

## [<sup>F1</sup>SCHEDULE 3

Regulation 4(6)

### Selection criteria for screening Schedule 2 development

**F1** Regulations revoked (16.5.2017) by The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (S.I. 2017/567), **regs. 1(2), 65(1)** (subject to savings and transitional provisions in **regs. 63, 65(2)-(10)**) (as amended (1.4.2019) by The Town and Country Planning (Environmental Impact Assessment) (Wales) (Amendment) Regulations 2019 (S.I. 2019/299)), **reg. 2(2)**

### Characteristics of development

1. The characteristics of development must be considered having regard, in particular, to—
  - (a) the size of the development;
  - (b) the cumulation with other development;
  - (c) the use of natural resources;
  - (d) the production of waste;
  - (e) pollution and nuisances;
  - (f) the risk of accidents, having regard in particular to substances or technologies used.

### Location of development

2. The environmental sensitivity of geographical areas likely to be affected by development must be considered, having regard, in particular, to—
  - (a) the existing land use;
  - (b) the relative abundance, quality and regenerative capacity of natural resources in the area;
  - (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
    - (i) wetlands;
    - (ii) coastal zones;
    - (iii) mountain and forest areas;
    - (iv) nature reserves and parks;
    - (v) areas classified or protected under Member States' legislation [<sup>F2</sup>or under the legislation of any part of the UK, ] areas designated <sup>F3</sup>... [<sup>F4</sup>under EU-derived domestic legislation which transposed] Council Directive 2009/147/EC on the conservation of wild birds <sup>M1</sup> and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora <sup>M2</sup>;
    - (vi) areas in which the environmental quality standards laid down in [<sup>F5</sup>retained EU law ] have already been exceeded;
    - (vii) densely populated areas;
    - (viii) landscapes of historical, cultural or archaeological significance.

**F2** Words in Sch. 3 para. 2(c)(v) inserted (31.12.2020) by The Environmental Assessment of Plans and Programmes and the Environmental Impact Assessment (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/245), **regs. 1(2)(3), 4(8)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:** There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 (revoked), SCHEDULE 3. (See end of Document for details)

- F3** Words in Sch. 3 para. 2(c)(v) omitted (31.12.2020) by virtue of The Environmental Assessment of Plans and Programmes and the Environmental Impact Assessment (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/245), regs. 1(2)(3), **4(8)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Sch. 3 para. 2(c)(v) substituted (31.12.2020) by The Environmental Assessment of Plans and Programmes and the Environmental Impact Assessment (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/245), regs. 1(2)(3), **4(8)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Sch. 3 para. 2(c)(vi) substituted (31.12.2020) by The Environmental Assessment of Plans and Programmes and the Environmental Impact Assessment (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/245), regs. 1(2)(3), **4(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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**Marginal Citations**

- M1** O.J. No. L 20, 26.1.2010, p. 7.  
**M2** O.J. No. L 206, 22.7.1992, p. 7.

**Characteristics of the potential impact**

3. The potential significant effects of development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to—

- (a) the extent of the impact (geographical area and size of the affected population);
- (b) the transfrontier nature of the impact;
- (c) the magnitude and complexity of the impact;
- (d) the probability of the impact;
- (e) the duration, frequency and reversibility of the impact.]

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 (revoked), SCHEDULE 3.