

Mark Ellison

Date: 17 October 2025

Planning Policy Team
Canterbury City Council
14 Rose Lane
Canterbury
Kent
CT1 2UR

Email: planning@canterbury.gov.uk

Consultations@canterbury.gov.uk

Dear Sir / Madam,

Re: Objection to Policy N1 – Merton Park (Draft Canterbury District Local Plan, Regulation 18)

I write to submit a formal objection and supporting statement to the inclusion of Policy N1 – Land at Merton Park in the Draft Canterbury District Local Plan (Regulation 18 consultation). My objections are grounded in both environmental and policy/legal grounds.

1. Loss of habitat and environmental damage

The proposed site is currently orchard and mixed agricultural land, forming an ecological corridor between rural areas and the city edge. It hosts red-listed and amber-listed bird species (skylark, linnets, yellowhammers) and nesting tawny owls and song thrushes.

There is evidence of bat activity, especially along mature hedgerows and tree lines bordering the site and Hollow Lane. These hedgerows act as commuting and foraging routes. Bats are protected under the Wildlife and Countryside Act 1981 (Section 9, Schedule 5) and the Conservation of Habitats and Species Regulations 2017. Loss of feeding grounds or roosting habitat would have irreversible ecological impact.

Replacing these habitats with amenity grassland, landscaped corridors, or playing fields cannot replicate the species richness, ecological complexity, and connectivity of the

existing habitat. Proposed green corridors and sports pitches are not a direct ecological substitute.

2. Loss of public access and community space

The existing orchard and farmland are accessed through public rights of way and serve as informal recreation space for local residents, dog walkers, and families.

The plan's leisure and sports provision appears intended for club use, not open public access. This amounts to a net loss of freely accessible green space, especially for residents without private transport.

3. Impact on health and inequality

Canterbury already has health inequalities across its population. The loss of accessible, natural open countryside, replaced by managed and restricted-use sports facilities, risks deepening this divide.

Public green space delivers important mental and physical health benefits. The removal or restriction of such space disproportionately affects lower-income households.

4. Inadequate infrastructure and services

The Local Plan provides no convincing evidence that infrastructure—in particular sewage/wastewater treatment, surface-water drainage, and flood risk management—can be scaled in time to serve nearly 2,000 new homes.

Southern Water's system already struggles during heavy rainfall. Without clear commitment from the water authority, the proposal risks exacerbating flooding and pollution locally.

5. Traffic congestion and transport management

The existing road network, notably Wincheap, Hollow Lane, and Nackington Road, already suffers from significant congestion, delays, and poor air quality at peak times.

Removal of the previously proposed A2 slip-roads funnels all additional traffic through local streets, worsening conditions.

The draft plan omits a comprehensive Transport Assessment or enforceable mitigation measures—no firm commitments to bus service upgrades, park-and-ride enhancements, or robust pedestrian/cycle links.

Wincheap is designated an Air Quality Management Area (AQMA). Additional traffic without mitigation risks further breach of nitrogen dioxide limits under the Environment Act 1995.

6. Supporting legal and policy grounds

Failure to Meet NPPF Soundness Tests

- The proposal is not justified, effective, or consistent with national policy (NPPF para 35).
- There is no publicly available comparative evidence showing this greenfield site is preferable to brownfield options.
- Infrastructure dependencies are not proven deliverable within the plan period.
- The allocation conflicts with NPPF paragraphs 8, 152, and 174.

Loss of Best and Most Versatile (BMV) Agricultural Land

- The land is likely Grade 2 or Grade 3a farmland. Under NPPF paragraph 174(b), local plans should avoid the loss of BMV unless demonstrably necessary.

Biodiversity Net Gain Non-Compliance

- The requires major developments to secure at least a 10% biodiversity net gain, assessed using Defra Metric 4.0.
- The draft policy lacks an ecological baseline, quantified BNG calculation, or credible mitigation delivery plan.

Flood Risk and Water Management

- No published Strategic Flood Risk Assessment demonstrates flood risk can be mitigated, contrary to NPPF paragraphs 159–169 and Planning Practice Guidance (Flood Risk and Coastal Change, para. 30).

Transport and Air Quality Failures

- Without a Transport Assessment, safe and suitable access cannot be demonstrated (NPPF paragraph 111).
- The plan fails to model or mitigate the impact on the Air Quality Management Area of Wincheap, contrary to the Environment Act 1995.

Heritage and Landscape Impact

- The site lies close to the Canterbury World Heritage Site and conservation areas.
- Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council must give special regard to conserving settings.
- No Heritage Impact Assessment has been published as required by NPPF paragraphs 199–208.

Procedural Deficiency – Incomplete Evidence Base

- Under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council must publish proportionate supporting evidence.
- The absence of ecological, transport, and flood-risk data prevents meaningful consultation and may render the process deficient.

Climate-Change Duties

- Under Section 19(1A) of the Planning and Compulsory Purchase Act 2004, local plans must include policies to mitigate and adapt to climate change.
- The Merton Park policy provides no clear strategy for carbon reduction, low-carbon travel, or resilience measures.

Cumulative Impact and Strategic Assessment

- The Council has not assessed the cumulative impact of multiple large allocations around Canterbury, contrary to the Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004 No. 1633).

7. Conclusion and Requested Action

For all the reasons above, Policy N1 (Merton Park) fails the statutory and national policy tests of soundness. It would cause serious environmental harm, aggravate congestion and air-quality pressures, and lacks necessary infrastructure. I therefore request that the Council withdraw or substantially revise this allocation before progressing to the Regulation 19 stage.

I ask that you acknowledge receipt of this objection and confirm in writing that it will be considered in preparing the final plan.

Yours faithfully,

A black rectangular redaction box covering the signature of Mark Ellison.

Mark Ellison