

Ribble Valley Borough Council
Planning Section
Council Offices
Church Walk
Clitheroe
BB7 2RA

Phone: 0300 123 6780
Email: developeras@lancashire.gov.uk
Your ref: 3/2026/0258
Our ref: D3/2026/0258
Date: 19 May 2026

For the attention of Lucy Walker

Planning Application No: 3/2026/0258

Grid Ref: 372933 436145

Proposal: Change of use of land to Wellbeing and Community Use (Use Class E(d) and installation of tipi structure from 1st May until 30th September each year with on-site parking and access from Ridding Lane.

Location: Land adjacent to Abbeycroft, The Sands, Whalley BB7 9TN

Summary

The National Planning Policy Framework (NPPF) states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios' (Paragraph 116).

Having reviewed the documents submitted, together with site observations on 15 May 2026, Lancashire County Council acting as the local highway authority objects to the proposed development and concludes that there are highway grounds to support an objection as set out by the following paragraphs from the NPPF:

- Paragraph 105 - 'planning ... decisions should protect ... public rights of way'.
- Paragraph 115 b) - 'safe and suitable access to the site can be achieved for all users'.
- Paragraph 116 - 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios'
- Paragraph - 117 d) - applications for development should 'allow for the efficient delivery of goods, and access by service and emergency vehicles'.

Comments

Site planning history

3/2025/0905 - Change of use of land to Wellbeing and Community Use (Use Class E(d) and installation of tipi structure from 1st May until 30th September each year with on-site parking and access from Ridding Lane. Application withdrawn.

Development

The proposed development is for the change of use of land to Wellbeing and Community Use (Use Class E(d)) and the installation of a tipi structure from 1st May until 30th September each year with on-site parking and access from Ridding Lane. The highway authority notes that access would be from The Sands and not from Ridding Lane and that any references to Ridding Lane in the submitted documents are incorrect.

Existing site access

A pedestrian access from The Sands was constructed at some point between September 2018 and June 2022 according to Google Street View images, with damage caused to the edge of the carriageway. There is also a field gate on the north western site boundary accessed under the railway viaduct, but it is not clear how long this has been in place.

Public Rights of Way

There are no Public Rights of Way through the development site. However, Public Footpath FP0345024 Whalley passes over the privately maintained section of The Sands towards the River Calder. The applicant has not submitted any evidence that they have vehicle access rights over this Public Right of Way. Even if such rights exist these may be restricted to specific uses only and be personal to them as the landowner.

This Public Right of Way has also been identified as a Strategic Cycle Route in the LCWIP, as shown on the map extract below.



The use by vehicles of this section of The Sands would increase the potential for conflict between vehicles and vulnerable users such as walkers, dog walkers and pedestrians with prams as were encountered during the site visit.

The existing paved access from The Sands is circa 4.8m wide which is of insufficient width for two-way vehicle movements and public footpath users.

The submitted drawing is misleading at it shows a circa 6-7m wide access.

There are no proposals to widen the access.

Proposed vehicular site access

Vehicular access to the site is proposed to be taken from the existing privately maintained section of The Sands over which Public Footpath FP0345024 passes and over third party land. The applicant has served notice on the owners of the piece of land between this section of The Sands and the viaduct, but has not served notice on the land owners of the land over which the Public Right of Way passes from the section of The Sands maintained at public expense.

The highway authority also notes that the section of land between the development site and to the East of the viaduct is unregistered.

Whilst the proposed development would be seasonal, access to the site for both customers and any service or emergency vehicles would still need to be provided to an appropriate standard and without having a detrimental impact on the surrounding highway network and its users.

The visibility for vehicles emerging at the site access onto The Sands is restricted by the viaduct wall and as The Sands is without separate footways, vehicles would need to edge out into the carriageway to see approaching vehicles. The Sands and the public footpath are busy urban routes and popular with pedestrians therefore a high level of conflict is present.

Paragraph 5.22 of the Planning Statement says that 'the design and access statement confirms that drop-off provision will be available for visitors with limited mobility and additionally, that service and emergency access can be safely accommodated via the existing entrance.' Notwithstanding the above comments about vehicular access rights over a Public Right of Way the applicant has not provided any evidence to demonstrate that a service or emergency vehicle would be able to access the site safely. Nor that the drop-off provision would not impact on the proposed on-site parking.

Site operation

The application form submitted states that the site would operate Mondays – Sundays/Bank Holidays 7.00am – 9.00pm. However, the Planning Statement refers to operational hours of 10am – 9pm (paragraphs 3.2 and 5.16). The applicant should clarify which are the correct operational hours.

Paragraph 3.3 states that the maximum number of people attending a class or event would be approximately 30, with up to three to four classes a day being run.

Paragraph 3.6 states that the proposed use would likely attract local residents who could walk or use public transport. The site is over the acceptable distance of 400m but within the 800m preferred maximum distance to public transport. However, there is no continuous footway between the site and any of the public transport access points. The bus station is approximately 570m distance away but only the first 267m has a properly constructed footway link. There are no footways along The Sands nor Broad Lane.

There is also no guarantee that the timings of public transport would coincide with the start and end times of classes or events, nor that public transport would be used during periods of bad weather.

The highway authority considers that there would be a significant intensification of use of the access and there would be a reliance on the use of private vehicles for a high proportion of customers/visitors to the site.

Car parking

Ten car parking spaces are proposed on an area of hardstanding at the western site boundary. Whilst the highway authority acknowledges that some customers using the site could walk it also considers that ten parking spaces is an under provision for the number of people attending a class or event at the upper limit indicated (30), including any overlap of sessions which would significantly raise this number.

One parking space is immediately in front of the internal pathway from the parking area to the site structures. A vehicle parked here would potentially block access to the path way. There is also insufficient manoeuvring distance from the back of all the spaces, with a minimum of 6m required to allow vehicles to enter and leave the site in forward gear.

As the parking area is not proposed to be surfaced in a bound material nor the bays delineated there is the potential for the on-site parking to be inefficiently used, which raises concerns about overspill parking on The Sands outside the site where there are no parking restrictions to prevent this.

The carriageway narrows on the approach in both directions to the Listed Gateway over The Sands to the East of the site, with oncoming vehicles being in the middle of the road. Any vehicles parked outside the site would reduce the carriageway width to one vehicle only, potentially forcing any opposing traffic to have to reverse without clear intervisibility of the surrounding highway network or its users.

At the time of the mid-morning site visit a high level of on-road parking was observed on The Sands from the entrance to Whalley Abbey almost to the access to Abbeycroft, with parking on both sides of the road in places.

Traffic generation

The proposed development would lead to a significant intensification of traffic associated with the site. Not only would there be customers' vehicles but also service vehicles, eg to clean or empty the toilet trailer, supply fuel for the generator etc.

If the site operated between 10.00am and 9pm there would also be potential conflict with traffic, both vehicular and pedestrian, generated by the site around school pick up times.

Alternative vehicle access

The highway authority has considered alternative locations to provide vehicle access.

There is an existing field gate immediately adjacent to arch 23 of the viaduct leading to the third party land, although, as noted on the site visit, there were no signs that this was in regular use or had been for some time. Any vehicle exiting onto The Sands would do so immediately next to the viaduct structure which would block visibility to the right. The

highway authority discounts this option this as it would be contrary to Paragraphs 115 b) (a 'safe and suitable access to the site can be achieved for all users') and 116 of the NPPF.

Alternatively there is the potential for a new vehicular access to be constructed directly onto The Sands in place of the current pedestrian access. This would require the removal of several mature trees and sections of the stone boundary wall, together with changes to internal ground levels, to provide adequate access and visibility splays. Whilst this may address some, but not all, of the highway issues raised it is unlikely to be acceptable from a planning point of view.

Conclusion

To conclude, Lancashire County Council acting as the highway authority, objects to the application as it considers it would be an intensification of use of an access which is not safe or suitable and is therefore contrary to Paragraphs 105 (protecting public rights of way), 115 b) (safe and suitable access for all users), 116 (unacceptable impact on highway safety) and 117 d) (access by service and emergency vehicles) of the NPPF, as outlined in this response, and recommends refusal.

Janet Simpson
Assistant Engineer
Highways and Transport
Lancashire County Council