

Acknowledgements

The preparation of this guidance document has involved consultation internally within the Department of the Environment, Heritage and Local Government and also with a number of outside agencies, in particular An Bord Pleanála, the National Roads Authority and the Environmental Protection Agency. The Department wishes to acknowledge the valuable advice and comments supplied by officials in these organisations on the many drafts of the document. The Department also wishes to record its appreciation of comments supplied by the European Commission on an initial draft.



© Government of Ireland

BAILE ÁTHACLIATH
ARNAFHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIGDHÍOLTA FOILSEACHÁN RIALTAIS
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHACLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
51 FAICHE STIABHNA, BAILE ÁTHACLIATH 2,
(Teil: 01 - 6476834/35/36/37; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
51 ST. STEPHEN'S GREEN, DUBLIN 2,
(Tel: 01 - 6476834/35/36/37; Fax: 01 - 6476843)
or through any bookseller.

€1.27

August, 2003

Contents

Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development

	Page
1. Introduction	3
2. EU Directive	3
3. Ireland's Approach to the Directive	4
4. Review of sub-threshold EIA	6
5. Criteria governing need for sub-threshold EIA	7
6. Consultations with other bodies	18
7. Local Authority Development	18



Environmental Impact Assessment (EIA)

Guidance for Consent Authorities regarding Sub-threshold Development

1. Introduction

- 1.1 Environmental Impact Assessment (EIA) is a key instrument of EU environmental policy. The EIA Directive is designed to ensure that a comprehensive assessment is made of projects which are likely to have significant effects on the environment. Irish EIA legislation mirrors the mandatory requirement in the Directive to carry out EIA in respect of certain project classes. In many cases, Ireland has adopted a substantially lower threshold than that set out in the Directive. Irish EIA legislation also makes provision for sub-threshold EIA.
- 1.2 The primary aim of this document is provide practical guidance for the competent/consent authorities in deciding whether or not a sub-threshold development is likely to have significant effects on the environment. The guidance should also assist developers and EIA practitioners in forming an opinion as to whether or not EIA would be appropriate to a specific sub-threshold development proposal.

2. EU Directive

- 2.1 EIA requirements derive from EU Directive 85/337/EEC (as amended by Directive 97/11/EC) on the assessment of the effects of certain public and private projects on the environment. The primary objective of the EIA Directive is to ensure that projects which are likely to have significant effects on the environment are subject to an assessment of their likely impacts.

Annex I projects

- 2.2 The approach adopted in the Directive is that EIA is mandatory for all Annex I projects on the basis that these project classes will always have significant environmental effects. In most cases, mandatory thresholds

are specified in respect of the project classes in Annex I. In certain cases e.g. integrated chemical installations, EIAs necessary regardless of size of project.

Annex II projects

- 2.3 In the case of Annex II projects, the Directive gives Member States considerable discretion in determining the need for EIA. Such determination can be made on the basis of case-by-case analysis of individual projects or on the basis of thresholds or criteria set by the individual Member State, or a combination of both of these approaches. The overriding consideration (as set out in article 2 of the Directive) is that *projects likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location* should be subject to EIA.

3. Ireland's Approach to the Directive

- 3.1 The Irish EIA system implements the EIA Directive through the integration of its requirements into the land-use planning consent system and several other development consent systems covering, for example, roads/motorway construction, foreshore development, light rail systems and the laying of gas pipelines.

Annex I

- 3.2 Irish EIA legislation fully reflects the Annex I requirements of the Directive.

Annex II

- 3.3 In transposing the Annex II requirements of the Directive, Ireland chose to set mandatory thresholds for each of the project classes in Annex II. In setting these thresholds, account was taken of the relevant circumstances in Ireland, including the general nature, size and location of projects and the condition of the receiving environment. The

thresholds were then set at levels which distinguish between those projects which, by virtue of their nature, size or location, would be likely to have significant effects on the environment and those which would not.

- 3.4 In the light of the approach adopted by Ireland (i) in setting mandatory thresholds for each of the Annex II project classes and (ii) in setting these thresholds at substantially lower levels than comparable Annex I thresholds in the Directive, the need for sub-threshold EIA should be fairly limited in Ireland.

Sub-threshold EIA

- 3.5 Irish implementing legislation addresses the possible need for EIA below the Annex II national thresholds. There is a requirement to carry out EIA where the competent/consent authority considers that a development would be likely to have significant effects on the environment.
- 3.6 In particular, in the case of sub-threshold development on sites of conservation sensitivity, the competent/consent authority must formally decide whether or not a project would or would not be likely to have significant effects on the environment. Competent/consent authorities are reminded of the obligation to record their decision in such cases and to retain a copy of the decision on the relevant file.
- 3.7 The possibility of significant effects on the environment arising from sub-threshold development at locations other than sites of conservation sensitivity is also addressed in Irish EIA legislation. To accommodate the need for EIA in such circumstances, there is a general requirement on the competent/consent authorities to seek an EIS from the developer where it is considered that a development is likely to have significant effects on the environment.

3.8 The above sub-threshold provisions were introduced into Irish EIA legislation to address key requirements in relation to “nature” and “location” referred to in article 2 of the Directive and also to address the issue of cumulation of projects (see paragraphs 5.8-5.13).

3.9 The combination of (i) the mandatory national thresholds for each of the Annex II project classes, (ii) the requirement for case-by-case examination of the need for EIA in the case of sub-threshold development on sites of conservation sensitivity and (iii) the general requirement that sub-threshold projects likely to have significant effects on the environment must be subject to EIA represents robust transposition of the Directive in Ireland.

4. Review of sub-threshold EIA

4.1 The key issue for the competent/consent authorities in the context of the possible need for EIA of sub-threshold development is whether or not such development is likely to have significant effects on the environment. Experience and rulings by the European Court of Justice have shown that, in certain circumstances, small-scale projects can have significant effects on the environment. For example, in case C-392/96 (Commission v Ireland, 1999), the European Court of Justice, in paragraph 66, made the point that even a small-scale project can have significant effects on the environment if it is in a location of particular environmental sensitivity. Consideration of “significant effects” should not therefore be determined by reference to size only. The nature and location of a project must also be taken into account.

4.2 It will be noted that the ruling in this case was made on the basis of the provisions of the 1985 Directive which did not specify criteria governing the term “significant effects”. That position was remedied in the 1997 amending Directive when it introduced selection criteria to assist Member States in deciding whether or not sub-threshold development is likely to have significant effects on the environment.

4.3 A review of the approach adopted by the competent/consent authorities to consideration of the need for sub-threshold EIA has highlighted the need for a greater degree of consistency among such authorities. The following sections are designed to achieve a more uniform approach by competent/consent authorities. The main purpose, therefore, of this guidance document is to assist authorities in determining whether or not “significant” effects on the environment are likely to arise in the context of sub-threshold development.

5. **Criteria governing need for sub-threshold EIA**

5.1 The 1997 amending Directive (97/11/EC) introduced guidance for Member States in terms of deciding whether or not a development is likely to have “*significant effects on the environment*”. The guidance is provided by way of criteria set out in Annex III of the consolidated Directive. The criteria have been transposed in full into Irish legislation, in the Third Schedule to the European Communities (Environmental Impact Assessment) (Amendment) Regulations 1999 (S.I. No. 93 of 1999) and in Schedule 7 to the Planning and Development Regulations 2001 (S.I. No. 600 of 2001).

5.2 The criteria, as transposed in Irish legislation, are grouped under three headings viz. (i) Characteristics of Proposed Development, (ii) Location of Proposed Development and (iii) Characteristics of Potential Impacts. The criteria are reproduced in full in the Appendix.

5.3 Competent/consent authorities must have regard to these criteria in forming an opinion as to whether or not a sub-threshold development is likely to have significant effects on the environment. The key issue is ‘are the likely effects “significant” in the context of these criteria’.

5.4 Those responsible for making screening decisions often experience difficulties in defining what is “significant”. As there are no hard and fast rules which can be applied, it is important that competent/consent

authorities pay attention to each of the criteria specified under each of the three headings in making their determination.

- 5.5 Each decision has to be taken on its own merits. Those responsible for making the decision must exercise their best professional judgement taking account of considerations such as the nature and size of the proposed development, the environmental sensitivity of the area in which it is proposed to locate the development and the nature of the potential effects of the development. Each decision on the need for EIA must be taken on the basis of a global assessment of all these factors. In general, it is not intended that special studies or technical evaluations will be necessary for the purpose of making a decision. The guidance below is designed to assist decision-making by people with the qualifications and experience typically found in competent/consent authorities.
- 5.6 Guidance on the criteria in the Appendix is set out below.

Characteristics of Proposed Development

- 5.7 Reflecting the provisions in section 1 of Annex III of the Directive, Irish legislation identifies six criteria under the heading *Characteristics of Proposed Development*. All of these criteria (excluding that in relation to cumulation with other projects) were carefully considered in the drawing up of the national mandatory thresholds for individual Annex II project categories. As stated earlier, many of these thresholds are substantially below the comparable Annex I thresholds set in the Directive. Despite this, there may be projects below these national thresholds which are likely to have significant effects on the environment by reference to the use of natural resources, production of waste, environmental emissions or the risk of accident associated with the use or storage of dangerous substances or a combination of these factors. In considering these factors in the context of considering the likelihood of significant environmental effects arising,

competent/consent authorities should pay particular attention to projects which are close to the national statutory thresholds.

- 5.8 One of the aims of the sub-threshold provisions contained in Irish EIA legislation is to address the issue of cumulation with other projects. This issue can arise in a number of scenarios.
- 5.9 Development of a large site e.g. redevelopment of an extensive brownfield site or housing development on a greenfield site, may be carried out on a phased basis, whether by one or a number of developers. The combination of individual projects may, over a period of years, have significant effects on the environment. While individual projects may not exceed mandatory EIA thresholds, the cumulative effect may be such that EIA would be appropriate in the case of some or all of the individual projects.
- 5.10 Another scenario where cumulation with other projects may be relevant would be an individual sub-threshold development proposal which, when taken in combination with existing or other planned development in an area, would be likely to have significant effects on the environment. For example, individual housing projects in an area may not exceed the mandatory EIA threshold of 500 dwelling units. However, the combination of sub-threshold projects in the context of large-scale development of an area over a defined period, be it housing or other types of development e.g. shopping centres, commercial development, etc., could have significant effects on the environment.
- 5.11 Another example of a development type where cumulative impacts on the environment may be significant is quarrying of stone, gravel, sand or clay. Due to the presence of this type of natural resource in a particular location, the combination of additional transport movements, their impact on local road networks and rock blasting associated with such quarrying could be such as to warrant the preparation of an EIS in respect of individual sub-threshold developments in an area.

-
- 5.12 A further example of cumulative type development is where initial afforestation takes place over an extensive area but where individual projects are below the mandatory EIA threshold of 50 hectares. In certain circumstances, the environmental impact of the combination of individual projects may be such as to warrant EIA in respect of some or all of the individual projects.
- 5.13 In determining whether “significant effects” arise, the issue of cumulation must be considered alongside all of the other criteria listed in the Appendix. The fact that cumulation with other developments may obtain would not in itself justify the calling for an EIS in respect of an individual project. A decision to call for an EIS must be taken on the basis of a global assessment of all the criteria listed in the Appendix. In circumstances where it is considered that sub-threshold development, in combination with existing or other planned development, is likely to have significant effects on the environment (by reference to the criteria set out in the Appendix) the competent/consent authority should use its powers to require the submission of an EIS in respect of the sub-threshold development.

Environmental Sensitivity of Geographical Areas

- 5.14 The criteria included in Section 2 of Annex III of the Directive relate to the environmental sensitivity of the geographical areas likely to be affected by a proposed development. Many of the areas specifically mentioned e.g. wetlands, nature reserves, areas classified or protected under legislation (including areas designated pursuant to Directives 79/409/EEC (Birds) and 92/43/EEC (Habitats)), etc., are, for the purposes of this guidance document, covered by the broad heading ‘sites of conservation sensitivity’.
- 5.15 In the case of sub-threshold development on sites of conservation sensitivity, current EIA legislation requires the competent/consent authority to formally decide whether or not a project would or would not be likely to have significant effects on the environment. Sites which

are specified in legislation in this context are proposed or designated SACs, SPAs and NHAs, and nature reserves under the Wildlife Acts 1976 to 2000.

- 5.16 Aside from sub-threshold development which is proposed on a site of established conservation value, the possibility of significant effects on such sites arising from sub-threshold development at other adjacent locations also requires consideration (see paragraph 5.31).
- 5.17 The main purpose of the guidance set out in the remainder of this section is to assist competent/consent authorities in deciding whether or not a development would be likely to have significant effects on sites of conservation sensitivity.

SACs, SPAs & NHAs

- 5.18 In recent years, Ireland has enacted two key pieces of legislation in relation to habitat conservation and species protection i.e. the European Communities (Natural Habitats) Regulations 1997 and the Wildlife (Amendment) Act 2000. Both pieces of legislation contain provisions for the establishment and protection of sites of special ecological importance.
- 5.19 Protection mechanisms generally apply to proposed sites as well as designated ones. Protection requires the regulation of development within a protected site and also development outside such a site where the development is likely to significantly affect the site. In the latter case, consideration must be given to proposed development which is likely to significantly affect a site either individually or in combination with other developments.

European Communities (Natural Habitats) Regulations 1997

- 5.20 The European Communities (Natural Habitats) Regulations 1997 transposed the EU Habitats Directive into Irish law. These Regulations

inter alia provide a legal basis for the designation and protection of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) in Ireland. These areas will form part of the network of European sites known as Natura 2000.

- 5.21 The Habitats Directive requires that an ‘appropriate assessment’ be carried out where it is considered that a development is likely to have a significant effect on a site. The EIA Directive requires an ‘environmental impact assessment’ where a development is likely to have significant effects on the environment. The notion of ‘significant effects’ has a narrower focus in the Habitats Directive than in the EIA Directive because, in the former, one is considering ‘effects’ solely in the context of a site’s conservation objectives.
- 5.22 The European Commission guidance document on article 6 of the Habitats Directive *Managing Natura 2000 sites – The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC* concludes at section 4.4.1 that
- “The notion of what is ‘significant’ needs to be interpreted objectively. At the same time, the significance of effects should be determined in relation to the specific features and environmental conditions of the protected site concerned by the plan or project, taking particular account of the site’s conservation objectives.”
- 5.23 The above guidance document also states “it is clear that what may be significant in relation to one site may not be in relation to another. For example, a loss of a hundred square metres of habitat may be significant in relation to a small rare orchid site, while a similar loss in a large steppic site may be insignificant.”
- 5.24 With regard to the nature of the assessment required under the Habitats Directive, section 4.5.2 of the above-mentioned guidance document states “As regards content, an Article 6(3) assessment is narrower in scope than an assessment under Directive 85/337/EEC, being confined to implications for the site in view of the site’s conservation objectives.

However, the ecological impacts of the plan or project may not be properly assessed in many cases without an assessment of the other environmental components (i.e. soil, water, landscape, etc) set out in article 3 of Directive 85/337/EEC.”

- 5.25 It is clear that the term “significant effects” has a more global meaning under the EIA Directive than under the Habitats Directive. As a consequence, where an assessment is considered necessary under the latter, it does not automatically mean that an EIA is the necessary form of assessment. In determining if an EIA is necessary in the context of sub-threshold development, all of the other criteria listed in the Appendix must be considered alongside the significance of the effects on an SAC or SPA.

Designation of Natura 2000 (European) conservation sites

- 5.26 Selection of candidate SACs under the Habitats Directive was based on a re-survey, between 1992 and 1994, of known areas of conservation interest in Ireland viz proposed Natural Heritage Areas (pNHAs) together with subsequent dedicated scientific surveys and reviews. Irish habitats include raised bogs, active blanket bogs, turloughs, sand dunes, machair (flat sandy plains on the north and west coasts), heaths, lakes, rivers, woodlands, estuaries and sea inlets. Some habitats are deemed “priority” and have greater requirements both for designation of sites and protection. Proposals for SACs have been published in five tranches in 1997, 1999, 2000, 2002 and 2003. These tranches comprised mainly (i) priority habitats of all kinds, (ii) non-priority habitats and freshwater sites, (iii) marine sites, (iv) raised bogs and (v) river sites (the main focus being on the conservation of salmon and other aquatic species and on fens and other wetland habitats). The resultant candidate SAC network, including marine sites, involves 381 sites covering about 1 million hectares, equivalent to over 14% of the national territory (land area). There are also 135 designated or proposed SPAs under the Birds Directive covering over 220,000 hectares, and some further proposals are expected in 2003. While the

final stage of statutory designation of sites as SACs will take place only after adoption of site lists at European level, protection applies to candidate SACs and to SPAs from the date of publication of the proposal to designate the site.

NHAs under the Wildlife (Amendment) Act 2000

- 5.27 The Wildlife (Amendment) Act 2000 substantially strengthened the protection for wildlife previously available under the Wildlife Act 1976. In particular, the Wildlife (Amendment) Act 2000 provides for the designation and conservation of Natural Heritage Areas (NHAs). NHAs are sites that support elements of our natural heritage which are unique, or of outstanding importance at the national level.
- 5.28 The statutory protection of sites which will be Natural Heritage Areas (NHAs) under the Wildlife (Amendment) Act 2000 commenced in 2002. In December 2002, 75 sites containing raised bog habitats were published. The proposal of NHAs to protect other sites of ecological interest, as well as sites of geological interest, is expected to proceed from 2003 onwards.

Availability of Information on Sensitive Sites

- 5.29 In order to assist competent/consent authorities in considering the need for an EIA in the case of sub-threshold projects, it is important that these authorities have up-to-date information available in relation to the location, extent and nature of designated sites and sites proposed for designation. Information in relation to SAC, SPA and NHA designations and proposed designations is available on the following website www.duchas.ie/en/NaturalHeritage.
- 5.30 On the basis of the above information in relation to the location and sensitivity of sites, competent/consent authorities will, first of all, need to form an opinion as to whether or not a sub-threshold development is likely to impact on a site. Competent/consent authorities may or may

not require expert advice for this purpose. The next step is to determine the significance of the likely impact. For this determination, it may be necessary to consult with the Department of the Environment, Heritage and Local Government.

- 5.31 Where a proposed sub-threshold development is close to a site of conservation sensitivity, careful consideration needs to be given to the likelihood that there may be significant effects on the site. However, the fact that proposed development may be somewhat distant from a conservation site does not necessarily mean that it will not impact on the site. For example, a development beside a river in its upper reaches could, if it affected water quality even temporarily, impact on a conservation site downstream protecting sensitive aquatic species. For professional advice in this regard, competent/consent authorities should consult with the Department of the Environment, Heritage and Local Government as necessary.

Areas of high amenity

- 5.32 In addition to sites of conservation sensitivity, Section 2 of Annex III of the EIA Directive lists types of areas which can loosely be described as areas of high amenity e.g. mountain and forest areas, landscapes of historical, cultural or archaeological significance. Certain high amenity landscapes may be identified in local authority development plans and, accordingly, competent/consent authorities should consult relevant development plans. Competent/consent authorities should be mindful of the special characteristics of these types of areas when considering the possible need for EIA of sub-threshold development.

Characteristics of Potential Impacts

- 5.33 This heading in Annex III of the Directive requires competent/consent authorities, in considering the potential significant effects of development, to consider the criteria included under the headings

Characteristics of Projects and Location of Projects (as dealt with above) and to have regard to five further criteria specified under this heading.

- 5.34 The first criteria i.e. *extent of the impact (geographical area and size of the affected population)*, is largely self-explanatory. In densely populated areas, while the geographical area likely to be affected may be small, the population involved may be large. The opposite may be the case in a thinly populated rural area.
- 5.35 *Transfrontier impacts* may apply due to a number of factors. For example, emissions may be carried across the border with Northern Ireland through cross-border rivers or through air movements. Visual impacts may also be a factor with developments close to Northern Ireland.
- 5.36 The third indent refers to *magnitude and complexity of the impact*. *Magnitude of impact* is intended to reflect the scale of a project. For example, a development which requires car parking facilities for 300 cars will have a greater impact on traffic movements in an area than a development which creates a demand for 20 car spaces.
- 5.37 *Complexity of impact* will be reflected in the range of environmental media likely to be affected by a development and the inter-relationship between the impacts on these media. For this purpose, it is useful to consider the different aspects of the environment which must be considered in an EIS in terms of likely significant effects of a proposed development. These are listed in section 2(b) of the Second Schedule to the European Communities (Environmental Impact Assessment) (Amendment) Regulations 1999 and section 2(b) of Schedule 6 to the Planning and Development Regulations 2001. The greater the number of different aspects of the environment which are likely to be affected and the greater the links between the effects, the more likely it is that an EIS should be carried out. Where *complexity of impacts* is deemed to apply in the case of a specific sub-threshold development proposal, there should be a predisposition towards the preparation of an EIS.

-
- 5.38 The other criteria under the heading *Characteristics of Potential Impacts* i.e. *the probability of the impact and the duration, frequency and reversibility of the impact* are reasonably self-explanatory. Guidance on these criteria is provided in *Guidelines on the information to be contained in Environmental Impact Statements* (published by the EPA).

Checklist of Criteria for Evaluating the Significance of Environmental Effects*

- 5.39 This checklist is designed to help competent/consent authorities decide whether EIA is required based on the characteristics of the likely impacts of a project i.e. to decide whether the effects of a project are likely to be significant.

Questions to be considered

1. Will there be a large change in environmental conditions?
2. Will new features be out-of-scale with the existing environment?
3. Will the effect be particularly complex?
4. Will the effect extend over a large area?
5. Will there be any potential for transfrontier impact?
6. Will many people be affected?
7. Will many receptors of other types (fauna and flora, businesses, facilities) be affected?
8. Will valuable or scarce features or resources be affected?
9. Is there a risk that environmental standards will be breached?
10. Is there a risk that protected sites, areas, features will be affected?
11. Is there a high probability of the effect occurring?
12. Will the effect continue for a long time?
13. Will the effect be permanent rather than temporary?
14. Will the impact be continuous rather than intermittent?
15. If it is intermittent will it be frequent rather than rare?
16. Will the impact be irreversible?
17. Will it be difficult to avoid, or reduce or repair or compensate for the effect?

* Extract from *Guidance on EIA – Screening; June 2001; prepared for the European Commission by ERM (UK)*.

6. Consultations with other bodies

6.1 Competent/consent authorities may find it useful to consult with and take advice from

- authorities with a statutory responsibility for environmental matters such as pollution control, nature protection, cultural heritage, water, waste, air e.g. EPA, Department of the Environment, Heritage and Local Government;
- experts such as EIA practitioners or members of academic or research institutions;
- other competent/consent authorities who have made decisions on similar projects.

7. Local Authority Development

7.1 The guidance set out above is directed primarily at competent/consent authorities in the context of their deciding whether or not sub-threshold development which requires their consent would be likely to have significant effects on the environment.

7.2 Where a local authority proposes to carry out development which exceeds the relevant mandatory national EIA threshold, the local authority is required to seek the approval of An Bord Pleanála to the carrying out of the development. An EIS must be prepared in all such cases. The requirements arise under the Roads Act 1993 and the Roads Regulations 1994 (in the case of road development) and under the Planning and Development Act 2000 and the Planning and Development Regulations 2001 (in the case of all other developments).

7.3 There is a mechanism under both the Roads and Planning codes whereby sub-threshold development may also be subject to approval by An Bord Pleanála where the sub-threshold development is likely to

have significant effects on the environment (by reference to the criteria in the Third Schedule to the European Communities (Environmental Impact Assessment) (Amendment) Regulations 1999 and in Schedule 7 to the Planning and Development Regulations 2001).

- 7.4 In considering the need for EIA in the case of sub-threshold development proposed by local authorities, local authorities and An Bord Pleanála should have regard to the guidance set out in this document.

Appendix

CRITERIA FOR DETERMINING WHETHER A DEVELOPMENT WOULD OR WOULD NOT BE LIKELY TO HAVE SIGNIFICANT EFFECTS ON THE ENVIRONMENT

1. Characteristics of Proposed Development

The characteristics of proposed development, in particular:

- the size of the proposed development,
- the cumulation with other proposed development,
- the use of natural resources,
- the production of waste,
- pollution and nuisances,
- the risk of accidents, having regard to substances or technologies used.

2. Location of Proposed Development

The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:

- the existing land use,
- the relative abundance, quality and regenerative capacity of natural resources in the area,
- the absorption capacity of the natural environment, paying particular attention to the following areas:

-
- (a) wetlands,
 - (b) coastal zones,
 - (c) mountain and forest areas,
 - (d) nature reserves and parks,
 - (e) areas classified or protected under legislation, including special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC,
 - (f) areas in which the environmental quality standards laid down in legislation of the EU have already been exceeded,
 - (g) densely populated areas,
 - (h) landscapes of historical, cultural or archaeological significance.

3. Characteristics of Potential Impacts

The potential significant effects of proposed development in relation to criteria set out under paragraphs 1 and 2 above and having particular regard to:

- the extent of the impact (geographical area and size of the affected population),
- the transfrontier nature of the impact,
- the magnitude and complexity of the impact,

-
- the probability of the impact,
 - the duration, frequency and reversibility of the impact.

**Department of Environment, Heritage and Local Government
August 2003**