

## SUMMARY OF THE REPORT

---

Acceleration of permit granting procedures in Germany, France, Spain,  
Sweden and on the EU level

supported by

Breakthrough Energy Foundation

prepared by

**Becker Büttner Held**

Rechtsanwälte · Wirtschaftsprüfer · Steuerberater | PartGmbH, Magazinstraße  
15-16, 10179 Berlin, Germany

**BMHAVOCATS**, 29, rue du Faubourg Saint-Honoré, 75008 Paris, France

**VERDIA Legal**, Av. Diagonal 389, 4t, 08008 Barcelona, Spain

**ADVOKATBYRÅN SIGEMAN & Co AB**, Anna Lindhs plats 4, 211 19 Malmö,  
Sweden



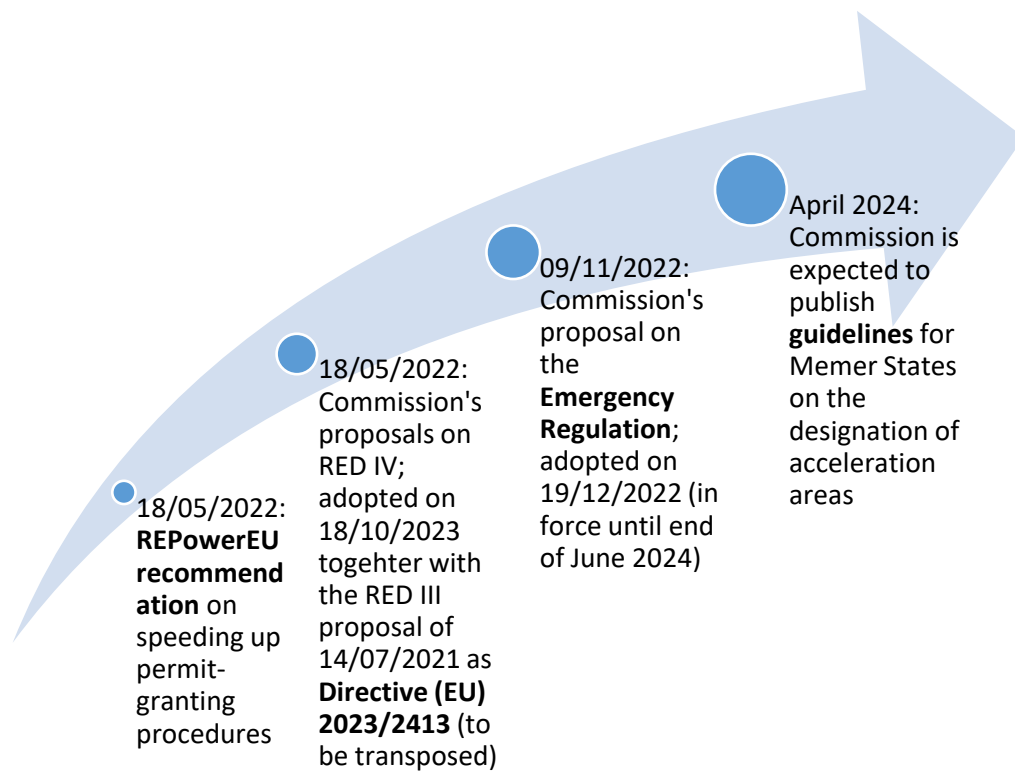
## Introduction to the Report

The Paris Agreement of 12/12/2015 established the political foundation for mitigating climate change and reshaping the global economy in a climate-friendly way. The parties to the Agreement specifically set the goal of limiting the global temperature increase to 1.5 degrees Celsius if possible and, in any case, to well below two degrees Celsius above pre-industrial levels. According to current scientific evidence, we will reach this global temperature increase faster than expected. The acceleration of permitting of renewable energy installations is against this backdrop even more urgent.

The expansion of renewable energy is the central cornerstone for the transformation of the energy supply in Europe and for achieving the ambitious goals for the reduction of carbon gases' emissions. According to a new recommendation released by the European Commission at the beginning of February 2024, the EU should cut its emissions to 90% below 1990 levels by 2040 to reach the agreed goal of making the European Union climate neutral by 2050. Making sufficient space available for renewable energy installations (including hydrogen production and electricity and hydrogen storage) as well as accelerating the relevant approval procedures and improving the staffing and financial resources of the competent authorities are now generally regarded as essential to achieving this goal.

After stakeholders' consultation and after Russia's invasion of Ukraine, the European Commission adopted the first acceleration measures in December 2022 in the form of the Emergency Regulation. Further and broader acceleration measures have in parallel been agreed upon in the adoption process of the Directive 2023/2413, which entered into force on 20 November 2023.

In addition, further proposals aiming to reinforce the EU's climate policies are currently being passed. Here the reform of the Energy Market Design can be mentioned. The provisional agreement on the Energy Market Design EU-Directive and EU-Regulation texts, which are meant among others to foster the further integration of renewables into EU energy markets (mainly through contracts for difference), was reached after the trilogue ended on 17 December 2023 and their entrance into force is expected in the next few weeks. Another example is the Net Zero Industrial Act, complemented by the Critical Raw Materials Act. Regarding the area of hydrogen, the Hydrogen and Decarbonised Gas market package comes in play, which is designed to foster the hydrogen market uptake and respond to evolving infrastructure needs. And finally, the European Commission already came forward with the Wind Power Package to support the wind sector. Although all these acts will contribute to the energy transition, they do not directly address lengthy and complex permit-granting procedures for renewable energy installations. Therefore, the present report focuses only on the measures contained in the Directive 2023/2413, which amends among others the Renewables Energy Directive (EU) 2018/2001. The effectiveness of this amending Directive will however depend to a great extent on how the new acceleration measures will be implemented at national level. Most of the Directive's provisions must be transposed into national law until 21 May 2025, with a shorter deadline of July 2024 with regard to Articles 15e, 16, 16b, 16c, 16d, 16e and 16f of the Directive (EU) 2018/2001 as amended or introduced by the Directive 2023/2413.

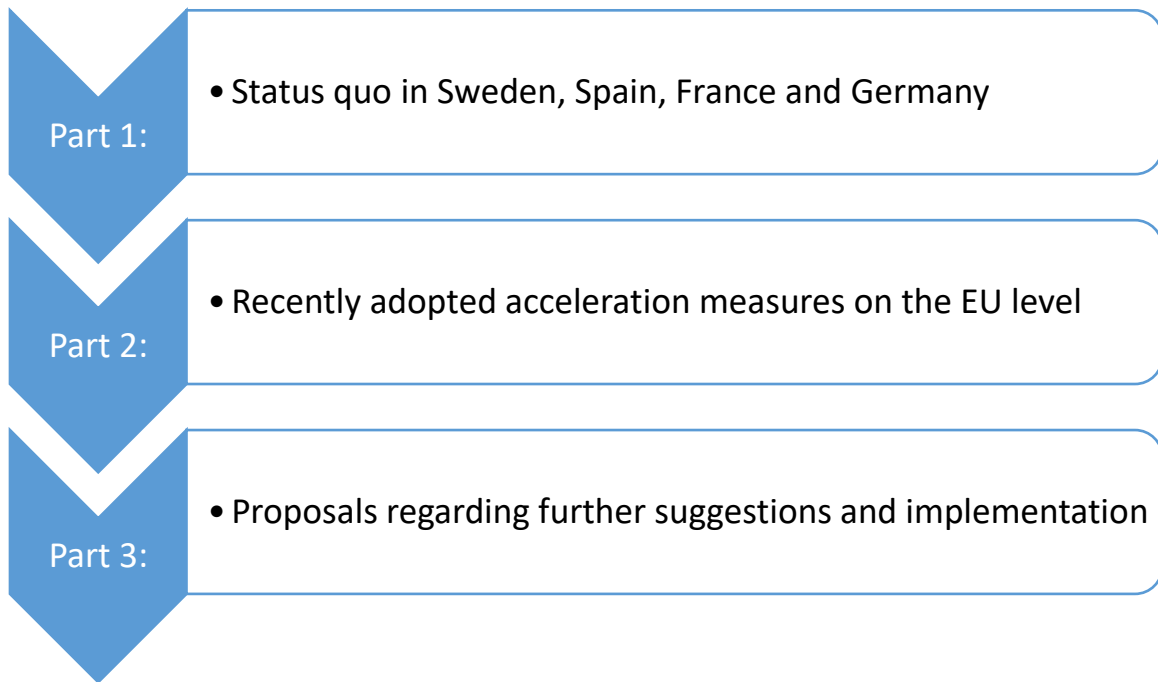


**Fig. 1 European milestones to accelerate permitting**

This report presents the views of the law firms from four different Member States – Sweden, Spain, France and Germany – on measures contained in the Directive 2023/2413 serving the acceleration of permitting procedures for renewable energy plants and the necessary networks’ extensions.

The first part of the report presents an evaluation of the status quo of permitting in all four countries. The second part of the expert report outlines, classifies and evaluates the acceleration measures already adopted at the European level. Finally, based on the previous parts, the third part of the expert report outlines proposals for a further development of legal provisions for the acceleration of permitting procedures for renewable energy installations.

In this regard, firstly further acceleration proposals on European and national level are presented. And secondly, given the high relevance of the national implementation of the European provision, ideas for the transposition of these European legal acts into the respective national laws are described, taking into account the respective legal particularities at national level.



**Fig. 2 The structure of the Report**

The report focuses on renewable electricity generation projects (particularly wind energy installations, PV systems and geothermal installations) but also deals with infrastructure projects such as grid connection and grid expansion as well as storage technologies which are indispensable for the transformation process. Regarding storage technologies, an overview on batteries is given and the general situation of thermal storage facilities and electrolysers is described.

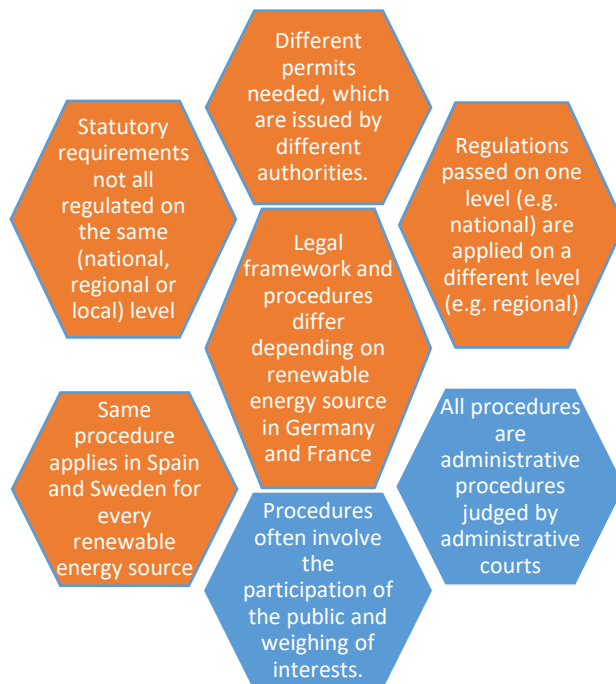
**Part 1 Status quo in Sweden, Spain, France and Germany**

Key messages

- The permitting procedures differ extensively between Spain, Germany, France, and Sweden.
- In all four countries it has been confirmed that there are major obstacles in the process of permitting renewable energy installations and acceleration measures for the permission of renewable energy installations are urgently needed.
- Common reasons for the delay of permitting include: (1) insufficient staffing of the permit-granting authorities, (2) the design as individual case procedures and the complexity of the procedure, (3) the uncertainty of the outcome of the procedure and (4) the local opposition to projects, in particular with regard to wind.
- On the other hand, the reasons for permitting delays in the analysed countries are also very heterogenous.

**A. The national permitting procedures**

The analysis of the permitting process of renewables installations in Germany, France, Sweden, and Spain shows, first of all, that although there is some common ground (see diagram below in blue), the permitting procedures and authorities involved differ a lot between these countries (see diagram below in orange).



**Fig. 3: The differences (orange) and similarities (blue) between the national permitting procedures in Sweden, Spain, France and Germany**

It is not easy to compare the duration of the permitting procedures in the mentioned Member States, because either no official statistics exist or because the duration differs greatly even within one and the same technology depending on the circumstances of the individual case. However, from the available data or experience (if not otherwise specified below) it is possible to conclude that **while in Sweden the permit procedures do normally not exceed 2 – 3 years, this is very much the case in Germany, France, and Spain.**

## **B. Identified obstacles for fast permitting**

Given the differences between the national permitting procedures in the analysed countries and even within one country depending on the renewable energy source or technology in question, **the reasons for permitting delays in these countries are also very heterogenous.**

**One common** and also very obvious **point** which has been identified in all four countries is the **insufficient staffing of the permit-granting bodies and environmental assessment authorities and missing digitalisation.** In addition, **permitting procedures are designed as individual case procedures** in which the requirements have to be examined from scratch for each and every single project and in which too many too complex restrictions requiring a big amount of documentation prevail over too little privileges. The outcome of the procedure is often uncertain because of the multitude of necessary assessments, which often require the interpretation of complex or vague legal requirements (in particular in the area of nature protection/species protection) and the weighting of conflicting interests (because climate protection or the production of renewable energies is not defined as an overriding interest).

In particular, **wind energy installations often face a lot of local opposition** because of visual obstructions, immissions (like noise pollution, shading/reflections and vibrations) and potential risks for species. **The procedure for the designation of areas** suitable for wind energy installations and their permission in these areas is **very complex because many different regulations** must be adhered to (e.g., building, immissions or nature conservation regulations etc.) and **many different authorities** must be **involved**. This means that a big amount of evidence and expert opinions relevant for the assessment must be submitted by the project promoters and the public must be consulted. This complexity leads to legal uncertainties.

Other than that, the obstacles in the approval procedure differ substantially and **are specific to different countries.** Examples for specific problems are complex interaction/missing coordination between the authorities on national, regional, and local levels, municipal veto rights or the grid connection process.

Thus, for instance, **in Spain there is often a lack of coordination between the administrative bodies involved,** even between different agencies and departments of the same administration. An example is the lack of coordination between energy planning, land use planning and sectoral plans. In addition, the processing of administrative authorisations requires multiple sectoral reports which are regional. **This generates a complex heterogeneity throughout the territory.**

**In Sweden, with regard to wind on- and offshore farms, the municipalities can enforce their municipal veto**, which is a fundamental part of the Swedish constitutional system any time in the permit process until a decision has been taken. A consent given for example prior to the submission of the permit application will thus not be binding but can later be withdrawn. The municipal veto is in many cases a practical obstacle for renewable energy projects.

With regard to grid connection, **in France**, for instance, the grid operator must check whether works to reinforce or expand the local grid are required to continue to guarantee its stability and also bears parts of the necessary costs. Due to the **duration of the planning and permit-granting procedure for the expansion and reinforcement of the grid, the queues for the grid connection can be very long**, depending on the available capacity. The number of renewable energy projects that are blocked in the queue has increased by 25% over the last 4 years, which is not compatible with the acceleration of the production of renewable energies.

**In Germany, the shortage of qualified staff** in the permitting authorities generally seems to create a bottleneck. The **slow grid expansion** on all grid levels has been identified as another problem: the produced renewable energy cannot be transported to the consumers and RE installations often have to be curtailed (a measure known as "Redispatch" under German Energy law. In general, for all four countries it has been confirmed that there are major obstacles in the process of permitting renewable energy installations and that acceleration measures for the permission of renewable energy installations are urgently needed.

Obstacles for fast permitting	Individual procedures in which the requirements must be examined from scratch for each and every single project	Too many too complex restrictions + a big amount of documentation prevail over too little privileges	Uncertain outcome because of the multitude of necessary assessments	Resistance / veto rights for the municipalities	Authorities are not sufficiently staffed
Sweden	x	x	x	x	
Spain	x	x	x	x	x
France	x	x	x	x	x
Germany	x	x	x		x

**Fig. 4 (part 1): Identified obstacles for fast permitting in Sweden, Spain, France and Germany**

Obstacles for fast permitting	The complex interaction between the national and regional/ local level	Difficulties in the interpretation of specific indeterminate legal terms (in particular in the area of nature protection/ species protection)	Lack of local acceptance for renewable energies projects	Approvals are individually challenged with a suspensive effect	Grid connection problems
Sweden					
Spain	x		x	x	x
France			x		x
Germany	x	x	x	x	

Fig. 4 (part 2): Identified dominating obstacles for fast permitting in Sweden, Spain, France and Germany

**C. Best practices and recent legislative amendments regarding permitting procedures**

**In Sweden, in the last couple of years, no material legislation aiming at accelerating the permit process has been adopted.** The general procedural structure for environmental permits provides that the permit procedure is handled by different permitting authorities depending on the size and the impact of the project in question. This already strongly contributes to shorter permitting procedures for minor projects and frees resources for bigger and more complex projects.

**In contrast, in France, Spain and Germany there have been already considerable amendments to the legal framework with the aim of an acceleration of the permitting process.** Since national legislative measures regarding accelerating or streamlining permitting procedures for renewable installations have come into force only quite recently, it is rather difficult to assess their effect on the duration of permitting procedures in practice.

There are, however, already promising examples of procedural, material, and judicial acceleration measures in the examined countries: One particularly positive example of such a procedural measure is the presumption of overriding public interest of renewable energies which has been implemented in France and in Germany and which has already resulted in the latter country in numerous court decisions in favour of renewable energies and has also shaped the practice of the authorities. Moreover, measures speeding up judicial reviews, like e.g., the removal of a degree of jurisdiction with regard to appeals lodged against permits for onshore wind under French law, already contribute to the acceleration of the granting of permits for renewable energy installations.



On the other hand, some new legislative measures have also created in the first step an increase in social protest against renewable energy projects, because they impose acceleration without grabbing the issues at the root. Thus, for instance, in Spain some acceleration measures like elimination of some procedural formalities have been even put on hold due to their environmental impact.

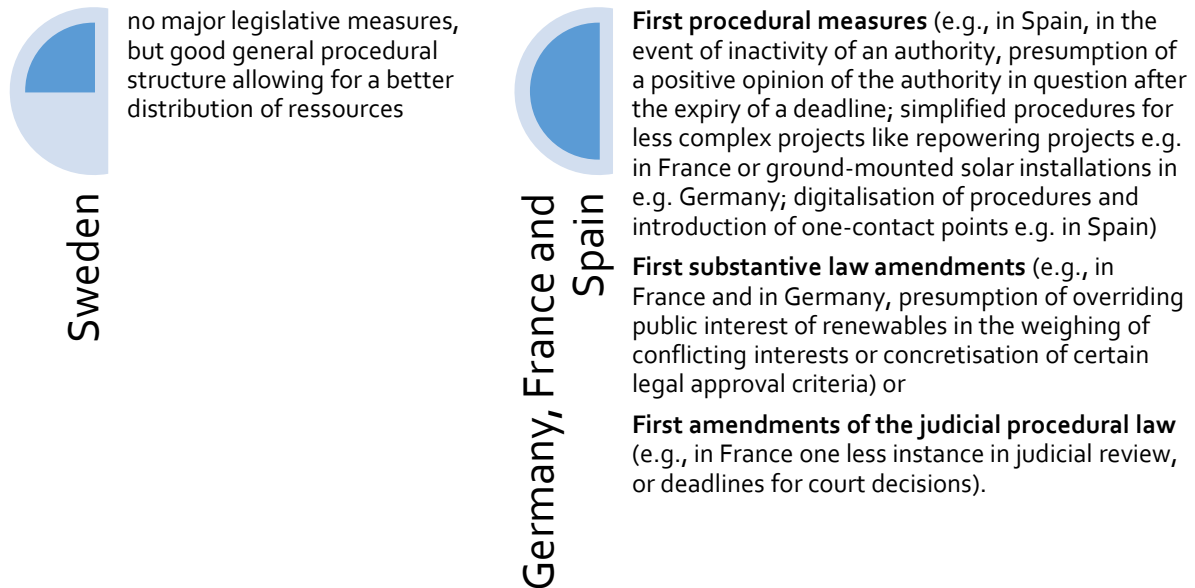


Fig. 5 Examples of first national acceleration measures in Sweden, Spain, France and Germany

**Part 2 Recently adopted acceleration measures on the EU level**

Key messages

- The European legislator has a broad competence to regulate permitting issues for renewable energy installations.
- While the acceleration of permitting procedures for renewable energy projects has not been at the heart of the activities of the European legislator until very recently, the formal adoption of the Emergency Regulation in December 2022 and of the Directive (EU) 2023/2413 in October 2023 have been major steps for the acceleration of permitting procedures on the European level.
- In particular, the omission of the environmental impact assessment (EIA) and the species protection evaluation in the so-called Renewable Acceleration Areas as well as the binding deadlines for permission granting are the central cornerstones of the Directive (EU) 2023/2413.

The European legislator has according to the European primary law (i.e. mainly the Treaty of the Functioning of the European Union and the Treaty on European Union) the competence to adopt acceleration measures regarding permitting procedures for renewable energy projects. However, the European legislator must also ensure that the acceleration measures which it adopts on European level do not violate existing international law (i.e. international agreements between the EU and other countries, e.g. Aarhus Convention) and do not contradict other European secondary law (i.e. existing regulations, directives, decisions, opinions and recommendations; e.g. the European secondary environmental and nature conservation law and European secondary law on public participation).

#### **A. Context of the Directive (EU) 2023/2413 and Regulation (EU) 2022/2577**

The acceleration of permitting procedures for renewable energy projects has not been at the heart of the activities of the European legislator until very recently (see above Introduction to the Report). Thus, the provisions on permitting in the currently still valid Renewable Energy Directive 2018/2001 (commonly referred to as the RED II Directive) are not very specific.

The Directive's next revision proposal (commonly referred to as the RED III Directive)<sup>1</sup> did not bring along significant further measures to accelerate and simplify permit granting procedures for renewable energy projects either. Only the additional revision proposal of the RED II Directive (commonly referred to as the RED IV Directive)<sup>2</sup> addressed the slow expansion of renewable energies not only on the permit-granting but also on the area planning level. Finally, the Emergency Regulation, fast-tracked and adopted in December 2022 for the duration of 18 months (until mid-2024), made a number of measures designed to immediately shorten permit-granting processes come into force. Hereby the RED III and IV Directives proposals, which were combined and resulted in the Directive (EU) 2023/2413, were partially anticipated.

The second part of the present report outlines and classifies the European acceleration measures adopted both within the framework of the temporarily applicable Emergency Regulation (EU) 2022/2577) and the Directive (EU) 2023/2413 (amending amongst others the Renewable Energy Directive). The authors of the report have monitored the trilogue negotiations regarding the introduction of acceleration measures in the amended Renewable Energy Directive. The report does not only describe the results of the legislative process. It outlines the positions of the European Parliament and European Council to give an insight into the discussions and the reasoning behind the new provisions. This serves the purpose of identifying potentially useful ideas that were not included in the final version of the law.

#### **B. Central provisions of the Directive (EU) 2023/2413 and Regulation (EU) 2022/2577**

The new rules on the acceleration of permitting procedures in the Renewable Energy Directive as well as in the Emergency Regulation address many of the relevant obstacles in the permitting process as identified in Part 1 of this report and are an enormous step for the acceleration of approval procedures in Europe.

---

<sup>1</sup> COM(2021) 557 final.

<sup>2</sup> COM(2022) 222 final.

In short, the new rules contain in particular obligations for Member States regarding the designation of areas for the deployment of renewable energy installations, general rules on streamlined permitting procedures and more concrete provisions on accelerated permitting procedures in and outside the designated renewable acceleration areas and finally provisions already contained in the Emergency Regulation. The following table gives a general overview of these most important new provisions:

Designation of areas for energy installations	Streamlined permitting procedures	Emergency Regulation provisions	Other
<ul style="list-style-type: none"> <li>•within 18 months identification of the land and sea areas necessary for renewable energy installations to meet national goals in respect of the 2030 target</li> <li>•within 28 months designation of “renewables acceleration areas” (RAA) within the areas mentioned above, particularly suitable for the installation of energy production from renewable sources because of not expected significant environmental impacts</li> </ul>	<ul style="list-style-type: none"> <li>•clarified beginning of permitting procedure</li> <li>•in RAA max. 1 year or 6 months for repowering and installations &lt;150kW; screening instead of EIA; presumption of approval</li> <li>•outside of RAA max. 2 years or 1 year for repowering and installations &lt;150kW;</li> <li>•special rules for offshore wind</li> </ul>	<ul style="list-style-type: none"> <li>•max. 3 months procedure for solar energy in artificial structures and ground source heat pumps</li> <li>•presumption of overriding public interest when balancing legal interests</li> <li>•max. 3 months procedure for connections to the grid if repowering not beyond 15% capacity</li> <li>•no EIA for repowering of solar plants when no use of additional space</li> <li>•EIA of repowering limited to the change</li> </ul>	<ul style="list-style-type: none"> <li>•Screening and EIA of reinforcement of grid infrastructure limited to change</li> <li>•obligation of MS to promote testing of innovative renewable energy technologies</li> </ul>

**Fig. 5 Central provisions of the Directive (EU) 2023/2413**

The analysis of the trilogue negotiations has shown that the key ideas of the institutions involved in the legislative process have found their way into the Directive (EU) 2023/2413, although partly in a weaker form as initially suggested (e.g. regarding the new procedural deadlines). Further ideas, which were not addressed within the adoption process of the Directive (EU) 2023/2413 but which are worth being considered in the future, were identified in Part 3 of this report.

The Directive (EU) 2023/2413 has been formally adopted in October 2023 and entered into force on the twentieth day following their publication in the Official Journal of the European Union on 31 October 2023. These provisions will have to be implemented in the national laws of the EU Member

States within 18 months from coming into force while several provisions with regard to the permitting process (Articles 15e<sup>3</sup>, 16<sup>4</sup>, 16b, 16c, 16d, 16e und 16f<sup>5</sup>) were supposed to be implemented by the 1 July 2024.

The revised Renewable Energy Directive requires Member States among others to designate renewables acceleration areas for one or more types of renewable energy sources. This obligation must be fulfilled already by 21 February 2026. To this end, the European Commission has launched at the beginning of 2024 an initiative, which has provided guidance to Member States on designating renewables acceleration areas issued in May 2024.

---

<sup>3</sup> According to this Article Member States may designate areas for grid and storage infrastructure necessary to integrate renewable energy into the electricity system to support and complement the renewables acceleration areas and exempt grid and storage projects located in these areas from the environmental impact assessment.

<sup>4</sup> This Article regulates the general organisation and main principles of the permit-granting procedure.

<sup>5</sup> Article 16b concerns the permit-granting procedure outside renewables acceleration areas, Article 16c the acceleration of the permit-granting procedure for repowering, Article 16d the permit-granting procedure for the installation of solar energy equipment, Article 16e the permit-granting procedure for the installation of heat pumps and finally Article 16f the presumption of the overriding public interest of renewable energy plants.

### Part 3 Proposals regarding further suggestions and implementation

#### Key messages

- The RED III and RED IV directive proposals, combined in the Directive (EU) 2023/2413, are a major cornerstone for the acceleration of permitting processes for renewable energy plants.
- The effective implementation of the Directive (EU) 2023/2413 in the national legal orders is the key for a successful acceleration of permitting procedures.
- The national implementation must be complemented by specific national measures taking into account the national peculiarities of the legislative and regulative framework.
- On the European level further measures are conceivable to accelerate the permitting process besides the already adopted measures. Here in particular a detailed regulative framework for the permission of storage facilities and electrolysers, the consideration of the projects' climate relevance in the approval procedure or public online access to data used in previous permitting procedures can be mentioned.

On the basis of the findings in WP 1 and 2 we have developed suggestions for a further development of the legal framework for permitting procedures for renewable energy provisions in WP 3.

As described in WP 2, the recent amendments of the Renewable Energy Directive (EU) 2018/2001 by the Directive (EU) 2023/2413 are a major step towards an acceleration of permitting procedures. Apart from these important legal developments on the European level we have also identified a few aspects for a further development of the European legislation on permitting issues (see below under **A**).

However, a successful acceleration of permitting procedures requires above all an effective national implementation. We have therefore described aspects of the effective national implementation of the European legal rules which we consider central (see below under **B**).

Finally, additional national measures (going beyond the European legislation and its transposition) are also very important. Such measures do in particular respond to country-specific problems. From our analysis, we have identified a number of obstacles to be solved with country-specific solutions (see below under **C**).

#### **A. Further proposals for acceleration measures on the European level**

We have identified in particular the following issues which may additionally be addressed on the European level. Our suggestions could be considered in the next revision of the Renewable Energy Directive or in other future European legal acts.

## I. Detailed regulative framework for the permission of storage facilities and electrolyzers

The key suggestion concerns **the permitting process of storage facilities and of electrolyzers**, which so far has received less attention. The regulative framework for their permission should be further developed as they will become more and more relevant in the future energy systems, in particular with regard to sector coupling which will be a key technology on the path to climate neutrality.

## II. Considering the projects' climate relevance in the approval procedure

Another central suggestion is **to consider the specific project's climate relevance**, i.e. the relevance of the project to reach climate neutrality (not only carbon-neutral, but all green gas emissions) based on the EU goal of achieving climate neutrality by 2050, in every approval procedure. It would therefore be necessary to investigate specifically for each project which emissions the project causes or whether it absorbs or reduces emissions. This may serve as an instrument to respond to the limited resources available to permitting authorities. Projects serving the energy transition should be specially marked as "climate-positive" in approval procedures and prioritised under procedural law. This should apply to all types of approval procedures and all renewable energy installations and their corresponding transport infrastructure.

## III. Public online access to data used in previous permitting procedures

Moreover, **public online access to data used in previous permitting procedures**, like findings of environmental impact assessments, nature conservation surveys and other information relevant for implementing projects would contribute to the acceleration of permitting procedures and the reduction of unnecessary costs.

## B. Proposals for the effective implementation of the revised Renewable Energy Directive

While the provisions of the Emergency Regulation mostly apply directly, the new provisions of the revised Renewable Energy Directive will have to be implemented into national law. Due to the national characteristics determined in the first part of this report, the effective and speedy implementation of the new rules will be a major challenge but also an opportunity to revise, simplify and improve the respective national legislation on permitting procedure. This applies in particular to all optional provisions. However, even with regard to quite concrete new obligations, like the obligation to adopt plans for acceleration areas, the Member States have a discretion how to implement these provisions, e.g., on which level the plans will be adopted, how detailed the plans are and which legal binding quality they will have.

We believe any **measures making the procedure easier and more efficient** will contribute to shorter permitting procedures most effectively. Thus, although the topic of non-compliance with the new procedures deadlines by the competent authorities should also be dealt with by the national legislators, we suggest focussing the transposition efforts on further simplifications. Different actors like NGOs, associations, civil society, and economic actors can potentially play a major role in putting pressure on the legislators in the Member States to implement the provisions of the Directive in the most effective way.

Relevant points on the level of substantive law are for example a more effective interaction and exchange of information (“dual use”) between the spatial planning process and the permitting process, in which often similar issues are analysed; binding specifications in species protection law; a limitation of the use of municipal veto rights to extraordinary cases; specific measures aiming at increasing the acceptance of renewable energy projects like e.g. favourable electricity tariffs for residents in close neighbourhoods to renewable energy plants. This should help to avoid judicial procedures, but to shorten the remaining once, further effective ways, adapted to the particular national legal system, will need to be identified.

Besides these legal measures on the practical level two – often-mentioned – general aspects are in any case crucial for an effective acceleration of permitting procedures:

- increase in qualified staff
- further digitalisation as the basis for any acceleration efforts

### C. Further proposals for national legislators in Sweden, France, Spain, and Germany

Finally, the study also contains specific proposals for national legislators in Sweden, France, Spain, and Germany deducted from the analysis in Work Package 1 regarding the most relevant obstacles for the deployment of renewable energy identified in these countries. Some of these proposals are country specific, but we have also identified some overlaps.

#### I. Sweden

For Sweden, besides the already above-mentioned **municipal veto rights**, the **unpredictability** of the outcome of the permitting procedures was identified as a particular problem. Thus, it is suggested that the Government instructs the relevant authorities to cooperate even more than it was the case in the past. In particular, it was considered of utmost importance that within the obligations for Member States to designated **renewable acceleration areas** under the revised Renewable Energy Directive the national authorities jointly identify – taking into account a number of aspects, like ecological or military interests – areas suitable for establishing wind farms, solar farms, electrolyzers including distribution pipelines, etc. An example from the past for such an instructed cooperation is the adoption by the Swedish Government already in February 2022 of three marine spatial plans for its territorial waters and Exclusive Economic Zone. The investigations and consultations in connection with the adoption of the plans was done in collaboration between a large number of authorities and other stakeholders, and the plans took into account all various interests, such as environmental interests, military interests, etc. In the marine plan, areas have been pointed out that are considered suitable for energy production, which is assumed to make it more predictable for developers whether the authorities will be positive about a certain offshore location or not.

Other suggested measures which could contribute to **more predictability** of the scope of the permitting process and its outcome are in particular: (regarding solar plants) a more detailed regulation of the question which projects require consultation with the County Administrative Board and in which cases an EIA is required, a stipulation that within the assessment of alternative locations

importance must be attached to developers' access to land or an application of the overriding climate interests principle also with regard to grid extension permitting procedures.

## II. France

With regard to France, the so far **proposed acceleration measures** were mostly **hindered** by the **lack of human resources**. Therefore, it has been suggested, that **Member States** should be **obliged** by the **European legislator** (and where necessary be able to apply for financial help from the EU) to **ensure more financial and human resources** on the national, regional, and local levels adequately to their national renewable energy targets. Additionally, a removal of a degree of jurisdiction not only (as already applicable) with regard to appeals lodged against permits for onshore wind but also against permits for other renewable energy production, co-located energy storage facilities and the assets necessary for their connection to the grid was suggested. A very concrete suggestion consists in the removal or change of the connected power limit of 17 MW for distribution networks, as it would allow developers of renewable energy projects to optimise the installed and connected power of their installations with regard to their production profile and encourage the development of hybrid installations (e.g., wind + photovoltaic).

## III. Spain

With regard to Spain, it has been pointed out in the present study that the acceleration measures so far undertaken have met with **social protests**, for instance because shorter procedural deadlines or complete elimination of certain procedural formalities is being partially considered as contrary to the interested parties' right to a hearing and defence. However, **acceleration** of the permitting procedure can also be achieved **by identifying potential duplicities** in the permitting procedure and reuse of information already provided by the promotor or assessments already undertaken the affected bodies.

Furthermore, in view of the **disparity** of regulations, interpretative criteria, and procedures **between regional and local administrations**, it is proposed to **improve the information mechanisms** and the reduction of interpretative and normative differences by e.g. **publication of interpretative and processing guides/ criteria for interpretations**, accessible by all administrations involved or creation – in the interest of project promoters – of information points at state and regional level to manage regulations and procedures specific to each region. In this context the need for **strengthening administrations with specialised human and technical resources** and **stronger coordination of several municipalities in a region or province was emphasized**.

Other suggestions concern the acceptance of renewable energy projects, like e.g., a regulation of the exercise of the municipal veto right or information measures by local authorities addressed to the local population to explain the direct benefits for the local economy etc. and simplified grid connection procedures for small and medium sized projects.

## IV. Germany

In Germany a big number of measures has already been undertaken. In particular with regard to wind energy planning and permitting processes substantive legal amendments have been adopted, partly



also in reaction to the Emergency Regulation. The improvements are very helpful although it will – also due to the rather long planning process for wind energy plants – take some time that the measures will become effective.

Apart from the already implemented changes of the legal framework, room for improvement has still been identified for instance with regard to **the admissibility of multiple land use or additional use to generate solar energy**, which could help solve the problem of the limited availability of land. Another aspect which seems essential to improve in Germany is the **public acceptance on municipal level**. This could be reached by expanding the financial or entrepreneurial participations of municipalities with at least **indirect benefits for residents** as well as **direct participations of residents** in renewable energy installations. Other suggestions are the **implementation of a specific procedure for preparing land use plans** for photovoltaic installations and simplification of the permitting procedure for geothermal projects for heat supply.

### SWEDEN

- Better cooperation of authorities identifying renewable acceleration areas,
- More detailed requirements regarding consultation with the County Administrative Board and EIA necessity,
- Atipulated importance of developers' access to land within the assessment of alternative locations
- Overriding climate interests principle also with regard to grid extension permitting procedures etc.

### SPAIN

- Prevention of duplicities and reuse of information provided by project promoter/assessments by authorities
- Improvement of information mechanisms and reduction of interpretative and normative differences between local and regional level
- Strengthening administrations with specialised human and technical resources
- Regulation of the exercise of the municipal veto right and information measures by local authorities addressed to the local population to explain the direct benefits for the local economy etc.

### FRANCE

- Obligation of MS (and where necessary financial help from the EU) to ensure more financial and human resources on the national, regional and local level adequately to the renewable energy targets
- Removal of a degree of jurisdiction with regard to appeals lodged against permits for renewable energy production plants, co-located energy storage facilities and the assets necessary for their connection to the grid
- Removal or change of the connected power limit of 17 MW for distribution networks etc.

### GERMANY

- Allowing to a greater extent multiple uses of land eligible for remuneration
- Improving public acceptance on municipal level by expanding financial or entrepreneurial participation of municipalities or directly their residents
- Implementation of a specific procedure for preparing land use plans for photovoltaic installations
- Simplification of the permitting procedure for geothermal projects for heat supply etc.