



OBJECTION PACK – WESTER HERMISTON DATA CENTRE (EIA SCREENING)

This document sets out a structured objection pack requesting reconsideration of the EIA screening opinion for the Wester Hermiston data centre proposal.

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To: [REDACTED], Chief Planning Officer and Head of Building Standards
From: Residents of Pentland Hills (Ward 2), West Edinburgh Against AI Data Centres, and
2,500+ Petition Signatories

Date: 26 June 2026

Subject: Urgent Reconsideration of EIA Screening – Proposed Data Centre, Wester
Hermiston (Ref: 25/05576/SCR)

Dear [REDACTED],

We write on behalf of the Pentland Hills community, *West Edinburgh Against AI Data Centres*, and over 2,300 local signatories. We urgently request that the Planning Service exercises its administrative powers to reverse the 6 May 2026 Screening Opinion that waived a full Environmental Impact Assessment (EIA) for the Wester Hermiston proposal. Profound planning and political developments have fundamentally changed the context for this type of massive industrial development in Scotland this week :

1. The First Minister's Concession: At FMQs, First Minister John Swinney confirmed the Scottish Government is reviewing national planning guidance as a "matter of priority," explicitly acknowledging the acute concerns and policy vacuum being expressed by local planning authorities.
2. The Larbert Precedent: Apatura's 300MW data centre application to Falkirk Council (Ref: P/26/0237/FUL) is currently undergoing a mandatory, comprehensive EIA spanning 52 technical impact filings .
3. The Cato Precedent: A formal objection lodged yesterday (25 June 2026) against the 600MW data centre in Fife (Ref: 26/01243/PPP) exposed systemic errors in how councils screen these massive facilities .

The 213MW Wester Hermiston scheme shares an identical operational profile and infrastructure hazard. It is legally indefensible to enforce an EIA in Falkirk while screening out an equivalent threat in Edinburgh . We urge you to reinstate the EIA requirement based on the critical omissions and material considerations detailed below .

Yours sincerely,

[REDACTED]

The Executive Committee (*West Edinburgh Against AI Data Centres*)

1. EXECUTIVE SUMMARY

This submission formally requests that Edinburgh City Council's Planning Service reconsiders the EIA screening opinion for the 213MW Wester Hermiston data centre campus. Emerging national policy shifts, coupled with active, comparable Scottish projects undergoing full EIA audits, demonstrate that the threshold for "significant environmental effects" has been indisputably met .

By applying the *Raeshaw Farms* principle of infrastructure interdependency, this pack demonstrates that the cumulative effects on Edinburgh's utility grid, localized carbon allocation, public health, and microclimate cannot legally escape an Environmental Impact Assessment .

2. LEGAL / RISK NOTE

- Issue of Robustness: The current screening opinion is administratively vulnerable because it relies on an obsolete 2022 policy framework that failed to account for generative AI resource demands .
- Consistency of Decisions: Neighbours like Falkirk Council have established a strict baseline by demanding an EIA for identical infrastructure configurations . Passing a screening waiver in Edinburgh creates an irrational regulatory asymmetry.
- The Precautionary Reconsideration Framework: Voluntarily choosing to reverse the screening opinion and mandating an EIA protects the Council's decision-making integrity . It reduces immediate legal exposure to a statutory challenge, shields public funds, and strengthens the long-term defensibility of any future committee decision.

3. POLITICAL CONTEXT BRIEF

National planning guidance regarding hyperscale infrastructure is in active crisis and under priority review by the Scottish Government. **The First Minister** publicly conceded yesterday that local planning authorities are operating under severe policy friction and lack the specific criteria required to judge these projects.

Simultaneously, the City of Edinburgh Council's own Planning Committee has demanded a national moratorium on data centre approvals due to the absence of a statutory definition for "green data centres" . Forcing the Wester Hermiston proposal forward within this recognised policy vacuum creates severe reputational risks for elected members and ignores direct parliamentary consensus led by local representatives.

4. SOCIAL SUMMARY

This submission remains strictly procedural and does not represent an objection to digital development in principle . The community simply requests a fair, transparent, and consistent application of environmental assessment rules .

The local residents of Ward 2 are entitled to the exact same rigorous statutory protections, air quality modelling, and acoustic scrutiny being applied to communities elsewhere in

Scotland . True alignment with modern NPF4 climate goals requires a full environmental report, not an administrative shortcut .

5. TECHNICAL EVIDENCE INDEX (APPENDICES)

The following verifiable, primary engineering data and legal authorities are attached in support of this request for administrative reconsideration:

- Appendix A: Factory Exhaust & Fuel Burn Specifications (Cummins Inc. QSK60/QSK78 Heavy Industrial Diesel Series) – *Proving a single 2.5MW standby asset incinerates 659L/hr, validating unmodelled local particulate hazards.*
- Appendix B: Written Parliamentary Question Guidance Baseline (S6W-41362) – *Documenting the non-binding, single-sentence definition of "green data centres" currently destabilising local planning choices.*
- Appendix C: Inner House Court of Session Interdependency Judgement (*Raeshaw Farms Limited v Scottish Ministers & Energiekontor UK Ltd* [2026] CSIH 10) – *Establishing the legal mandate to assess interdependent grid and substation upgrades cumulatively with the primary asset.*
- Appendix D: Full Environmental Impact Assessment Filing Index (Falkirk Council Ref: P/26/0237/FUL) – *Providing the exact regional precedent of a 300MW Scottish AI data centre subject to a mandatory, 52-document EIA process.*
- Appendix E: National Environmental Policy Modelling Gaps (APRS Formal Filing, 25 June 2026) – *Exposing the obsolete Land Use Consultants (LUC) 2022 carbon baseline that failed to model hyperscale data infrastructure.*