

Application Recommendation for Approval with Conditions FUL/2025/0254

Cliviger with Worsthorne

Town and Country Planning Act 1990 (as amended)

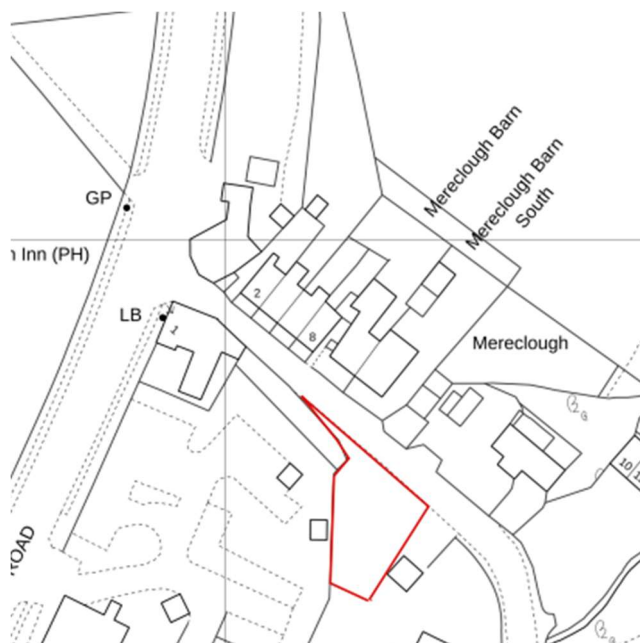
Address: Land adjacent to Fighting Cocks (Nino's), Long Causeway,
Mereclough BB10 4RL

Proposal: Erection of dwelling with attached single garage

1. Site Description

- 1.1. The site is a 0.04ha area of land within the village of Mereclough. It is bounded to the north by the Long Causeway (adopted highway), to the south by private gardens, to the west by the car park of a public house/restaurant and to the east by the driveway/garage of an adjacent dwelling. The land slopes downwards from west to east.
- 1.2. The site is used presently for informal parking of cars without the benefit of planning permission.
- 1.3. The site is identified as within a 'small village' in the adopted Local Plan. It is also identified as within the Development Boundary of the village.

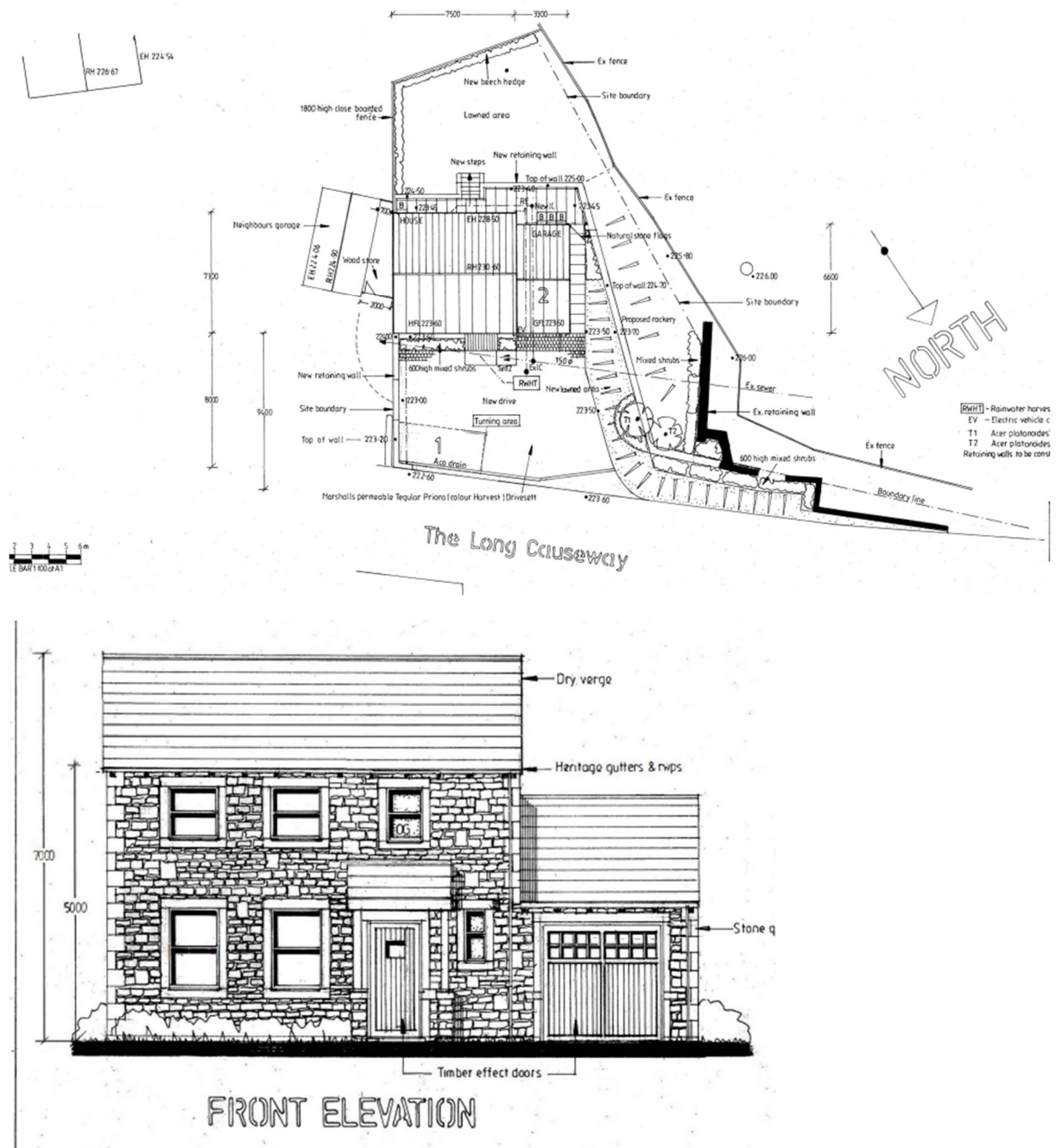
Location Plan



2. Proposal

- 2.1. The application seeks full planning permission for the erection of a two-storey, two-bedroom, stone and slate detached house with garden. Access to be taken from the Long Causeway. The proposal is described as 'self-build' by the applicant.

Visuals



3. Relevant Planning History

3.1. None relevant to this proposal.

4. Consultation

4.1. Burnley Environmental Health – no objection subject to Conditions controlling hours of construction and burning of waste on site.

4.2. Greater Manchester Ecology Unit (GMEU) – no objection subject to the following matters:

- An informative should be included on the Decision Notice to the effect that should protected species be suspected or revealed, ecological advice must be sought.
- Any works that may impact on nesting bird habitat should not be undertaken in the main bird nesting season (March – August) unless suitable checks for active bird nests have been undertaken.
- Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application; these could include the integration of bat or bird boxes into the proposed building on site.
- Recommend a Construction Environmental Management Plan CEMP to protect Back-o'-th'-Hill Wood Priority Habitat which is 40m to the west of the site, which in turn links with the Rock Water Valley Biological Heritage Site (BHS) approximately 760 m north-east.

4.3. Lancashire County Council (LCC) Highways – no objection. Note this follows considerable debate about the potential need for visibility splays, with the outcome that LLC Highways considers the speed of traffic at that point of the Long Causeway to be sufficiently low as to not require them. No Conditions suggested.

4.4. United Utilities – public sewers cross the site and mustn't be built over. These must be located by the applicant and taken account of in the design. It is essential that the applicant contacts UU prior to commencement of any work on site. Surface water must be drained in accordance with the drainage hierarchy identified in the NPPF and in Government Guidance: Flood Risk and Coastal Change 2022.

4.5. LCC Historic Environment Team – no potential issues. No objection.

4.6. Cliviger Parish Council – objects on the following grounds:

- Concern that building on the site of an historic pond may have implications for drainage in respect of houses at a lower level.
- Site is on a dangerous bend in the road with implications for highway safety as sight lines may be unachievable.
- The proposal will generate more traffic.
- Concern that the proposal could reduce natural light to adjacent properties.

4.7. Ward Councillor(s) – No response received to date (29.07.2025).

5. Publicity

5.1. There have been two representations received to date (29/07/2025) raising the following issues:

- Potential for flooding of neighbouring property, particularly given the elevated position of the proposed house in comparison with adjacent dwellings. The site is unable to drain effectively presently leading to run-off in periods of heavy rain.
- Potential to reduce sunlight to neighbouring property.
- Point of access is narrow and only has sufficient road width for one vehicle at a time.
- Inadequate sight-lines in either direction.
- Doesn't take into account vehicles speeding when approaching the bend in the road, nor lorries and tractors travelling frequently in both directions.
- Narrowness of the road at where it abuts the site is a pinch-point presently, plus no pavement. Additional traffic at this point will increase risk to pedestrians and other road users.
- Potential for issues of privacy and disturbance given proximity of existing dwellings to the site.

6. Planning Policy Background

6.1. 'Burnley's Local Plan: July 2018' (adopted 31 July 2018) ('the Local Plan'):

- Policy SP1: Achieving Sustainable Development
 - Policy SP2: Housing Requirement 2012-2032
 - Policy SP4: Development Strategy
 - Policy SP5: Development Quality and Sustainability
 - Policy SP6: Green Infrastructure
 - Policy HS3: Housing Density and Mix
 - Policy HS4: Housing Developments
 - Policy NE1: Biodiversity and Ecological Networks
 - Policy NE3: Landscape Character
 - Policy NE5: Environmental Protection
 - Policy CC4: Development and Flood Risk
 - Policy CC5: Surface Water Management and Sustainable Drainage Systems (SuDS)
 - Policy IC1: Sustainable Travel
 - Policy IC3: Car Parking Standards
- 6.2. Planning for Health: Supplementary Planning Document (SPD): October 2022 (adopted 26 October 2022) ('the Planning for Health SPD')
- 6.3. National Planning Policy Framework (NPPF) (updated 12th December 2024):
- Section 2. Achieving sustainable development
 - Section 4. Decision-making
 - Section 5. Delivering a sufficient supply of homes
 - Section 8. Promoting healthy and safe communities
 - Section 9. Promoting sustainable transport
 - Section 11. Making effective use of land
 - Section 12. Achieving well-designed and beautiful places
 - Section 14. Meeting the challenge of climate change, flooding and coastal change
 - Section 15. Conserving and enhancing the natural environment

7. Assessment

Whether the proposal is acceptable in principle

7.1. The application site relates to an area of land located within the development boundary of the small village (as defined within the adopted Local Plan) of Mereclough. Policy SP4 states that 'Development will be focused on Burnley and Padiham with development of an appropriate scale also supported in the following main and small villages', Mereclough being one of those villages.

7.2. SP4 continues to state that 'In addition to those sites specifically allocated for development in policies elsewhere in this Plan, new development will be supported within the Development Boundaries as defined on the Policies Map where it is of an appropriate type and scale bearing in mind the role of the settlement in the hierarchy and where it satisfies the following overarching criteria and other relevant policies of this Plan:

- It makes efficient use of land and buildings;
- It is well located in relation to services and infrastructure and is, or can be made, accessible by public transport, walking or cycling; and
- It does not have an unacceptably detrimental impact on residential amenity or other existing land users.'

7.3. SP4 states further that 'In considering the acceptability of development proposals on unallocated sites within these Development Boundaries, consideration will also be given to:

- Whether schemes appropriately re-use existing buildings and infrastructure; or
- Whether schemes make use of previously developed land that is not of recognised high biodiversity value.

7.4. To consider the proposal against the tests in SP4:

- i) The site is approx. 0.04ha, therefore the density would be the equivalent of 25 dwellings per hectare. Whilst the Local Plan doesn't identify minimum density standards and nor does the NPPF, what is proposed does accord with the local pattern of development and the density proposed therefore is considered acceptable.
- ii) Mereclough is located between Burnley and Cliviger. The main road running through the village is Red Lees Road. This road does have a regular bus service with the closest bus stops approx. 160m from the site. Whilst the Long Causeway itself doesn't have footpaths, the highway network is long-established and LLC Highways hasn't raised an objection in this respect.

- iii) Residential amenity and impact upon other existing land users is considered further in this Report.
- iv) It is unclear whether the land falls within the NPPF definition of 'previously developed land' as its history is not recorded in the submission nor is its current condition an indication as it has a covering of spoil, however it is not considered to be of recognised high biodiversity value by the Greater Manchester Ecology Unit.

In conclusion and on balance the proposal does accord with SP4 and is therefore acceptable in principle.

Whether the site would be a sustainable location with regard to accessibility

- 7.5. As stated in 7.4.ii, the site is sufficiently close to a regular bus service to be considered 'sustainable' from the point of view of local transport provision. Therefore and in addition the proposal complies with Policy IC1 of the Local Plan. In respect of the Planning for Health SPD, which seek to promote sustainable transport, the house would have a garage plus a garden and therefore the capacity for storage of bicycles.

Impact on highway safety and parking provision

- 7.6. The proposal would be served by the existing access onto Long Causeway. This section of the highway is subject to a 30 miles per hour speed limit. Table 7.1 of Manual for Streets ordinarily requires sight lines of 43m x 2m in either direction where a development of this scale takes its access from a 30mph road. These are created by ensuring that within these splays, walls, fences, trees, hedges, shrubs, ground growth, structures etc have a maximum height of 1.0m above the height at the centre line of the adjacent carriageway. These cannot be achieved within this site due to its size, topography and position in relation to a bend in the road to the east. However, LCC Highways does not wish to raise a objection given that a combination of the restricted road width and juxtaposition of proposed point of access to the bend to the east do limit vehicle speeds to a sufficient degree to negate the need for Manual for Streets standard sight lines.
- 7.7. The proposed dwelling would have a permeable, hard-surfaced parking and turning area to the front plus an attached single car garage, which would provide for two car parking spaces in total in accordance with the Local Plan Policy IC3 and Appendix 9 requirement of a maximum of two for a two bedroom dwelling.

7.8. Whilst not requested by LLC Highways, if approved I would suggest pre-commencement Conditions requiring submission and approval of a Construction Management Plan (CMP) to be able to control the impact of the construction phase on the highway.

7.9. In conclusion, on balance and given the considered view of the Highways consultee, the proposal would have an acceptable impact on highway safety and parking provision. It complies with Policies IC1 and IC3 of the Local Plan which seek to promote sustainable transport plus the Council's Planning for Health supplementary planning document.

Impact on the character and appearance of the area, including landscape character

7.10. The proposed dwelling would be two storey and have would be broadly rectangular in plan. It would be constructed from stone with stone heads, cills and jambs, and would be of 'traditional' appearance to complement the existing built form in the immediate area. This simple form of building design in combination with topography would ensure that the house itself plus garage would have no unacceptable impact on the character and appearance of the area. In respect of impact upon landscape character, the site is located within a building group therefore its development would not have a negative effect upon the countryside.

7.11. In conclusion, subject to conditions, the proposal would have an acceptable impact on the character and appearance of the area, including landscape character. Therefore, it would comply with Policies SP5, HS4 and NE3 of the Local Plan, which, amongst other things, seek to achieve well designed and beautiful places that recognise the character and beauty of the countryside.

Impact on the living conditions of nearby occupants

7.12. The proposed dwelling would be two-storey and its eastern gable elevation would be located adjacent to the boundary shared with an existing dwelling to the east. This existing dwelling is at a lower level so in most circumstances such a juxtaposition would be considered overbearing. However in this instance the existing dwelling is set 17m to the south-east plus the garage of that dwelling abuts the boundary thus shielding the majority of impact upon the rear garden. In addition the gable elevation to face the existing dwelling would be blank (and could be Conditioned to remain as such) so overlooking from and

into habitable room windows will not be an issue. It is proposed to erect a 1.8m high wooden fence along the boundary between gardens, so overlooking from garden to garden would be minimised also. Therefore and on balance the proposal broadly complies with Policies SP5 and HS4 of the Local Plan and the Planning for Health SPD, which seek to provide acceptable living conditions for nearby occupants.

Whether the proposal would provide acceptable living conditions for future occupants

7.13. The proposed dwelling would have an acceptable amount of internal area, private outdoor amenity space and general amenity. There would be sufficient parking, turning and bin storage provision. Therefore, the proposal complies with Policies SP5 and HS4 of the Local Plan and the Planning for Health SPD, which seek to provide acceptable living conditions for future occupants.

Impact on flood risk and drainage

7.14. The site is not within an area identified as at risk from river or surface water flooding. It should be noted however that land to the immediate east of the site is identified as having potential for surface water flooding, including that containing the dwelling to the east. Given that this land is at a lower level than the application site, it is essential that should this application be approved, a Condition is imposed requiring details of surface water drainage. This need is also stated in the United Utilities consultation response.

7.15. National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The planning application as submitted indicates that foul will drain to an existing public sewer and that surface water will drain to a soakaway. Whilst this is the stated intention of the applicant, details of drainage would ultimately have to be approved via discharge of a suitably worded planning Condition and with the agreement of United Utilities.

7.16. United Utilities also state that public sewers run beneath the site and strongly advises that it's pre-application advice be sought to ensure that suitable

drainage arrangements can be made and that the dwelling can be constructed in a manner that avoids conflict with sewers. An informative to this effect is considered reasonable. Subject to a pre-commencement condition requiring specific details to be approved, the proposal would have an acceptable impact on flood risk and drainage and it broadly complies with Policies CC4 and CC5 of the Local Plan, which seek to meet the challenge of climate change and flooding.

Impact on biodiversity and ecology, including green infrastructure

7.17. The application is for a self-build dwelling and is therefore exempt from the need to achieve Biological Net Gain (BNG) by the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Note that if the application were to be approved, it would be reasonable for the LPA to impose a Condition to ensure the self-build status, the implication being that if it isn't developed on a self-build basis, a Biodiversity Net Gain Plan will be required.

7.18. The site did contain self-seeded grass and shrubs, however it has been cleared recently and is now relatively sterile. Irrespective of this, the following is a requirement of Local Plan Policy NE1:

‘All development proposals should, as appropriate to their nature and scale, seek opportunities to maintain and actively enhance biodiversity in order to provide net gains where possible.’

Whilst maintenance of the little that still exists would serve no purpose, active enhancement is possible via Conditions requiring submission and implementation of a landscaping scheme plus incorporation of bat and bird boxes into the fabric of the building. The submitted site plan does show elements of proposed landscaping, however it is considered reasonable to ensure that an appropriate level takes place in order to comply with Policy NE1.

7.19. The view of the Greater Manchester Ecology Unit consultee (GMEU) is that a Construction Environmental Management Plan (CEMP) should be required via Condition in order to ensure that the works do not impact upon woodland in the vicinity in terms of pollution, dust and lighting. Given that the closest woodland is on the opposite side of the highway 80m away and that a Construction Management Plan will be necessary which will control the location of deposited building materials and the method of

storage and disposal of building waste, I do not think a CEMP is necessary in this instance.

- 7.20. In conclusion, subject to Conditions to ensure the self-build status, to require landscaping and to require bird & bat boxes, the proposal would likely have an acceptable impact on biodiversity and ecology, including green infrastructure. It would comply with Policy NE1 and SP6 of the Local Plan and the Planning for Health SPD, which seek to conserve and enhance the natural environment.

Whether the proposal would support the transition to a low carbon future

- 7.21. Local Plan Policy SP5 requires that developments incorporate measures to minimise energy and water consumption, plus seek opportunities for on-site energy supply from renewable and low carbon energy. The proposal incorporates a rainwater harvesting tank to reduce water consumption, an electric charging point and a note on the elevation plan indicating the location of solar panels however no further detail is submitted in respect of on-site supply of renewable energy. It should be noted that the build would have to accord with Building Regulations Approved Document L in respect of minimisation of energy consumption and in this respect Building Regulations exceed the requirements of SP5.

Other consideration – Coal mining low risk area

- 7.22. The application site is located within a coal mining low risk area. Therefore, The Coal Authority standing advice should be attached as an informative. This would ensure compliance with Policy NE5 of the Local Plan, which relates to environmental protection considerations.

8. Conclusion and Planning Balance

- 8.4. In conclusion, the application site is located within the Urban Boundary and as such it does not conflict with the development strategy. The proposal is acceptable in all other regards subject to Conditions described in this Report. The benefits associated with the proposed dwelling are material considerations that weigh positively in favour of granting planning permission. Therefore, planning permission should be approved subject to conditions without delay.

Condition(s):

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: In accordance with Section 91 of the Town and Country Planning Act (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application form, received 09/04/2025

Self-Build Pro-Forma, received 02/07/2025

Location Plan, received 09/04/2025

Drawing No. S250115-DR-T-001 A – Topographical Survey, received 17/04/2025

Drawing No. 1/1/2021 – Proposed Elevations and Floorplans, received 09/04/2025

Drawing No. 2/1/2021 – Proposed Elevations and Sections, received 09/04/2025

Drawing No. 3/01/2025 – Proposed Site Plan, received 09/04/2025

Reason: In the interests of proper planning and to specify the terms of the permission.

3. The dwelling(s) hereby approved shall be constructed as a self-build/custom build property, as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015. The dwelling(s) shall only be occupied as a self-build/custom build dwelling in accordance with Section 1(A1) of the Self-build and Custom Housebuilding Act 2015 for a period of at least 3 years from date of the first occupation of the dwelling. In the event that the dwelling is not built and occupied for a minimum 3 years as a self-build/custom build property, a Biodiversity Net Gain Plan shall be submitted to and approved in writing by the Local Planning Authority. The baseline habitat shall be based on the habitat present on the date the application was made and shall be based on aerial imagery or submitted ecological report if available. The Biodiversity Net Gain

Plan shall be implemented immediately in full accordance with the approved details following approval.

Reason: To ensure that the development accords with the self-build exemption from provision of Biological Net Gain contained in the Environment Act 2021, and that should the development not be undertaken on a self-build basis, a Biodiversity Net Gain Plan be submitted to and approved in writing by the Local Planning Authority.

4. No development shall commence until drainage details have been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby permitted shall not be occupied until the approved drainage works have been implemented.

Reason: To ensure appropriate management of drainage and to prevent increasing flood risk and drainage problems on site or elsewhere upon and after commencement in accordance with Policies CC4 and CC5 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

5. No development shall take place until a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- i. Arrangements for turning of vehicles within the site;
- ii. Construction vehicle routing;
- iii. Delivery hours;
- iv. Details of loading and unloading of plant and materials;
- v. Details of the parking of vehicles of site operatives and visitors;
- vi. Measures to control the emission of dust and dirt during construction;
- vii. Measures to deal with dirt, debris, mud, or loose material deposited on the highway as a result of construction;
- viii. Measures to protect vulnerable road users (pedestrians and cyclists);
- ix. Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures; and
- x. Wheel washing facilities.

The approved construction traffic management plan shall be adhered to throughout the construction period for the development.

Reason: To safeguard highway safety upon commencement in accordance with Policy IC1 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

6. No development above ground works shall take place until samples of the external materials of the dwelling hereby permitted have been provided on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: To safeguard the character and appearance of the area in accordance with Policies SP5, HS4 and NE3 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

7. No development above ground works shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - i. an implementation programme;
 - ii. boundary treatments and means of enclosure;
 - iii. external lighting;
 - iv. hard surfacing materials; and
 - v. planting plans and schedules of plants.

The approved landscaping works shall be carried out in accordance with the approved details in accordance with the implementation programme.

Reason: To safeguard the character and appearance of the area and enhance biodiversity in accordance with Policies SP5, HS4 and NE3 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

8. Construction works shall take place only between 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason: To safeguard the living conditions of nearby occupants in accordance with Policy NE5 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

9. There shall be no burning of construction derived waste or other materials within the site during the construction period.

Reason: To safeguard the living conditions of nearby occupants in accordance with Policy NE5 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

10. The parking and turning areas shown on the approved proposed site plan shall be provided prior to first occupation of the dwelling hereby permitted. They shall thereafter always remain available for the parking and turning of vehicles associated with the dwelling and maintained in good working order.

Reason: To ensure adequate parking and turning provision in accordance with Policies IC1 and IC3 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no openings shall be created in the eastern-facing elevation of the dwelling.

Reason: As the development is only acceptable on this basis and to safeguard the amenity of occupants of adjacent dwellings in accordance with the Planning for Health SPD and Policies SP5 and HS4 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

12. Notwithstanding the provisions of Article 3 and Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D and E of Part 1 of Schedule 2 shall be carried out without planning permission first being obtained.

Reason: To ensure that any future development at the site is controlled and assessed in order to protect the visual amenities and character of the site, in accordance with Policies SP5 and NE3 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

13. Prior to first occupation of the dwelling, details for the installation of two building integrated terraced Sparrow nest boxes and two building integrated bat boxes shall be submitted and approved in writing by the Local Planning Authority. The box type must be manufactured from woodcrete/woodstone or similar. The submitted details shall include the box type, manufacturer's name, and plans marking the location of installation. The building integrated boxes must be installed during the construction phase, and installed in accordance with manufacturer's specification, to British Standard or appropriate guidance. The work described shall be retained in this manner thereafter.

Reason: To ensure the satisfactory provision of biodiversity enhancement to ensure compliance with Policies NE1 and SP6 of Burnley's Local Plan: July 2018 (adopted 31 July 2018).

Informative(s):

1. Article 35 – Positive and Proactive Planning

The Local Planning Authority have worked positively and proactively with the applicant's agent by agreeing an extension of time to allow the resolution of concerns regarding highway safety, which has led to a recommendation of approval.

2. Coal Low Risk Area – Standing Advice

The application site lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during the development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

3. United Utilities – Location of Sewers

United Utilities state that public sewers run beneath the site and strongly advises that it's pre-application advice be sought to ensure that suitable drainage arrangements can be made and that the dwelling can be constructed in a manner that avoids conflict with sewers.

4. Biodiversity Net Gain

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply. The list of statutory exemptions can be viewed at The Biodiversity Gain Requirements (Exemptions) Regulations 2024 and further information found at: <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>