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UPCHURCH PARISH COUNCIL – FORMAL OBJECTION
Planning Application 26/500852/OUT
Land North of Forge Lane, Upchurch
Outline Application for up to 101 Dwellings

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1. Introduction

Upchurch Parish Council formally and unequivocally **RESOLVES TO OBJECT** to planning application 26/500852/OUT.

This objection is founded upon a comprehensive review of the application, the development plan, national policy, and independent professional evidence prepared on behalf of the Parish Council across planning, heritage and transport disciplines.

This submission does not duplicate those reports. Instead, it highlights the principal material considerations and directs the Local Planning Authority to the detailed technical evidence, which must be read in full and afforded appropriate weight in the determination of this application.

The Parish Council emphasises that the evidence demonstrates clear and demonstrable harm across multiple policy areas, which cannot be mitigated and which, when taken together, significantly and demonstrably outweigh the limited benefits advanced by the applicant.

2. Heritage Impact and Conservation Area (Statutory Duty)

The application site lies immediately adjacent to the Upchurch Conservation Area and within the setting of the Grade I Listed Church of St Mary the Virgin. Under sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority is under a statutory duty to give special regard to the preservation of listed buildings and their setting, and special attention to the character and appearance of conservation areas.

The independent Heritage Statement prepared by Libre Solutions concludes that:

- The site forms part of the agricultural and historic landscape setting of the village
- The proposal would result in significant harm to heritage assets
- The development would erode the tranquillity, openness and rural character that define the Conservation Area
- The harm would be irreversible

This harm must be given great weight in decision-making.

The Parish Council further notes that development of this site has previously been refused, in part due to harm to the Conservation Area and loss of rural setting, which remains a material consideration.

In accordance with national policy and statute, this heritage harm provides a clear and compelling reason for refusal.

3. Settlement Strategy and Planning Policy Conflict

The site is:

- Outside the defined built-up area boundary
- Located within the open countryside
- Identified as unsuitable in the HELAA 2025

The proposal conflicts directly with adopted Local Plan policies directing development toward higher-order settlements and protecting the countryside. Upchurch is identified as a lower-tier rural settlement, where development of this scale is inappropriate.

The proposal would:

- Introduce a disproportionate quantum of development
- Conflict with the spatial strategy of the development plan
- Result in an unplanned expansion of the settlement

While the Council may not currently demonstrate a five-year housing land supply, the adverse impacts identified — particularly in respect of heritage and highways — significantly and demonstrably outweigh the benefits, and the presumption in favour of sustainable development is not engaged in a manner that justifies approval.

4. Highways and Transport Impact

The Transportation Review prepared by L Brown Associates must be read in full.

This evidence demonstrates that:

- Forge Lane and surrounding roads are substandard in width, in places below 5.5m

- The network operates effectively as a single-lane system under real conditions
- There are no continuous footways in critical sections
- Visibility and access arrangements are inadequate
- The proposal would generate additional traffic on an already constrained network

Observed conditions confirm:

- Significant congestion
- Conflict between vehicles
- Unsafe conditions for pedestrians

The development would therefore result in severe residual cumulative impacts on the highway network, contrary to national policy.

These impacts cannot be adequately mitigated.

5. Drainage, Environmental and Infrastructure Constraints

Evidence provided demonstrates that:

- The local sewer network is already under stress, with reported failures and overflows
- The site lies within a sensitive environmental context, including proximity to designated habitats
- There is insufficient evidence that foul and surface water can be managed safely

The proposal introduces unacceptable risk in relation to:

- Flooding
- Environmental harm
- Infrastructure capacity

In the absence of robust, deliverable solutions, these matters weigh significantly against the proposal.

6. Holywell Primary School – Traffic and Safety Impact

The Parish Council has considered the formal representation from the Governing Board of Holywell Primary School.

This section must be read alongside the Transportation Review prepared by L Brown Associates.

The evidence confirms that:

- The school frontage lies on a narrow and constrained section of Forge Lane
- Peak times generate significant congestion and vehicle conflict
- Vehicles regularly queue, stop, and obstruct the highway
- There are limited pedestrian facilities and no continuous safe routes

The proposed development would:

- Increase vehicle movements during peak periods
- Intensify congestion and unsafe conditions
- Exacerbate existing highway conflicts

These are material planning considerations relating to highway safety and network capacity.

7. Agricultural Land and Rural Economy

The site comprises Best and Most Versatile agricultural land, forming part of a long-established orchard landscape.

Independent evidence submitted demonstrates:

- Historic and continuous use of orchard land
- Contribution to the rural economy and landscape character
- Irreversible loss of a finite agricultural resource

The proposal would result in permanent loss of this land without sufficient justification or evidence of need.

8. Relationship to Technical Evidence

This objection must be read alongside the following independent reports:

- Planning assessment by Lander Planning
- Heritage assessment by Libre Solutions
- Transportation review by L Brown Associates

Each report provides detailed, discipline-specific analysis and reaches consistent conclusions regarding the unsuitability of the proposed development.

The Parish Council requests that these documents are read in full and afforded significant weight in the determination of the application.

9. Conclusion

The Parish Council considers that the proposal would result in:

- Significant and irreversible heritage harm
- Conflict with the development plan strategy
- Severe and unacceptable highway impacts
- Inadequate provision for infrastructure and drainage
- Loss of agricultural land and rural character

These impacts are established, evidence-based, and cannot be satisfactorily mitigated.

The cumulative harm is substantial and overriding.

Accordingly, Upchurch Parish Council respectfully submits that planning permission must be refused.