

Solihull Self-Build and Custom Housebuilding Register

Local Connection Criteria, Assessment of Financial Resources and Fee Policy

What is the purpose of the Register?

As of 1st April 2016, Local Authorities are required to keep a register of individuals and associations who are interested in self-build in their area.

The Government wants to enable more people to build and design their own homes and have published national guidance which sets out how Council's should manage the demand for self-build and custom house building. These Regulations are the:

- The Self-build and Custom Housebuilding Regulations 2016.
http://www.legislation.gov.uk/uksi/2016/950/pdfs/uksi_20160950_en.pdf
- The Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016.
http://www.legislation.gov.uk/ukdsi/2016/9780111148327/pdfs/ukdsi_9780111148327_en.pdf

You should make yourself familiar with these regulations. These Regulations enable the Council to divide the Register into two parts. Part 1 of the Register is for those who potentially meet Local Connection Criteria and Assessment of Financial Resource. These applicants who meet these qualifying criteria will have the 'Right to Build' and the Council will need to identify enough suitable plots of land to build or commission their own home to meet local demand through its Local Plan. All other applicants go onto Part 2. The Council does not have a legal obligation to identify enough suitable plots of land to build or commission their own home to meet local demand through their Local Plan.

Please be aware that self-build homes are subject to the same requirements for planning permission as other homes. This is particularly important to note in the Metropolitan Borough of Solihull because around two thirds of the borough is designated as Green Belt and as such, any new homes, irrespective of whether they are Self-build, are largely classed as inappropriate development and would not receive planning permission.

Eligibility

In order to be added to the Self-build Register, you must provide the Council with the following information:

- Name
- Address
- Date of birth (as proof that you are over 18)
- Nationality (to be eligible you must be a British Citizen, a national of an EEA state other than the United Kingdom, or a national of Switzerland)
- Provide confirmation that you are seeking to acquire a serviced plot of land in the Metropolitan Borough of Solihull for your own self-build or custom house build

Local Connection Test

Self-build and Custom Housebuilding Register – Local Eligibility Conditions.

The Self-build and Custom Housebuilding Regulations 2016 allows local planning authorities to set local eligibility conditions which must be satisfied in order for

individuals/associations to be eligible for the Council's Self-build and Custom Housebuilding Register.

Solihull Council have decided to introduce a local connection test, as permitted through Government Regulations. In order to address this criterion, individuals (including associations of individuals) must demonstrate sufficient connection, as the authority reasonably considers, with the authority's area. There are exceptions for persons in the service of the regular armed forces of the Crown. Individuals may still be eligible for Part 2 of the register provided that all other eligibility requirements set out in regulations are addressed.

Consistent with the Self-build and Custom Housebuilding Regulations 2016 Regulations Solihull Council have set the following criterion, which all individuals (including associations of individuals) must satisfy in order to be eligible for entry on Part 1 of the Solihull Self-build and Custom Housebuilding Register, either:

- Individuals must have been resident in the borough for a continuous period of two years, up to and including the day of their application for entry in the register. The Council will require evidence of residency in the borough, for example, through submission of utility bills, Council tax statements and/or lease agreements, or any other information which demonstrates residency beyond doubt. The Council will ask for further information where necessary; or refuse an application for entry in the register due to lack of information. For associations, information must be provided for each individual.
- Persons in the service of the regular armed forces of the Crown, as defined by section 374 of the Armed Forces Act 2006, are deemed to satisfy the 'local connection' test whilst in service and for a period of two years after leaving service. The Council will require evidence of current service, or evidence of past service including the date of leaving service.

Assessment of financial resources

The Self-build and Custom Housebuilding Regulations 2016 allows local planning authorities to set out an Assessment of financial resources which must be satisfied in order for individuals/associations to be eligible for the Council's Self-build and Custom Housebuilding Register.

In order to address this criterion, individuals (including associations of individuals) must demonstrate that they will have sufficient resources to purchase land for their own self-build and custom housebuilding. This criterion will apply to Part 1 of the Register.

Consistent with the Self-build and Custom Housebuilding Regulations 2016 Regulation Solihull Council have set the following criterion, which all individuals (including associations of individuals) must satisfy in order to be eligible for entry on either Part 1 of the Solihull Self-build and Custom Housebuilding Register.

Individuals (including all individuals of associations) must demonstrate that they have sufficient resources to purchase land for their own self-build and custom housebuilding.

The Council will require relevant evidence of sufficient resources as follows:

- An offer for a self-build mortgage from a verifiable lender. Any evidence provided must clearly show that the release of funds for the purchase of land – which is

usually the first phase of funding released – covers any proxy land value used by the Council for the purposes of assessing this criterion.

- Written confirmation and evidence from a qualified financial advisor with active membership of a verifiable and appropriate professional body. This evidence should clearly outline that the applicant has sufficient readily accessible funds/savings/investments/equity to purchase land.
- Any other information which demonstrates, to the Council's satisfaction, that the applicant has sufficient resources to purchase land for their own self-build and custom housebuilding. For example: This may also be the equity in an existing home as evidenced by an annual mortgage statement or if the home is owned outright, a Land Registry search with no charges against it. The Council welcomes evidence of Islamic mortgages and no interest mortgages such as Murabahah and Ijarah.

Any information submitted only needs to demonstrate that sufficient resources are available to purchase land. Regulations do not require evidence of sufficient resources to cover build costs or other associated costs. Where an applicant provides information on total financial resources available for an entire project – e.g. purchase of land, build costs, fit out costs – the Council may request further details such as an itemised list of funds for each phase of a project, to ensure that the land purchase costs can be met. Where multiple funding sources are utilised, evidence may be required that funds will be readily accessible for the purchase of land phase of the project.

The Council may utilise information on recent land transaction costs and/or any other reasonable method of arriving at a proxy land cost to determine applications. As land values change over time we may require updated evidence of an applicant's ability to fund the purchase of the land.

The Council will ask for further information where necessary; or refuse an application for entry in the register due to lack of information. For associations, information must be provided for each individual.

The Council's duties

Solihull Council has a duty to keep a Register of those interested in undertaking a self-build project. The Council does not own significant amounts of land and the Council is not required to provide you with Council land on which to build. We will use the information held on the Register to explore ways in which it might be possible for people and plots of land to be brought together, for instance by including appropriate policies in Local Plans. We must also work to meet the demand for self-building in the borough by delivering a number of 'suitable' planning permissions that could include self-build or custom house building. Any plots or land secured to meet the obligations of those on the Self-Build and Custom Housebuilding Register are provided at market value.

From receiving an application (including payment of the application fee), under the Regulations Solihull Council must determine entry on to Part 1 or Part 2 within 28 days. This begins on the day the application is received. If all supporting information as outlined above is received within 14 days of the initial application the Council will determine the application within 28 days as being on Part 1 or Part 2 of the Register and will notify the applicant. However if this information arrives after this point/ or should further information be needed at any time, the Council will determine the application as soon as possible. If this information is not available the Council will determine the application as being for Part 2 of the Register. At any time after this point should this information become available the Council will re-determine if the application can go on to Part 1.

Complaints

If you have any concerns about your application please email selfbuild@solihull.gov.uk in the first instance.

Any complaints will be dealt with by the Council's complaints process. This is available at: <http://www.solihull.gov.uk/About-the-Council/Complaints/councilcomplaints>