EIA screening critique note

Proposed green data centre (DV4), Bellside Road / Lancaster Avenue, Chapelhall

North Lanarkshire Council screening opinion 26/00707/EIASCR, adopted 19th June 2026. v1.12, 7th August 2026. Draft for review, not issued.

1. Summary and next steps

In June 2026 North Lanarkshire Council decided that a proposed data centre of circa 100 to 124MW, on about 15 hectares of green belt at Chapelhall, was unlikely to have significant effects on the environment, and that no Environmental Impact Assessment would therefore be required. The applicant is HFD Renewables Ltd, whose data centre division trades as DataVita. The decision was taken in 15 days, with the applicant's own material, with no landscape, noise, air quality or greenhouse gas assessment in front of the council and no figure for how much electricity the site would draw.

The council's reasons lean heavily on the planning history of the same land: that the site is allocated for business use, that it already has planning permission for a mixed-use development, and that it was screened once before, in 2017, and found not to need an EIA. That history is doing most of the work in the decision, so this note goes back to the earlier applications and reads them directly. They are set out below. What they show materially changes the picture, because in several respects the history does not say what the 2026 decision takes it to say.

The note also compares Chapelhall with two other Scottish data centre applications decided in 2026: Larbert in Falkirk, which produced a full EIA, and Cato at Auchtertool in Fife, which was screened out of EIA and then contradicted by the applicant's own later evidence. Section 6 sets out that comparison.

The applications read for this note, all relating to the same land:

Reference	What it was	Outcome
17/01929/EIASCR	EIA screening for a mixed-use scheme: food and drink, hotel, assembly and leisure, retail, petrol filling station	EIA not required, 20th December 2017. Covered 4.956ha
18/00266/PPP	Planning permission in principle for that mixed use scheme	Granted 25th October 2018 on 4.943ha, subject to 18 conditions
21/01434/S42	Application to correct two duplicated mineral stability conditions	Granted 27th January 2022. Committee report records the scheme as a departure from Green Belt policy
24/00872/S42	Application to vary conditions 1 to 18 of the above	Granted 30th January 2025, issued 3rd February. The operative permission. Recorded on its face as a departure from the current development plan
25/01034/MSC	Application to approve the masterplan, drainage and ground conditions for the mixed-use scheme	Pending. Sets out a four-phase build-out running to 2027 and 2028
26/00707/EIASCR	EIA screening for the proposed data centre (DV4)	EIA not required, 19th June 2026. The decision under review

Six findings follow from that reading.

- **The council did not deal with the other schemes nearby, although the applicant listed them.** The applicant's own submission names four other data centre or battery storage proposals in the immediate area, including HFD's own 500MW scheme at South Lanridge, a short distance to the southeast. The council's written reasons name none of them and state that there are no other proposals on adjacent green belt land.

- **Most of the site has never been screened or consented for anything.** The 2017 screening covered 4.956 hectares and excluded the land to the west. 2018 permission was granted on 4.943 hectares. The data centre site is up to about 15 hectares. Roughly two thirds of it therefore carries neither a previous screening nor a planning consent.
- **There is no approved building or layout for the data centre to replace.** The permission was granted in principle only. Condition 3 of the operative 2025 consent states that no permission is given for the indicative layout submitted, naming drawing 7362-201 Revision D as not approved, and condition 1 reserves siting, design, external appearance, access, layout and levels for later approval. The 2026 decision nonetheless reasons that the data centre *"would largely replace the consented mixed-use development"*.
- **The mixed-use scheme has not been abandoned.** An application to approve a four-phase build-out of it, running to 2027 and 2028, was pending before the same council at the time it screened the data centre as replacing that scheme. Both cannot be built.
- **No figure for the site's electricity demand appears anywhere.** There is no annual consumption figure, no power usage effectiveness ratio, and no stated IT load, in either the applicant's submission or the council's decision. The council concluded there is no likely significant climate effect without the number that conclusion depends on.
- **The standby generators are undefined.** No number, no rating, no fuel storage volume. Those figures determine whether the site would engage the COMAH major accident hazard regime and hazardous substances consent, so at present nobody can test that question either way.

The main open questions:

- Was any consultee (Environmental Health, SEPA, NatureScot, the Coal Authority, Transport Scotland) asked for a view before the screening decision, and what did they say?
- Why do the council's written reasons not address the four nearby schemes the applicant disclosed?
- Is the 100 to 124MW figure the IT load or the total grid connection, and what is the expected annual consumption and design efficiency?
- How many standby generators, at what rating, with what fuel storage volume and how many hours of stored fuel?
- The December 2025 pre-application notice included battery energy storage; the May 2026 screening report says there is none. Has it been dropped, or moved to a separate application to the Scottish Government's Energy Consents Unit?
- What is the status of the pending masterplan application, and how does the council reconcile approving it by screening a data centre said to replace the same scheme?
- On what dates were the screening decision, the written reasons and the applicant's screening report actually published?
- Did the Council hold the Preliminary Ecological Appraisal when it adopted the screening opinion on 19th June 2026, or did it rely on the applicant's description of it? The appraisal is not among the appendices to the screening report, which contain only a location plan and a site planning history, and it is not named in the sources list at 4.1.1.
- The consented mixed-use development sits on the same green belt land, and a masterplan application for it is pending. On what basis does the Council state that there are *"no other proposals on the immediate adjacent green belt designated land"*?
- How far is each of the four other schemes from the DV4 site, and on what basis was each judged sufficiently separated by distance, topography and the M8? The existing DataVita site and its extension at York Road, refs 25/01159/PPP and 25/01294/S42, lie on the same side of the A8/M8 corridor as the DV4 site, so no motorway separates them.
- Beyond the four schemes the applicant listed, mapping published by Action to Protect Rural Scotland records further energy infrastructure already in the planning system in the same green belt south of Chapelhall: a 300MW battery at Newarthill Energy Park, a 15MW solar array with battery storage, a 30MW battery, a

substation equipment upgrade and a transmission upgrade. Were any of these taken into account in the cumulative assessment, and if not, on what basis were they excluded?

2. Legislation and reference points

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, SSI 2017/102. These govern the decision itself and the routes for challenging it.

Provision	What it says	What it is useful for
Reg 3	Planning permission may not be granted for Schedule 2 development likely to have significant effects unless the EIA procedures have been followed	The consequence if the screening is wrong. Engaged when the application is determined
Reg 7(1)(a)	The authority must take into account the relevant Schedule 3 selection criteria and the results of any relevant assessment	Arguing the criteria were not properly applied to this development
Reg 7(1)(b)	The authority must base its determination on the information provided by the developer	The cumulative point. The applicant listed four nearby schemes and the reasons do not address them
Reg 7(2)(a)	The opinion must be accompanied by a written statement giving the main reasons, by reference to the Schedule 3 criteria	Testing the adequacy of the written reasons
Reg 7(2)(b)	Where the answer is that no EIA is required, the statement must set out the features or measures envisaged to avoid or prevent significant adverse effects	Arguing that listing future assessments is not the same as identifying measures
Reg 7(4)(b)	The Scottish Ministers may make a screening direction if requested to do so in writing by any person	The route open to objectors. Write to Scottish Ministers
Reg 7(6)(c)	Ministers must send the direction and statement of reasons to the person who made the request, where that is not the developer	Confirms an entitlement to the outcome of a Reg 7(4)(b) request
Reg 9(1)	21 days from receipt, extendable to 90 by written agreement, and longer where the authority considers it impracticable	Context for the 15-day decision
Reg 9(4)	Where the authority considers it has insufficient information, it must notify the developer of the points on which it requires more	Asking the council to use this power, which it did not use in June 2026
Reg 9(5) and Reg 10	The developer may ask Ministers for a screening direction where the authority missed the deadline or decided an EIA is required	Note only. This is the route named in the council's letter and it is not open to third parties
Reg 28(1), (2)(d) and (j), (4)	Screening opinions and their statements of reasons must be available on a website and at the authority's office, and remain so for two years	Requesting publication. No express deadline is set
Sch 2, para 10(a)	Industrial estate development projects where the area exceeds 0.5ha	The category used in 2026. Compare Class 10(b), urban development projects, used in 2017
Sch 3, para 1(b)	Cumulation with other existing and approved development is a mandatory selection criterion	The legal hook for the cumulative point

Access to information. Which regime applies depends on who holds the material.

Provision	What it says	What it is useful for
EIRs 2004, reg	A Scottish public authority holding environmental	The main route for council-held material. Planning

Provision	What it says	What it is useful for
5(1) and 5(2)(a)	information must make it available to any applicant, as soon as possible and within 20 working days	and screening papers are environmental information, so requests go under the EIRs rather than freedom of information
EIRs 2004, reg 2(1)	Defines environmental information, including measures and activities affecting or likely to affect the environment	Establishing that this material falls under the EIRs
EIRs 2004, reg 2(2)(b)	Information held by another person on the authority's behalf counts as held by the authority	Reaching consultants' material
EIRs 2004, reg 16(2) and 16(4)	Written representations for review within 40 working days of the decision. The authority must respond within 20 working days	If a request is refused or ignored
EIRs 2004, reg 17	Applies Part 4 of the Freedom of Information (Scotland) Act 2002, the enforcement provisions	Onward application to the Scottish Information Commissioner
FOISA 2002	The general freedom of information regime	Generally, not the right route here. Environmental information is handled under the EIRs. A misdirected request should still be dealt with under the correct regime
Neither regime	HFD Renewables Ltd is a private company and is outside both FOISA and EIRs. The council cannot disclose what it does not hold	The generator count, fuel volume, efficiency ratio, consumption figure and power purchase agreement counterpart all sit with the applicant. Route them through the case officer, formal representations, or Reg 9(4)

Guidance and related regimes, for completeness: Planning Circular 1/2017 and Planning Advice Note PAN 1/2013 (revised 2017) on the application of the EIA Regulations; National Planning Framework 4, under which green data centres are a National Development (No. 12, Digital Fibre Network); the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 on major development; and, for the fuel storage question, the Control of Major Accident Hazards Regulations 2015 and the Planning (Hazardous Substances) (Scotland) Regulations 2015, SSI 2015/181. The last two need checking against the position for hydrotreated vegetable oil before being relied on. See section 8.

3. Action points

#	Action	Ask whom, in what form	Legal basis	Timing
1	Confirm the dates on which the screening opinion, the written reasons and the applicant's screening report were published	Email the case officer, Stuart Ramsay, quoting 26/00707/EIASCR	EIA Regs 2017, reg 28(1), (2)(d) and (j), (4)	Now. Underpins the transparency point
2	Request the case officer file, internal consultee responses and all correspondence with Ironside Farrar	Written request to North Lanarkshire Council, stating it is made under the EIRs	EIRs 2004, reg 5(1) and 5(2)(a); reg 2(2)(b) for consultants' material	20 working days. Do after action 1
3	Request the ecology reports the Council's decision relies on, and confirmation of whether it held the Preliminary Ecological Appraisal when it decided. Neither report is on the public planning register	Written EIRs request to North Lanarkshire Council. Ask the Council to obtain the appraisal from the agent if it does not hold it	EIRs 2004, reg 5(1), 5(2)(a) and 2(2)(b). EIA Regs 2017, reg 7(1)(b) and reg 9(4)	Now. Alongside action 2
4	Ask why the written reasons do not address the four nearby schemes the applicant disclosed, and whether the Lanarkshire AI Growth Zone programme was taken into account	Email the case officer first, then EIRs request if unanswered	EIA Regs 2017, reg 7(1)(b) and 7(2)(a), and Sch 3 para 1(b)	Now. The strongest ground
5	Put the energy and generator questions to	Case officer to relay to the agent;	EIA Regs 2017, reg 9(4) (power to	Now, and repeat in

#	Action	Ask whom, in what form	Legal basis	Timing
	the applicant: consumption in MWh, efficiency ratio, whether 100 to 124MW is IT load or grid connection, generator count and rating, fuel storage volume and stored hours	also, the developer's DV4 consultation contact; then formal representations	require further information). Not obtainable under FOISA or EIRs, as the applicant is a private company	representations
6	Ask what happened to the battery storage between the 2025 pre-application notice and the 2026 screening report	Email the case officer	EIA Regs 2017, reg 7(1)(a). Relevant to project splitting	Now
7	Decide whether to ask Scottish Ministers to overturn the screening decision (a "screening direction")	Written request to the Scottish Ministers. Open to any person, not only the developer	EIA Regs 2017, reg 7(4)(b). Outcome must be sent to the requester under reg 7(6)(c). Note reg 9(5) and reg 10 are developer-only	After actions 1 to 4 land
8	When the planning application is lodged, compare its landscape, noise, air quality and greenhouse gas assessments against what the screening asserted without them	Formal representations, and a written request that the screening be revisited	EIA Regs 2017, reg 3 and reg 7(1)(a). Screening is a continuing duty	On lodgement. See section 6
9	Verify the hazardous substances position for hydrotreated vegetable oil before putting the fuel point in writing	Desk check	COMAH Regs 2015; Planning (Hazardous Substances) (Scotland) Regs 2015, SSI 2015/181	Before any formal submission

4. The decision, in short

Item	Detail
Proposal	Green data centre of circa 100 to 124MW on approximately 15 hectares, plus commercial and industrial buildings, substation, ancillary generation. Buildings circa 30m high. Nearest housing circa 70m from the building
Applicant / agent	HFD Renewables Ltd / Ironside Farrar Ltd
Designation	Green belt (LDP policy PP 4) and Specialised Business Site NLC00532 (policy PROM LOC2). Dual designation
Schedule 2 category	Paragraph 10(a), industrial estate development projects. Threshold 0.5ha
Timeline	Request received 4th June 2026. Checklist 18th June. Opinion 19th June. 15 calendar days against a 21-day maximum under Reg 9(1)(a)
Decision	EIA not required. Signed Lorna Bowden, Planning and Place Manager
Route ahead	Planning permission in principle, detail deferred to approval of matters specified in conditions

The council concluded that a 100MW plus, 24-hour energy load on green belt is unlikely to have significant environmental effects, in 15 days, on the applicant's own material, with no landscape and visual impact assessment, no noise assessment, no air quality assessment, no greenhouse gas assessment, and no figure for how much electricity the site will draw.

The council was entitled to screen it, and Regulation 7(1)(b) obliges it to base the determination on the developer's information.

5. Where the reasoning is weak

- **The cumulative reasoning ignores the applicant's own list.** The strongest ground, and entirely on the papers. The applicant's checklist (pages 27 to 28) discloses four other schemes: data centres at York Road, Chapelhall (12MW and 20MW, refs 25/01159/PPP and 25/01294/S42); an approved BESS at North Lanrigg with a further data centre

PAN (ECU00005166, 25/00989/PAN); and HFD's own 500MW DV6 proposal (25/01328/PAN), submitted expressly *"under the AIGZ"*. The council's written statement names none of them and says *"there are no other proposals on the immediate adjacent green belt designated land"*, dismissing the rest as *"sufficiently separated ... by distance, intervening topography and road network (M8)"*. The M8 answers a landscape question. It answers nothing on cumulative grid demand, carbon, green belt loss or construction traffic. Reg 7(1)(b) required the council to base its determination on that information; Schedule 3 para 1(b) makes cumulation a mandatory criterion.

- **The 2017 screening is doing work it cannot do, and it covered a different site.** The council leans on that history at least six times, including "no significant effects are considered likely to result, noting that the site has had approval for various proposals over the last 10 years". Reading 17/01929/EIASCR itself breaks the comparison in four places, set out in the table below. The most concrete is area, and the 2018 papers close it off. The applicant's own Planning Design and Access Statement puts the application boundary at 4.943ha (12.21 acres) at paragraphs 2.2 and 3.1, with the land to the west shown in blue as owner's land "with no plans to build in this area". The 2017 screening covered the same ground, "approximately 5 hectares", expressly excluding the western land. Therefore, the consent is 4.943ha and the screening was 4.956ha, against a DV4 boundary of up to circa 15ha. Roughly 10ha, two thirds of the site, has never been screened or consented for anything.
- **Undesigned mitigation is carrying the significance test.** *"Subject to appropriate mitigation being demonstrated"* appears four times. The clearest case is landscape: the council concludes no significant effect while recording in the same paragraph that the site *"will also be highly visible from the main Glasgow to Edinburgh M8 motorway"*, and that an LVIA *"will be submitted with the application"*. The assessment that would answer the question has not been done. This is exactly how Cato failed: Fife screened landscape as not significant, and the applicant's own appraisal later conceded major adverse effects at construction and year 1.
- **There is no energy figure anywhere in the record.** No MWh, no GWh, no PUE, no load factor, no IT load, across all 40 pages of the applicant's report plus the council's checklist and opinion. The only number is *"c.100-124MW"*, and the documents do not say whether that is IT load or total utility connection (they can differ by 30 per cent or more). The council still concluded there is no likely significant climate or natural resources effect. Both depend on a figure nobody has stated.
- **Standby generation and fuel storage are blank.** No generator count, no rating, no fuel volume, no stored hours. Only that the fuel will be ISCC certified HVO, sited at least 160m from the settlement and 120m from Rowantree, tested 30 to 60 minutes a month. At Larbert the same inputs, once assembled, gave a derived inventory of roughly 7.48M litres (circa 6,360t), about 2.5 times the 2,500T trigger for COMAH lower tier and hazardous substances consent. That calculation cannot be run here, which is the point: both inputs are fixed by the design now and neither has been published.

The two screenings side by side, both by North Lanarkshire Council:

	17/01929/EIASCR, 20th December 2017	**26/00707/EIASCR, 19th June 2026**
Development	Food and drink, hotel, assembly and leisure, Class 1 retail, petrol filling station, ancillary uses	Green data centre circa 100 to 124MW, substation, ancillary generation, commercial and industrial buildings
Site area	4.956ha screened (Phase 1 on drawing CDRS1-A). Phase 2 (3.706ha) expressly excluded: *"does not form part of this EIA screening opinion"*. 18/00266/PPP was then consented on 4.943ha	Up to circa 15ha, taking in the excluded western land and further ground beyond the 2018 boundary
Built form	None consented. Condition 2: *"no permission is hereby given for the indicative site layout ... This serves as an indicative layout only"*	Buildings circa 30m high, said to *"largely replace the consented mixed-use development"*
Schedule 2 limb	Class 10(b), urban development projects	Paragraph 10(a), industrial estate development

	17/01929/EIASCR, 20th December 2017	26/00707/EIASCR, 19th June 2026
		projects. A different limb
Test applied	EIA required where development is *"typically complex"*, of *"more than local importance"*, in a sensitive location, or has *"unusually complex and potentially hazardous environmental effects"*	Same guidance cited (PAN 1/2013, Circular 1/2017), but the three triggers are not worked through
Importance	Impacts *"of local importance ... are unlikely to have significant wider significance"*	Impacts *"localised"*, despite the proposal being a National Development under NPF4
Time taken	Received 16th November, issued 20th December. 34 days	Received 4th June, issued 19th June. 15 days
Signed	Shirley Linton, Head of Enterprise and Place	Lorna Bowden, Planning and Place Manager

The 2017 test is a useful part, because it is the council's own formulation of when an EIA is needed. On its face DV4 meets two of the three triggers: NPF4 designates green data centres a National Development, which is the opposite of *"local importance"*; and a 100MW plus load with an undisclosed standby fuel inventory is a fair candidate for *"unusually complex and potentially hazardous environmental effects"*. The 2026 opinion cites the same guidance and does not run the triggers.

The replacement argument fails twice over. The council says the data centre *"would largely replace the consented mixed-use development approved on the green belt site"*. On area, 4.943ha does not largely replace 15ha. On built form, there is nothing to replace: Condition 3 of the operative 2025 permission states that *"no permission is hereby given for the indicative site layout submitted with this application and the layout shown on indicative drawing 7362 - 201 Revision D is not approved."* What was consented is the principle of mixed use on 4.943ha, with siting, design, external appearance, access, layout and levels all reserved by condition 1. Therefore, the comparison is a 30m data hall against a layout the Council expressly declined to approve.

The consent chain runs 18/00266/PPP (25th October 2018) to 21/01434/S42 (27th January 2022) to 24/00872/S42 (granted 30th January 2025, issued 3rd February), with 25/01034/MSC still pending. The applicant's own planning statement of 22nd September 2025 confirms the boundary has not moved: *"The overall masterplan for the entire development has a site boundary consistent with the original planning permission in principle consent."* Therefore, the approved and screened land stands at 4.943ha, as at ten months before the screening.

That pending masterplan is the sharper problem. It sets out four phases running to 2027 and 2028, with Phase 1 already consented under 22/00378/FUL and further approvals expected in 2026. When the council screened DV4 in June 2026 on the basis that it *"would largely replace the consented mixed-use development"*, it had in front of it a live application to approve a phased build-out of that same development on that same land. Both cannot happen, and the council was determining both at once while treating one as a settled baseline for the other.

The 2022 committee report is worth reading in full, because it is the council describing this site in its own words. It records at 8.7 that the site is Green Belt under policy PP4 and a Specialised Business Site under PROM LOC2, and that the consented scheme *"is not of a nature suitable for a Specialised Business Site, and neither is it appropriate for the Green Belt"*. The permission was a departure, granted on the strength of *"the improbability of attracting a major single-user inward investment development to the site"* (8.8).

This can work in two ways: it arguably helps the applicant on the principle, since a data centre is close to the single-user inward investment the designation was held for. However, what it does not support is the 2026 use of consent as evidence that development here cannot have significant effects. The council's own position in 2022 was that this land is Green Belt where the consented development is inappropriate, allowed only as a departure on a premise that has

since collapsed. The 2025 permission says the same thing. Its decision notice records that *"the proposal is considered to be a departure from the current development plan"*, and that the mixed-use scheme *"continues to be an acceptable departure"*. That was decided in January 2025, after the 2022 Local Development Plan had been adopted, so the departure finding is not an artefact of an older plan.

Four smaller points worth having in reserve. Condition 12 of the operative permission (24/00872/S42) requires an updated ecology report, including any necessary protected species surveys, with every further application, the council having recognised that the underlying survey work dates from 2017; the 2026 screening nonetheless concludes there is no significant ecological effect on the strength of a Preliminary Ecological Appraisal it does not publish. The council's own checklist concedes that the effect is "Permanent", that there are cumulative effects ("Yes, some limited impacts are anticipated"), and that the application is "an integral part of a more substantial project" (dismissed in one sentence). The proposal of application notice (PAN) of December 2025 included battery storage; the May 2026 screening report says there is none, with no explanation, so either it was dropped or split into a section 36 application. The opinion gives two distances to housing, 20m to the site edge on page 1 and 70m to the building later; both can be true, but only the 70m figure carries into the reasoning.

On the *"green data centre"* label, which the opinion uses four times to discharge waste, contamination and human health: the applicant concedes at 2.3.7 that the term has no standard definition. Against the four criteria Ministers suggested, renewable power is a PPA at *"commercial terms agreed"* stage with no named counterparty or windfarm; efficiency is unevidenced with no PUE stated; waste heat re-use is *"active discussions"* with Monklands Replacement Hospital and BioCity, with no committed off taker.

6. Three-way comparison

	Larbert	**Cato / Auchtertool**	**Chapelhall DV4**
Reference	P/26/0237/FUL, Falkirk	26/01243/PPP, Fife	26/00707/EIASCR, N Lanarkshire
Scale	300MW utility, circa 228MW IT, PUE circa 1.3	600MW, circa 400 to 4,000GWh/yr, PUE claimed below 1.1	100 to 124MW, basis unstated. No PUE
EIA position	Full EIA produced	Screened out, 25/03079/SCR	Screened out, 19th June 2026
Climate	Major adverse and significant, on the applicant's own assessment. Whole life circa 2,367,328tCO2e, operational electricity 1,366,569t, circa 1.4% of Scotland's 2038-42 carbon budget	Not assessed	Not assessed. No energy figure
Landscape	Assessed in the EIA	Screening said it was not significant. The applicant's own appraisal then found major adverse	Screening says not significant. LVIA not yet produced
Generators	200 Kohler KD3750-E at 3,230kW. Derived circa 7.48M litres, circa 2.5x COMAH lower tier	Deferred	Count, rating and fuel volume all undisclosed
Renewable claim	Connection to applicant's own consented 400MW BESS. Feasibility stage, *"not a prerequisite for planning consent"*	PPA tied to an ILI pumped storage project that was not consented	PPA at commercial terms stage. Counterparty unnamed
Consultee input	n/a	None recorded at screening. Fife's own Structural Services recommended refusal on flood risk later, during the planning application	None recorded in the screening papers

The Larbert application provides a useful comparison, because the developer's own consultants found operational climate effects major adverse and significant. That is conceded, not argued. It establishes that a data centre in this size range in central Scotland can have significant effects, which is the proposition Chapelhall denies without calculation.

Larbert is roughly 300MW utility against Chapelhall's 100 to 124MW of unstated basis, so Chapelhall may be a third to a half the size, and a smaller scheme does not automatically cross the threshold. The narrower point is harder to answer: when a comparable development in the same country in the same year was assessed properly, the answer came back major adverse. Chapelhall reached the opposite conclusion with no assessment at all. The question is not whether the council is wrong, but how it can know.

7. What can be done:

Use Regulation 7(4)(b): the Scottish Ministers may make a screening direction *"if requested to do so in writing by any person"*. Reg 7(6)(c) then requires Ministers to send the direction and reasons to the person who made the request. A request would be built on the findings in section 1 plus the Cato precedent.

Alongside that, the council has written one hook itself. The opinion *"reserves the right to review this opinion should a formal application be lodged in the future for this proposal and circumstances have changed in the interim period"*. When the LVIA, NIA, AQIA and GHG assessment arrive, each can be compared against what the screening asserted without them. That is what exposed the Cato screening in Fife, and it is action 8 in section 3. The remaining levers are set out in the action points rather than repeated here.

8. Assumptions, exclusions and confidence

- **Assumed.** That "*100 to 124MW*" is the grid connection capacity; the documents do not say whether it is IT load or utility connection, and every scale comparison in section 6 carries that caveat. That the 30m height, taken from the council's opinion, reflects indicative pre-application plans rather than a fixed parameter.
- **Second hand.** The Larbert and Cato figures come from my previous data centre research, verified in June 2026 against the Larbert EIA Chapter 7 and the Fife documents. The AI Growth Zone figures come from press reporting and the developer's website and are not independently verified.
- **Excluded.** Planning merits. Section 2 is a reading of the text of the 2017 Regulations rather than a view on prospects. The LDP policy text itself; PP 4 and PROM LOC2 are taken from the applicant's report.
- **Less confident.** Whether the COMAH and hazardous substances thresholds apply to HVO as they do to diesel, and how aggregation with other stored oils works. Whether Schedule 2 para 3(a) (electricity production) is also engaged by the on-site generation. Whether a data centre is properly Class 6, which the applicant asserts at 2.3.6, and which affects the policy tests. The Reg 28 publication dates. The York Road capacities, given as 12MW and 20MW by the applicant but as a 24 to 40MW extension by APRS.
- **This would strengthen this.** The current status of 25/01034/MSC. The case officer file and any consultee correspondence for 26/00707/EIASCR. The pre-application consultation report and the indicative plans behind the 30m figure. The Preliminary Ecological Appraisal cited at 4.3.2 but not published.

9. Sources

Screening papers (project folder): SCREENING_OPINION-2040736.pdf (opinion and statement of reasons); EIA_SCREENING_CHECKLIST-2040737.pdf (18th June 2026); EIA_SCREENING_OPINION-2028387.docx (decision letter, 19th June 2026); EIA_SCREENING_REPORT___APPENDICES-2024652.pdf (Ironside Farrar for HFD Renewables Ltd, ref

61164, May 2026, 40 pp); LOCATION_PLAN-2025062.pdf. Plus the 2017 screening: 17-01929-EIASCR/-852474.docx (NLC screening opinion to Gray Planning and Development, 20th December 2017) and LOCATION_PLAN_AND_PROPOSED_PLAN-842793.pdf (drawing CDRS1-A, G S Brown Construction Ltd, 1:1250 at A2, source of the 4.956 / 3.706 / 8.662ha figures). Plus the 2018 permission: DECISION_NOTICE-940452.pdf (18/00266/PPP, 25th October 2018, 18 conditions) and PLANNING_DESIGN_ACCESS_STATEMENT-867021.pdf (Gray Planning and Development for GS Brown Construction Ltd, source of the 4.943ha boundary at paras 2.2 and 3.1), with A_LOCATION_PLAN, LAND_OWNERSHIP_PLAN, ILLUSTRATIVE_SITE_FRAMEWORK_PLAN and TOPOGRAPHICAL_STUDY. Plus the 2022 variation: DECISION_NOTICE-1393178.pdf (21/01434/S42, 27th January 2022) and COMMITTEE_REPORT-1389861.docx (source of the paras 5.3, 8.7 and 8.8 quotations). Plus the 2025 variation: DECISION_NOTICE-1823339.pdf (24/00872/S42, granted 30th January 2025) and COMMITTEE_REPORT-1819487.docx. Plus the pending masterplan: MATTERS_SPECIFIED_IN_CONDITIONS-1919934.pdf, PLANNING_STATEMENT_220925-1919938.pdf and PROPOSED_FRAMEWORK_PLAN-090925.

Comparators: Data_Centre_Objection_documents, sections 1A, 2, 3, 5, 7 and 8; Auchtertool_Cato_Objection_Letter.

Legislation, checked on legislation.gov.uk on 6th August 2026: Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, SSI 2017/102, regs 3, 7, 8, 9, 10 and 28, and Schedules 2 and 3.

Reported, not verified: Action to Protect Rural Scotland, Chapelhall AI Growth Zone page (last modified 30th July 2026); UK Government announcement of the Lanarkshire AI Growth Zone via DataVita and trade press.