



# Photovoltaic panel lighting rights

Do solar panels have a right to light?

Solar panels and their right to light remains a difficult and challenging area of dispute depending on particular circumstances and how ultimately a local authority evaluates the public benefit of solar panels. Going forward we anticipate an increase in similar claims.

Are solar panels legal?

As there is no legal right regarding access to direct sunlight, solar panels have up until now been left unprotected by the law. Previously, the belief held by the court was that a panel on a roof was not a normal use of property and thus lay outside the rules governing rights of light.

What is the 'right to light' concept for solar energy?

The 'Right to Light' concept for solar energy is a crucial aspect of property law in Australia, ensuring that property owners have access to natural daylight in their homes and businesses. These rules vary from state to state and territory to territory, with each jurisdiction having regulations and guidelines to protect this fundamental right.

Should solar panels be a material consideration in planning applications?

The case of William Ellis McLennan vs Medway Council and Ken Kennedy clearly marks a new turn in clarifying that any threat to overshadow solar panels must be a material consideration in planning applications. Developers may need to bear this in mind for future developments.

With the current resurgence of solar projects in the UK it is disappointing that the law still does not recognise any form of legal right to light for solar panels regardless of whether they are roof ...

In short, the two options that are available are either the planning system or a right to light under the common law. Planning has historically not provided much protection to solar installations.

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Learn more about testing and certification options for photovoltaic lighting and ANSI/CAN/UL 8801, the Standard for Photovoltaic Luminaire Systems.

If a PV panel can acquire such a right, it must enjoy the light for at least 19 years and a day to do so. It may be several years before a PV panel owner can claim one.

Learn about the right-to-light act, its impact on solar panel installations, and how planning disputes address light access. Explore legal precedents and planning considerations for energy ...

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There is presently no recognised right to light for the benefit of solar panels. However, recent planning caselaw, technological advances, and the backdrop of global heating, COP26, and ...

William Ellis McLennan vs Medway Council and Ken Kennedy clearly marks a new turn in planning and climate change law and clarifies that the overshadowing of solar panels must be a ...

Since April 2008, under the Town and Country Planning (General Permitted Development) (England) Order 2015, the installation of solar panels is classed as a "permitted development". ...

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