

Tom Hawkes

From: Lisa Fernandes [REDACTED]
Sent: 20 October 2025 18:13
To: Consultations
Subject: Objection to Policy N1
Attachments: Badgers.jpg; Yellowhammer.jpg; Slow worm.MOV

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Dear Planning Policy Team

Please accept this as a further formal objection to the proposed allocation of Policy N1 (Land at Merton Park / SLAA151) in the Draft Local Plan. This allocation is unsound because it is **not consistent with national policy**, particularly the legal and policy duties to protect and enhance biodiversity as per the National Planning Policy Framework (NPPF) and the Natural Environment and Rural Communities (NERC) Act 2006.

The site at Merton Park contains a traditional orchard, which is recognised as a **Priority Habitat** under Section 41 of the NERC Act 2006. Local residents have documented evidence of 12 species of birds that are on the **Red List** of Birds of Conservation Concern. Please see photographic evidence of a rare Yellowhammer, along with photographic/video evidence of bats, badgers and slow worms, which are all geotagged in the land at Merton Park.

The NPPF Paragraph 186 states that planning policies should "identify and pursue opportunities for securing measurable net gains for biodiversity". The very first step is **avoidance** of harm. Instead of avoiding harm to a known Priority Habitat, the plan proposes its wholesale destruction. This runs directly counter to the national objective of reversing biodiversity decline.

The council's evidence base appears to be critically flawed. The Strategic Land Availability Assessment (SLAA) and the Habitats Regulations Assessment (HRA) seem to have entirely overlooked the intrinsic value of the site itself. The NPPF requires the council to protect biodiversity within its own district boundaries. The policy's weak requirement for a future assessment of "functionally linked land" is procedurally improper. A full, independent Ecological Impact Assessment, including detailed species surveys conducted at the appropriate time of year, must inform the plan-making process itself, not be deferred as a condition of a future planning application. To allocate the site first is to accept the principle of its loss before the true ecological cost is understood.

The light pollution emitted from 1930 new dwellings, new street lighting in a large estate and flood lights in a sports hub will have a devastating impact on nocturnal and crepuscular wildlife, including bats, owls, and moths, disrupting their foraging and navigation patterns. Creating a vast new zone of light pollution in a semi-rural area is in direct contradiction to NPPF Paragraph 186.

The concept of biodiversity net gain cannot be used to justify the destruction of irreplaceable habitats like a traditional orchard. The complex, long-established ecosystem of a mature orchard cannot be meaningfully replicated elsewhere. Any "offsetting" proposal would be a poor substitute for the existing, high-value habitat.

Traffic concerns

NPPF, Chapter 8 explicitly states that planning policies should "aim to achieve healthy, inclusive and safe places". The proposed transport strategy will be actively detrimental to public health. The area connecting Wincheap with Hollow Lane is already identified as one of the worst air pollution zones in the wider area (Canterbury and Herne Bay Air Quality Action Plan, January 2025). To plan for a development that will knowingly increase traffic congestion and air pollution in an area where many families live is a **failure of the council's duty of care**, particularly as children are one of the groups most susceptible to air pollution .

The evidence outlined in the Focused Regulation 18 Topic Paper (August 2025), reveals that the original transport mitigation for the Merton Park development was based on the delivery of new A2 slip roads. This has collapsed entirely, taking with it the justification for this allocation.

The replacement bus route and walking/cycle path is not going to change the geographical reality of the proposed development being far from the city centre, educational institutions and transport links, and will bring another 2000 private vehicles onto local roads. This will place an unmitigated burden on an already congested local road network. Roads such as Nackington Road, Hollow Lane, Homersham and Wincheap already experience significant peak-hour congestion, which will be severely exacerbated particularly with the creation of a new primary school. Roads are already gridlocked, with cars driving on pavements and conducting dangerous manoeuvres, posing a safety risk to local children.

1930 new families will bring a significant increase in secondary school age children, who will all need to travel to schools in the wider area. This will lead to longer journey times for existing residents, a demonstrable negative impact on air quality in the surrounding area, and a significant decline in the quality of life for the local community. NPPF Chapter 14 states that plans should "help to shape places in ways that contribute to radical reductions in greenhouse gas emissions." This means prioritising development in locations that minimise the need to travel by private car and maximising opportunities for active travel and public transport. The allocation of a massive

greenfield site like Merton Park is a direct contradiction of this principle. The plan is therefore not positively prepared, as it fails to propose a sustainable solution and instead creates a car-dependent community.

Furthermore, how are the Planning Team going to ensure effective coordination across multiple developments (N1, N2 and Site 10) to deliver key infrastructure such as new bus routes?

The above points show that NPPF Section 109 is not being adhered to - "transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places".

Importance of the City Centre

The NPPF (Chapter 7) places a strong emphasis on supporting the role of town centres as the heart of their communities. The creation of a vast, semi-self-contained settlement at Merton Park is a direct contradiction to this objective. While the policy mentions a "local centre," the reality of modern living means that residents of such a large estate will be more likely to travel by car to out-of-town retail parks and supermarkets for their main shopping needs, rather than making trips into the city centre. The flawed transport strategy, which will increase congestion on the routes into the city, will only serve to reinforce this behaviour. This will draw spending and footfall away from the independent businesses, cafes, and cultural venues that make Canterbury's historical city centre unique and which are already facing significant economic challenges.

Impact of the proposed 'Sports Hub'

The supporting evidence for the Local Plan does not contain a comprehensive, up-to-date Playing Pitch Strategy or Needs Assessment that identifies a specific, quantified need for a new **regional-scale** hub in this location. The plan fails to justify why this specific site, with its severe transport and landscape constraints, is the most appropriate location for such a facility. A more effective and justified alternative would be to enhance existing facilities or identify less sensitive sites elsewhere in the district.

A "regional sports hub" is likely to attract users from the wider area, which has profound transport implications that the plan fails to address. Such a facility will generate significant additional car traffic and the parking demand for hundreds of cars. The allocation of Merton Park is not effective, as its transport strategy does not consider the sports hub as a major component of the proposed development.

The operational impacts of a regional sports hub have not been considered. The potential for high-intensity floodlighting and noise from crowds and public address systems will cause significant harm to the amenity of local residents. The plan makes no mention of how these impacts will be controlled.

The sports hub is not a community benefit,; it is a major, traffic-intensive commercial leisure development piggybacking on a housing allocation. Its need is not properly justified, its transport impacts have not been addressed, or has the impact on local residents.

Conservation of Heritage

NPPF Chapter 16 places a great weight on the conservation of heritage assets, including archaeology. It requires local plans to contain policies for the "conservation and enhancement of the historic environment, including heritage assets and their settings." A large area of undisturbed land such as Merton Park is highly likely to contain significant archaeological remains. Yet no proportionate archaeological assessment has taken place, falling foul of NPPF requirements. A desk based assessment is not adequate for an area of land like Merton Park. Deferring this assessment to the planning application stage puts the Council in a weak position to negotiate with developers. Losing potentially significant historical findings due to improper assessment is a level of risk that is unjustified when reasonable alternatives exist (such as brownfield development, see below).

Medical and Educational Provisions

The upgrade to the Kent and Canterbury Hospital is no longer part of the draft plan. As a resident of Canterbury I already struggle to get a GP appointment, and most local dentists are not taking on new patients. How can we be sure that the medical needs of 1930 new households will be met, without being detrimental to existing residents? The Plan proposes a new primary school, but what about provision for secondary education? Where is the evidence to assure the local community that secondary schools in the area will be able to accommodate teenagers from 1930 new households?

Conclusion

The allocation of Policy N1 is unsound. It is in direct conflict with national policy, it is based on an inadequate evidence base, and it proposes an act of profound and irreversible environmental harm. The allocation of Merton Park is a high-risk, high-impact, and low-quality solution that solves one problem (housing numbers) by creating a cascade of new and worse problems: traffic gridlock, ecological destruction, heritage harm, and unsustainable, car-dependent lifestyles.

Alternatives

A strategy focused on brownfield regeneration, urban densification, and allocating smaller sites in more accessible locations would have a far lower carbon footprint and would be more closely aligned with the council's climate commitments and NPPF requirements. Locating new housing in areas where residents can easily walk or cycle to the city centre or the train stations will promote a more viable and sustainable urban hub, in line with NPPF Chapter 7. It will integrate new residents into the existing community and help to develop the city centre, rather than creating a new mono-community on the outskirts.

The NPPF places a clear emphasis on making effective use of land, encouraging the reuse of previously developed land (brownfield sites) in sustainable locations before resorting to the irreversible loss of valuable greenfield sites. There are currently 68 brownfield sites on the council's register, which should all be revisited ahead of any decisions to destroy a high value habitat. A justified plan must be the "most appropriate strategy, when considered against the reasonable alternatives". The council's evidence base does not adequately demonstrate that all reasonable alternatives to this massive greenfield release have been exhausted.

Yours faithfully

Lisa Fernandes

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