

# CANTERBURY CITY COUNCIL

## DECISION NOTICE

**Correspondence Address:**

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Cirencester,  
GL7 6JJ

**Town and Country Planning Act 1990  
The Planning (Listed Buildings and Conservation Areas) Act 1990**

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NOTIFICATION OF REFUSAL OF FULL PLANNING PERMISSION

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**Application Number:** CA/25/00570  
**Location:** Land South Of Marley Lane, Hoath, Canterbury, Kent, CT3 4JY,  
**Proposal:** Installation of a Solar Farm and Battery Energy Storage System with associated infrastructure and works.

Take notice that **Canterbury City Council**, the district planning authority under the Town and Country Planning Act 1990, has **REFUSED** your application, as described above, subject to the following conditions/reasons:

- ( 1)The proposed development would cause harm to the setting of listed buildings and the character and appearance of the conservation areas and as such would be contrary to Policies HE1, HE4, HE6 and HE13 of the Local Plan and Paragraphs 212, 213 and 215 of the National Planning Policy Framework.
- ( 2)By reason of the scale, extent, layout and prominence of the development, the proposal would cause harm to the landscape character of the area, and the rural and open character and appearance of the area in conflict with Policies LB4 and DEB3 of the Local Plan and Paragraph 187 of the NPPF.
- ( 3)The application fails to demonstrate that the proposal would conserve and enhance local wildlife, protected habitats and species and provide suitable biodiversity enhancements contrary to Policies LB8, LB9 and LB17 of the Canterbury District Local Plan and Paragraphs 192 and 193 of the National Planning Policy Framework.
- ( 4)The proposal fails to clearly demonstrate that the development would provide an adequate buffer or other means of adequate protection for the veteran oak trees close to the site. As such, the proposal could lead to the

deterioration of the safeguarded trees contrary to Policy LB10 of the Canterbury District Local Plan and Paragraph 193 of the National Planning Policy Framework.

( 5)The proposal fails to adequately assess the impact of the development on the Public Rights of Way (PROWs) and access on and adjacent to the site and the experience and amenity of those users of these PROWs. As such, the application fails to demonstrate that the public rights of way would be protected and enhanced and would provide better facilities for its users, contrary to Paragraph 105 of the National Planning Policy Framework.

( 6)The application has failed to demonstrate that the use of the proposed means of access would not prejudice and cause harm to highway safety, contrary to Paragraph 115 of the National Planning Policy Framework.

( 7)The proposed submission does not include a detailed archaeological assessment or field evaluation works, including trial trenching, which given the sites potential to include remains of high significance could result in harm from development works to archaeology of significance that requires conservation. The proposal is therefore considered to be contrary to Policy HE11 of the Canterbury District Local Plan, and Paragraphs 207, 210, and 212 of the National Planning Policy Framework.

( 8)The proposed development would result in the loss of best and most versatile agricultural land and has failed to demonstrate that no other suitable sites of poorer agricultural quality could accommodate the development. The proposal would therefore be contrary to Policy EMP12 of the Canterbury District Local Plan and Paragraph 187 of the National Planning Policy Framework.

This application relates only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

The application was processed having regard to the National Planning Policy Framework, which requires that where there are potential solutions to problems arising in relation to dealing with planning applications, the council will work with the applicant in a positive and proactive manner to seek solutions to those problems.

NOTES TO APPLICANT:

None



Stevie Andrews

**Authorised Signatory of the Council**

**Date of issue: 5 December 2025**

## Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeal Type	Timescale
Householder application	Within 12 weeks of the date of the notice
Minor commercial application	Within 12 weeks of the date of the notice
Express consent for the display of an advertisement	Within 8 weeks of the date of receipt of the notice
Tree Preservation Orders	Within 28 days of the date of the notice
Planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice	Within 28 days of the date of the notice
If an enforcement notice is served relating to the same or substantially the same land and development as in your application.	Within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier
All others	Within 6 months of the date of the notice

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>. Please use these links, householders <https://www.gov.uk/appeal-householder-planning-decision> or full applications <https://www.gov.uk/appeal-planning-decision>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

### IMPORTANT NOTES

Notification of permission under the Planning Acts does NOT convey consent under The Building Regulations

1. The development to which the attached planning permission relates may also require a separate approval under the Building Regulations.
2. If the planning permission refers to amended plans, any necessary Building Regulations approval should also cover those amendments.
3. If the development involves any demolition work, notice of this may be required under the Building Act 1984.

Advice on each of the above is available from STG Building Control Partnership on 01634 331133 or by email [building@stgbc.org.uk](mailto:building@stgbc.org.uk)

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