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Renewables Acceleration Areas—Will RED III Change the Role of Spatial Planning for a Sustainable Energy Transition?

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Abstract

Renewable energy is a key driver of the sustainable energy transition. To accelerate deployment, the Renewable Energy Directive was amended by Directive (EU) 2023/2413, commonly referred to as 'RED III', which raised the Union's renewable energy target and introduced territorial instruments such as coordinated mapping and renewables acceleration areas. This article examines the legal mechanisms of RED III that have a territorial impact and assesses their interaction with spatial-planning, asking how implementation reshapes the relationship between EU-level regulatory influence and Member State discretion. Utilising doctrinal legal research and concepts from spatial-planning scholarship, the article analyses how RED III operationalises these area-based planning instruments and links them to project authorisation. Lithuania is used as an illustrative implementation example. The findings suggest that RED III does not establish an EU spatial-planning system but strengthens the territorially oriented governance of renewables by connecting plan-level choices to permitting. At the same time, it leaves Member States with substantial discretion over legal form and integration into national planning hierarchies. The article concludes that RED III is a turning point in a specific sense: it makes territorial steering a more explicit and legally structured component of EU renewables governance, without harmonising national spatial planning systems.

Keywords: renewable energy; Renewable Energy Directive; RED III; renewables acceleration areas; spatial planning; land use; strategic environmental assessment; sustainable development

1. Introduction

As we travel, an 'energy landscape' emerges before our eyes, with solar panels and wind turbines becoming part of our everyday reality. Yet even before this landscape takes shape, its outlines are already framed by legal rules, and its contours begin to take form in spatial-planning instruments. Such documents are important because every renewable energy project is located in a specific place, though not necessarily the most suitable one. Conversely, the absence of spatial-planning documents can hinder or delay the implementation of such projects.

The European Commission's RES Simplify study found that a lack of adequate spatial planning is a particularly severe issue in some countries (e.g., spatial plans do not designate land for renewable energy), especially for onshore wind deployment [1]. The OECD's Diagnostic Toolkit summarises spatial-planning frameworks as misaligned with renewables [2]. Land-use plans are updated infrequently and outdated, rarely designating zones for wind or solar [2].

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Directive (EU) 2023/2413 (RED III) [3], adopted on 18 October 2023, not only substantially raised the EU renewable energy target to at least 42.5%, but also introduced a new planning architecture designed to accelerate the implementation of renewable energy. One of the key innovations of RED III is the establishment of two interconnected territorial mechanisms: (i) the coordinated mapping of areas necessary for national contributions towards the overall Union renewable energy target for 2030 (Article 15b) and (ii) the adoption of plans designating renewables acceleration areas (RAAs) (Articles 15c). Designation of RAAs aims to accelerate the issuance of permits for renewable energy projects, as permitting procedures for projects located within such areas are intended to be streamlined and expedited.

The purpose of this article is to examine the legal mechanisms of RED III that have a territorial impact and to assess their interaction with spatial planning. This is significant given that such instruments operate through territory, thereby engaging national planning competences and planning hierarchies. The legal and practical effects of these instruments are dependent on the institutional and legal form through which Member States implement them. Concomitantly, the analysis must be situated within the EU's established territorial governance and spatial-planning tradition in scholarship: while the EU does not possess a single, unified spatial-planning competence, research has long demonstrated that EU law and policy shape spatial planning indirectly through sectoral regulation and coordination, thereby producing 'EU territorial effects' without formal harmonisation. The impact of European Union law on national spatial-planning systems has been examined in the work of legal scholars [4,5].

Accordingly, this article seeks to address the following research question: What is the extent to which RED III's territorial mechanisms perform spatial-planning functions, and how does their implementation reshape the relationship between EU-level regulatory influence and Member State discretion? The article puts forward the hypothesis that RED III does not harmonise spatial planning as such but introduces functionally planning-like territorial mechanisms that move key choices upstream and link them to accelerated permitting. At the same time, it leaves Member States with a great deal of discretion over institutional design and integration into national planning systems.

These questions are also timely. According to the provisions of RED III, Member States must ensure that plans designating RAAs are adopted by 21 February 2026. The RED III is scheduled to be transposed by 21 May 2025, with the individual provisions related to permitting procedures to be implemented by 1 July 2024. Overall, the transposition of RED III has not been straightforward as the Commission has sent formal notice to 26 Member States for not communicating full transposition of RED III into national law [6].

As the designation of acceleration areas is carried out at the Member State level, this article develops the analysis further through an illustrative case study of Lithuania. Lithuania has been selected due to the author's familiarity with its planning and energy law framework and because national policy has articulated an ambition to reach 100% renewable electricity consumption by 2030 [7], making it a relevant setting for examining how EU rules that are oriented towards acceleration are embedded in domestic governance. In the context of transposing RED III, the Seimas of the Republic of Lithuania approved a package of five laws on 25 June 2025, including amendments to the Law on Energy from Renewable Sources (No. XV-330) [8]. These amendments provide an early and concrete national implementation setting in which to assess how RED III's territorial mechanisms are operationalised and how they interact with existing spatial-planning instruments and competences.

2. Materials and Methods

The following well-established methods were employed in the preparation of this article: document analysis, logical-analytical analysis, and systematic analysis. The application of methodological tools is important for the study's generalisations and conclusions.

Document analysis, a classic and important scientific method in law, was used to examine legal acts and the scientific literature to obtain and organise knowledge about the concept and system of spatial planning, and the impact of European Union law on national spatial planning, environmental protection, and energy—especially renewable energy—legal regulation.

With regard to primary sources, the main legal instrument analysed was Directive (EU) 2023/2413 (RED III), complemented by EU instruments that are directly relevant to territorial governance and the planning–permitting interface, including the SEA and EIA directives, key nature-protection directives, and selected sectoral instruments with spatial effects. The analysis was informed by relevant treaty provisions and Commission guidance related to renewables acceleration areas.

The primary objective of this method was to identify and structure RED III provisions that have territorial effects, and to determine how they relate to plan-level and project-level decision-making. The selection and prioritisation of sources were informed by two criteria: The relevance of the subject under discussion may be categorised as either (a) direct relevance to plan-level mechanisms (mapping, area designation and associated mitigation/conditions) or (b) direct relevance to project-level permitting acceleration. Priority was given to binding legal acts and official EU documents, while secondary sources (peer-reviewed scholarship in EU energy law and spatial planning, as well as selected policy reports) were used to clarify planning concepts and to contextualise implementation choices.

The scientific literature was analysed using the document analysis method by examining the content of scientific concepts related to spatial planning. This enabled the identification of the current state of scientific research, dominant analytical approaches, determine the main areas of research and highlight emerging trends. This method also enabled a detailed understanding of the subject of study and determined how this scientific research would differ from existing publications and what new information it would contribute to legal science.

The logical–analytical method was applied to clarify and interpret abstract legal provisions and to define the meaning and implications of RED III legal mechanisms with territorial effects, including their legal character, underlying assumptions, and the scope of Member State discretion.

Finally, a systemic analysis was conducted to identify the RED III mechanisms producing territorial impacts, and to evaluate their interaction with spatial planning. In this context, Lithuania is used as an illustrative case study to demonstrate how RED III instruments may be positioned within a national planning hierarchy. The selection of Lithuania as a case study was informed by the author's familiarity with the national legal system, its experience with rapid renewable energy deployment under spatial and cumulative-impact constraints, and its early adoption of transposition amendments in June 2025. These amendments establish the initial national implementation framework for evaluating the relationship between a distinct plan instrument related to accelerated development and statutory spatial planning. The Lithuanian example is therefore illustrative rather than comparative; references to other Member States serve only to contextualise the range of implementation models and do not constitute a systematic comparison.

3. Results

3.1. Spatial Planning: Concept and EU Regulatory Framework

3.1.1. Concept of Spatial Planning

The term 'spatial-planning system' is generally understood to describe 'the ensemble of territorial governance arrangements that seek to shape patterns of spatial development in particular places' [9]. International Guidelines on Urban and Territorial Planning states that "Urban and territorial planning can be defined as a decision-making process aimed at realizing economic, social, cultural and environmental goals through the development of spatial visions, strategies and plans and the application of a set of policy principles, tools, institutional and participatory mechanisms and regulatory procedures" [10]. As noted by European Spatial Planning Observatories Network (ESPON), a key role of planning is 'to allocate rights of development, to regulate change and to promote preferred spatial and urban form' [11]. In essence, the aforementioned definitions delineate spatial planning as a form of territorial governance, constituting a decision-making process that employs spatial visions and plans to achieve societal objectives, allocate development rights, and the shape preferred spatial and urban forms.

Planning systems are closely linked to the nation state [12]. More advanced planning systems tend to display greater institutional maturity, reflected in clearer plan hierarchies and more robust coordination mechanisms [12]. Particular forms of governance and law arise from planning systems that are shaped by historical context and social, economic, political and cultural patterns [9]. This explains why spatial planning have different meanings in different Member States, as each country uses its own terms and definitions [4].

The scientific literature distinguishes the following features of spatial-planning: related to land [13], aims to influence what happens on the ground [14], and hierarchical [13]. Planning is 'important part of a democratic structure of decision making' [15]. The research aimed to categorise spatial planning documents and identify ideal or traditional planning types. Newman and Thornley typified European planning systems into so-called 'families' defined by legal and administrative features: British (local administrations as 'agencies' carrying out government tasks), Scandinavian (pragmatic approach), Germanic (clear tiered competences across planning levels), Napoleonic (centralised), and Eastern European (system in transition) [12,16]. The ideal types are dominant in the countries indicated here: comprehensive integrated, land-use regulation, regional economic, urbanism. Later, this classification was updated in the framework of ESPON [17]. The distinction is made between regulatory, discretionary, and hybrid planning systems [11].

3.1.2. EU Primary Law and Spatial Planning

There is no common spatial-planning system at EU level, and the EU treaties do not confer competence on spatial planning. The objective of Article 3(3) of the TEU, which aims to promote economic and social cohesion as well as 'territorial cohesion', allows for consideration of spatial planning. EU territorial cohesion is the nearest thing to an EU policy on spatial planning [18].

According to Article 5 of the EU Treaty, the 'principle of conferred powers' stipulates that the Union must act within the limits of the powers granted to it by the Treaties.

The EU treaties do not explicitly mention 'spatial-planning' and only in Article 192(2) of TFEU refer to closely related notion of 'town and country planning'. Pursuant to Article 192(2)(b) TFEU, environmental measures affecting 'town and country planning' and 'land use' are adopted by the Council acting unanimously under a special legislative procedure, whereas most environmental measures fall under the ordinary legislative procedure pursuant to Article 192(1) TFEU. It is precisely this unanimity requirement that raises the decision-making threshold where EU environmental regulation is most likely to intersect

with nationally sensitive choices on land use and spatial development. In doing so, it strengthens Member States' capacity to shape how environmental policy translates into spatial planning outcomes.

The Maastricht Treaty was the first to include similar provisions on 'town and country planning' (previous treaties did not contain such provisions). Even at that stage, two views emerged: one held that the treaty's provisions did not provide a basis for real spatial planning that went beyond environmental considerations, while the other argued that spatial planning should be considered part of the community's environmental policy [5]. Tiefenhaler emphasised that, after the Treaty of Nice, Article 192(2) shifted from measures "concerning" town and country planning to measures "affecting" it, lowering the trigger threshold by extending the special procedure to measures with even mere effects on spatial planning [4].

The territorial impact of the EU legislature has been evident in the influence on Member States' spatial planning, including areas of environmental protection and energy. 'Town and country planning' remains an area where the TFEU stipulates a more complex decision-making procedure. The matter of spatial planning is closely linked to the operations of the state itself, so the exercise of its functions, and has therefore always been considered a sensitive area in which states seek to retain competence.

3.1.3. Towards a European Vision for Spatial Planning

The EU's lack of competence in spatial planning does not mean that a European vision for spatial planning has not been sought. Various attempts have been made to formulate an EU spatial planning vision, including analytical and organisational work, such as meetings at various levels, and the adoption of policy documents.

The first ideas for Europe and territorial planning date back to a resolution of the European Parliament of 15 December 1983 on a European regional planning scheme [5]. Salamin found that strategic and politically endorsed documents, rather than calling for formal changes to Member States' planning systems, guide territorial and urban development by setting territorial objectives, promoting certain territorial relationships and priority areas, mobilising relevant stakeholders, and introducing coordination mechanisms [19]. Different spatial-planning objectives highlight two unstable and tension-inducing poles: the correction of uneven territorial development and the prevailing and normative practice of spatial planning [20].

At the European level, the European Spatial Development Perspective (ESDP) is known as a policy framework designed to improve cooperation between community sectoral policies that have a significant impact on the territory and between Member States [21]. The 1999 ESDP 'conveys a vision of the future territory of the EU' [20]. While not legally binding, it offers a policy framework to strengthen cooperation across EU sectoral policies with substantial spatial effects as well as among Member States and their regions and cities. In its first official version, the ESDP set out policy options promoting energy and transport-efficient settlement structures, integrated resource planning and increased use of renewable energy, alongside the further development of European ecological networks and the preparation of integrated spatial development strategies for protected areas [22]. Thus, as early as 1999, it was clearly understood and documented that spatial planning can promote the development of renewable resources on a European scale. Although this initiative did not have a major legal impact from today's perspective, it left its mark on the development of the approach to territorial planning.

Analytical work is also important, with the EU Compendium of Spatial Planning Systems and Policies being one of the first large-scale studies, with separate volumes for the 15 EU countries at the time and a common volume with a comparative analysis [17,23]. It

defined 'spatial planning' as 'public policy and actions intended to influence the distribution of activities in space and the linkages between them. It will operate at EU, national and local levels and embraces land-use planning and regional policy' [23]. The 1997 EU compendium found that the EU shapes Member States' spatial planning through legislation (e.g., environmental directives), sectoral policies (e.g., trans-European networks) and cohesion policy [23]. Academic interest in spatial planning, including planning systems, has intensified [9,12–14,18,24]. One of the trends in European spatial planning is considered to be Europeanization, which influences the concept of spatial planning, the instruments used in it, spaces, scales, and methods [19].

Bottom-up spatial-planning systems have an uneven impact on EU governance and discourse [18]. According to Nadin & Fernández-Maldonado, the impact is usually greatest in Western European countries with a long-standing interest in territorial issues and involvement in international spatial-planning initiatives. Eastern and Mediterranean countries are more focused on the territorial and urban agenda and have a greater influence on it. Savini emphasises the role of French and Dutch technical experts and politicians shaping the spatial dimension of the EU policies [24].

3.1.4. EU Directives and Spatial Planning: Selected Environmental and Energy Aspects

The EU legislature's influence on Member States' spatial planning was initially linked to environmental protection. Under the Directive 92/43/EEC known as Habitats Directive (Articles 3 and 4), Member States designate special areas of conservation to ensure the favourable conservation status of each habitat type and species throughout their range in the EU. Under the Directive 2009/147 known as Birds Directive (Article 4), the network must include special protection areas designated for particularly threatened species and all migratory bird species [25]. These designations create legally binding spatial constraints that national planning must integrate.

Subsequently, EU environmental legislation was consistently supplemented by energy aspects that had an impact on the spatial planning of Member States. Directive 2014/89/EU [26] establishes a framework for maritime spatial planning by setting procedural requirements and minimum content for maritime spatial plans (Articles 6 and 8), which may include identifying installations and infrastructure for renewable energy production (Article 8(2)). Due to the increased use of maritime areas in recent decades, the concept of multifunctional use has been developed, and discussions have begun on whether certain activities can be carried out together or alongside each other [25].

EU energy infrastructure rules also have territorial implications. Regulation (EU) 2022/869 [27] lays down the EU guidelines for the development and interoperability of priority corridors and areas of trans-European energy infrastructure and operationalises them through the Union list of projects of common interest and projects of mutual interest. The regulation further streamlines permit-granting, sets rules on cross-border cost allocation, and determines eligibility for Union financial assistance. Article 7 of the Regulation establishes the priority status of projects on the Union list, which also includes the granting of status of the highest national significance in permit granting processes and in spatial planning, where provided for in national law.

The Union-wide ten-year network development plan (TYNDP), adopted by ENTSO for Electricity, in accordance with Regulation (EU) 2019/943 [28], is non-binding and takes the form of integrated network modelling. Its planning logic is based on a bottom-up approach, which has been criticised for its unfavourable assessment of European infrastructure needs [29]. The plan models and justifies network needs at EU level, but it does not function as an EU-level spatial-planning document. It does not set out territorial development requirements or establish land-use regulations. The Commission's proposed European

Grids Package and the Energy Highways initiative of 10 December 2025 represents a new approach to energy infrastructure planning [30]. However, the proposals enhance and centralise network planning at the EU level [31], but do not emphasise the use of spatial planning as a tool.

While the 1999 ESDP acknowledged the territorial relevance of renewable energy, the initial binding renewables directive (Directive 2001/77/EC) placed primary emphasis on indicative targets and support-related measures, rather than on area-based planning instruments [32]. Explicit renewables-specific territorial mechanisms were only embedded in EU renewables legislation with RED III in 2023. The following section therefore examines RED III's provisions on spatial planning and assesses their regulatory effects and interaction with national planning systems.

3.2. RED III Provisions on Spatial Planning

3.2.1. RED III's Legal Basis and the Spatial Planning Question

RED III aims to increase the Union's overall renewable energy target to 42.5%, with the ambition of reaching 45%. This target is particularly ambitious in light of the fact that renewables accounted for 24.5% of gross final energy consumption in the EU in 2023 [33]. The development of renewable energy is essential to the achievement of the Union's climate neutrality objective [1]. Geopolitical changes related to the war in Ukraine prompted REPowerEU to set the goal of making the Union independent from Russian fossil fuels well before 2030 [1]. Despite the ambitious RES deployment targets set, the 'EU is also likely off track to reach' its targets unless fast and decisive action is taken to promote renewables and reduce energy consumption [34].

RED III was adopted on the basis of Articles 114, 192(1) and 194(2) of the TFEU, which define the competence of the European Parliament and the Council to address internal market, environment and energy issues under the ordinary legislative procedure. Unlike Directive (EU) 2018/2001 (RED II) [35], which was based solely on Article 194(2) TFEU, RED III also relies on Article 192(1) TFEU. It introduces provisions enabling exemptions or derogations from requirements under key EU environmental directives (including EIA, Natura 2000 and species-protection assessments) and introduces the Article 16f presumption of overriding public interest. Article 114 TFEU is connected to amendments to Directive 98/70/EC. For the evolution of the Commission proposals and the legal-basis discussion in Parliament, see [36].

First, the inclusion of an environmental legal basis in RED III allows us to approach the issue of spatial planning, albeit indirectly, through the prism of the treaties. However, pursuant to Article 192(2)(b) TFEU, environmental measures affecting 'town and country planning' and 'land use' require unanimous approval by the Council under a special legislative procedure (without prejudice to Article 114 TFEU). The aforementioned provision of Article 192(2)(b) TFEU on unanimous decision-making applies only to the field of environment, while other TFEU articles—on the internal market and energy—do not provide for such an exception. Article 192(2)(b) could, in principle, become relevant if RED III were to be classified as an environmental measure affecting 'town and country planning' or 'land use'. However, the adoption of RED III did not proceed on the premise that it constituted such a measure, and the question of an incorrect legal basis therefore remains largely theoretical at this stage. It may nonetheless be invoked by Member States in implementation-related disputes, particularly where area-based instruments are perceived to constrain national planning discretion, as an argument that planning-relevant effects might have required the Article 192(2)(b) procedural safeguard. RED III's integration of environment as a legal basis therefore makes the planning dimension more visible.

Secondly, although RED III provides for environmental protection measures, it is primarily an energy policy measure. As noted above, the directive's main regulatory architecture is designed to accelerate the deployment and integration of renewable energy by identifying and defining areas where deployment can be expedited, and by streamlining permit-granting through harmonised maximum time limits.

Article 16f reinforces this approach by establishing a presumption that renewable energy plants and their associated infrastructure are in the overriding public interest and are presumed to serve public health and safety for the purposes of key environmental derogation tests. This shifts the starting point of the balancing exercise in favour of renewable energy deployment.

At the same time, it remains essential to distinguish between the general climate and environmental benefits of renewables compared to fossil fuels and the site-specific assessment of impacts and legal compliance when projects are implemented in particular locations and at a given scale. In this regard, RED III integrates requirements relating to SEA, the Habitats and Birds Directives, and the Water Framework Directive (WFD) into renewables implementation procedures, which supports characterising RED III as an energy measure with significant environmental interfaces and territorial implications.

Thirdly, RED III contains more explicit territorial provisions than RED II, particularly compared to Articles 15(3) and 15(7) of RED II. The term 'spatial-planning', the concept of which is not defined in RED III, appears several times in the text. Recital 27 refers to spatial planning as an essential tool for identifying and steering synergies for land, inland water and sea use at an early stage. Recital 14 and Article 9(7a) refer to maritime spatial plans. The term 'spatial planning' is also used in relation to the possibility of relying on existing spatial planning documents for the purpose of identifying areas for the installation of renewable energy plants and their related infrastructure (Recital 25, 31, Article 15b). Article 15(3) stipulates that Member States shall ensure that competent authorities incorporate renewables from the early spatial planning stage.

Article 15c of RED III obliges Member States to ensure that competent authorities adopt plans for renewables acceleration areas. Article 15c does not directly refer to plans for renewables acceleration areas as spatial-planning documents. However, the possibility of relying on existing spatial-planning documents of the Member State when establishing plans for renewables acceleration areas reveals the link between these plans and the spatial-planning system. There is a functional link between these plans, even if this link is not legally established.

RED III also addresses land use, particularly the principle of multiple use. Article 15b(3) requires Member States to favour multiple uses of identified areas for multiple purposes and to ensure that renewable energy projects are compatible with existing uses. This provision is reiterated in Recital 27, which encourages multifunctional use and facilitates changes to land- and sea use. Meanwhile, Recital 14 emphasises that maritime spatial-planning is a key tool for managing different uses of the sea. The provisions on land use are fragmentary and relatively less developed in RED III.

These mechanisms translate EU renewables policy into spatially explicit choices at national level and, in practice, are likely to require adaptation of Member States' spatial-planning systems.

3.2.2. Spatial Planning in the RED III

From a spatial-planning perspective, the importance of RED III lies in the fact that, in pursuit of the general objective to accelerate renewable energy deployment, it establishes a system of staged decision-making with spatial implications. This staged structure operationalises a territorial planning logic by bridging the gap between the strategic sectoral

targets set in the RED III and the project-level rules that govern the authorisation of individual renewable energy projects. In national legal systems, territorial (spatial) planning commonly functions as the framework within which individual permits are issued. RED III reflects this familiar sequence at EU level by inserting plan-level, area-based instruments between targets and projects.

Pursuant to RED III, decision-making with spatial implications can be structured into the following stages:

1 Planning stage (plan-level instrument):
   - 1.1. Preliminary analytical stage—coordinated mapping of areas (Article 15b)
   - 1.2. Designation of renewables acceleration areas (mandatory) (Article 15c)
   - 1.3. Designation of dedicated infrastructure areas for grid and storage (optional) (Article 15e)

2 Project-level stage (project-level permitting).

RED III establishes a connection between the planning stage and the project approval stage. This is reflected in a simpler and faster approval procedure for projects covered by the RAA.

3.2.3. Preliminary Analytical Stage—Coordinated Mapping of Areas

The planning obligations imposed on Member States by RED III give particular importance to mapping for the deployment of renewable energy. The specific mapping related planning steps, their legal basis, and related commentary are set out in Table 1.

RED III does not specify how coordinated mapping should be formalised and does not establish detailed procedural requirements. Rather, it mainly outlines the objectives of mapping, the criteria for selecting areas, and briefly defines the content requirements.

Article 15b(1) of RED III sets two main objectives for mapping: firstly, to identify domestic potential and secondly, to identify the available areas necessary for national contributions towards the overall Union renewable energy target for 2030. In addition, Recital 25 mentions a third objective of climate neutrality.

The first two objectives may seem unrelated at first glance, but they converge in the requirement for mapping content. According to this requirement, mapped areas must be commensurate with the estimated trajectories and total planned installed capacity by renewable energy technology set out in their national energy and climate plans. According to this logic, the map would serve as a practical check that national energy and climate plans can be implemented in specific territories. It should be noted that RED III establishes a permanent link between the map and national energy and climate plans, as the map should be updated in accordance with them. Even where domestic territory is constrained, the mapping exercise should reflect that estimated trajectories may be partly met through cooperation mechanisms, alongside existing installation.

It is accepted that mapping should not take the form of a legally binding decision as a preparatory step [37]. This is a very reasonable argument when we consider RAAs as a subset of the mapped areas. Also, when the mapping objective is to identify the domestic potential.

Nevertheless, RED III's objective for mapping is to identify the available areas necessary for national contributions towards the overall Union renewable energy target for 2030. If we consider this to be a separate and independent objective, it is debatable whether the appropriate result is only to mark the necessary areas (on the basis of which RAAs are assigned), but not to determine the size of national contributions. Indeed, RED III 15b(1) sets out a requirement for the content of the mapping (mapped areas commensurate with the estimated trajectories and total planned installed capacity set out in their national energy and climate plans). This shows that the purpose of mapping under RED III is not

only to identify areas that meet certain criteria, but also to set content requirements. Properly performed mapping should enable a structured assessment of whether the national contributions towards the overall Union renewable energy target for 2030 will be achieved in the mapped territory according to the planned trajectories and total planned installed capacity. The result of such mapping primarily creates a relationship between the Member State and the EU. Nevertheless, it should be documented in the legal act or in the textual descriptions of the maps, as provided for in national legislation.

Table 1. The specific mapping related planning steps, their legal basis, and related commentary.

Mapping as a Planning Instrument: Stages	Is It Specified in RED III?	If So ✓, What Provisions Apply?	Comments
Planning objectives	✓	15b(1)	Two objectives: (1) to identify the domestic potential, (2) to identify the available areas necessary for national contributions towards the overall Union renewable energy target for 2030.
	✓	Recital 25	Objective of climate neutrality by 2050.
Legal form (decision)	×		
Area selection criteria	✓	15b(2)(a)–(c)	In identifying mapped areas, Member States shall take into account: (a) the availability of energy from renewable sources and technology-specific renewables potential across land, sub-surface, sea and inland waters; (b) projected energy demand and system integration needs (including demand response flexibility and efficiency gains); and (c) the availability—or upgrade potential—of grids, storage and other flexibility infrastructure.
	✓	Recital 25	Environmental sensitivity in accordance with Annex III to Directive 2011/92/EU.
Content requirements	✓	15b(1)	Mapped areas commensurate with the estimated trajectories and total planned installed capacity by renewable energy technology set out in their national energy and climate plans.
Relationship with other planning documents	✓	15b(4)	Existing spatial-planning documents or plans can be used.
	✓	15b(1), (4)	Linkage to national energy and climate plans.
Actors	✓	15b/Recital 25	Member States, they shall ensure coordination.
Multiple land uses	✓	15b(3)	
Implementation deadline	✓	15b(1)	By 21 May 2025.
Procedural provisions: Environmental assessment	×		
Public participation	×		
Public notice	×		
Review	✓	15b(4)	A periodical review and update when needed.
Appeal	×		

Area selection criteria are set out in Article 15b(2)(a)–(c) of RED III. When mapping necessary areas, Member States must consider these criteria, which are summarised as the availability and production potential of renewable energy sources and technologies, projected demand and energy system integration, infrastructure availability and upgrade options. Recital 25 sets out another area selection criterion, environmental sensitivity. The question of how these criteria should be interpreted arises, given that three of them are set out in the operative text of the directive, and one is set out in the recital of the preamble. Referring to the case law of the ECJ, which states that recitals may be used to interpret and clarify a regulation, M. Gurreck considers it permissible to rely on the environmental criterion, given that the criteria set out in Article 15b(2) are considered non-exhaustive [37].

Laboratory for Energy and Industrial Geography, implemented at the Commission level, can be used as mapping tools [38]. This provision, while not explicitly incorporated within the directive, serves as a clear indication of the future direction.

Under RED III, the coordinated mapping is not a purely descriptive exercise (e.g., a map showing where renewables potential exists). It performs a dual function: it serves as an information display and as an analytical tool for analytical and operational forecasting, i.e., for specific management purposes. It is a plan-led analytical tool that must translate multiple selection variables—renewables potential, projected demand and system integration needs, and available (or upgradable) grid and storage infrastructure—into a spatial "area portfolio" that is demonstrably sufficient to deliver the Member State's NECP trajectories and technology-specific planned installed capacity. This sufficiency assessment is not limited to new domestic siting alone, since it must also account for existing renewable energy plants and relevant cooperation mechanisms that contribute to meeting the estimated trajectories.

RED III emphasises the close link between mapping and national spatial-planning. For the purpose of identifying those areas, Member States may use or build on their existing spatial-planning documents or plans (RED III Article 15b(1)).

Member States shall favour multiple uses of the mapped areas (RED III Article 15b(3)). The extension of RES gives rise to a number of questions of a territorial nature, including issues of land availability and the multi-use of land. Technologies with higher power density and using land for multiple purposes can reduce the impact of the energy sector on land use [39]. Holechek et al. cite a study that 'wind power requires about 370 times more land to generate a megawatt of power than natural gas', while solar power requires 140 times more land than natural gas [39,40]. Land availability can be an issue when it comes to large-scale wind and solar energy installations [40].

However, the RED III does not specify the legal form in which the mapping results must be formalised or endorsed. In Lithuania, for instance, the mapping is expected to take the form of an informational map [8]. Where mapping is not given a legally binding status, its practical effect for enabling multiple use may be limited. Rather, within the logic of RED III, mapping has the potential to function as an initial informational tool that identifies possible multiple uses, while further implementation would require adjustments in binding spatial-planning documents or land-use regulations.

3.2.4. Designation of Renewables Acceleration Areas

Renewables acceleration areas become a central spatial-planning output under RED III. According to the definition provided in Article 2(9a) of RED III, 'renewables acceleration area' means a specific location or area, whether on land, sea or inland waters, which a Member State has designated as particularly suitable for the installation of renewable energy plants. The RAAs-related planning steps, their legal basis, and the corresponding commentary are set out in Table 2.

Table 2. The specific renewables acceleration areas planning steps, their legal basis, and related commentary.

Renewables Acceleration Areas as a Planning Instrument: Stages	Is It Specified in RED III?	If So ✓, What Provisions Apply?	Comments
Planning objectives	✓	2(9a) 15c(1)	1. Designate renewables acceleration areas as particularly suitable for the installation of renewable energy plants, differentiating between types of technology. 2. Provide RAA plans with a regulatory character, especially through applicable rules and mitigation measures for projects located in each of those areas.
Legal form (decision)	✓	15c(1)	Plan adopted by Member State competent authorities.
Area selection criteria	✓	15c(1)(a)	RAAs designate 'sufficiently homogeneous land, inland water, and sea areas' for specific renewable technology where significant environmental impact is not expected, in view of area's particularities and must (i) prioritise artificial/built surfaces and degraded land; (ii) exclude Natura 2000, nationally protected areas, and major bird/marine mammal migratory routes (except for artificial/built surfaces within those areas); and (iii) rely on appropriate datasets and sensitivity mapping (including wildlife sensitivity mapping), drawing on habitats/birds conservation data, to identify areas with no expected significant environmental impact.
Content requirements	✓	15c(1)	1. Designate sufficiently homogeneous areas for specific renewables where significant environmental impacts are not expected. 2. Establish appropriate rules for the renewables acceleration areas, including mitigation measures (rulebook).
	✓	15(c)3	Decide on size of RAAs.
	✓	15c(1)	Plans include one or more types of renewable energy sources.
	✓	15c(1)	The plan must explain the assessment used to justify each designated RAA and to identify appropriate mitigation measures.
Relationship with other planning documents	✓	15c(1)	It is a subset of the mapped areas identified as necessary for national contributions to-wards the overall Union renewable energy target for 2030.
	✓	15(c)3	Linkage to national energy and climate plans.
Actors	✓	15c(1)	Member States competent authorities.
Multiple land uses	×		
Implementation deadline	✓	15c(4)	By 21 February 2026.

Table 2. *Cont.*

Renewables Acceleration Areas as a Planning Instrument: Stages	Is It Specified in RED III?	If So ✓, What Provisions Apply?	Comments
Procedural provisions: Environmental assessment	✓	15(c)3	Plan should be subject to an environmental assessment pursuant to Directive 2001/42/EC and, if they are likely to have a significant impact on Natura 2000 sites, to the appropriate assessment pursuant to Article 6(3) of Habitats Directive.
Public participation	✓	15d	Member States shall ensure public participation.
Public notice	✓	15(c)3	Publicly available.
Monitoring	✓	Recital 29	Monitor for any significant adverse environmental effects of the implementation of plans and programmes.
Review	✓	15(c)3	A periodical review.
Appeal	×	data	Data.

RED III's innovation is renewable energy acceleration areas, but this innovation did not come out of nowhere. Council Regulation 2022/2577 [41], known as the Emergency Regulation, already introduced an area-based acceleration logic by allowing Member States to exempt certain renewables, storage and grid projects from EIA and species-protection assessments, provided that the projects are located in a dedicated renewable or grid area and that the area has been subject to a strategic environmental assessment (SEA). Compared to the Emergency Regulation, RED III has significantly expanded the procedural aspects of designating areas for renewable energy development.

The regulatory logic of RED III resembles that of spatial-planning instruments. First, RAAs are not designated in isolation but must constitute a subset of the areas identified through territory-based mapping (Article 15b in conjunction with Article 15c). Secondly, the designation of RAAs is implemented through the adopting of one or more plans by Member State's competent authorities (Article 15c(1)). While RED III requires a formal plan-based act, it leaves the adoption level of governance and the plan's legal status within domestic planning hierarchies to Member States. Thirdly, the RAA plans perform typical zoning functions, delineating geographically defined areas and establishing area- and technology-specific rules, notably a mitigation framework for renewables deployment and related infrastructure (Article 15c(1)(b)). Fourth, the designation criteria are explicitly territorial, requiring the identification of 'sufficiently homogeneous' land, inland water, and sea areas where significant environmental impacts are not expected (Article 15c(1)(a)). Fifth, the RAA planning process is embedded in wider planning cycles, as mapping may build on existing spatial-planning documents and the RAA plans are to be reviewed in connection with NECP updates (Articles 15b(1) and 15c(3)). Furthermore, synergies between RAAs and other areas established under EU directives or regulations are established. According to Article 17 of the Net-Zero Industry Act, designated net-zero Acceleration Valleys must seek synergies with the designation of renewables acceleration areas [40]. RED III also requires synergies between RAAs and infrastructure areas (RED III Article 15e(1)(c)). Sixth, the adoption of an RAA plan is subject to core procedural safeguards that are typical of plan-making. These include a strategic environmental assessment under Directive 2001/42/EC and, where the plan is likely to have significant effects on Natura 2000 sites, an appropriate assessment pursuant to Article 6(3) of the Habitats Directive, alongside public participation.

In this sense, RED III tends to shift key environmental scrutiny upstream, from project-level permitting to plan-level assessment. Rather than relying primarily on project-specific environmental impact assessments (EIAs) and species-protection assessments, the broader strategic environmental assessment (SEA) of the regional action plan becomes the central environmental assessment instrument [41]. Finally, the RAA plans are characterised by publicity and subsequent review (Article 15(c)3).

Spatial planning may be understood as the basis for certain activities and the permits required for them. In this regard, Article 15c(5) of RED III is relevant, as it requires competent authorities to apply the streamlined permit-granting procedure and time limits laid down in Article 16a to individual projects in RAAs.

While RAAs are defined as areas suitable for the installation of renewable energy plants, the designation criteria clearly incorporate environmental considerations. According to the RAA definition, the term 'suitable' should therefore be understood as a composite notion, encompassing both territorial and technical suitability for deployment and environmental suitability. Consequently, once such areas are incorporated into an RAA plan, it may be assumed—at least at plan level—that renewable energy projects developed there are not expected to entail significant adverse environmental effects.

This environmental conditioning also helps explain why RED III does not impose on RAAs designation the same quantitative requirement as for mapping. Whilst the combined size of RAAs is intended to be substantial and contribute to the achievement of the objectives outlined in RED III (Article 15c(3)), the mapped areas are designed to meet national contributions towards the Union's 2030 renewable energy target (Article 15b(1)). It is important to note that, without setting a binding requirement for the size of the RAA, the pursuit of energy objectives is not prioritised over environmental objectives.

The discretion of Member States in the planning field is constrained by the fact that pre-existing national planning documents identifying areas as suitable for the accelerated deployment of one or more renewable energy technologies are not automatically treated as RAA plans.

Article 15c(4) of RED III establishes a specific 'recognition' pathway for such pre-existing designations: only areas identified by 21 May 2024 may be declared as RAAs, and only where the underlying plans meet substantive conditions that largely mirror the RAA designation criteria (notably, the exclusion of sensitive areas and the completion of SEA and, where relevant, appropriate assessment) [42].

It is important to note that earlier national planning instruments remain lawful and implementable even if they are not declared as RAAs. However, the implementation of RED III may necessitate a re-designation of suitable areas already designated under the existing framework, in order to bring them within the scope of the RED III RAA. This can be challenging in instances where the pre-existing national planning approach or legal categories do not align neatly with the RED III requirements.

France is a particularly complex case, as the municipal process for designating so-called acceleration zones (Zones d'accélération des énergies renouvelables) was launched before the RED III amendments and differs in several respects from the Directive's RAA designation requirements [43].

The discretion of Member States in the area of RAA plan adoption is also reflected in the possibility to define the place of the plan in the legal system and to define the managing authority that adopts it. The practice of applying RED III already shows a variety of choices (more information is available in the study by Oeko-Institut e.V [43].). RAAs plans can be formed within the system of spatial-planning documents (e.g., Germany), but it is also possible to establish an AAD plan as a separate type of plan (e.g., Lithuania).

In the case of Lithuania, Article 48^2(1) of Law on Renewable Energy of the Republic of Lithuania (hereinafter referred to as LRES) clearly states that the 'accelerated development zone plan' is not considered a spatial-planning document [44]. The LRES foresees that the Lithuanian Energy Agency will organise the preparation of the RAAs plan and its strategic environmental assessment. The plan for accelerated development zones is approved by the Minister of Energy in consultation with the Minister of the Environment (Article 48^2(1) of the LRES). Under Article 2(27) of the Lithuanian Law on Territorial Planning, spatial-planning documents are defined as comprehensive (general and detailed plans) and special spatial-planning documents, which set out—graphically and in writing—solutions concerning land use, management and protection measures, as well as territorial development needs and conditions [45]. The same Law on Territorial Planning also defines spatial-planning itself as a legally regulated process aimed at sustainable territorial development, encompassing the determination of land-use priorities and protective measures (including environmental, public health and heritage protection), the development of settlement and infrastructure systems, the creation of conditions for economic activity and employment, and the reconciliation of public and private interests (Article 2(26)). Read together, these definitions suggest that, in general terms, a plan for accelerated development zones would ordinarily be expected to take the form of a spatial-planning document. Lithuanian law, however, expressly provides otherwise in the LRES, which establishes the accelerated development zone plan as a distinct instrument outside the system of spatial-planning documents. In Lithuania, comprehensive local-level spatial-planning documents are typically adopted by municipalities, whereas the accelerated development zone plan is approved at a much higher level of governance. Moreover, as the accelerated development zone plan is not classified as a spatial planning document, it is therefore not subject to the preparation and public consultation procedures laid down in the Law on Territorial Planning.

Although Articles 15c and 15e of RED III provide for separate plans for renewables acceleration areas and plans to designate dedicated infrastructure areas for the development of grid and storage projects, Lithuanian law provides for a common procedure for them and regulates them in a single article. In Article 48^2(1) of the law, it is referred to as the plan for accelerated development of renewable energy sources in onshore wind and/or solar power plants, transmission and/or distribution networks and/or energy storage facilities, or, in short, the accelerated development zone plan.

From a procedural point of view, it should be noted that RED III and Lithuanian law take slightly different positions on the strategic environmental impact assessment. RED III 15c(2) provides for a strategic environmental assessment to be carried out prior to the approval of the plan and, if they are likely to have a significant impact on Natura 2000 sites, for the appropriate assessment pursuant to Article 6(3) of the Habitats Directive. Lithuanian law stipulates that a strategic environmental assessment of the plan for accelerated development zones shall be carried out in cases where this plan establishes the basis for economic activities specified in Annex 1 or 2 of the Law on the Assessment of the Impact of Planned Economic Activities on the Environment and/or its implementation is related to the European ecological network Natura 2000 sites or the immediate surroundings of these sites, and the State Service for Protected Areas, in accordance with the procedure established by the Minister of the Environment, determines that the implementation of such a plan or programme (separately or in conjunction with other plans and programmes) may have significant consequences for the European ecological network Natura 2000 territories. Thus, Lithuanian legislation defines the circumstances under which a strategic environmental impact assessment is carried out more narrowly than RED III. If it turns out that the plans for accelerated development zones were approved without a strategic environmental

impact assessment, the question may arise as to whether they can be considered a sufficient basis for issuing permits for projects under an accelerated and simplified procedure.

3.2.5. Designation of Dedicated Infrastructure Areas for Grid and Storage

Article 15e of RED III establishes a distinct category of infrastructure areas for the development of grid and storage projects. The development is necessary to integrate renewable energy into the electricity system, and it is not expected to have a significant environmental impact. Such an impact can be duly mitigated or, where not possible, compensated for.

Consistently, RED III Article 15e(1) also provides for a separate type of planning instrument, i.e., plans to designate dedicated infrastructure areas. The primary distinction between the two is that, under RED III, RAA plans are mandatory, whereas infrastructure area plans are optional. The RAA plan is presented as the main instrument, while the infrastructure areas are intended to support and complement the RAAs with the aim of achieving synergy with the RAAs.

The infrastructure plan and the RAA plan have several similarities. Both plans establish certain areas and rules (primarily mitigation measures), and both require a strategic environmental assessment. Where applicable, the infrastructure plan also requires an appropriate assessment in accordance with Article 6(3) of the Habitats Directive.

A key distinction lies in the scale and scope of planning. RAAs are designated as a subset of the mapped areas. They must cover sufficiently homogeneous land, inland water and, sea areas, and the combined size of these areas must be significant. Meanwhile, infrastructure planning is strictly limited to the project level, as specified in Article 15e(1)(a) and (b), which refer explicitly to grid and storage projects. Furthermore, Article 15e establishes provisions for the execution of infrastructure projects.

Furthermore, RED III does not provide for any additional procedural requirements, public consultation or other requirements for infrastructure plans. Therefore, an infrastructure plan bears less resemblance to a spatial-planning document than an RAA. Due to its different nature, it is more akin to project-level planning.

As mentioned earlier, Lithuania's LRES provides for a common procedure and establishes in a single article a plan for accelerated development of renewable energy sources in onshore wind and/or solar power plants, transmission and/or distribution networks and/or energy storage facilities. This essentially combines two different RED III instruments: plans for accelerating the development of renewable energy and plans to designate infrastructure areas for the development of network and storage projects.

3.2.6. Project-Level Stage

Spatial-planning instruments generally serve as the foundation for the issuance of permits. RED III aligns with this logic by implementing a streamlined permitting process for projects within RAAs. This is evident in the legally defined time limits, which are considerably shorter for projects located in RAAs. To ensure compliance with the stipulated deadlines, Article 16 of Directive (EU) 2018/2001 as amended by RED III outlines the start and end dates of the permit-granting procedure, incorporating all procedural steps with the exception of those specified as excluded.

A key procedural simplification is that renewable energy projects within RAAs may be exempt from project-specific EIAs. Projects in RAAs can benefit in particular from an exemption, under certain conditions, from the requirement to carry out environmental assessments under the Environmental Impact Assessment Directive (Directive 2011/92/EU as amended by Directive 2014/52/EU) and Habitats Directive (Directive 92/43/EEC), which are replaced by a shorter screening procedure [38].

In this sense, RED III becomes more similar to traditional spatial planning, where spatial planning is understood as the basis for certain activities and the permits required for them.

4. Discussion

A pertinent question to consider, as posed in the article's title, is whether RED III will represent a pivotal moment in the transformation of spatial planning. This paper set out to examine the legal mechanisms of RED III that have a territorial impact and to assess their interaction with spatial planning, asking to what extent RED III's territorial instruments perform spatial-planning functions and how their implementation reshapes the relationship between EU-level direction-setting and Member State discretion. The working hypothesis was that RED III does not harmonise spatial planning as such but introduces functionally planning-like territorial mechanisms that move key choices upstream and link them to accelerated permitting, while leaving Member States substantial discretion over institutional design and integration into national planning hierarchies.

A broader review of EU spatial-planning traditions is necessary because RED III's territorial mechanisms operate within highly diverse national planning hierarchies and planning "families". Since spatial planning typically integrates a wide spectrum of societal objectives across multiple levels, whereas RAA plans pursue a comparatively narrow acceleration goal, the same RED III requirement is likely to be embedded and to produce outcomes differently across Member States.

The findings support this hypothesis but also suggest a more nuanced interpretation of what 'turning point' means in the EU context. RED III does not create an EU spatial-planning system, nor does it prescribe a uniform planning hierarchy. Instead, it embeds a plan–permit logic into renewables governance: plan-level territorial instruments condition and structure subsequent project-level authorisation. This shift is significant because it operationalises, in a binding legal act, a territorial governance approach that EU spatial-planning scholarship has long identified as occurring indirectly through sectoral legislation. In other words, RED III strengthens EU 'territorial effects' by requiring Member States to translate renewables targets into spatially explicit choices.

At the same time, RED III combines more prescriptive EU-level requirements with significant Member State discretion. It sets binding tasks, deadlines and minimum criteria that shape how areas are identified and designated for renewables, yet it leaves Member States room to decide on the legal form, institutional arrangements and the position of mapping and RAA plans within national planning hierarchies. As a result, RED III strengthens EU steering through mandatory territorial instruments without establishing a uniform spatial-planning model.

This is particularly evident in environmental assessment. RED III places greater weight on plan-level assessment and mitigation frameworks linked to designated areas, while project-level legality and site-specific impacts remain relevant in practice. The practical balance between acceleration and environmental safeguards will therefore depend on how robustly Member States design RAA plans, mitigation measures and procedural safeguards, and on how these instruments interact with existing national planning and permitting systems.

The Lithuanian illustration demonstrates why Member State discretion matters for outcomes. Lithuania's choice to treat the accelerated development zone plan as distinct from statutory spatial-planning shows that RED III instruments can be 'planning-like' in function while remaining formally outside domestic spatial planning categories. This creates practical questions about coordination with municipal planning, the stability of land-use expectations, and the perceived legitimacy of accelerated permitting. More broadly, the

Lithuanian example illustrates that RED III may reshape spatial planning not by replacing national systems, but by introducing additional plan-level instruments.

Finally, the discussion also speaks to the contested question of centralisation. Claims that RED III 'clearly leans towards centralisation' should be framed carefully. A more defensible interpretation is that RED III strengthens EU-level regulatory influence through mandatory territorial instruments and minimum content requirements, while simultaneously acknowledging and preserving Member State discretion in land-use allocation and planning system design. The reference to Member States 'retaining discretion' over the size of RAAs can be read as an explicit recognition of national competence, even if that discretion is structured by EU criteria and deadlines. The net effect is thus not straightforward centralisation, but an increased density of EU requirements that shape how national planning systems must operationalise renewables deployment.

Limitations and future research

This paper's doctrinal approach identifies the legal architecture and its planning-like functions, but the full impact of RED III will depend on implementation choices that are still evolving. Future research should therefore (i) compare Member State models of integrating RAAs into planning hierarchies; (ii) analyse how courts and administrative practice treat the legal status of mapping and RAA plans when challenged; (iii) examine whether upstream assessment and mitigation actually reduce project-level conflict and delay.

Taken together, the findings suggest that RED III can be described as a turning point in a specific sense: it makes territorial steering a more explicit and legally structured component of EU renewables governance. It does so without creating a unified EU spatial-planning competence, but by requiring Member States to operationalise renewables acceleration through plan-level territorial choices that are closely connected to permitting outcomes.

5. Conclusions

RED III may be viewed as an important step in reshaping the role of spatial-planning within EU energy law for a sustainable energy transition. Although the EU lacks a single spatial planning system, RED III introduces plan-led territorial instruments—most notably renewables acceleration areas—that translate renewables targets into territorially defined choices. It does so through a staged architecture that links plan-level instruments to project-level authorisation.

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Abbreviations

The following abbreviations are used in this manuscript:

EIA	Environmental impact assessments
ENTSO	European Network of Transmission System Operators
ESDP	European Spatial Development Perspective

ESPON	European Spatial Planning Observatories Network
EU	European Union
LRES	Law on Renewable Energy of the Republic of Lithuania
NECP	National energy and climate plan
RAAs	Renewables acceleration areas
RED III	EU Renewable Energy Directive as amended by Directive (EU) 2023/2413 of 18 October 2023
RES	Renewable energy sources
SEA	Strategic environmental assessment
TEU	Treaty of the European Union
TFEU	Treaty on the Functioning of the European Union
TYNDP	Union-wide ten-year network development plan

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