Department for
Business, Innovation,
Science & Trade

Initial Proposal for a National Policy Statement (NPS) for Data Centres

October 2026

Department for Business, Innovation, Science and Trade

Initial Proposal for a National Policy Statement (NPS) for Data Centres

Presented to Parliament pursuant to section 9(2) of the Planning Act 2008

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ISBN 978-1-5286-6885-9
E03716693 10/26

Printed on paper containing 40% recycled fibre content minimum.

Printed in the UK by HH Associates Ltd. on behalf of the Controller of His Majesty's Stationery Office.

Foreword

Britain must build the infrastructure that will power the age of AI, but this government believes how it is built matters just as much as how much we build.

We must take control over the development of data centres in this country and ensure that the country and host communities benefit from them. We therefore must be clear about what we expect in return: infrastructure that strengthens our national sovereignty, protects billpayers, delivers real benefits for local communities and helps reindustrialise Britain.

Data centres are now as fundamental to our economy as the railways and electricity networks on which we have long depended. They underpin the services we use every day, from businesses and hospitals to scientific research and public services. As AI is adopted more widely and transforms our economy, the countries that can build and power this infrastructure will be best placed to shape the technologies of the future and capture their benefits.

At its heart, this is a question of British sovereignty. As AI and data become more important to healthcare, defence and critical public services, we cannot afford to become dependent on digital infrastructure located overseas. The UK needs the domestic capacity, control and resilience to protect our national interests, including the ability to process sensitive data and deploy powerful AI systems on our own terms. Reliable domestic capacity will give Britain a genuine choice over where and how the infrastructure we depend on is operated, whether that be to process NHS data or operate the technologies underpinning our national security. Without that capacity, we risk becoming reliant on decisions made elsewhere, particularly when global demand for computing power is greatest.

This is also an opportunity to reindustrialise and bring good growth and jobs to every part of our country. Building data centres can unlock investment in energy infrastructure, create skilled jobs in construction and engineering, strengthen British supply chains and help new industries grow. We want the next generation of digital infrastructure to support economic renewal beyond London and the South East, and create opportunities in communities that have too often been left behind. The benefits of this investment must be felt by the communities that host it, not simply by the companies that own it.

The government has already taken a series of steps to attract investment into building data centres in the UK and ensuring they work for British citizens. We have designated the sector as Critical National Infrastructure (CNI), developed AI Growth Zones (AIGZs), reformed planning rules, introduced legislation on security and resilience, and progressed electricity network reforms. These measures have contributed to a total of £19.4 billion in foreign direct investment capital expenditure into the UK since July 2024[1].

To secure further investment for nationally significant data centres, we have now clarified in law that requests can be made for a narrow set of data centre development projects to go

1 Financial Times FDI Markets Database: https://www.fdimarkets.com/

through the Nationally Significant Infrastructure Projects (NSIP) consenting regime, rather than the Town and Country Planning Act 1990 (TCPA) route. The relevant Secretary of State will take decisions on qualifying applications, following a planning examination conducted by the independent Planning Inspectorate, who will send an Examining Authority Report, in line with the Planning Act 2008.

The National Policy Statement (NPS) explains how applications will be assessed and decisions made. By setting an indicative 100 MW minimum threshold for inclusion in the NSIP process, we are ensuring that this route is reserved for only the most nationally significant developments.

Crucially, making it easier to build must not mean weaker standards. This NPS establishes robust assessment criteria, aligned with the tests set out in the government's Data Centre Covenant, published in October 2026.

We encourage all data centres to:

1. **Lower electricity bills:** pay for their fair share of energy — covering any energy costs they create — so households, communities and other businesses do not pick up the bill. Their growth should help spread energy system costs across a larger base, reducing the share paid by households and businesses. They should also support grid resilience, flexibility and clean power.

2. **Invest in improving local communities:** communities that host nationally important infrastructure should share directly in the rewards. Strategic data centres should agree a Local Benefit Plan that commits to substantial investment, developed with the local community and linked to the development’s size. This can be spent on local priorities, like transport, parks and town centres.

3. **Adhere to the highest environmental standards:** protect nature, minimise water use and publish annual energy and water consumption reports. They should also capture the heat they produce for nearby homes, schools, hospitals or businesses wherever practical, rather than letting it go to waste.

4. **Create jobs, apprenticeships, and drive reindustrialisation:** create local jobs and invest in paid apprenticeships and training places, supporting young people into the AI, digital and infrastructure jobs of the future. They should also prioritise UK suppliers and technologies and make a meaningful contribution to the development and deployment of British AI hardware.

5. **Strengthen Britain’s security:** provide secure and reliable access to compute the UK needs, including for our NHS and other public services. They should work with the relevant national technical authorities, including the National Cyber Security Centre, to enhance resilience against cyber and hybrid threats beyond baseline requirements.

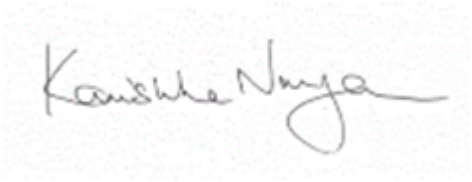
These tests reflect a simple principle: data centres should not just be built in Britain; they should be built for Britain. We expect developers seeking consent through this nationally significant route to demonstrate how their projects contribute to these ambitions.

This framework will support responsible investment across the country. Alongside our Industrial Strategy and Infrastructure Strategy, it should help unlock development across the country, giving more British businesses access to the infrastructure they need, and ensuring that more communities can share in the benefits of investment and the digital economy.

Britain should be a country that builds, that shapes the technologies of the future rather than simply consuming them, and that ensures the rewards of technological progress are shared widely.

This National Policy Statement is an important part of delivering these objectives.

We welcome feedback through the public consultation on this document and encourage developers and investors to bring forward ambitious, viable projects that meet our expectations for nationally significant infrastructure.



Rt Hon Kanishka Narayan MP
Minister for Artificial Intelligence

Daniel Tomlinson MP
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1-Introduction

Overview

1. Data infrastructure is part of the digital foundations for the modern economy. Data centres store hugely valuable and often sensitive information, ranging from financial services transactions to NHS prescriptions, and WhatsApp conversations. Almost all business located in the United Kingdom of Great Britain and Northern Ireland (UK) either handle or rely on some form of digitised data, often to fulfil core operational or commercial functions. Most UK citizens rely on data centre services many times a day to go about their lives. Every business, and every person, in the UK relies on data centres, either directly or indirectly. Almost the entirety of the internet is hosted within data centres and e-commerce, emails, video calls, cloud photo storage, media streaming, financial payments, and online booking or ordering services are just some examples of everyday services reliant on the availability of data centre services.

2. Data centres provide the computing power and data storage capacity that will be necessary to develop and apply the next generation of Artificial Intelligence (AI), world-leading scientific research and development, and UK digital innovation – including giving UK citizens better and easier access to public services.

3. The government is committed to supporting the sustainable development of data centres across the UK, both in AI Growth Zones (AIGZs), and in other areas of the UK.

4. To enable the government's ambitious approach to securing the data centre capacity required to support the digital and AI economy[2], reforms to the planning system are required.

5. The National Planning Policy Framework (NPPF), published in August 2026, includes a range of policies relating to the economy, climate change, the natural environment, the historic environment, and pollution. The NPPF also includes support for building essential infrastructure, such as data centres, to meet the needs of a modern economy.

6. In November 2025, the government also announced plans to invest in additional specialist AI data centre planning capacity, protect land, and unblock planning decisions for AIGZs through central government intervention, and further streamline the planning process for nationally significant infrastructure in the Planning Act 2008.

[2] https://www.gov.uk/government/publications/ai-opportunities-action-plan-government-response/ai-opportunities-action-plan-government-response

7. Given the underlying utility of data infrastructure in driving growth and delivering public services across the country, which increasingly includes larger hyperscale data centre facilities and clusters, and to support the amendments made to the NPPF, the government has now clarified in law that such infrastructure in England is capable of being considered under the development consent regime established by the Planning Act 2008[3]. The Nationally Significant Infrastructure Project (NSIP) framework will offer an alternative to the existing local authority-led process for seeking planning permission.

8. The NSIP consenting regime enables developers to apply for development consent, with decisions made by the relevant Secretary of State, and implemented by a specific legal instrument called a Development Consent Order (DCO) where consent is granted. For data centres directed into the NSIP regime, the Secretary of State will assess applications with regard to the assessment principles set out in this document, impacts, and the national interest.

9. This NPS sets out the reasons for including data centres in the NSIP framework, the various considerations for development, expectations on developers and operators of nationally significant data infrastructure, and the criteria with which the Examining Authority will make its recommendation, and the Secretary of State will determine the outcome of applications.

Planning background

10. This NPS sets out national policy for data centres. Section two outlines the background to the NPS and NSIP and defines data centres. Section three gives an overview of the government's general policies regarding UK data centre development and operation. Section four outlines the reasoning behind the decision to allow data centres to be considered as 'nationally significant' and to have consent determined under the NSIP process. Section five gives the assessment principles for applications considered to be nationally significant to receive development consent through the NSIP process, and section six outlines the generic potential impacts and considerations for applications.

11. In England, this NPS, in combination with any other relevant NPSs, may be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990[4] (as amended). Whether the policies in this NPS are material, and to what extent, will be judged on a case-by-case basis and will depend upon the extent to which the matters in question are already covered by applicable planning policy.

[3] https://www.legislation.gov.uk/ukpga/2008/29/contents
[4] https://www.legislation.gov.uk/ukpga/1990/8/contents

What is the NSIP consenting process?

12. The NSIP consenting process, established by the Planning Act 2008, is a bespoke, aggregated consenting process for 'nationally significant' infrastructure projects. NSIPs are developments which are of such a scale that they are considered to be of 'national significance'. While the NSIP consenting regime was originally designed for nationally significant projects related to energy, transport, water, wastewater, and waste, in 2013, eligibility was widened to enable certain business and commercial projects, on request, to be directed into the NSIP consenting regime under section 35 of the Planning Act 2008.

13. In contrast to the Town and Country Planning Act 1990 (TCPA)[5] consenting route, where applications are made to the local authority for planning permission, developers of proposed NSIPs apply to the Planning Inspectorate (which is the government agency responsible for operating the planning process for NSIPs) for a DCO, with the decision whether to grant such an order being taken by the Secretary of State based on the report and recommendation resulting from the Planning Inspectorate's examination. Permissions secured through this route not only provide planning consent for the project, but may also incorporate other relevant consents, including authorisation for the compulsory acquisition of land. The relevant Secretary of State for the policy area is the decision-maker responsible for whether consent is granted, and if so, with what requirements.

14. There are six stages to the NSIP process, which are:

- Pre-application;
- Acceptance by the Planning Inspectorate;
- Pre-examination;
- Examination by the Planning Inspectorate;
- Recommendation by the Planning Inspectorate; **and**
- Decision by the relevant Secretary of State.

15. Further guidance on the stages of the NSIP process, and what actions are required at each stage is available[6].

[5] https://www.legislation.gov.uk/ukpga/1990/8/contents
[6] See Nationally Significant Infrastructure Projects: The stages of the NSIP process and how you can have your say, at: https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-the-stages-of-the-nsip-process-and-how-you-can-have-your-say

What is an NPS?

16. Under the Planning Act 2008, an NPS sets out the policy framework for making decisions on NSIP development consent applications. The NPS explains to prospective developers what is required to apply under the NSIP process and outlines the key criteria that must be considered during the examination. The criteria in this document should be met for development consent to be granted and sets the standard for successful applications. Applicants should ensure that their application for development consent is consistent with the policies in this document.

17. This NPS acts as the primary basis for examination by the relevant Examining Authority appointed on behalf of the Secretary of State by the Planning Inspectorate[7]. This NPS acts as the decision-making framework until such a time as it is withdrawn, changed, or replaced. The NPS itself and any material changes to it (other than those material amendments set out in section 9(11) of the Planning Act 2008) must be approved by Parliament. This NPS for data centres applies to all data centres which have been directed into the NSIP regime.

18. This NPS, in particular the policy and guidance on 'generic impacts' in section six, may also be helpful to local planning authorities (LPAs) in preparing their local impact reports.

19. As per the changes made to the planning system under section one of the Planning and Infrastructure Act 2025, which amends section six of the Planning Act 2008, this NPS will be reviewed after a period of no longer than five years after its designation, or when the Secretary of State deems it appropriate to do so.

Data centres and section 35 direction into NSIP

20. In July 2024, the government consulted on plans to use secondary legislation to amend the Planning Act 2008 and support the prescription of data centres as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime[8]. This was part of a wider consultation on revising the NPPF to support sustainable growth in the planning system in England.

[7] https://www.gov.uk/government/organisations/planning-inspectorate/about
[8] https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system

21. In February 2025, the government published its response, confirming its intention to prescribe data centres as part of the NSIP consenting regime[9].

22. In October 2025, the government set out the mechanism for this change, through amendment of the Infrastructure Planning (Business or Commercial Projects) Regulations 2013[10].

23. The Infrastructure Planning (Business or Commercial Projects) (Amendment) Regulations took effect from January 2026. They amend the 2013 Regulations to provide that data centres are prescribed projects capable of being directed into the NSIP consenting regime under section 35 of the Planning Act 2008.

Indicative thresholds for direction into the NSIP regime

24. For the Secretary of State to use powers under section 35 of the Planning Act 2008 and direct data centre development into the NSIP regime upon request[11], the Secretary of State must think that the proposed development is of national significance. Each project will be considered on its own merits, but projects that operate at least 100 MW of rated IT load capacity are likely to be considered of national significance and suitable for direction under section 35.

25. This threshold is an indicative minimum for data centre projects to be considered of national significance and suitable for direction into the NSIP regime. There may be exceptional circumstances where the Secretary of State may decide to direct a project which does not meet this threshold into the NSIP regime using the powers in section 35 of the Planning Act 2008, where the other requirements of section 35 are met.

26. Except in exceptional circumstances, the Secretary of State would not expect to receive requests for directions under section 35 of the Planning Act 2008 that are not 100 MW rated IT load capacity or above. Where a request is received under this threshold, detailed reasons should be provided.

27. Rated IT load capacity means the maximum electrical power available for the operation of relevant IT equipment housed in the data centre.

28. 100 MW rated IT load capacity has been chosen as the indicative threshold to meet for applicants as it strikes an appropriate balance between ensuring only the largest sites can be considered nationally significant, without limiting this route to a very

[9] https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/outcome/government-response-to-the-proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system-consultation
[10] https://questions-statements.parliament.uk/written-statements/detail/2025-10-15/hcws966
[11] https://www.gov.uk/guidance/planning-act-2008-guidance-on-powers-to-direct-a-project-into-or-out-of-the-nsip-regime

small number of data centre developments. The government believes this is the optimum threshold level which covers the largest and most 'nationally significant' data centres, while for data centres that do not meet this threshold it would still be appropriate to go through the TCPA route for planning permission in most cases.

Secretary of State decision-making powers under the NSIP regime

29. The Secretary of State will decide on applications for development consent for data centres under the Planning Act 2008. This may also include other types of data infrastructure (such as cloud infrastructure) which are not included in this NPS provided the relevant requirements for section 35 of the Planning Act 2008 are met. The contents of this NPS will still apply in this instance.

30. Under section 104 of the Planning Act 2008, where an NPS has effect, the Secretary of State must decide an application in accordance with the NPS, except to the extent the Secretary of State is satisfied doing so would lead to one or more of the following applying:

- The UK would be in breach of any of its international obligations;
- Would be in breach of any duty imposed on the Secretary of State by or under any enactment;
- Would be unlawful by virtue of any enactment;
- That adverse impacts outweigh the benefits of the proposed development; **or**
- That any requirement prescribed for deciding an application otherwise than in accordance with the NPS is met.

31. The Secretary of State must also have regard to the appropriate marine policy documents (if any), determined in accordance with section 59 of the Marine and Coastal Access Act 2009 and any local impact report submitted by a local authority, as per section 104 of the Planning Act 2008[12], as well as any other matters deemed important and relevant to the Secretary of State's decision, such as the opinions of any statutory consultees.

[12] https://www.legislation.gov.uk/ukpga/2008/29/section/104

Relationship with other NPSs

32. This NPS is a standalone document and should be treated in this manner. It is separate from other NPSs.

33. However, should a proposal by an applicant cover issues beyond solely data infrastructure, other NPSs may be of material consideration alongside the data centre NPS. An example of this would be where an application is made for consent for a data centre and accompanying energy generation. In such cases, the relevant energy NPS(s) would also be a key decision-making document (currently EN-1 to EN-7[13]). For the avoidance of doubt, in this scenario, if a data centre developer chooses not to ask for the data centre to be directed into the NSIP consenting regime under section 35 of the Planning Act 2008, the developer would be required to apply for a DCO for the energy generation project if the latter was above the relevant energy thresholds (with the relevant energy NPSs acting as the key document). This is unless it is subject to a section 35B request to disapply the requirement for development consent, provided for by section 4 of the Planning and Infrastructure Act 2025. Furthermore, other NPSs may be of material consideration for the impacts of developing proposals for data centres, such as transport[14] and water[15].

Incorporating the biodiversity gain statement for data centres into the NPS

34. Biodiversity Net Gain (BNG) is mandatory for NSIPs from 2 November 2026.

35. A biodiversity gain statement was laid in parliament and published in June 2026, setting out how data centre NSIPs must calculate, deliver, and report on BNG.

36. The Environment Act 2021, Schedule 15, paragraph 10(7) requires the government to incorporate this biodiversity gain statement into the new NPS for data centres. The biodiversity gain statement will be revoked alongside to avoid duplication. The text on BNG in this consultation draft will therefore be replaced by the biodiversity gain statement before it is designated.

Geographical coverage

37. This NPS acts as the primary decision-making policy document for the Secretary of State on data centres covering England[16] on land, as per section 104 of the Planning

[13] The energy NPSs will also include EN-8 from such time as it is designated by Parliament.
[14] https://www.gov.uk/government/publications/national-networks-national-policy-statement
[15] https://www.gov.uk/government/publications/national-policy-statement-for-water-resources-infrastructure
[16] Paragraph 33 sets out the role of the energy NPSs for any co-located energy infrastructure.

Act 2008. The Secretary of State will not assess applications for data centres in Wales, Scotland, or Northern Ireland as planning is a devolved matter.

38. However, this NPS may be useful for reference in planning decisions made by Wales, Scotland, or Northern Ireland, particularly as data infrastructure comes under the telecommunications reserved area of policy. The Appraisal of Sustainability (AoS) and Habitats Regulations Assessment (HRA) which inform this NPS will assess the potential socio-economic and environmental impacts of data centres near England's borders with Wales and Scotland.

Stages of the parliamentary process

39. The laying of the draft NPS in both the House of Commons and the House of Lords, as per section 9(2) of the Planning Act 2008, is the start of the process of parliamentary scrutiny. Following this laying, and beyond the duration of the public consultation, both the House of Commons and the House of Lords will have the relevant period of time to scrutinise the contents. This relevant period of Parliamentary scrutiny begins from 28 October and will end on 17 February 2027. Following any scrutiny of this NPS, it will be laid again before Parliament before coming into effect as per section 9(8) of the Planning Act 2008.

Summary of objectives

40. The objectives of this NPS are to:

- Provide policy advice on the consideration of requests for data centres to be directed into the NSIP consenting process under section 35 of the Planning Act 2008;
- Set out the policy and planning framework for the determination of applications for development consent for data centres that proceed through the NSIP consenting process;
- Explain the need for data centres and how applications for development consent will assist in this requirement;
- Provide the criteria for the Secretary of State to make fair, robust, and transparent decisions on whether to approve applications for development consent for data centres;
- Inform applicants on what needs to be considered in making an application, including the impacts and assessments required, the criteria that will be considered, and how the planning balance will be applied;

- Provide policy and guidance support to LPAs in preparing local impact reports under Section 60 of the Planning Act 2008; **and**

- Ensure the development of data centres under the NSIP regime supports the government's policies, goals, and demand for data centre services.

Supporting documents

41. The NPS has been subject to an AoS required by the Planning Act 2008 and the Environmental Assessment of Plans and Programmes Regulations 2004. An HRA has also been prepared in accordance with the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017. These are published alongside this NPS and available on GOV.UK.

42. As per the Habitats Regulations[17], this NPS has been subjected to a Habitats Regulations Assessment (HRA). The HRA is a strategic rather than site-specific document. Individual project applications will require their own site-specific Environmental Impact Assessment (EIA), and HRA where appropriate.

[17] https://www.legislation.gov.uk/uksi/2017/1012/contents

2-Background to data centres

What are data centres?

43. Data centres are specialised physical facilities that house the information technology equipment and supporting operational technology to process, share, and store data. They are central to an interconnected society and a key part of digital infrastructure and were designated as UK Critical National Infrastructure (CNI) as of September 2024[18]. They facilitate a range of services that play an ever-increasing role in our economy, including cloud services, high-performance computing, online content delivery, and internet services. These underpin countless applications, from everyday consumer services — such as social media, email, online banking, e-commerce, and video conferencing — to advanced analytics, machine learning, and other specialised industrial activities.

Why are they important?

44. Data centres are critical to the continued growth of the UK economy, housing and facilitating the computing power that enables businesses to deliver digital products and services and supporting wider economic productivity. According to techUK, in 2024, data centres contributed £4.7 billion in Gross Value Added (GVA) to the UK economy and provided 43,500 jobs[19]. They are estimated to contribute £640 million in tax.

45. Data centres enable the underlying data processing and compute power necessary for AI development and adoption and advanced research and development (R&D) powered by high-performance computing (HPC). The UK's ambition to be a global leader in AI and harness the full spectrum of AI opportunities across the economy depends on significant increases in data centre capacity.

46. Many public services, such as healthcare, education (e.g. for remote learning), defence, and critical infrastructure (transport, electricity grids), increasingly rely on secure data hosting and real-time data processing. Secure domestic data centre capacity is vital to ensuring these services remain operational and safeguarded against disruption.

[18] https://www.gov.uk/government/news/data-centres-to-be-given-massive-boost-and-protections-from-cyber-criminals-and-it-blackouts
[19] Tech UK, (2024). *Foundations for the future: How data centres can boost UK economic growth*. Available at: https://www.techuk.org/resource/techuk-report-foundations-for-the-future-how-data-centres-can-supercharge-uk-economic-growth.html

Definition of data centres and scope of NPS for data centres

47. Data centres are often categorised as follows, although these are not mutually exclusive:

- **Enterprise:** owned and operated by a single organisation for that organisation's own internal needs. These data centres typically serve very large businesses or agencies with extensive data requirements such as banks, large retail organisations, or government departments.

- **Colocation:** operated by data centre providers who lease space within data centres to tenants. Co-location allows businesses to operate their IT infrastructure without building their own data centre facilities. These sites often introduce high levels of connectivity, economies of scale, and improved business and environmental outcomes.

- **Hyperscale:** large-scale facilities with power capacities potentially into the hundreds of MWs or potentially GW scale. These may be colocation models or built to respond to the large-scale compute and data storage requirements of the largest technology firms. They increasingly host AI servers, which increases the variability of peak power load (the total electrical demand of all components). There are two broad subcategories:

    - AI factories: used for AI training or AI inference.

    - Cloud hyperscale sites: typically, a more equal split between cloud and more power-dense AI server racks.

- **Edge:** smaller, geographically spread-out facilities located closer to end-users to reduce latency and improve performance for time-sensitive applications. They are growing in importance as demand for 'edge computing' (real-time data processing) rises. This includes 'internet of things' (IoT) devices and autonomous vehicles.

48. The NPS does not identify specific sites for consideration, with this document applying to all locations within England. It also does not limit the type of data centres in scope, provided they are directed into — and assessed through — the NSIP consenting regime, and therefore considered in accordance with this NPS.

3-Government policy on data centre development

Introduction

49. Data centres now play a crucial underlying role in the day-to-day activities and lives of people in the UK. They are foundational infrastructure for almost all elements of the modern economy, including commerce and industry, law enforcement and national security, and provision of health and other public services. They house valuable information and processing power on which innovation, scientific progress, and technological development rely.

50. The government's ambition is to position the UK as a global leader in AI innovation and adoption, ensuring that the benefits of this transformative technology are felt across every region and sector. In a world where AI will underpin our economy, onshore data centre capability is essential for protecting sensitive data, maximising adoption benefits, and ensuring resilience from global shocks. The data centre sector in the UK is, and will remain, market-led. It is highly dynamic, responding to both domestic and multinational demand, and responsive to accelerating technological innovation and progress. However, it is the government's intention to seek to ensure that the benefits of data centre sector growth are felt across the country, either by distributing build where this is still able to meet market demand, or by ensuring that developments are intended to offer services that will have positive impacts on people across England and the UK as a whole. Government also recognises that not all locations will be equally suitable for data centre development and that the impacts of development are experienced most directly in the locations where facilities are built.

51. To meet growing demand and ensure resilience, the government is supportive of sustainable investment in the data centre sector that meets the needs of the UK market and reduces reliance on overseas infrastructure. This section outlines the key policy frameworks and reforms facilitating this investment and mitigating risks associated with data centre operation.

Government interventions in the data centre market

52. This government has set out clearly its intention to support the expansion of data centre capacity across the UK, supporting the digital economy and enabling AI-driven growth, while ensuring that data infrastructure is secure and resilient. The government aims to ensure that businesses, innovators, and the public sector have the tools, infrastructure, and capabilities to unlock data's financial, economic, and societal benefits. Key policy actions to date include:

- Announcing a Data Centre Covenant and Ministerial Control Centre to ensure the most strategic data centres provide the right value to the UK in return for additional government action;
- Designation of data centres as CNI, providing greater protection and support in the event of critical incidents;
- Establishing AIGZs, with additional supportive policy interventions, which aim to unlock investment in AI-enabled data centres and support infrastructure by improving access to power and providing planning support; **and**
- Working with data centre operators and investors to establish a significant pipeline for investments in new data centre build, which has contributed to a total of £19.4 billion FDI capital expenditure into the UK since July 2024[20].

Planning reform

53. The ability to include data centres in the DCO regime under section 35 of the Planning Act 2008 is part of broader planning reforms.

54. The new NPPF[21], published in August 2026, sets out the government's policies for plan-making and for making decisions on development proposals in England.

55. The NPPF is clear that development plans should set a clear strategy, taking account of the location of AIGZs, and should allocate sites to implement the economic vision and strategy and meet identified needs over the plan period, including where a need exists or is anticipated relating to data centres and associated generating capacity. The NPPF also gives substantial weight to the economic benefits of proposals for commercial development, especially where this would reflect proposals for AIGZs.

56. Additionally, the Planning and Infrastructure Act 2025[22] makes Britain a more attractive place for business and investment. The Act supports a faster and more proportionate NSIP consenting process, including by removing the statutory requirement to consult at the pre-application stage for DCO applications, and removes blockages and delays in the planning system more generally.

AI Opportunities Action Plan

57. AI plays a key role in driving economic growth and delivering public services in the UK, which is the third largest AI market globally. The foundation of AI progress is

[20] Sourced from the Financial Times FDI Markets Database: https://www.fdimarkets.com/
[21] https://www.gov.uk/government/publications/national-planning-policy-framework--2
[22] https://www.legislation.gov.uk/ukpga/2025/34

data centres, which can deliver the necessary computing power to train AI models and run AI systems. The plans to deliver this capability form part of the AI Opportunities Action Plan. The plan builds and develops upon the foundations required for a thriving AI sector, which is reliant on strong, sustainable growth of the data centre market.

58. The plan outlines the establishment of AIGZs, which will facilitate the accelerated build out of AI data centres. Bidding has been open for local and regional authorities to develop proposals for these zones, with the first five zones identified as Culham in Oxfordshire; the North East Combined Authority (including Blyth in Northumberland and Cobalt Park in North Tyneside); North Wales through Prosperity Park on Anglesey and Trawsfynydd in Gwynedd; South Wales in a cluster of sites from Newport to Bridgend; and Lanarkshire in Scotland.

Data Centre Covenant

59. In October 2026, the government announced a Data Centre Covenant. All data centres are encouraged to meet the tests set out in the Covenant, with strategic data centres required to meet them where they are seeking enhanced government support. These are:

- **Lower electricity bills:** pay for their fair share of energy — covering any energy costs they create — so households, communities and other businesses do not pick up the bill. Their growth should help spread energy system costs across a larger base, reducing the share paid by households and businesses. They should also support grid resilience, flexibility and clean power.

- **Invest in improving local communities:** communities that host nationally important infrastructure should share directly in the rewards. Strategic data centres should agree a Local Benefit Plan that commits to substantial investment, developed with the local community and linked to the development's size. This can be spent on local priorities, like transport, parks and town centres.

- **Adhere to the highest environmental standards:** protect nature, minimise water use and publish annual energy and water consumption reports. They should also capture the heat they produce for nearby homes, schools, hospitals or businesses wherever practical, rather than letting it go to waste.

- **Create jobs, apprenticeships, and drive reindustrialisation:** create local jobs and invest in paid apprenticeships and training places, supporting young people into the AI, digital and infrastructure jobs of the future. They should also prioritise UK suppliers and technologies and make a meaningful contribution to the development and deployment of British AI hardware.

- **Strengthen Britain's security:** provide secure and reliable access to compute the UK needs, including for our NHS and other public services. They should work with the relevant national technical authorities, including the National Cyber Security Centre, to enhance resilience against cyber and hybrid threats beyond baseline requirements.

60. Where relevant to planning policy, these tests have been included as assessment criteria throughout this NPS, reflecting the appetite of the government for data centres to build responsibly and in line with British values.

CNI designation of data centres

61. As of September 2024, data centres are recognised as CNI by the UK government[23]. Designation as CNI ensures the data centre sector can be supported by the government in the event of critical incidents, minimising any negative impacts on the economy and citizens.

62. CNI designation allows the government to establish a team to monitor and respond to threats and utilise the resources of agencies such as the National Cyber Security Centre (NCSC). The government has a close relationship with the sector and is well placed to respond to their challenges and security concerns. Existing data centre operators should build on their existing risk mitigation processes and engage with BIST to help tailor future voluntary measures.

63. CNI designation is relevant to this NPS as it provides greater security for the data centre sector, as well as additional voluntary measures for prospective developers to consider in their proposals. Confidence for investors in the data centre sector in the UK is crucial to allow growth, meet the demands for data, and generate wealth in the economy.

Security and resilience measures

64. Alongside the measures the government is taking to encourage the development of data centres in the UK, it is important that the sector is secure and resilient against malicious and accidental threats. CNI designation is complemented by BIST's current work on proposals to include data centres in the Network and Information Systems (NIS) Regulations as part of the Cyber Security and Resilience Bill[24].

[23] https://questions-statements.parliament.uk/written-statements/detail/2024-09-12/hcws89
[24] For more information see https://www.gov.uk/government/publications/cyber-security-and-resilience-bill-policy-statement/cyber-security-and-resilience-bill-policy-statement

65. The NIS Regulations aim to boost the level of security to entities considered essential services or certain digital service providers. By including data centres, the intention is to ensure consistency of protection across the sector and designate a regulator to monitor and, where necessary, enforce protective action. Medium-sized third-party data centres and very large enterprise data centres will be captured by the NIS Regulations, subject to a minimum threshold in MWs.

66. Alongside the designation of data centres as CNI, the inclusion of some data centres in the NIS Regulations aims to ensure greater security and resilience. Applicants to NSIP must consider if they would be regulated under the NIS Regulations should these proposals come into force, which is highly likely, and prepare for the requirements this entails.

4-The need for new nationally significant data centres

Overview

67. This part of the NPS outlines the reasoning for data centres needing to be built, and why the Infrastructure Planning (Business or Commercial Projects) (Amendment) Regulations 2026 amended the Infrastructure Planning (Business or Commercial Projects) Regulations 2013 to add data centres to the prescribed description of business or commercial projects (or proposed projects) for the purposes of section 35(2)(a)(ii) of the Planning Act 2008.

68. Data centres are critical infrastructure for the modern economy, and their importance will only increase as AI adoption accelerates. Building sufficient domestic capacity is therefore both an economic and a national security priority. AI offers significant opportunities to drive economic growth, accelerate scientific discovery and improve public services. Realising these benefits will require the UK to have reliable access to the compute and technical capabilities needed to develop, understand, and deploy increasingly advanced AI systems.

69. Much of the AI technology that will shape the UK's economy, public services and national security is currently developed and controlled overseas. Building domestic capability will reduce excessive dependence on technologies and infrastructure over which the UK has limited control. It will strengthen the UK's ability to shape how these technologies are developed and used, secure sensitive workloads, and protect the services and national functions that rely on them. Additional data centre capacity in England will help ensure that the UK can access and securely use the compute on which it increasingly depends, retain greater capability to shape its technological future, and strengthen national resilience.

70. Generally, newer data centres are built to operate more efficiently, with less waste and adverse impacts than the equivalent sized older facilities. However, the government recognises that development may bring some adverse impacts. These are outlined in sections 5 and 6 of the NPS. Every attempt should be made to avoid adverse impacts. Where this is not possible, they should be mitigated or compensated for. This will be considered in the Secretary of State's decision making.

Data centre capacity in England and the need for further growth

71. Demand for data centres is growing rapidly, driven by increasing digitisation across the economy and the growth of AI. The UK is already a global hub for data centres,

with an estimated more than 220 data centres and around 2 GW of capacity[25]. Domestic signals point to continued growth in data centre development: planning applications for data centres increased by more than 60% in 2025 compared with the previous year[26], and Ofgem have reported 73 GW across approximately 315 data centre projects in the grid connection queue[27]. While not all proposed developments or connection requests will translate into operational data centres, they indicate strong interest in developing additional capacity. Global demand projections also suggest that the data centre market could grow by 50% by 2027 and by up to 165% by 2030[28]. Taken together, these domestic signals and global projections indicate that demand for additional data centre capacity is likely to increase significantly.

72. Current evidence suggests that on both a local and a national level, data centre capacity has not kept up with the demand[29]. The UK needs to meet this increased demand to maximise opportunities for economic growth and maintain competitiveness. Data centres now serve as enabling infrastructure across sectors rather than for the technology sector alone. Reflecting this, the Industrial Strategy identifies digital infrastructure as critical to growth, productivity, and innovation across the economy and commits to removing planning barriers to investment, including by bringing data centres into the NSIP regime[30]. Failure to provide sufficient data centre capacity risks creating bottlenecks in innovation and productivity, reducing the UK's ability to compete in data centre-dependent sectors and technologies, including financial services, advanced manufacturing, life sciences, space and AI, at a time when international data centre markets are expanding rapidly.

73. The UK's AI ambitions will require a significant expansion of domestic AI-capable data centre capacity[31]. AI offers significant opportunities to increase productivity and support wider economic growth. Where data centre capacity does not keep pace with demand, infrastructure constraints could limit the UK’s ability to realise the productivity and wider economic benefits associated with AI adoption. OECD forecasts suggest that the productivity improvement from AI adoption could translate to £55bn–£140bn in annual GDP gains by 2030[32]. Given the potential scale of these

[25] This estimate covers colocation data centres including single-occupancy (i.e. occupied solely by hyperscale cloud service providers), but excludes enterprise data centres, for which limited data exists. There are also likely to be a number of very small data centres (sub-100kW) that are not captured by the data, though they would represent a very small proportion of total capacity.
[26] https://www.cityam.com/data-centre-planning-applications-rocketed-more-than-60-per-cent-in-2025/
[27] https://www.ofgem.gov.uk/sites/default/files/2026-07/Proposed-data-centre-connection-reforms-curate-consultation-document.pdf
[28] https://www.goldmansachs.com/insights/articles/ai-to-drive-165-increase-in-data-center-power-demand-by-2030
[29] https://www.cbre.com/insights/books/european-real-estate-market-outlook-2024/data-centres
[30] https://www.gov.uk/government/publications/industrial-strategy
[31] https://www.gov.uk/government/publications/uk-compute-roadmap/uk-compute-roadmap#introduction
[32] See: https://www.oecd.org/content/dam/oecd/en/publications/reports/2025/06/macroeconomic-productivity-gains-from-artificial-intelligence-in-g7-economies_dcf91c3e/a5319ab5-en.pdf ; and explanation of methodology for translating into GDP impacts here: https://www.gov.uk/government/publications/ai-skills-boost-explainer/ai-skills-boost-explainer

economic benefits, there is a clear need to ensure that the UK can access the compute needed to realise them.

74. Demand for compute at the frontier of AI training increased by around 4–5 times per year between 2010 and 2024[33]. At the same time, growing adoption of AI, which has doubled over the last two years,[34] is expected to drive a significant increase in demand for inference (the use of trained models to serve users). Inference is expected to account for the majority of future AI compute demand and is generally more sensitive to latency than training workloads[35], meaning that a proportion of this capacity will need to be located in the UK to serve UK users effectively. The Compute Roadmap forecasts that the UK will need at least 6GW of AI-capable data centre capacity by 2030[36], which is around three times current capacity. If AI capability and adoption accelerate, demand could rise significantly above this baseline. The GO-Science AI Scenarios Report[37] includes two such scenarios where AI acceleration continues at pace. In both, compute, alongside the energy and data centre infrastructure required to support it, could become a significant constraint on AI deployment and adoption. While the precise scale and pace of future demand is uncertain, the evidence points to a clear need for a significant expansion of AI-capable data centre capacity in England to ensure that infrastructure does not constrain the UK's ability to deploy and benefit from AI.

75. Not all of the UK's future data centre needs can or should be met by overseas infrastructure. Certain categories of sensitive data and critical workloads require processing and hosting arrangements that comply with UK regulatory and security frameworks. This may include government information, data subject to sector-specific requirements in areas such as financial services and health, and security-sensitive functions undertaken by defence, intelligence, and law enforcement organisations. Failure to provide adequate domestic capacity for these purposes risks constraining critical public services and national security functions.

76. In certain sectors there is a particular need for data centre services to be located domestically. There are some areas of the economy where latency requirements and business choice mean the value and growth of the digital economy is directly impacted by available local data centre capacity. These include high value sectors such as finance, university research and innovation. This is primarily driven by latency (time taken for the data to travel from the user to the data centre, and for the response to return) requirements. Distance increases latency, and for many users/operators of time-sensitive applications (such as traffic signals, stock prices,

[33] https://epoch.ai/publications/training-compute-of-frontier-ai-models-grows-by-4-5x-per-year
[34]https://www.ons.gov.uk/businessindustryandtrade/business/businessservices/bulletins/businessinsightsandimpactontheukeconomy/previousreleases
[35] https://assets.publishing.service.gov.uk/media/69d8dae9d3e08b8871b66599/compute-evidence-annex-final.pdf
[36] https://www.gov.uk/government/publications/uk-compute-roadmap/uk-compute-roadmap#introduction
[37] https://www.gov.uk/government/publications/ai-scenarios-2030-helping-policymakers-plan-for-the-future-of-ai/ai-scenarios-2030-helping-policymakers-plan-for-the-future-of-ai

and social media applications), lower latency and therefore nearby data centres are necessary.

77. Domestic data centre capacity is needed to safeguard sovereignty and strengthen national resilience. Hosting data infrastructure in the UK ensures that essential services which rely on data centres can operate under UK jurisdiction and regulatory oversight. It also provides greater national control over the infrastructure that supports them. In September 2024, the government designated data centres as Critical National Infrastructure, recognising the need to ensure that critical digital services remain secure, resilient, and available. Domestic hosting also supports the effective application of UK security, resilience and regulatory frameworks, including future measures such as those proposed in the Cyber Security and Resilience Bill. These considerations are particularly important for AI, where key elements of the technology stack are concentrated overseas. As with energy, telecommunications and other strategic inputs to economic activity, overdependence on overseas provision would leave the UK unnecessarily exposed to geopolitical instability, supply chain disruption, and potential external leverage. There is therefore a national need to maintain a proportion of future data centre capacity in England, reducing strategic vulnerability and supporting greater resilience across the UK's digital infrastructure.

78. UK-based data centres also ensure that the UK is better able to internalise their wider economic benefits. In addition to the primary purpose of providing sufficient and sustainable supply of data for usage nationally, a robust digital infrastructure system often attracts foreign direct investment (FDI). Data centres often act as 'anchors' for wider technology clusters in other related services, such as cloud providers and AI start-ups, as demonstrated by areas such as Slough, which has become a major technology hub for businesses. These developments attract further investment and high-skill employment opportunities across fields such as cyber security, AI, and software development.

79. Building on this needs case, the government expects that data centres are built responsibly and in proportionate volumes. As a result, the government set out in its Data Centre Covenant five tests that ensure that data centres provide substantial value to the UK, over and above the provision of services that drives this needs case.

Presumption of consent for data centres

80. The need for new data centres to be built in England to meet increasing demand, and the ability for data centres to be directed under section 35 of the Planning Act 2008 into the NSIP regime, establish the importance of this NPS in setting out fair criteria for applications to demonstrate they have fully assessed and planned for the impacts of their proposed development.

81. Reflecting the need for further growth of data centre capacity in England, the Secretary of State should start with a presumption of consent when deciding applications in accordance with this NPS. This presumption operates within, and is subject to, the decision-making framework in section 104 of the Planning Act 2008.

82. Starting with a presumption of consent means that should an applicant meet the following requirements, it is unlikely a DCO will be refused unless there are other mitigating factors:

- The proposal meets the relevant NPS requirements necessary for the granting of development consent;

- The mitigation hierarchy[38] has been applied and all residual impacts are those which cannot be avoided, reduced or mitigated; **and**

- All relevant legal and regulatory requirements are satisfied.

83. In such cases, where residual impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the need for this type of infrastructure.

84. Therefore, in all but exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. Some exceptions to this presumption of consent include:

- Where impacts on Habitats Sites as identified by an HRA cannot be mitigated or compensated;

- Where residual impacts present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats, or risk from flood or coastal erosion; **and**

- When the data centre is located in the Green Belt.

85. The presumption of consent does not create an additional or cumulative need case or weighting to that which is already outlined in this NPS. The policy applies following normal consideration of the need case and satisfaction of the relevant NPS and legal and regulatory requirements.

86. Any HRA or Marine Conservation Zone (MCZ) residual impacts will continue to be considered under the framework set out in the Habitats Regulations[39] and the Marine and Coastal Access Act 2009[40] respectively. Applications must be determined in accordance with the Habitats Regulations, including consideration of alternatives,

[38] A term to incorporate the avoid, reduce, mitigate, compensate process that applicants need to go through to protect the environment and biodiversity.
[39] https://www.legislation.gov.uk/uksi/2017/1012/contents
[40] https://www.legislation.gov.uk/ukpga/2009/23/contents

and, where appropriate, the potential for Imperative Reasons of Overriding Public Interest (IROPI) and compensatory measures.

Alternatives to building data centres

87. Government has considered whether the identified need could be met without constructing new data centre capacity in England. There are three primary alternatives:

- Updating existing data centre sites with greater capacity;
- Increasing the usage of data centres overseas; **or**
- Doing nothing.

88. These options are not mutually exclusive and will form part of the market response, but none is sufficient, individually or collectively, to remove the need for new large-scale domestic data centre capacity.

89. Upgrading, retrofitting, and refurbishing existing data centres can help respond to the requirements of new technologies and use cases and increasing demand. Advances in software and hardware performance can increase the computing capacity delivered by existing facilities, while improvements in operational efficiency can deliver energy and cost savings. The government recognises that many data centre operators are improving and upgrading facilities to meet the changing type of demand, which continues to be encouraged.

90. However, these measures cannot meet the identified need on their own. The capacity that can be added through retrofit is constrained by the physical space, power supply, cooling capability, connectivity, and original design of existing facilities. While the UK is home to a mature data centre market, it is not yet optimised for AI, and not at the scale required to support economy-wide AI inference. Most existing facilities are geared toward general-purpose enterprise computing, lacking the density, energy integration, and technical design needed for high-intensity AI workloads[41]. As set out in the needs case, the UK is forecast to need at least three times its current AI-capable data centre capacity by 2030. Upgrading existing facilities will contribute to meeting this demand but cannot deliver the overall scale and type of additional capacity required.

91. Data can be stored at distance from the site of the user, so it is not necessarily crucial for all data centres to be located in the same country as their users. Therefore, a viable alternative to building data centres in England is for users to rely

[41] https://www.gov.uk/government/publications/uk-compute-roadmap/uk-compute-roadmap#introduction

on data centres from overseas to service those workloads that are non-latency sensitive. This would provide certain advantages, including potentially lower operating costs, use of readily available renewable energy, and utilisation of increased scale of facilities not available in the UK.

92. Overseas capacity already meets and will continue to meet part of UK demand and can provide access to global services and capacity. However, for the latency, security, jurisdictional and economic reasons set out in the need case, it would not be appropriate or sufficiently resilient for the UK to rely on overseas infrastructure to meet all, or a disproportionate share, of its future needs. As set out in the needs case, some businesses and public services will require data centres close to the point of use to enable real-time or near real-time performance. An over-reliance on overseas data centres could therefore constrain the adoption of these applications, reducing their effectiveness and competitiveness, and limiting the economic and public service benefits delivered.

93. Over-reliance on overseas data centres also presents serious concerns to the UK's data sovereignty and strategic autonomy. The UK can set its own data protection, data security rules, and manage its own resilience planning for onshore data centres. It is therefore better able to calibrate regulatory operating parameters for data infrastructure physically located in the UK and to protect these in circumstances of armed or hybrid conflict. It could also leave the UK relatively more exposed to supply shocks, geopolitical pressures and external leverage, while also reducing its ability to influence the development, operation, and governance of key layers of the AI stack. In a time of global compute scarcity, this could leave the UK exposed to the unilateral actions of other countries, who could deny the UK critical services that are needed to support national priorities. Domestic data centre capacity would provide greater resilience, and more options to protect our national interests if global compute supply becomes constrained.

94. Failing to build more data centres in England, the 'do nothing' approach, would not prevent demand from continuing to grow. Instead, greater reliance on overseas provision and the upgrading of existing facilities would be likely to continue in tandem, as they do already. Where domestic capacity remained constrained, some demand would be displaced overseas, while available UK capacity could increasingly be prioritised towards the most commercially valuable or operationally critical workloads. This would leave less capacity available to support wider AI adoption, innovation, and data-intensive services across the economy.

95. This outcome would also reduce the UK's ability to retain the economic benefits associated with data centre construction and operation, including employment, tax revenues, investment, and wider supply-chain activity. As demand grows, a greater share of future investment, economic activity and associated benefits would accrue to other countries. Continued reliance on limited existing domestic capacity could drive up costs for data centre services within the UK, suppressing demand and limiting growth opportunities for businesses that rely on digital infrastructure. Demand

for data centre capacity in London has already significantly outstripped new supply. A CBRE Group report (2024) notes that annual take-up in London in 2024 exceeded new supply for three consecutive years. In 2024 take-up was 116 MW, with new supply of 65 MW, so a deficit of 51 MW. The effect has been to drive up rental costs for housing data, which may, if the trend continues, decrease demand at the expense of economic benefits[42].

96. The government therefore concludes that upgrading existing facilities and relying on overseas provision can and will provide important sources of computing power. However, these measures are complementary to, rather than substitutes for, the development of new domestic data centre capacity. Individually or collectively, they cannot provide the overall scale, technical capability, location, and resilience required to meet the needs identified in this NPS. Not developing additional domestic capacity would leave some demand unmet, constrained, or displaced overseas. This would limit the UK's ability to realise its ambitions for AI, economic growth, public services, national resilience and security. There is therefore a clear need for new data centre capacity in England.

Why the NSIP framework is appropriate for data centres in England

97. The inclusion of large data centres as potential projects capable of being directed into the NSIP regime via a section 35 direction reflects the sector's criticality to the wider economy. It also reflects the sector's evolution in scale and complexity.

98. The power demand of the sector is forecast to increase significantly. Alongside a rising demand for hyperscale development, AI server racks are becoming more common, creating greater variability in peak power demand. There may be occasions where data centres represent a new and novel (in scale terms) type of infrastructure that some local planning authorities will need to make provisions for in their development plan.

99. The benefits of large data centre developments are not usually confined to a single location but may be cumulative at a national level through network effects, supporting economic growth and resilience at a national scale.

100. For that reason, this document clearly sets out the need for decisions at a national level, where the wider public interest and strategic need can be fully considered, and ensures this is given strong weight when the planning balance is applied.

101. While the section 35 request from a data centre developer under the NSIP framework will remain optional for eligible developments, the NPS may, where relevant, also be a material consideration for local authorities when making planning decisions with

[42] https://www.cbre.com/insights/figures/europe-data-centres-figures-q4-2024

respect to applications that proceed under the TCPA route, ensuring a higher level of consistency and national-level strategic consideration, even in the case of data centre applications that do not proceed under the NSIP route.

5-Assessment principles

Overview

102. This part of the NPS covers the principles of decision making for development consent, covering issues such as design, environment, health, safety, and security.

103. The Examining Authority and the Secretary of State will rely on the principles in this section in the examination, recommendation, and decision-making stages. Where necessary, they may provide appropriate mitigation requirements for the applicant to meet at any stage.

104. The underlying principle of decision-making by the Secretary of State on applications is that there is a presumption of consent, so long as the applicant adheres to the three principles set out in paragraph 80 and does not raise issues associated with the three principles set out in paragraph 82.

105. Many of the following subsections will summarise potential significant impacts of building data centres in England and, alongside the general guidance from the government on planning policy, will inform the applicant of the considerations when developing an application.

106. Subject to the detail in this NPS and the relevant legal constraints set out in the Planning Act 2008, there is a presumption in favour for granting development consent for data centres directed into the NSIP process using section 35 and that have been considered ‘nationally significant’.

General principles of assessment

107. When considering any proposed data centre development, the Examining Authority and the Secretary of State will take into account:

- The national need case for data centres as set out in this document;
- Any potential further benefits, such as the economic development of the region, improvements to the local environment and supply chain, and other secondary benefits;
- Any potential adverse impacts including on the environment and local communities, and the extent to which the applicant has avoided, mitigated, and/or compensated for these impacts;

- Any cumulative impacts where the proposed project may be developed near another development also impacting the same receptors;
- The necessary resource requirements of a proposed development, including energy requirements from grid connections or alternative sources, and water requirements;
- Any areas where capacity from the grid or environmental resources is already constrained, such as in rural areas or areas with limited existing environmental headroom;
- Evidence from local and strategic planning authorities on planned development and competing land uses, and from electricity network bodies and water companies on infrastructure capacity, constraints and competing demands, including cumulative pressures on shared networks, assets and catchments;
- Relevant published spatial evidence on infrastructure capacity, including any subsequently published regional capacity modelling, and any adopted policy supporting strategic alignment, having regard to its scope and status; **and**
- Proposed timing of the development's delivery.

108. Should an applicant's request be accepted under section 35 of the Planning Act 2008 as being 'nationally significant' infrastructure, the Secretary of State will consider the application with reference to this NPS. Should the required thresholds for consideration not be met, it is considered that the applicant should pursue planning permission under the TCPA.

Engagement

109. Engagement with relevant stakeholders forms an important part of the design process for applicants. This includes before the formal pre-application stage.

110. Alongside statutory consultees (including local authorities, environmental and technical bodies, and others), applicants should ensure that all relevant stakeholders (including local communities) are consulted prior to application, with the government's pre-application guidance[43] offering further information and support.

111. Additionally, the government expects that the Secretary of State will engage with combined authority representatives where necessary as part of the initial section 35 direction for applications.

[43] https://www.gov.uk/government/publications/guidance-on-the-pre-application-process-for-major-infrastructure-projects

112. Engagement with the relevant statutory nature conservation bodies is also critical regarding the process of developing the HRA, where the onus is on the applicant to submit sufficient information to allow the Secretary of State to undertake appropriate assessment of the application.

Financial viability

113. In deciding to submit an application using this NPS as guidance, the applicant is declaring that they have the financial means to take the project through the development and construction process. This includes any relevant government support and/or intervention.

114. Financial viability is assumed by the Secretary of State upon application submission by the applicant, but applicants must provide evidence of funding arrangements or financial backing if requested by the Secretary of State. In this case, the Secretary of State will explain the reasons for the request to the applicant. This may include situations where there is concern regarding a lack of financial viability that may inhibit the applicant from developing the proposal to the level outlined in the application. If concerns persist, the Secretary of State may either deny development consent or impose requirements on it being granted.

Environmental Impact Assessment (EIA)

115. All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017[44] must be accompanied by an Environmental Statement. The EIA Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets, and cultural heritage, and the interaction between them.

116. The EIA Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect; secondary; cumulative (combined effects of a project together with other development); transboundary; short-, medium-, and long-term; permanent and temporary; and positive and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.

117. To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant effects on the environment, including effects on population and human health, and show how any likely significant negative effects would be avoided, reduced, mitigated, or compensated

[44] https://www.legislation.gov.uk/uksi/2017/572/contents

for, following the mitigation hierarchy. Applicants are also encouraged to include information on matters such as employment, equality, carbon impacts, and community cohesion.

118. The Planning Inspectorate advises that applicants consult with prescribed consultation bodies (as defined under Regulation 3(1) of the Environmental Impact Regulations[45]), section 43 local authorities[46], and the Greater London Authority (GLA) if the development relates to land in the Greater London region. In addition, Regulation 11(1)(c) bodies who may be unaware of the proposed development must also be consulted to comply with part 5 of the Planning Act[47], as well as any relevant non-prescribed consultation bodies.

119. When considering the effects of development for an EIA, it should be assumed that the effects are realistic and based on a proportionate assessment of likely significant effects.

120. In the event that an application is unable to define all precise details of the final project design, including the cooling method, and the energy generation, then the applicant must use relevant design parameters and assess a worst-case scenario in line with the 'Rochdale Envelope'[48] principle. The applicant must explain which elements of the proposal relate to this, and the reason why this information is not complete. When granting development consent, the Secretary of State may impose requirements to be met to address these uncertainties. However, any mitigation relied upon to conclude that significant adverse effects would be avoided or reduced must be assessed as part of the Environmental Statement and cannot be deferred until post-application.

121. Applications that form part of clustering infrastructure must assess any adverse impacts of clustering on the environment and its landscapes beyond that of a single development. Applicants are encouraged to form part of a cluster where suitable. However, positive weighting given to applications for clustering infrastructure should not impact on the conclusions of environmental assessment.

Habitats Regulations Assessment (HRA)

122. Applicants must provide sufficient information to allow the Secretary of State to carry out an HRA. This requirement is part of the Secretary of State's duties under the Conservation of Habitats and Species Regulations 2017[49].

[45] https://www.legislation.gov.uk/uksi/2017/571/regulation/3
[46] https://www.legislation.gov.uk/ukpga/2008/29/section/43
[47] https://www.legislation.gov.uk/ukpga/2008/29/part/5
[48] https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-nine-rochdale-envelope/nationally-significant-infrastructure-projects-advice-note-nine-rochdale-envelope
[49] https://www.legislation.gov.uk/uksi/2017/1012/contents

123. The applicant must include sufficient information as part of their application to allow the Secretary of State to make an informed decision on:

- Whether the proposal is likely to have a significant effect (screening); **and**
- Whether it would adversely affect the integrity of a protected site (AA)

124. The HRA has three stages. Applicants may not need to complete all the stages; this will depend on what decisions are reached at each stage. The stages are:

- **Stage 1:** Screening;
- **Stage 2:** Appropriate Assessment (AA); and
- **Stage 3:** Derogations, comprising:
    - The consideration of alternative solutions;
    - Consideration of Imperative Reasons of Overriding Public Interest (IROPI); **and**
    - Securing compensatory measures.

125. The order of the stages is also the order of priority; applicants must aim to avoid adverse effects on the integrity of listed or proposed habitats sites.

126. The HRA which accompanies this draft NPS must be considered in the applicant's HRA. For HRAs where an applicant has shown there are no deliverable alternative solutions, and that the Secretary of State has determined there are IROPI, compensatory measures must be secured by the Secretary of State as the competent authority, to offset the adverse effects to site integrity as part of a derogation.

Environmental Net Gain (ENG)

127. Applicants should consider how the natural environment around their development can be made better than before they used it. Biodiversity Net Gain (BNG) is an essential component of ENG and applicants should consider how their natural capital and ecosystem services can be delivered as part of their proposals.

128. The Environment Act 2021[50] and Environmental Improvement Plan (EIP)[51] detail targets for nature recovery, and local targets should be included in local plans and

[50] https://www.legislation.gov.uk/ukpga/2021/30/contents
[51] https://www.gov.uk/government/publications/environmental-improvement-plan-2025/environmental-improvement-plan-eip-2025

strategies such as Local Nature Recovery Strategies (LNRS), River Basin Management Plans, and Catchment Plans.

Biodiversity Net Gain (BNG)

129. BNG is an approach to development that aims to leave the natural environment in a measurably better state than it was in before. NSIP applications submitted on or after 2 November 2026 must deliver BNG of at least 10% as set out in the biodiversity gain statement for data centres[52].

Decision making

130. The Secretary of State may not grant an application for development consent unless satisfied that the proposed development meets the biodiversity gain objective as set out in the relevant biodiversity gain statement to which the development relates.

Criteria for good design

131. Good design for data centres comprises more than visual appearance. It should consider how development relates to its context and surroundings, including through siting, layout, scale, massing, landscaping and relationship with neighbouring development, alongside functionality to deliver data processing and storage, fitness for purpose, and sustainability.

132. Given the size requirements for data centres, it is important that the visual impact on the landscape be factored into the design of the building.

133. Good design should ensure that sustainability is built into the core principles of design, with consideration for the impacts on natural resources and the environment. It is understood that data centres are resource-intensive structures, and therefore applicants should focus on the mitigation and reduction of harmful impacts through good design.

134. For data centres in particular, good design is also a way in which the policy objectives of this NPS can be met. Efficiency of data centres through the use of appropriate technologies can maximise output whilst minimising the use of, or impacts on, land, water, air, and energy resources.

135. Throughout the design and development process, applicants should incorporate good design principles as early as possible and maintain a focus on them throughout the design process, following the circular economy model and considering the whole

[52] https://www.gov.uk/government/publications/nsips-biodiversity-gain-statement-for-data-centres

lifecycle of the development as much as is feasible. Applicants are encouraged to demonstrate sustainable and efficient data centre design by following relevant best practice design guidance[53].

136. Applicants should ensure that there is an agreed plan for the operator of the data centre to publish and share with government annual reporting on their water use and energy performance as part of the principles of good design.

Assessment

137. In developing proposals, applicants should have regard to the design principles set out in policy DP3 in the National Planning Policy Framework and national design guidance. Applicants should demonstrate how the design responds positively to the site's context, landscape setting, and surrounding built and natural environment.

138. To ensure good design is incorporated into the full process of design and development, it is encouraged that a project-board level design champion be established, and a representative design panel used to focus on maximising value through the infrastructure design.

139. Applicants should be transparent in their approach to the design of the data centre, and how this design evolves through the development process. Where alternative designs are considered, applicants should provide a thorough rationale for why the chosen design has been selected.

140. Good design principles should be upheld throughout the construction process, with a focus on how this translates into maximum efficiency (measured through Power Usage Effectiveness (PUE)). Applicants are expected to demonstrate that the design of the data centre meets a Power Usage Effectiveness of 1.3 or better.

141. Where the applicant decides to proceed with a design for the data centre that is not the most resource-efficient, the applicant must set out their rationale for why the less resource-efficient design has been used.

142. Any negative impacts caused by the design of the data centre, such as visual, noise or air impacts, should be assessed as part of the EIA and should be mitigated wherever possible. This could be through additional measures taken to reduce impacts including the planting of vegetation, site layout, steps to alter the landscape character in a positive manner, or selecting technologies and operational practices that reduce emissions of pollutants, including fine particulate matter (PM2.5) and nitrogen oxides (NOx).

143. Applicants should consider in their application the resilience of the development against extreme weather types, including, but not limited to, storms, heatwaves, and

[53] https://www.gov.uk/government/publications/national-design-guide

floods. This can be considered for the design of the building, its operations, and any ancillary infrastructure such as roads and grid connections. The considerations should be factored over the lifetime of the development, and any emerging risks.

144. Relevant stakeholders should be consulted during the design process, both about the design itself and the impact that different designs might have on the local environment. The Design Council[54] can offer strategic advice on design principles and processes and provide a design review for applicants.

Decision making

145. Given the importance the Planning Act 2008 places on good design and sustainability for NSIPs, the Secretary of State should be satisfied that data centre designs are sustainable, efficient, and not unnecessarily impactful on the local environment through noise, air, water, and visual impacts.

146. The Secretary of State should consider what negative impacts the design may cause and assess how applicants have managed to mitigate negative impacts through good design.

147. The Secretary of State should consider the rationale for an applicant not using the most resource-efficient design when assessing whether development consent should be granted.

148. The Secretary of State should be satisfied that the design of the data centre meets a Power Usage Effectiveness of 1.3 or better.

149. Where necessary, the Secretary of State may consult with the Design Council[55], local authorities, and any other relevant stakeholders for advice.

Climate change mitigation

150. The Planning Act 2008 requires the Secretary of State, when designating or reviewing an NPS to do so with the objective of contributing to sustainable development and to have regard to the desirability of mitigating climate change. The Act also requires an NPS to explain how its policies take account of government policy relating to climate change mitigation.

151. This section outlines how the NPS considers wider government policy on climate change mitigation and how this can be put into practice through both the application and the Secretary of State's decision-making.

[54] https://www.designcouncil.org.uk/
[55] https://www.designcouncil.org.uk/

152. The UK has committed to reduce greenhouse gas emissions through a framework of carbon budgets that provide legally binding emissions limits in successive five-year periods, driving progress towards net zero by 2050, a statutory target under the Climate Change Act 2008. To meet carbon budgets, the UK must reduce its emissions across all sectors of the economy.

Assessment

153. Applicants must show how they are limiting the emissions impact of the development. This should include consideration of energy demand, energy efficiency, electricity supply arrangements, and measures to reduce operational emissions.

154. Design features that support the government's statutory climate objectives, and which reduce water consumption and energy usage, will be given positive weighting in the decision-making process. The applicant should consider how they will minimise the impact on energy and water consumption through the use of appropriate technologies, including renewable and low carbon technologies[56], and mitigation strategies.

155. Applicants should consider opportunities for heat reuse, reflecting its potential contribution to energy efficiency and the supply of low carbon heating via heat networks to local homes and businesses. Where reuse is not pursued, applicants should clearly explain why it is not feasible.

156. Applicants should consider the necessary action required to ensure the impact on climate change during the full lifetime of development has been fully considered.

157. Where electricity network connections are constrained, applicants may need to consider alternative solutions to power the data centre, one option of which may be Behind-the-Meter (BtM) power[57]. Alternative power generation solutions will be considered as part of the project's application for DCO.

158. The requirements in section 5.3 of the NPS EN-1[58] for an applicant's greenhouse gas assessment and mitigation must be followed for any energy infrastructure component of the application. However, the need for new electricity generation established by

[56] These technologies include, but are not limited to, nuclear power and supporting infrastructure, low carbon fuels such as biomethane and hydrogen, heat from recoverable sources (such as heat recovered from data centres), and the storage of renewable and low carbon energy, including long-duration and short-duration energy storage such as Battery Energy Storage Systems.
[57] Behind-the-meter (BtM) power provides electricity that at no point enters the transmission or distribution network and is intended only to serve a single or limited number of users. This can be a standalone generating station or a private connection to a generating station that may also be separately connected to the electricity network. This does not include emergency power systems or standby generation used solely to provide back-up electricity during outages, or for limited testing and maintenance.
[58] https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1-2025/overarching-national-policy-statement-for-energy-en-1-2025-accessible-webpage

Part 3 of NPS EN-1[59] relates to network connected generation, so does not apply to BtM power.

159. The government is preparing a new temporary framework to establish the conditions by which projects can make use of BtM power where its use could have implications for carbon emissions and/or energy security. Under this framework, only projects assessed by government as being exceptionally strategically important, may be able to pursue BtM power ahead of a grid connection, and only provided that they demonstrate:

- That the use of BtM power cannot be reasonably avoided, reflecting the government's preference for grid-connected power, and that BtM power will only be considered when all other options to accelerate access to the electricity network have been exhausted. Where projects do require BtM power, this should only be as a temporary solution, and they should continue to prioritise connecting to the electricity network as quickly as possible, rather than relying solely on BtM power as a long-term solution;

- How they will mitigate the impacts of temporary BtM power on carbon emissions and energy security; **and**

- How the project will deliver wider energy system, decarbonisation, and economic benefits beyond powering the data centre itself.

Decision making

160. The Secretary of State should be satisfied that the applicant has demonstrated how they are taking steps to reduce the impact of their proposed development on climate change and properly assess emissions impacts through their EIA.

161. The Secretary of State will consider the applicant's assessment of energy usage, and if using alternative energy generation sources, consider the applicant's assessment of emissions and steps taken to reduce emissions. The Secretary of State will also have regard to any impact on the security of supply for the energy system.

162. Where any application includes temporary BtM power, the Secretary of State will have regard to the extent to which the applicant has applied, and is compliant with, the forthcoming framework on temporary BtM power as mentioned above. Approval for BtM power as a means to access power prior to connecting to the electricity network will be refused if the data centre project is either not exceptionally strategic or is exceptionally strategic but does not demonstrate sufficient compliance with the framework in the view of the Secretary of State. Government will set out further

[59] https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1-2025/overarching-national-policy-statement-for-energy-en-1-2025-accessible-webpage

details in due course on the definition of exceptionally strategic data centres that projects will need to meet.

163. Any operational emissions, including those resulting from temporary BtM power for those projects consented under the forthcoming framework, will be addressed by the government in a managed, economy-wide manner, in accordance with the Secretary of State for DESNZ's legal duties under the Climate Change Act 2008[60] with respect to the carbon budgets and the net zero target and to ensure consistency with the UK's international climate commitments, including Nationally Determined Contributions (NDCs). The Secretary of State determining the DCO application does not therefore need to assess the contribution of operational emissions of individual applications for planning consent to determine compliance with carbon budgets, the net zero target, and the UK's international climate commitments.

164. The Secretary of State will still consider the impact of the proposed development on greenhouse gas emissions. Compliance with the Climate Change Act 2008 does not diminish the importance of reducing emissions where practicable at the project level and climate change mitigation remains a fundamental component of sustainable design.

Climate change adaptation and resilience

165. Alongside the mitigation strategies applicants should consider in the above section, new data centre projects should consider adaptation to and resilience against climate change, and use this to inform site suitability, location, and design.

166. Climate change is already altering the UK's weather patterns, and this will continue to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms, and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.

167. Through the UKCP18, the government supports planning decisions, in addition to hazard-specific tools and guidance produced by bodies such as the Environment Agency. The government's Third National Adaptation Programme[61] (NAP3) and Adaptation Reporting Power[62] ensure that reporting authorities assess the risks to their organisation presented by climate change.

[60] https://www.legislation.gov.uk/ukpga/2008/27/contents
[61] https://www.gov.uk/government/publications/third-national-adaptation-programme-nap3
[62] https://www.gov.uk/government/collections/climate-change-adaptation-reporting-fourth-round-reports

Assessment

168. In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation, applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques.

169. Integrated approaches considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration and wider environmental benefits.

170. In addition to avoiding further greenhouse gas emissions compared with traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.

171. It is expected that any new data centres being built will remain operational for a significant period of time in the face of a changing climate. This is currently expected to be 15-20 years[63] but applicants should consider, in the interest of taking a more precautionary approach, a potentially longer operational use and the continued existence of the development after this point. Consequently, applicants must consider the direct (e.g. site flooding, drought and limited water availability, storms, heatwave, and wildfire threats to infrastructure and operations) and indirect (e.g. access roads or other critical dependencies impacted by flooding, storms, heatwaves, or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new data centres. The Environmental Statement produced by the applicant should outline how the proposal will account for the projected impacts of climate change, using government guidance and industry-standard benchmarks such as the Climate Impacts Tool[64,] and the International Standards for Climate Change Adaptation (ISO 14090:2019)[65] in accordance with the EIA Regulations.

172. Applicants should demonstrate that proposals have a high level of climate and energy resilience built in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.

[63] https://www.datacenterdynamics.com/en/analysis/the-data-center-life-story/
[64] https://www.gov.uk/government/publications/climate-impacts-tool
[65] https://www.iso.org/standard/68507.html

173. Data centre resiliency is highly dependent on energy resiliency, and applicants should clearly explain in their proposals how their development will remain energy resilient over its lifetime.

174. Where data centres have safety-critical elements, the applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.

175. The Secretary of State will consider how the applicant's design demonstrates how climate forecasts have been considered, and how the applicant plans to keep the integrity of the development operationally sound and resilient throughout its expected lifetime.

Decision making

176. The Secretary of State should be satisfied that applicants for new data centres have taken into account the potential impacts of climate change using UKCP18, relevant research, and expert guidance available at the time. The Environmental Statement should be prepared to ensure applicants have identified the lifetime of the new infrastructure, including any decommissioning period.

177. Should UKCP18 be updated or replaced, the Secretary of State will consider whether they need to request further information from the applicant.

178. The Secretary of State should be satisfied that there are not features of the design of new data centres critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence, and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.

179. If any adaptation measures give rise to consequential impacts (for example on flooding, water resources, or coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in section six of this NPS, and these impacts must be fully assessed and addressed through the mitigation hierarchy.

180. Any adaptation measures should be based on UKCP18 (or any updated or replaced projections), the government's latest UK Climate Change Risk Assessment[66] (due to be updated in late 2026/2027, with the government's fourth Climate Change Risk Assessment due in January 2027), and in consultation with the Environment Agency's Climate Change Allowances for Flood Risk Assessments[67].

[66] https://www.gov.uk/government/publications/uk-climate-change-risk-assessment-2022
[67] https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances

181. The Secretary of State may take into account reporting authorities' reports, such as the Adaptation Reporting Power reports[68], when considering adaptation measures proposed by an applicant for new data centres.

182. Adaptation measures should be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment, the Secretary of State may consider requiring the applicant to keep the need for the adaptation measure under review.

National grid connection

183. The UK's electricity grid is experiencing rising demand from multiple sectors, such as electric vehicles, and new data centres are increasing this pressure on the grid.

184. Grid connection delays and capacity constraints are a key challenge for new data centre developments, particularly in certain regions. In recognition of this, applicants must proactively engage with the network companies when applying for a grid connection.

185. Data centre development should not place upward pressure on energy prices. Data centre investment in relevant infrastructure can support grid resilience, flexibility and clean power.

Assessment

186. Throughout the pre-application phase of development, applicants must consult with the relevant network operator and any other relevant stakeholders before submitting an application for consideration by the Secretary of State.

187. Although a secured grid connection is not a pre-requisite for applicants at the point of application, it is at the applicant's risk should they wish to submit an application without a confirmed connection. Applicants must explain the reasoning for not yet having a confirmed connection, the state of progress in securing that connection, and any reasons for not securing the connection, including mitigation steps to prevent this from happening. They must also explain where they expect to source their energy from as part of the Environmental Statement and assessment of their likely carbon impact.

188. Applications which consider how the data centre development coordinates with other land use projects in an area and are coordinated to bring improved efficiency and

[68] https://www.gov.uk/government/collections/climate-change-adaptation-reporting-fourth-round-reports

lower comparative requirements from the grid, are particularly encouraged, contributing to security of supply.

189. Applicants will be expected to make credible commitments for the grid capacity they request and set out the impact that the data centre might have on electricity prices.

Decision making

190. The Secretary of State must be satisfied that the necessary consideration for securing a grid connection has been given by the applicant. If a connection is not secure at the time of application, the relevant Secretary of State will assess the likelihood that a connection will be secured in enough time for the development to proceed.

191. Applicants who can demonstrate either a high probability of securing a grid connection, or a reduced demand of the national grid through the use of renewable or low carbon sources, will be given positive weighting in the planning balance by the relevant Secretary of State when making development consent decisions.

192. The Secretary of State may impose requirements for development consent, dependent on the necessary steps to be taken by the applicant to ensure a grid connection will be secured.

193. The Secretary of State should have regard to the extent to which the applicant has a credible plan for supporting the security of supply, investing in clean power or paying for relevant costs of connecting and operating, such that they do not increase bills.

Environmental regulation

194. Any issues which relate to discharge or emissions from a proposed development, and which may impact air, water, and land quality, or the marine environment, may be subject to separate regulation under the pollution control framework or any other consenting and licensing regime.

195. Relevant permissions must be obtained for any construction within the development that are regulated under those regimes before construction can commence. The applicant should contact the relevant consenting authority for pre-application advice at the earliest opportunity.

Assessment

196. The applicant must apply for an environmental permit through the Environment Agency where relevant and provide the necessary information for them to be satisfied that the processes are in place to ensure compliance with environmental legislation.

197. Pre-application, the applicant should have consulted with the Environment Agency at an early stage. The Environment Agency recommends this should be done at least six months prior to submitting any application to be considered as 'nationally significant'.

198. Applicants should submit applications for Environmental Permits at the same time an application is made to the relevant Secretary of State for development consent.

199. Applicants should avoid, or at the least mitigate against, any impacts associated with exceeding critical loads on qualifying habitats of listed and/or proposed European and Ramsar sites.

Decision making

200. To assess whether the applicant should be granted development consent, the relevant Secretary of State should be satisfied that the development is an acceptable use of the land, and the impact of that use, rather than the control of processes, emissions, or discharges themselves.

201. The result of this is that assessment of the processes, emissions, and discharges will be subject to the necessary and relevant pollution control regimes. To ensure there is not duplication of regulatory burdens, the Planning Act 2008 should act as a complement to these regimes rather than instead of them.

202. The relevant Secretary of State must be satisfied that the applicant is aware of the environmental impacts of development, their statutory obligations, and where possible and necessary, include a description of mitigation strategies. The relevant Secretary of State may consult with the Environment Agency, local planning authorities, and any other relevant stakeholders (including Natural England), when considering the application and whether it meets environmental standards and legislation.

203. If an application is deemed to be potentially polluting, the following steps need to be taken for the Secretary of State to be satisfied that development consent can still be granted:

- The relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; **and**

- The effects of existing sources of pollution in and around the project are not such that the cumulative effects of pollution, when the proposed development is added, would make that development unacceptable, particularly in relation to statutory environmental quality limits.

204. Consistent with the overall presumption of consent set out in this NPS, development consent should not be refused if the two steps above are met, unless the relevant

Secretary of State assesses there is a good reason to believe that the relevant environmental permits and licences will not be sought or granted to the applicant.

Safety

205. For all potential data centre developments, safety of construction and operation should be key considerations included in the application, alongside the relevant mitigation factors put in place.

206. Relevant bodies, such as local authorities and the Health and Safety Executive[69], and legislation, such as the Health and Safety at Work Act 1974[70], should be thoroughly considered during both the construction and operation phases. The relevant bodies should be consulted ahead of submitting an application.

207. Some of the technologies specific to data centre developments will be covered by their own specific health and safety legislation.

208. Although the Health and Safety Executive (HSE) does not provide specific guidance on safety for data centres, the general guidance provided covering issues such as electrical safety, fire safety, and workplace risk assessments should be considered when developing applications.

209. As part of the EIA Regulations, there is a requirement to consider the implications of major accidents or disasters.

Assessment

210. Applicants should consult with the Health and Safety Executive, and any relevant local authorities, on matters relating to safety.

211. Applicants should explain in their application what health and safety issues are specific to developing a data centre, alongside the general health and safety risks in the workplace, and the mitigation measures to be put in place to minimise risk.

Decision making

212. The relevant Secretary of State must be satisfied that a safety assessment has been conducted and meets the regulatory requirements, and that there are no additional unmitigated safety concerns.

[69] https://www.hse.gov.uk/
[70] https://www.hse.gov.uk/legislation/hswa.htm

Security

213. National security considerations apply across all national infrastructure sectors. The Department for Business, Innovation, Science and Trade (BIST) acts as the sponsor department for the data centre sector with the lead responsibility for security matters.

214. BIST works closely and proactively with relevant authorities such as the National Cyber Security Centre (NCSC), the National Protective Security Authority (NPSA), intelligence agencies, and law enforcement to provide advice on the threat of terrorism and other national security threats, as well as options for risk mitigation.

215. Data centres can be subject to significant and frequent national security threats, including cyber-attacks, physical threats, and supply chain vulnerabilities. Given the level of data stored by data centres, they are a high-value target for ransomware, phishing, and other forms of cyber-attack.

216. Data centres were classified as CNI in the UK in 2024, giving them additional protections and government support in recovering from and anticipating critical incidents.

Assessment

217. Applicants should consider consulting with security experts from BIST, NPSA, NCSC, intelligence agencies, and law enforcement, where deemed appropriate, to ensure the proposed development adequately addresses the security risks in the design and operational process. Where security concerns are identified, applicants should have clear mitigation measures in place.

218. The government is legislating to introduce proportionate regulatory oversight for the security and resilience of the data centre sector, and new obligations on operators to mitigate against relevant risks, including in the operational design of facilities. Applicants must ensure that they have considered and are able to meet these obligations. As potential critical national infrastructure, applicants should share relevant information with government and technical agencies as needed throughout the application process and once operational.

219. Applicants should consider the necessary balance to provide sufficient information in the application, against the risk to national security that providing this information may cause. Should there be questions or concerns about this, applicants can contact the relevant government organisations (NCSC, BIST, Ofcom) regarding security, resilience, and regulatory obligations.

220. Some investments into data infrastructure are notifiable under the National Security and Investment (NSI) Act 2021. To check whether an investment requires mandatory

notification, please refer to Schedule 9 of the Notifiable Acquisition Regulations and published guidance available for businesses on GOV.UK[71].

Decision making

221. If the relevant authorities mentioned above and BIST are satisfied that all security issues have been addressed and/or mitigated against, they may provide confirmation to the Secretary of State to assist in making a decision.

222. In exceptional circumstances, where examining an application would involve public disclosure of information which may threaten national security, the examination of that evidence may take place under Examination Procedure Rules.

Health

223. The construction and operation of data centres can impact people's health, wellbeing, and way of life. Direct impacts can include:

- Traffic congestion;
- Noise pollution;
- Vibration in the local area;
- Air quality and emissions;
- Carbon emissions;
- Light pollution; **and**
- Dust and odours.

224. The storage and processing of data through data centres offers potential health benefits through the enabling of technologies directly affecting public health. However, this must be considered against the negative impacts on health that the development may have, with some of these impacts included in section six on generic impacts.

[71] https://www.gov.uk/government/publications/national-security-and-investment-act-guidance-on-notifiable-acquisitions/national-security-and-investment-act-guidance-on-notifiable-acquisitions#data

Assessment

225. Where the proposed development may have environmental impacts which affect public health, the applicant must include relevant assessment information and mitigation measures.

226. Impacts on public health as a result of development may be cumulative, and any impacts should be considered not only on the individual level but cumulatively.

227. Relevant stakeholders, such as the UK Health Security Agency (UKHSA), should be consulted where necessary as part of the pre-application process.

Decision making

228. The relevant Secretary of State can reject an application on the grounds that the negative impact on public health outweighs the potential benefits of the data centre being built. However, if sufficient mitigation of the negative impact has been included in the application, then development consent may still be granted.

6-Generic impacts

Overview

229. Generic impacts refer to the broad range of effects that data centre developments may have beyond specific areas such as security and health. These can include environmental, social, and economic consequences, many of which require careful consideration and mitigation throughout the planning and operational stages. Developers must take a holistic approach to assessing these impacts, ensuring that both immediate and long-term effects are addressed within their applications. This not only helps to safeguard local communities and ecosystems but also supports sustainable growth and responsible development.

230. This section of the NPS focuses on the construction and operational impacts of data centre developments, including the requirements that developers must consider in order to be granted development consent as an NSIP.

231. Although the NPS highlights some of the generic impacts that data centre developers should consider, there will be additional considerations and legislative requirements to consider when a decision is made on whether to grant development consent. The Planning Inspectorate can also advise on additional procedural, technical, and administrative processes required to facilitate good decision-making.

232. To fully assess the generic impacts of proposed development, the applicant should consult early with all relevant stakeholders and discuss with the Planning Inspectorate what information is needed to comprise a successful application. This includes using up-to-date and accurate data and guidance wherever this is needed.

Air quality and emissions

233. Data centre development can have a negative impact on air quality due to emissions produced during both construction and operational phases. This includes any on-site power generation, including testing and emergency use of back-up generators, and different forms of BtM generation. Current planning guidance[72] provides information to applicants on considering, assessing, and mitigating against common air quality issues.

234. The Environment Agency regulates the operation of on-site power generation at data centres, including back-up generators. Back-up generators are permitted to operate

[72] https://www.gov.uk/guidance/air-quality--3

only in emergencies, and for limited hours for testing and maintenance. The process of routine testing and maintenance is typically the responsibility of the data centre operator itself. Applicants must consider relevant legislation for air quality, such as the Air Quality Standards Regulations (AQSR) 2010[73] and the Air Quality (England) Regulations 2000[74]. The AQSR sets out the legal limits for concentrations of pollutants, as well as the national objectives for air quality. The Air Quality (England) Regulations set the air quality objectives that must be considered by local authorities when managing air quality at a local level under the Local Air Quality Management Framework in the Environment Act 2021.

235. Additionally, under the Environment Act 2021[75] fine particulate matter targets (PM2.5) were set as an annual mean concentration target and a population exposure target.

236. It is highly unlikely a data centre development will have no impact on air quality. Therefore, it is important that an application is considered on how it impacts air quality limits, objectives, and targets, and subsequently how mitigation strategies may reduce the impact it has on air quality.

237. Mitigation measures could include siting emissions sources and access routes away from areas of poor air quality and sensitive receptors (such as residential properties, schools, hospitals and care homes) and minimising emissions from on-site power generation and backup systems.

238. The Environmental Permitting Regulations (England and Wales) 2016[76] control pollution from industry, including power generation. Data centres are required to obtain environmental permits from the Environment Agency in order to operate on-site power generation, including back-up generators. Permits will include emission limit values, monitoring requirements, and other controls for air pollutants, as set out in the Regulations.

239. The development of the data centre itself is of consideration by the Secretary of State in the application to be granted development consent. Any necessary development to enable the construction and operation of the data centre, such as energy generation sites, are subject to the relevant NPS for consideration under NSIP, or the Town and Country Planning Act 1990 for local authorities to consider.

Assessment

240. Should the project be considered likely to have adverse effects on air quality, the applicant must include an assessment of the impacts as part of the Environmental Statement. This should include an estimation of the relative change in air quality

[73] https://www.legislation.gov.uk/uksi/2010/1001/contents
[74] https://www.legislation.gov.uk/uksi/2000/928/contents/made
[75] https://www.legislation.gov.uk/ukpga/2021/30/contents
[76] https://www.legislation.gov.uk/uksi/2016/1154/contents

levels resulting from the project. Where a project is likely to lead to a breach of any relevant statutory air quality limits, objectives, or targets, the applicant should work with the relevant authorities to secure appropriate mitigation measures. Applicants should demonstrate how they will not exacerbate existing air pollution levels, and if developed as part of a cluster, the assessment does not collectively exceed air pollution limits, objectives, and targets. This includes the decommissioning phase, as well as the construction and operational phases of the data centre.

241. Applicants must also consider the potential effects of the proposed development on PM2.5 concentrations and exposure, having regard to the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023[77] and associated PM2.5 Planning Guidance to demonstrate consideration of targets in planning decisions.

242. The applicant should consider Defra's statistics and projections for air quality based on future levels of emissions, traffic, and vehicle fleets, and remain consistent with these projections. This is particularly relevant for the applicant when considering the use of road links for the construction and operation of the data centre near to densely populated areas, including concentrations of educational, healthcare, or housing sites, or where it may impact vulnerable members of local communities.

Decision making

243. The Secretary of State must be satisfied that any air emissions resulting from the development of a data centre meet the required environmental standards and legislation. This includes consideration of sensitive habitats or designated sites for nature conservation, such as European or Ramsar sites, as well as SSSIs, National Nature Reserves (NNRs), Local Nature Reserves (LNRs), areas of ancient woodland, and other local wildlife.

244. Where the estimated residual impact on air quality is substantial, the Secretary of State should consider the applicant's justification for this impact and may impose requirements for development consent relating to this. In particular, the Secretary of State should have regard to impacts on sensitive sites close to the development, such as education, healthcare, or residential sites. The Secretary of State should have regard to the Air Quality Strategy[78] in England or any successor to this and should consider advice within Local Air Quality Management guidance and PM2.5 targets guidance.

[77] https://www.legislation.gov.uk/uksi/2023/96/contents/made
[78] https://www.gov.uk/government/publications/the-air-quality-strategy-for-england

Biodiversity

245. Biodiversity is the variety of life in all its forms and encompasses all species of plants, animals, and fungi, the genetic diversity they contain and the complex ecosystems of which they are a part.

246. The Environmental Improvement Plan 2025[79] sets out the government's vision for improving the environment for the next generation. This includes restoring nature, creating a more circular economy, and improving environmental quality, security, and access to nature.

247. Biodiversity is a consistent theme and consideration across all planning issues, and there are various legislative provisions which applicants must be aware of. These are set out in the National Planning Policy Framework and the Natural Environment Planning Practice Guidance (NEPP)[80].

248. The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA).

249. As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required:

- Potential SPAs and possible SACs; **and**
- Sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph.

250. Sites of local importance for nature should also be considered and safeguarded by planners where they have been identified through a local plan or designated as an LNR. Planners will need to map these sites and understand the impact development may have and LNRS[81] will help them to do this. LNRS are a new system of spatial strategies for nature and the environment which agree priorities for nature's recovery, map the most valuable existing areas for nature, and map specific proposals for creating or improving habitat for nature and wider environmental goals.

251. Some habitats are also very difficult or impossible to restore once impacted upon. These irreplaceable habitats include ancient woodland, ancient or veteran trees, blanket bog, coastal sand dunes, Mediterranean saltmarsh scrub, limestone pavements, spartina saltmarsh swards, and lowland fens.

[79] https://www.gov.uk/government/publications/environmental-improvement-plan-2025/environmental-improvement-plan-eip-2025
[80] https://www.gov.uk/guidance/natural-environment
[81] https://www.gov.uk/government/publications/local-nature-recovery-strategies/local-nature-recovery-strategies

Assessment

252. Should a project be subject to an EIA, applicants must ensure the Environmental Statement outlines the significant impacts of development on biodiversity, including any protected species and/or habitats. This must cover any international, national, or local designated sites of nature.

253. If an EIA is not required, the applicant should still provide environmental information proportionate to the size and impact of the development for the Secretary of State to consider. A biosecurity plan for all phases of the development should be considered to prevent the introduction or spread of invasive non-native species or diseases.

254. Alongside any viable avoidance and mitigation strategies, the applicant should highlight any opportunities to enhance biodiversity as a result of development. Data centre development can include opportunities to benefit biodiversity through effective design and consideration for the species and habitats in the local area. If viable, applicants are encouraged to consider how the benefits to biodiversity can go beyond the 10% uplift in BNG outlined in the Environment Act 2021.

255. Given the scale of data centre developments using this NPS to apply for development consent, consideration must be given to how migratory species such as birds, fish, marine and terrestrial mammals interact with the infrastructure. Where direct and indirect impacts from development on irreplaceable habitats such as ancient woodland cannot be avoided, applicants should conduct surveys and devise mitigation measures, if required, to ensure necessary action is taken to protect migratory species.

256. There are several ways in which applicants can demonstrate mitigation strategies to negate the negative impacts. These could include:

- Sensitive siting of the development and access;
- Minimising the area of construction for the development;
- Consideration of programming construction works to reduce disturbance to sensitive species;
- Following best practice for construction to limit the impact on designated sites and features; **and**
- Maintaining and enhancing local habitats in site design and ensuring maximal benefit is achieved through the creation of any new habitats.

257. Applicants should consult with the appropriate Statutory Nature Conservation Body (SNCB) and provide the Secretary of State with sufficient information to determine whether a HRA AA is required alongside their application. To assist in the development of a HRA, applicants can agree on an ‘evidence plan’ with their SNCB to streamline the HRA and ensure the relevant information is included. The applicant

should provide the Secretary of State with sufficient information, including mitigation measures, to enable an AA to be conducted.

258. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.

259. Applicants must include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees, or other irreplaceable habitats during both construction and operational phases.

260. Existing trees and woodlands should be retained wherever possible. In the Environmental Improvement Plan, the government committed to increase the tree canopy and woodland cover to 16.5% of the total land area of England by 2050. The applicant should assess the impacts on, and loss of, all trees and woodlands within the project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.

261. Applicants should attempt to maximise the positive impact of their development on biodiversity, including protection and restoration of habitats impacted by development. LNRS[82] may assist in identifying considerations and potential opportunities.

262. The connectivity between habitats and biodiversity areas for applicants should be compared against that of the broader developments in the local area. Applicants are encouraged to minimise fragmentation and support the creation of connected habitats.

Decision making

263. The Secretary of State should consider the objectives of the Environmental Improvement Plan 2025[83], when deciding on applications. Where significant harm to biodiversity and geological conservation cannot be avoided by applicants, every attempt should be made to mitigate these impacts, or adequate and appropriate compensation should be provided.

264. The benefits of developing ‘nationally significant’ data centres and any biodiversity and geological benefits may outweigh the harm caused to those interests. In this

[82] https://www.gov.uk/government/publications/local-nature-recovery-strategies/local-nature-recovery-strategies
[83] https://www.gov.uk/government/publications/environmental-improvement-plan-2025/environmental-improvement-plan-eip-2025

case, the Secretary of State will take into account the positive net impact when deciding to grant development consent.

265. The Secretary of State should consider the appropriate requirements of the applicant prior to granting development consent and impose requirements where necessary.

266. Mitigation measures agreed between the applicant and the SNCB will be taken into consideration by the Secretary of State, including if the SNCB has granted or refused any relevant licences to the applicant.

267. Applicants should take every opportunity to maximise the biodiversity and geological benefits of development, including the use of good design principles.

268. The Secretary of State must ensure the appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.

269. The Secretary of State must consider whether the project is likely to have a significant impact on a protected habitat site, marine site, or any site to which the same protection is applied.

270. The Secretary of State is bound by the duties on public authorities in relation to Marine Conservation Zones (MCZs) imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009[84].

271. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

272. The Secretary of State should refuse development consent if harm to a protected species or designated site would result, unless there is an overriding public interest and the relevant other legal tests are met.

Historic environment

273. Data centres have the potential to result in adverse impacts on the historic environment. The historic environment includes all aspects of the environment resulting from interaction between people and places through time, including all

[84] https://www.legislation.gov.uk/ukpga/2009/23/contents

surviving physical remains of past human activity, whether visible, buried, submerged, landscaped, planted, or managed.

274. Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural, or artistic interest are called 'heritage assets'. Heritage assets may be buildings, monuments, sites, places, areas or landscapes, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its significance. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Assessment

275. The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA and describe these in the Environmental Statement. This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.

276. Assessments of the potential effects of development proposals on the significance of heritage assets (including through effects on their setting) should identify whether proposals would be likely to:

- Have a positive effect, which is where the significance of a heritage asset would be enhanced, or better revealed; or
- Have no effect on the significance of a heritage asset; or
- Result in harm to the significance of a heritage asset, either from work affecting the asset itself or from development within its setting. The degree of harm should be identified: substantial harm would occur where the development proposal would seriously affect a key element of the asset's significance; **or**
- Cause the total loss of the significance of a heritage asset.

277. In making this assessment, it is the effect on a heritage asset's significance rather than the scale of the development which should be considered.

278. As part of the Environmental Statement, the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record and assessed the heritage assets themselves using expertise where necessary, according to the proposed development's impact.

279. Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.

280. The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light, and indirect impacts. The extent and detail of these studies will be proportionate to the significance of the heritage asset affected.

281. The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected.

Mitigation

282. Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State will require the applicant to record and demonstrate advanced understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset's importance and significance and the impact. The applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.

283. Where there is a high probability (based on an adequate assessment) that a development site may include yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.

Decision making

284. In determining applications, the Secretary of State will consider the significance of any heritage assets affected by the proposed development, including effects on their setting, having regard to information provided in the application, relevant Historic Environment Records, designation records, historic landscape character assessments, and expert advice where appropriate.

285. The Secretary of State will give substantial weight to the conservation of designated heritage assets on the site or affected by the site, with the weight increasing in proportion to the importance of the asset.

286. The Secretary of State will require clear and convincing justification for any harm to, or loss of, significance of a heritage asset.

287. The Secretary of State will treat favourably proposals that preserve or enhance the setting of heritage assets.

288. Where a development proposal would harm the significance of a designated heritage asset, the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal, such as securing the long-term reuse of a vacant or underused listed building.

289. Where a development proposal would cause substantial harm to, or the total loss of, the significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm or loss, or if all of the following apply:

- The nature of the heritage asset would otherwise prevent all reasonable uses of the site;
- No suitable use for the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- Conservation by grant-funding or some form of not for profit, charitable or public ownership is not possible; **and**
- The harm or loss is outweighed by the benefit of bringing the asset back into use.

290. Substantial harm to or loss of significance to assets of the highest significance (including Scheduled Monuments, World Heritage Sites, Registered Battlefields, Grade I and II Listed Buildings, and Grade I and II Registered Parks and Gardens) should be wholly exceptional.

291. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.

Flood risk

292. Flooding is a natural process that plays an important part in shaping the natural environment. However, flood risks can be life-threatening and damage infrastructure and property.

293. The development of data infrastructure and its design, location, and land use may be impacted by weather events. However, the additional data capacity that the development of data centres may provide can also assist some technologies which predict and mitigate the impact of flooding risks.

294. Protecting communities around the country from flooding is one of the government's priorities. The Environment Agency has a statutory duty to publish the National Flood and Coastal Erosion Risk Management Strategy for England[85]. The Strategy describes what needs to be done by all risk management authorities involved in flood and coastal erosion risk management for the benefit of people and places. Risk Management Authorities should consider any updates to government policies and the statutory Strategy and apply updated approaches as a matter of priority.

295. Continued climate change over future decades is expected to result in milder, wetter winters, and hotter, drier summers in the UK, with sea levels continuing to rise. Within the lifetime of the proposed development, these factors will lead to increased flood risk in areas susceptible to flooding, and to an increased risk of flooding in some areas not currently thought of as being at risk. In addition to increasing flood risk, longer term climate change will result in changes to weather-related disruption. The applicant, the Examining Authority, and the Secretary of State in taking decisions should take account of the policy on climate change adaptation, flood risk, and coastal change.

Assessment

296. Applications for infrastructure projects in the following locations should be accompanied by a flood risk assessment:

- Flood Zone 1 sites of more than one hectare (low probability of river and sea flooding) for projects where strategic flood risk assessments or the Flood Map for Planning identify land as being at increased flood risk in future, or land that may be subject to other sources of flooding (local watercourses, surface water, groundwater, canals, or reservoirs), or land which the Environment Agency has identified as having critical drainage problems; **and**

- Flood Zones 2 and 3 (medium and high probability of river and sea flooding).

297. The applicant should identify and assess the risks of all forms of flooding and demonstrate how these flood risks will be managed over the lifetime of the development, taking climate change into account.

298. In preparing a flood risk assessment, the applicant should:

- Be proportionate to the risk and appropriate to the scale, nature and location of the project;

- Consider the impact on the risk of flooding arising from the project elsewhere in addition to the risk of flooding to the project;

[85] https://www.gov.uk/government/publications/national-flood-and-coastal-erosion-risk-management-strategy-for-england--2

- Take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made;

- Be undertaken by competent people, as early as possible in the process of preparing the proposal so that the information provided in the flood risk assessment is credible and fit for purpose;

- Consider the role of existing and proposed flood risk management infrastructure, including raised defences, flow channels, flood storage areas, and other artificial features, including their potential benefits and impacts on flood risk;

- Assess the consequences of the failure or exceedance of flood risk management infrastructure, including any residual risk, and demonstrate how those risks can be assessed and mitigated, ensuring people will not be exposed to hazardous flooding;

- Consider the vulnerability of those using the site, including arrangements for safe access and escape;

- Consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard, and duration;

- Identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management;

- Consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment, and river and coastal processes;

- Include the assessment of the remaining (known as ‘residual’) risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding; **and**

- Consider how infiltration rate may change as a result of development, along with how the proposed layout of the project may affect drainage systems.

299. Information should:

- Describe the existing surface water drainage arrangements for the site;

- Set out (approximately) the existing rates and volumes of surface water run-off generated by the site;

- Detail the proposals for restricting discharge rates;

- Set out proposals for managing and discharging surface water from the site using Sustainable Drainage Systems (SuDS)[86] and accounting for the predicted impacts of climate change. If SuDS have been rejected, present clear evidence of why their inclusion would be inappropriate;

- Demonstrate how the hierarchy of drainage options has been followed[87];

- Explain and justify why the types of SuDS and method of discharge have been selected and why they are considered appropriate;

- Explain how SuDS have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site;

- Describe the multifunctional benefits the SuDS will provide;

- Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed SuDS;

- Explain how run-off from the completed development will be prevented from causing an impact elsewhere;

- Explain how the SuDS has been designed to facilitate maintenance and, where relevant, adoption;

- Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development in line with relevant guidance;

- Detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere;

- Identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; **and**

- Be supported by appropriate data and information, including historical information on previous events.

300. Should the proposed development affect, or increase, the level of flood risk, the applicant should engage early in the process with the Environment Agency and any other relevant flood risk management organisations. These may include:

- Lead Local Flood Authorities;

[86] https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems
[87] https://www.gov.uk/guidance/flood-risk-and-coastal-change#sustainable-drainage-systems

- Internal Drainage Boards;
- Sewerage Undertakers;
- Highways Authorities;
- Canal and River Trust; **and**
- Reservoir Owners and Operators.

301. Applicants should engage with any concerns or objections raised during this process and take reasonable steps to try and address them.

Mitigation

302. The applicant should consider the impact of their proposed development on existing flood risks, and the likelihood of it creating new flood risks. In these events, the applicant will need to develop sufficient mitigation measures to ensure that throughout the expected lifetime of the development, the development is safe from flooding, and the flood risk in other areas is not increased.

303. Flood risks can be mitigated through good design and relevant consideration of existing planning requirements or obligations. This may include:

- SuDS, planting vegetation, or implementing other flood defence mechanisms;
- Safe access and escape routes providing free and voluntary movement;
- Appropriate property flood resilience measures to allow for the data centre to remain operational during flooding; **and**
- Demonstration that the data centre is capable of being adapted to remain resilient in credible maximum climate change scenarios.

304. In the NPS, the term sustainable drainage system is used and taken to cover the whole range of sustainable approaches to surface water drainage management. In line with the NPPF, where a development could have drainage implications, applicants should incorporate SuDS to control flow rates, manage volumes of runoff, and reduce the risk of surface water flooding. Applicants should demonstrate compliance with National Standards for SuDS[88]. These approaches may include:

- Source control measures, including rainwater recycling and drainage;

[88] https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems/national-standards-for-sustainable-drainage-systems-suds

- Infiltration devices to allow water to soak into the ground, which can include individual soakaways and communal facilities;

- Filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;

- Filter drains and porous pavements to allow rainwater and runoff to infiltrate into permeable material below ground and provide storage if needed;

- Basins and ponds to hold excess water after rain and allow controlled discharge that avoids flooding; **and**

- Flood routes to carry and direct excess water through developments to minimise the impact of surface water flooding.

305. Site layout and surface water drainage systems should be able to cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.

306. The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, taking into account climate change.

307. It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the main application site.

308. The sequential approach should be applied to the layout and design of the project. Vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. The applicant should seek opportunities, where appropriate, to use open space for multiple purposes such as amenity, wildlife habitat, and flood storage uses. Opportunities can be taken to lower flood risk by improving flow routes and flood storage capacity and using sustainable drainage systems.

Decision making

309. Where flood risk is a factor in determining an application for development consent, the Secretary of State must be satisfied that:

- The application is supported by an appropriate flood risk assessment; **and**

- The Sequential and Exception Tests have been applied where required.

310. The Secretary of State must be satisfied that the development will be safe for its lifetime and that flood risk is not increased elsewhere as a result of the development, unless any increased risk can be mitigated to an acceptable and safe level, taking account of the vulnerability of its users.

311. If the proposed development is in an area at risk of flooding, the applicant needs to demonstrate that:

- The most vulnerable development is in the areas of lowest flood risk, unless there are overriding reasons;
- The development will be safe from flooding throughout its expected lifetime, is appropriately resilient and resistant, and any risks are managed and emergency planned for (including escape routes);
- It incorporates SuDS, unless there is clear evidence that this would be inappropriate;
- Any residual risks are safely managed; **and**
- Safe access and escape routes are included where appropriate.

312. When determining an application, the Secretary of State must be satisfied that the potential effects of climate change on the development throughout its expected lifetime have been considered as part of the design.

313. For construction work which has drainage implications, approval for the preferred scheme's overall approach to drainage systems will form part of any development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with the National Standards for sustainable drainage systems[89]. In addition, the DCO, or any associated planning obligations, will need to make provision for the adoption and maintenance of any SuDS, including any necessary access rights to property.

314. The Secretary of State must be satisfied that the most appropriate body would be given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. The responsible body could include, for example, the applicant, the landowner, the relevant local authority, or another body such as the Internal Drainage Board.

315. If the Environment Agency continues to have concerns, and therefore objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied that all reasonable steps have been taken by the applicant and the Environment Agency to attempt to resolve the concerns. Similarly, if the Lead Local Flood Authority objects to the development consent on the grounds of surface or other local sources of flooding, the Secretary of State can grant consent, but would need to be satisfied that all reasonable steps have been taken by the applicant and the lead local flood authority to attempt to resolve the concerns.

[89] https://www.legislation.gov.uk/ukpga/2010/29/contents

Coastal change

316. For the purpose of this section, coastal change means physical change to the shoreline, including erosion, coastal landslip, permanent inundation, and coastal accretion.

317. This section only applies to data centre projects situated on or near the coast, estuaries and tidal rivers, where coastal change is a key consideration as well as a vital element of climate change adaptation.

318. Development should not take place within a Coastal Change Management Area (or within other areas likely to be subject to coastal erosion or tidal inundation over the next century, accounting for the National Coastal Erosion Risk Map and other up-to-date evidence on coastal change and its management) unless it can be demonstrated that it would:

- Be safe over its planned lifetime;
- Reflect the provisions of the relevant Shoreline Management Plan and not have an unacceptable impact on coastal change processes; **and**
- Provide wider sustainability benefits which justify the development.

319. Where development proposals meet these requirements, time-limited permissions and site-restoration conditions should be used where appropriate.

Assessment

320. Where relevant, the Environmental Statement should include an assessment of the effects of the proposed development on the coast, tidal rivers, and estuaries for all stages of the project.

321. Applicants should assess the implications of the proposed project for coastal change and have regard to any relevant Shoreline Management Plans, Coastal Change Management Areas, and the National Coastal Erosion Risk Map.

Mitigation

322. Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the Marine Management Organisation, the Environment Agency, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what appropriate mitigation requirements might be attached to any grant of development consent.

Decision making

323. The Secretary of State should be satisfied that the proposed development will be resilient to coastal erosion, taking account of climate change during the project's operational life and any decommissioning period.

324. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.

325. In considering the impact on maintaining coastal recreation sites and features, the Secretary of State should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so, the Secretary of State should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009[90].

Dust, odour, artificial light, smoke, and steam

326. The construction of data centres has the potential to produce emissions such as dust, odour, artificial light, smoke, and steam. This has the potential to have a negative impact on amenities or cause common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990[91].

327. Because of the potential effects of these emissions and in view of the availability of the defence of statutory authority against nuisance claims, it is important that the potential for these impacts is considered by the applicant in its application, by the Examining Authority in examining applications, and by the Secretary of State in taking decisions on development consent.

328. For data centre developments covered by the NPS, some impact on amenity for local communities is likely to be unavoidable, particularly during construction. Impacts should be kept to a minimum and should be at a level that is acceptable.

Assessment

329. As part of the applicant's EIA, the applicant should assess the likely significant effects from emissions of dust, odour, artificial light, smoke, and steam. The applicant should describe:

[90] https://www.legislation.gov.uk/ukpga/2009/23/contents
[91] https://www.legislation.gov.uk/ukpga/1990/43/contents

- The type and quality of emissions;
- Aspects of the development which may give rise to emissions during construction, operation, and decommissioning;
- Premises or locations that may be affected by the emissions;
- Effects of the emission(s) on identified locations; **and**
- Measures to be employed in preventing and/or mitigating the emissions.

330. The applicant should consult relevant stakeholders early in the process, including the relevant local planning authority and the Environment Agency.

331. Where emissions of dust, odour, artificial light, smoke, and steam occur, the applicant should include sufficient mitigation measures in their application.

332. The applicant should ensure that no electromagnetic radiation is detectable within the wetted area of an inland waterbody as a result of underground cables being laid for data centres.

Decision making

333. The Secretary of State should be satisfied that all reasonable steps have been taken by the applicant to minimise the negative impact of dust, odour, artificial light, smoke, and steam emissions.

334. If development consent is granted, the Secretary of State should consider whether there is a justification for all of the authorised project being covered by a defence of statutory authority against nuisance claims.

Landscape and visual impacts

335. Proposed data centre developments can have significant visual impacts on the local landscape due to their size and technical requirements. The largest data centres may affect people's enjoyment of the local environment and the landscape around habitations. Although waterscape and seascape impacts may be of consideration, the requirements for a typical data centre development would most notably affect the townscape and landscape.

Assessment

336. As part of the applicant's assessment process, they should consider the likely impact on any townscape and landscape as part of their Environmental Statement. Natural

England offers guidance on how to conduct assessments of the impact of development, including Landscape Character Assessments (LCAs)[92].

337. Relevant policies and legislation are a means to assess the impact of development on the landscape, such as the National Parks and Access to the Countryside Act 1949[93], the Countryside and Rights of Way Act 2000[94], and the Levelling-Up and Regeneration Act 2023[95]. Impacts include:

- How visible the development is and for how far from the site;
- The noise and light pollution impact on the local environment and its tranquillity;
- The historical characterisation of the land; **and**
- The impact of construction of the data centre throughout the construction period.

Decision making

338. The Secretary of State should take into consideration the level of detailed design which the applicant has provided and is secured in the DCO, and the extent to which design details are subject to future approvals.

339. The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual, and good design objectives.

340. When considering applications for development within National Parks, designated National Landscapes, and the Broads (collectively referred to as 'Protected Landscapes') the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding applications for development consent in these areas. Substantial weight should also be placed on the importance of conserving and enhancing wildlife and cultural heritage in Protected Landscapes. The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should also be demonstrated to be in the public interest and consideration of such applications should include an assessment of:

- The need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy;

[92] https://www.gov.uk/guidance/landscape-and-seascape-character-assessments
[93] https://www.legislation.gov.uk/ukpga/Geo6/12-13-14/97
[94] https://www.legislation.gov.uk/ukpga/2000/37/contents
[95] https://www.legislation.gov.uk/ukpga/2023/55

- The cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in section four; **and**

- Any detrimental effect on the environment, the landscape, and recreational opportunities, and the extent to which that could be moderated.

341. For development proposals located within designated landscapes, the Secretary of State must be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate, and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.

342. The duty, within section 245 of the Levelling-up and Regeneration Act 2023, to seek to further the purposes of Protected Landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.

343. The scale and design of data centres may mean they are visible across a wide landscape. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.

344. In reaching a judgement, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.

345. The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational, and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.

346. The Secretary of State should consider whether requirements to incorporate particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts are needed.

Land use and Green Belt

347. Given the requirements for data centre developments, the use of existing land will have different direct and indirect effects compared to other types of development. As a result, there may be impacts from data centre developments on open space, green, and blue infrastructure.

348. The objective of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential features of Green Belts are their openness and permanence. For further information on the purposes of Green Belt policy, see chapter 13 of the NPPF[96].

349. The presumption of consent set out in section four of this NPS does not apply to development in the Green Belt. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and, if it is, whether their proposal may be inappropriate development within the meaning of Green Belt in chapter 13 of the NPPF.

350. Where pre-existing land contamination is being considered within a development, the objective is to ensure that the site is suitable for its intended use. Risks would require consideration in accordance with the contaminated land statutory guidance as a minimum[97], and this should include a remediation strategy that is viable and practical.

351. The government's policy is to ensure there is adequate provision of high-quality open space and sports and recreation facilities to meet the needs of local communities.

Assessment

352. Where development is proposed in the Green Belt, applicants should have regard to whether the proposal constitutes inappropriate development. Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7 of the NPPF[98]. Applicants should identify whether the proposal falls within one or more of these categories and demonstrate how the relevant criteria are met.

353. As part of the applicant's environmental statement, they should identify existing and proposed land use near the proposed project, including any effects on existing developments in neighbouring sites. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, applicants should consider the risk posed by land contamination and how it is proposed to address this, supported by a viable and practical remediation strategy.

[96] https://www.gov.uk/guidance/national-planning-policy-framework-chapter-13-protecting-green-belt-land-gb1-8
[97] https://www.gov.uk/government/publications/contaminated-land-statutory-guidance
[98] https://www.gov.uk/guidance/national-planning-policy-framework-chapter-13-protecting-green-belt-land-gb1-8

354. Applicants should have regard to local green infrastructure strategies and networks and LNRs. Applicants should protect, maintain, and enhance existing green infrastructure networks and identify opportunities to create new green infrastructure as part of development proposals.

355. Applicants should consult the local community early in the process to determine the impact of development on existing open space, sports or recreational buildings, or any other land use. Using this consultation feedback alongside good design criteria[99] for planning, applicants should consider how their data centre developments can include additional benefits for the local community. This could be in the form of parks and green space, sport or recreation facilities, or additional green or blue infrastructure, drawing upon Natural England's Green Infrastructure Standards for England[100] and tailored as necessary to local circumstances.

356. Applicants should seek opportunities to provide other benefits through the design or siting of data centres, in order to mitigate impacts and deliver additional local outcomes. This could include co-locating infrastructure with other land uses to make efficient use of land or maximise use of waste outputs from data centre operations.

357. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space or sports and recreational buildings are surplus to requirements.

358. During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan, other land use requirements and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is not more appropriate for other uses.

359. To contribute positively to the natural environment and support nature's recovery, development proposals should take into account the quality of agricultural land (including that classified as best and most versatile agricultural land, and its grade), and, if significant development of agricultural land is necessary, use areas of poorer quality land where possible (defined as land in grades 3b, 4 and 5 of the Agricultural Land Classification[101]). Where schemes are to be sited on best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification), applicants should seek to minimise impacts.

360. Applicants are encouraged to develop and implement a Soil Management Plan (SMP) as part of an overall remediation, construction, and environmental management plan, which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice

[99] https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-good-design
[100] https://designatedsites.naturalengland.org.uk/GreenInfrastructure/GIStandards.aspx
[101] https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land

guidance[102] where large quantities of soils are surplus to requirements or are affected by contamination.

361. Developments should not give rise to, or contribute to unacceptable levels of soil, air, water, artificial light, noise, or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area.

362. Developments should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of pre-existing conditions in its vicinity.

363. Applicants should ensure that a site is suitable for its proposed use, taking account of ground conditions, local environment context, and any risks arising from land instability and contamination.

364. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination[103], produced a viable and practical remediation strategy, and where contamination is present, have considered opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.

365. Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.

366. Applicants should seek to avoid, then mitigate the direct and indirect effects of their data centre development wherever possible, with the acknowledgment that not all effects can be mitigated. In these cases, compensation measures should be considered.

367. As part of the EIA, applicants should assess the potential cumulative effects on local communities against the baseline and any other projects developed in the local area.

368. Where possible, projects should include the reuse of materials and use of sustainable material, such as timber or recycled materials.

[102] https://www.gov.uk/government/publications/code-of-practice-for-the-sustainable-use-of-soils-on-construction-sites
[103] https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm

369. Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.

370. Where a project has a sterilising effect on land use (for example in some cases under transmission lines), there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation, or wildlife corridors, or for parking and storage in employment areas.

371. Public Rights of Way, National Trails, and other rights of access to land are important recreational facilities, for example, for walkers, cyclists, and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way, and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way.

Decision making

372. The Secretary of State should not grant development consent for data centres which replace existing open space or sport and recreational buildings unless:

- An assessment has been undertaken by the local authority or independently, which has clearly shown the open space or the buildings and land to be surplus to requirements;

- The Secretary of State determines that the benefits of the project (including need) outweigh the potential loss of such facilities and their benefits, both existing and potential, and take into account any positive proposals made by the applicant to provide new, improved, or compensatory land or facilities; **or**

- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality, in a location which offers comparable or improved accessibility for the community it serves.

373. When assessing proposed development in the Green Belt, the Secretary of State should first determine whether the proposal falls within one or more of the categories in policy GB7 of the NPPF[104] and is therefore not inappropriate development in the Green Belt.

374. The Secretary of State should not grant development consent for inappropriate development in the Green Belt except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposed development, is

[104] https://www.gov.uk/guidance/national-planning-policy-framework-chapter-13-protecting-green-belt-land-gb1-8

clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt, including harm to its openness.

375. Applications which can clearly demonstrate how they have implemented strategies relating to land use to benefit the local communities from their development will be given positive weighting in the decision-making process. This could include, for example, the provision or improvement of local access paths.

376. The Secretary of State should ensure that applicants have avoided the use of higher quality agricultural land where possible. Where schemes are to be sited on best and most versatile agricultural land, the Secretary of State should take into account the economic and other benefits of that land.

377. In England, local and neighbourhood plans may designate land as Local Green Spaces. Development proposals for land which has been designated as Local Green Space should be determined in a manner consistent with the relevant national decision-making policies for land in the Green Belt, excluding provisions relating to grey belt and previously developed land.

Noise pollution

378. The impact of noise pollution from data centres on local communities is an issue for prospective developers to consider in their applications. Although not as immediately obvious as the noise pollution impacts of other nationally significant infrastructure such as ports or airports, there are still various noise-related issues that data centres can cause.

379. There are various ways in which data centres emit noise pollution, but the three most common are the generators, the cooling systems, and the energy consumption from the power grid.

380. Typically, data centres have diesel generators as back-up power sources, with larger-scale data centres requiring upwards of twenty generators. When the generators run, significant noise emissions occur. The largest generators can often emit up to 100 dBA (decibels) of noise[105] per generator, and in large numbers the decibel level can often be higher. Cooling systems used by data centres, and in particular AI and high-data storage system data centres, emit noise pollution in the form of a humming or buzzing sound. The energy consumption of data centres drawing power from the grid can also cause a low-frequency humming sound.

[105] https://www.techtarget.com/searchdatacenter/tip/Understanding-the-impact-of-data-center-noise-pollution

Assessment

381. As per the EIA Regulations[106], applicants developing data centres must conduct a noise assessment. This must cover the time period of the data centre's construction, as well as the operating level of noise when the data centre is in operation. The assessment should include:

- A description of the noise sources (both routine and when testing backup equipment);
- The impact of the overall noise level on nearby premises, for example schools, hospitals, and housing;
- Consideration of excessive noise levels in sensitive areas such as Protected Landscapes and designated sites for nature conservation;
- The impact of noise pollution on the staff working inside the data centre; **and**
- The relevant measures to be employed to mitigate the effects of the noise.

382. The government recognises that reducing the noise impact of data centres is a key criterion when considering applications for new developments. Given that the overall noise emission from data centres is at a present level throughout the day and night, any approach to evaluating applications must consider a balance between this negative impact and the overall positive benefit that data centres contribute to society.

383. As such, applicants can demonstrate steps to mitigate the impacts of this noise pollution on local communities by undertaking sufficient consultation with those affected by the prospective data centre being developed and operating on a daily basis.

384. Performance targets for noise should be set during both the development and operation phases of the data centre. These targets should be developed with the sufficient and necessary input of local communities and any other relevant stakeholders. The future technological development of data centre construction, such as the ability to use renewable energy sources, cooling systems, and the reduced need for diesel generator back-up, should be factored into applications and, where necessary, explained how it will reduce noise pollution in the long-term.

385. During the construction period of development, there should be a clear demonstration of noise mitigation measures, and any delays to construction should factor in the subsequent impact on noise pollution for the communities affected. Best practice measures should be implemented. These can be implemented from the relevant standards for construction, such as those from the British Standards

[106] https://www.legislation.gov.uk/uksi/2015/227

Institution (BSI)[107] and the Government Code of Practice for Construction and Open Sites[108].

386. The Secretary of State will expect that applicants demonstrate in their proposals how the relevant measures for mitigation will be assessed and enforced. This could be from the Secretary of State themself, or local authorities and relevant stakeholders.

Decision making

387. The proposed development must be undertaken in accordance with the relevant statutory obligations for noise and should consider the potential steps for mitigation in this NPS. Additionally, due regard must be given to the contents of chapter 17 of the NPPF[109] and any associated planning guidance from the government on noise[110].

388. Given the level of noise emitted from data centres is continuous, and this is significant, the balance between noise emission and the benefits of data centres will be given overall priority by the Secretary of State. If an applicant can demonstrate that mitigation has been considered and effective steps are put in place, then the presumption of consent will apply.

Socio-economic impacts

389. The construction and operation of data centres will have economic and social impacts in both the short and long term. Developments may, for example, support the compute and data storage needs of businesses or public sector organisations such as the NHS, or other services.

390. During the construction phase, it may be that the positive benefits related to the employment of construction staff may be, to an extent, offset by the impact on local sites for traffic congestion, access, and attraction for visitors.

Assessment

391. Where the applicant believes development may have socio-economic impacts, an assessment of this should be included as part of the Environmental Statement.

392. Early consultation with affected parties, including the relevant local authorities and local communities, is encouraged so the applicant can better understand local issues and opportunities.

[107] https://knowledge.bsigroup.com/categories/construction-and-building
[108] https://www.legislation.gov.uk/uksi/2015/227
[109] https://www.gov.uk/guidance/national-planning-policy-framework-chapter-17-pollution-public-protection-and-security-p1-6
[110] https://www.gov.uk/guidance/noise--2

393. The assessment should cover any socio-economic impacts appropriate to the proposed development. These could include:

- The extent to which a proposed development responds to the data or compute needs of businesses or public sector organisations, including providing secure, resilient UK access to compute for critical services and national priorities;
- The extent to which a development could contribute to supporting lower electricity costs, support security of energy supply and/or support investment in clean power;
- The creation of meaningful employment pathways, including during construction and long-term operation. Where possible, these should be rooted in local communities and continue beyond the construction phase, representing a commitment to create good, lasting jobs, and recruit locally;
- The provision of education and visitor facilities;
- The use of UK suppliers and technologies where they meet project needs, helping to build capability in strategically important supply chains;
- The impacts of development on proposed or listed European or Ramsar sites that may differ to impacts generally associated with data centre proposals;
- The improvement of access to data supply and storage for data users; **and**
- Any other benefits to local businesses, for example by investing in apprenticeships, colleges, and universities.

394. Socio-economic impacts may be linked to other impacts, for example the visual impact or an individual's perception of a development. Development may also have an impact on the local economy and local businesses. Where the Secretary of State deems such impacts relevant to the development, an applicant should include them in their assessments.

395. Any cumulative effects on communities should be assessed. For example, if development consent or consent under other regimes were to be granted for a number of infrastructure projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects. This could include a potential shortage of construction workers to meet the needs of other industries and major projects within the region.

Decision making

396. The Secretary of State should have regard to the potential socio-economic impacts of new data centre developments and any mitigation measures put forward by the applicant.

397. Given the presumption of consent and the need for new data centres to be built, any socio-economic impacts without supporting evidence will not be given consideration.

398. The Secretary of State will consider any positive socio-economic impacts evidenced by the applicant across the lifespan of the construction and operation of the data centre.

399. The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges, and training programmes to be enacted.

Traffic infrastructure

400. The transport of materials, goods, and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social, and environmental effects.

401. This is particularly the case for the construction phase of development for data centres. However, due to the limited number of employees that are required to operate a data centre compared with other nationally significant infrastructure of similar size, the consideration for traffic pollution during operation is lower than in other National Policy Statements.

402. Environmental impacts may result particularly from trips generated on roads which may increase noise and air pollution, as well as greenhouse gas emissions.

403. Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal.

Assessment

404. The applicant should include a transport appraisal for the construction phase of development as part of the Environmental Statement. The applicant should refer to relevant guidance on how to conduct transport appraisals, such as the Department for Transport (DfT)'s Transport Analysis Guidance (TAG)[111].

405. The applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The applicant should also provide

[111] https://www.gov.uk/guidance/transport-analysis-guidance-tag#full-publication-update-history

details of proposed measures to improve access by active public and shared transport to:

- Reduce the need for parking associated with the proposal;
- Contribute to decarbonisation of the transport network;
- Minimise air pollution and exposure to poor air quality; **and**
- Improve user travel options by offering genuine modal choice.

406. The assessment should also consider any possible disruption to services and infrastructure (such as road, rail, and airports).

407. If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling, and cycle routes, and associated facilities (such as changing or storage facilities) needed to enhance active transport provision.

408. Applicants should discuss with network providers the possibility of co-funding by the government for any third-party benefits. Guidance has been issued[112] which explains the circumstances where this may be possible, although the government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time.

409. If mitigation is required for the impacts of traffic pollution during the construction phase, there are various steps the applicant could take. These include:

- Consolidating trips wherever possible, including sharing mobility options;
- Considering development sites in areas with existing travel networks;
- Using sustainable methods of transport wherever possible; **and**
- Travelling outside of peak times, with consideration for the impact this may cause on noise and light pollution.

410. The Secretary of State may attach requirements to a consent where there is likely to be substantial Heavy Goods Vehicle (HGV) traffic that:

- Control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements;
- Make sufficient provision for HGV parking and associated high-quality driver facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid

[112] https://www.gov.uk/government/publications/transport-investment-strategy

'overspill' parking on public roads, prolonged queuing on approach roads, and uncontrolled on-street HGV parking in normal operating conditions; **and**

- Ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.

Decision making

411. NSIP data centres may have substantial impacts on the surrounding transport infrastructure, especially during the construction phase of development, and the Secretary of State should be satisfied these impacts have been mitigated by the applicant.

412. The Secretary of State will consider the cost-effectiveness of any mitigation measures needed to offset the impact on the transport infrastructure of development and consider if this trade-off is required when deciding to grant development consent.

413. If the applicant adheres to planning obligations and implements best practice from the relevant guidance, including appropriate mitigation strategies, the presumption of consent will apply.

414. The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or the application does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.

Water quality and resources

415. Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters, and coastal and marine waters.

416. During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water, and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats and could result in surface waters, groundwaters, or protected areas failing to meet environmental objectives established under the Water

Environment (Water Framework Directive) (England and Wales) Regulations 2017[113] and the Marine Strategy Regulations 2010[114].

417. Data centres are often associated with using large amounts of water resources, including water which could alternatively be used for drinking. This water usage is usually consumed through the cooling systems required to keep data centres from overheating. However, modern data centres are starting to use new technologies, such as closed 'waterless' cooling systems, which reduce the need for water during the cooling process, or eliminate the need altogether.

Assessment

418. Applicants should undertake an assessment on the impact of development on water resources, wastewater, and water quality, as well as the impact on the physical characteristics of the water environment in the local area, including water temperature. This should form part of the EIA and the associated Environmental Statement.

419. Applicants should disclose their anticipated water usage (estimated annual water use and peak day use) and efficiency and explain how this has influenced both their choice of location and cooling technology. In preparing this information, applicants should consult with water companies and their relevant Water Resources Management Plans.

420. The impact on local water resources can be minimised through planning and design for the efficient use of water, including rainwater harvesting and water recycling. If a development needs new water infrastructure or significant supplies, or impacts other water supplies, or would result in significant wastewater discharges, the applicant should consult with the local water company and the Environment Agency.

421. The applicant should explain how they have utilised good design criteria and suitable technologies to limit the amount of water being used in their data centre. Where alternative technologies to minimise water usage have not been used, the applicant should explain the reasons for this and offer appropriate mitigation measures and compensation if necessary.

422. The applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency, and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements.

423. Where possible, applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging

[113] https://www.legislation.gov.uk/uksi/2017/407/contents
[114] https://www.legislation.gov.uk/uksi/2010/1627/contents

and to limit the discharge of suspended solids, such as from car parks or other areas of hard standing, during operation.

424. Applicants are encouraged to consider protective measures to control the risk of pollution to groundwater and surface water beyond those outlined in River Basin Management Plans and Groundwater Protection Zones – this could include, for example, the use of protective barriers.

425. The Environmental Statement should explain how water quality is affected by development, how water resources are used, the impact on the local water environment, and how each of these may change with the impacts of climate change in the future.

426. Additionally, applicants should assess the potential cumulative effects of water use within the catchment area against the baseline and other projects coming forward.

427. Applicants should take specific measures to prevent fish impingement or entrainment for water abstraction activities.

Decision making

428. The Secretary of State will consider the impacts of development on the water environment and any impact it may have on the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017[115].

429. The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021[116] in relation to environmental targets and have regard to the policies set out in the government's Environmental Improvement Plan.

430. The Secretary of State should consider any mitigation strategies or use of technology to reduce the impact of development on water quality and resources. Where this is not possible, consideration will be given to any additional measures or compensation offered by the applicant to improve water quality and/or limit the usage of water resources.

Resource and waste management

431. The construction, operation and decommissioning of data centres will generate hazardous and non-hazardous waste and consume finite resources. Sustainable

[115] https://www.legislation.gov.uk/uksi/2017/407/contents
[116] https://www.legislation.gov.uk/ukpga/2021/30/contents

management of resources and waste is important to support the transition to a more circular economy.

Assessment

432. Applicants should set out the arrangements that are proposed for managing any waste produced and explain how waste prevention, re-use, and recycling will be maximised.

433. Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources, and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.

Decision making

434. The Secretary of State should consider:

- The extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste;
- How waste will be properly managed throughout the whole lifecycle of the development, both on-site and off-site;
- Whether steps to minimise the volume of waste and apply circular economy principles are adequate; **and**
- Where necessary, imposing requirements to ensure that appropriate measures for waste management are applied.

435. The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan.

7-Glossary

AA - Appropriate Assessment

AI - Artificial Intelligence

AIGZ - Artificial Intelligence Growth Zones

AoS - Appraisal of Sustainability

AQSR - Air Quality Standards Regulations

BIST - Department for Business, Innovation, Science and Trade

BNG - Biodiversity Net Gain

BSI - British Standards Institution

BtM - Behind-the-Meter

CNI - Critical National Infrastructure

dBA - Decibels

DCO - Development Consent Order

DfT - Department for Transport

DESNZ - Department for Energy Security and Net Zero

EIA - Environmental Impact Assessment

EIP - Environmental Improvement Plan

ENG - Environmental Net Gain

FDI - Foreign Direct Investment

GLA - Greater London Authority

GVA - Gross Value Added

GW - Gigawatts

HGV - Heavy Goods Vehicle

HRA - Habitats Regulations Assessment

HSE - Health and Safety Executive

IoT - Internet of Things

IROPI - Imperative Reasons of Overriding Public Interest

LCA - Landscape Character Assessment

LNRS - Local Nature Recovery Strategies

LNR - Local Nature Reserve

LPA - Local Planning Authority

MCZ - Marine Conservation Zone

MHCLG - Ministry of Housing, Communities and Local Government

MSA - Mineral Safeguarding Area

MW - Megawatts

NAP - National Adaptation Programme

NCSC - National Cyber Security Centre

NEPP - Natural Environment Planning Practice Guidance

NESO - National Energy System Operator

NIS - Network and Information Systems Regulations

NNR - National Nature Reserve

NPPF - National Planning Policy Framework

NPSA - National Protective Security Authority

NPS - National Policy Statement

NS&I - National Security and Investment

NSIP - Nationally Significant Infrastructure Project

PUE - Power Usage Effectiveness

R&D - Research and Development

SAC - Special Areas of Conservation

SMP - Soil Management Plan

SNCB - Statutory Nature Conservation Body

SPA - Special Protection Area

SSSIs - Sites of Special Scientific Interest

SuDS - Sustainable Drainage Systems

TAG - Transport Analysis Guidance

TCPA - Town and Country Planning Act 1990

TSO - Transmission System Operator

UK - United Kingdom of Great Britain and Northern Ireland

UKCP - United Kingdom Climate Projections

UKHSA - United Kingdom Health Security Agency

E03716693
978-1-5286-6885-9