

Public Petitions Committee
Thursday 8 October 2026
4th Meeting, 2026 (Session 7)

PE2233: Moratorium on planning applications for all hyperscale data centres until their environmental impacts have been fully assessed

Introduction

Petitioner Katherine Jones on behalf of Action to Protect Rural Scotland

Petition Summary Calling on the Scottish Parliament to urge the Scottish Government to introduce a moratorium to prohibit planning permission from being granted for any hyperscale data centres, until it has carried out a thorough assessment of their impacts on Scotland's communities, greenhouse gas emissions, land and water resources and electricity grid; until regulations are modified to require all hyperscale AI data centres to carry out an Environmental Impact Assessment; and until the Scottish Government puts in place guidance on hyperscale AI data centres and 'green data centres'.

Website <https://petitions.parliament.scot/petitions/PE2233>

1. This is a new petition that was published on 21 July 2026.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. Every petition collects signatures while it remains under consideration. At the time of writing, 25,188 signatures have been received on this petition.
4. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received submissions from the Scottish Government and the Petitioner which are set out in **Annexe C** of this paper.

Action

7. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
October 2026

Annexe A: Summary of petition

PE2233: Moratorium on planning applications for all hyperscale data centres until their environmental impacts have been fully assessed

Petitioner:

Katherine Jones on behalf of Action to Protect Rural Scotland

Date published:

21 July 2026

Petition summary:

Calling on the Scottish Parliament to urge the Scottish Government to introduce a moratorium to prohibit planning permission from being granted for any hyperscale data centres, until it has carried out a thorough assessment of their impacts on Scotland's communities, greenhouse gas emissions, land and water resources and electricity grid; until regulations are modified to require all hyperscale AI data centres to carry out an Environmental Impact Assessment; and until the Scottish Government puts in place guidance on hyperscale AI data centres and 'green data centres'.

Previous action:

In December 2025 we wrote to the then Minister for Public Finance, Ivan McKee MSP, to ask for action along the lines of this petition and worked with Stop Climate Chaos Scotland to write a subsequent letter to the First Minister. Our various analyses and reports of the issues have been published on our website and in the press. Local groups are pressing their MSPs and councillors to take action and we have seen both Edinburgh City Council and East Ayrshire Council pass motions calling on the Scottish Government to put in place a moratorium until there is guidance on what a green data centre is. Our campaigning, and that of local campaigns, has led to Parliamentary Questions, both Written and Oral, and two sessions of FMQs on the subject.

Background information:

Hyperscale data centres in our planning system would more than double Scotland's current peak energy demand. Since they use energy 24/7 this will badly impact our climate targets as they cannot be powered by renewables alone and it is likely that they will require onsite gas generation if the grid cannot support them. They also require diesel or gas back-up generators which produce air pollution and greenhouse gas emissions. These hyperscale data centres are for AI Large Language Model training and inference, and are orders of magnitude bigger than our existing data centres which provide the computing and data storage infrastructure of the modern economy. (Scotland had between 10MW-30MW of co-location data centres in 2024).

We are calling for a pause on hyperscale data centres until the government carries out a thorough assessment of their impacts and puts them on Schedule 1 of the EIA Regulations.

Annexe B: SPICe Briefing



Scottish Parliament
Information Centre
Ionad Fiosrachaidh
Pàrlamaid na h-Alba

Briefing for the Public Petitions Committee on petition PE2233: Moratorium on planning applications for all hyperscale data centres until their environmental impacts have been fully assessed, lodged by Katherine Jones on behalf of Action to Protect Rural Scotland

Brief overview of issues raised by the petition

A [data centre](#) is a structure, or part of a structure, used to house computing and data storage resources that support many aspects of modern life, including e-commerce, banking, public service delivery, and applications such as cloud computing and artificial intelligence (AI). The key components of a data centre typically include servers, storage systems, networking equipment, power supply, and cable management.

Recent public concerns about data centres are largely concerned with **hyperscale data centres**, very large data centres which require significant energy and water supplies to support their operation.

Data centre policy: The Scottish Government sets out its policies on data centre development in its 2021 [Green data centres and digital connectivity: vision and action plan for Scotland](#), which is supportive of their development and sees green data centres as delivering significant economic benefits. This positive policy approach to facilitating green data centre development is carried through in the Scottish Government's [2026 Scotland's AI Strategy](#). The Scottish Government has not offered a firm definition of what constitutes a "green data centre".

The [Programme for Government 2026-2031](#) included a commitment to "Publish a strategic approach to attracting and securing responsible green data centre investment in Scotland, with clear expectations around environmental sustainability, resource use, community benefit and the economic and strategic value these developments should deliver."

National planning policy and data centres: The Scottish Government has designated "green data centres" as part of a national development (National Development 12: Digital Fibre Network) in [National Planning Framework 4](#). National development status is not an award of planning permission but means that the principle of the development cannot be challenged during the planning application process. In practice, this means any objections to a development considered a green data centre must focus on the detail of a proposal rather than the need for the development itself.

Environmental Impact Assessment: Environmental Impact Assessment (EIA) is a standardised process used to assess the likely effect of proposed large-scale developments on features such as soil, air, water, biodiversity, human health, and the

climate. The Scottish Government [issued a Direction](#) on 16 September 2026 requiring any planning application for a data centre with a processing power in excess of 50MW to be accompanied by an Environmental Impact Assessment (EIA). Data centres below this 50MW threshold fall under the standard EIA process, as described below.

The types of development that require an EIA typically fall into two categories. 'Schedule 1' developments always require an EIA, these include developments such as nuclear power stations, steelworks, chemical works, major road or runway projects or large-scale incinerators. Data centres are not considered a 'Schedule 1' development.

An EIA may be required for a 'Schedule 2' development, which includes certain mining, chemical, manufacturing, and other potentially environmentally damaging development types that meet certain criteria defined in regulations.

It is possible that a proposed data centre with a processing power under 50MW could fall within the definition of a Schedule 2 development, but that is dependent on the characteristics of the scheme in question and the view taken by the planning authority.

Moratorium on data centre development: The Scottish Government can introduce what is effectively a moratorium on new data centre development. This would replicate existing policies of "no support" for [new coal mines](#) and oil and gas developments which employ [hydraulic fracturing \(fracking\)](#) in Scotland.

These are not technically "bans" on applications for such developments. A developer can submit a planning application for a new coal mine or fracking development which must be considered by the relevant planning authority, with decisions made in accordance with the development plan (National Planning Framework 4 and the relevant Local Development Plan), unless there are compelling reasons, "material considerations", which indicate that the decision should be otherwise. A Scottish Government's policy of "no support" for a particular type of development would likely be a material consideration.

Despite these policies of "no support", a planning authority could potentially decide to grant permission for a new coal mine or fracking development. However, the Scottish Government has put administrative processes in place that require any authority minded to grant permission for a [new coal mine](#) or [fracking development](#) to first notify Scottish Ministers of their intention. This allows Scottish Ministers the opportunity to "call-in" the application for their own decision which, given their policy of "no support", would likely be exercised to refuse permission. Scottish Ministers normally only use their power to call-in an application for their own decision where it raises an issue of national importance, as set out in the [Ministerial Statement on circumstances for call-in](#). There is no obvious barrier to the introduction of a policy of no support for new data centres and similar administrative arrangements for the handling of such applications as apply to coal mines and fracking developments.

Further reading: More information on data centres can be found in the SPICe Spotlight post [Data Centres](#), and in the House of Commons Library research service briefing on [Data centres: planning policy, sustainability, and resilience](#), and the UK

Parliamentary Office of Science and Technology (POST) note [What are data centres and how sustainable are they?](#)

Key Organisations and relevant links

- [Royal Town Planning Institute \(Scotland\)](#): Professional organisation for town planners, and the planning profession more generally, in Scotland.
- [Heads of Planning Scotland](#): Organisation representing senior local authority planning officers in Scotland.
- [The Data Centre Alliance](#): Data Centre industry representative organisation.
- [techUK](#): Membership body representing organisations working in the UK technology sector.
- [Tony Blair Institute for Global Change](#): Think tank which has published several reports on Ai and data centres.
- [Friends of the Earth Scotland](#): Environmental campaign group, supports a moratorium on data centre development in Scotland.

Alan Rehfishch

Senior Researcher

16 September 2026

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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Annexe C: Written Submissions

PE2233/A: Moratorium on planning applications for all hyperscale data centres until their environmental impacts have been fully assessed

Scottish Government written submission, 1 September 2026

Does the Scottish Government consider the specific ask[s] of the petition to be practical or achievable? If not, please explain why?

Request for a moratorium to prohibit planning permission from being granted for any hyperscale data centres

It is not clear that such a moratorium would be lawful. We cannot prevent applications from being submitted, and our planning system ensures that each application is considered on its individual merits. As a matter of law all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In Scotland the development plan is comprised of the National Planning Framework (currently [NPF4](#)) and the relevant Local Development Plan(s).

Developers may invest substantial resources in preparing planning applications, and have an expectation that their applications will be progressed within a reasonable timeframe. Pausing or delaying applications for a certain type of development could undermine market confidence in Scotland as a destination for investment across a wide range of sectors.

Ensuring Environmental Impact Assessment for hyperscale data centres

Planning authorities already have a responsibility to consider the environmental implications of all planning applications. Where an Environmental Impact Assessment (EIA) is required this supplements the usual planning process. Procedures for determining whether an EIA is required are set out in [The Environmental Impact Assessment \(Scotland\) Regulations 2017](#). Whilst this is primarily a matter for the relevant planning authority, Scottish Ministers have powers to issue directions on the need for EIA in certain circumstances and we have issued directions requiring EIA for data centres at locations in Fife and Edinburgh. We are also considering further requests received from the petitioner.

Guidance on hyperscale AI data centres and 'green data centres'.

In Parliament on 25 June the First Minister said that he is giving active consideration as to whether the Scottish Government should provide planning guidance to balance the rapid expansion of hyperscale data centres with national energy and climate goals, which are vital to our future prosperity.

What, if any, action is the Scottish Government currently taking to address the issues raised by this petition, and is any further action being considered that will achieve the ask[s] of this petition?

In addition to the actions noted above, we have issued a [notification direction](#) requiring planning authorities to notify Scottish Ministers of new data centre applications within seven days of validation. The direction, issued on 17 August 2026, applies to data centre developments exceeding 50 Megawatts (MW) power capacity and will support strategic monitoring of the pipeline of such planning applications and of the implications for wider infrastructure.

The Minister for Public Finance has also [recalled a planning appeal](#) for Ministerial decision relating to a proposed data centre in Edinburgh. Recalling an appeal means that the appeal will be determined by Ministers rather than an appointed Reporter. A Reporter will consider the appeal and provide a report and recommendation to Ministers, who will then take the final decision.

Is there any further information the Scottish Government wish to bring to the Committee's attention, which would assist it in considering this petition?

The Scottish Government has previously indicated that a range of factors may be used by planning authorities when considering what factors are prevalent in a 'green' data centre. This includes the extent to which a data centre is powered from renewable energy sources, makes use of energy efficient technologies, seeks to minimise water consumption and supports the re-use of excess heat for applications.

There is a large opportunity to be had with attracting large scale investment into Scotland and there is a unique opportunity to design a system with controls and guidance that gets it "right" from the start.

It is about getting the right investment, in the right place with the right conditions, and about getting strategic planning correct for the right kind of projects. We have the ambition to place community wealth building at the heart of the AI development in Scotland.

Planning Directorate

PE2233/B: Moratorium on planning applications for all hyperscale data centres until their environmental impacts have been fully assessed

Petitioner written submission, 29 September 2026

Petition PE2233 makes four related asks of the Scottish Government:

1. for Ministers to introduce a moratorium to prohibit planning permission from being granted for any hyperscale data centres
2. for that moratorium to stand "until [the Scottish Government] has carried out a thorough assessment of their impacts on Scotland's communities, greenhouse gas emissions, land and water resources and electricity grid"
3. and "until regulations are modified to require all hyperscale AI data centres to carry out an Environmental Impact Assessment"

4. and finally “until the Scottish Government puts in place guidance on hyperscale AI data centres and ‘green data centres’”.

The Committee will be aware that, since this Petition was lodged, the Scottish Government has made a Planning Direction that all data centres over 50MW will require an Environmental Impact Assessment (EIA) (point 3 above).

And also that the other points were all debated as part of a debate on a motion from Patrick Harvie MSP on 16 September 2026. Point 4 was within the Government amendment S7M-01177.5 to the motion. The wording for this section was:

“welcomes the Scottish Government’s commitment to the swift creation of national planning and spatial guidance by the end of the year for the determination of conditions, under which data centre development should be permitted”.

We therefore do not require further help from the Committee on points 3 and 4.

However, it would be useful to have the Committee’s assistance on points 1 and 2, which we feel have been only partially addressed by the motion as amended which was passed on 16 September.

Firstly, there needs to be clarity from the Scottish Government on how they intend to put in place the pause on planning decisions until the ‘national planning and spatial guidance’ referred to in their amendment is produced. The pause was contained within the text of amendment S7M-01177.3 from Daniel Johnson MSP (agreed by the Scottish Parliament) which “calls on the Scottish Government to report back to Parliament on the development of national planning guidance by the end of the current calendar year and to publish this guidance in full within 12 months, and believes that no decisions on planning or consenting in relation to such applications should be made until this has been completed”.

The Scottish Government’s 1 September 2026 written submission to the Committee states that, “It is not clear that such a moratorium [as called for in our Petition] would be lawful”.

We disagree – Environmental Rights Centre Scotland (ERCS) has advised us that it is clear that the Scottish Government could lawfully introduce a moratorium: Page 2 of the 16 September 2026 SPICE briefing to the Committee supports our position. SPICE helpfully reminded the Committee that the Scottish Government maintains ‘no support’ policies for new coal mines and fracking developments. SPICE explained that, “There is no obvious barrier to the introduction of a policy of no support for new data centres and similar administrative arrangements for the handling of such applications as apply to coal mines and fracking developments”.

We believe that the Scottish Government could maintain a position of “no support” for hyperscale data centres until the national planning and spatial guidance is published.

Point 2 on that list also remains unresolved. Members (including Scottish Ministers) voted for this wording in the Labour amendment:

“calls on the Scottish Government to bring forward [...] robust environmental standards and assessments, to inform national and local decision-making on current and potential hyperscale data centre planning applications; notes that such guidance must provide clarity on spatial, community and social impacts of any such developments and that decisions must be based on community consent; agrees that consideration must be given to implementing community benefit schemes and adjusting the non-domestic rates regime or other tax measures to ensure that economic benefits are accrued by communities in which such data centres are sited; calls on the Scottish Government to report back to Parliament on the development of national planning guidance by the end of the current calendar year and to publish this guidance in full within 12 months.”

This text is essentially a more full expression of point 2 in this petition (see section below), but we do not yet have clarity from the Government on how they will deliver that list of outputs. And, importantly, given the evident public interest in this issue, how communities and civil society will be able to input their expertise into this process of creating the guidance, as well as contributing to the scope of that guidance.

It is also clear that any national planning and spatial guidance, plus assessment of the cumulative impact on grid and decarbonisation, and the various other pieces of work committed to, would need to be consulted on via a standard 12 week public consultation. The statement from the Scottish Government that they will have all this work completed by the end of the year and that planning decisions will be paused only until Christmas seems implausible and in need of scrutiny.

You will be aware that other committees are already considering this, and related issues, notably the Economy, Tourism & Energy Committee and the Climate Action Committee, so it might seem sensible to refer these elements to one or other of those. However, at its heart this is a planning question, albeit one with significant impacts on energy and climate policy. We would therefore hope that you might consider referring these elements to your colleagues on the Social Justice, Housing and Local Government Committee for their consideration.

It is clear the public interest on the issue of hyperscale AI data centres in general, and this petition, in particular, is significant, given the impact of these proposals on climate emissions, local planning policy, energy policy, and communities. And it gets to the heart of what the Government's role is in ensuring community and public interest is effectively represented and heard when projects this controversial are proposed, and when no need case or assessment of public benefit has been made for them.