



Solar Power Appeal Court

Can a planning inspector determine a solar farm appeal?

The local planning authorities sought to challenge the jurisdiction of a Planning Inspector to determine solar farm appeals which they belatedly contended comprised a Nationally Significant Infrastructure Project ("NSIP"). The challenge was a surprising one as the LPAs had validated and determined the applications as ordinary planning applications.

Will a solar farm be allowed after an inquiry?

Following the close of the Inquiry, on 7 February 2024, the Appellant brought to my attention an allowed appeal decision (reference 3321094) for a solar farm near Marden, Kent, dated 5 February 2024. That proposal was allowed following an Inquiry.

Can an NSIP be appealed?

The Secretary of State contended that the Inspector had jurisdiction to determine the appeals whether or not they might comprise an NSIP. There was nothing within the Planning Act 2008 or the Town and Country Planning Act 1990 which provided that planning permission could only be granted where it was required.

Which planning Court ruled on practicalities of amendments at appeal stage?

Wheatcroft, then Holborn, now Bramley - the Planning Court has ruled on practicalities of amendments at appeal stage. Thea Osmund-Smith and Odette Chalaby provide a digest of the decision. Judgment was handed down last month in R (Bramley Solar Farm Residents Group) v Secretary of State LUHC EWHC 2842.

Do solar farms need planning conditions?

This would accord with the national Planning Practice Guidance which sets out 'that solar farms are normally temporary structures and planning conditions can be used to ensure that the installation are removed when no longer in use and the land is restored to its previous use'²³.

Should a solar farm be removed?

What is more, at the end of the life of the solar farm, in 30 years time, the relatively simple act of removing metal stakes and associated infrastructure from the site would allow its use to return to arable farming, should that be the most effective and efficient use of the land at that time. The land would not, as the Council suggests, be lost.

A California appeals court panel will hear oral arguments Wednesday in a lawsuit challenging the state's new rooftop solar policy. The policy, approved by the California Public Utilities Commission and effective April 15, reduces the credit new solar users get for sharing their extra solar energy with the grid.

Solar Power Projects of the Developer is 16.10.2017 and not 17.10.2017 as contended by the Respondents. Considering issues 2, 3, and 4 together, the Commission was of the opinion that the injection of power into the



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Grid from a Solar Power Project is a sine qua non for declaring that the Project is commissioned. The Commission was of the view ...

The solar panels had been installed on the south-facing wall of McLennan's home in Rochester, Kent. Kennedy's planning permission was for the construction of an extension to his property, which included the erection of a dormer window at the northern end. ... In *Allen v Greenwood* [1979] 1 EGLR 137, the Court of Appeal found that windows in a ...

Also on the rise: Publicly traded solar installer Sunworks files for bankruptcy. New York Power Authority seeks proposals for 5.2 MW solar project. And more. Also on the rise: Publicly traded solar installer Sunworks files for bankruptcy. ... North Carolina appeals court weighs critical rooftop solar decision Environmental advocates appealed a ...

JBM Solar has had a planning appeal for a 49.9MW solar farm in Langford, Devon, successfully approved becoming "one of the first" to be greenlit under the Sunak government. The project, which now will be developed across 61 hectares of land, will incorporate battery energy storage system (BESS) assets into the project to maximise the effectiveness of ...

In a case of wide-reaching impact, the North Carolina Supreme Court on Friday, June 17, 2022, issued its decision in *Belmont Association, Inc. v. Farwig*. An earlier blog discussed the factual background and decision from the Court of Appeals in detail. By way of brief summary, the homeowners in this case installed solar panels on the front facing facade of their roof ...

In a written statement on planning issued shortly before the dissolution of the last Parliament in March, the government seemed to signal a crackdown on free-standing solar energy projects. ...

Two cases before the Ohio Supreme Court may affect how much more solar generation comes online in Ohio. Applications for new facilities from Birch Solar and Kingwood Solar were both rejected by the OPSB. Birch Solar would have been built about 10 miles southwest of Lima, and Kingwood Solar had been proposed for Greene County. Both were ...

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The State Court of Appeal did not rule on whether the CPUC's decision was right. Rather, it held that precedent requires the court to give the CPUC "a strong presumption favoring the validity of a Commission decision." ...

The California Supreme Court has taken up a lawsuit filed by the Center for Biological Diversity, the Protect



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Our Communities Foundation and the Environmental Working Group challenging the state's new NEM 3.0 rooftop solar policy. The petitioners are asking the court to review whether the California Public Utilities Commission's NEM 3.0 decision follows ...

In January 2018 the Ontario Superior Court of Justice released a decision, *Solar Power Network Inc. v. ClearFlow Energy 1*, which raised concern for lenders regarding interest payable by borrowers that is not expressed on an annualized basis. This decision was reversed in part by the Ontario Court of Appeal (ONCA).
2 A summary of this decision can be read [here](#).

Developers of a solar farm that last year had its planning permission quashed by the High Court have been given a reprieve at the Court of Appeal. In March last year the High Court ruled that a 22-hectare solar farm, developed by Norrington Solar Farm Limited and SunEdison yieldco TerraForm Power, had been unlawfully granted planning permission.

In 2018, Presidential Proclamation 9693 imposed duties on imports of solar panels, starting at 30% and scheduled to decrease each year to 25%, 20%, and in the final year, 15%. Importers of bifacial solar modules, consisting of cells that convert sunlight into electricity on both the front and back of the cells, petitioned the U.S. Trade Representative (USTR), asking ...

The inspector found that as this appeal scheme was larger, it would provide greater benefits in terms of renewable energy. The inspector ultimately concluded that the development's benefits outweighed its impact on the green belt, and allowed the appeal. The inspector's decision - case reference 3300222 - can be read [here](#).

The High Court (Lang J) dismissed a statutory challenge to the grant of permission for a solar farm. Permission had been granted on appeal by a planning inspector following an inquiry. Robert Williams acted for the Secretary ...

President Joe Biden issued an emergency proclamation in June 2022 that paused any retroactive or new duties on solar cells and panels from Cambodia, Malaysia, Thailand and Vietnam that use Chinese components to ...

Meenakshi Solar Power Pvt. Ltd. is engaged in the business of producing power through running and operating thermal/solar/hydro power plants. The respondent No.1 - M/s. Abhyudaya Green Economic Zones Pvt. Ltd. is the owner of 4.128 MW Solar PV Power Project located in ...

1.2.2. Further, the term solar power system has been defined under Solar Power - Grid Connected Ground Mounted and Solar Rooftop and metering Regulation - 2014 issued by State of Goa. Solar power system as per the regulation means "a grid-connected solar generating station including the evacuation system up to the Grid inter-connection point".

An appeals court has rejected a lawsuit that sought to overturn California's controversial NEM 3.0 rooftop



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solar policy. ... FILE--Solar panels sit on rooftops at a housing development in Folsom, Calif., Wednesday, Feb. 12, ...

A planning inspector was entitled as a matter of planning judgement to reject an appeal over the construction of a solar farm, the High Court has found. In Lullington Solar Park ...

A state appeals court panel today rejected claims that regulators violated state law when allowing Duke Energy to downgrade the economic benefits for owners of rooftop solar. The ruling is a step forward for Duke Energy's 12-year battle against its sole competition: solar power owned by residential, commercial and nonprofit customers.

The proposal would make a contribution to national net-zero targets, generating enough power for approximately 17,300 homes. However, the inspector ruled that the harm caused by the proposal would be greater than its benefits. The appeal was dismissed. The inspector's decision - case reference 3313316 - can be read here.

The California Supreme Court has agreed to hear an appeal to a challenge of the new financial structure for people with solar panels on their homes known as "NEM 3," which went into effect in ...

Appeal Decision Site visits made on 11 and 12 November 2019 by Neil Pope BA (Hons) MRTPI an Inspector appointed by the Secretary of State ... o The development proposed is the installation of 36 all black solar panels on the south facing aspect of the main church roof, and 16 all black solar panels on south facing aspect of church out-buildings.

withdraw it to again make bifacial solar panels subject to the duties. In Proclamation 10101, the President removed the exclusion of bifacial solar panels from the scheduled duties and increased the fourth -year duty from 15% t o 18%. See 85 Fed. Reg. at 65639-40, Annex. In response to Proc-lamation 10101, importers of bifacial solar panels ...



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