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French Council of State annuls wind turbine permits, major impact on energy future

Paris, March 9, 2024 - In a landmark decision, the French Council of State has ruled that authorizations for onshore wind turbines and rules for the renewal of wind farms are illegal. The decision comes after a legal challenge brought by the Fédération Environnement Durable and 15 associations.

Scope of the cancellation:

The Council of State annulled all provisions concerning the three successive versions of the noise measurement protocol that was supposed to protect the health of local residents. The decision affects not only current authorizations and projects but could also call into question existing wind farms.

Consequences:

- **Projects under review or authorized but not yet built:** These projects must imperatively undergo a complete environmental assessment.
- **Existing wind farms:** All wind farms built on the basis of the now-illegal ministerial decrees should no longer be authorized to operate in their current state.

Reasons for the cancellation:

- **Lack of environmental assessment:** The Council of State found that the ministerial decrees on noise measurement did not undergo an environmental assessment, which is a violation of the law.
- **Lack of public participation:** The Council of State also highlighted that the decisions approving the noise protocol were not subject to public participation, violating the principles of participation and transparency.

Reactions:

- **Environmental associations:** Environmental associations welcome the decision of the Council of State, calling it a major victory for environmental protection, the health of local residents, and respect for the law. They point to the systematic disregard of these laws by the public authorities, whose sole objective was to impose the installation of wind turbines that are increasingly rejected by the population, especially in rural areas.
- **State:** The State has been ordered to pay compensation to the plaintiff associations.

Impact on the French energy future:

The decision of the Council of State will have a crucial impact on the future of French energy. The development of onshore wind energy is now being slowed down, pending the implementation of new authorizations and rules that comply with the law. This decision also raises questions about the viability of ongoing projects and the future of existing wind farms.

1°) [Conseil d'Etat n°465036 du 8 mars 2024](#)

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Applicants

Fédération Environnement Durable

Belle Normandie Environnement

Vent de colère ! Fédération nationale

Fédération Anti-Eolienne de la Vienne

Collectif régional d'experts et de citoyens pour l'environnement et le patrimoine

Occitanie Pays catalan Energies Environnement

Alpes Provence Côte d'Azur Environnement

Collectif Allier Citoyens

SOS Danger éolien

MorVent en colère

Fédération Vent contraire en Touraine et Berry,

Fédération Stop éoliennes Hauts-de-France

Vent de sottise

Pour la protection du Pays d'Ouche

Echauffour environnement



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