

16/05/2026

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Subject: Regulation 19 Representation – Objection to Policy C10 (Merton Park / Wincheap Orchards)

I am submitting this representation in response to the Regulation 19 consultation on the Draft Canterbury District Local Plan. I object to Policy C10 (Merton Park / Wincheap Orchards) and do not consider this part of the Plan to be sound or legally compliant. My concerns relate to all four NPPF soundness tests: positively prepared, justified, effective, and consistent with national policy, as well as several procedural and evidence-base issues.

1. The Plan is not Justified

A justified plan must be based on proportionate evidence and reasonable alternatives (NPPF 36). The evidence base for allocating nearly 2,000 homes at Wincheap Orchards is inadequate and in several cases directly contradicts statutory consultee advice.

1.1 Water supply evidence contradicts the allocation

South East Water's response to the previous draft (23 October 2025) states:

“unable to accommodate any growth exceeding our... forecast assumptions throughout the entire planning period.” “This increase is likely to cause stress to our supply system... until... reservoir in Broad Oak... estimated delivery date... 2036.”

The Council expects first occupations at Merton Park in 2030/31, meaning the first five years of residents would have no secure water supply. This is a fundamental evidence failure.

1.2 Reasonable alternatives have not been properly assessed

The Sustainability Appraisal does not convincingly compare this allocation with:

- new-settlement options
- brownfield intensification
- smaller, distributed sites
- lower-impact locations outside the Stour catchment

The Plan appears to default to land availability rather than sustainability.

1.3 The overall scale of growth is disproportionate and not supported by evidence

The housing requirement underpinning the Local Plan appears disproportionate to Canterbury's size, character, and infrastructure capacity, and is not supported by clear evidence of local housing need. Market indicators do not show a shortage of homes on the open market, nor is there evidence of suppressed household formation or unmet demand that would justify the release of extensive areas of high-quality agricultural land.

Canterbury is a **historic cathedral city** with:

- a medieval core
- a small urban footprint
- limited transport corridors
- a sensitive landscape setting

A settlement of this type **cannot simply be expanded by thousands of homes without fundamentally altering its character**. The NPPF requires plans to recognise the intrinsic character and beauty of the countryside (NPPF 187), protect high-quality agricultural land (NPPF 188), and give great weight to heritage assets and their settings (NPPF 202–203). The scale of growth proposed is inconsistent with these requirements.

In-migration and non-local demand

The Local Plan's own evidence base indicates that the proposed housing growth is partly intended to attract new residents into the district, rather than to meet existing local need. References to population growth, labour force expansion, and in-migration appear throughout the supporting documents. This contradicts the requirement in **NPPF 61 and 62** for Local Plans to be based on *local* housing need and *local* evidence.

If the housing allocations are designed to stimulate population growth rather than meet genuine local demand, then the justification for releasing extensive areas of sensitive greenfield land, including Grade 1 agricultural land at Wincheap Orchards, is unsound. The Plan does not demonstrate that such population growth is necessary, deliverable, or aligned with infrastructure capacity.

1.4 Heritage evidence is incomplete

The Council has not carried out a proper assessment of the impact on the UNESCO World Heritage Site (Cathedral and Precincts), despite the orchards providing:

“spectacular views... of the Cathedral in its predominantly rural valley setting.”

This contradicts NPPF 202 and 203, and Draft NPPF 2025 HE4.1.

1.5 Biodiversity evidence is missing or contradictory

The site supports:

- 13 red-list bird species
- 12 amber-list species
- a complex orchard-based ecology

No protected-species assessment has been carried out. This contradicts NPPF 192(a) and 192(b).

The Council also removed the requirement for 20% Biodiversity Net Gain following private representations from Quinn Estates, despite Policy DS21 requiring it for major developments. This inconsistency is unjustified.

2. The Plan is not Effective

An effective plan must be deliverable over the plan period and supported by infrastructure evidence (NPPF 36).

2.1 Water supply is undeliverable

South East Water's infrastructure will not be ready until 2036, long after the planned occupation date. The Plan's water-efficiency target of 110 litres/person/day contradicts the industry and Government trajectory of 80 litres by 2035.

2.2 Wastewater and sewage infrastructure is uncertain

The proposed wastewater treatment works is located in Source Protection Zone 2, on the edge of SPZ1. The Environment Agency warns:

“All developments should ensure adequate wastewater infrastructure is provided prior to any occupation...”

This cannot be guaranteed. There are already 100+ sewage spills per year into the Stour (2021–2024). The Infrastructure Delivery Plan is out of date (2022) and the Nutrient Mitigation Strategy is not published.

2.3 Transport assumptions are unrealistic

The Plan relies on extremely high assumptions for walking, cycling, and bus use, without evidence. Hollow Lane is too narrow to serve the development, and construction traffic routes are unknown. This contradicts NPPF 8 and NPPF 109.

2.4 Air quality evidence is incomplete

Natural England stated that air-quality assessment must be completed before publication. It was not. Wincheap has the highest PM10 levels in Canterbury, yet the Plan assumes traffic

reductions that are unlikely to materialise. Traffic in the area has already increased significantly in recent years (exacerbated by other new housing developments), causing air pollution, noise, congestion, an excess of parked vehicles and a decline in life quality for residents.

3. The Plan is not Consistent with National Policy

3.1 Heritage (UNESCO WHS)

The orchards form part of the rural setting of the Cathedral. The Council has not assessed cumulative harm, including from Saxon Fields. This contradicts NPPF 202 and 203.

Clarification on Saxon Fields

Saxon Fields is a recent major development whose landscape and visual impacts have already altered the rural setting south of Canterbury. Residents have reported significant increases in traffic, parking pressure and noise, and the development has been widely criticised for its design quality and visual impact. It is also understood locally that a substantial proportion of units remain unsold or unoccupied, which raises further questions about the necessity of allocating additional large greenfield sites such as Wincheap Orchards. These cumulative effects should have been assessed but were not.

3.2 Biodiversity and agricultural land

The orchards are Grade 1 agricultural land, the highest quality. NPPF 188 requires poorer-quality land to be preferred. The Council has not followed the mitigation hierarchy (Canterbury Biodiversity Strategy 2026).

3.3 Landscape and wellbeing

NPPF 187(a) and 187(b) require planning to enhance natural environments and recognise the intrinsic character of the countryside. The elevated site will cause significant landscape harm.

3.4 Light pollution

The Plan does not assess the impact of lighting from:

- sports pitches
- park-and-bus
- housing
- football stadium

This contradicts NPPF 187.

4. The Plan is not Positively Prepared

A positively prepared plan must align growth with infrastructure (NPPF 11). Here, infrastructure constraints (water, sewage, transport, air quality) are so severe that the allocation cannot realistically be delivered within the plan period.

5. Legal Compliance Concerns

5.1 Consultation process

Many residents were unaware of the consultation, and the Council has not published a comprehensive analysis of previous comments. This contradicts NPPF 16(c).

The structure and expectations of the Regulation-19 representation process are excessively complex for ordinary residents. The Council has not provided a simple, accessible template or clear guidance on how to submit a valid representation. Instead, residents are expected to navigate a technical process involving soundness tests, legal compliance, and modification wording. This level of complexity is likely to deter participation and risks undermining the effectiveness of the consultation.

Regulation-19 is intended to test the soundness of the Plan, but the Council still has a duty to ensure the process is fair, accessible, and comprehensible to the public. The lack of clear, user-friendly guidance means many residents may be unable to engage meaningfully, which raises concerns about whether the consultation meets the requirements of NPPF 16(c) and the principles of effective public participation.

5.2 Evidence base

Key documents (Infrastructure Delivery Plan, Nutrient Mitigation Strategy) are missing or outdated, undermining the SEA/HRA process.

Conclusion

For the reasons above, Policy C10 is not justified, not effective, not consistent with national policy, and not positively prepared. It also raises concerns about legal compliance. I therefore request that the allocation at Wincheap Orchards (Merton Park) be removed or fundamentally reconsidered.

Modification Sought

I request that Policy C10 (Merton Park / Wincheap Orchards) be removed from the Plan or fundamentally reconsidered, with full evidence provided and reasonable alternatives assessed.

Participation at Examination

I would like to participate in the Examination in Public if the Inspector considers it necessary.