

SCHEDULE 1

Regulation 5

SUBSTITUTION OF SCHEDULE 1 OF THE 2010 REGULATIONS

“SCHEDULE 1

Regulations 4(3) and 5

SELECTION CRITERIA

Characteristics of scheme

1. The characteristics of the scheme must be considered having regard, in particular, to—
 - (a) the size and design of the scheme;
 - (b) cumulation with other existing and/or approved projects;
 - (c) the use of natural resources, in particular land, soil, water and biodiversity;
 - (d) the production of waste;
 - (e) pollution and nuisances;
 - (f) the risk of major accidents and/or disasters which are relevant to the scheme, including those caused by climate change, in accordance with scientific knowledge;
 - (g) the risks to human health (for example due to water contamination or air pollution).

Location of scheme

2. The environmental sensitivity of geographical areas likely to be affected by the scheme must be considered having regard, in particular, to—
 - (a) the existing and approved land use;
 - (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground; and
 - (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) European sites and other areas classified or protected under national legislation;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the scheme, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

Characteristics of the potential impact

3. The likely significant effects of the scheme on the environment must be considered in relation to the criteria specified in paragraphs 1 and 2, with regard to the impact of the scheme on the factors specified in regulation 2A(3), taking into account—
 - (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);

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- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved projects;
- (h) the possibility of effectively reducing the impact.

Interpretation of schedule 1

4. In this schedule—

“European site” has the meaning given in regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994⁽¹⁾; and

“projects” means—

- (a) the execution of construction works or of other installations or schemes; and
- (b) other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources.”

⁽¹⁾ S.I. 1994/2716, to which there are amendments not relevant to these Regulations.