

Third Stakeholder Webinar on RAA in Ukraine

24 September 2026

Streamlining Permit Procedures for RES Projects: The Fast and the Furious

Dr Dirk Buschle

Partner BBH, Brussels

RES Permitting: The Story so Far

- ❖ The origins: EU environmental law (EIA/Habitats/Birds/Water) layered with national administrative law
- ❖ The climate urgency, decarbonization and the shift to renewables: a potential and an actual conflict
- ❖ The need for speed
- ❖ Streamlined permitting: the silver bullet of EU climate policy
- ❖ RED II achievements
 - ❖ Simple notification procedures for decentralized RES
 - ❖ Single contact points
 - ❖ Maximum duration of 2+1 years for large-scale RES, without prejudice to appeals
- ❖ Acceleration under emergency

Impact of permitting delays on renewable energy projects

Technology	 Onshore Wind 35 MW	 Hydro Power 4 MW	 Hydro Power 1 MW	 Rooftop Solar 380 kW
Delay	7 years	7 years	3-4 years (projected)	2 years
Cost of delay	€4 850 000	€1 750 000	€360 000 - 600 000 (projected)	€25 000
Cost as % of project value	9% (est.)	26% (est.)	22-36% (projected est.)	10%

Source: Accenture analysis based on: Eurelectric Statement on RES Permitting from Oct 2020, IRENA Renewable Power Generation Costs in 2022, ECB 2022 avg. EUR/USD exchange rate

RES Permitting in RED III

- ❖ Shift from individual projects to spatial planning in RAA
 - ❖ Designation of RAA after 'front-loading' environmental assessments ('no significant environmental impact')
 - ❖ Priority areas in, protected areas out
 - ❖ Mitigation rules in place
 - ❖ Public participation and SEA carried out
- ❖ The Price: Accelerated permitting
- ❖ Environmental protection rules remain integral
 - ❖ Habitats, Birds and Water Framework obligations required for 'front-loading'
 - ❖ No blanket exemption in RAA
- ❖ Overriding public interest

Project / location	Core maximum period	Qualification
Renewables in RAAs	12 months	Extensions possible for duly justified extraordinary circumstances
Offshore renewables in RAAs	24 months	Up to 6-month extension in extraordinary circumstances
Repowering / <150 kW / co-located storage in RAAs	6 months	Specific extensions; offshore wind: 12 months
Solar on artificial structures	3 months	Specific EIA exemption under Art. 16a conditions
Solar ≤100 kW	1 month	Includes self-consumers and renewable energy communities
Outside RAAs	24 months	Offshore wind: 36 months Plus six months under extraordinary circumstances

RES Permitting: What is next in the EU and EnC?

- ❖ The Grids Package 2025/proposed amendments to RED III
 - ❖ Article 15c: no large territories excluded as potential RAA on account of environmental or landscape protection
 - ❖ Article 15d: measures to ensure that a share of the benefits of renewable energy projects is passed on to local citizens and communities, obligation to designate and finance an independent facilitator to promote dialogue between the project developer and the general public
 - ❖ Article 16: obligation to set up a single digital portal at national level for all the steps of the RES permit-granting procedures
 - ❖ Article 16f: remove the possibility to restrict the application of overriding public interest, extend the application of the overriding public interest presumption to conflicts where the conflicting interests are beyond environmental ones
- ❖ The proposed Regulation on Streamlining Environmental Assessments 2025
 - ❖ Environmental SPOCs
 - ❖ Parallel (joint or coordinated) instead of sequential environmental assessments under SEA, EIA, Habitat, Birds and Water Framework Directives
 - ❖ Maximum timeframes for environmental assessments
 - ❖ Full digitalisation of environmental assessments
 - ❖ Preclusion of arguments in judicial proceedings
- ❖ The Energy Community: Catching up on Environmental Acquis

Thanks for your attention!

dirk.buschle@bbh-online.de