STATUTORY INSTRUMENTS

2026 No. 13

INFRASTRUCTURE PLANNING, ENGLAND

The Infrastructure Planning (Business or Commercial Projects) (Amendment) Regulations 2026

Made - - - -	*7th January 2026*
Coming into force - -	*8th January 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 35(2)(a)(ii) and 232(3) of the Planning Act 2008(**a**).

In accordance with section 232(7) of that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Infrastructure Planning (Business or Commercial Projects) (Amendment) Regulations 2026.

(2) These Regulations come into force on the day after the day on which they are made.

(3) These Regulations extend to England and Wales.

Amendment to the Infrastructure Planning (Business or Commercial Projects) Regulations 2013

2. In the Schedule to the Infrastructure Planning (Business or Commercial Projects) Regulations 2013(**b**) after paragraph 9 (Tourism) insert—

> **"10.** Data centres.".

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
7th January 2026 Ministry of Housing, Communities and Local Government

(**a**) 2008 c. 29; section 35 was substituted and section 232 amended by section 26 of the Growth and Infrastructure Act 2013 (c. 27). See section 235(1) for the definition of "prescribed".
(**b**) S.I. 2013/3221.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend 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 ("the Act").

Development forming part of a project falling within the prescribed description can be authorised under the planning regime if that project meets other requirements in section 35 of the Act and the Secretary of State gives a direction under that section. The Secretary of State can only make a direction if the Secretary of State thinks that the project is of national significance.

A full impact assessment has not been produced for this instrument as no, or no significant impact on the private, voluntary sector or community bodies is foreseen.

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