Planning Directorate

Scottish Government
Riaghaltas na h-Alba
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Dear colleagues

The Town and Country Planning (Environmental Impact Assessment) (Data Centres exceeding 50MW Power Capacity) (Scotland) Direction 2026

I am writing to draw your attention to a new Direction which requires an Environmental Impact Assessment (EIA) for applications for new data centres exceeding 50MW power capacity.

The Scottish Government recognises that data centres are a rapidly evolving sector attracting a broad range of views, opinions and concerns, and that evidence on the environmental impact of data centres continues to develop.

AI increases national considerations for the use of energy, water consumption and hardware needs. Energy efficiency in data centres can be improved through renewable powered compute and closed-loop cooling systems can significantly reduce the amounts of water required where used for cooling purposes. Potential Greenhouse Gas (GHG) Emissions from data centres arise from both construction and operation phases. Any data centre requiring the use of fossil fuels would add emissions, which have not been taken into account in our Climate Change Plan.

Depending on locational sensitivity, large-scale data centres have the potential to introduce a significant industrial presence into the landscape, requiring appropriate mitigation including through siting and design. Additional locational impacts may arise

including, but not limited to, biodiversity, soils, water resources, noise, and potentially for air quality where back-up generators are used.

There are considerable benefits for all parties where the need for EIA is identified and planned for at the earliest possible stage, when there is greatest scope to integrate mitigation measures to minimise impacts from the outset in designing green data centres which support sustainable infrastructure growth. Embedding the consideration of environmental factors from the outset can also help minimise the risk of delay at later stages and can support a smoother passage of proposals through the planning process.

Recognising the new and emerging evidence base around this rapidly evolving sector, the Scottish Government considers it appropriate to apply caution in ensuring potentially significant environmental effects are considered from the outset.

Any data centre not meeting the 50MW threshold will remain subject to case-by-case consideration in accordance with the EIA regulations.

The Direction comes in to force from 17 September 2026 and will be reviewed periodically, taking into account evolving technology in this rapidly evolving sector.

Yours sincerely

Dr Fiona Simpson, FRTPI
Chief Planner and Director

DIRECTION

The Town and Country Planning (Environmental Impact Assessment) (Data Centres exceeding 50MW Power Capacity) (Scotland) Direction 2026

The Direction is given under powers conferred on the Scottish Ministers by Regulation 50 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 and all other powers enabling them to do so:

Citation, commencement and interpretation

(1) This Direction may be cited as the Town and Country Planning (Environmental Impact Assessment) (Data Centres exceeding 50MW Power Capacity) (Scotland) Direction 2026 and comes into force on 17 September 2026.

(2) In this Direction-

“Data Centre” means a proposed structure, or part of a structure, used to house computing and data storage resources.

“Power Capacity” is the total proposed electrical power available to the data centre, typically expressed in megawatts (MW).

EIA development

(3) The Scottish Ministers hereby direct that development which is both -

(a) development of a description set out in paragraph 10(a) (‘industrial estate development projects’) or paragraph 10b) (‘urban development projects’) of column 1 of schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, and

(b) development within the class described in paragraph (4)

is EIA development for the purposes of those Regulations.

(4) The class of development is development which is a Data Centre with a Power Capacity exceeding 50MW