

## **Lewes District Local Plan Part 2 Examination**

**Additional comments and proposed new policy on **Self-Build & Custom Housebuilding** submitted at the request of Inspector Fox by the Lewes District Branch of CPRE Sussex  
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### **Matter 3.5                      Self-build and Custom Housing**

#### **Commentary**

- 1.01 NPPF (2012) paragraph 50 requires the Council to plan for a mix of housing based on the needs of different groups including, specifically, people wishing to build their own homes. LPP1 did not include any policies to meet this requirement, presumably because this was then expected to be covered by new DM policies to be included within LPP2.
- 1.02 NPPF (2019) paragraph 61 essentially repeats this requirement, but the terminology is changed to people wishing to commission or build their own homes.
- 1.03 The new footnote 26 (NPPF 2019) defines the duties of the Council under the Self-build and Custom Housebuilding Act (2015) as amended by the Housing and Planning Act (2016) and supplemented by the Self-build and Custom Housebuilding Regulations (2016). Section 1 duties require the Council to keep a register (which it does) while the duties under sections 2 & 2A require it to ensure the delivery of sufficient development permissions to meet demand (where the Council's own evidence show it falls far short and has no relevant policy or practice to remedy the situation).
- 1.04 The NPP Guidance includes in section 57, paragraphs 57-001-20170728 – 57-037-20170728, detailed guidance on self-build and custom housebuilding. It imposes on the Council (under the 2015 Act) the duty to increase the availability of land for self-build and custom housebuilding (paragraphs 023 & 028) and suggests how this should be achieved (paragraph 025). The first proposal in paragraph 025 is by the inclusion of relevant policies in Local Plans. Other options include marketing its own land to those on its register (unlikely to be an attractive option in Lewes, given other priorities and the shortage of such land compared to the scale required) and engaging with site owners to identify and promote suitable land for self-build and custom house building.
- 1.05 NPP Guidance paragraph 028 describes the assistance a person on the register should be able to expect from their council. The current failure of Lewes D.C. to deliver such assistance explains the very low current delivery success rates. All the completed self-build housing of which CPRE Sussex is aware was actually delivered on sites identified by the applicants themselves.
- 1.06 To be effective any new LPP2 DM policy must be in accordance with the NPPF iteration currently in force (Feb 2019). Without such a policy, and given its current delivery record, it is hard to see how the Council could justify at appeal refusing any self-build or custom housebuilding application anywhere in the District, however unsuitable the site, unless the proposal conflicted with another specific NPPF policy.
- 1.07 The new policy should recognise that demand varies across the District. It is thus essential that the new policy should defer to, and not over-ride, adopted neighbourhood plans where such

plans have identified policies or sites for new self-build and custom housing in that neighbourhood area.

- 1.08 If the delivery of new housing in the District falls below the Plan target, the Council will be required to develop an action plan to increase delivery. In meeting any unmet need for self-build or custom housing, the Council should pay particular attention to any allocated development sites that have failed to come forward as expected, considering whether they might come forward more expeditiously if instead allocated for self-build and custom housebuilding.

**CPRE Sussex recommends that the proposed new policy DMX should read:**

- X.01 Lewes District Council maintains a register of individuals and associations of individuals with a local connection to the District who are seeking to acquire serviced plots of land for their own self-build and custom housebuilding, as required by the Self-build and Custom Housebuilding Regulations (2016). The Council will publish annually a summary of the demand for such plots as revealed by the register, and will provide assistance to those on the register to identify suitable and available sites for self-build and custom housing.
- X.02 The Council will meet the duty to permission sufficient sites to meet the demand identified by the register by engaging with the landowners of suitable sites to encourage them to consider self-build and custom housebuilding on part or all of their sites. Particular attention will be paid to sites allocated for residential development in Local or Neighbourhood Plans that have failed to come forward as expected.
- X.03 Self-build and custom housebuilding can be expected to contribute some individual and distinctive new properties to the District's housing mix. While this is welcome, it is essential that the new housing makes good use of the available land, is characterised by good design, and respects the character of the neighbourhood in which it is located. All new housing proposals should avoid conflicts with national, local and neighbourhood policies.

**Policy DMX Self-build and custom housing**

**Proposals for self-build and custom housing to meet the demand identified through the self-build and custom housing register will be permitted providing the following criteria are met:**

- (1) the applicants have a local connection and are registered on the District's self-build and custom housebuilding register, and that the new housing is for their personal use;**
- (2) the proposed development will contribute to meeting the identified need for self-build and custom housing in the District;**
- (3) the proposed development is on a windfall site, or a small site suitable for 10 or fewer new dwellings, or a site specifically identified for self-build and custom housing (including a part allocated for this purpose of a larger allocated site) or on a site that has been allocated for market housing development in a Local or Neighbourhood Plan for more than 3 years without an acceptable application coming forward;**

**(4) the proposed site has acceptable access to the highway network and other necessary services;**

**(5) the proposal respects the design, scale and character of neighbouring development, makes good use of the available land and does not conflict with national policy or other Local or Neighbourhood Plan policies;**

**(6) development proposals within 7 km of Ashdown Forest comply with Core Policy 10(3) of the Local Plan Part 1.**

**The inclusion of an element of custom and self-build housing in a rural Exception Site may be permitted where it can be demonstrated that it will contribute to meeting a demand for self-build and custom housing in that specific rural village or settlement, and that it will facilitate the development of affordable housing on that Exception Site (see Policy DM2).**