

How to accelerate permitting for wind energy ?

WindEurope's recommendations to RePowerEU Action Plan
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Member States have faced many energy challenges over the last nine months. They look for solutions to contain **high energy prices** induced by the fast economic recovery from the COVID-19 pandemic. They are looking to **diversify their energy supplies** after Russia's invasion of Ukraine. And they continue **addressing the consequences of climate change** which are more visible by the day.

Europe has today a new strategy to address all these challenges – REPowerEU – which puts **renewables at the heart of our energy security**. Renewables are the **most competitive source of energy** to power our European homes and drive the decarbonisation of our economy. And in the new geopolitical context they are **freedom energy** strengthening Europe's energy independency.

Member States will need to deploy 480 GW of wind by 2030 up from 190 GW today. But to deliver this, they must **accelerate permitting asap**. Because of the long and cumbersome permitting procedures, the EU deployed only 11 GW of wind energy in 2021 whereas the EU needs 35 GW per year to deliver on the new Climate & Energy goals.

Most of the Member States fall behind the legally binding deadlines to permit new renewable energy installation within 2 years, and repowered ones within 1 year. But it's not too late to fix that. This year, they will have the opportunity to work out the new EU energy goals in their **national Resilience and Recovery Plans** and the revised **National Energy and Climate Plans** due for 2023.

As part of the REPowerEU Action Plan, the European Commission has proposed to enshrine in legislation the principle of **renewables being of "overriding public interest"** and has asked Member States to **define renewable 'go-to' areas** where projects can benefit from ever faster permitting. The Commission has also presented the **EU Permitting Guidance** recapping best practices from across countries on the simplification and acceleration of renewables permitting – these are summarized in WindEurope's [infographic](#).

These initiatives all give the right signal to renewable energy investors. To complement them, the European wind energy industry outlines its additional recommendations to Member States for improving the permitting processes for wind energy.

Administrative approval process

The permit-granting process encompasses many different decisions within the administration (involvement of many different bodies and layers of the administration), and many different permits (construction permits, grid connection, energy licence, transport permits for heavy components such as nacelles).

The complexity of administrative procedures, the overlap of the different competences of different administrative bodies, a lack of staff and resources are significant hurdles to the permitting process. Member States should implement the following measures as fast as possible:

- **Set up ‘one-stop-shops’** models, also for onshore wind, pilot and demonstration projects
- **Clarify responsibilities** between permitting authorities, by defining what the different ministries or levels of administration must or must not do, and how to solve potential conflicts.
- **Define the different deadlines of the process** within which each authority must act, including on processing the environmental impact assessment and grid connection permits which are currently the lengthiest steps.
- **Apply the ‘rule of positive silence’**: in case of a lack of answer by the administrative authority, within the time it must do so, the permit or request are deemed to be approved.
- **Reinforce staffing** of permitting authorities and ensure staff are trained correctly and possess the adequate skills.
- **Digitalise** permitting processes.

Site selection

Spatial planning is also a worrying issue. Most Member States have reinforced spatial constraints over the last year, when they should actively identify zones in sufficient number where renewables can be deployed safely and rapidly. Industry recommendations on spatial planning include:

- **Identifying more geographic sites for wind**, both on land and at sea, **and plan grid expansion electricity adequately**. Member States should provide easily accessible information on the available locations, as well as on existing site constraints, including online maps and (GIS) databases.
- For offshore wind, Member States should **coordinate their approach to maritime spatial planning at sea-basin level**.
- **Wind farms should not be *a priori* excluded from Natura 2000 sites**, as explicitly stated in the European Commission’s guidelines on the Bird and Habitat Directive¹, provided that wind farm projects undergo an appropriate Environmental Impact Assessment, and adopt additional mitigation measures, when required.

¹ European Commission, Guidance on [‘Wind energy developments and EU nature legislation’](#), 2020

- **Set-back distance to houses should be max. 500m:** From what we see across markets, a best practice would be for a distance of maximum 500m. Some countries in Europe apply less than that and they should continue to do so.
- **Tip height restrictions should be relaxed.** They result in the inability to use the latest and most efficient wind turbine technology. Wind projects' effects on aviation/military and on landscape must be evaluated case-by-case via the Environmental Impact Assessment and stakeholder engagement. There is in particular huge potential for national military/aviation authorities to engage with the wind industry and review existing rules to open new opportunities for wind build-out.

Eligibility criteria

Specific procedures need to be implemented for some specific projects and assets that can significantly increase the wind electricity production (repowering) or bring stability to the electricity grid (hybrid project combining wind, solar PV and storage). Member States should:

- Implement faster permitting procedures for **repowering** projects to meet the 1y rule:
 - **Set simplified Environmental Impact Assessments** for repowering projects limited to additional negative impacts of repowering projects.
 - **Automatically allow existing wind sites** for repowering projects
 - Based on the lifetime of a windfarm project, **plan ahead grid capacity increase and ensure connection priority** for repowering projects.
- Set simplified approval procedure for **life-extension projects**, with non-substantial modifications such as re-blading. Those projects should not require additional Environmental Impact Assessment and tacit approval should be granted.
- **Allow for flexibility in auction**
 - Ensure **flexibility on technology installation** to deploy state of art technology and maximise efficiency e.g. box permit.
 - Incentivise the construction of **hybrid power plants** (wind/solar/storage). Allow an additional technology to connect at a later stage of the process without re-starting the whole procedure again.

Grid connection

In some countries, the capacity of the electricity grid is too scarce to integrate the large number of renewables. But sometimes, the procedures are also extremely complex and time-consuming.

- **Grid reinforcement and deployment:**
 - Deployment and reinforcement of the electricity grid network, including substations, should be **planned hand in hand with the deployment of renewables**, to optimise their connection and integration in the energy system.

- **Cross-border infrastructure planning and cooperation is key**, both on onshore and offshore. Offshore hybrid assets will represent a third to half of offshore wind capacity by 2050. Member States should cooperate per sea basin and set clear trajectories to develop the adequate cross-border grid infrastructure to offtake the energy produced.
- Boosting the adoption of **grid optimisation technologies** complementing grid build-out that needs to accelerate urgently and incentivise TSOs to reduce congestion costs, as well as curtailment or delayed connections.
- Implement simplified procedure for **recharging points** e.g. below 250 kW.
- **Grid connection process:**
 - The system operators need to **clearly define which parts (or voltage levels) of the network are expected to be financed by the network users** and which parts by the transmission and distribution system operators.
 - In countries where developers pay for the grid connection, Governments should impose **stricter guarantees for the grid connection payments** to reduce the risk of non-delivery, the development of secondary informal market of access license and avoid extra costs.
 - **The impact of a wind farm on the power grid and the certification of equipment model should be carried out faster.** In countries where such analysis is performed by the TSO/DSO, those analysis could be transferred to companies with the relevant expertise, which would reduce the pressure on system operators.
 - The T&D system operators should reduce the uncertainty of connection solutions, costs and deadlines that developers need to comply with.

Legal challenges

In some countries, 100% of the wind farms project are legally challenged in Court. This can easily add 3 to 4 years delay to permitting project and increase costs significantly. Member States should:

- Allow for a **maximum 2 legal appeals** during permitting process, by sending the case directly to the highest Court of Appeal or by limited the appeals to procedure defects and not to reopening the whole case.
- Reinforcing **staff** in national courts to limit delays.
- Apply a **population-based approach** when applying EU Environmental Law, as allowed in the legislation.