

# Tower Hamlets Self-Build Guidance 2019-2022

## FINAL DRAFT

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## 1. Introduction and Definitions

- 1.1 In 2016 the Government introduced the *Right to Build* with the aim of increasing the supply of homes. Under the Housing and Planning Act 2016, the Council must keep a register of individuals and groups who want to build their own home and must give suitable development permission to enough serviced plots available to meet the demand on the register.
- 1.2 The term self-build covers both self-build and custom-build housing. These terms are defined below:
- 1.3 **Self-build housing** is where individuals or groups of individuals directly organise the design and construction of their own homes. This covers a wide range of projects including traditional DIY self-build, to projects where self-builders employ someone to build their homes, or a groups of people build their own homes together.
- 1.4 You will be actively involved in acquiring land, getting planning permission, designing, building you home. You could do all the work yourself, but it is more usual to commission an architect to design the building, and commission a builder to build it.
- 1.5 **Custom build housing** is where you work with a developer as an individual or a group to help deliver your own home. The developer may help to find a plot, manage the construction and arrange the finance for your new home. This is more of a hands-off approach but homes can be tailored to meet individual requirements with different levels of customisation.
- 1.6 **Community-led housing** is where people and communities play a leading role in addressing their own housing needs. It has many overlaps with group self-build and custom-build, but also considers the long-term ownership or management of housing, and seeks to ensure that any benefits (such as affordability) are legally protected in perpetuity.

- 1.7 **Affordable Housing** is housing that is provided at no more than 80% of the open market value at the time of sale or renting the home. Under this programme however, it is the Council's aspiration to deliver affordability in line with average incomes in the Borough. More information on this is provided in the Affordable Self-Build Policy document.
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## 2. The Self-Build and Custom Housebuilding Register

- 2.1 The Council is required by law<sup>1</sup> to keep a register of people who are looking for land in the borough to build houses or flats and live in them as their main home.
- 2.2 The Council will principally use the register as a means of determining the demand for self-build housing in the borough. The level of demand is established by reference to the number of entries added to the Council's register during a base period (12 months).
- 2.3 It is not a requirement to be registered on the Self-Build Register to bid for a site through this Programme, though it will help prospective bidders to keep informed of news about the Programme and future site releases.

## 3. How do I get on the Register?

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- 3.1 The only way to register for a self-build home is on the internet. To register, you need to visit the Council's web page/site on self-build housing which can be found at:

[https://www.towerhamlets.gov.uk/lgnl/housing/Self\\_build](https://www.towerhamlets.gov.uk/lgnl/housing/Self_build)

- 3.2 The register is in 2 parts:

**Part 1** is for individuals and associations who have a local connection to Tower Hamlets and can demonstrate access to sufficient resource to purchase the land required to build homes.

To be registered on **Part 1** of the register you must meet the following eligibility criteria:

- Be over 18 years old.
- Be a British citizen, a national of an EEA state or Switzerland.
- Be *seeking* to build a home as a sole or main residence. **Part 2** is for anyone else who meets the age and nationality requirements set out below, but either does not have a local connection to Tower Hamlets or cannot demonstrate access to sufficient resource to purchase the land required to build homes.

You must also meet the following **local eligibility conditions**:

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<sup>1</sup> These duties are set out in two Acts of Parliament – **The Housing and Planning Act 2016** and the **Self-build and Custom Housebuilding Act 2015**. In addition the **Self-build and Custom Housebuilding Regulations 2016** set out how the register should be administered. This includes the eligibility requirements for joining the register.

- Have a local connection by living and/or working in the borough for a continuous period of at least 3 years and be living/working in the borough when you apply to go on the register\*.

(\*Note: if you are a member of the armed services you may be exempt from this requirement).

### **AND**

- 3.3 You can demonstrate access to sufficient resource to purchase the land required to build a self-build home/s. If you are registering as part of an association, ALL members of the association must meet these criteria to join part 1 of the register.
- 3.4 If you do not meet the local eligibility conditions, but do meet the other criteria (age, nationality, sole or main residence) you will join part 2 of the register. However, entries to part 2 of the register do not contribute towards demand (ie. the number of serviced plots that the council is required to grant development permission for).
- 3.5 Individuals and groups without a local connection to Tower Hamlets (or with a proportion of members without a connection within their group) will still be eligible to bid for sites through the Affordable Self-Build Programme, however proposals will likely be scored down on the *community benefit* criteria, which includes criteria for local connection

## **4. How the Council Uses the Register**

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- 4.1 By registering, you are assisting the Council to determine the demand for self-build housing in the borough. At this stage you are not making any commitment to build your own home.
- 4.2 In registering your application, the Council is **not** committing to provide a serviced plot of land for you to build on. Registration does not guarantee that a suitable plot will be identified, or become available within any given "base period". Each base period runs from 31 October to 30 October every year. At the end of each base period, the council has 3 years in which to grant development permission to a sufficient number of serviced plots to satisfy the demand (ie. the number entries to part 1 of the register) for that particular base period.
- 4.3 The council will monitor the number of individuals and associations/groups on the register alongside the number of development permissions granted.
- 4.4 The Council may choose to publish progress updates on its website from time to time, setting out how many people have been accepted onto the register in a given period, how many development permissions granted.

## **5. Next Steps after Registration**

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- 5.1 The Council has up to 28 days to confirm that you are eligible and have been entered onto the register. If you are registered, we will write to you to let you know within the 28 days.

- 5.2 If your application is not eligible we will write to you to explain the reasons within 28 days of determining the application.
- 5.3 If the application is from an association, we will only write to the lead contact of the association as identified in the application.
- 5.4 The Council may contact you occasionally for information to update the register and provide you with information on the availability of self-build land. It is your responsibility to inform the Council of any change of circumstances, address or contact details. If for any reason we cannot contact you, your entry will be removed from the register.

## 6. Data Protection (GDPR) and Removal From the Register

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- 6.1 By applying for a place on the self-build register you agree that the council can use the data you provide to understand demand for self and custom build within Tower Hamlets.
- 6.2 We will not pass identifiable data from the register onto anyone outside the Council without your written consent or, in the case of groups, the person who registered the details.
- 6.3 The register will not be a public document, but the Council may publish 'headline' data from it, e.g. the number of people on the register by area of residence.
- 6.4 If you want to be removed from the register, please e-mail the Council **[\[e-mail address to follow\]](#)** with your request. We may also contact you from time to time to check whether you want to remain on the register. If we cannot contact you using the details we hold we will remove your name from the register.

## 7. The TH Self-Build Forum

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- 7.1 If we consider that an individual or member of any association is no longer eligible for entry on the register, we will contact you in writing within 28 days of our decision to let you know. We will provide the reasons for our decision and details of the appeals process.
- 7.2 Since May 2017 the Council has been facilitating a Self-Build Forum which has been held at the Town Hall with Cabinet members attending. The forum has been the principle way in which the Council has communicated with aspiring self-builders in the borough.
- 7.3 All applicants on the register are invited and on average 25 people have been attending these meetings. In May 2017, it was agreed with the forum that the Council would seek to identify suitable sites on Council owned land for consideration for self-build.
- 7.4 In addition, the Council may encourage Private Registered Providers and owners of private land in the borough to attend the forum to bring forward sites to facilitate wider self-build provision.

7.5 Through the forum, the Council will continue to offer support and advice to those on the register, including facilitating workshops and meetings with other stakeholders interested in self-build.

## 8. Further Advice and Information

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***The following information is provided by way of reference and guidance only. The Council does not accept any responsibility for the content of external sites.***

The Mayor of London is making funding available to support community-led housing through the Community Housing Fund.

If you are interested in joining or starting a self-build project, Community Led Housing London are available to guide, mentor, and support groups at an early stage. This might include help thinking through various legal and governance structures, ways to develop the homes, accessing funding and finance and long-term management.

Groups can also apply for funding to commission business plans, architectural designs, development appraisals or legal advice to secure a site, as well as setting up and training costs.

Find out more at <https://www.communityledhousing.london/our-support/groups/>

Mayor of London: [making small sites available to small builders](#)

The Self-Build Portal [www.selfbuildportal.org.uk/](http://www.selfbuildportal.org.uk/) provides a wide range of information on self-build and custom housebuilding. It is produced by the National Custom and Self-Build Association (NaCSBA).

NaCSBA has also assembled an online toolkit to provide further information on and highlight examples of self-build and custom housebuilding from the UK and Europe. The toolkit can be found at <http://righttobuildtoolkit.org.uk/#>

There is a range of information including self-build finance providers and insurers set out on the [Build Store website](#) (please note that this is a commercial website and the Council is not responsible for its content). The Government has also prepared a [Planning Practice Guidance](#) on Self-build and Custom Housebuilding.

The construction of new build dwellings is not subject to VAT, so self-builders can reclaim their VAT within 3 months of completing the work. Further information should be sought from [HMRC](#).

### Legislation – A Reminder

[The Self-build and Custom Housebuilding Act 2015](#) requires each relevant authority to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area in order to build houses for those individuals to occupy as homes. [The Self-build and Custom Housebuilding \(Register\) Regulations 2016](#) made under the Act provides guidance on designing and administration of the Register. [The Housing and Planning Act 2016](#) sets out the duties local planning authorities are required to meet regarding self-build and custom housebuilding.