

From: Eleni Matechou [REDACTED]
Sent: 18 May 2026 12:24
To: Consultations
Subject: Regulation 19 Representation: Draft Canterbury District Local Plan (2042/43)
— Policy C10 (Land at Merton Park) and Overall Spatial Strategy

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Dear Sir/Madam,

Please find below my formal representation in response to the Regulation 19 consultation on the Draft Canterbury District Local Plan (2042/43). I object to Policy C10 (Land at Merton Park) and raise concerns about the overall spatial strategy on the grounds that the plan is **not sound** and **not legally compliant**, as set out below. I refer to the four tests of soundness at NPPF paragraph 35.

I live on [REDACTED] in Wincheap, Canterbury, immediately adjacent to the proposed Merton Park development site. I raised concerns during the Regulation 18 consultation. I address the council's response to those representations as my first issue below.

Issue 1: The council has not adequately responded to Regulation 18 representations — Legal Compliance

NPPF paragraph 16(c) requires local plans to be shaped by "early, proportionate and effective engagement" between plan-makers and communities. I submitted representations at the Regulation 18 stage raising concerns about Policy C10, as did many other local residents. The council has published a summary of responses received (SA Report Appendix B, August 2025), but this document does not analyse the points raised, explain which concerns were accepted or rejected, or give reasons for the decisions made. There is no published document that sets out the council's counter-arguments to specific objections or demonstrates how representations influenced the content of the plan.

A consultation process in which the community submits detailed objections and receives only a summary — with no analysis, no reasoning, and no explanation of what changed as a result — does not constitute effective engagement within the meaning of NPPF paragraph 16(c). This is a matter of legal compliance. The Inspector should be satisfied that the council has genuinely met its engagement obligations before the plan proceeds.

Issue 2: Surface water runoff risk to existing residents — Policy C10 Not Justified or Effective

My home, and others on [REDACTED], is built on part of the former quarry and sits several metres below the level of the proposed development site. Developing nearly 2,000 homes, roads, car parks, a sports hub, and a football stadium on that elevated ground will significantly increase the volume and speed of surface water running downhill towards existing properties.

There are two recorded sinkholes in the immediate vicinity — at the Cross Keys public house and at Prospect Place. The ground in this area contains permeable Thanet Sand and chalk. Increased surface water runoff directed through these materials carries a recognised risk of further ground collapse and sinkhole formation. No geotechnical or hydrogeological assessment addressing this specific hazard has been published as part of the evidence base for Policy C10.

The Infrastructure Delivery Plan has not been updated since October 2022. Policy C10 contains no binding condition requiring a drainage strategy to be agreed before development commences, and no condition preventing occupation until drainage infrastructure protecting downslope properties is in place. The policy language on infrastructure delivery is aspirational rather than enforceable.

A further and specific failure of Policy C10 is the complete omission of the council's own district-wide policies on flood risk and drainage. Policy SS1 of the draft plan requires all new developments to provide appropriate flood risk management and sustainable drainage systems in line with Policies DS23 and DS24. Policy DS23 states that development that would increase flood risk on or off site will be refused. Policy DS24 sets out detailed requirements for sustainable drainage systems, protection of groundwater, and maintenance arrangements — and specifically addresses development within Groundwater Source Protection Zones. Yet Policy C10's conditions reference eight other district-wide policies (DS1, DS2, DS13, DS15, DS18, DS20, DS26, and DS28) but make no reference to DS23 or DS24 at all. This omission is particularly serious given that most of the site falls within Groundwater Source Protection Zone 2. A policy that fails to apply the council's own flood risk and drainage standards to its largest allocation is not internally consistent and is not justified.

NPPF paragraph 181 states that flood risk should not be increased elsewhere as a result of development. A plan that allocates nearly 2,000 homes on elevated land above existing residential properties, without an enforceable surface water management strategy and without applying its own drainage policies to the site, does not meet this requirement. The plan is not justified and not effective on this issue.

Issue 3: Air quality evidence is incomplete — Policy C10 Not Justified

Wincheap already records the highest levels of PM10 particulate matter in Canterbury according to local air quality monitoring data. Policy C10 proposes to add a large residential development, a primary school, a sports hub, a football stadium, floodlit pitches, and a park-and-bus facility of at least 300 spaces to this corridor — all of which will generate significant additional vehicle movements and emissions.

Natural England, in its formal response to the 2024 draft consultation, stated clearly that the council's air quality assessment was not yet complete and that it must be finished before the full plan was published. An Air Quality Assessment was produced in March 2026 but covers only two monitoring locations in Wincheap and does not measure all relevant pollutants. Its conclusion that traffic flows on key routes will reduce is not credibly supported given the scale of growth proposed.

The transport modelling underlying the plan uses 2019 baseline data and cannot model the shift away from car use that the plan's assumptions depend upon. Kent County Council Highways specifically requested updated multimodal transport modelling at Regulation 18 stage in 2024. That work has not been published.

Where Natural England has stated that an assessment is incomplete, and where the transport modelling has been acknowledged as inadequate by KCC Highways itself, the plan cannot be considered justified within the meaning of NPPF paragraph 35.

Issue 4: The location is car-dependent; sustainable transport assumptions are not supported by evidence — Not Justified or Consistent with National Policy

The Wincheap area is already significantly cut off from Canterbury city centre and Canterbury East railway station by the ring road and the Wincheap roundabout junction. There are no safe, direct cycling routes between Wincheap and the city centre. The Merton Park development site sits even further from the city centre and the station than the existing Wincheap community, making sustainable travel to key destinations more difficult still for future residents.

Policy C10 relies primarily on a "park-and-bus facility" of at least 300 spaces as its sustainable transport solution. This model requires residents to drive to a car park in order to board a bus — it is not a sustainable transport solution in any meaningful sense, and will itself generate additional vehicle movements. The plan does not include any confirmed funding or delivery mechanism for improved walking or cycling infrastructure serving the site.

The transport modelling underlying the plan uses 2019 baseline data. Kent County Council Highways, in its response to the Regulation 18 consultation in 2024, specifically requested updated multimodal transport modelling before the plan proceeded. That updated modelling has not been published. Without it, the plan's assumptions about residents shifting away from car use cannot be verified.

NPPF paragraph 8 requires development to support accessible services and minimise car dependency. NPPF paragraph 109 requires transport to be considered as an integral part of plan-making. The plan does not demonstrate that Policy C10 meets either requirement.

Issue 5: Access roads are inadequate and construction traffic is unplanned — Policy C10 Not Effective

Policy C10 designates Hollow Lane as the primary vehicle access for the development. Hollow Lane is a narrow residential street on which properties front directly onto the pavement, with no meaningful scope for widening. The plan proposes making part of it one-way with a cycling contraflow, which will restrict access for existing residents. The plan acknowledges the risk of rat-running through the development and proposes roads "designed for access only" as the solution — this is unenforceable in practice and not a credible traffic management measure.

No construction traffic route has been identified anywhere in Policy C10. The development is expected to take more than ten years to build. During that period, construction vehicles will be using roads in the area daily. The most likely routes — Homersham and Hollow Lane — are narrow residential streets. The absence of any construction traffic management plan is a material omission.

Policy C10 contains no conditions requiring transport infrastructure improvements to be completed before homes are occupied. NPPF paragraph 109 requires transport impacts to be properly mitigated. The plan does not demonstrate this will happen.

Issue 6: Water supply cannot support early occupation — Policy C10 and Overall Strategy Not Effective

South East Water, in its formal consultation response dated 23 October 2025, stated that it would be "unable to accommodate any growth exceeding our forecast assumptions throughout the entire planning period" and that the situation would not change until the Broad Oak reservoir is complete, with a then-current estimated delivery date of approximately 2036.

The council's own housing trajectory shows first occupations at Merton Park planned from around 2030/31. The statutory water undertaker has therefore confirmed in writing that it cannot supply the water needed for this development for approximately the first five years of occupation. Policy C10 contains no condition preventing homes from being occupied until water supply capacity is confirmed as available.

South East Water also stated that the plan's water efficiency targets are inadequate for a water-stressed area, calling for per capita consumption targets reaching 80 litres per person per day by 2035. Policy DS12(5) targets 110 litres per person per day — substantially weaker and inconsistent with the undertaker's own position.

NPPF paragraph 20(b) requires strategic policies to make sufficient provision for water supply infrastructure. A plan that allocates 1,950 homes where the water company has confirmed it cannot meet demand during the early years of occupation does not meet this requirement. This flaw applies equally to the overall spatial strategy, which concentrates growth at locations where the supporting infrastructure will not exist within the relevant timeframe.

Issue 7: Wastewater conditions in Policy C10 are weaker than for other sites in the same plan — Not Justified

The Environment Agency, in its formal response to the 2024 draft plan, stated that "all developments should ensure adequate wastewater infrastructure is provided prior to any occupation and that capacity is available within the mains network." Policy C10 does not comply with this. It states that wastewater treatment works should be delivered "at the earliest possible stage in the development" but includes the qualifier "unless otherwise agreed by the council and relevant providers" — explicitly allowing wastewater infrastructure to be deferred or omitted by agreement.

By contrast, other allocations in the same draft plan use mandatory language requiring that sites are capable of being provided with sewage disposal before development proceeds. There is no explanation in the plan for why Merton Park — the largest allocation by far — is subject to weaker wastewater requirements than smaller sites. This inconsistency is not justified.

Southern Water, in its response to the council's 2025 Regulation 18 focused consultation, stated that its agreed investment plan will bring the relevant wastewater treatment at the Sturry Road works up to nutrient neutrality standard by 2030, and that no reference should therefore be made in the plan to on-site treatment works at Merton Park. Yet Policy C10 still allocates land for and refers to an on-site wastewater treatment works. This directly contradicts the position of the statutory wastewater undertaker, who has indicated that the planned upgrade to the existing mains network makes a private on-site facility

unnecessary. A plan that allocates infrastructure that the statutory undertaker says should not be built, while simultaneously failing to require connection to the mains network that the undertaker says will be available, is internally inconsistent and not justified.

The proposed wastewater treatment works for the site sits within Groundwater Source Protection Zone 2, on the boundary of SPZ1. South East Water's consultation response specifically urged planning authorities to take account of Source Protection Zones and ensure that development within them mitigates contamination risks. Policy C10 contains no specific condition addressing this.

A plan that applies weaker infrastructure safeguards to its largest allocation than to smaller ones, without explanation, fails the NPPF paragraph 35 tests of justification and internal consistency.

Issue 8: Local schools are already full and the plan contains no education phasing conditions — Not Effective

The Education Landscape Review commissioned by the applicant Quinn Estates and Pentland Properties Ltd (EFM, June 2024) provides school capacity data that demonstrates the plan is not deliverable without causing significant harm to education provision in the area.

Primary schools: Wincheap Foundation Primary School, at 0.9 miles the closest primary school to the site, is currently operating above capacity with 432 pupils against a stated capacity of 420. St Peter's Methodist Primary School, the only other primary school serving this part of Canterbury, is also completely full. Across all six primary schools within the two-mile catchment used in the developer's own assessment, there are only 33 spare places in total — an average of five per year group.

KCC's own School Capacity (SCAP) forecasts, reproduced in the developer's report, show the Canterbury City Primary Planning Area is projected to be over capacity by approximately one full form entry by 2027/28 — before a single child from Merton Park enters the local school system. The developer's own report acknowledges that the new on-site primary school is not required until at least 500 homes are occupied, meaning children from the earliest phases will have no local primary place available.

Secondary schools: The three closest secondary schools are all selective grammar schools, all full. The developer's own report acknowledges that grammar schools cannot be treated as reliable capacity for a general residential development. The nearest non-selective secondary school, the Canterbury Academy, is full and draws pupils from as far away as Whitstable. KCC's SCAP forecasts show the secondary non-selective Canterbury Planning Area is projected to be 439 pupils over capacity by 2028/29. The developer's

conclusion that secondary capacity will be available rests on schools in Herne Bay and Whitstable — not in the Wincheap area.

Policy C10 contains no condition preventing occupation until adequate and locally accessible school places are confirmed. NPPF paragraph 20(b) requires strategic policies to make sufficient provision for education infrastructure. A plan that allows families to move into homes before local school places exist for their children, with no mechanism to ensure provision keeps pace with occupation, is not effective.

Issue 9: No protected species assessment and the 20% BNG requirement has been removed — Not Justified

The site supports a range of wildlife including bats, badgers, slow worms, and birds including species on the UK red and amber conservation lists. No assessment of whether the development would harm or disturb protected species has been published as part of the evidence base for Policy C10. This is a material consideration that must be addressed before an allocation can be justified.

Policy DS21 of the draft plan requires all major developments to deliver 20% Biodiversity Net Gain. However, following representations by Quinn Estates, the specific 20% requirement has been removed from Policy C10's site-specific conditions and replaced with a reference to "opportunities for landscape and biodiversity enhancements" — unquantified and unenforceable. There is no published explanation for why the largest development in the plan has been exempted from a requirement that applies to all other major sites.

The site is predominantly Grade 1 agricultural land. NPPF paragraph 188 requires that where development of agricultural land is necessary, lower quality land should be preferred. The plan does not demonstrate this has been considered. The allocation of the highest quality agricultural land, without a protected species assessment, and with the BNG requirement removed following developer representations, is not justified within the meaning of NPPF paragraph 35.

Issue 10: The only accessible green space and play facilities in the area will be lost — Not Consistent with National Policy

Wincheap is one of the most densely populated parts of Canterbury and has almost no accessible public green space or children's play provision. The small play area at the end of Lime Kiln Road — which Policy C10 itself identifies — is the only dedicated children's play facility serving a large residential population in this part of the city. The orchards and

fields at Wincheap currently provide the only accessible informal open space and walking routes for local residents.

Policy C10 commits to improvements to the Lime Kiln Road play area and provision of new open space, but these are framed as development requirements rather than pre-conditions of occupation. The commitment to retaining existing orchards is qualified with the phrase "where possible," which provides no meaningful or enforceable protection.

NPPF paragraph 187 requires planning policies to contribute to and enhance the natural and local environment. NPPF paragraph 125(b) recognises that undeveloped land serves multiple functions including recreation, wildlife, flood risk mitigation, and food production. The plan does not demonstrate how the permanent loss of the only accessible open space in this part of Canterbury is consistent with these requirements.

Issue 11: No Heritage Impact Assessment has been carried out — Not Justified, Not Legally Compliant

Canterbury Cathedral is a UNESCO World Heritage Site. The Merton Park site occupies elevated land with direct views of the Cathedral and its rural valley setting. NPPF paragraph 208 requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal, including development affecting the setting of a heritage asset. NPPF paragraph 213 states that any harm to the significance of a designated heritage asset requires clear and convincing justification, and that harm to assets of the highest significance — which explicitly includes World Heritage Sites — should be wholly exceptional.

Historic England, in its formal response to the council in October 2025, concluded that in the absence of a Heritage Impact Assessment process, the policy may not fully meet the objective in NPPF paragraph 2 in relation to the 1972 World Heritage Convention. Historic England requested that such an assessment be carried out. The council has not done so.

UNESCO guidelines and Historic England's own advice require a Heritage Impact Assessment to be undertaken at the earliest stage of plan-making, to inform decisions about proposals that may affect a World Heritage Site's significance and setting. The council has instead indicated that heritage assessment can be deferred to the planning application stage. This is not an adequate approach for an allocation of this scale adjacent to a World Heritage Site. The plan is not justified and is not legally compliant on this ground.

Conclusion

For the reasons above, I consider the plan to be not sound and not legally compliant in relation to Policy C10 and the overall spatial strategy. I ask the Inspector to find Policy C10 unsound and to recommend that it be deleted or fundamentally revised. I would welcome the opportunity to appear at the Examination hearing sessions.

Yours faithfully,

Dr Eleni Matechou

A solid black rectangular box used to redact the signature of Dr Eleni Matechou.

18/5/2026