

From: Leen Chanet [REDACTED]
Sent: 20 October 2025 14:11
To: Consultations
Subject: Objections regarding the proposed Merton Part

U ontvangt niet vaak e-mail van [REDACTED] [Ontdek waarom dit belangrijk is](#)

--Email From External Account--

Dear Sir, Madam,

I am a local resident, living in [REDACTED], directly bordering the proposed Merton Park development site. My family (we have three children) and I are frequent users of this land — we walk daily through the orchards and fields, the children walk to school across them, and we regularly play football and basketball in the play area behind Heaton Road. These green spaces are vital to our family life and the local community's wellbeing, contributing significantly to our mental and physical health.

For this and other reasons we have deep concerns about the proposed allocation of this land for development. As set out below, the site is environmentally sensitive, infrastructure-deficient, and unsound under national planning policy.

The proposed allocation at Merton Park / South Canterbury is unsound within the meaning of NPPF (Dec 2024) paragraph 35, being: - Not justified – lacking proportionate and up-to-date evidence; - Not effective – incapable of delivery within existing infrastructure and environmental limits; and - Not consistent with national policy – conflicting with multiple provisions of the NPPF, the Environment Act 2021, and the Wildlife & Countryside Act 1981.

It therefore cannot lawfully proceed and must be removed from the Local Plan.

1. Failure to Protect Biodiversity and Protected Species

The site supports extensive semi-natural habitats — hedgerows, orchards, and open farmland — used by multiple Red List species (Coocoo, Eurasian Skylark, Starlings, Yellowhammer, Spotted flycatchers, Fieldfares, Common Linnet, Cetti's warbler, Herring gull, House Martin, House sparrows, Greenfinch), as well as Amber List Species (Meadow Pipit, Redwing, Song Thrush, Common Whitethroat, Dunnock, Kestrel, Eurasian Wren, Black-headed gull, Lesser Black-backed gull, Sparrowhawk, Rook) and Green List Species (Great spotted woodpecker, Green woodpecker, Robin, Chaffinch, Chiffchaff, Blue tit, Great tit, Eurasian Blackcap, Black bird, Buzzard, Red Kite, Goldfinch, Long tailed tit, Pied wagtail, Wood pigeon, Collared dove, Magpie, Carrion crow, Jackdaw). All of these have been recorded by a local resident and are being uploaded to the Kent and Medway Biodiversity Records Centre.

From the large list of Red Listed Species that have been recorded on the land, Fieldfare and Cetti's Warbler are of particular importance, as they are listed on Schedule 1 of the Wildlife & Countryside Act 1981. Under section 1(5) of that Act it is an offence to intentionally or recklessly disturb these species while they are building a nest, are in, on or near a nest

containing eggs or young, or to disturb dependent young. The confirmed or likely presence of these Schedule 1 species imposes a clear statutory duty on the Local Planning Authority to ensure that plan allocations and any future development avoid disturbance and provide appropriate habitat safeguards. Failure to identify and mitigate such impacts at the plan-making stage risks rendering the Local Plan legally non-compliant with the Wildlife and Countryside Act 1981 and inconsistent with the National Planning Policy Framework (paragraphs 187–193), which require the protection and enhancement of biodiversity.

Moreover, the biodiversity duty under section 40 of the Natural Environment and Rural Communities Act 2006 obliges the Council to have regard to conserving and enhancing biodiversity in all its functions, including plan-making. The presence of these Schedule 1 species, combined with multiple Birds of Conservation Concern Red List species (e.g. Yellowhammer, Spotted Flycatcher, Skylark, House Sparrow, Starling), demonstrates that this site is of significant ecological value. Allocating it for development without detailed ecological assessment and avoidance/mitigation measures would therefore be contrary to national policy and statutory obligations.

For these reasons, and in the absence of ecological evidence and specific policy safeguards requiring comprehensive breeding-bird surveys, protection zones, and legally secured long-term habitat management plans consistent with the avoid–mitigate–compensate hierarchy and minimum 10 % Biodiversity Net Gain requirement under the Environment Act 2021, the allocation is non-compliant and unlawful.

4. Loss of Best and Most Versatile Agricultural Land and Orchards

The site includes active orchard/agricultural land which should be assessed for its Agricultural Land Classification. Loss of Best and Most Versatile agricultural land (ALC Grades 1–3a), and the permanent removal of orchard habitat, is a material planning consideration. Natural England ALC mapping for the Wincheap/Thanington area shows presence of Grade 2 and Grade 3 land in the locality. The Local Plan evidence base does not appear to include an ALC assessment for this site or any justification demonstrating why loss of such land is necessary (or how food-production/heritage orchard values will be replaced). The Council should publish an ALC survey for the site and, where BMV is confirmed, demonstrate that alternatives have been exhausted before allocating the land.

Conclusion: The plan therefore conflicts with NPPF 145 and national food-security policy.

5. Loss of Public Green Space, Play Area, and Mental-Health Value

This site is a heavily used public landscape providing recreation (hiking, dog walking, play), informal sport, and routes to school. It includes a children’s play area and footpaths through orchards and fields that are vital for physical exercise and community wellbeing.

The Canterbury Green Infrastructure Strategy (2018–2031) identifies South Canterbury as deficient in accessible green space. Under NPPF 98, existing open spaces must not be built on unless equivalent or better provision is made — which is not the case here.

Access to green space is recognised nationally as fundamental to mental and physical health. Public Health England (2020) highlights that proximity to nature reduces stress, anxiety, and obesity and improves children’s cognitive development. Removing these spaces would cause measurable harm to public wellbeing, contrary to NPPF 174(a) and Section 1 of the Environment Act 2021.

The plan does not include sufficient publicly accessible green spaces. Sports fields for clubs do not provide the same function.

6. Infrastructure Deficiencies – Healthcare, Schools, and Sewage

The plan fails to show deliverable infrastructure for nearly 2,000 new homes:

- Healthcare: Canterbury Hospital redevelopment remains uncertain; GP practices are operating at or near capacity.

- Education: Wincheap Primary School is oversubscribed. My own daughter has been on the waiting list for the school for several years and it seems unlikely she will get a place before going to secondary school. The new Saxon Fields development increases pressure on the school and, contrary to what had been promised, the school foreseen in that developed will not be opened for many years. Adding the Merton Park on to that, means unsustainable pressure for school places in Wincheap. A possible new school would be dependent on action by KCC and given the experience with the Saxon Fields development, it seems reckless to trust that the school will indeed be built.

- Sewage: Existing sewage infrastructure is already under strain and Southern Water often discharges raw sewage into the sea, leading to significant environmental damage and health concerns for beach users. The proposed development would increase demand on an already overburdened system, and potentially lead to further environmental degradation and public health risks. The Merton Park development must not be included in the Local Plan in the absence of a comprehensive sewage and drainage impact assessment, including capacity analysis and mitigation measures, that takes into account cumulative impacts from recent, ongoing or intended developments in Canterbury and areas further down the sewage system. Unless it can be demonstrated that sewage infrastructure can accommodate the increased load without adverse environmental or public health impacts, Merton Park must not be included in the Local Plan.

Under NPPF 20 & 122, plans must ensure infrastructure is deliverable and adequate. These requirements are not met and therefore NPPF 20 & 122 are not respected.

7. Transport and Highway Impacts

Merton Park will come with an enormous amount of cars (up to almost 4000, accounting for 2 cars per household). Possible access roads, including Lime Kiln Road, Stuppington Lane,

Nackington Lane, and Hollow Lane are narrow, partly pedestrian, and unsuitable for large traffic volumes. Both Nackington Lane and, even more so, Wincheap High Street, are already heavily congested. Traffic will be forced through residential streets, including near Wincheap Primary School, which will cause safety risks. The wider residential area (e.g. Heaton Road) will also be impacted. Wincheap High Street will not be able to deal with the extra amount of congestion.

It is also to be expected that there will be increased traffic from the A2 on the Wincheap slip road. Although the slip road was made longer a couple of years ago, it is still being used to almost full capacity in peak hours. Adding more cars to this, would cause unacceptable safety risks.

There are no recent studies, taking into account cumulative impacts of recent, ongoing and planned developments on the traffic through Wincheap, and through Wincheap High Street in particular. The data used in the old study regarding the gyratory system are based on incorrect assumptions; they are also outdated and do not take into account such cumulative impacts.

It is now no longer proposed to include a slip road off the A2 for Merton Park and the proposed fast bus link also has no secured funding.

Under NPPF 110–111, development must ensure safe, suitable access and must be refused where cumulative impacts are severe. The site currently fails these policy tests.

8. Air Quality

Air quality in Wincheap is the worst in Canterbury and the area Hollow Lane / Wincheap High Street is the city's worst air-quality hotspot (AQMA).

No cumulative air-quality modelling has been published, contrary to NPPF 185–186 and Environment Act 2021 Part 1. This is unacceptable.

9. Chalk Geology and Ground Stability

The site lies on Upper Chalk / Seaford Chalk, as confirmed by the Canterbury Landscape Character Assessment (2020) and ASE Hollow Lane Archaeological Evaluation (2016). Building on chalk poses risks of subsidence, sinkholes, and groundwater instability. No geotechnical evidence is provided. NPPF 183(b) requires that ground conditions be proven suitable.

In the absence of stability assessment, the allocation is unsafe and unsound.

10. Cumulative Impacts

The Draft Plan already commits to 3,200 homes at Bogshole, ~2,000 at Saxon Fields, and numerous others across South Canterbury. No Strategic Environmental Assessment or cumulative infrastructure modelling includes these. This omission breaches NPPF 20 and SEA Regulations 2004 Reg. 12(2)(b).

11. Heritage Setting

Open farmland and orchards here provide historic views of Canterbury Cathedral, part of a UNESCO World Heritage Site. No heritage-impact assessment accompanies the allocation. NPPF 207–210 and the Planning (Listed Buildings and Conservation Areas) Act 1990 s.66 require great weight to be given to such heritage assets. Allocation without proper assessment causes unacceptable heritage harm and is contrary to law and national policy.

12. Conclusion

For all these reasons, the allocation is not justified and not consistent with national policy. Key evidence (biodiversity, ALC, air quality, infrastructure, traffic, geology, heritage) is missing, and the proposal conflicts with multiple provisions of the NPPF, the Environment Act 2021, and other legislation.

Accordingly, the proposed Merton Park / South Canterbury allocation must be deleted in its entirety from the Canterbury District Local Plan 2040. Future housing growth should focus on smaller, brownfield, and town-centre sites that meet genuine local need without destroying farmland, biodiversity, community open space, or Canterbury's historic setting.

Kind regards
Leen Chanet