketing.</li> <li>4. Agreement to notify the Council when the plot will be available for purchase and details of vendor.</li> <li>5. Site wide infrastructure delivered, and plot serviced.</li> <li>6. Plot sold and reserved matters permissions granted for the plot.</li> </ol> <p>Full application process:</p> <ol style="list-style-type: none"> <li>1. Full permission for all matters.</li> <li>2. The application will need to demonstrate that the initial occupant has had a primary input into the final design and layout of the home. This can be achieved by submitting a completed custom and self-build delivery statement with the full application (see Appendix 2).</li> </ol>
<p>Group custom and self-build developments - Housing whereby groups of households come together as intentional communities to design and deliver, or commission professionals to design and deliver, housing which they will live in.</p>	<p>Outline, hybrid, or full phased applications are all acceptable. Application process:</p> <ol style="list-style-type: none"> <li>1. The applicant will need to demonstrate how initial occupants have had a primary input in the final design and layout of their home. This can be done through the submission of the custom and self-build delivery statement (see Appendix 2) alongside the planning application.</li> <li>2. A phasing plan will need to be agreed to ensure the self-build home/s (if any) can come forward independently of other plots and site wide infrastructure without triggering CIL payment for the self-build home/s.</li> <li>3. A marketing strategy will not normally be required as the initial occupants will have had a primary input into the final design and layout of their home through the preparation of the planning application.</li> </ol>





## Appendix 2: Custom and Self-build Delivery Statement

13.1 This custom and self-build delivery statement should be submitted with planning applications that include custom and self-build housing to help the Council understand how the proposal meets the custom and self-build legal definition, as set out below. Please write answers to the following questions in the corresponding textboxes. The text in italics within each textbox below are examples of potential answers.

### Custom and Self-build housing legal definition

13.2 Section 1 of the Self-build and Custom Housebuilding Act 2015<sup>38</sup> (as amended) states:

“1(A1) In this Act “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 as homes by those individuals.

(A2) 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.”

13.3 The Planning Practice Guidance (2021, paragraph 016) states that initial occupants must have a primary input into the final design and layout of the home.

1. What type of custom and self-build housing is proposed? (please tick as many that apply)

- a) Self-build – a plot of land for the initial occupant to design their own home. The initial occupant will be in control of how their home is designed and constructed and can undertake some, all or none of the construction work themselves.
- b) Custom-build – The initial occupant will choose their house design from customisable house designs offered by a developer. The initial occupant will usually not undertake any of the construction work themselves.
- c) Group custom and self-build – The initial occupant will join an intentional community to collectively design and deliver, or commission professionals to design and deliver, housing in which they will live. This can involve

<sup>38</sup> [www.legislation.gov.uk/ukpga/2015/17/contents/enacted/data.htm](http://www.legislation.gov.uk/ukpga/2015/17/contents/enacted/data.htm)



an element of communal living, such as for example a communal building within the housing development and/or communal amenity space shared by all residents.

- d) Self-finish/shell homes – The home is built as a watertight shell by a developer, the internal layout of which is then designed and finished by the initial occupant.

2. How do you intend to deliver the home/s as custom and self-build housing?

e.g. I'm going to build the home myself and live in it.

Or

I'm going to service the plots and sell them with outline planning permission.

3. How many custom and self-build houses are proposed?

e.g. One / two / three / etc

4. Where affordable housing is required/proposed, the Council generally expects affordable housing to be delivered as non-

custom and self-build housing. Affordable Housing is defined in the NPPF Glossary (2023). If affordable custom and self-build housing is proposed how will the custom and self-build housing legal definition specified in question 3 be met?

...

5. Does the description of development for your planning application (as set out in your planning application form) refer to custom and self-build housing, and do you specify the number of custom and self-build homes in the 'residential units' section of your planning application form?

If no, please explain why.

e.g. Yes/No (with explanation)

6. Would you be willing to accept a condition and/or section 106 agreement clause confirming the development is for/includes custom and self-build housing? If no, please explain why.

e.g. Yes/No (with explanation)



## Appendix 3: Model Conditions

14.1 Planning conditions are imposed on the grant of planning permission (as well as Local and Neighbourhood Development Orders) to make development acceptable that would otherwise be unacceptable. Attention will need to be given in any planning permission to ensure that conditions for individual plots can be discharged separately.

14.2 Planning conditions must only be used where they meet the following tests (NPPF, 2023, paragraph 56):

- a) Necessary;
- b) Relevant to planning;
- c) Relevant to the development to be permitted;
- d) Enforceable;
- e) Precise; and
- f) Reasonable in all other respects.

14.3 Model conditions can improve consistency, but consideration must be given to the particular circumstances of each case and the need therefore to adapt model conditions accordingly.

14.4 The below model conditions address the following matters:

- a) The use of land for custom and self-build homes;
- b) The number of custom and self-build homes;

- c) The timely submission of reserved matters applications and commencement of development;
- d) The submission of a phasing plan;
- e) The submission of a design code;
- f) The submission of a marketing strategy; and
- g) The Council is notified of the commencement of marketing of single custom and self-build home permissions.

### **Condition to secure the use of land for custom and self-build homes**

14.5 This condition does not apply to developments that provide a percentage of homes as custom and self-build homes, and may not be necessary if the use of land for custom and self-build homes is secured through a s106 agreement.

Model condition: [Number] homes hereby permitted shall be delivered as custom and self-build homes in accordance with section 1 of the Self-build and Custom Housebuilding Act 2015 (as amended).

Reason: To secure the use of the land for custom and self-build housing only.



### Condition to secure the number of custom and self-build homes

14.6 In relation to developments providing a percentage of homes as custom and self-build homes, the number of custom and self-build homes should be secured via the condition that requires development to be carried out in accordance with the identified plans. One of these plans will be the planning layout. The planning layout will set out, amongst other things, the number of custom and self-build homes.

### Conditions to secure the timely submission of reserved matters applications and commencement of development

14.7 Custom and self-build housing is, by its very nature, different to other forms of housing delivery in that reserved matters applications are often submitted at different times by different applicants and relate to different building plots. The sale of plots after the agreement and implementation of marketing strategies can take a significant amount of time.

14.8 Accordingly, conditions attached to outline permissions should, pursuant to Section 92 of the Town and Country Planning Act 1990, ensure any timeframes specifying the submission of a reserved matters application or the commencement of development are made with full appreciation for the processes that must be undertaken before a reserved matters application can be submitted. It will be particularly important at the outline application stage to consider the likely timeframe for the implementation of marketing strategies and plot sales.

Model condition: for the timely submission of reserved matters: Application for approval of the reserved matters shall be made to the local planning authority not later than [five/seven years] from the date of this permission.

Reason: To ensure the timely submission of reserved matters applications.

14.9 Due to the varying timeframes that reserved matters applications will likely be submitted across a custom and self-build development, the commencement of development on each plot should be tied to the approval of the last reserved matter for that plot. This will ensure the timely delivery of custom and self-build homes on multi plot sites. This will avoid situations whereby the first plot to receive full planning permission on a multi plot site could wait until the final reserved matter is approved on the final plot before commencing development.

Model condition: for the timely commencement of development: The development of each individual plot hereby permitted shall commence not later than [two years] from the date of approval of the last of the reserved matters to be approved for that plot.

Reason: To ensure the timely commencement of development.



**Condition to secure the submission of a detailed phasing plan**

14.10 Model condition for percentage policy sites

Model condition: Prior to, or in conjunction with, the submission of the first reserved matters application a detailed plan for the phasing of the development will be submitted to and approved in writing by the local planning authority. The phasing plan shall include arrangements to ensure:

- a) The timely delivery of custom and self-build housing,
- b) Self-build plots can benefit from CIL exemption,
- c) Custom and self-build plots do not unnecessarily hold back later development phases, and
- d) Custom and self-build plots do not deliver any part of the site wide infrastructure.

Reason: To ensure the effective and timely delivery of the custom and self-build housing alongside other elements of the development.

14.11 Model condition for full permissions for a single custom and self-build plot

Model condition: Prior to the commencement of development a plan for the phasing of the development will be submitted to and approved in writing by the local planning authority. The phasing plan shall include arrangements to ensure:

- a) The self-build plot can benefit from CIL exemption,
- b) The construction of the custom and self-build home is a separate phase to any site clearance, access and servicing arrangements.

Reason: To ensure the effective and delivery of the custom and self-build housing alongside other elements of the development.

**Condition to secure the submission of a design code**

14.12 The expectation will be for the submission and approval of a design code to be secured by a s106 agreement. However, there may be circumstances where a condition may be used instead.

14.13 Policies SCLP5.9 (Self Build and Custom Build Housing) and WLP8.3 (Self Build and Custom Build) of the Suffolk Coastal Local Plan (2020) and Waveney Local Plan (2019), respectively, require all development proposals for five or more custom or self-build homes to be developed in accordance with a set of design principles, commonly referred to as a design code.

Model condition: Prior to, or in conjunction with, the first reserved matters application, a Design Code for the custom and self-build housing shall be submitted to and approved in writing by the local planning authority. The Design Code shall provide written and illustrated rules that establish the



design parameters of a development and of each custom and self-build plot, and which shall address:

- a) Layout
- b) Plot size and shape
- c) Developable footprint
- d) Building height or number of storeys,
- e) Orientation,
- f) Landscaping,
- g) Boundary treatment,
- h) Material palette,
- i) Number and location of car parking and cycle storage,
- j) Refuse storage.

All subsequent reserved matters applications in relation to the custom and self-build housing shall accord with the details of the approved design code and be accompanied by a statement which demonstrates compliance with the code.

Reason: To ensure high quality design and coordinated development in accordance with Policy SCLP11.1 (Design Quality)/Policy WLP8.29 (Design) and to facilitate continuity through cumulative phases of development whilst allowing for a suitable degree of customisation in accordance with Policy SCLP5.9 (Self Build and Custom Build Housing)/Policy WLP8.3 (Self Build and Custom Build).

### **Condition to secure the submission of a marketing strategy**

14.14 The expectation will be for the submission and approval of a marketing strategy to be secured by a s106 agreement. However, there may be circumstances where a condition may be used instead.

14.15 Policies SCLP5.9 (Self Build and Custom Build Housing) and WLP8.3 (Self Build and Custom Build) of the Suffolk Coastal Local Plan (2020) and Waveney Local Plan (2019), respectively, expect all development proposals for custom or self-build homes to set out the proposed marketing strategy in accordance with the marketing principles set out in Appendix E of the Suffolk Coastal Local Plan and Appendix 4 of the Waveney Local Plan.

Model condition: Prior to, or in conjunction with, the submission of the first reserved matters application for any development, a scheme setting out the marketing arrangements for each custom and self-build plot shall be submitted to and agreed in writing by the local planning authority. The scheme shall include:

- a) The arrangements on which the custom and self-build plots will be marketed for a period of not less than 12 months. This should address:
  - i. Details of marketing materials. Good quality visual information should be made available, such as drone photos/videos, website content, and inspiration brochures to aid marketing.



- II. Details of marketing and promotional methods. This should include social media; website advertising; database marketing; and information packs as a minimum.
- III. On-site signage. As a minimum the serviced plots must be promoted as plots for sale with signage at the site entrance and by the plots themselves. Information must be displayed at each plot which includes as a minimum the plot number and plot passport information. QR codes are encouraged to provide quick access to further information. Plots must be clearly demarcated and be in a clear and tidy state. Main site developers should set out methods to enable potential plot purchasers to gain safe access into the site to view the plots.
  - b) The price that each custom and self-build plot will be advertised for including valuation methodology, derived from an experienced local RICS registered valuer who ideally has experience of valuing custom and self-build housing;
  - c) The contact details for the marketing agent. The agent should be experienced in selling custom and self-build plots;
  - d) Signposting to specialist custom and self-build mortgage brokers;
  - e) Information on 'Help to Build' and any similar initiatives to assist custom and self-builders;
  - f) The eligibility criteria purchasers must comply with to purchase an affordable custom and self-build plot (if applicable);
  - g) The site visit arrangements;
  - h) The plot passport for each custom and self-build plot;
  - i) A commitment that the site wide developer notifies the Council when plots are serviced and available for immediate purchase;
  - j) A commitment that the site wide developer holds a record of sales enquiries for each plot, which will be provided to the Council upon request;
  - k) The arrangements for the delivery of any custom and self-build plots not taken up after the minimum 12 months marketing period; and
  - l) Any alternative or additional marketing in the event that interest in a custom and self-build plot is low.

Reason: To ensure adequate marketing of custom and self-build dwellings in accordance with Policy WLP8.3/SCLP5.9

**Condition to secure the applicant notifies the Council of the commencement of marketing of single custom and self-build home permissions**

Model condition: In conjunction with the commencement of marketing the custom and self-build plot for sale, the applicant shall provide the Council with details of the marketing arrangements and material.



Reason: To enable the Council, in discharging its duty in respect of section 2 of the Self-build and Custom Housebuilding Act 2015 (as amended), to notify those on the Council's custom and self-build register about the opportunity to purchase land for custom and self-build housing.





## Appendix 4: Model Section 106 Obligations

- 15.1 Section 106 (s106) agreements are legal planning obligations, pursuant to [section 106 of the Town and Country Planning Act 1990](#)<sup>39</sup>, the purpose of which is to mitigate the impact of development. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 15.2 Planning obligations must only be sought where they meet the following tests:
- a) Necessary to make the development acceptable in planning terms;
  - b) Directly related to the development; and
  - c) Fairly and reasonably related in scale and kind to the development.
- 15.3 As with model planning conditions, model s106 definitions and clauses can improve consistency, but consideration must be given to the particular circumstances of each case and the need therefore to adapt them accordingly.

### Model s106 Definitions (to be included/omitted as appropriate)

#### “Affordable Custom and Self-build Dwelling”

Affordable Housing which meets the custom and self-build housing definition in section 1 of the Self-Build and Custom Housebuilding Act 2015 (as amended).

#### “Affordable Custom and Self-build Housing Scheme”

A document that provides details regarding the delivery of Affordable Custom and Self-build Dwellings, and which shall include details of:

- a) The method by which the developer and/or Registered Provider shall ensure that the relevant Affordable Housing shall be Affordable Custom and Self-build Dwellings;
- b) The timescale and programme for implementation of the Affordable Custom and Self-build Housing Scheme and construction of the Affordable Custom and Self-build Dwellings;
- c) A plan and schedule indicating the number, location, tenure, plot numbers, type and size (including number of occupants each dwelling can accommodate) of Affordable Custom and Self-build Dwellings;

<sup>39</sup> [www.legislation.gov.uk/ukpga/1990/8/section/106](http://www.legislation.gov.uk/ukpga/1990/8/section/106)



- d) Full details of the affordable housing mix (reflecting the Council’s up to date strategic housing market assessment and specific local needs as determined and agreed by the Council);
- e) The name and registration number of the Registered Provider, and evidence that a contract has been entered into for delivery of Affordable Custom and Self-build Dwellings (if applicable);
- f) The mechanism by which the Owner shall ensure any discounted sale plots will retain a discount in perpetuity and the method by which the Owner shall ensure the initial occupant is not unfairly disadvantaged financially by the discount to be retained; and
- g) Such other information as the Council may reasonably require to enable approval of the Affordable Custom and Self-build Housing Scheme.

**“Affordable Housing”**

Housing that will be available to eligible households and as defined in Annex 2 of the National Planning Policy Framework (2023) or any amended or subsequent national planning policy that may be published by the Government whose needs are not met by the market and eligibility is determined with regard to local incomes and local house prices (unless otherwise agreed in writing with the Council).

**“Custom and Self-build Design Code”**

A document that provides written and illustrated rules that establish the design parameters of a development and of each Custom and Self-build Plot, and which shall address:

- a) Layout,
- b) Plot size and shape,
- c) Developable footprint,
- d) Building height or number of storeys,
- e) Orientation,
- f) Landscaping,
- g) Boundary treatment,
- h) Material palette,
- i) Number and location of car parking and cycle storage spaces, and
- j) Refuse storage.

**“Custom and Self-build Dwelling”**

A dwelling which meets the definition in section 1 of the Self-Build and Custom Housebuilding Act 2015 (as amended).

**“Custom and Self-build Plot”**

A plot of land upon which a Custom and Self-build Dwelling or Affordable Custom and Self-build Dwelling is to be constructed.



### **“Custom and Self-build Register”**

The Council’s register of persons seeking to acquire a Custom and Self-Build Plot pursuant to section 1 of the Self-build and Custom Housebuilding Act 2015.

### **“Custom and Self-build Sale Contract”**

A contract or contracts for the sale of a Custom and Self-build Plot which is conditional upon the construction of the Custom and Self-build Dwelling or Affordable Custom and Self-build Dwelling.

### **“Fully Serviced”**

A Custom and Self-build Plot that has access to a public highway and has connections for electricity, water, waste water and telecommunications.

### **“Market Dwelling”**

That part of the development which is general market housing for sale on the open market and which is not Affordable Housing.

### **“Marketed Appropriately”**

Marketing the Custom and Self-build Plots in accordance with the agreed Marketing Strategy for a period of not less than 12 months. This will commence when the Marketing Strategy has been agreed between the applicant and the Council, the Custom and Self-build Plots have been Fully Serviced, have defined boundaries, and are available for immediate purchase.

### **“Marketing Period”**

A period of not less than 12 months within which the Custom and Self-build Plots shall be Marketed Appropriately.

### **“Marketing Strategy”**

A document setting out the marketing arrangements for each Custom and Self-build Plot, which shall include:

- a) The period in which the Custom and Self-build Plots will be Marketed Appropriately;
- b) The arrangements on which the Custom and Self-Build Plots will be Marketed Appropriately; This should address:
  - i. Details of marketing materials. Good quality visual information should be made available, such as drone photos/videos, website content, and inspiration brochures to aid marketing.
  - ii. Details of marketing and promotional methods. This should include social media; website advertising; database marketing; and information packs as a minimum.
  - iii. On-site signage. As a minimum the Custom and Self-build Plots must be promoted as Custom and Self-build Plots for sale with signage at the site entrance and by the Custom and Self-build Plots themselves. Information must be displayed at each Custom and Self-build Plot which includes as a minimum the Custom and Self-build Plot number and Plot Passport information. QR codes are encouraged to provide quick access to further



information. Custom and Self-build Plots must be clearly demarcated and be in a clear and tidy state. The Owner should set out methods to enable potential plot purchasers to gain safe access into the site to view the Custom and Self-build Plots.

- c) The price that each Custom and Self-build Plot will be advertised for, including valuation methodology, derived from an experienced local RICS registered valuer who should have experience of valuing Custom and Self-build Plots;
- d) The contact details of the marketing agent. The agent should be experienced in selling Custom and Self-build Plots;
- e) Signposting to specialist custom and self-build mortgage brokers;
- f) Information on ‘Help to Build’ and any similar initiatives to assist custom and self-builders;
- g) The eligibility criteria that purchasers must comply with to purchase a Custom and Self-build Plot upon which an Affordable Custom and Self-build Dwelling is to be constructed (if applicable);
- h) The site visit arrangements;
- i) The Plot Passport for each custom and self-build plot;
- j) A commitment that the Owner holds a Record of Sales Enquiries for each Custom and Self-build Plot, which will be provided to the Council upon request;
- k) The arrangements for the delivery of any Custom and Self-build Plots not taken up after the minimum 12 months marketing period; and

- l) Any alternative or additional marketing in the event that interest in a Custom and Self-Build Plot is low.

### **“Plot Passport”**

A document that provides information for potential plot purchasers regarding the delivery of a Custom and Self-build Dwelling or Affordable Custom and Self-build Dwelling on the Custom and Self-build Plot, and shall include: the plot location, plot size and shape, any design and development parameters established in a Design Code (if relevant), likely ground conditions, location of servicing connection, Community Infrastructure Levy exemption (if relevant), and plot price.

### **“Record of Sales Enquiries”**

A record of enquiries made by individuals in relation to each plot which shall include:

- a) Date of enquiry;
- b) Nature of enquiry;
- c) Whether the enquirer visited the site; and
- d) Reason/s why the enquirer did not purchase the plot or find it suitable.



### “Registered Provider”

means either: -

- a) a body registered as a social landlord pursuant to the provisions of the Housing Act 1996 or a housing association within the meaning of the Housing Associations Act 1985; or
- b) any person or body or entity which is registered as a provider or social housing in accordance with Section 80(2) and Chapter 3 of the Housing and Regeneration Act 2008; or
- c) any body, organisation or company which is registered charity with the Charity Commissioners for England and Wales and approved by Homes England or any other body organisation or company approved by the Council and which has objects demonstrably similar to or compatible with or promoting those of a registered social landlord.

### Model s106 clauses (to be included/omitted as appropriate)

#### Affordable Custom and Self-build

- 15.4 Given the multitude of possible delivery options in relation to Affordable Custom and Self Build Dwellings, while model definitions have been set out above, it is not appropriate to set out model clauses in full in this document. Such obligations should therefore be agreed on a case by case basis.

### Custom and Self-build

#### Custom and Self-build Marketing Strategy

- 15.5 The Owner covenants to submit the Marketing Strategy to the Council for approval prior to, or in conjunction with, the submission of the first reserved matters application.
- 15.6 Following approval of the Marketing Strategy each Custom and Self-build Plot shall be Marketed Appropriately.
- 15.7 The Owner covenants that no more than 50% of the Market Dwellings shall be occupied until the Marketing Period has commenced.
- 15.8 The Owner shall inform the Council and provide marketing materials on first advertising of the Custom and Self-build Plots to enable the Council to notify persons on the Council’s Custom and Self-build Register.
- 15.9 If at the end of the Marketing Period the Owner has been unable to sell one or more Custom and Self-build Plots and the Owner can provide evidence to the Council’s satisfaction the Custom and Self-build Plots have been Marketed Appropriately the Owner shall be free to seek approval from the Council to convert the Custom and Self-build Plots to Market Dwellings and/or Affordable Housing, such approval not to be unreasonably withheld.
- 15.10 For the avoidance of doubt, the Owner shall not convert a Custom and Self-build Plot that is identified for delivery as an



Affordable Custom and Self-build Dwelling to a Market Dwelling.

15.11 Evidence that Custom and Self-build Plots have been Marketed Appropriately shall include:

- a) Dated details of published marketing material,
- b) Dated estate agent instructions,
- c) Dated social media posts,
- d) Dated correspondence with the Council in respect of marketing to those on the Council's custom and self-build housing register,
- e) Dated records of sales enquiries and outcomes of those, and
- f) Dated changes in sales price.

#### **Custom and Self-build Design Code**

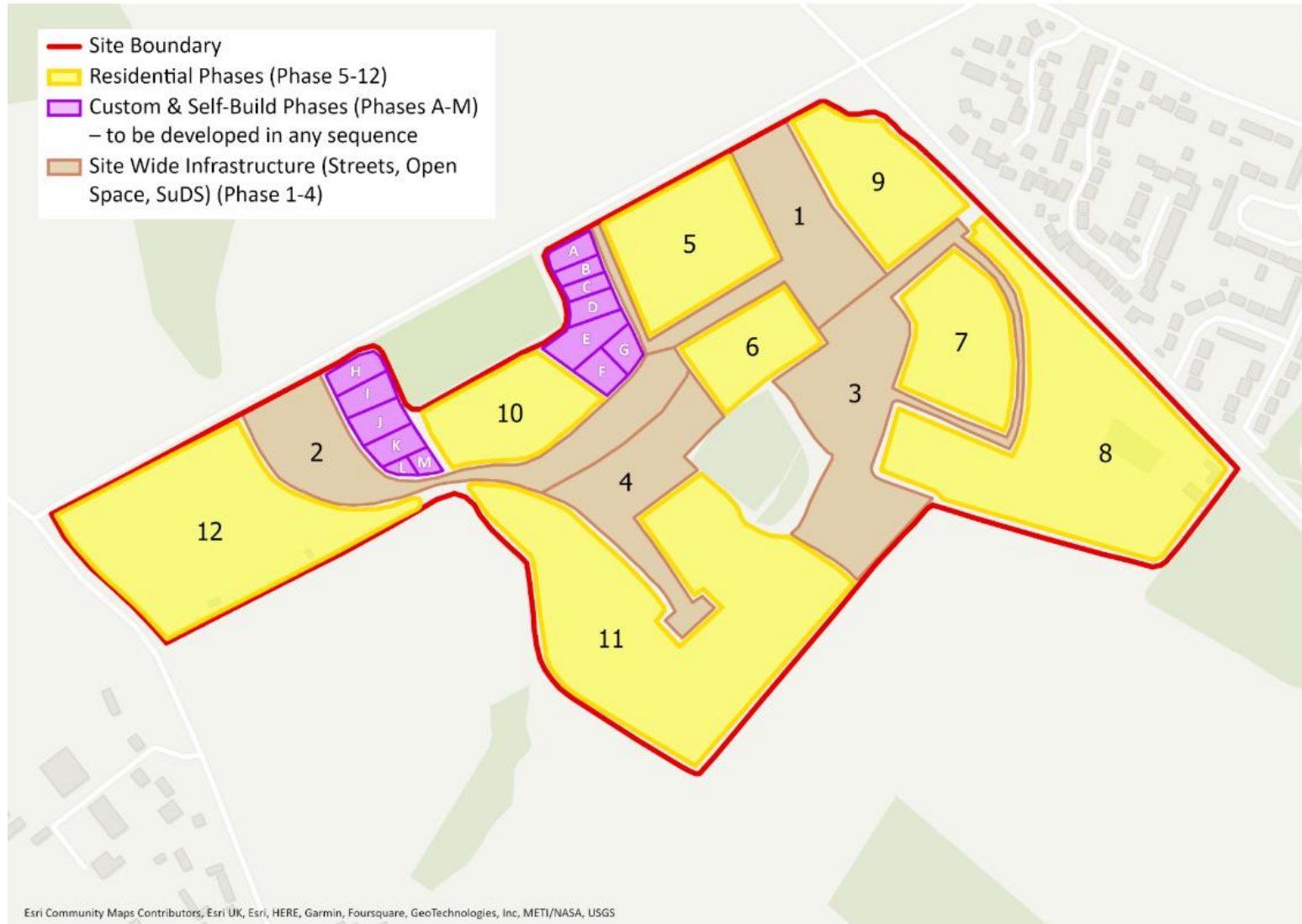
15.12 The Owner covenants to submit the Custom and Self-build Design Code to the Council for approval prior to, or in conjunction with, the submission of the first reserved matters application.

15.13 The Custom and Self-build Dwellings and Affordable Custom and Self-build Dwellings shall be constructed in accordance with the approved Custom and Self-build Design Code.

15.14 The Owner covenants to act in good faith in trying to agree both the terms of and the exchange of the Custom and Self-build Sale Contract and not to take any unreasonable steps which would otherwise frustrate such exchange.



# Appendix 5: Model Phasing Plan





## Appendix 6: Model Plot Passport

Development name:

Plot reference:

Plot price:

Site address:

Planning application reference:

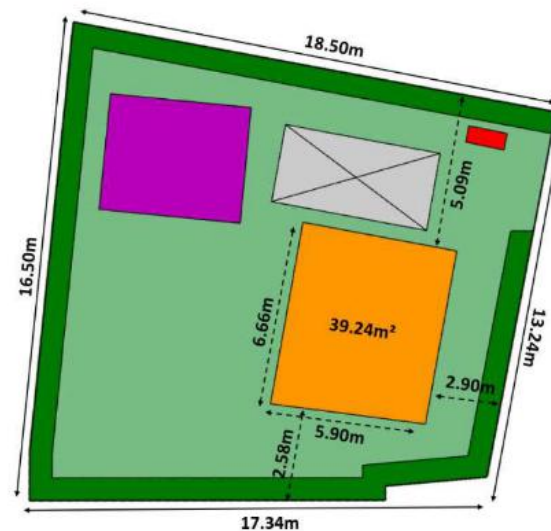
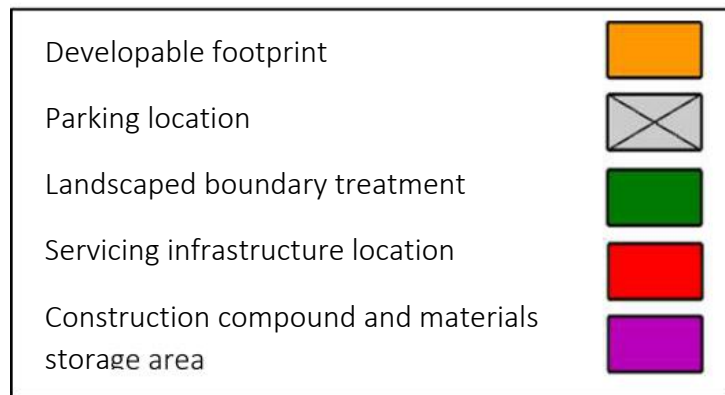
Total plot area: (m<sup>2</sup>)

Developable footprint: (GEA – Gross External Area (ground floor))

Max floor area: (GIA - Gross Internal Area (all floors of entire building area))

Design and Delivery Parameters:

- List of design parameters established in approved design code,
- Construction compound and materials storage area,
- Health and safety requirements,
- Likely ground conditions,
- CIL exemption process,
- Surveys conducted by site wide applicant,
- Plot sales process,
- Planning application process, and
- Contact details for further information.







## Appendix 7: Case Studies

16.1 The following case studies set out examples of custom and self-build housing good practice, covering a wide range of custom and self-build housing models, including:

- a) Serviced self-build plots, Long Four Acres, South Norfolk
- b) Custom and self-build housing, Graven Hill, Oxfordshire
- c) Marmalade Lane co-housing, Cambridge

### Serviced Self-build Plots, Long Four Acres, South Norfolk

Location: Long Four Acres, Bracon Ash, Norfolk

Local planning authority: South Norfolk Council

Description of development: Phased outline proposal for 15 self/custom build dwellings and access

Planning reference: Outline application (2017/2131) followed by a number of reserved matters applications

Delivery model: 15 custom or self-build homes delivered through the sale of serviced plots supported by a design code.



Photo 1: Long Four Acres custom and self-build housing development viewed from Long Lane

16.2 The Plot Passport submitted with the outline application provides the key information for potential plot purchasers to understand, without too much difficulty, what they will be able to design and build on each plot. The document benefits from being concise, visually consistent and clear. Information is limited to only that which needs to be presented. More detailed information is of course available in the design code.

16.3 All plots are bounded by hedges and trees. This continuity of landscaped boundary treatment throughout the development has created a pleasant green character and appearance to the development on the edge of the village, enhanced biodiversity, and enabled the significant variation in the



design of the custom and self-build dwellings to more easily assimilate into its context.

16.4 The Design Code permitted with the application offers a significant degree of design freedom to initial occupants. This is of critical importance in circumstances whereby the design code is prepared without the involvement of initial occupants, as was the case here. Generally, the design code should only restrict design freedom where demonstrably necessary. The purpose of this provision is to ensure initial occupants have as much design choice and control over the final design and layout of their home as possible.

16.5 The site provides for a number of large dwellings on large plots. In East Suffolk emphasis will be placed on providing a range of plot and dwelling sizes to help meet the needs and demands of a range of occupants, whilst making efficient use of land.

### **Custom and Self-build Housing, Graven Hill, Oxfordshire**

Location: Graven Hill, Ambrosden, Oxfordshire

Local planning authority: Cherwell District Council

Description of development: Redevelopment of former MOD sites including demolition of existing buildings, development of 1900 homes; local centre to include a 2 form entry primary school (class D1), a community hall of 660sqm, five local shops or facilities to include A1, A2, A3, A5 and D1 uses

totalling up to 1358sqm, up to 1000sqm gross A1 uses, a pub/restaurant/hotel (class A4/A3/C1) up to 1000sqm and parking areas; employment floorspace comprising up to B1(a) 2160sqm, B1(b) 2400sqm, B1(c) and B2 20520sqm and B8 uses up to 66960sqm; creation of public open space and associated highway improvement works, sustainable urban drainage systems, biodiversity improvements, public transport improvements and services infrastructure. Erection of a 70400sqm fulfilment centre on 'C' site and associated on site access improvement works, hardstanding, parking and circulation areas.

Planning reference: Outline permission (11/01494/OUT), followed by Local Development Orders granting reserved matters approval.

Delivery model: Self-build homes delivered through the sale of serviced plots supported by a masterplan and design code.

16.6 Cherwell District Council, as the local planning authority, has taken a proactive approach in preparing and adopting local development orders, which granted reserved matters pursuant to the outline permission (11/01494/OUT). As a result, so long as the design of a self-build home complies with the provisions of the Local Development Order the design shall be approved by Cherwell District Council within 28 days. Consequently, achieving planning permission for the detailed design of a self-build home can be much quicker than submitting a reserved matters application.



16.7 The Design Code permitted with the application offers a significant degree of design freedom to initial occupants. This is of critical importance in circumstances whereby the design code is prepared without the involvement of initial occupants, as was the case here. Generally, the design code should only restrict design freedom where demonstrably necessary. The purpose of this provision is to ensure initial occupants have as much design choice and control over the final design and layout of their home as possible.

### **Marmalade Lane Co-Housing, Cambridge**

Location: Marmalade Lane, Cambridge

Local planning authority: Greater Cambridge Shared Planning Service (Cambridge City Council and South Cambridgeshire District Council)

Description of development: 42 low-energy cohousing dwellings plus ancillary facilities including a common house workshop car and cycle parking refuse storage relocation of an electricity substation associated access and landscaping.

Planning reference: Full planning permission (S/3223/15/FL)

Delivery model: 42 group custom build (co-housing) homes and ancillary facilities such as the common house.

16.8 The initial occupants were engaged in the design of the development from the outset, which enabled the submission of a full planning application. Key to the success of a full

application in respect of custom and self-build housing is for the applicant to demonstrate that initial occupants have had a primary input into the design and layout of their future home. In this instance, prior to the submission of the planning application, Townhus (the applicant) submitted a high-level design to Cambridge Cohousing Limited (the client) based on their client's brief. After which, Cambridge Cohousing Limited and Townhus worked together on the detailed design, which formed part of the full planning application.



*Photo 2: The car free street of Marmalade Lane co-housing development.*

16.9 Not only were initial occupants involved in the design and layout of the development, but they were also able to choose



their plot, house type (from a range of 4 dwelling types, and 7 dwelling sub-types), interior floor plans, exterior materials, and finishing touches (kitchen and bathroom fit outs, or self-finish). This provided initial occupants with a good degree of customisation required of custom and self-build housing.

- 16.10 Marmalade Lane shows that with early and ongoing engagement between a high quality developer and initial occupants that the needs and desires of such occupants can be met whilst delivering a compact form of development, of terraced houses and flats, appropriate to an urban location.
- 16.11 As with all co-housing schemes Marmalade Lane provides a number of shared facilities, including common house, south facing garden, and a child friendly and car free street. Together, these shared facilities help create a tight knit community which socialises in these shared spaces.



## Appendix 8: Glossary

### A

**Affordable housing** – see [National Planning Policy Framework 2023 Annex 2: Glossary](#)<sup>40</sup>

### C

**Community led housing** – Affordable housing delivered by, and to meet the needs of, the community. Community land trusts, co-operative housing societies, and cohousing are the three main community led housing models. More information about community led housing is provided in the Council's [Affordable Housing SPD](#)<sup>41</sup>.

**Community Infrastructure Levy (CIL)** - A charge levied on new development, as specified in the [CIL Charging Schedule](#)<sup>42</sup>, in order to help fund infrastructure to support development.

**Custom and self-build house/home/dwelling** – A house mainly built to the design specifications of the initial occupant (Section 1 (A1 and A2) of the Self-build and Custom Housebuilding Act 2015).

**Custom and self-build housing plot** – An area of land within which a single custom or self-build house will be built.

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1182995/NPPF\\_December\\_23.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_December_23.pdf)

### D

**Design code** – A set of written and illustrated rules that establish the design parameters of a development and of each plot.

**Development zone** – The area of a plot/custom and self-build housing plot where development is acceptable in principle.

### L

**Local plan** – A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two (NPPF Glossary, 2023).

### M

**Marketing strategy** – A strategy setting out the approach to be taken to the marketing and sale of custom and self-build housing.

<sup>41</sup> [www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Supplementary-documents/Affordable-Housing/Affordable-Housing-SPD.pdf](http://www.eastsuffolk.gov.uk/assets/Planning/Planning-Policy-and-Local-Plans/Supplementary-documents/Affordable-Housing/Affordable-Housing-SPD.pdf)

<sup>42</sup> [www.eastsuffolk.gov.uk/planning/developer-contributions/community-infrastructure-levy/cil-rates/approved-cil-rates-for-the-east-suffolk-area/](http://www.eastsuffolk.gov.uk/planning/developer-contributions/community-infrastructure-levy/cil-rates/approved-cil-rates-for-the-east-suffolk-area/)



## N

**Neighbourhood plan** – A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.

## P

**Phasing plan** – A plan setting out the different phases of a development, and when each phase will be delivered relative to the other phases.

**Planning application** – An application for planning permission, which can comprise outline, full, hybrid, reserved matters planning applications. Discharging and varying planning conditions are other forms of planning applications that may be relevant to the delivery of custom and self-build housing.

**Planning condition** – A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

**Plot passport** – A concise document setting out the information necessary for potential plot purchasers to fully understand what can and cannot be built on the plot.

## R

**Registered provider** – Providers of social housing that are registered and regulated by the Regulator of Social Housing.

## S

**Section 106 agreement** – A legal planning obligation, pursuant to Section 106 of the Town and Country Planning Act 1990, that secures the way in which development is provided.

**Serviced plot** – Section 5 of the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) defines a serviced plot 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;”

“Specified” means specified by regulations. Regulation 3 of the Self-build and Custom Housebuilding Regulations 2016 provides that section 5(b) of the Act is satisfied if “in the opinion of a relevant authority [the provisions within section 5(a) of the Act can be provided] within the period before any development permission granted in relation to that land expires.” (i.e. before planning permission expires).

“Relevant authority” means a local planning authority (section 1 of the Self-build and Custom Housebuilding Act 2015).



**Supplementary planning document** – A planning document that expands upon and provides further detail to support the implementation of policies in Local Plans. Whilst not a part of the statutory development plan, it is a material consideration in the determination of planning applications.

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