

UPDATE SHEET

PLANNING COMMITTEE – 11 November 2025

**To be read in conjunction with the
Report of the Head of Planning and Infrastructure to
Planning Committee**

- (a) Additional information received after the publication of the main reports;**
- (b) Member questions during Technical Briefing;
and**
- (c) Changes to Recommendations.**

A1 25/00738/OUT

**Erection of 1 no. single custom-build dwelling
(Outline - all matters reserved)**

Colliery Farm, 36 The Moor, Coleorton,
Leicestershire

Additional Information

1) Applicant's position on Previously Developed Land and further comments from neighbouring objectors

Since publication of the Committee Report, the applicant has submitted further information to demonstrate that the site meets the definition of previously developed land on the basis that it forms part of the domestic garden to no. 36 The Moor. The information submitted is available to view on the Council's website and consists of historical mapping and written justification. One further comment has been received from a third party on the contents of the additional information submitted by the applicant which can also be read on the Council's website. This reiterates earlier objections raised on the grounds that the site does not constitute previously developed land and seeks to agree with officer's assessment of this matter within the report.

Having reviewed the information submitted, officers remain of the view, as set out in the report, that the site in its entirety does not constitute previously developed land. Notwithstanding this, and as set out in the report, in the event that the applicant was able to demonstrate that the lawful use of the land was as garden land, the site is considered to be within a built up area by virtue of the built development bordering the site boundaries, in which case, the site would be excluded from the definition of previously developed land. It is therefore recommended that the application be considered on the basis that it is greenfield land as set out in the report.

2) Update on self and custom-build demand and supply

Pages 34-37 of the report agenda pack sets out the relevant considerations in respect of the shortfall of self and custom-build plots at the time of publication. At the time of writing the report, the unmet demand, or shortfall, was for 6 plots. However, on 31 October, the new base year commenced (31 October 2025 to 30 October 2026) and therefore an update to the table on page 35 of the reports pack is set out below.

A	B	C	D	E	F
Base Period	Registrations in base period	Plots required to meet demand by end of base period	Permissions granted in base period (dwellings)	Cumulative permissions at end of base period (dwellings)	Oversupply (+) or shortfall (-) (E minus C)
1 April 2016 to 30 October 2016	6	0	1	1	+1

31 October 2016 to 30th October 2017	10	0	1	2	+2
31 October 2017 to 30 October 2018	8	0	2	4	+4
31 October 2018 to 30 October 2019	14	6	30	34	+28
31 October 2019 to 30 October 2020	20	16	0	34	+18
31 October 2020 to 30 October 2021	14	24	0	34	+10
31 October 2021 to 30 October 2022	20	38	0	34	-4
31 October 2022 to 30 October 2023	34	58	3	37	-21
31 October 2023 to 30 October 2024	37	72	17	54	-18
31 October 2024 to 30 October 2025	33	92	32	86	-6
31 October 2025 to 30 October 2026	TBC	146*	10**	96**	-50**

* 126 is the total number of registrations between 1 April 2016 and 30 October 2023. 146 includes an additional 20 registrations which were previously removed from the register which have now been added back in

** As of 6 November 2025

On 31 October 2025, the cumulative demand increased from 92 plots (column C) to 146 plots (column C) in the current 31 October 2025 to 30 October 2026 base period.

Planning permission or permission in principle for 10 plots (column D) has been granted so far during the new base period, so cumulative planning permissions have been granted for a total of 96 plots (column E) (86 cumulative permissions at the end of the previous base period and 10 from this base period). (A further 4 plots have resolutions to permit but as the permissions have not yet been issued, they cannot be added to the supply at present). Therefore, at the current time there is an unmet demand, or shortfall, of 50 plots (Column F). The increase in the shortfall as set out above now represents a significant unmet need.

Therefore, it is acknowledged that this proposal for 1 dwelling (subject to a condition securing it as a custom/self-build dwelling as recommended), when taking into account the increased shortfall, would make a contribution to addressing this shortfall and this is a material consideration in the determination of the application to be given moderate weight.

Committee Technical Briefing

At the Committee Technical Briefing, various questions / queries were raised by Members based on the contents of the Committee Report. Such questions / queries, as well as the responses provided by the applicant and statutory consultee (where applicable), are as follows:

- 3) *If private rights of access exist along the access track and how this will be obtained and whether vehicular access can be provided along a public footpath.*

The site is accessed via a lane which is under an unknown third-party ownership. The applicant has confirmed that the landowner has private rights of access at "all times and for all purposes" in relation to the site via the access and along the existing access track from The Moor. Notwithstanding this, any private rights of access to be obtained, if necessary, and any permissions needed in relation to any works carried out to the access, do not form part of planning legislation and so are not planning matters that can be taken into account when determining this application. Approving a planning application does not affect or override any requirements relating to rights of access along the lane or under other legislation.

Access by vehicles can take place along the routes of public footpaths where access is available to vehicles along an existing route that is contiguous with the public footpath, e.g. a lane, track, road.

- 4) *Members have requested to understand who is responsible for monitoring the coal mining remediation and verification that will be required as recommended under conditions 6 and 7.*

The site is located within an area that is at "high risk" from historic coal mining in terms of potential land stability issues. The applicant has submitted a Coal Mining Risk Assessment as part of the application and conditions 6 and 7 as recommended by officers have been recommended by the Coal Authority as the statutory consultee. When the applicant or developer seeks to discharge the relevant conditions, the supplementary reports to be submitted will need to be completed by a relevant professional. On submission of the information at the discharge of condition stage(s), the report will be reviewed by the Coal Authority. The Local Planning Authority would only discharge the conditions to allow either the commencement of development (condition 6) or the occupation of the development (condition 7) when the Coal Authority has confirmed that it is satisfied that the risk has been adequately mitigated with the required investigation and remediation works.

- 5) *Members have requested how the occupancy by the custom or self-builder is enforced in the event that the applicant is not the occupier.*

Condition 5 as recommended within the report is set out in full below. The conditions placed on any permission run with the land rather than being restricted to an individual. Should the land be sold on following any grant of planning permission, any successive owner would be bound by the same conditions. The condition as set out below demonstrates how the custom builder would need to comply with the condition, including confirming in writing when occupation is to take place. Compliance with the condition would be a matter for the planning enforcement team should any concerns be raised that the condition is not being complied with.

Condition:

The residential dwelling hereby permitted shall be constructed as a custom-build dwelling within the definition of self-build and custom build housing in the Self-Build and Custom Housebuilding Act 2015 (as amended):

- (i) The first occupation of the dwelling hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling;
- (ii) The dwelling hereby permitted shall be occupied by that person or persons and their spouse, civil partner, partner and/or resident dependents (if applicable) as their principal private residence for a period of at least three years from the date of first occupation of the dwelling;
- (ii) The Council shall be notified in writing of the person(s) who intend to take up first occupation of the dwelling hereby permitted at least two months prior to first occupation.

Reason - In order to secure the dwelling as self-build/custom build and comply with the requirements of the Self-Build and Custom Housebuilding Act 2015 (as amended) and help to meet the District's self-build requirement, in accordance with national policy.

RECOMMENDATION – NO CHANGE TO RECOMMENDATION.

A2 23/01595/FUL Change of use of Methodist church to a single residential dwelling (resubmission following withdrawal of 23/00413/FUL)

Worthington Methodist Church, Main Street,
Worthington

Committee Technical Briefing

At the Committee Technical Briefing, questions were raised by Members in respect of the proposed bin enclosure, in relation to its location and the space needed for the waste and recycling receptacles that will be provided under the Council's new waste and recycling collection arrangements which will be rolled out in Worthington in 2027.

It is understood that the location of the bin enclosure would be within the public highway and therefore consent would be needed from the County Highway Authority (Leicestershire County Council) for the installation of a structure in this location.

The Council's Waste Services team has advised that under the new waste and recycling collection arrangements, four wheelie bins would be provided (one for refuse, one for garden waste, one for cans, tins, plastics and glass and one for paper and cardboard), along with 23 litre outdoor food waste container and a seven litre container for food waste for residents to keep indoors. The Waste Services team also advise that 2.5 sqm of space is needed for these receptacles.

It is therefore suggested that the proposed condition (no. 3) relating to the bin enclosure is amended, so that it requires submission of a scheme for bin storage and bin collection for approval by the Local Planning Authority before occupation takes place, rather than requiring the submitted bin enclosure details to be made available for use before occupation as is currently suggested.

The suggested wording for the amended condition is:

The dwelling hereby permitted shall not be occupied such time as a scheme for bin storage and bin collection for the dwelling has been submitted to and approved in writing by the Local Planning Authority, and the approved scheme has been provided in full, which shall thereafter be so retained for use in perpetuity for bin storage and for bin collection only.

A note to applicant could also be imposed which sets out the details of the new waste and recycling receptacles and the space needed for them.

RECOMMENDATION – NO CHANGE TO RECOMMENDATION, SUBJECT TO AN AMENDMENT TO CONDITION 3 AND ADDITION OF A NOTE TO APPLICANT

A3 23/01596/LBC Internal and external alterations to facilitate the use of the building as a dwelling (Listed Building Consent)

Worthington Methodist Church, Main Street,
Worthington

Point (f) of proposed condition 3 requires submission of construction and materials details of the bin enclosure before any work takes place. It is suggested that this wording is amended to align with the proposed amended wording to condition 4 of the planning application for this proposal (Item A2), as follows:

f) details of the arrangements for bin storage and collection, to including ensuring that they are not fixed or mounted to the principal elevation of the listed building.

RECOMMENDATION – NO CHANGE TO RECOMMENDATION, SUBJECT TO AN AMENDMENT TO POINT (F) OF CONDITION 3