23 September 2024

Dear Planning Policy Consultation Team,

This is a submission from tech justice non-profit Foxglove to the government’s consultation on ‘[Proposed reforms to the National Planning Policy Framework and other changes to the planning system](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)’.

The consultation was launched to invite views on multiple pledges made in the 2024 election manifesto of the Labour Party that was successful in winning the election. As such, it focuses on many different changes to planning law.

Foxglove’s interest in the proposed changes refer to one section of these proposals only: data centres.

Foxglove works to make tech fair for everyone, and when it’s not, we do something about it. This is the first time Foxglove has entered an area of work where our primary concern is the potentially seismic consequences of a piece of technology – data centres – in intensifying the ongoing climate catastrophe and hastening the destruction of our planet.

We are also extremely concerned about the impact of increased number of data centres on our critical national reserves of water and power. These are not abstract concerns. The National Audit Office has said that, without significant action, Britain’s [demand for water will outstrip our supplies in just ten years](https://www.nao.org.uk/wp-content/uploads/2020/03/Water-supply-and-demand-management.pdf). Meanwhile, National Grid says it expects power used by data centres in the UK to [increase six-fold in the next decade](https://www.bbc.co.uk/news/technology-68664182#:~:text=The%20boom%20in%20artificial%20intelligence,fold%20in%20the%20next%20decade.) – while our energy bills continue to rise.

Both assessments came before the announcement of a huge new wave of data centre construction [funded to the tune of 8bn by Amazon Web Services](https://www.aboutamazon.co.uk/news/job-creation-and-investment/aws-plans-to-invest-8-billion-in-the-uk). This is why Foxglove has chosen to act now.

The consultation document mentions data centres ten times. It calls for views on:

* whether to make it generally “easier” for data centres to be built;
* specifically, whether data centres should be prescribed as a type of business and commercial Nationally Significant Infrastructure Project (NSIP) and be directed into the NSIP consenting regime through section 35 direction, on request and subject to certain conditions.

If the second proposal is accepted, it would effectively remove the power of local councils to decide whether data centres are built in area and hand that power to the Secretary of State.

The government’s decision to designate [data centres as critical national infrastructure](https://www.bbc.co.uk/news/articles/c23ljy4z05mo) also means that anyone protesting their construction – perhaps because their local representatives had no say in the decision – could face serious criminal sanction.

It is the opinion of Foxglove that stripping local councils of the power to make those decisions – and removing the right of local people to protest against them – would be an undemocratic failure of devolution and a mistake.

But our main concern is not about the production cost of these vast new data centres, but rather the impact on our environment, natural resources and ability to meet our climate targets, in coming decades.

In recent years, the UK’s power and water sectors have been dogged by criticism over high bills, poor performance and creaking infrastructure.

In some parts of the world, the enormous power demands of data centres have resulted in states actually scaling up fossil fuel production and generation. Should this occur in the UK, it would represent a serious threat to the government meeting its biodiversity targets.

For an example of what data centres could do to our national grid – and our energy bills – we need only look across the Irish Sea.

In Ireland, data centres use more power than every urban household in the country [combined](https://www.theguardian.com/world/article/2024/jul/23/ireland-datacentres-overtake-electricity-use-of-all-homes-combined-figures-show). In the next three years, it’s estimated that data centres will account for around a third of all energy produced in Ireland.

Irish energy bills reflect that strain. Electricity prices there were the [third highest in the EU last year](https://www.bonkers.ie/blog/gas-electricity/irish-energy-prices-versus-rest-of-eu/), an eye-watering 48% about average. We do not believe that’s a coincidence.

Data centres also consume huge amounts of fresh water, requiring billions of litres per year to run effectively. Yet the poor state of our water supply has rarely been out of the headlines this year, with the notorious Thames Water likely only [months from folding and being taken over by government](https://www.telegraph.co.uk/business/2024/07/09/thames-water-now-ticking-time-bomb-for-labour/). We are sceptical our fresh water supply is robust enough to take on the added strain of many more data centres draining our reservoirs.

The Financial Times has reported on why we have good reason to be [concerned about the claims](https://www.ft.com/content/2d6fc319-2165-42fb-8de1-0edf1d765be3) of so-called hyperscalers, like AWS, on the carbon neutrality of the construction of new data centres.

Indeed, Amazon’s [huge influence over the entire climate credit market](https://www.ft.com/content/388b190d-49b0-4997-af18-1049e911f0b7) should give the government pause over embarking on a construction plan with AWS in particular, and question whether Amazon’s claims about offsetting its impact on the environment can ultimately be trusted.

Therefore, Foxglove makes the following recommendations to the consultation:

1. The National Planning Policy Framework should be clear that applications for new data centres may only be approved when they can show that, for the duration of the data centre’s operation, it will have no negative impact on the meeting of the nation’s targets to avoid climate catastrophe.  That would, among other things, require a full assessment of the ‘scope 2’ GHG emissions (i.e. the emissions associated with generating the electricity required by the data centre) and for it to be demonstrated that those emissions would be net negative (either by the choice of electricity generation/supply or otherwise).
2. The NPPF should be clear that applications for new data centres should only be approved when they can show that, for the duration of the data centre’s operation, it will not place significant additional burdens on our power and water supply including in that any consequential construction of new generating capacity should be achieved without net GHG emissions or other net environmental harms.
3. In effect, this would mean that a successful data centre application would require the operator to provide a plan explaining how it will meet the power and water needs of the application **independently** from the UK’s existing infrastructure (and with no adverse climate/environmental impacts on the way). Any costs associated with the additional energy or water requirements of a new data centre application must be covered by the operator of the data centre.
4. Finally, the NPPF should be clear that approval of any data centre should be dependent on its plan for independent power relying on a sustainable source of power for the duration of the centre’s operation. Further, the NPPF should provide that an operator’s plan for independent water must not adversely impact our supply of drinking water, either in direct water supplied or creating a need for a water supply somewhere else, for the duration of the centre’s operation.

Yours Sincerely,

Martha Dark

Co-Executive Director, Foxglove.