

SCHEDULE 1

Regulation 2(2)

Descriptions of development for the purposes of the definition of “Schedule 1 development”

Interpretation

In this Schedule—

“airport” means an airport which complies with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organisation (Annex 14)(1);

“express road” means a road which complies with the definition in the European Agreement on Main International Traffic Arteries of 15 November 1975(2);

“nuclear power station” and “other nuclear reactor” do not include an installation from the site of which all nuclear fuel and other radioactive contaminated materials have been permanently removed; and development for the purpose of dismantling or decommissioning a nuclear power station or other nuclear reactor shall not be treated as development of the description mentioned in paragraph 2(b) of this Schedule.

Descriptions of development

The carrying out of development to provide any of the following—

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2.
 - (a) Thermal power stations and other combustion installations with a heat output of 300 megawatts or more; and
 - (b) Nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).
3.
 - (a) Installations for the reprocessing of irradiated nuclear fuel.
 - (b) Installations designed—
 - (i) for the production or enrichment of nuclear fuel,
 - (ii) for the processing of irradiated nuclear fuel or high-level radioactive waste,
 - (iii) for the final disposal of irradiated nuclear fuel,
 - (iv) solely for the final disposal of radioactive waste,
 - (v) solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.
4.
 - (a) Integrated works for the initial smelting of cast-iron and steel;
 - (b) Installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.

(1) See Command Paper 6614

(2) See Command Paper 6993

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5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos—

- (a) for asbestos–cement products, with an annual production of more than 20,000 tonnes of finished products;
- (b) for friction material, with an annual production of more than 50 tonnes of finished products; and
- (c) for other uses of asbestos, utilisation of more than 200 tonnes per year.

6. Integrated chemical installations, that is to say, installations for the manufacture on an industrial scale of substances using chemical conversion processes, in which several units are juxtaposed and are functionally linked to one another and which are—

- (a) for the production of base organic chemicals;
- (b) for the production of basic inorganic chemicals;
- (c) for the production of phosphorous–, nitrogen– or potassium–based fertilisers (simple or compound fertilisers);
- (d) for the production of basic plant health products and of biocides;
- (e) for the production of basic pharmaceutical products using a chemical or biological process;
- (f) for the production of explosives.

7.

- (a) Construction of lines for long–distance railway traffic and of airports with a basic runway length of 2,100 metres or more;
- (b) Construction of motorways and express roads;
- (c) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road would be 10 kilometres or more in a continuous length.

8.

- (a) Inland waterways and ports for inland–waterway traffic which permit the passage of vessels of over 1,350 tonnes;
- (b) Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes.

9. Waste disposal installations for the incineration, chemical treatment (as defined in Annex I to Directive [2008/98/EC](#)), of the European Parliament and of the Council on waste and repealing certain directives⁽³⁾, under heading D9) or landfill of hazardous waste (as defined in regulation 6 of the Hazardous Waste Regulations (Northern Ireland) 2005)⁽⁴⁾.

10. Waste disposal installations for the incineration or chemical treatment (as defined in Annex I to Directive [2008/98/EC](#) under heading D9) of non-hazardous waste with a capacity exceeding 100 tonnes per day.

11. Groundwater abstraction or artificial groundwater recharge schemes where the annual volume of water abstracted or recharged is equivalent to or exceeds 10 million cubic metres.

12.

⁽³⁾ O.J. No. L312, 22.11.08, p.3.

⁽⁴⁾ [S.R. 2005 No. 300](#)

- (a) Works for the transfer of water resources, other than piped drinking water, between river basins where the transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres per year;
 - (b) In all other cases, works for the transfer of water resources, other than piped drinking water, between river basins where the multi-annual average flow of the basin of abstraction exceeds 2,000 million cubic metres per year and where the amount of water transferred exceeds 5% of this flow.
13. Waste water treatment plants with a capacity exceeding 150,000 population equivalent as defined in Article 2 point (6) of Directive [91/271/EEC](#)(5).
14. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 tonnes per day in the case of petroleum and 500,000 cubic metres per day in the case of gas.
15. Dams and other installations designed for the holding back or permanent storage of water, where a new or additional amount of water held back or stored exceeds 10 million cubic metres.
16. Pipelines with a diameter of more than 800 millimetres and a length of more than 40 kilometres:
–for the transport of gas, oil or chemicals, or
–for the transport of carbon dioxide streams for the purposes of geological storage, including associated booster stations.
17. Installations for the intensive rearing of poultry or pigs with more than—
(a) 85,000 places for broilers or 60,000 places for hens;
(b) 3,000 places for production pigs (over 30 kg); or
(c) 900 places for sows.
18. Industrial plants for—
(a) the production of pulp from timber or similar fibrous materials;
(b) the production of paper and board with a production capacity exceeding 200 tonnes per day.
19. Quarries and open–cast mining where the surface of the site exceeds 25 hectares, or peat extraction where the surface of the site exceeds 150 hectares.
20. Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 kilometres.
21. Installations for storage of petroleum, petrochemical or chemical products with a capacity of 200,000 tonnes or more.
22. Any change to or extension of development listed in this Schedule where such a change or extension itself meets the thresholds, if any, or description of development set out in this Schedule.
23. Storage sites pursuant to Directive [2009/31/EC](#) of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide(6).
24. Installations for the capture of carbon dioxide streams for the purposes of geological storage pursuant to Directive [2009/31/EC](#) from installations covered by this Schedule, or where the total yearly capture of carbon dioxide is 1.5 megatonnes or more.

(5) O.J. No. L135, 30.5.91, p.40

(6) O.J. No. L140, 5.6.2009, p.114

Status: This is the original version (as it was originally made).

SCHEDULE 2

Regulation 2(2)

Descriptions of development and applicable thresholds and criteria for the purposes of the definition of “Schedule 2 development”

1. In the Table below—

“area of the works”, includes any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps or other facilities or stores required for construction or installation;

“floorspace”, means floorspace in a building or buildings;

“waterway” and “underground strata” have the meanings assigned to them by Article 2(2) of the Water (Northern Ireland) Order 1999(7).

2. The Table below sets out the descriptions of development and applicable thresholds and criteria for the purposes of classifying development as Schedule 2 development.

Column 1	Column 2
Description of development	Applicable thresholds and criteria
The carrying out of development to provide any of the following—	
1. Agriculture and aquaculture	
(a) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes;	The area of the development exceeds 0.5 hectare.
(b) Water management projects for agriculture, including irrigation and land drainage projects;	The area of the works exceeds 1 hectare.
(c) Intensive livestock installations (unless included in Schedule 1);	The area of floorspace exceeds 500 square metres.
(d) Intensive fish farming;	The installation resulting from the development is designed to produce more than 10 tonnes of dead weight fish per year.
(e) Reclamation of land from the sea.	All development.
2. Extractive industry	
(a) Quarries, open-cast mining and peat extraction (unless included in Schedule 1);	All development (except the construction of buildings or other ancillary structures where the floorspace does not exceed 1,000 square metres).
(b) Underground mining;	
(c) Extraction of minerals by fluvial or marine dredging;	All development.
(d) Deep drillings, in particular—	(i) In relation to any type of drilling the area of the works exceeds 1 hectare; or (ii) in relation to geothermal drilling and drilling for the storage of nuclear waste material only, drilling is to be undertaken
(i) geothermal drilling;	
(ii) drilling for the storage of nuclear waste material;	
(iii) drilling for water supplies;	

(7) [S.I. 1999 No. 662 \(N.I.6\)](#)

Column 1	Column 2
Description of development	Applicable thresholds and criteria
with the exception of drillings for investigating the stability of the soil;	within 100 metres of any waterway or water in underground strata.
(e) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.	The area of the development exceeds 0.5 hectare.
3. Energy industry	
(a) Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1);	The area of the development exceeds 0.5 hectare.
(b) Industrial installations for carrying gas, steam and hot water;	The area of the works exceeds 1 hectare.
(c) Transmission of electrical energy by overhead cables (unless included in Schedule 1);	(i) The nominal voltage of the electric line exceeds 33kV; and (ii) the purpose of the line is the provision of a supply to more than one consumer; (iii) where the modification of an existing line is proposed, it is outside the tolerances specified in the Overhead Lines (Exemption) Regulations (Northern Ireland) 1992 (S.R. 1992 No. 118).
(d) Surface storage of natural gas; (e) Underground storage of combustible gases; (f) Surface storage of fossil fuels;	(i) the area of any building, deposit or structure exceeds 500 square metres; or (ii) a building, deposit or structure is to be sited within 100 metres of any waterway or water in underground strata.
(g) Industrial briquetting of coal and lignite;	The area of floorspace exceeds 1,000 square metres.
(h) Installations for the processing and storage of radioactive waste (unless included in Schedule 1);	(i) The area of floorspace exceeds 1,000 square metres; or (ii) the installation resulting from the development will require an authorisation or the variation of an authorisation under the Radioactive Substances Act 1993.
(i) Installations for hydroelectric energy production;	The installation is designed to produce more than 0.5 megawatts.
(j) Installations for the harnessing of wind power for energy production (wind farms).	(i) the development involves the installation of more than 2 turbines; or (ii) the hub height of any turbine or height of any other structure exceeds 15 metres.
(k) Installations for the capture of carbon dioxide streams for the purposes of geological storage pursuant to Directive	All development

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Column 1	Column 2
Description of development	Applicable thresholds and criteria
2009/31/EC from installations not included in Schedule 1.	
4. Production and processing of metals	
<ul style="list-style-type: none"> (a) Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting; (b) Installations for the processing of ferrous metals— <ul style="list-style-type: none"> (i) hot-rolling mills; (ii) smitheries with hammers; (iii) application of protective fused metal coats. (c) Ferrous metal foundries; (d) Installations for the smelting, including the alloyage, of non-ferrous metals, excluding precious metals, including recovered products (refining, foundry casting, etc.); (e) Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process; (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines; (g) Shipyards; (h) Installations for the construction and repair of aircraft; (i) Manufacture of railway equipment; (j) Swaging by explosives; (k) Installations for the roasting and sintering of metallic ores. 	<p>The area of floorspace exceeds 1,000 square metres.</p>
5. Mineral industry	
<ul style="list-style-type: none"> (a) Coke ovens (dry coal distillation); (b) Installations for the manufacture of cement; (c) Installations for the production of asbestos and the manufacture of asbestos-based products (unless included in Schedule 1); (d) Installations for the manufacture of glass including glass fibre; (e) Installations for smelting mineral substances including the production of mineral fibres; (f) Manufacture of ceramic products by burning, in particular roofing tiles, bricks, 	<p>The area of floorspace exceeds 1,000 square metres.</p>

Column 1	Column 2
Description of development	Applicable thresholds and criteria
refractory bricks, tiles, stoneware or porcelain.	
6. Chemical industry (unless included in Schedule 1)	
(a) Treatment of intermediate products and production of chemicals; (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides;	The area of floorspace exceeds 1,000 square metres.
(c) Storage facilities for petroleum, petrochemical and chemical products.	(i) The area of any building or structure exceeds 0.05 hectare; or (ii) more than 200 tonnes of petroleum, petrochemical or chemical products is to be stored at any one time.
7. Food industry	
(a) Manufacture of vegetable and animal oils and fats; (b) Packing and canning of animal and vegetable products; (c) Manufacture of dairy products; (d) Brewing and malting; (e) Confectionery and syrup manufacture; (f) Installations for the slaughter of animals; (g) Industrial starch manufacturing installations; (h) Fish-meal and fish-oil factories; (i) Sugar factories.	The area of floorspace exceeds 1,000 square metres.
8. Textile, leather, wood and paper industries	
(a) Industrial plants for the production of paper and board (unless included in Schedule 1); (b) Plants for the pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of fibres or textiles; (c) Plants for the tanning of hides and skins; (d) Cellulose-processing and production installations.	The area of floorspace exceeds 1,000 square metres.
9. Rubber industry	
Manufacture and treatment of elastomer-based products.	The area of floorspace exceeds 1,000 square metres.
10. Infrastructure projects	
(a) Industrial estate development projects;	The area of the development exceeds 0.5 hectare.

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Column 1 Description of development	Column 2 Applicable thresholds and criteria
(b) Urban development projects, including the construction of shopping centres and car parks; (c) Construction of intermodal transshipment facilities and of intermodal terminals (unless included in Schedule 1);	
(d) Construction of railways (unless included in Schedule 1);	The area of the works exceeds 1 hectare.
(e) Construction of airfields (unless included in Schedule 1);	(i) The development involves an extension to a runway; or (ii) the area of the works exceeds 1 hectare.
(f) Construction of roads (unless included in Schedule 1);	The area of the works exceeds 1 hectare.
(g) Construction of harbours and port installations, including fishing harbours (unless included in Schedule 1);	The area of the works exceeds 1 hectare.
(h) Inland–waterway construction (unless included in Schedule 1), canalisation and flood–relief works; (i) Dams and other installations designed to hold water or store it on a long–term basis (unless included in Schedule 1); (j) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport;	The area of the works exceeds 1 hectare.
(k) Oil and gas pipeline installations and pipelines for the transport of carbon dioxide streams for the purposes of geological storage (unless included in Schedule 1); (l) Installations of long–distance aqueducts;	(i) The area of the works exceeds 1 hectare; or, (ii) in the case of a gas pipeline, the installation has a design operating pressure exceeding 7 bar gauge.
(m) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works;	All development.
(n) Ground water abstraction and artificial ground water recharge schemes (unless included in Schedule 1); (o) Works for the transfer of water resources between river basins (unless included in Schedule 1).	The area of the works exceeds 1 hectare.

Column 1	Column 2
Description of development	Applicable thresholds and criteria
11. Other projects	
(a) Permanent racing and test tracks for motorised vehicles;	The area of the development exceeds 1 hectare.
(b) Installations for the disposal of waste (unless included in Schedule 1);	(i) The disposal is by incineration; or (ii) the area of the development exceeds 0.5 hectare; or (iii) the installation is to be sited within 100 metres of any waterway or water in underground strata or, marine waters.
(c) Waste-water treatment plants (unless included in Schedule 1);	The area of the development exceeds 1,000 square metres.
(d) Sludge-deposition sites; (e) Storage of scrap iron, including scrap vehicles;	(i) The area of the deposit or storage exceeds 0.5 hectare; or (ii) a deposit is to be made or scrap stored within 100 metres of any waterway or water in underground strata or, marine waters.
(f) Test benches for engines, turbines or reactors; (g) Installations for the manufacture of artificial mineral fibres; (h) Installations for the recovery or destruction of explosive substances; (i) Knackers' yards.	The area of floorspace exceeds 1,000 square metres.
12. Tourism and leisure	
(a) Ski-runs, ski-lifts and cable-cars and associated developments;	(i) The area of the works exceeds 1 hectare; or (ii) the height of any building or other structure exceeds 15 metres.
(b) Marinas;	The area of the enclosed water surface exceeds 1,000 square metres.
(c) Holiday villages and hotel complexes outside urban areas and associated developments; (d) Theme parks;	The area of the development exceeds 0.5 hectare.
(e) Permanent camp sites and caravan sites.	The area of the development exceeds 1 hectare.
13.	
(a) Any change to or extension of development of a description listed in paragraphs 1 to 12 of column 1 of this table, where that development is already authorised, executed or in the process of being executed.	The thresholds and criteria in the corresponding part of column 2 of this table applied to the development as changed or extended, are met or exceeded and in such a case the change or extension may have significant adverse effects on the environment;

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Column 1	Column 2	
Description of development	Applicable thresholds and criteria	
(b) Any change to or extension of development of a description listed in Schedule 1 (other than a change or extension falling within paragraph 22 of that Schedule) where that development is already authorised, executed or in the process of being executed.	The thresholds and criteria in column 2 of the paragraph of this table indicated below applied to the development as changed or extended are met or exceeded and in such a case the change or extension may have significant adverse effects on the environment.	
	Paragraph in Schedule 1	Paragraph of this table
	1	6 (a)
	2(a)	3 (a)
	2(b)	3 (h)
	3	3 (h)
	4	4
	5	5
	6	6 (a)
	7(a)	10 (d) (in relation to railways) or 10 (e) (in relation to airports)
	7(b) and (c)	10 (f)
	8(a)	10 (h)
	8(b)	10 (g)
	9	11 (b)
	10	11 (b)
	11	10 (n)
	12	10 (o)
	13	11 (c)
	14	2 (e)
	15	10 (i)
	16	10 (k)
	17	1 (c)
	18	8 (a)
	19	2 (a)
	20	3 (c)
	21	6 (c)

Column 1	Column 2
Description of development	Applicable thresholds and criteria
	23 3 (k)
	24 3 (k)
(c) Development of a description mentioned in Schedule 1, undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than two years.	All development

SCHEDULE 3

Regulation 2(2)–definition of “selection criteria”

Selection criteria referred to in Article 4.3 of the Directive

1. 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.

2. 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 EEA states’ legislation; areas designated by EEA states pursuant to Council Directive 2009/147/EC on the conservation of wild birds⁽⁸⁾ and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora⁽⁹⁾;

⁽⁸⁾ O.J. No. L 20,26.1.2010, p7⁽⁹⁾ O.J. No. L206, 22.7.92, p.7

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- (vi) areas in which the environmental quality standards laid down in Community legislation have already been exceeded;
- (vii) densely populated areas;
- (viii) landscapes of historical, cultural or archaeological significance.

3. 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.

SCHEDULE 4

Regulation 2 (2) – definition of
“environmental statement”

Matters for Inclusion in Environmental Statement

PART 1

1. Description of the development, including in particular—
 - (a) a description of the physical characteristics of the whole development and the land–use requirements during the construction and operational phases;
 - (b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;
 - (c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
2. An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice, taking into account the environmental effects.
3. A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.
4. A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:
 - (a) the existence of the development;
 - (b) the use of natural resources;
 - (c) the emission of pollutants, the creation of nuisances and the elimination of waste,

and the description by the applicant or appellant of the forecasting methods used to assess the effects on the environment.

5. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.

6. A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.

7. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant or appellant in compiling the required information.

PART 2

1. A description of the development comprising information on the site, design and size of the development.

2. A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects.

3. The data required to identify and assess the main effects which the development is likely to have on the environment.

4. An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice, taking into account the environmental effects.

5. A non-technical summary of the information provided under paragraphs 1 to 4 of this Part.

SCHEDULE 5

Regulation 40(1)

Revocations

<i>Title</i>	<i>Reference</i>	<i>Extent of Revocation</i>
The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999	S.R. 1999 No. 73	The whole of the Regulations
The Planning (Application of Subordinate Legislation to the Crown) Order (Northern Ireland) 2006	S.R. 2006 No. 218	Article 9
The Planning (Electronic Communications) Order (Northern Ireland) 2006	S.R. 2006 No. 276	Article 12 and Schedule 7
The Planning (Environmental Impact Assessment) (Amendment) Regulations (Northern Ireland) 2008	S.R. 2008 No. 17	The whole of the Regulations
The Planning (Environmental Impact Assessment) (Amendment No. 2) Regulations (Northern Ireland) 2008	S.R. 2008 No. 372	The whole of the Regulations

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SCHEDULE 6

Regulation 41

Consequential amendments

The Planning (General Development) Order (Northern Ireland) 1993

1. The Planning (General Development) Order (Northern Ireland) 1993⁽¹⁰⁾ is amended as follows.
2. In Article 2 (interpretation) for the definition of “the EIA Regulations” substitute—
““the EIA Regulations” means the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012;”.

⁽¹⁰⁾ S.R. 1993 No. 278 relevant amendments are S.R. 1995 No. 356; S.R. 1999 No. 73; S.R. 2004 No. 459; S.R. 2006 No. 218 and S.R. 2006 No. 276