

Wind Energy, the wave of changes

-Trend Watching Technology Policy -

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Groupmembers

S.M.H. Kabir

s.m.h.Kabir@student.tue.nl

Ismail Gumus

i.gumus@student.tue.nl

Erik van Alphen

h.v.alphen@student.tue.nl

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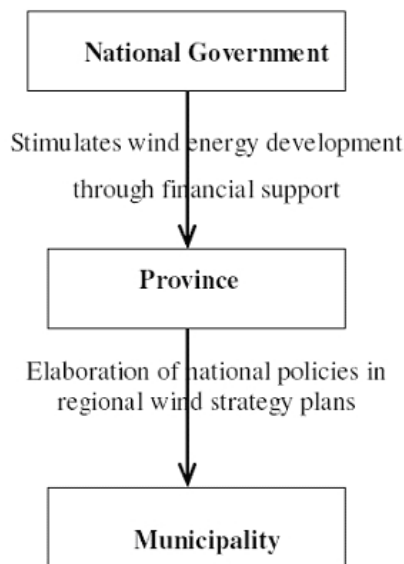
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The Dutch Wind energy Planning Process

Wind project developer describes the Dutch planning system as a concept where the emphasis lies on increasing the power of the people and giving the opportunity for everybody to participate in planning. Property rights are also very important in this heavily populated country. In comparison to other European countries, the Netherlands have very limited space which explains the strong ambition for defending the land. A developer claims that causing opposition by participation is a feature of "Dutch psychology". Nevertheless, the Poldermodel approach is consensus-based. The poldermodel is a model on which Dutch society and politics are based. The Poldermodel ensures that different planning systems are used for every ministry. There is a need to draw all planning systems together into one system. This is done by means of communication and negotiation. The Poldermodel intends to involve as many (relevant) stakeholders as possible to give every person the possibility to plan developments on the scarce land



- specific determination of the wind turbine site
- developers are obliged to inform municipality first before any other authority
- awarding of building and environmental permits
- establishment of development plan (Bestemmingsplan)

Source: Responsibilities and powers of the national government, the provinces and the municipalities concerning Dutch wind energy planning. Adapted from PREDAC, 2004.

Role of the National Government

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Name of Ministry	Task
Ministry of Economic Affairs	- Sets economically realistic wind energy targets - Regulates subsidies and fiscal measures
Ministry of Housing, Spatial Planning and the Environment	- responsible for spatial planning e.g. demands local authorities to implement wind energy projects
Ministry of Agriculture and Fisheries → land use	- responsible for wind energy development restrictions in protected areas
Ministry of Defence	- responsible for wind energy development restrictions in military areas - owns a large percentage of land which is used for wind energy development in the Netherlands

Table 3.6: Ministries involved in Dutch wind energy planning and their tasks. Adapted from PREDAC (2004), Ministry of Housing, Spatial Planning and the Environment (2004), Ministry of Economic Affairs (2004).

Role of the Provinces

The provinces each signed the BLOW agreement and negotiated their provincial targets. Furthermore, the provinces prepare "wind strategy plans" which are implementation plans of how and where to realise wind energy to meet the provincial target for BLOW. Before the intermediate evaluation point in 2005, the province must be informed about if, where and how much wind energy capacity will be implemented by the municipalities. If by 2005 the municipalities do not intend to implement wind energy the province has the right to dictate areas designated for wind energy in any municipality (PREDAC, 2004).

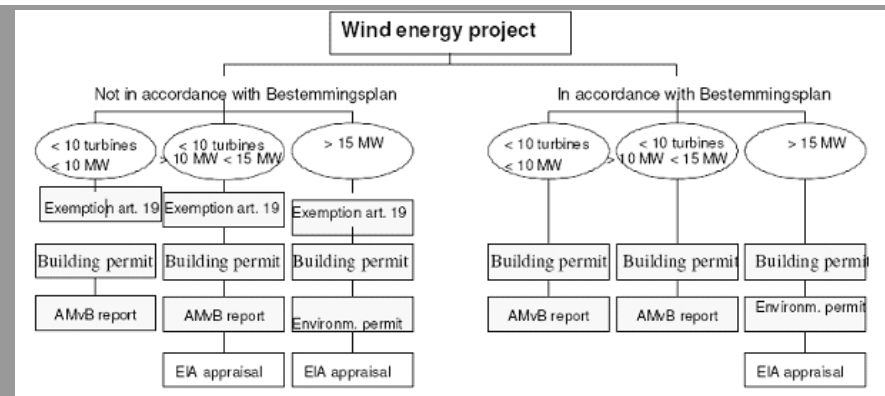
Role of Municipalities and Regional Legislators

As indicated above, the municipalities have the most important role in wind energy planning. In the Bestemmingsplan, the municipalities can exclude from or designate for wind energy certain areas within the boundaries of their municipalities. The major responsibilities and tasks of the municipal authority have been explained in figure 3.7 in section 3.2.4. The most powerful tool used by the municipality is the awarding of permissions. This gives the local authorities the possibility to reject a wind energy project or to accept it (PREDAC, 2004).

Permit and Licensing Process

There are 2 major permits required for receiving planning permission which are both issued by the municipality: the environmental permit and the building permit. The environmental permit is only needed when the wind turbine development is >15 MW. For developments <15 MW an AMvB report has to be issued (Algemene Maatregel van Bestuur) which assesses if the minimal distance to dwellings is respected, if the turbine is well-installed in the ground and if the turbines have a horizontal axis (PREDAC, 2004). The environmental permit is granted according to landscape, noise and safety criteria. The building permit is required for every wind energy project independent from its size. If wind energy is not foreseen in the development plan (Bestemmingsplan) a so-called exemption from article 19 applies (Koeslag, 2002). This means that the Bestemmingsplan has to be changed which can take up to 2 years. If wind energy developments are included in the Bestemmingsplan the building permit is granted without an exemption procedure. An Environmental Impact Assessment (EIA) is required for wind energy projects > 15 MW. The EIA is based on the following criteria: noise, shadow, fauna, cultural monuments, natural environment.

The Dutch wind energy planning permission process is complex and is thus illustrated in a summarised manner:



Overview of the legal procedures for placing wind turbines. Adapted from Koeslag (2002).

Koeslag identified that the average time scale for overall authorisation for the environmental permit and the building permit is 36 to 46 weeks (Koeslag, 2002). 10% of the projects examined in the Netherlands have licensing procedures which last > 2 years. The longest recorded period was 4 years (Koeslag, 2002).

Permit/ Assessment	Requirement
Noise	- acoustic assessment needed
Shadow	- assessment of shadow effects needed
Safety	- certification of turbine(s) according to Dutch safety norms
Fauna	- assessment if turbine(s) placed at migratory bird route
Low flying zones / in-fly funnels	- permit from Ministry of Defence or restriction of turbine development
Infrastructure	- permit required for developments closer than 100 m to infrastructure - permit granted by Department of Public Works (Rijkswaterstaat), rail way authority (NS), District Water Board (Waterschap) or other infrastructure maintenance authority
Telecommunication	- assessment of interference with telecommunication network
Pipes and tubes	- requirements for minimum distance from underground pipes and tubes
Landscape	- In-line placing of turbines required by Fifth Policy Document on Spatial Planning
Space and mobility	- permit for constructing roads and bridges to development
Technical	- technical assessment
Financial	- financial assessment by DTe (Dienst Uitvoering en Toezicht Energie)

Permits and assessments required for obtaining planning permission for wind energy projects. Adapted from Koeslag (2002), PREDAC (2004), EU (1992).

Source: Frauke Urban, *POLICY EVALUATION OF A NEW APPROACH TO WIND ENERGY IMPLEMENTATION IN THE EUROPEAN COMMUNITY: SIWERM*, University of Edinburgh, CEA, Rotterdam

Categorie: 6. Current Policies

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