

UPDATE REPORT



FOR DEVELOPMENT CONTROL COMMITTEE MEETING OF 24th March 2025

B2. 2023/0396 – Development Adj. Pinfold and Blackburn Road, and Development Adj. Burnley Road, Edenfield.

Since it became clear that application ref. 2023/0396 was ready to be taken to the Development Control Committee, the Council requested Lancashire County Council's (LCC) Schools Planning Team set out their final position assessment of the impact of the development on school places including infrastructure details.

Since publication of the Committee Report, an objection has now been received from LCC's Schools Planning Team. The objection is repeated in full below:

RE: 2023/0396 – Development Adj Pinfold And Blackburn Road, And Development Adj Burnley Road Edenfield Bury Lancashire

This consultation response seeks to draw the Council's attention to impacts associated with the above development and propose mitigation for these impacts through a developer contribution.

Although this is written as a formal objection as stated within our current methodology, we recognise that land has already been secured for the potential expansion of Edenfield CE Primary School and acknowledge the transfer at nil cost. We look forward to working with Rossendale Borough Council to secure a mechanism for the transfer of the school land, preferably through a Section 106 agreement

This is an objection to your planning application. The objection will be withdrawn if the education requirements detailed in this response are met.

Due to ongoing discussions between LCC's School Planning Team and Planning Officers at Rossendale Borough Council regarding the Land West of Market Street, Edenfield Masterplan (June 2024), we wish, at this stage, to submit a formal objection to this planning application on grounds of the lack of clarity regarding the infrastructure provision for primary education.

This site forms part of the H66 – Land West of Market Street, Edenfield strategic site. The local plan specifies that education mitigation should be provided through the provision of primary places through the expansion of either Edenfield CE Primary School or Stubbins Primary School from a 1 form entry to a 1.5 form entry primary school. Land to the rear of Edenfield CE Primary School has been identified for a school extension. As you are aware, LCC require that this land is transferred at nil cost. LCC would require confirmation of the land transfer mechanism and would welcome further communication on this matter.

*A financial contribution is **not** required at this stage in regards to this development. This response is based on the latest information available at the time of writing.*

LCC's School Planning Team in their final assessment have confirmed no financial contribution for school places is required as a result of this application. They have also not demonstrated an identified need for the provision of primary school places through the expansion of either Edenfield CE Primary School or Stubbins Primary School as a result of this application. They have however requested confirmation of the land transfer mechanism to facilitate the potential expansion of Edenfield CE Primary School, with the lack of clarity on this particular issue forming the basis of their objection.

Considering that application 2023/0396 does not trigger a need for an education contribution towards the provision of primary school places, the objection raised by LCC's Schools Planning Team is not considered to be material to the recommendation set out under section 1 of the Committee Report.

The development proposed under 2023/0396 does not result in a need for the provision of primary school places. Therefore, the preference expressed by LCC to secure the transfer of land for future school provision through a Section 106 Agreement would fail to meet the relevant test that such an obligation would be 'necessary to make the development applied for acceptable in planning terms'.

For the reasons set out above, it is considered the recommendation that Members resolve to grant planning permission subject to conditions and the signing of a Section 106 Agreement remains unchanged, despite the late objection from LCC's Schools Planning Team, as:

- 1) the request from LCC does not meet the tests for a planning obligation, and
- 2) it relates to a matter outside the control of the planning system, i.e. the acquisition of the land in question.

Mike Atherton
Head of Planning

21/03/2025