Agenda

Meeting **Strategic Planning Committee**

To: **Councillors Andy Paraskos (Chair), Bob Packham (Vice-Chair), Andy Brown, John Cattanach, Hannah Gostlow, David Hugill, Tom Jones, Andrew Lee, John Mann, John McCartney, Yvonne Peacock, Neil Swannick, Roberta Swiers, Andrew Timothy and Robert Windass.**

Date: **Friday, 30 January 2026**

Time: **1.30 pm**

Venue: **Council Chamber, Town Hall, St Nicholas Street, Scarborough YO11 2HG**

Note: the Council Chamber has a maximum capacity for 60 members of the public. Public will be admitted on a first come, first served basis.

However this meeting is being live broadcast and recorded and will be available to view via our website and uploaded to our Youtube channel.

Business

1. **Apologies for absence**

2. **Declarations of interest**

3. **NY/2025/0030/ENV - Construction of a temporary wellsite for the appraisal of gas, including drilling operation, proppant squeeze and flow testing operation and site restoration, land east of the Mill Yard, Burniston Mill, Coastal Road, Burniston, Scarborough, YO13 0DB on behalf of Europa Oil and Gas Limited** **(Pages 3 - 108)**
Report of the Head of Development Management – Community Development Services

4. **Any other items**
Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances.

5. **Date of next meeting**
Tuesday, 10 February 2026 at 10.00am

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Contact Details

For enquiries relating to this agenda and meeting please contact:
St John Harris, Principal Democratic Services Officer
E-mail: stjohn.harris@northyorks.gov.uk
E-mail: democraticservices.east@northyorks.gov.uk
Tel: 01723 383556
Website: www.northyorks.gov.uk

Barry Khan
Assistant Chief Executive
Legal and Democratic Services
County Hall
Northallerton

22 January 2026

North Yorkshire Council

Community Development Services

Strategic Planning Committee

30TH JANUARY 2026

NY/2025/0030/ENV CONSTRUCTION OF A TEMPORARY WELLSITE FOR THE APPRAISAL OF GAS, INCLUDING DRILLING OPERATION, PROPPANT SQUEEZE AND FLOW TESTING OPERATION AND SITE RESTORATION LAND EAST OF THE MILL YARD, BURNISTON MILL, COASTAL ROAD, BURNISTON, SCARBOROUGH, YO13 0DB ON BEHALF OF EUROPA OIL AND GAS LIMITED

Report of the Head of Development Management – Community Development Services

1.0 Purpose of the report

1.1 To determine a planning application for the construction of a temporary wellsite for the appraisal of gas, including drilling operation, proppant squeeze and flow testing operation and site restoration on land at Land East of the Mill Yard, Burniston Mill, Coastal Road, Burniston, Scarborough, YO13 0DB

1.2 This application is subject to over 1400 objections having been raised in respect of this proposal on the grounds of various matters that are discussed within this report and is, therefore, reported to this Committee for determination.

2.0 SUMMARY

RECOMMENDATION: That planning permission be GRANTED subject to conditions listed below.

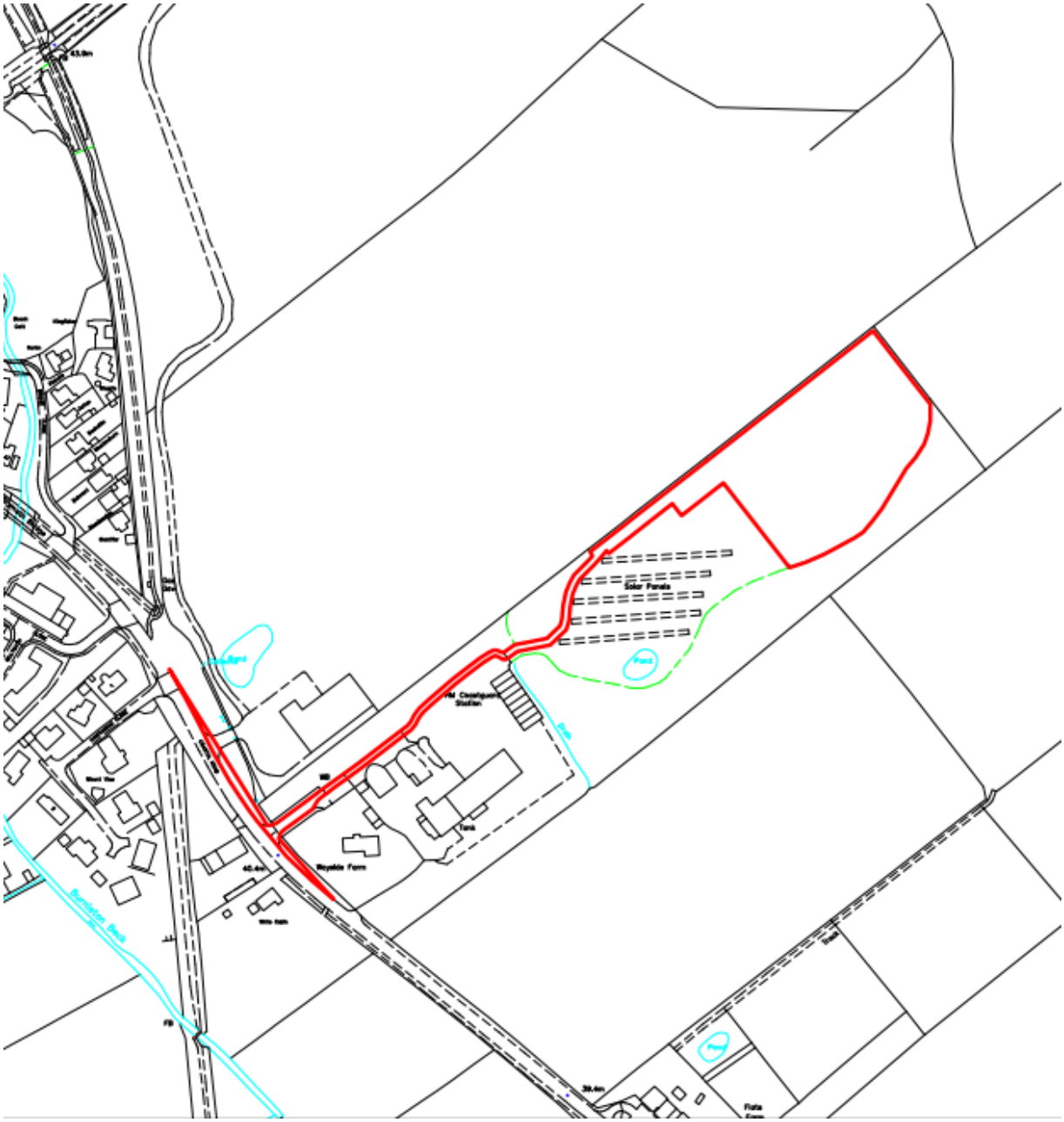
2.1. Europa Oil and Gas Limited ('Europa') (The Applicant) is applying for the construction of a wellsite and operation of a drilling rig for the appraisal of subsurface hydrocarbons, well testing and retention of equipment on land east of the Mill Yard, Burniston Mill, Burniston. It is anticipated that there would be a requirement to undertake a proppant squeeze should it be demonstrated that natural flow of gas is restricted by reduced permeability of the formations. The proppant squeeze process involves pumping a mix of gelled fluids and proppant (sand or ceramic particles) down the wellbore and out through the perforations in the steel wellbore casing at a pressure exceeding the fracture propagation pressure of the formation. Injection pressure and pump rates high enough to propagate a fracture in the formation creates channels of communication through near wellbore formations. When the pressure is released, the proppant remains in situ, propping open the small fractures through which hydrocarbons can flow at enhanced rates.

2.2. The proposed wellsite is located 350 metres to the east of the village of Burniston, 700 metres southwest of the coastline and 800 metres south of the North York Moors National Park boundary. Access to the Site is from an existing private access road to the A165 Coastal Road which connects Scarborough to the south with Whitby to the north. Burniston is 6 kilometres north of Scarborough. The Site comprises 1.4 hectares (ha) in area and includes an existing private access road which provides access to Burniston Mill and a small number of industrial units known as Mill Yard. The Site is located within an agricultural field, immediately adjacent to a small PV

solar array. It lies outside the defined development limit of Burniston and is located within the open countryside. The settlement pattern outside Burniston village is dispersed and sparse with few residential properties in the vicinity.

2.3. The key issues for consideration in relation to the site are the impact of the development on the amenity of residents in relation to noise, air quality, dust, visual impact; impact on the highways and the surrounding network; the impact on the heritage coast area; the water environment; habitats, nature conservation and protected species; the historic environment; public rights of way and recreational trails including the nearby Cinder Track and Cleveland Way; and climate change.

2.4. The application is recommended for approval as it is considered on balance that there are no material planning considerations that warrant its refusal, and there would be no unacceptable adverse environmental impacts resulting from the proposed development. Furthermore, it is considered that the proposed development is of a temporary nature of up to three years, and whilst leading to a change to the landscape during this period, it would not result in any unacceptable impacts on local amenity, the character of the surrounding area and landscape, the local highway network, ecology or the water environment or lead to an unacceptable impact on air quality or climate change. The proposed landscaping, restoration and aftercare of the site is deemed appropriate. For these reasons it is considered that the principle of the development in this location is acceptable.



3.0 Preliminary Matters

3.1. Access to the case file on Public Access can be found here:- https://onlineplanningregister.northyorks.gov.uk/Register/Planning/Display/NY/2025/0030/ENV

3.2. A formal request for an Environmental Impact Assessment (EIA) Screening Opinion was submitted by Europa to North Yorkshire Council (NYC) on 12th July 2024 to determine whether the proposed development constitutes 'EIA' development which would require the submission of a formal Environmental Statement (ES). NYC issued a Screening Opinion on 1st August 2024 (Appendix 2.1 of the ES). It stated that, in the opinion of NYC, the proposed development was likely to give rise to significant effects on the environment, notably in respect of land and visual, transport and access and cumulative effects. The screening opinion concluded therefore that an

Environmental Statement would be required with the planning application. Europa sought a Screening Direction from the Secretary of State (SoS) on 9th August 2024 to challenge the screening opinion. The SoS issued their decision on 6th November 2024, concluding that the proposed development is not EIA development within the meaning of the 2017 Regulations. The SoS considered the main matters to be: impact to ecology; scale of development; emissions to air; discharges to water; the risk of an accident; and the arrangements for transporting the fuel. The SoS acknowledged that the key issue of relevance is scale of development, owing to the height of the rig and the sensitivity of the landscape. The SoS stated that the drilling rig would be highly visible from the heritage coast and have an adverse impact on the area. However, as the rig would only be in place for a matter of five weeks, the SoS concluded that an EIA is not required in relation to the heritage coast, listed buildings or conservation area. Likewise, the SoS found that the level of vehicular movements associated with the development would increase slightly but not in EIA terms. Notwithstanding this, Europa has elected to voluntarily provide an Environmental Statement which addresses landscape and visual impact, traffic and transport and cumulative effects. The other relevant environmental assessments have been undertaken and the potential environmental and amenity issues relating to the proposed development have been considered throughout.

Planning History

3.3. The relevant planning history relating to the site is summarised below:

Application ref.	**Description**	**Date of Decision**
PCU/EIASCR/U2750/3351020	Screening Direction	6 November 2024
NY/2024/0113/SCR	Screening Opinion	1 August 2024
13/02169/FL	Erection of ground mounted solar photovoltaic panels – Wayside Farm, Coastal Road, Burniston	Granted 17 May 2024
11/02606/FL	Change of use of part of existing agricultural building to form two industrial units within classes B1 & B8	Granted 5 March 2012
11/02088/FL	Change of use of land to permit the siting of steel storage containers	Granted 19 December 2011
11/00507/FL	Erection of two 24.6m wind turbines to the north east of the farmstead (34.2m to tip)	Refused 19 August 2011 And dismissed on appeal 14 November 2012

Publicity

3.4. The publicity of this application was undertaken in March 2025, including consultations, neighbour notifications, along with 10 no. site notices in and around Burniston, Cloughton and Scalby, which were erected on 18 March 2025. A Press Notice was also published in the Scarborough Evening News on 20 March 2025.

4.0 Site and Surroundings

4.1. The proposed wellsite is located 350 metres to the east of the village of Burniston, 700 metres southwest of the coastline and 800 metres south of the North York Moors National Park boundary. Access to the Site is from an existing private access road to the A165 Coastal Road which connects Scarborough to the south with Whitby to the north. Burniston is 6 kilometres north of Scarborough. The Site comprises 1.4 hectares (ha) in area and includes an existing private access road which provides access to Burniston Mill and a small number of industrial units known as Mill Yard. The Site is located within an agricultural field, immediately adjacent to a small PV solar array. It lies outside the defined development limit of Burniston and is located within the open countryside. The settlement pattern outside Burniston village is dispersed and sparse with few residential properties in the vicinity. The topography within the Site varies from 57 metres AOD on its northern edge to 49 metres AOD on the southern part.

4.2. In terms of the surroundings, the Site lies within the Rugged Cliffs, Coastal Valleys and Bays Landscape Character Type. It is characterised by steep, rugged coastal cliffs and bays with an undulating or rolling coastal hinterland. There are patchworks of arable fields and grassland, interspersed with small pockets of deciduous woodland and suburban development.

The nearest residential properties in the vicinity of the Site (the well pad location) are:

- Wayside Farm, 320 metres to the south west;
- Residential properties on Coastal Road, Burniston, 350 metres to the south west;
- Residential properties in Bridge Close, 350 metres to the west; and
- Flats Farm, 350 metres to the south.

The nearest settlements in the vicinity of the Site include:

- the village of Burniston, 1 kilometre to the west;
- the village of Cloughton, 2.5 kilometres to the north; and
- the village of Scalby, 3.5 kilometres to the south.

4.3. The Site does not fall within an area designated nationally or locally for its landscape value. It falls within the non-statutory designation of the North Yorkshire and Cleveland Heritage Coast. The North York Moors National Park boundary lies 800 metres to the north and 2 kilometres to the west. The Site falls within National Character Area (NCA): 25 North York Moors and Cleveland Hills (Natural England, 2012), which comprises a well-defined upland area, bordered by the North Sea with extensive stretches of high coastal cliffs exposing the sandstone geology. Land use surrounding the Site is agricultural in nature; the character of the area is open countryside with field boundaries marked by ditches, hedgerows and trees.

4.4. The Site does not lie within any statutory or non-statutory ecological designations. There are no Special Protection Areas (SPAs), Special Areas of Conservation (SACs), National Nature Reserves (NNRs) or Local Nature Reserves (LNRs) within 2

kilometres of the Site. There is one national ecological designation within 1 kilometre of the Site, which is the Coastal SSSI (Iron Scar and Hundale Point to Scalby Ness) that lies 640 metres to the east of the site. There is one non-statutory designated site within 1 kilometre of the Site, which is the Scarborough to Whitby Disused Railway Site of Importance for Nature Conservation (SINC), that lies 360 metres west of the site.

4.5. According to the Environment Agency online flood map for planning, the Site lies within Flood Zone 1. The closest watercourse to the site is the Burniston Beck, located approximately 115 metres southwest of the site's entrance. This watercourse flows south-eastwards, becoming the Cow Wath Beck before discharging into the Scalby Beck (Sea Cut), 2 kilometres south of the site. A small drainage ditch runs northwest to south-east, approximately 180 metres southwest of the centre of the site, between the photovoltaic panel array field and the Mill Yard Industrial units. Another small drainage ditch is located on the southeast border of the site, southeast of the woodland, which discharges into the Burniston Beck. A small pond is located approximately 100 metres to the southwest of the centre of the site, immediately to the south of the photovoltaic panel array. Another small pond is located 80 metres north of the site's entrance. The Site is not located within a Source Protection Zone (SPZ), Drinking Water Safeguard Zone (Surface Water) or Drinking Water Safeguard Zone (Groundwater). The bedrock strata consist of a sequence of sedimentary strata of differing lithologies. Most nearer surface bedrock strata comprise argillaceous (clay-rich) units interbedded with thinner limestones, siltstones and sandstones. The whole sequence is considered to form an aquifer system with significantly greater horizontal than vertical permeability.

4.6. There are no Scheduled Monuments present within a 1 kilometre radius of the red line boundary. Scarborough Castle lies 4.4 kilometres to the southeast of the Site. There are a total of 12 Listed Buildings lying within 1 kilometre of the Site all but one within the Burniston Conservation Area. There are no World Heritage Sites (WHS) located within 5 kilometres of the Site, nor are there any conservation areas or non-statutory designated heritage assets (i.e., registered battlefields or registered parks and gardens) within 2 kilometres of the Site.

4.7. The closest Public Right of Way (PRoW) is a public footpath (ref 30.3/10/1) which is 400 metres to the west and which runs beside the former railway line. The long-distance coastal footpath, known as the Cleveland Way (ref 30.3/7/4), lies 730 metres to the north east. There are no National Trails or National Cycle Network Routes within or near the Site.

5.0 Description of Proposal

5.1. This application seeks full planning permission for the construction of a temporary wellsite for the appraisal of gas, including drilling operation, proppant squeeze and flow testing operation and site restoration on land at Land East of the Mill Yard, Burniston Mill, Coastal Road, Burniston, Scarborough, YO13 0DB.

5.2. The proposed wellsite lies within Petroleum Exploration and Development Licence (PEDL) 343, which covers an area of 110km2 to the north of Scarborough. Europa has been a licence holder since 2014 and took over as the operator from Egdon in

July 2023. Conventional gas was discovered in PEDL 343 in 1986 by Bow Valley Energy Limited in the carboniferous sandstones (Cloughton-1 wellsite), 4.9km to the north-west of the proposed wellsite at Burniston. Cloughton-1 wellsite has been restored and lies within the North York Moors National Park (NYMNP).

5.3. The Planning Statement states that a subsequent assessment of data by Europa indicates that a potentially significant gas resource exists within the carboniferous sandstones reservoir. Europa has completed a preliminary audit of the gross gas in place volumes at Cloughton which indicates a potential of 163 billion cubic feet (Bcf) of gas.

5.4. It is anticipated that there would be a requirement to undertake a proppant squeeze should it be demonstrated that natural flow of gas is restricted by reduced permeability of the formations. The proppant squeeze process involves pumping a mix of gelled fluids and proppant (sand or ceramic particles) down the wellbore and out through the perforations in the steel wellbore casing at a pressure exceeding the fracture propagation pressure of the formation. Injection pressure and pump rates high enough to propagate a fracture in the formation creates channels of communication through near wellbore formations. When the pressure is released, the proppant remains in situ, propping open the small fractures through which hydrocarbons can flow at enhanced rates.

Phasing

5.5. The development would comprise of four phases, described by the Applicant as follows:

Phase 1 – Site Construction (typically lasting approximately 7 weeks)

5.6. This would be undertaken via the following steps:

- Installation of three groundwater monitoring boreholes;
- Construction of access track extension, construction compound and topsoil storage bund;
- Installation of 2.5 metre high ‘Paladin’ security fencing around the perimeter, with an additional vehicle access point south of the existing main entrance;
- Erection of tree root protection fencing around the two trees along the north western and north eastern boundary and along the Site’s southern boundary where there is a dense linear block of mixed canopy broadleaf woodland;
- Excavation of topsoil from the proposed area and creation of two storage bunds on the north eastern and north western perimeters. The bunds would be constructed to a height of up to 3 metres. They would be seeded with general purpose meadow grass mixture and would provide visual screening when viewed from the north;
- Excavate the subsoil and relocate to create a level plateau (cut and fill batters);
- Creation of a perimeter containment trench with French drain along the southwestern, southeastern and north eastern perimeters;
- Installation of a 2.4 metre diameter drilling cellar to a minimum depth of 2.75 metre;

- Installation of the tertiary containment system comprising High-Density Polyethylene (HDPE) impermeable membrane and protection geotextiles, in accordance with a Construction Quality Assurance Plan (CQA) that would need to be approved by the Environment Agency;
- Installation of slotted drainage pipe and inspection/rodding points within the new containment ditch system and backfill with clean stone (no fines);
- Laying and compacting of suitable aggregate to a minimum depth of 300 mm on the site surface;
- Installation of a concrete access ramp and reconfiguration of construction compound to a car parking area for up to 12 cars;
- The deployment of a HDPE impermeable membrane beneath the Site surface would mitigate against the potential risk of any polluting materials permeating down into sub-surface soils or groundwaters;

Phase 2 – Drilling (typically lasting approximately 7 weeks)

5.7. To appraise the reserves, a drilling rig up to 38 metres in height would be brought to site. It is expected that mobilisation would take approximately one week. Ancillary drilling equipment for the purposes of constructing an appraisal borehole would be brought to site, including a toolpusher cabin, toolhouse, generators and fuel tanks, matting boards, blow out preventers and manifold. In addition, approximately 6 security and welfare cabins would be installed on the southern part of the wellsite, along with a fire water tank and bunded fuel tank. These and other required drilling equipment are shown on drawings Site Layout Plan – Indicative Drilling Phase (Appendix A) and Indicative Section Plan – Drilling Phase (Appendix B). Demobilisation would take approximately one week. This itself would also be dependent on rig availability. The worst-case scenario has been included for.

Phase 3 – Proppant Squeeze and Flow Testing (Typically lasting approximately 17 weeks)

Initial Production Testing

5.8. Once drilling has been completed, the well would be initially tested. This would be expected to last one week.

Proppant Squeeze

5.9. It is anticipated that there would be a requirement to undertake a proppant squeeze should it be demonstrated that natural flow of gas is restricted by reduced permeability of the formations. All deep wells and boreholes are drilled with drilling fluids (‘mud’) to lubricate and cool the drill bit and bring rock cuttings to the surface. The fine particles within the mud and the drilled rock cuttings can ‘stick’ around the perforations (holes) in the casing and within the pores of the rock itself which reduces the natural flow, forming a so-called ‘skin’. In addition, the proppant squeeze can enhance the natural permeability of the target sand formation. The process involves pumping a mix of gelled fluids and proppant (sand or ceramic particles) down the wellbore and out through the perforations in the steel wellbore casing at a pressure exceeding the fracture propagation pressure of the formation. Injection pressure and pump rates high enough to propagate a fracture in the formation creates channels of communication through near wellbore formations. When the pressure is released, the

proppant remains in situ, propping open the small fractures through which hydrocarbons can flow at enhanced rates.

5.10. The proppant squeeze components would comprise:

- c.300-500 m3 of fluids in total; typically, fresh water, some salt and solid proppant make 97% or more of the treatment, with several minor chemical additives, all of which are widely used in the UK; and
- 60-80 tonnes of proppant (ceramic “beads” akin to sand grains).

5.11. The proppant squeeze is designed to extend some 100-200 metres laterally in opposite directions from the wellbore, and approximately 40-80 metres in a vertical direction, both above and below the perforations. Typically, fresh water and proppant make up 98% or more of the treatment fluid, along with a number of minor non-hazardous chemical additives, all of which are widely used and would be transported and managed in accordance with the applicable regulations. All fluids have to be assessed for suitability and use by the EA before a permit for operation can be issued to ensure that no risk is posed to groundwater.

5.12. A pre-treatment injectivity test uses approximately 15m3–25m3 of gelled liquid. The purpose of the injectivity test is to determine the breakdown pressure, propagation pressure and carrier fluid leak-off rate, which in turn would inform the main proppant treatment. Should the pre-treatment injectivity test indicate that the main proppant treatment may extend further than the design, the fluid volumes and pressures are adjusted accordingly, to ensure the design parameters are maintained. This calibration process, comparing data obtained during the pre-treatment injectivity test with the original design parameters and adjusting the main proppant treatment accordingly, would be documented within the Hydraulic Fracture Plan, which must be submitted to the North Sea Transition Authority (NSTA), the Health and Safety Executive and the Environment Agency for approval in advance of the proppant squeeze being carried out. The main proppant treatment would consist of approximately 60 to 80 tonnes of ceramic proppant and approximately 300m3 to 500m3 of gelled liquid. This is pumped at a surface pressure of between 5,000 and 6,500 psi. The pumping operation takes approximately 2 hours, and the well is then shut in to allow the pressure in the formation to dissipate, prior to flowing back through the production facilities in a controlled manner. It should be noted that the planning application takes into account a precautionary potential total volume of materials to be used in the operation at 1200m3. For the purposes of seeking an environmental permit from the Environment Agency, the Applicant has taken the same precautionary case approach by stating that up to four proppant squeeze stages may be required. For the same reasons, EOG has stated in the permit application that the total volume of gelled liquid will not exceed 1200m3.

5.13. The Applicant’s current expectation is that two proppant squeeze operations, lasting between 3 and 5 hours, may be sufficient to enable flow testing to be undertaken. For the avoidance of doubt if it is necessary to carry out four stages, there would be no additional HGV numbers than is given in Table 4-3 of the Planning Statement and in Table 5 of the Transport Assessment.

5.14. The proppant squeeze operations would last around one week. Any proppant squeeze would need to be approved by the NSTA and EA and undertaken under the

conditions of the Environmental Permit. Europa is anticipating that a workover rig would be brought to site to undertake a proppant squeeze. However, it is possible that coil tubing and nitrogen lift operation would be used instead of a workover rig. This involves circulating nitrogen in the well to lift any residual proppant that may reside within the wellbore, back to surface facilities. The layout of the equipment for the proppant squeeze operation using a workover rig is set out in drawing Site Layout Plan – Indicative Proppant Squeeze Phase with workover rig (Appendix C) and Indicative Section Plan – Proppant Squeeze Phase with workover rig (Appendix D). A slightly different layout is shown with the coil tubing unit in drawing Indicative Proppant Squeeze Phase with coil tubing unit (Appendix E) Indicative Section Plan – Proppant Squeeze Phase with coil tubing unit (Appendix F). Once the proppant squeeze process has been completed, the well would be flowed to determine pressure, quality and composition of the gas.

Well Flow Testing

5.15. The well would need to be flowed through the use of a separator. It is expected that the well would flow naturally, and the test could be up to 15 weeks duration to establish productivity rates, but typically for two weeks. The indicative layout of the Site for any post-drilling test phase is set out in drawings Site Layout Plan – Indicative Well Testing Phase (Appendix G) and Indicative Section Plan – Well Testing Phase (Appendices H).

Phase 4 – Well Decommissioning, Site Restoration and Aftercare (time varies)

5.16. Following the end of the well testing, the Site would be restored to agricultural use. A programme of site clearance, well decommissioning, restoration and aftercare can be found within the Planning Statement which accompanies the application. The well would be plugged, hydrostatically tested, and sealed (‘abandoned’) using an agreed programme or method approved by the Health & Safety Executive, the EA and the NSTA.

5.17. The wellbore would be filled with specialist concrete plugs to the surface, installed casing strings would be cut at least 2 metres below ground level and a metal plate stitch-welded across the cut-off casing. The well number would be welded on top of the plate. The Site itself would then be restored; all equipment, infrastructure, membranes, aggregates and facilities would be removed. This is shown in drawings Indicative Site Restoration Plan (Appendix I) and Indicative Restoration Section Plan (Appendix J). Existing stored topsoil and subsoil bunds would be tested and reused to ensure compatibility with the surrounding land quality. The land would be seeded with a suitable long term dual purpose agricultural grass mix. The Site area would then be returned to the landowner.

Operating Hours

5.18. With regard to the proposed operating hours, the Applicant has set these out, per phase, in the table below:

Phase	Phase Aspect	Monday - Friday	Saturday	Sunday / Bank / Public Holidays

1	Site Construction	07:00 – 19:00	07:00 – 13:00	None
2	Mobilisation and demobilisation	07:00 – 19:00	07:00 – 13:00	None
	Drilling borehole and completion	24/7 hours	24/7 hours	24/7 hours
3	Initial well testing	24/7 hours	24/7 hours	24/7 hours
	Proppant Squeeze	07:00 – 19:00	07:00 – 13:00	None
	Flow Test	24/7 hours	24/7 hours	24/7 hours
4	Well-decommissioning restoration	07:00 – 19:00	07:00 – 13:00	None

Traffic and Transport

5.19. There are no changes are proposed to the Site access route, which would be via the existing private access track off the A165. The HGV movements associated with each phase of the Proposed Development are outlined in the table below. As per information contained within the application supporting documents, several assumptions have been made in the generation of these movements, as follows:

- assumes 5.5 day week for HGV movements, assuming that there are no movements on Sundays apart from during drilling and in the event of operational emergencies;
- where applicable, HGV numbers are rounded up, not down;
- individual phase durations are worst-case and are expected to be undertaken in less time; and
- phase aspects may not be immediately sequential i.e., there will be dormant periods between each phase aspect.

Phase	Phase Aspect	Duration (weeks)	Total HGV numbers	Average HGVs per day	Maximum number of HGVs on any one day
1	Site Construction	7	334	8	18
2	Drilling	7	330	8	17
3	Testing & Proppant Squeeze	2	65	5	5
	Flow Testing	15	75	1	5
4	Well-decommissioning and site restoration	6	350	10	17

The traffic and transport impacts of the proposed development have been considered in more detail in the Transport Assessment and further on within this report.

5.20. As the proposed development site joins the A165 it is expected that HGV movements to and from the site would be restricted to the principle road network. The routes identified as the possible options are:

Route 1 - the Coastal route, taking the A165 south of the site to Scarborough where either the A170 or A64 would be options or to continue south of the A165.

Route 2 - would be via Scalby, initially A165 north from the site entrance and then onto the A171 south through part of Burniston and Scalby, heading towards Scarborough where onward connections to the A64 and A170 are available.

Waste Management

5.21. The site is not connected to mains sewerage and all wastes would be stored in under cabin waste tanks which would be collected by a licenced waste operator using a road tanker. During drilling, semi-dry drilling mud and rock cuttings would be collected in purpose-built tanks, located on either a concrete pad or in skips, and transported from the site by road for disposal at an authorised waste disposal facility. For the site generally, periodic emptying of collected rainwater from the existing and additional well cellar would be undertaken through licenced waste contractors. All wastes taken from the Site would be managed in accordance with Europa's Waste Management procedure.

Site Drainage

5.22. The proposed wellsite would be constructed as a bunded, sealed site with sufficient containment capacity to avoid possible pollutants from discharging from the Site. Any risk of pollution caused by water run-off is proposed to be mitigated by using standard techniques that have proven successful at other onshore sites. A High-Density Polyethylene (HDPE) impermeable membrane would be installed across the Site under a (Construction Quality Assurance (CQA) plan. This would ensure that there will be suitable protection of the groundwater from any pollutants. Consideration of site drainage has been included in the Hydrogeological and Flood Risk Assessment which accompanies the planning application, and is discussed further within this report.

Security and Welfare Facilities

5.23. Information supporting the planning applications states that the Applicant is obliged to take all security precautions as advised by local and national Police. For all phases, security may be required and this may involve the need to have 24/7 specialist security operatives.

5.24. The drawing Indicative Section Plan –Security Fencing and Gates (Appendix K) includes proposed security provisions, with indicative security facilities and locations set out on the site plans. Note that these have been detailed as the 'worst-case' in respect of facilities and the Applicant anticipate that most phases will not require this level of security – nor would such levels remain in place for the duration of the phases.

Lighting

5.25. The lighting requirements of the site would vary depending on each phase of the proposed development. Once mobilised to site, drilling would progress 24/7 until completion. Flow testing would be undertaken on a 24/7 basis. A detailed breakdown of the lighting requirements of the Site during each development phase and an assessment of its effects is provided in the Lighting Assessment which accompanies the planning application and is discussed further within this report.

Employment

5.26. The Applicant confirms in supporting information that whilst the proposed development would require specialist engineers and skilled operatives throughout all phases of development, it would also support local businesses such as electricians, pipework fabricators, construction companies, crane suppliers, road hauliers etc. The number of personnel on site would vary according to the security situation, however, the likely staff present onsite during each phase of the Proposed Development are indicated in Table 4-5 of the Planning Statement. Staff would be present onsite 24/7 during the drilling and testing phases.

6.0 Planning Policy and Guidance

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

6.2. The Adopted Development Plan for this site is:

Minerals and Waste Joint Plan (MWJP), adopted 2022
Scarborough Borough Local Plan, adopted 2017

Emerging Development Plan – Material Consideration

6.3. The Emerging Development Plan for this site is:

- North Yorkshire Plan

6.4. In accordance with paragraph 48 of the National Planning Policy Framework (December 2024), (NPPF) given the stage of preparation following the consultation process and depending on the extent of unresolved objections to policies and their degree of consistency with the policies in the NPPF, the policies contained within the emerging Local Plan may be given weight as a material consideration in decision making and, if relevant, weight given to the emerging plan policies will be referred to in the body of the report.

6.5. North Yorkshire Council resolved to prepare a new local plan after local government re-organisation in April 2023. Due to the early stage in preparation of the plan no weight is given to this plan.

Guidance - Material Considerations

6.6. Relevant guidance for this application is:

- Draft consultation version of a revised National Planning Policy Framework
- National Planning Policy Framework (NPPF) (2024);
- National Planning Practice Guidance (PPG) (2014); and
- Energy Supply and Climate Change National Policy Context:

- Energy Act 2008;
- Climate Change Act 2008

- Overarching National Policy Statement for Energy (EN-1) 2024;
- Powering Up Britain 2023:
- British Energy Security Strategy 2022
- Energy Security Strategy 2012;
- Annual Energy Statement (AES) 2014;
- Climate Change Act 2008 (2050 Target Amendment) Order 2019;
- Climate Change Committee (CCC) Net Zero Report 2019;
- Energy White Paper: Powering our Net Zero Future 2020;
- Onshore Oil & Gas Development in North Lincolnshire Planning Advice Note;
- Sustainable Drainage Systems (SuDS) and Flood Risk Guidance;
- Written Ministerial Statements;
- Regional and local economic policy

7.0 Consultation Responses

7.1. The following consultation responses have been received and have been summarised below (full responses can be viewed on the Online Planning Register https://onlineplanningregister.northyorks.gov.uk/Register/Planning/Display/NY/2025/0030/ENV).

7.2. **Burniston Parish Council:**

Responded on 24 April 2025 with the submission of a comprehensive report outlining the Parish Council's objection, along with an accompanying document containing public objections. The Parish Council firstly state some discrepancies in measurements of distance between the site and local receptors/places of interest.

Other material planning concerns raised throughout the report include the location of the site; the loss of good quality agricultural land; nearby cliff stability where some recent landslips have occurred (and reliability of geological data regarding this in the application); potential effect on the Peak Fault line (a fault line that runs roughly north to south, close by) from the proposed development; dust and air quality; noise pollution; light pollution; ecology and disturbance to wildlife (and the accuracy of the preliminary ecological appraisal which accompanies the application); landscape and visual intrusion of the local area including the Cleveland Way and Cinder Track, and the National Park, also including the erection of the rig and flare stack; landscape character; traffic generation; risk of contamination to land; flood risk; acceptability of the site access, particularly the area that passes the solar farm; site restoration and aftercare and the longer-term use of the site is gas appraisal is found to be viable; lack of economic benefits to the local community; economic benefit nationally; the wider carbon neutral argument; lack of recent seismological testing data; and general consensus of inconsistencies/incorrect information within the planning documents submitted.

Burniston Parish Council submitted a further letter in December 2025 following receipt of the latest Friends of the Earth letter (referring to the NPPF), reiterating the points with regard to the request to delay determining the application on the basis that the NPPF is under consultation and may change.

The Parish Council submitted a further consultation response on 19 January 2026 reaffirming their initial objection. They state that they believe the application should not be considered as a standalone application and that a temporary consent can "*set a crucial and damaging precedent*". They queried the Applicant's long term intentions for the site; they queried the planning history for the site; and whether a restorative bond should be imposed on any grant of planning permission. They then similarly make reference to the NPPF draft consultation that was released in December 2025 and the weight that should be applied.

7.3. **Newby & Scalby Town Council**:

Responded on 24 April 2025 with the submission of a comprehensive report outlining the Town Council's objection. They firstly state some discrepancies in measurements of distance between the site and local receptors/places of interest.

Other material planning concerns raised throughout the report include the location of the site; concerns regarding traffic, numbers of HGVs and routing; landscape and visual amenity, including the site being within a Heritage Coast area and near to the Cleveland Way/Cinder Track and nearby the North York Moors National Park. They also refer to the close proximity of local residents to the site; Geology and cliff stability, the potential effect of the Peak Fault line (a fault line that runs roughly north to south, close by) from the proposed development; The Iron Scar & Hundale Point to Scalby Ness which is a Site of Special Scientific Interest and runs along the coast adjacent to the site; noise impact; air quality; lighting impact on local residents and wildlife; ecology and disturbance to wildlife; economic and social benefits; and general consensus of inconsistencies/incorrect information within the planning documents submitted.

Newby & Scalby Town Council submitted a further consultation response on 18 January 2026, making reference to the potential risk to groundwater, stating that the Planning Authority would be taking an unacceptable risk if it were to approve the proposed development in its current state. This opinion is provided on the basis that the Environment Agency conditionally removed its objection to the application. They further state that "*Town Council takes the view that the application should be considered as a long-term rather than temporary development because (i) Europa has indicated that if its appraisal finds that gas is available in commercially viable quantities, the site will be exploited for ten to twenty years*;".

The Town Council make reference to the NPPF draft consultation that was released in December 2025 and the weight that should be applied.

7.4. **Cloughton Parish Council:**

Responded on 15 April 2025 with the submission of a comprehensive report outlining the Parish Council's objection. They state the basis of their objection is the unknown seismic risks to the local area which may arise from the proposal and lack of information regarding the subsurface geology structure; the location of the site being inappropriate in terms of the site being located within a Heritage Coast area, near to the Iron Scar and Hundale Point to Scalby Ness SSSI and the North York Moors National Park; cliff stability and the potential effect of the Peak Fault line (a fault line

that runs roughly north to south, close by) from the proposed development; concerns regarding proximity to local residents and the potential effect on local amenity particularly referring to noise, dust, vibration, emissions and light pollution; potential effect on listed buildings; the effect on the Cleveland Way and Cinder Track; traffic and HGV numbers and movements; and concerns which arise from the omissions & contradictions within the planning application.

Cloughton Parish Council submitted a further consultation response on 3 December 2025, making reference to inappropriate location, the best land use and the nature of land that the proposed development should be sited on, the mining waste facility (which forms part of the environmental permit application with the Environment Agency), seismological testing and analysis, the long term intentions of the Applicant for the site should the appraisal be successful, the financial status of the Applicant, and the Minerals and Waste Joint Plan.

The Parish Council submitted a further consultation response on 19 January 2026 reaffirming their initial objection. They state that they believe the application should not be considered as a standalone application and that a temporary consent can "*set a crucial and damaging precedent*". They queried the Applicant's long term intentions for the site; they queried the planning history for the site; and whether a restorative bond should be imposed on any grant of planning permission. They then similarly make reference to the NPPF draft consultation that was released in December 2025 and the weight that should be applied.

7.5. **Cllr Derek Bastiman (Scalby & The Coast):**

Was notified of the application.

7.6. **Cllr David Jeffels (Derwent Valley & Moor):**

Was notified of the application.

7.7. **Cllr Subash Sharma (Newby):**

Was notified of the application.

7.8. **Environmental Health Officer (Scientific Team):**

Responded on 28 April 2025 stating that it is important that the Local Authority understand the impact of such activity on the Local Air Quality, and initially requested a condition requiring an on-going ambient air quality monitoring plan, however following discussion with Europa regarding the need for ongoing ambient air quality monitoring plan and that in their view this would not required, because of the substantial margin for air quality standard compliance suggested by the air quality impact assessment; this was then amended in a further response from the EHO on 8 May 2025 to require an air quality monitoring plan with a six month monitoring period prior to development and occupation of the site, and to be implemented in full until the site is returned to its original condition and returned to the landowner. This is proposed to be secured by condition.

7.9. **Environmental Health Officer (Environmental Protection Team):**

Responded on 29 April 2025 noting the contents of the application and requested 9 no. conditions including:

1. Noise and vibration – all recommendations outlined in the noise and vibration impact assessment to be implemented prior to each phase;
2. Noise and vibration – submission of a noise management plan;
3. Noise Limits – noise limits applicable to each phase;
4. Noise Limits – Noise verification report within one month of commencement of each phase to include noise monitoring results;
5. Noise Limits – Vibration from construction work on site and during operation shall not exceed 0.3mm/s (PPV) at any residential property at any time;
6. Lighting – Lighting scheme restrictions
7. Dust Control – management of stockpiles on site
8. Groundwater and surface water contamination risk - All recommendations outlined in the Hydrogeological Impact Assessment 3729/HIA shall be implemented before each phase
9. Odour Management – submission of an odour management plan

With regard to the second suggested condition (submission of a noise management plan), it was initially requested by the EHO that a section 106 agreement be secured to allow the local authority Environmental Health team to fulfil the requirements imposed within the Noise Management Plan for assessment for compliance with planning conditions with respect to noise. However, on discussion with the EHO, it was confirmed that a S106 would not be required, and it proposed that a noise management plan condition would be required by condition.

7.10. **North York Moors National Park (NYMNP):**

Responded on 21 May 2025 confirming that following consideration by the NYMNP's Planning Committee on 15 May 2025, the NYMNP considers that on balance, the proposal would not lead to any significant conflict with national and local planning policy principles relating to onshore gas development. It is considered not to conflict with the MWJP policies which seeks to ensure that a high standard of protection is given to the landscape and landscape setting on the National Park. The proposal would not given rise to unacceptable harm to the delivery of National Park statutory purposes and the public enjoyment of its special qualities.

The NYMNP further suggested that NYC should impose appropriate controls and/or conditions relating to lighting requirement and specifications and mitigation/control of these; HGV routing proposed by the construction management plan; emissions from HGV movements; the Applicant's proposed mitigation and monitoring measures with regard to noise, dust, odour and other emissions to air and water; removal of the drill rig from site at the earliest opportunity and limit the duration of this being erected on site to a maximum of two months, and the workover rig and crane being erected on site to a maximum of one month.

7.11. **Highway Authority:**

Responded on 9 July 2025 considering both routing options in turn:

The A165 south of Burniston has an annual average daily traffic (AADT) flow in the region of 5500 of which approximately 6% are classed as HGV's. Closer to Scarborough the traffic flows do increase significantly, with AADT of 15000 (approx. 8% HGV) on the A165 Filey Road south of Scarborough centre. For the Scalby Route, on the A171 just north of Scalby, traffic counts indicate an AADT of just under 7000 vehicles with approximately 14% of these being classed as HGV's. Closer to Scarborough traffic volumes on the A171 increase with the AADT being 13000.

The Highways Authority further state that both identified routes already carry a significant volume of traffic and HGV's on a daily basis, and were either route to be used for solely for all development traffic in relation to this proposal, the percentage increase in overall traffic flows or if just considering HGV traffic would lead to a relatively small percentage increase. The applicant has indicated they would prioritise the use of route 2 via Scalby as this does have the advantage of avoiding the more central area of Scarborough. The Highway Authority confirmed they would agree with this approach and through the construction traffic management plan and monitoring of its implementation the applicant should be able to control movements to and from the site. They confirmed there are no local highway authority objections to this proposal but suggested two conditions be attached to any grant of planning permission. These conditions request a restriction of HGV movements per day of no more than 40; and the submission of an updated construction management plan (prior to commencement).

7.12. **NYC Landscape Team:**

Responded on 29 May 2025 stating that there are likely to be short-term adverse landscape and visual effects because of the nature of the proposed development in a highly sensitive landscape location within the North Yorkshire and Cleveland Heritage Coast, and due to proximity and landscape setting of sensitive receptors such as Burniston Village and the coastal footpath. Impacts are likely to be moderate adverse which in this case the landscape team would consider significant. They further state that the development would not be consistent with the special character of the Heritage Coast area and the importance of its conservation. They would consider this to be major development and contrary to the policy for Heritage Coast as set out in paragraph 191 of the NPPF. The development is likely to have significant short-term impact on the purpose for which the area has been defined. They requested further information and clarity and also suggested a number of conditions should planning permission be granted.

The Applicant responded to the various concerns expressed by the Landscape Team, highlighting the temporary nature of the development, specifically the rig being in place for a short-term period of approximately 5 weeks. The Moderate adverse landscape and visual effects are likely to be during the construction and operational period of the development, and acknowledged that major development within the heritage coast is unlikely to be appropriate and that the overall planning balance would need to consider this. The Applicant confirmed that chapter 5 of the ES includes alternatives to the chosen site.

Following this, the landscape team acknowledged the contents of the Applicants response. The requested conditions as of the initial response include:

- Protection of existing boundary trees and hedgerows to BS5837 (pre-commencement condition);
- Soil resource management plan;
- Detailed scheme for materials and colour of all temporary buildings and equipment including boundary treatments; to reduce visual impact;
- Control and limiting of duration for each working phase within the 3 year permission period;
- Control of height of all buildings and equipment;
- Detailed scheme for temporary lighting; to minimise night-time visual effects;
- Reinstatement and remediation of the site following completion of the works.

7.13. **NYC Ecology Team:**

Responded on 3 April 2025 noting the content of the application and methodology used. Recommended planning conditions are used to secure the submission of a detailed Construction Ecological Management Plan (CEcMP) and adherence to the sensitive lighting strategy to ensure protection of habitat during site set up and construction. Noted that given the temporary nature of the works and the measures in place to reduce light spill onto adjacent habitats as far as is possible, they are satisfied that there would be no impact upon adjacent habitats and species from the proposed lighting and that this could be controlled through the above suggested condition. They note the contents of the biodiversity net gain (BNG) plan. Requested conditions as follows:

- Submission of a Construction Ecological Management Plan (CEcMP);
- Adherence to the sensitive lighting scheme assessed through the Lighting Impact Assessment (WSP, 2025) to ensure the scheme avoids illuminating the semi natural habitat corridors and to limit construction activities between dusk and dawn;
- Submission of Decommissioning Ecological Management Plan (DEcMP);
- Biodiversity Net Gain implementation;
- Submission of a Habitat Monitoring and Management Plan (HMMP) and adherence to it thereafter for 30 years.

The Preliminary Ecological Appraisal (PEA) was revised as a result of the initial Ecology response, to include more detailed habitat descriptions and updated species observations. It was noted that the following changes were included:

- Great Crested Newt (GCN) - There is an expanded assessment of ponds and waterbodies, with clearer scoring. The findings support the conclusion that GCN are unlikely to be present or impacted, and no mitigation is required unless the scope of works changes significantly
- Birds – there is more emphasis on nesting and foraging potential, with updated recommendations for pre-works checks.
- Bats: The revised PEA includes a recommendation for a sensitive lighting strategy and includes reference to the Noise and Vibration Impact Assessment (ARC Consulting, 2025) which concluded that impacts to sensitive receptors,

including bats, would be low. As such it is concluded that with mitigation in place, disturbance to foraging and commuting bats will be minimised.
- Reptiles and Hedgehogs – clarifies that no impacts are expected unless scope changes.

Throughout the determination period, correspondence was received from a local resident, who stated that GCN are present in a pond less than 300 metres away from the proposed site and this was brought to the attention of the Ecology Team, who asked for a further update to the PEA to confirm known presence of GCN in the area. The PEA was further updated in September 2025 to address this, and on 4 November 2025 the Ecologist responded following their review, to confirm that they maintain their position that potential impacts upon amphibians (including great crested newts) utilising retained terrestrial habitat along the boundaries of the site can be adequately protected and mitigation through measures to be agreed within the Construction Ecological Management Plan (CEcMP) including but not limited to pre commencement surveys, retention and buffering of boundary habitats and an Ecological Clerk of Works to undertaken site checks in advance of site clearance and construction. They further state that there would be no loss of ponds and the terrestrial habitat to the site boundaries would be retained. As such, should great crested newt be present in the vicinity of the site, the development as proposed would be unlikely to impact upon the favourable conservation status of the species.

7.14. **NYC Archaeology Team:**

Responded on 28 March 2025 confirming no objection to the proposal.

7.15. **NYC Public Rights of Way Team:**

Responded on 14 March 2025 making reference to the closest Public Right of Way (PRoW) being a public footpath (ref 30.3/10/1) and that if the proposed development will physically affect the Public Right of Way permanently in any way, an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible which is 400 metres to the west.

Given the footpath does not directly adjoin the site or site access and heads away from the site in a northwestern direction, it is considered that further steps are not required in this instance.

7.16. **Environment Agency (Yorkshire Area Oil and Gas Team):**

Submitted a final response on 13 August 2025 confirming the withdrawal of their initial objection. This followed a meeting between the EA and the Applicant and the Applicant's consultants with regard to the EA's initial concerns over potential unacceptable risk to groundwater quality.

The EA confirmed in their latest response that the proposed development would only be acceptable if a planning condition is included requiring submission and

subsequent agreement of further details in the form of the submission of a detailed construction method statement to include:

- the timing of the works
- the measures to be used during the development in order to minimise environmental impacts of the works (considering both potential disturbance and pollution)
- construction methods
- pollution protection methods
- proposed scheme for monitoring

The EA further stated that without this condition, they would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.

7.17. **Yorkshire Water Services Ltd:**

Responded on 4th April 2025 stating that based on the information submitted, no observation comments are required from Yorkshire Water.

7.18. **Natural England:**

Responded on 17 March 2025 confirming no objection and that based on the submitted information they consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

7.19. **Yorkshire Wildlife Trust:**

Responded on 1 April 2025 confirming that the Yorkshire Wildlife Trust has an overall objection to fracking projects (which they confirm they believe this project has similarities with) due to concerns over the continued use of fossil fuels which conflicts with commitments to reach net zero by 2050; and the potential impacts of fracking not being well understood and existing environmental legislation is not adequate to address these risks. Therefore confirming that the Yorkshire Wildlife Trust objects to the proposed development.

7.20. **The Lead Local Flood Authority (SuDS):**

Following a number of amendments to the Flood Risk Assessment & Surface Water Drainage Strategy since the initial consultation (see consultation responses on the online planning register), the Lead Local Flood Authority confirmed acceptability of the most recent version (July 2025) and stated that the submitted documents demonstrate a reasonable approach to the management of surface water on the site. They requested one condition be attached to any grant of planning permission, which requires the development to be built in accordance with the above strategy.

7.21. **Oil and Gas Authority:**

The North Sea Transition Authority (NSTA – formally Oil & Gas Authority) were contacted again in January 2026, however at the time of writing, a response has not been received.

7.22. **Sustrans:**

At the time of writing, a response has not been received.

7.23. **Health and Safety Executive:**

The HSE were contacted again in January 2026 following no response having been received at this time. They responded on 21 January 2026 stating that HSE has no duties as a statutory consultee for these and similar planning applications. However, acknowledged receipt and attached a response outlining their standard regulatory approach.

7.24. **Planning Casework Unit:**

At the time of writing, a response has not been received.

7.25. **Department of Energy and Climate Change:**

At the time of writing, a response has not been received.

7.26. **North Yorkshire Police (NYP) Designing Out Crime Officer:**

Responded on 24 March 2025 stating that the site is located within an area of relatively low crime & disorder levels, with 10 crimes and 1 anti-social behaviour incident being recorded by NYP. They further stated that having reviewed the accompanying documents and drawings that were submitted with the application and liaising with other departments within NYP, it would appear that the applicant intends to incorporate appropriate security measures that will reduce the potential for the proposal to suffer from crime and disorder. However, I would suggest that they should consider the installation of a CCTV system to cover the site and its perimeter.

Following liaison with the Applicant, it is proposed to proceed with a condition which requires the installation of CCTV, as per the advice from NYP.

7.27. **National Grid:**

Responded on 29 March 2025 confirming that there are no National Grid electricity transmission assets affected in this area.

7.28. **National Gas:**

Responded on 21 August 2025 confirming that there are no National Gas assets affected in this area.

7.29. **Public Health England:**

At the time of writing, a response has not been received.

7.30. **NYC Director of Public Health:**

At the time of writing, a response has not been received.

7.31. **British Horse Society:**

Submitted a letter dated 7 July 2025 expressing their disappointment that they had not been consulted, given horse riders use the nearby Cinder Track. Nevertheless sought further detail on how the development might implicate the Cinder Track, and requested that the development must not temporarily close or obstruct the Cinder Track, and that should planning permission be granted and any damage be caused to the surface of the public rights of way as a direct result of the development, this must be repaired, reinstated in character with its surroundings, exactly as it was prior to any works taking place.

The Agent responded to the query stating that the LVIA found that recreational users of the Cinder Track would experience, at most, a minor or negligible adverse effect visual impact which would not be significant. The proposed development would therefore not have any material impact on users of the Cinder Track.

Local Representations

7.32. In excess of 1400 local representations have been received of which over 1400 are objecting, 8 are in support and 6 of which are comments. Objections have also been received from local interest groups Scalby and Newby Village Trust, Frack Free Coastal Communities, Frack Free Ryedale, North Yorkshire Moors Association, CPRE, Scarborough Town Council and Friends of the Earth, all of whom object to the application. A summary of the matters raised is provided below, however, please see website for full comments.

7.33. Objections:

- The use of the proppant squeeze technique and potential risks to the environmental that this poses, including seismic activity, groundwater contamination, and soil contamination;
- The proppant squeeze technique being contradictory to the UK's long-term energy aims;
- Impact on residential amenity and human health of the village of Burniston and surrounding villages;
- Landscape and visual impact on the village of Burniston, specifically the most local residential receptors;
- Impact upon sensitive surrounding landscapes including the North Yorkshire and Cleveland Heritage Coast, The Cleveland Way, Cinder Track and the North Yorkshire Moors National Park;
- Visual impact on the National Character Area 25 (North York Moors and Cleveland Hills), within which the site is located;
- The loss of good agricultural land and impact upon the farming landscape;

- Ecology and biodiversity, and the impact on wildlife including nesting/foraging birds, and birds including barn owl, skylark, lapwing, yellowhammer and song thrush; bats, reptiles, hedgehogs, deer, Great Crested Newt and other protected species;
- The accuracy of the Preliminary Ecological Appraisal and omissions within, specifically relating to Great-Crested Newt, birds, bats, reptiles and hedgehogs;
- Cliff Stability and the lack of recent seismological testing data; and risk of landslips which have continually occurred near to the site;
- Local Geology (and reliance of the geological data submitted with the application) and the potential effect on the Peak Fault line that runs roughly north to south close by;
- Lack of information presented in relation to the historic environment;
- Impact on residential amenity arising from dust, noise, air quality, light pollution;
- Impact on climate change arising from the development and downstream impacts, including cumulative climate change impacts;
- Lack of climate change assessment and failure to address key policy considerations in relation to this;
- The location of the site being inappropriate given local receptors, the Heritage Coast and local interest points including the Cleveland Way and Cinder Track;
- Highways matters including HGV numbers and routing, emissions from increased HGVs using the site and use of the A165 Coastal Road which locals and tourists rely on to travel between Scarborough and Whitby (and beyond) and potential effect on both residential roads and in a tourist area with significant pedestrian movements;
- Site access and the speed limit off the A165 Coastal Road off which the site would be accessed by HGVs, and poor visibility splays;
- Inadequate Transport Assessment and lack of investigation within this, including lack of data specifically along the proposed southern routes where pedestrians and cyclists are likely to interact with traffic;
- Inconsistencies between the Transport Assessment and Emissions Report, with assumptions made and used with regard to delivery sources and tonnage of HGVs used;
- Proposed hours of operation, specifically the times during which the site proposes to be operational 24/7;
- Access to the site and safety within the wider site for vehicles passing the solar panels to the south-west;
- The erection and operation of the 12-metre-high flare stack and the visual intrusion of this on the local landscape, specifically at night;
- The erection and operation of the 38-metre-high drill rig and the visual intrusion of this on the local landscape, including cranes used to install these;
- Potential flood risk arising from the development;
- Potential risk to ground and water sources via potential leakages and contamination resultant in risk to public health and wildlife;
- Lack of economical benefits to the local community and nationally
- Potential effect on tourism in the locality and coastal towns due to the nature of the proposed development;
- Lack of assessment on equestrians in the area, specifically assessment of the horses using the Cinder Track;

- Site restoration and aftercare, and the assumption that if found to be viable, the site would be retained and operated in the long-term and therefore not restored to “as-was”;
- Inaccurate or lack of information throughout the application and unreliable assessments undertaken including ecology and biodiversity, highways, geology, hydrogeology and local receptor distances;
- Proposed development being contrary to all relevant local and national policy, including the Minerals and Waste Joint Plan (MWJP) and NPPF, particularly those policies relating to hydrocarbon development;

7.34. Support:

- Energy security as a result of the proposed development in terms of the UK using it’s own resource of energy/fuels;
- UK moving towards becoming energy-independent as a result of the proposed development, meaning less importation of fuels;
- Long-established and proven safe technologies proposed;
- Mis-interpretation of information with regard to proppant squeeze technique and the safety around this

7.35. Scalby and Newby Village Trust

Submitted an objection letter on 7 April 2025 raising a number of concerns regarding visual amenity, including the erection of the drill rig and the view of this from the coastline and the national park; the nature of the development in a heritage coast area; the impact on the Cleveland Way and users of which; gas flaring and associated noise and light pollution arising from this; light pollution impact on bird population and the dark skies area; noise pollution associated with this type of development; traffic movements and routing, and concern around HGVs using narrow roads in the area; road safety issues in terms of accident data and the use of local roads and footpaths by motorcyclists and pedestrians.

They also refer to tourism and the impact that this type of development may have on tourism in the area, including local interest areas like the Heritage Coast, the Cinder Track, the National Cycle Route and the Cleveland Way. Hours of operation are raised as a concern, particularly the phases of development where these would be 24/7. The lack of a full Environmental Impact Assessment and opportunity to comment on matters such as biodiversity; geology and the fault lines upon which the site is located and potential impact on these. The Trust refer to climate change policies and response from the Yorkshire Wildlife Trust of which they agree with, that the use of fossil fuels conflicts with commitments to reach net zero by 2050.

7.36. Frack Free Coastal Communities

Submitted a report on 14 May 2025, which outlines multiple grounds of objection, raising concerns across a wide range of planning and environmental issues, summarised below:

Frack Free Coastal Communities (FFCC) argue that the proposal conflicts with national and international climate change commitments, including the UK's net zero targets, and fails to adequately assess its climate impact. They reference recent legal cases, including Finch and Whitehaven which emphasise the need to consider downstream emissions regardless of the phase of development. In their view, the application lacks a meaningful climate impact assessment and fails to demonstrate compliance with the Climate Change Act 2008 and the NPPF.

They also dispute the applicant's claim that the proposed "proppant squeeze" technique does not constitute fracking under the Petroleum Act, arguing that the technique involves fracturing rock under pressure and should be considered fracking under broader planning definitions. FFCC express concern that approving this application could set a precedent for future unconventional extraction in the region.

The report raises significant landscape and visual concerns, given the site's location within the North Yorkshire and Cleveland Heritage Coast and its proximity to the North York Moors National Park. FFCC argue that the development would cause unacceptable harm to the character and views of these protected areas, and that the submitted Landscape and Visual Impact Assessment (LVIA) underestimates the extent of this harm. They consider that the visual intrusion and industrial activity associated with the proposal would detract from the scenic quality and tranquillity of these landscapes. Ecological impacts are also highlighted, with criticism of the adequacy of ecological surveys and concerns about potential harm to protected species such as Great Crested Newts and Barn Owls, as well as risks to nearby designated sites. FFCC express concerns over the lack of clear mitigation measures to address these issues.

Noise and air pollution are further areas of concern, particularly in relation to night-time noise levels during drilling operations. FFCC argue that the application lacks sufficient mitigation measures and raise additional concerns about air pollution from HGV movements and site emissions, noting the absence of cumulative impact assessments.

The report also identifies a lack of detailed geological data and raises concerns about potential seismic risks, threats to groundwater and nearby SSSIs. FFCC argue that the application does not adequately assess subsurface risks, and the Minerals Planning Authority (MPA) should be fully satisfied that other regulatory regimes will work effectively, rather than assuming they will. They also highlight the absence of a heritage impact assessment, despite the site's proximity to listed buildings and conservation areas and suggest that the MPA apply the precautionary principle to avoid substantial harm to the historic environment.

In relation to highways and traffic, FFCC commissioned a transport consultant who identified inadequacies in the applicant's Transport Assessment. They argue that the proposed HGV routes through residential and tourist areas pose safety risks and would cause unacceptable disruption to local communities and businesses. They also criticise the lack of mitigation measures and inconsistencies in emissions data.

FFCC also raise concerns around impacts on local amenity, disruptions to public rights of way, and equality. They highlight omissions and inaccuracies in the

application, such as failure to account for the full height and lighting impact of a 40m crane, and inconsistent distance measurements to nearby receptors. They argue that the proposal would negatively affect vulnerable residents and fails to meet the requirements of the Equality Act 2010, noting the absence of equality and amenity assessments. Additional concerns include potential impacts on local businesses and tourism, conflict with safeguarding the polyhalite resource, unacknowledged proximity to a historic landfill, and unclear access plans.

FFCC conclude that the application is premature and lacks sufficient detail for proper assessment. They highlight deficiencies in the application's technical documentation, particularly regarding highway matters, landscape and visual impact, ecological impact, noise mitigation, and geological risks. They assert that the MPA cannot satisfactorily determine the absence of adverse effects and argue that the proposal fails to comply with national and local planning policies, undermines Government's net zero targets and should therefore be refused.

7.37. Frack Free Ryedale

Submitted an objection on 16 April 2025. The objection outlines a number of matters including contravention to local planning policy, particularly the MWJP and those policies within which relate to hydrocarbon development (policies M16 and M17). They state that the application does not meet UK legal requirements because if successful and full gas extraction is applied for following appraisal, the application as stands does not consider the climate impact of burning fossil fuels once they are extracted (however this is not considered material to the determination of the proposed development). They state that the proposed development does not comply with sustainability objectives of the National Planning Policy Framework (NPPF), specifically paragraph 8c which seeks to *protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

Frack Free Ryedale refer to the intention of the proposed development being the exploratory phase, which if successful would result in this area of coastline becoming the largest on-shore gas field in the UK. They also state that there is assumption that if this development is granted, that a future application for gas extraction would also be approved.

They refer to a complex geological fault system beneath the site and surroundings and the risk of seismic activity as a result of the development, which would effect nearby properties, the reputation of the area as a desirable tourist destination and cliff stability, potentially causing damage to the cliffs. They later state that the development would effect the heritage coast area including visual intrusion, noise, dust and light pollution from gas flaring and lighting and traffic volumes, routing, emissions and site access. They state that gas flaring would produce toxic fumes, odour and nighttime light pollution, and that the overall tourism in the area would be effected which would cost jobs.

Frack Free Ryedale refer again to the potential for light pollution from the development, with a well-lit site at nighttime, including the drill rig which would be difficult to screen and the flare stack which would all impact the dark skies aspect of the area.

7.38. North Yorkshire Moors Association

Submitted an objection letter on 17 April 2025 on the grounds of landscape, particularly including the openness of the landscape and the effect that the drill rig would potentially have on this and the national park, as well as from the surrounding communities and the North Sea. They state that proposed traffic types and numbers are not appropriate for the area; that they are concerned about hydrocarbon-based energy development and that this will exacerbate climate change challenges; and finally that based on their assumption that any further development for the extraction of gas following the appraisal of this well would not receive planning permission, that this development is a waste of resources.

7.39. CPRE (North and East Yorkshire)

Submitted an objection letter on 12 April 2025 detailing their concerns regarding the location of the site, and that it is located within and adjacent to a number of national and local designations for landscape quality, ecological importance and for conservation and heritage value, including the national park, of which they are concerned that visual intrusion would occur from within and looking towards; the Heritage Coast area, the Cleveland Way, the Cinder Track as a public right of way and a SINC.

CPRE refer to the North York Moors Landscape Character Assessment Update 2021 which highlights that the proposed site is immediately adjacent to the 'LCT 4 Coastal Hinterland Landscape Character Type', being outwith the control of the National Park Authority. LCT4b sets out that the Cinder Track is an important feature of the LCA […] and often feels relatively remote and tranquil […]. They refer to the NPPF, particularly paragraphs 189 and 191 which refer to development within designated areas and development within the heritage coast, respectively, and that contrary nature of the proposed development to the NPPF.

CPRE state that visual intrusion and industrial activity associated with the proposed development, including the wellpad, the drill rig, workover rigs, cranes, flare stack and security fencing would detract from the scenic quality and tranquillity of the protected landscapes, again contrary to local and national planning policy.

They continue their objection, raising concerns regarding highway implications of the proposed development, particularly regarding the proposed routing and the narrow roads, 'S' bends and mini roundabouts that these would incur, resulting in increased risk for road users and pedestrians.

CPRE refer to the potential impact on the coastal SSSI (Iron Scar and Hundale Point to Scalby Ness) and the contradiction to the NPPF paragraphs 193 and 195 which refer to development within habitats sites/SSSI and that CPRE does not consider the proposed development as an exception to these.

CPRE raise concern over the accuracy of the Preliminary Ecological Assessment (PEA) and species recorded within.

Concerns are raised regarding the proximity to local recreational and leisure facilities, along with caravan and camping sites, hotels and wedding venues, and the potential impact upon users of those in terms of amenity and public health.

CPRE state that due to the nature of the development being for a temporary exploratory well, that a future proposal for production of gas is assumed to be being considered. They state that the proposed use of the proppant squeeze technique raises serious environmental and safety concerns, posing a risk to ground and water sources via potential leakages and contamination resultant in risk to public health and wildlife; and that it's use does not align with the long-term energy security and sustainability goals of the UK.

They raise concern with regard to noise and air pollution, particularly during the periods of 24/7 operation, as well as dust and particulate matter which could effect the health of local residents.

7.40. Scarborough Town Council

Submitted an objection letter on 17 July 2025 raising concerns with regard to increased HGV traffic and potential congestion; risk to groundwater and aquifers supplying Scarborough; landscape and visual impact on the Heritage Coast area; hours of operation, particularly those periods where it is proposed to be operational 24/7; light and noise pollution, again particularly in relation to nighttime hours and periods where the site would be operational 24/7; disturbance to wildlife; disturbance to tourism and those visiting the area and as a result, detriment to local businesses.

The Town Council also express their support for Burniston Parish Council and local residents in their opposition to the development. They state that the proposal would impose a range of significant and unacceptable environmental impacts on the local community, including disruption to the landscape and natural beauty, with particular mention to the drill rig and industrial infrastructure associated with the development, which would be visible form the national park and coastal paths. They again raise concern regarding increased traffic and risk on local roads, particularly the A165 which the site would be accessed from; noise and light pollution from 24-hour operations, undermining the tranquillity of the area and causing disturbance to both local amenity and ecology. They refer to threat to biodiversity, with proximity to designated ecological sites such as Burniston Beck local wildlife site and the Iron Scar and Hundale Point to Scalby Ness SSSI; and cumulative and long-term impact on the character and amenity of the area due to the industrialisation of an agricultural and scenic landscape.

7.41. Friends of the Earth

Friends of the Earth England, Wales and Northern Ireland (FotE) have submitted three letters of objection dated 25 April, 8 May and one received on the 27 June 2025, together with a written opinion by Estelle Dehon KC dated 26 June 2025.

The written opinion considers whether the proposed development would be classified as fracking for planning purposes. It explains that, while the current moratorium on fracking is limited to a specific sub-set of fracking as defined in section 50 of the Infrastructure Act 2015, the specific narrow definition of a type of high-volume hydraulic fracturing used for the moratorium, is not the definition used in the key relevant planning policy. The opinion states that the National Planning Practice Guidance and the Minerals and Waste Joint Plan apply a general definition of "hydraulic fracturing" which captures the proppant squeeze.

The opinion also advises that "very great care" must be taken when considering the Minister for Energy Security's letter relied upon, as it is inaccurate in relation to the definition of fracking and inconsistent with a later written statement made by the Minister to Parliament.

Friends of the Earth note that, as identified in the opinion, the applicant's Planning Statement acknowledges that the operation "falls within the definition of hydraulic fracturing" as per the MWJP, while other parts of the Environmental Statement and the FAQs section of the project's website suggest otherwise. They state that this distinction undermines effective public engagement with and scrutiny of the environmental impacts of the proposal, including seismicity risks.

FotE further states in regard to the Environmental Statement, that it does not include specific assessments for climate change impacts, greenhouse gas emissions and cumulative impacts.

FotE raise concern about potential seismic activity, referring to the event at Preston New Road. They note that the proposed operation would involve the injection of approximately 500 m^3 of fluid, which they state exceeds the highest daily amount used at Preston New Road frack well in the seven days leading up to the 2.9 ML seismic event.

On this matter the written opinion adds that it is notable that the reason for imposing the moratorium was the occurrent of the seismic event at the PRN site, further citing the Oil and Gas Authority studies into the seismicity resulting from hydraulic fracturing operations at PRN. Their summarises emphasized, that *'it is not yet possible to accurately predict the seismic response to hydraulic fracturing, if any, in relation to variables such as site characteristics, fluid volume, rate or pressure. Where induced seismicity has occurred, mitigation measures have shown only limited success, and there can only be low confidence in their effectiveness currently. '*

On this matter FotE requests that the North Sea Transition Authority and the Department of Energy Security and Net Zero are formally consulted.

Lastly FotE refer to the 37-metre drilling rig and the continuous 24-hour lighting proposed. They consider these effects to be significant and would affect local

character, dark skies and tranquillity, including views from the Heritage Coast and the setting of the North York Moors National Park.

A further letter was received from FoE on 18 December 2025, drawing attention to the consultation on the new draft NPPF, specifically in relation to policy change on fossil fuel extraction. They state that the draft NPPF is clear that the reason for this change is the Government's position on the adverse climate impacts of fossil fuels: "*We are proposing this change in recognition of the need to transition away from using fossil fuels in order to reduce climate change impacts."*. They go on to state that this application relies heavily on the "great weight" policy, set out in para. 224 of the current NPPF (which, as per the current consultation, is due to be replaced). FoE emphasise that "*removing the "great weight" policy in the NPPF will fundamentally change the planning balance for Europa's application. As the Minerals Planning Authority, NYC must, of course, take all material considerations into account when determining this application, including the NPPF."* On this basis, FoE request that the Planning Authority delay the consideration and determination of Europa's planning application until the NPPF amendments are in place.

FoE submitted further correspondence on 14 January 2026, with additional concerns in relation to alleged discrepancies in proppant treatment methodologies – number of treatments and pressure within the supporting documents and the cumulative fluid volumes exceed high volume/associated fracturing in the Infrastructure Act 2016. They reaffirm their request for the Planning Authority to request further information under Regulation 25 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in relation to the need for a climate change assessment and a "*more robust"* assessment of cumulative climate change.

8.0 Environment Impact Assessment (EIA)

8.1. A formal request for an Environmental Impact Assessment (EIA) Screening Opinion was submitted by Europa to North Yorkshire Council (NYC) on 12th July 2024 to determine whether the proposed development constitutes 'EIA' development which would require the submission of a formal Environmental Statement (ES). NYC issued a Screening Opinion on 1st August 2024 (Appendix 2.1 of the ES). It stated that, in the opinion of NYC, the proposed development was likely to give rise to significant effects on the environment, notably in respect of land and visual, transport and access and cumulative effects. The screening opinion concluded therefore that an Environmental Statement would be required with the planning application.

8.2. Europa then sought a Screening Direction from the Secretary of State (SoS) on 9th August 2024 to challenge the screening opinion. The SoS issued their decision on 6th November 2024, concluding that the proposed development is not EIA development within the meaning of the 2017 Regulations. The SoS considered the main matters to be: impact to ecology; scale of development; emissions to air; discharges to water; the risk of an accident; and the arrangements for transporting the fuel. The SoS acknowledged that the key issue of relevance is scale of development, owing to the height of the rig and the sensitivity of the landscape. The SoS stated that the drilling rig would be highly visible from the heritage coast and have an adverse impact on the area. However, as the rig would only be in place for a matter of five weeks, the SoS concluded that an EIA is not required in relation to the heritage coast, listed buildings

or conservation area. Likewise, the SoS found that the level of vehicular movements associated with the development would increase slightly but not in EIA terms.

8.3. Notwithstanding this, Europa has elected to voluntarily provide an Environmental Statement which addresses landscape and visual impact, traffic and transport and cumulative effects. The other relevant environmental assessments have been undertaken and the potential environmental and amenity issues relating to the proposed development have been considered throughout.

8.4. The Environmental Statement (ES) includes chapters relating to the assessments undertaken for various topics and the Applicant has commissioned technical reports from expert consultants to assess the impact of the proposed development on the locality around the site, including cumulative effects.

9.0 Main Issues

9.1. The key considerations in the assessment of this application are:

- Principle of development
- Location and consideration of alternatives
- Need
- Local amenity (noise, light pollution, hours of operation) and air quality (emissions, odour and dust)
- Landscape and Visual Impact
- Soil and agricultural land use
- Ecology and Biodiversity
- Historic Environment
- Flood risk, Hydrology and Surface water drainage
- Highways matters – Traffic, transport and site access
- Public Rights of Way
- Restoration and Aftercare
- Economic Growth and Employment
- Climate Change and Downstream Impact

10.0 ASSESSMENT

Principle of Development

10.1. The application proposes the construction of a wellsite and operation of a drilling rig for the appraisal of subsurface hydrocarbons, well testing and retention of equipment on land east of the Mill Yard, Burniston Mill, Burniston. It is anticipated that there would be a requirement to undertake a proppant squeeze should it be demonstrated that natural flow of gas is restricted by reduced permeability of the formations.

10.2. The proppant squeeze process involves pumping a mix of gelled fluids and proppant (sand or ceramic particles) down the wellbore and out through the perforations in the

steel wellbore casing at a pressure exceeding the fracture propagation pressure of the formation. Injection pressure and pump rates high enough to propagate a fracture in the formation creates channels of communication through near wellbore formations. When the pressure is released, the proppant remains in situ, propping open the small fractures through which hydrocarbons can flow at enhanced rates.

10.3. The proppant squeeze components would comprise c.300-500 m3 of fluids in total; typically, fresh water, some salt and solid proppant make 97% or more of the treatment, with several minor chemical additives, all of which are widely used in the UK; and • 60-80 tonnes of proppant (ceramic “beads” akin to sand grains).

10.4. The proppant squeeze is designed to extend some 100-200m laterally in opposite directions from the wellbore, and approximately 40-80m in a vertical direction, both above and below the perforations. Typically, fresh water and proppant make up 98% or more of the treatment fluid, along with a number of minor non-hazardous chemical additives, all of which are widely used and will be transported and managed in accordance with the applicable regulations.

10.5. It is acknowledged that the majority of objections received in relation to this application refer to the use of hydraulic fracturing or ‘fracking’ and that in 2019, the Government imposed an effective moratorium on hydraulic fracturing by introducing a presumption against the issuing of any further Hydraulic Fracturing Consents, until compelling new evidence is produced which would address concerns about prediction and management of induced seismicity. It should be noted for the purposes of this report however, that the proposed borehole is a single conventional gas well targeting conventional tight gas sands. The sands at depths of over 2.0km would require stimulating (enhanced productivity) through a proppant squeeze operation. This operation would result in a small hydraulic fracture at depth. However, the single borehole and the proppant squeeze operation are not to be confused with the practises of drilling multiple boreholes, horizontal drilling and multistage, large volume hydraulic fracturing associated with Shale Gas development or “fracking”.

10.6. The proposal is for natural gas exploration and does not relate to fracking or Shale Gas development. A proppant squeeze is a type of low-volume hydraulic fracturing where a fluid and proppant (like sand) are injected under pressure to create or widen fractures in rock, improving the flow of gas or oil. It is not covered by the Petroleum Act's moratorium on high-volume "associated hydraulic fracturing" because the volume of liquid used is below the legal threshold of 1,000 cubic meters per stage or 10,000 cubic meters total.

10.7. Objections also refer to the grant of planning permission for the appraisal of a well, would pre-empt future development at the site consisting of the production of gas in the long-term. Paragraph 120 of the Minerals Planning Practice Guidance states that *“individual applications for the exploratory phase should be considered on their own merits. [Mineral planning authorities] should not take account of hypothetical future activities for which consent has not yet been sought.”* This guidance arguably also applies to applications at the appraisal phase. Any further development is purely speculative at this time. “The next steps” would be the submission of a new and separate application at which time consultees would have an opportunity to comment

on any new proposal and would be considered separately by the local planning authority.

10.8. National planning guidance states that both conventional and unconventional hydrocarbons (oil and gas) are minerals of national and local importance and that minerals plans should include policies for their extraction. Specific policies for hydrocarbons within the North Yorkshire Minerals and Waste Joint Plan 2022 (MWJP) are Policy M16 (key spatial principles for hydrocarbon development); M17 (other spatial and locational criteria applying to hydrocarbon development) and M18 (other specific criteria applying to hydrocarbon development), which are discussed in further detail below. Policy M16 sets out the Planning Authority's approach to proposals for the appraisal of conventional hydrocarbons including hydraulic fracturing. Point (b)(i) of this policy states that "*Surface proposals for these forms of hydrocarbon development will only be permitted where they would be outside the following designated areas: National park, AONBs, Protected Groundwater Source Areas, the Fountains Abbey/Studley Royal World Heritage Site and accompanying buffer zone, Scheduled Monuments, Registered Historic Battlefield, Grade I and II* Registered Parks and Gardens, Areas which protect the historic character and setting of York, Special Protection Areas, Special Areas of Conservation, Ramsar sites and Sites of Special Scientific Interest.".* The proposed site does not fall within any of the specified designated areas and it is therefore considered compliant with this part of the policy.

10.9. Policy M16(b)ii) states "*Sub-surface proposals for these forms of hydrocarbon development, including lateral drilling, underneath the designations referred to in i) above, will only be permitted where it can be demonstrated that significant harm to the designated asset will not occur. Where lateral drilling beneath a National Park or AONBs is proposed for the purposes of appraisal or production, this will be considered to comprise major development and will be subject to the requirements of Policy D04*." The proposed development includes the drilling of a lateral borehole approximately 1,700m in length in a south westerly direction. However, no part of the borehole lies below the designations referred to in the policy. Consequently, this part of policy M16 is not considered relevant.

10.10. Policy M16(d)(i) states: "*Where proposals for surface hydrocarbon development meet other locational criteria set out in this policy but fall within a National Park or an AONB or the associated 3.5km visual sensitivity zone around this zone, are otherwise considered to have the potential to cause significant harm to a National park and/or AONB, applications should be supported by a detailed assessment of the potential impacts on the designated area/s, unless it can be demonstrated that such an assessment is not required taking into account the particular locational circumstances of the proposed site relative to the designated area/s. Where detailed assessment is required this should include an assessment of views of and from the designated area/s from significant view points and an assessment of the cumulative impact of development in the area. Permission will not be granted for such proposals where they would result in unacceptable harm to the special qualities of the designated area/s or are incompatible with their statutory purposes in accordance with Policy D04*." The Site lies approximately 800 metres south and 2,150 metres east of the North York Moors National Park boundary. Therefore, it lies within the 3.5km visual sensitivity zone. Accordingly, a detailed assessment, an LVIA, has been prepared which forms part of the Landscape chapter of the Environmental Statement. The LVIA

includes an assessment of views of the proposed development at the drilling phase from the NYMNP and an assessment of the cumulative impact of development in the area. It is also acknowledged that the North York Moors National Park Authority raised no objection to the proposed development.

10.11. Policy M16(d)(ii) states that Surface hydrocarbon development will only be permitted where the undeveloped character of defined Heritage Coast will be protected. The Site lies within the North Yorkshire and Cleveland Heritage Coast. A significant part of PEDL 343 lies within the NYMNP which Policy M16 excludes as a suitable site for hydrocarbon development. The remaining part of the PEDL licence area includes the Heritage Coast designation. It is acknowledged that the drilling rig would be 38 metres in height and would need to be lit at night for safety reasons. The LVIA confirms that the drilling rig would be highly visible from the Heritage Coast and thereby have a moderate adverse impact. However, it is also acknowledged that the rig would be in place for a maximum of seven weeks, including mobilisation and demobilisation. Given the limited time that the drilling rig would be on site, the impact upon the Heritage Coast is considered not to be significant.

10.12. National planning policy acknowledges that mineral resources can only be worked where they are found. Paragraphs 209 and 211 of the NPPF are similarly supportive of the development of the country's oil and gas resources. This is mirrored in national planning policy guidance. Guidance set out in the Minerals PPG (paragraph 124) gives emphasis to the Government's view that, nationally, energy should come from a variety of sources, including onshore oil and gas, and states that when making decisions, mineral planning authorities should have regard to national energy policy. Frack free Ryedale in their objection state the application does not meet the sustainability objectives of the NPPF in paragraph 8c, which seeks to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy; however it is considered on balance that the proposed development would not deviate from the objectives of the NPPF and in particular this paragraph.

10.13. It is noted that Friends of the Earth in their representations, considers whether the proposed development would be classified as fracking for planning purposes. It explains that, while the current moratorium on fracking is limited to a specific sub-set of fracking as defined in section 50 of the Infrastructure Act 2015, the specific narrow definition of a type of high-volume hydraulic fracturing used for the moratorium, is not the definition used in the key relevant planning policy. The opinion states that the National Planning Practice Guidance and the Minerals and Waste Joint Plan apply a general definition of "hydraulic fracturing" which captures the proppant squeeze.

10.14. Paragraph 5.129 of the MWJP is relevant in respect of the proposed development. Phase 3 (testing) includes a proppant squeeze which falls within the definition of "hydraulic fracturing" at paragraph 5.124 (f). However, this procedure is standard practice within the oil and gas industry. It would be undertaken for the purposes of supporting the appraisal of conventional gas resources and would be undertaken at low volume. In such circumstances, paragraph 5.129 states that *"it is not the intention of the Mineral Planning Authorities to unreasonably restrict activity typically associated with the production of conventional resources, which is a well-established*

industry in the Plan area. Where hydraulic fracturing is proposed in association with development of conventional hydrocarbons, the authorities will consider exceptions to the more restrictive approach set out in Policy M16(b) where it is satisfied that, based on the circumstances of the specific proposal, it would not result in unacceptable impact on the protected area and full compliance with other relevant elements of the Plan can be demonstrated.".

10.15. It is considered that the proposed development would not result in an unacceptable impact on the protected area or the wider area, including the North York Moors National Park or the Heritage Coast area within which the site is located.

10.16. Policy M17 of the MWJP (Other spatial and locational criteria applying to hydrocarbon development) sets the criteria that needs to be taken into account when considering planning applications for hydrocarbon, including accessibility and transport (which is discussed further within this report; cumulative impact, local economy, and specific local amenity consideration relevant to hydrocarbon development.

10.17. Point 2) of Policy M17 refers to cumulative impact. 2)i) states "*Hydrocarbon development will be permitted in locations where it would not give rise to unacceptable cumulative impact, as a result of a combination of individual impacts from the same development and/or through combinations of impacts in conjunction with other existing, planned or unrestored hydrocarbons development. Applications for appraisal and production activities should specifically address for potential for cumulative impacts of development upon climate change and where appropriate, propose such mitigation and adaptation measures as may be available and are consistent with Policy D11 and the requirements of other relevant regulators.".*

10.18. The cumulative impacts from the development are discussed in the Environmental Statement and it is noted that concerns have been raised regarding the proximity to local recreational and leisure facilities, along with caravan and camping sites, hotels and wedding venues, and the potential impact upon users of those in terms of amenity and public health. The Cumulative Effects chapter in the Environmental Statement, taking into account various assessments that have been undertaken, conclude that there will be no adverse impacts arising from the individual effects of this development, or from other existing or planned developments in the vicinity of the Site. The assessments undertaken both individually and collectively demonstrate that there would be no cumulative impact as a result of the proposed development and it is therefore considered this would be acceptable on these grounds.

10.19. Point 2)ii) of Policy M17 states that *"Well pad density and/or number of individual wells within a PEDL area will be limited to ensure that unacceptable cumulative impact does not arise. Assessment of the contribution to cumulative impact arising from a proposal for hydrocarbon development will include (but not necessarily be limited to) consideration of:*

a) The proximity of a proposed new wellpad site to other existing, permitted or unrestored well pads, and the extent to which any combined effects would lead to unacceptable impacts on the environment or local communities, including as a result of any associated transport impacts;"

There are no other existing, permitted or unrestored well pads within the proximity of the proposed wellsite at Burniston or within PEDL 343. Therefore, there will be no combined effects.

10.20. Point 2)ii)b) of Policy M17 states *"The duration over which hydrocarbon development activity has taken place in the locality and the extent to which any adverse impacts on the environment or local communities would be expected to continue of the development were to be permitted;"*

There has been no recent hydrocarbon development activity in the locality. It is acknowledged from the information provided, that impacts on the environment would be expected to last for no more than 9.5 months in total, if the duration of the four phases of development are added together, during the overall 3 year period the planning permission would be in place for.

10.21. Point 2)c) of Policy M17 refers to the sensitivity of the receiving environment, and that the Planning Authority should take into account the nature and distribution of any environmental constraints, proximity to local communities and the availability of adequate access links to the highway network; and the need to ensure a high standard of protection in line with other relevant policies. In terms of local constraints, the site is not within any designated or classified areas or features of cultural heritage or archaeological importance. There are no World Heritage Sites or Registered Battlefields within 2km of the Site. The Site is more than 500m from the nearest listed building and the nearest Conservation Area, and more than 1.8km from the nearest scheduled monument. The nearest residential property is 350m away from the proposed well-head location. The site lies within Flood Zone 1 and the agricultural land classification is Grade 3b which is not best and most versatile land. It lies within the defined Heritage Coast area which is a non-statutory designation. The Site has direct access onto the A-road highway network. The supporting technical assessments, including noise, air quality and flood risk assessments all demonstrate that there will be a high standard of protection in order to minimise any adverse impacts on residential amenity, plus the proposed imposition of a number of mitigatory conditions which are listed at the end of this report. Taking into account the temporary nature of the proposed development, the sensitivity of the receiving environment is judged to be suitable.

10.22. It is acknowledged that many objections raised in respect of this application make reference to the local economy, particularly that of the area being part of the wider coastal tourism area of Scarborough. Point 3) of Policy M17 refers to local economy, and states that "*Hydrocarbon development will be permitted in locations where a high standard of protection can be provided to environmental, recreational, cultural, heritage or business assets important to the local economy including, where relevant, important visitor attractions. The timing of short term development activity likely to generate high levels of noise or other disturbance, or which give rise to high volumes of heavy vehicle movements, should be planned to avoid or, where this is not practicable minimise, impacts and take into account seasonal variations and peaks in traffic movements.".*

10.23. This application is accompanied by a noise impact assessment, an air quality assessment and a lighting assessment. Each assessment concludes that there will be

no significant adverse impact upon the adjacent solar farm, nearest residential properties and the village of Burniston. A construction traffic management plan (CTMP) demonstrates that there will be no high volumes of HGV traffic during any of the phases of the development but includes a number of mitigation measures to minimise adverse impacts during the tourist season. The Highways Authority also requested a pre-commencement condition that requires the submission of an updated CTMP to include points such as measures to manage delivery of materials and plant including routing and timing, proposed routing of HGV construction traffic and monitoring of such construction traffic.

10.24. Point 4 of Policy M17 refer to the specific local amenity considerations relevant to hydrocarbon development and states that:

i) Hydrocarbon development will be permitted in locations where it would not give rise to unacceptable impact on local communities or public health. Adequate separation distances should be maintained between hydrocarbon development and residential buildings and other sensitive receptors in order to protect against unacceptable adverse individual and cumulative impacts on amenity and public health, in line with the requirements of Policy D02. Proposals for surface hydrocarbon development, particularly those involving hydraulic fracturing, within 500m of residential buildings and other sensitive receptors, will only be permitted following the particularly careful scrutiny of supporting information which robustly demonstrates how in site specific circumstances an unacceptable degree of adverse impact can be avoided.".

The nearest residential building to the Site boundary is Wayside Farmhouse which is approximately 300m to the south west. Other residential properties on Coastal Road are approximately 350m from the Site. The noise impact assessment, air quality assessment and the lighting assessment which accompany the application, all demonstrate that that the proposed development would not give rise to unacceptable impacts upon these properties.

10.25. Point 4)ii) of Policy M17 states that proposals should refer to any relevant data from baseline monitoring and other available information to ensure that a robust assessment of potential impacts is undertaken. It also states that comprehensive mitigation measures should be proposed where necessary. The environmental assessments that accompany the application each refer to relevant baseline monitoring that has either been gathered from desk-based assessments or has been gathered from site visits and the collection of monitoring data. Where necessary, each assessment has a set of mitigation measures which are recommended and these are discussed further within the report.

10.26. Policy M18 (Other specific criteria applying to hydrocarbon development) of the MWJP covers waste water and restoration matters. This policy is discussed in more detail later in this report.

10.27. The development management policies of the MWJP relevant to the principle of development are D01 (Presumption in favour of sustainable minerals and waste development) and D11 (Sustainable design, construction and operation of development). The main aim of MWJP Policy D01 is the presumption of sustainable minerals development to help improve the economic, social and environmental

conditions in the area. In regard to MWJP Policy D11, it is to make sure that minerals developments are sustainable, appropriate and proportionate to the location. Consideration of the cumulative impact of the application on key sensitivities will be discussed further on within this report. Other relevant development policies of the MWJP relevant to the proposal include Policy D02 (Local amenity and cumulative impacts); D03 (Transport of minerals and waste and associated traffic impacts; D06 (Landscape); D07 (Biodiversity and geodiversity); D09 (Water environment); D11 (Sustainable design, construction and operation of development; and (D12 (Protection of agricultural land and soils).

10.28. Whilst the Scarborough Borough Local Plan (2017) does not contain any policies specific to mineral (or hydrocarbon specifically) development, there are general development management policies that are relevant to the determination of the proposed development. It is considered that the proposal gains support from Policies SD1 (Presumption in favour of sustainable development); DEC4 (Protection of amenity); ENV3 (Environmental risk); ENV4 (Groundwater Protection); ENV5 (The natural environment); ENV6 (Development affecting the countryside); ENV7 (Landscape protection and sensitivity; ENV8 (Green infrastructure); INF1 (Transport); and INF4 (Cinder Track ((The former Scarborough to Whitby railway line))). It is considered that the relevant part of this to the principle of the development is that the proposal is for a hydrocarbon site, and the hydrocarbons can only be explored and appraised where the gas fields lie below ground. It is further considered the scale of the development has been sufficiently justified, can be mitigated in a number of ways which are discussed further within this report, is acceptable in Highways terms and is of a temporary nature. It is also considered that the proposal may result in a short-term effect on the character appearance of the area, that this would only be potentially adverse during the construction phase (approx. 7 weeks). The proposal is though considered in compliance with the above policies and has been designed in a way to mitigate potential effects on the environment, with the addition of retaining soils to be used in the restoration of the site.

10.29. The application is consistent with the NPPF in regard to paragraph 222 and 224 in regard to the acceptability of the location of the proposed development. In regard to paragraph 224 this application is not in a National Park, National Landscape (formerly AONB) or scheduled monument or Conservation Area, it is considered that this report details that there would be no unacceptable adverse impacts on the natural or historic environment, human health or aviation safety. It is also considered that unavoidable noise and dust, particularly during the construction phase, can be controlled by conditions, with the restoration and aftercare being completed to the highest possible standard at the earliest opportunity. The NPPF paragraph 222 recognises minerals are a finite natural resource and can only be worked where they are found, and both conventional and unconventional hydrocarbons are considered to be minerals of local and national importance by the Government (Annex 2: Glossary of the NPPF). Paragraph 224 adds that great weight should be given to the benefits of mineral extraction, including to the economy. Fundamental principles underpinning the NPPF are the need to deliver sustainable development and build a strong, competitive economy nationwide. Further compliance with the NPPF is discussed within this report.

10.30. It is considered that the principle of the proposed development is justified as discussed above, is consistent with both local and national planning policy and guidance, and of which is also discussed further below in detail.

Location and consideration of alternatives

10.31. Many of the objections received make reference to the proposed location of the development, and that it is in close proximity to the village of Burniston and its residents; that it's within the Heritage Coast area, close to the Cinder Track and Cleveland Way and close to the North York Moors National Park. Objections raise concern regarding the potential impact on local residents, the open countryside and the location of a site that would not be in keeping with the local area. As above, and as specified in NPPF paragraph 222, minerals are a finite natural resource and can only be worked where they are found.

10.32. The Applicant has given consideration to alternatives, which is discussed in the Environmental Statement, in the form of three options: the 'do nothing' option which would consider the retention of the status quo and would result in the cessation of hydrocarbon activities; the consideration of alternative sites; and the consideration of alternatives methods of working. The Environmental Statement informs that a numbers of alternative sites in the area were assessed by Europa in 2023 for hydrocarbon appraisal. The criteria used in the consideration of alternative sites were based on a number of requirements, including:

- "the extent of land over which Europa have been granted the right to explore for (and develop) hydrocarbons (referred to as the Petroleum Appraisal and Development Licence area 343, awarded by the Secretary of State in 2014);
- the objectives of the proposed drilling programme;
- the sub surface geology;
- the avoidance of locating surface drilling within or close to the boundary of the North York Moors National Park; and
- landownership agreement."

10.33. The ES confirms that an appraisal drilling operation at the wellsite on land east of Burniston Mill was determined to be the most appropriate location for the proposed development due to the following reasons:

- "the proposed development can be undertaken within the confines of a well-defined Site. It lies immediately to the north east of a large animal mill and industrial units. It will therefore not be out of context in relation to the scale of the existing development;
- the Site lies outside a defined "sensitive area", that is, it is not within the National Park or an Area of Outstanding Natural Beauty;
- the Site benefits from the existing infrastructure in place to serve the existing facilities, namely site security;
- direct access on to the strategic road network (A165) is provided;
- the Site is not overlooked by residential properties and is well screened from the wider landscape by mature hedgerow the north west and north east, and semi mature trees to the south east;
- the Site is not located within an area of high flood risk; and

- the Site would not impact directly on any statutory or local nature conservation sites. The proposed Site to accommodate the proposed development, as described in this ES, is therefore considered to be the best option and the working of alternative sites is not considered to be a realistic alternative."

10.34. In terms of its setting, it is acknowledged and as has been discussed throughout this report, that the proposed sites falls within the non-statutory designation of the North Yorkshire and Cleveland Heritage Coast. The North York Moors National Park boundary lies 800 metres to the north and 2 kilometres to the west. The Site also falls within National Character Area (NCA): 25 North York Moors and Cleveland Hills (Natural England, 2012). Given the temporary nature of the development and with the exception of the construction phase which would see the siting of a 38 metre-high drill rig for approximately 5 weeks (with a week either side for mobilisation and demobilisation), it is considered that the proposed development would not be inappropriate in the proposed location, which is adjacent to the existing Mill Yard site and solar panels immediately to the south-west.

10.35. The site falls outside the development limits of Burniston. Policy ENV6 (Development Affecting the Countryside) of the Scarborough Borough Local Plan (SBLP) sets out the policy approach to new development outside the defined development limits. It states that new development will be limited to those for which a countryside location is essential, including "*f) Other forms of development requiring a countryside location that can be shown to be necessary in the proposed location for technical or operational reasons*." Again, the NPPF states that minerals are a finite natural resource that can only be worked where they are found. It is considered that this type of development is therefore appropriate in the countryside. The Applicant considers all of the above to be the justification as to why this particular site has been chosen, and taking all of this into consideration, it is therefore considered that the proposed development is compliant with Policy ENV6.

10.36. Discussed further on in this report, an assessment of the landscape and visual effect of the proposed development has been undertaken and is presented in the Environmental Statement (ES). Potential ecological and cultural heritage impacts also have been considered in the ES and overall, no unacceptable environmental impacts have been identified as a result of the proposed development. There are no objections to the proposed development from the Council's Ecologist, Landscape Architect or Archaeologist in terms of location or otherwise.

10.37. It is therefore considered that the development and its location are in accordance with Policy SD1 and DEC4 of the Scarborough Borough Local Plan and Policies D02 (Local amenity and cumulative impacts); D06 (Landscape); D07 (Biodiversity and Geodiversity) and D08 (Historic Environment) of the MWJP.

Need

10.38. Many objections received make reference to the need for gas exploration and extraction, stating that the UK should be moving away from this type of development, towards more renewable energy.

10.39. Guidance set out in the Minerals PPG (paragraph 124) gives emphasis to the Government's view that, nationally, energy should come from a variety of sources, including oil and gas, and states that when making decisions, authorities should have regard to national energy policy. The Government's Annual Energy Statement (October 2013) referred to in that same paragraph, explains that national energy policy has two key drivers: the need for energy security and carbon emission reduction. Whilst acknowledging that renewable energy will have a part to play, the Government's view is that oil and gas, especially indigenous oil and gas, will remain key to energy security and, at the same time, facilitate the reduction in greenhouse gas emissions. The Digest of UK Energy Statistics (DUKES) 2024, published by the Department for Business, Energy & Industrial Strategy (BEIS) (now the Department for Energy Security and Net Zero) provides the latest data for energy demand and production in the UK up to 2022. Paragraph 222 of the NPPF states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs.

10.40. Information that forms part of the planning statement accompanying this application confirms that in terms of natural gas, UK gas demand continues to fall, down 10% in 2023 compared to 2022. Consumption was at its lowest level since 1992, owing to a substantial decline in gas demand for electricity generation and lower demand from consumers. Gas production fell 9.6% in 2023 compared to 2022 as North Sea output declines, whilst imports were down 11%. Natural gas made up 36% of total energy demand in 2023 and close to two thirds of domestic demand. Natural gas continues to play an important role in the UK energy mix. As a country, we continue to import approximately half our demand. Norway remains the UK's largest import source, meeting 40% of the UK's demand. The US is the second largest source, meeting 18% of demand. Nevertheless, indigenous production of gas was equivalent to 50% of demand in 2023. The UK has experienced a declining hydrocarbon production figure since 1990. However, the Energy Security Strategy (2012) states that the Government seeks to maximise economic production of the UK oil and gas reserves to provide reliable energy supplies which are not exposed to international energy supply risks. The Proposed Development would support the 2013 AES's three main aims by enabling the production of indigenous oil reserves which, in turn, would help to maintain a security of supply and contribute towards the UK's transition to a low carbon economy. Extracting indigenous oil and gas reserves is therefore in the public interest. The most recent energy strategy issued by the UK Government is Powering Up Britain, published in March 2023 by the Sunak Conservative Government. It acknowledges that during the transition to renewable energy, UK oil and gas will play a vital role. Prior to that, the British Energy Security Strategy, published in April 2022, was clear that the long-term solution is to address the underlying vulnerability to international fossil fuel prices by reducing our dependence on imported gas. In summary, therefore, it is government policy that energy supplies should come from a variety of sources including onshore gas.

10.41. Within a number of the letters of support for this application, was reference to the need to secure energy supply and reduce demands on international imports. Information supporting this application refers to this particular matter, particularly the Climate Change Committee (CCC) and their acknowledgement that the UK will be relying on indigenous fossil fuels even with the Net Zero UK carbon emissions target to be achieved by 2050. The CCC Net Zero Report of May 2019 states: "*The design*

of the policy framework to reduce UK industry emissions must ensure it does not drive industry overseas, which would not help to reduce global emissions, and be damaging to the UK economy.". The Government's target for net zero carbon emissions by 2050 still assumes and allows for the consumption of fossil fuels, with offsetting of any carbon emissions. With that background and given the continuing role of fossil fuels in providing for UK energy needs during the transition to a low carbon economy, the proposed development is considered consistent with national energy ".

Local Amenity (noise, light pollution, hours of operation) and air quality (emissions, odour and dust)

10.42. There are a number of policies applicable to the various aspects covered under local amenity matters, which are discussed in more detail below. It is acknowledged that many of the objections received make reference to the potential impact of the proposed development local amenity, including matters such as noise, vibration, stablity, light pollution, hours of operation, air quality, dust and odour. All of these matters are discussed separately below.

10.43. The site is located on the edge of the village of Burniston, with a number of residential properties in the nearby vicinity (measurements taken from the proposed well pad location), including (but not limited to):

- Wayside Farm, 320m to the south west;
- Residential properties on Coastal Road, Burniston, 350m to the south west;
- Residential properties in Bridge Close, 350m to the west; and
- Flats Farm, 350m to the south.

The nearest settlements in the vicinity of the Site include:

- the village of Burniston, 1km to the west;
- the village of Cloughton, 2.5km to the north; and
- the village of Scalby, 3.5km to the south.

10.44. The noise and vibration, air quality and lighting assessments which support this application demonstrate that a series of mitigation measures would be employed on site to ensure that the associated emissions are well within the required limits for nearby sensitive receptors. The mitigation measures are tried and tested and would be considered effective in controlling dust, noise and lighting emissions from the site boundary. These are discussed in detail below and would be secured via conditions.

Noise and vibration

10.45. The policy relevant to noise, against which this application is considered is MWJP Policies M17 (Other spatial and locational criteria applying to hydrocarbon development) which states that hydrocarbon development will be permitted in locations where a high standard of protection can be provided to the local economy and where short term development activity likely to generate high levels of noise should be planned to minimise impacts; hydrocarbon development will be permitted in locations where it would not give rise to unacceptable impact on local communities or public health. Policy D02 (Local amenity and cumulative impacts) is also relevant

which states that minerals and waste development will be permitted where there will be no unacceptable impacts as a result of noise and vibration; and Scarborough Borough Local Plan (SBLP) Policy DEC4 (Protection of Local Amenity) further states that proposals for development should not give rise to unacceptable impacts by means of disturbance from noise; and NPPF Chapter 12 (Achieving well-designed places), which seeks to protect amenity.

10.46. The Noise Policy Statement for England gives overarching aims for the effective management and control of environmental noise, which is required to avoid significant adverse impacts on health and the quality of life, mitigate and minimise the impact and where possible contribute to its improvement. A noise and vibration impact assessment has been undertaken in respect of the proposed development, of which four noise-sensitive receptors (NSRs) were identified as; Wayside Farm; House on Field Lane; House on Bridge Close; and Flatts Farm. As part of the assessment, noise monitoring was undertaken over a 3-4 week period at two noise monitoring locations, near to Wayside Farm and Flatts Farm. It should be noted that the report is not intended to assess the risk from sub-ground movement or vibrations during the operations.

10.47. A noise and vibration impact assessment was prepared in support of the proposed development. Using each phase, noise modelling has been undertaken for the proposed development with respect to the four NSRs, and the planning statement which summarises the assessment confirms the below:

- “Construction - During wellsite construction and restoration activities under Phases 1 and 4, the highest level of noise predicted is 50dB, equal to the Lowest Observed Adverse Effect Level (LOAEL) for daytime construction noise (50 dB) and much lower than the threshold of Significant Observed Adverse Effect Level (SOAEL) for daytime construction activities (65 dB).
- Drilling - During the drilling (Phase 2), the night period is when the potential noise impact is greatest. The highest predicted noise level would be 38 dB at NSR4, which is below LOAEL for night-time works (40 dB). Additionally, drilling noise levels would be below 42 dB, suggested as a potential night-time noise level limit by PPG-M, for minerals extraction operational activities over the long term. Therefore, the noise impact resulting from the proposed drilling would be acceptably low. See Appendix L (Figure 6.2 – Predicted noise contours during night-time drilling).
- Workover (Completion) - Completion of the newly drilled well via the use of a workover rig would be over a typical 12 hour day from 7 am to 7 pm. The highest predicted noise would be 39 dB at NSR4, which is judged to be low and insignificant.
- Proppant Squeeze - The proppant squeeze will occur over a 3-5 hour period during just one day. The modelling results indicate that the highest noise level is 51 dB at NSR4. The level impact is judged to be low as the duration is very short. The level of noise is expected to be similar to that experienced each day at this receptor from road traffic.
- Flow Testing – Testing gas flows will occur over a 24/7 period and so the night period is when potential noise impact is greatest. The highest modelled noise level is 35 dB at NSR4, well below the night-time LOAEL and SOAEL values of 40 dB and 45 dB respectively. The noise impact is considered to be low."

10.48. The noise, as summarised above, associated with the proposed development is therefore predicted to be lower than both the SOAEL and LOAEL thresholds. As such it is considered that there would be no adverse noise or vibration (during construction) impacts on any nearby receptors as a result of noise emissions from the proposed development.

10.49. In addition to this, the Environmental Health Team (Environmental Protection) raised no objection to the proposed development but requested a number of conditions in relation to noise and vibration, making it clear that any specific control over vibration from an EHO perspective is that above-ground and during the construction phase only. These can be viewed in the conditions list at the end of this report. These conditions include the submission of a noise monitoring plan; the restriction of noise limits (per phase); the submission of a noise verification report within one month of the commencement of each phase, restriction on vibration limit and the submission of a vibration monitoring scheme; and the requirement for recommendations outlined in the Noise and vibration Impact Assessment to be implemented. The NYMNP also suggested that NYC should impose appropriate controls and/or conditions relating to the Applicant's proposed mitigation and monitoring measures with regard to noise, dust, odour and other emissions to air and water.

10.50. It is considered that whilst mineral development inherently comes with noise emissions, it is considered that, as per the assessments undertaken in relation to noise and vibration for the proposed development, that the scheme would not have an unacceptable impact on residential amenity and is consistent with NPPF paragraphs 187 (e), 198 and 224 (c), which state development should not contribute to unacceptable levels of noise pollution and should ensure that the potential adverse impacts are mitigated with appropriate noise limits established. and the PPG guidance for minerals as it would avoid noise giving rise to any significant adverse impacts on health or quality of life.

10.51. On a similar point to noise, it is acknowledged that with mineral development comes an expectation of some form of vibration, whether that be machinery, plant or other. It is acknowledged as above, that many objections make reference to the concern over cliff stability as a result of the underground vibration from the proposed development. The site is located approximately 1km inland from the cliff top. The Applicant confirmed in a response to concerns over cliff stability, that the "*borehole would follow a south westerly route from the wellsite inland, a distance of 1.6km at depth. Consequently, the proposed development will have no impact on the cliff stability, during the construction, drilling, testing and restoration phases.*" They further state in their response - "*...following the grant of planning permission, the approval of those regulatory bodies responsible for the safe and environmentally sound execution of all operational aspects of the well, including the proppant squeeze, will be required. The approval of the proppant squeeze operation will require the shooting of further 3D seismic and a close examination of the subsurface geology including natural faulting and the local and regional residual stress regimes. This will assess any risks to not only the cliffs but also the wider landscape, population and infrastructure."*

10.52. It should be noted that the noise and vibration assessment undertaken refers only to potential vibration from drilling and other mechanical equipment, in relation to the proposed development. The assessment highlights that it is considered that set back

distances of the NSRs is sufficiently large that vibration effects from mechanical equipment on site, to both buildings and sensed by people within buildings, would be highly unlikely to be noticeable at any stage during the proposed development.

10.53. In light of the above and in consideration of the noise and vibration assessment undertaken in respect of this application, which concludes that there would be no significant noise or vibration impacts during the entirety of the proposed development, it is considered that noise levels arising from the development would remain within acceptable limits as defined in national planning guidance and the unavoidable noise from the site can be controlled and mitigated to minimise the impact; furthermore with regard to vibration, it is considered in light of the above that there would be no impact on any of the nearest residential receptors. It is therefore regarded that the proposed development is in compliance with the amenity protection elements of MWJP Policy D02 as the proposal is designed to minimise the impact of the working and safeguard amenity standards, with no unacceptable impacts on the local environment. It is also considered that the proposed development is consistent with NPPF paragraphs 187 (e), 198 and 224 (c) and the PPG guidance for noise as it would avoid noise giving rise to any significant adverse impacts on health or quality of life. It is also considered that the proposed development is compliant with the Equality Act (2010) and the Human Rights Act 1998 as its impacts would be mitigated through the conditions stated earlier in this paragraph to limit noise at the site protecting residential amenity and the right to the peaceful enjoyment of property.

10.54. It is also considered to be compliant with SBLP Policy DEC4 (Protection of Local Amenity) which states that proposals for development should not give rise to unacceptable impacts by means of disturbance from noise, as the proposal would not have a significant adverse impact on the amenity of residential properties or any neighbouring land uses and would protect the high quality living and working environment in the local area. Envisaged noise levels are considered to be able to be kept within appropriate levels and conditioned to ensure these are adhered to. It is also considered that the duration of the works and the type/character of the noise would be able to be controlled via condition.

Light Pollution

10.55. Many objections received raise concerns regarding the potential for light pollution arising as a result of the proposed development, both from nighttime working and from the gas flaring. Local policies applicable to lighting and light pollution include MWJP policies M16 (Key spatial principles for hydrocarbon development); D02 (Local amenity and cumulative impacts) and D06 (Landscape), along with Policy DEC 4 of the SBLP (Protection of amenity).

10.56. A Lighting Assessment has been undertaken in respect of the proposed development and accompanies the application. This assesses the capacity to introduce intrusive lighting effects (light spill), on nearby residential and ecological receptors. The lighting scheme for the drilling phase (phase 2) has been modelled to determine the degree of light spill, as this is the phase when the most external lighting would be used. The model incorporates the appropriate lighting as required for staff security, safety and operation purposes whilst taking sensitivity of the dark, rural nature of the area into account.

10.57. The lighting assessment identified ten potentially sensitive human receptors that could be affected by the presence of external night-time lighting during the drilling phases. Nine of the receptors are residential properties located in Bridge Close, between 350 and 400 metres from the edge of the Site. The tenth sensitive receptor is Flatts Farm which lies 350m to the southwest of the edge of the Site. One ecological sensitive receptor was identified for assessment – the existing tree belt to the south of the Site.

10.58. The planning statement affirms that sky glow mapping prepared by CPRE in 2016 shows that the skies above the Site are currently relatively dark with some light pollution from Burniston village and the towns of Scalby and Scarborough. Existing sources of lighting are typically highway lighting and consist of a mix of LED and High Pressure Sodium. The character is considered to be mixed “rural” of a “low district brightness”. The Site is classified as an E2 Environmental Zone. The maximum value of vertical illuminance is 5 lux pre-curfew (7am to 9 pm) and 1 lux post curfew.

10.59. The two key parameters applicable to lighting at the Site are luminous intensity (LI) and upward light ratio (ULR. A 3-D model of the drilling phase has been developed to best represent the Site (see Appendix M (Figure 6.3 Drilling phase of site layout (light spill)). This incorporates an appropriate number of lighting units and level of illumination required by Europa to satisfy their obligations under Health and Safety legislation. The 3-D model exhibits a ULR of 1.7%, within the limitation of upward light in the E2 environmental zone of 2.5%. The maximum luminous intensity to the observer is 1453, within the E2 zone limitation of 2500.

10.60. The assessment concludes that there would be minimal spill of light to the immediate surrounding area. It is also noted that the levels are relatively low and controlled due to the use and angle of fittings and the shielding of light offered by the structures that would make up the site. Crucially levels of illumination being emitted towards the identified ecological sensitive receptor (scrubland/tree belt) are between 0.20 and 0.75 lux, which are deemed to be low and acceptable on a short term basis.

10.61. It is considered that the site is naturally screened from view to sensitive receptors, so direct views of the lighting across the site are predicted to be minimal or negligible. It is acknowledged however, that due to the height of the rig and provision of lighting along the length of the mast section, it is likely that the mast section may be visible in some instances due to the luminaires lighting the structure of the rig rather than any direct view of the luminaires, and this is a particular matter of concern raised throughout many of the objections received; however given the short duration of the drilling phase (7 weeks), the effect is considered to be temporary and negligible.

10.62. In addition to this, the Environmental Health Team (Environmental Protection) raised no objection to the proposed development but requested one condition in relation to lighting, which requires the submission of a scheme and programme for the external lighting of the site (see conditions list at the end of this report). The NYMNP also suggested that NYC should impose appropriate controls and/or conditions relating to lighting requirement and specifications and mitigation/control of these.

10.63. It is considered that with an appropriate lighting scheme in place, the proposed development would not result in adverse light pollution upon any local residential property or sensitive ecological receptor, and would therefore be consistent with MWJP policies M16 (Key spatial principles for hydrocarbon development); D02 (Local amenity and cumulative impacts) and D06 (Landscape), along with Policy DEC 4 of the SBLP (Protection of amenity); the NPPF; the Equality Act (2010) and the Human Rights Act as its impacts would be mitigated through the condition to control lighting on site, therefore protecting residential amenity and the right to the peaceful enjoyment of one's property.

Hours of operation

10.64. Hours of operation would also be restricted where possible (with the exception of certain phase aspects, where 24/7 operation would be required). The application has received objections in relation to the hours of operation being 24/7. However it is considered that the proposed hours of operation would be acceptable and be controlled via condition and are as follows:

Phase	Phase Aspect	Monday - Friday	Saturday	Sunday / Bank / Public Holidays
1	Site Construction	07:00 – 19:00	07:00 – 13:00	None
2	Mobilisation and demobilisation	07:00 – 19:00	07:00 – 13:00	None
	Drilling borehole and completion	24/7 hours	24/7 hours	24/7 hours
3	Initial well testing	24/7 hours	24/7 hours	24/7 hours
	Proppant Squeeze	07:00 – 19:00	07:00 – 13:00	None
	Flow Test	24/7 hours	24/7 hours	24/7 hours
4	Well-decommissioning restoration	07:00 – 19:00	07:00 – 13:00	None

10.65. The phased works would also be restricted to timescales as proposed in the application to minimise the impact, as follows:

Phase	Description of Phase	Timescale
1	Site Construction	7 weeks
2	a) Mobilisation and demobilisation	7 weeks
	b) Drilling borehole and completion	
3	a) Initial well testing	1 week
	b) Proppant Squeeze	1 week
	c) Flow Test	15 weeks

4	Well-decommissioning and resto-ration	6 weeks

Which would allow control over the works proposed, to ensure where possible, minimal impact to amenity. Therefore the hours of operation are considered acceptable and in compliance with the amenity protection elements of MWJP Policy D02 as the proposal is designed to minimise the impact of the working and safeguard amenity standards, with no unacceptable impacts on the local environment or residents. It is also considered that the proposed development is consistent with NPPF paragraphs 187 (e), 198 and 224 (c) when taken as a whole with the other local amenity considerations discussed in this report, with no objections from consultees in regards to these hours of operation.

Air Quality and dust

10.66. The relevant Development Plan policy against which to assess the proposed development's effects associated with air quality and dust, and the impact upon both the local community and the natural environment are MWJP Policies M17 (Other spatial and locational criteria applying to hydrocarbon development), which states that hydrocarbon development will be permitted in locations where it would not give rise to unacceptable impact on local communities or public health; and that proposals involving hydraulic fracturing should be accompanied by an air quality monitoring plan; D02 (Local amenity and cumulative impacts) which seeks to safeguard communities and residents from unacceptable impacts; D14 (Air Quality) which states that proposals for mineral and waste development will be permitted provided that there are no unacceptable impacts on the intrinsic quality of air and the management and protection of air quality; and SBLP Policies DEC 4 (Protection of amenity) and ENV 3 (Environmental Risk) which states that development should not result in unsatisfactory air quality for the locality or wider area. NPPF paragraph 223 also seeks to ensure that minerals development does not have an unacceptable adverse impact on the natural and historic environment or human health.

10.67. Point 4)iii) of Policy M17 refers to air quality monitoring, and states that proposals involving hydraulic fracturing should be accompanied by an air quality monitoring plan and Health Impact Assessment. The AQ assessment has concluded that a construction environmental management plan would be prepared, as secured by condition.

10.68. Point 4)iv) of Policy M17 further states that "*proposals should include measures appropriate and proportionate to the development to manage waste gas emissions, including the capture and use of the gas where practicable, to ensure there is not an unacceptable impact on local communities or public health and to make practical use of any waste gas available".* According to the proposed site layout, a shrouded ground flare would be sited in the northern corner of the site. The flare is 12m in height. All produced gas during the testing period would be disposed of by burning the gas in the flare. The environmental permit issued by the EA would regulate the amount and frequency of gas to be burnt.

10.69. Many objections raise concerns with regard to air quality impact, particularly the use of heavy machinery onsite, increased vehicle movements in the area as a result of the proposed development and the vehicles emissions associated with this, and the flow testing stage of the development which would include the incineration and combustion of produced natural gas testing from a shrouded ground flare.

10.70. An Air Quality Impact Assessment (AQIA) has been undertaken in respect of the proposed development. The assessment states that the predominant source of pollutant releases during site operations would be from the use of diesel in mobile plant, stationary engine and construction vehicles used on site; the incineration and combustion of produced natural gas during flow testing from a shrouded ground flare; and release of natural gas from well development and testing. An Emissions Report was also undertaken and accompanies the application, which assesses the expected and reasonable worst-case emissions from the proposed development. This report summarises that the largest difference in emissions between the two scenarios is observed in the testing and completions phase.

10.71. The results of the AQIA are summarised in the planning statement as follows:

- *"maximum pollutants as a result of the Proposed Development will occur within the wellsite boundary, beyond which they reduce significantly with distance. It is not considered that statutory air quality standards would be applicable around the area of maximum impact, or around and just beyond the site boundary, due to the infrequency of human exposure and limited access;*
- *along the nearby public footpaths, where short term environmental standards might be expected to apply, it is considered that process pollutant contributions in practice will be insignificant and unlikely to compromise attainment of these standards;*
- *at neighbouring locations of residential occupation, where long term human exposure might be expected, it is considered that pollutant process contributions from the site operations will be insignificant, with predicted environmental concentrations of all pollutants around, and in most cases substantially less than, a third of the applicable standard;*
- *bearing in mind the precautionary assumptions made in the assessment, it is considered unlikely that pollutant process contributions from the development will pose any risk to, or have any meaningful influence on, the continued attainment of air quality standards at the nearest locations of human exposure;*
- *at the nearest ecological sites requiring assessment, which are sensitive to nitrogen oxides, sulphur dioxide and nitrogen and acid deposition, the Proposed Development is considered unlikely to pose any threat to, or have any substantial influence on, the attainment of critical levels and critical loads;"*

It is noted within the planning statement that it is likely that the construction activities associated with the development of the wellsite would give rise to dust emissions. '*It is considered that through the implementation of standard industry mitigation measures any the risk of adverse dust impacts will be 'negligible'*.

10.72. In addition, the wellsite would operate under an Environmental Permit and in accordance with established strict management procedures and controls enforced by the Environment Agency. Such measures would continue to be applied throughout

the life of the proposed development. Increases in road traffic, brought about by the construction activities and subsequent site operation, are assessed to have a neutral impact on air quality based on the guidance within Highways England's (now National Highways) Design Manual for Roads and Bridges. There is a risk, albeit considered negligible, of fugitive releases of natural gas during well drilling development and testing. The sulphur compounds within this release are potentially odorous. An odour impact assessment concluded that fugitive releases pose a negligible risk to loss of amenity due to odour at the nearest residential neighbours.

10.73. The Environmental Health Team (Scientific Officer) raised no objection to the proposed development and affirms in their response that the air quality assessment of hydrocarbon appraisal operations report conducted by Socotec on behalf of Europa Oil and Gas Limited was a desk top based assessment using the UK ADMS modelling system. They suggest that because the developer has not conducted any live sampling of the air quality to confirm the findings of the report produced by Socotec, that it is important that the Local Authority understand the impact of such activity on the Local Air Quality and therefore requested a condition for the monitoring of air quality, specifically the submission of an air quality monitoring plan to include monitoring of local air quality and sampling of PM2.5.

10.74. The Environmental Health Team (Environmental Protection) again raised no objection to the proposed development in respect of air quality but requested one condition in relation to dust control, requiring all efforts to be made to reduce dust generation to a minimum; this is particularly in relation to stock piles of materials (soils) on site that are likely to generate dust, and that they are sited so as to minimise any nuisance to residents or neighbouring businesses. The NYMNP also suggested that NYC should impose appropriate controls and/or conditions relating to the Applicant's proposed mitigation and monitoring measures with regard to noise, dust, odour and other emissions to air and water.

10.75. Giving consideration to all of the above with regard to air quality and dust, it is considered that the development would not have an unacceptable impact on air quality or the local amenity and is consistent with the NPPF and PPG for Air Quality as the proposed development lies in an acceptable location and would not have any likely negative effects on health, living conditions or the natural environment. This is also considered to be in compliance with SBLP Policies DEC 4 (Protection of amenity) and ENV 3 (Environmental Risk) in regard to air quality. The proposal is also considered to be in compliance with Policy D02 of the MWJP in regard to local amenity and cumulative impacts, and D14 (Air Quality) which states that proposals for mineral and waste development will be permitted provided that there are no unacceptable impacts on the intrinsic quality of air and the management and protection of air quality. It is considered the assessments accompanying the planning application gives due regard to the air quality impacts and the proposal would put in place specific mitigation measures necessary to limit the impact of the site, via the proposed conditions discussed above.

10.76. To conclude, in regard to air quality and dust, it is considered that the proposal would be able to be controlled through conditions. Any likely impact of dust upon any local receptors or the local environment, are considered to be mitigatable via the conditions as discussed above; as well as the number of HGV movements which would be

restricted to 40 per day (20 in and 20 out); the request for a record of all heavy goods vehicle movements into and out of the site to be maintained on site; and the restriction of hours of working. The proposed development is therefore considered to be consistent with the principles of the NPPF in relation to ensuring unavoidable dust emissions are controlled. The proposal would also be consistent with the MWJP Policy D02 in regard to local amenity and cumulative impacts, and D14 (Air Quality). The development would also be compliant with SBLP Policies DEC 4 (Protection of amenity) and ENV 3 (Environmental Risk) in regard to air quality. It is also considered that the proposed development is compliant with the Equality Act (2010) and the Human Rights Act as its impacts would be mitigated through the condition to control dust stated earlier in this paragraph, therefore protecting residential amenity and the right to the peaceful enjoyment of one's property.

Odour

10.77. Objections received raised concern toward the potential for odour arising as a result of the proposed development. As discussed briefly above with regard to air quality, there is a risk, albeit considered negligible, of fugitive releases of natural gas during well drilling development and testing. The sulphur compounds within this release are potentially odorous. An odour impact assessment concluded that fugitive releases pose a negligible risk to loss of amenity due to odour at the nearest residential neighbours.

10.78. As discussed above, Point 4)iii) of Policy M17 refers to air quality monitoring, and states that proposals involving hydraulic fracturing should be accompanied by an air quality monitoring plan and Health Impact Assessment. The AQ assessment has concluded that a construction environmental management plan would be prepared, as secured by condition. The assessment confirms that there is no need for the monitoring of odour or for the impact of construction and operations traffic as this will be negligible.

10.79. This is again further affirmed by the no objection response from the Environmental Health Team (Environmental Protection), who requested one condition in relation to odour for the submission of an odour management plan, prior to commencement. The NYMNP also suggested that NYC should impose appropriate controls and/or conditions relating to the Applicant's proposed mitigation and monitoring measures with regard to noise, dust, odour and other emissions to air and water.

10.80. Similarly to the above and to conclude, in regard to odour, it is considered that the proposal would be able to be controlled through condition. Any likely impact of odour upon any local receptors or the local environment, are considered to be negligible and/or mitigatable via the conditions as discussed above. The proposed development is therefore considered to be consistent with the principles of the NPPF in relation to protection of amenity. The proposal would also be consistent with the MWJP Policy D02 in regard to local amenity and cumulative impacts, and D14 (Air Quality). The development would also be compliant with SBLP Policies DEC 4 (Protection of amenity) and ENV 3 (Environmental Risk). It is also considered that the proposed development is compliant with the Equality Act (2010) and the Human Rights Act as its impacts would be mitigated through the condition to control odour, therefore protecting residential amenity and the right to the peaceful enjoyment of one's

property.

Landscape and Visual Impact

10.81. A large majority of the objections received make reference to the potential impact upon the landscape character, particularly the Heritage Coast, the National Park and Dark Skies reserve. Objections consider that the visual intrusion and industrial activity associated with the proposal would detract from the scenic quality and tranquillity of these landscapes and is not appropriate for the location as proposed.

10.82. A Landscape and Visual Impact Assessment (LVIA) has been undertaken for the proposed development, which also includes a nighttime assessment. In this case a study area of 5km has been used and it is considered that this study area is adequate to identify all significant effects on landscape and views given the setting of the site, within an open rolling coastal landscape flanked by dramatic cliff faces and upland landscape and woodland associated with the North York Moors National Park.

10.83. The proposed development would include regrading of the site to allow for development and the inclusion of an earth bund along the site's northern and eastern boundaries. The bund would be seeded with an appropriate grass mix and would aid with visual screening from receptors to both the north and east. All existing boundary vegetation including hedgerows along the north and eastern boundary and a block of woodland along the southern boundary would be retained. The development would include the erection of tree protection fencing at an appropriate distance and in accordance with BS5837 (2012). Following operation, the site would be regraded and returned to agriculture.

10.84. The proposed wellsite is located 350 metres to the east of the village of Burniston, 700 metres southwest of the coastline and 800 metres south of the North York Moors National Park boundary. Access to the Site is from an existing private access road to the A165 Coastal Road which connects Scarborough to the south with Whitby to the north. Burniston is 6 kilometres north of Scarborough. The Site comprises 1.4 hectares (ha) in area and includes an existing private access road which provides access to Burniston Mill and a small number of industrial units known as Mill Yard. The Site is located within an agricultural field, immediately adjacent to a small PV solar array. It lies outside the defined development limit of Burniston and is located within the open countryside. The settlement pattern outside Burniston village is dispersed and sparse with few residential properties in the vicinity.

10.85. With regard to the surroundings, the Site lies within the Rugged Cliffs, Coastal Valleys and Bays Landscape Character Type (LCT 15). It is characterised by steep, rugged coastal cliffs and bays with an undulating or rolling coastal hinterland. There are patchworks of arable fields and grassland, interspersed with small pockets of deciduous woodland and suburban development.

10.86. The Site does not fall within an area designated nationally for its landscape value. It falls within the non-statutory designation of the North Yorkshire and Cleveland Heritage Coast. The North York Moors National Park boundary lies 800 metres to the north and 2 kilometres to the west. The Site falls within National Character Area (NCA): 25 North York Moors and Cleveland Hills (Natural England, 2012), which

comprises a well-defined upland area, bordered by the North Sea with extensive stretches of high coastal cliffs exposing the sandstone geology. Land use surrounding the Site is agricultural in nature; the character of the area is open countryside with field boundaries marked by ditches, hedgerows and trees. More locally the site is situated within LCA D3: Scalby Character Area of the Scarborough Borough Landscape Study: Vol 1 Borough wide Landscape Character Assessment (2013). For the purposes of assessment the local landscape character has been used, supplemented by the regional character where appropriate.

10.87. The proposed development has been designed to minimise the impact upon the local area by using the existing local topography and natural vegetation. It benefits from a gently south-sloping site which will help reduce views of the plant and machinery from the Heritage Coast and the Cleveland Way long distance footpath to the north east. The Site is served by an existing private access track off the A165 road. It is shielded from views to the south west and from noise emissions by the existing industrial units within the Mill Yard. No changes are proposed to the existing Site access track, and the Site benefits from existing screening vegetation.

10.88. The LVIA affirms that there is potential for visual impact, particularly during the drilling phase, when the drilling rig would be on site (approx. 38 metres high over a period of around 5 weeks). It is envisaged that the testing phase of the development would have a lesser impact on landscape and visual amenity due to the lower-level infrastructure associated with this.

10.89. A number of visual receptor groups were identified within the LVIA, of which each have been assessed in terms of potential visibility of the proposed development, as follows:

Burniston – The site lies on the southern edge of Burniston village. Visibility would be largely restricted within the village itself by terrain, vegetation and built form, as illustrated in the Zone of Theoretical Visibility (ZTV). The ZTV indicates potential visibility for some residents on the higher ground to the north and western edge, although localised trees (not included in the ZTV) in gardens and field boundaries limit outward views. Views of the proposals are likely to be limited to movement of traffic during construction and the upper extents of the drill rig, which sits at 38m in height, during operation. There is similar potential visibility from local roads within the village setting particularly where roads follow the terrain to higher ground such as Limestone Road, Stone Quarry Road and Lindhead Road. Likewise, there are similar potential views from the local network of PRoW that cross the farmland on the rural edge of the village including footpaths 30.5 1/1, 30.3 9/1, 30.3 10/1 and 30.3 14/1 (Viewpoint 5).

Scalby – Scalby village sits over 1.5km south of the site with potential for views of upper extents of the drill rig from residential properties on the villages northern edge, particularly on higher ground along Field Lane and Scalby Road as shown by the ZTV analysis. PRoW within and surrounding Scalby are included within this receptor group namely footpaths 30.16 10/1, 30.16 14/1, 30.16 001/, 30.16 2/1 and restricted byway 30.16 4/1. Views from Scarborough Rugby Club are also represented within this receptor grouping (Viewpoint 6).

Cloughton – Cloughton is situated approximately 1.5km north of the site beyond Burniston. The ZTV indicates some visibility of the drill rig from residential properties along the village's southern edge and on higher ground to the north. This receptor group is also inclusive of potential views of the drill rig from local roads surrounding Cloughton such as Station Road and views from residential properties within the National Park outside the village of Cloughton including Cloughton Fields Farm to the north of the Site and Ripley's Farm to the north-west. Recreational users of local PRoW within and adjacent to the settlement namely footpath 30.5 205/1 and the northern extents of footpath 30.5 1/1 are considered within this grouping (Viewpoint 4 and Viewpoint 7).

Recreational Routes along High and Low Toft Hills – This receptor group comprises recreational users of PRoW that cross the High and Low Toft Hills between the villages of Burniston and Scalby including footpaths 30.3 3/1, 30.3 2/3 and bridleway 30.3 4/2. Parts of these recreational routes lie on higher ground within the rolling farmland landscape where open views eastward to the heritage Coast are available. However, views are likely to be limited to the uppermost parts of the drill rig due to intervening landform, vegetation and buildings, in particular the Mill buildings adjacent to the Site.

10.90. In terms of potential visibility from the local highway networks the assessments undertaken deem that visibility of construction traffic is likely on the A165 Coastal Road, as well as views of the uppermost parts of the drill rig above the tree canopy from both the Coastal Road and the A171 Scalby Road/Mill Lane.

10.91. Although the site does not sit within the North York Moors National Park it sits within its setting at approximately 800m south at its closest point. The National Park Special Qualities indicate the importance of views across the landscape, including areas within the national park setting and visible links to cultural heritage.

10.92. A significant proportion of objections raised make reference to the impact of the proposed development on the local recreational routes, including but not limited to, the Cleveland Way National Trail and the Cinder Track (National Cycle Route 1). The ZTV indicates theoretical visibility from the majority of the national trail within 2km of the site, with views of development likely from higher ground with landform screening views from some parts of the route. Views from the south will likely be limited to the 38m tall drill rig due to extensive woodland along the Sites southern boundary. However, some views from the north to within the Site are likely in places where the landform rises. The NCR/Cinder Track runs in a north-south direction passing the Site at approximately 0.2km at its closest point. The ZTV indicates theoretical visibility from approximately 4km along this route as it passes through the study area close to the Site. Part of the route is lined by trees and scrub, limiting views outward, however, some visibility of development is likely where gaps in vegetation occur. To the south views will likely be limited to the uppermost parts of the drill rig. Passing the Site, where the NCR crosses the A165 Coastal Road, views of construction traffic are likely as vehicles enter and leave the Site. To the north, views may occur where gaps in vegetation occur but are likely to be limited to the uppermost parts of the development.

10.93. Within the LVIA there are a number of receptor groups that were not assessed further due to minimal/negligible feature in views and distance. These include Scarborough (including Scarborough Castle); Throxenby (including Raincliffe Woods); and Beacon Brow Road and Silpho Brow. The LVIA states that views of development from these locations is unlikely to give rise to significant effects.

10.94. As mentioned earlier in this section, the potential impact on the heritage coast has been raised many times throughout objections received for this application. The LVIA considers the Heritage Coast to be of high/medium sensitivity, looking at the potential impact on the heritage coast, and discusses the impact during each phase. It is envisaged that during phases 1 (construction) and 4 (well decommissioning) that activity would be partially visible within this landscape but of small/negligible scale. "*Changes to the landscape would occur to within 1km that would see the introduction of unfamiliar elements such as earthworks and the introduction of site infrastructure. There would be a Negligible magnitude of change arising from construction resulting in Minor/Negligible (not significant) Adverse effects that would be short term, temporary and reversible".* It is envisaged that during phase 2, the drilling operations would introduce a further "*uncharacteristic element into the landscape of the Heritage Coast which would be of Small scale and Limited extents to within 1.5km of the Site. There would be a Negligible magnitude of change and combined with the High/Medium sensitivity, would result in Minor Adverse effect that would be not significant".* Similarly to phases 1 and 4, following the demobilisation of the drill rig, phase 3 would bring a negligible scale of change with very limited to views of earth bunds and infrastructure. There would be a Negligible magnitude of change and Minor/Negligible Adverse effect that would be not significant.

10.95. Previously mentioned is that the site falls within the Scalby LCA, and again the LVIA concludes that effects would be moderate adverse and not significant.

10.96. Visual effects on all of the above constraints have also been assessed, of which phase 2 for the duration of the drill rig being in place, is deemed the most impactful (worst-case), visually. The assessment deems that even at most, minor adverse and not significant effects would occur, with the remaining phases deemed minor/negligible.

10.97. Paragraph 189 of the NPPF states: '*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'.* Paragraph 191 of the NPPF states: '*Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 189), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character*.'.

10.98. Local Plan Policy includes MWJP policies D06 (Landscape); and SBLP policies ENV7 (Landscape protection and sensitivity) and INF 4 (Cinder Track - the former Scarborough to Whitby Railway Line). The Natural Environment PPG which examines key issues implementing policies to protect and enhance the natural environment, including landscape is also relevant, along with paragraph 187 of the NPPF which seeks to ensure that development contributes to and enhances the natural and local environment.

10.99. The Council's Landscape Architect responded to consultation stating that there are likely to be short-term adverse landscape and visual effects because of the nature of the proposed development in a highly sensitive landscape location within the North Yorkshire and Cleveland Heritage Coast, and due to proximity and landscape setting of sensitive receptors such as Burniston Village and the coastal footpath. Impacts are likely to be moderate adverse which in this case the landscape team would consider significant. They further state that the development would not be consistent with the special character of the Heritage Coast area and the importance of its conservation. They would consider this to be major development and contrary to the policy for Heritage Coast as set out in paragraph 191 of the NPPF, and that the development is likely to have significant short-term impact on the purpose for which the area has been defined.

10.100. As discussed earlier in this report, the Applicant responded to the various concerns expressed by the Landscape Team, highlighting the temporary nature of the development, specifically the rig being in place for a short-term period of approximately 5 weeks. The Moderate adverse landscape and visual effects are likely to be during the construction and operational period of the development. Following this, the landscape team acknowledged the contents of the Applicants response and reverted to the initial request for conditions on any grant of planning permission. The requested conditions as of the initial response include protection of existing boundary trees and hedgerows via the submission of a Tree Protection Plan; submission of a soil resource management plan; control and limiting of duration for each working phase within the 3-year permission period; control of height of all buildings and equipment (as per the approved plans); lighting scheme; and the reinstatement and remediation of the site following completion of the works.

10.101. The potential impact upon the landscape character, including the heritage coast is acknowledged. However, consideration is given on planning balance to include the conclusions of the LVIA and the response from the Landscape Architect, along with a response from Natural England, who have not objected to the proposed development considering it unlikely to have any significant adverse impacts. Notwithstanding that the proposed site is for a new wellsite, and as above it is acknowledged that moderate adverse landscape and visual impact would be more so likely to be during the construction and operational period of the development, it is not considered that the development would significantly increase its impact on the surrounding landscape given the low-lying nature of the development, with the exception of the 38m high drill rig being in place for approximately 5 weeks. NPPF paragraph 222 states that minerals are a finite natural resource and can only be worked where they are found, and whilst there would be some impact on the landscape in the short term, as stated in the LVIA (particularly during phase 2 – 7 week period) until the operations are complete, mitigation measures along with the natural screening and topography of

the site would in place to minimise the visual impact of the site on the landscape and overall the proposal meets the principles of MWJP policies D06 (Landscape); and SBLP policies ENV7 (Landscape protection and sensitivity) and INF 4 (Cinder Track - the former Scarborough to Whitby Railway Line). The proposed development is considered short term, and although located within the sensitive heritage coast area, is consistent with the Natural Environment PPG which examines key issues implementing policies to protect and enhance the natural environment, and the NPPF.

Soil and Agricultural Land Use

10.102. It is acknowledged that objections received raise concerns over the loss of agricultural land as a result of the proposed development. The agricultural land classification is Grade 3b and is therefore not defined as best and most versatile land. A soil survey was undertaken as part of the proposed development supporting information, and found the topsoil to be predominantly medium clay loam; the upper subsoil is heavy clay loam and the lower subsoil is clay.

10.103. The proposed development would result in the temporary loss of agricultural land, however it would not result in the permanent sterilisation of any agricultural land. The soil that is to be removed would be stored on a short-term basis as topsoil bunds and reinstated once works have been completed. All above-ground equipment and infrastructure would be removed, and the wellsite would be restored to agricultural use or to an approved new use appropriate for the area as appropriate.

10.104. It is considered that the temporary loss of agricultural land and restoration to agriculture is acceptable on planning balance, given that the land would be restored to agriculture and of a high standard that would be secured by condition. The development accords with MWJP Policies D10 (Reclamation and afteruse) and D12 (Protection of agricultural land and soils), which states that proposals which require restoration and afteruse elements will be permitted where it can be demonstrated that they would be carried out to a high standard and, where appropriate to the scale and location of the development. There exist conditions that are capable of being imposed regarding the storage and handling of soils on site, which were requested by the Landscape Architect and which are proposed in the conditions at the end of this report. It is also considered that a high standard of restoration would be achieved, and this would be secured via the proposed conditions. It is therefore considered that the proposed development accords with Policies D10 and D12 of the MWJP.

Ecology and Biodiversity

10.105. Development Plan Policies relevant to the proposed development in terms of ecology and the natural environment include MWJP policies D07 (Biodiversity and Geodiversity), which states that proposals will be permitted where it can be demonstrated that there will be no unacceptable impacts on biodiversity or geodiversity; and ENV8 (Green Infrastructure), which requires all forms of development to investigate the potential to integrate with nearby existing green infrastructure assets. SBLP Policy ENV 5 (The natural environment) states that proposals should respond positively and seek opportunities for the enhancement of

species, habitats or other assets thereby resulting in a net gain in biodiversity. The natural environment PPG, which examines key issues implementing policies to protect and enhance the natural environment, including landscape is also relevant, along with paragraph 187 of the NPPF which seeks to ensure that development contributes to and enhances the natural and local environment.

10.106. The Site does not lie within any statutory or non-statutory ecological designations. There are no Special Protection Areas (SPAs), Special Areas of Conservation (SACs), National Nature Reserves (NNRs) or Local Nature Reserves (LNRs) within 2 kilometres of the Site. There is one national ecological designation within 1 kilometre of the Site, which is the Coastal SSSI (Iron Scar and Hundale Point to Scalby Ness) that lies 640 metres to the east of the site. There is one non-statutory designated site within 1 kilometre of the Site, which is the Scarborough to Whitby Disused Railway Site of Importance for Nature Conservation (SINC), that lies 360 metres west of the site.

10.107. It is acknowledged that many of the objections received refer to the SSSI mentioned above, Iron Scar and Hundale Point to Scalby Ness, and the potential impact upon this as a result of the proposed development. Objectors also raise issues with the accuracy of the Preliminary Ecological appraisal. They also raise concern regarding the potential impact on ecology and biodiversity, including nesting/foraging birds, and birds including barn owl, skylark, lapwing, yellowhammer and song thrush; bats, reptiles, hedgehogs, deer, Great Crested Newt and other protected species. Further concern is raised regarding the potential threat to biodiversity, with proximity to designated ecological sites such as Burniston Beck local wildlife site.

10.108. In terms of habitats, the majority of the site where the wellsite would be located is an area of modified grassland. The grassland is considered to have negligible ecological importance according to the Preliminary Ecological Appraisal (PEA). No trees, hedgerows, scrub, neutral grassland or woodland boundaries will be impacted by the works. An area of modified grassland would be temporarily lost due to well construction, drilling and flow testing operations, however, this habitat would be fully restored upon completion of the works. In terms of watercourses and the concern over threat to wildlife and biodiversity, all nearby watercourses in proximity to the site have been assessed and it is considered that there would be no impact as a result of the proposed development.

10.109. Furthermore, a small area of mixed woodland stretches along the entirety of the southern and eastern boundaries. There are extensive stretches of mature native hedgerow along the northern and western boundaries. There were no gaps within the hedgerow and it connected to the woodland towards the north-eastern boundary of the Site. The western hedgerow links to a line of semi-mature and mature trees, 80m in length, located towards the existing entrance. Both stretches of hedgerow are judged to be Habitats of Principal Importance and have the potential to be considered “important” under the Hedgerow Regulations 1997. The hedgerows provide critical habitat for a variety of wildlife and also serve as important corridors for wildlife. No trees or hedgerows are scheduled for removal or pruning.

10.110. A desk study and a field survey (an extended Phase 1 habitat survey) of the Site were undertaken in June 2024 and Preliminary Ecological Appraisal (PEA) was produced

as a result. The PEA summarised that the habitats on site provide some opportunities for common nesting bird species in the form of boundary hedgerows, mixed scrub, lines of trees and woodland. None of these habitats are anticipated to be directly impacted (e.g., removal, pruning) as part of proposed works. Given that the proposed works are limited to areas of modified grassland and hardstanding, with other suitable habitats for notable species remaining unaffected and protected, no impacts to potential nesting birds, reptiles, Hedgehogs, bats, or their habitats are anticipated.

10.111. The PEA did however affirm that while the majority of habitats on-site were considered of low value for foraging and commuting bats, the linear features, such as boundary hedgerows, woodland, and tree lines, have the potential to serve as important corridors for local bat populations. It therefore recommended that works be undertaken during daylight hours where practical. Although the majority of works are expected to occur during daylight hours, certain activities (drilling) may require 24-hour operation, including work between dusk and dawn. In these cases, where artificial lighting is necessary, a sensitive lighting strategy should be implemented to minimise illumination of key boundary habitats, reducing potential disturbance to commuting and foraging bats.

10.112. The PEA summarised that providing the recommendations detailed in the PEA are adhered to, it is considered likely that the proposed development would comply with relevant policies of both the MWJP, the SBLP and NPPF paragraphs 193 and 195 in relation to protected and notable species.

Biodiversity Net Gain (BNG)

10.113. As the works are temporary and confined to areas of modified grassland, enhancement opportunities could include increasing the biodiversity of modified grassland through the creation of native wildflower meadows and closing gaps in the existing hedgerows to improve habitat connectivity. BNG assessment has been undertaken with regard to the proposed development, and has established that, with suitable onsite and offsite enhancement of hedgerow and area habitats, the statutory minimum 10% BNG gain can be achieved as a result of the proposed development.

10.114. The Council's Ecologist raised no objection to the proposed development, and in terms of the concerns raised over the accuracy of the Preliminary Ecological Appraisal and omissions within, specifically relating to Great-Crested Newt, birds, bats, reptiles and hedgehogs, was satisfied that the PEA was accurate and had been undertaken correctly. The Ecologist recommended a number of planning conditions, including but not limited to; to secure the submission of a detailed Construction Ecological Management Plan (CEcMP) and adherence to the sensitive lighting strategy to ensure protection of habitat during site set up and construction. The Ecologist noted that given the temporary nature of the works and the measures in place to reduce light spill onto adjacent habitats as far as is possible, they are satisfied that there would be no impact upon adjacent habitats and species from the proposed lighting and that this could be controlled through the suggested conditions. The full list of requested conditions includes:

- Submission of a Construction Ecological Management Plan (CEcMP);
- Adherence to the sensitive lighting scheme assessed through the Lighting Impact Assessment (WSP, 2025) to ensure the scheme avoids illuminating the semi

natural habitat corridors and to limit construction activities between dusk and dawn;
- Submission of Decommissioning Ecological Management Plan (DEcMP);
- Biodiversity Net Gain implementation;
- Submission of a Habitat Monitoring and Management Plan (HMMP) and adherence to it thereafter for 30 years.

10.115. As discussed within section 7 of this report, specific correspondence was received from a local resident, who stated that Great-Crested Newts (GCN) are present in a pond less than 300 metres away from the proposed site and this was brought to the attention of the Ecology Team, who asked for a further update to the Preliminary Ecological Appraisal (PEA) to confirm known presence of GCN in the area. The PEA was further updated in September 2025 to address this, and the Ecologist further responded confirming that they maintain their position that potential impacts upon amphibians (including great crested newts) utilising retained terrestrial habitat along the boundaries of the site can be adequately protected and mitigation through measures to be agreed within the Construction Ecological Management Plan (CEcMP) including but not limited to pre commencement surveys, retention and buffering of boundary habitats and an Ecological Clerk of Works to undertaken site checks in advance of site clearance and construction. They further state that there would be no loss of ponds and the terrestrial habitat to the site boundaries would be retained. As such, should great crested newt be present in the vicinity of the site, the development as proposed would be unlikely to impact upon the favourable conservation status of the species.

10.116. Notwithstanding the objections received from YWT and the wider publicity exercise for the proposed development, given the conclusions of the PEA, the proposed provisions of BNG, and the response from the Ecologist who suggests a number of mitigatory measure be secured via condition (see conditions list), it is considered that that the proposed development is consistent with MWJP policies D07 (Biodiversity and Geodiversity) and ENV8 (Green Infrastructure); SBLP Policy ENV 5 (The natural environment); the natural environment PPG; and paragraph 187 of the NPPF, which seeks to ensure that development contributes to and enhances the natural and local environment. The proposed development would provide net gains for biodiversity, would have no significant impact upon wildlife or protected species; and would have no significant impact on any locally or nationally designated sites. The mitigation proposed to be secured by conditions ensure that the proposed development is acceptable in terms of ecology and biodiversity.

10.117. In conclusion, the proposal is accompanied by the Preliminary Ecological Appraisal, which concludes that there would be no significant impact as a result of the proposed development; there is no evidence the proposal would have an unacceptable adverse effect on the ecology of the area subject to the employment of mitigation measures that could be controlled by conditions. There would be no loss of trees or hedgerow, and the proposed restoration would result in a minimum of 10% biodiversity net gain.

Historic Environment

10.118. It is acknowledged that a number of objections raised concern regarding a lack of information presented in relation to the historic environment, and the absence of a heritage impact assessment, despite the site's proximity to listed buildings and conservation areas. An Archaeological desk-based assessment (DBA) has been undertaken in respect of the proposed development and accompanies the application. The Assessment area is taken as an area of 1km radius from the red line boundary of the application site. There are no Scheduled Monuments within the assessment area. There are 12 listed buildings within the assessment area, all of which are Grade II. The closest listed building to the wellsite is Barn House which is located approximately 520m west. Burniston conservation area lies 500m to the west. LiDAR data indicates two pronounced parallel ridges in a north east to southwest alignment. The North Yorkshire Historic Environment Record identifies a number of medieval and post medieval ridge and furrow entries within the assessment area. Several sets of trial trenching and archaeological monitoring have been conducted and none have resulted in archaeological finds. A walkover survey was also conducted in August 2024.

10.119. Development Plan policies relevant to the historic environment include MWJP Policy D08 (Historic environment) which states that proposals will be permitted where it can be demonstrated that they will conserve and, where practicable, enhance those elements which contribute to the significance of the area's heritage assets including their setting, and SBLP policies DEC5 (The Historic and Built Environment) which requires proposals to conserve historic rural, urban and coastal environments; and DEC6 (Archaeology) which requires proposals that may affect scheduled monuments or non-designated archaeological assets to undertake an archaeological desk-based assessment and an evaluation report in order to provide a consideration of the possible impact of a proposal on a heritage asset.

10.120. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be paid in the exercise of planning functions to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. The consideration of potential harm to heritage assets is considered within paragraphs 212-217 of the NPPF which sets out how to consider the impact or harm of a proposed development on the significance of a heritage asset. Given the distance between the site and the local heritage assets, it is considered that no harm would be brought about to the heritage assets or their setting. Since there is no harm to local heritage asset or their setting, there is no requirement for an assessment of public benefits that outweigh the harm. It is therefore considered that the proposal complies with Policy D08 of the MWJP and SBLP policies DEC5 and DEC6, which are consistent with the NPPF.

10.121. Paragraph 212 of the NPPF states that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

10.122. The DBA found that the drilling rig has the potential to be distantly visible from designated assets for a temporary period. Groundworks for the Proposed Development, including the construction of the wellsite, earth bunds and enabling works, have the potential to impact surviving buried archaeological remains and

would likely truncate or remove any surviving archaeological remains to the depth of construction. The DBA concluded that mitigation to offset the impact from the proposed development would be required, in the first instance, in the form of a programme of archaeological evaluation in accordance with a Written Scheme of Investigation.

10.123. The Council's Archaeologist confirmed no objection to the proposed development and confirmed that they agree with the conclusions of the DBA that the development area has low archaeological potential.

10.124. MWJP Policy D08 lends support to those proposals that are able to conserve and enhance those elements that contribute to the significance of the area's heritage assets including their setting. SBLP policies DEC5 seeks to conserve historic rural, urban and coastal environments; and DEC6 (Archaeology) which requires the archaeological desk-based assessments for proposals. Considering all of the above, including the findings of the DBA, the response from the Archaeologist, and the proposed mitigatory condition requiring the submission of a WSI, the proposed development is appropriate in respect of the historic environment and is consistent with NPPF paragraph 203, which seeks conservation and enjoyment of the historic environment.

Flood risk, Hydrology and Surface water drainage

10.125. It is acknowledged that many objections received raise concerns regarding flood risk, and the potential risk to ground and water sources via potential leakages and contamination resultant in risk to public health and wildlife.

10.126. Development Plan policies relevant to the water environment comprise MWJP policies M17 (Other spatial and locational criteria applying to hydrocarbon development), which states that applications for appraisal activities should address the potential for cumulative impacts of development upon climate change; D02 (Local amenity and cumulative impacts) which states that minerals and waste development will be permitted where there will be no unacceptable impacts on emissions to water; and D09 (Water environment) which states that proposals for minerals and waste developments will be permitted where there will be no unacceptable impacts on surface or groundwater quality and/or surface or groundwater supplies and flows. SBLP Policy EN3 (Environmental Risk) also applies, which states that proposals will be expected to mitigate against environmental risk and climate change by avoiding development in high flood risk areas; make adequate provision for foul and surface water disposal and ensuring development does not lead to the pollution of controlled waters.

10.127. Chapter 2 (Sustainable Development) and Chapter 17 (Facilitating the Sustainable Use of Minerals) of the NPPF are both relevant; along with the Climate Change PPG and NPPF Chapter 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), which states that development should be made safe for its lifetime, without increasing flood risk elsewhere.

10.128. A Hydrogeological Impact Assessment and Flood Risk Assessment has been prepared in respect of the proposed development (Flood Risk Assessment and Surface Water Drainage Strategy - most recent revision F6 – July 2025). According to the Environment Agency (EA, 2023) online flood map for planning, the Site lies within Flood Zone 1, being land at very low risk of flooding from fluvial sources (land having a less than 1 in 1,000 annual probability of flooding from rivers or the sea).

10.129. The Assessment summarises that the closest watercourse to the site is the Burniston Beck, located approximately 115m southwest of the site's entrance. This watercourse flows south-eastwards, becoming the Cow Wath Beck before discharging into the Scalby Beck (Sea Cut), 2 km south of the site. A small drainage ditch runs northwest to south-eastwards, approximately 180m southwest of the centre of the Site, between the photovoltaic panel array field and the Mill Yard Industrial units. A small drainage ditch is located close to the southeast border of the Site, southeast of the woodland. It drains directly into the Burniston Beck. A small pond is located approximately 100m to the southwest of the centre of the site, immediately to the south of the photovoltaic panel array. Another small pond is located 80m north of the site's entrance. At least 20 other smaller ponds are present within a 3 km radius of the site boundary. The Site is not located within a Source Protection Zone (SPZ), Drinking Water Safeguard Zone (Surface Water) or Drinking Water Safeguard Zone (Groundwater).

10.130. As discussed earlier in this report, the proposed wellsite would be constructed as a bunded, sealed site with sufficient containment capacity to avoid possible pollutants from discharging from the site. Any risk of pollution caused by water run-off is proposed to be mitigated by using standard techniques that have proven successful at other onshore sites. A High-Density Polyethylene (HDPE) impermeable membrane would be installed across the Site under a (Construction Quality Assurance (CQA) plan. This would ensure that there will be suitable protection of the groundwater from any pollutants.

10.131. Attenuation storage would be provided within the surface water containment tanks, the perimeter ditch (including perforated pipe and stone surround) and the subbase. Water would be tankered off-site for treatment at an appropriate facility (see paragraph. Below regarding waste water management). Rigorous procedures and mitigation measures would be adopted when drilling the exploratory well and it is noted that the drilling programme has been devised with environmental protection at its core and the work programme approved by the relevant regulators. The composition of the drilling mud, the successive lining of the wellbore with steel casing and the nature of the deeper geology would ensure that fluid interchange between the wellbore and the surrounding groundwater environment cannot occur. Three monitoring boreholes would be installed and sampled to determine groundwater conditions within the upper bedrock aquifer. After removing imported materials used during site construction, the restoration phase would return the site to its previous landform and agricultural use.

10.132. Policy M18 (Other specific criteria applying to hydrocarbon development) covers waste water and restoration issues.
1) "Waste management and reinjection wells
i) "Proposals for hydrocarbon development will be permitted where it can be demonstrated, through the submission of details relating to the management of waste

water, that adequate capacity exists and adequate arrangements can be made for the management or disposal of any returned water and Naturally Occurring Radioactive Materials arising from the development. Proposals should, where practicable and where a high standard of environmental protection can be demonstrated, provide for on-site management of these wastes through re-use, recycling or treatment. Where off-site management or disposal of waste is required, proposals should demonstrate that adequate arrangements can be made for this. Where new off-site facilities are proposed in the Plan area for the management or disposal of waste arising from hydrocarbons development, these should be located in accordance with the principles identified in Policies W10 and W11.".

Any returned water or water containing Naturally Occurring Radioactive Materials (NORMs) from the borehole would be collected and stored temporarily on site. It would be collected by a licensed operator. The Environment Agency has confirmed in writing that returned water or water containing NORMs is not waste water. The water would be taken to either Europa's Crosby Warren wellsite at Roxby in North Lincolnshire or to a treatment plant.

ii) Proposals for development involving re-injection of returned water via an existing borehole, or the drilling and use of a new borehole for this purpose, will only be permitted in locations where a high standard of protection can be provided to ground and surface waters; they would comply with all other relevant requirements of Policy M16 and M17 and where it can be demonstrated that any risk from induced seismicity can be mitigated to an acceptable level.

The proposal does not involve reinjection of returned water or the drilling of a separate borehole for this purpose. Accordingly, this part of the policy does not apply.

10.133. In terms of mitigatory measures specific to flood risk, the FRA concludes that there are no known records of historical flooding at or in the vicinity of the Site. The predicted overall risk of fluvial, surface and groundwater flooding is low during and post-site construction, and mitigation measures are consequently not required.

10.134. The FRA states that due to the site's hydrological isolation from the surrounding area the risk from exceedance and effect on water quality is negligible and further concludes that upon implementation of the surface water drainage strategy discussed above, the impact from the proposal upon potential for flooding and adversely impacting water quality would be minimal.

10.135. The Lead Local Flood Authority (LLFA) requested a number of amendments to the Flood Risk Assessment & Surface Water Drainage Strategy and following the most recent version (F6 – July 2025), the LLFA confirmed acceptability and stated that the submitted documents demonstrate a reasonable approach to the management of surface water on the site. They requested one condition be attached to any grant of planning permission, which requires the development to be built in accordance with the above strategy (see conditions list). The NYMNP also suggested that NYC should impose appropriate controls and/or conditions relating to the Applicant's proposed mitigation and monitoring measures for emissions to air and water.

10.136. The Environment Agency (EA) withdrew their initial objection to the proposed development following a meeting between the EA and the Applicant and the Applicant's consultants with regard to initial concerns over potential unacceptable risk to groundwater quality. The EA confirmed in their latest response that the proposed development would only be acceptable if a planning condition is included requiring submission and subsequent agreement of further details in the form of the submission of a detailed construction method statement to include the timing of the works; the measures to be used during the development in order to minimise environmental impacts of the works (considering both potential disturbance and pollution); construction methods; pollution protection methods; and a proposed scheme for monitoring. The EA further stated that without this condition, they would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources. The condition (see conditions list) would enable the appropriate mitigation for the proposed development with regard to groundwater protection.

10.137. Giving consideration to all of the above, with the conclusions of the Hydrogeological Impact Assessment and Flood Risk Assessment and Surface Water Drainage Strategy, along with the responses from the LLFA and EA, whose concerns have addressed and/or mitigated via the proposed conditions as discussed above, it is therefore considered that the proposed development is consistent with local and national policy as measures have been proposed to protect the water environment. It is considered that the proposed development is acceptable in principle in terms of flood risk, hydrology and surface water drainage as is compliant with MWJP policies M17 (Other spatial and locational criteria applying to hydrocarbon development), D02 (Local amenity and cumulative impacts) and D09 (Water environment), along with SBLP Policy EN3 (Environmental Risk). The proposed development also accords with Chapter 2 (Sustainable Development) and Chapter 17 (Facilitating the Sustainable Use of Minerals) of the NPPF; and Climate Change PPG and NPPF Chapter 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change).

Highways Matters – Traffic, transport and site access

10.138. Many objections have raised concerns regarding highways matters including the proposed HGV numbers and increase of traffic on the local highway network; emissions from increased HGVs using the site and use of the A165 Coastal Road which locals and tourists rely on to travel between Scarborough and Whitby (and beyond) and potential effect on both residential roads and in a tourist area with significant pedestrian movements the routing proposed and use of local roads; site access and the speed limit off the A165 Coastal Road off which the site would be accessed by HGVs; poor visibility splays; alleged inadequacy of Transport Assessment and lack of investigation within this, including lack of data specifically along the proposed southern routes where pedestrians and cyclists are likely to interact with traffic; and inconsistencies between the Transport Assessment and Emissons Report, with assumptions made and used with regard to delivery sources and tonnage of HGVs used.

10.139. The site would use the existing access direct onto the A165 that currently serves the mill yard site and solar array installation. The access itself is typical of a rural

industrial access with a relatively wide entrance and large radius kerbs. There are a number of small businesses currently operating from the wider mill site who would continue to do so, although site observations would suggest these generate a relatively low number of traffic movements, but these have been observed to include max length goods vehicles.

10.140. The relevant policy in regard to highway matters is MWJP Policy D03 (Transport of minerals and waste and associated traffic impacts), which supports proposals where road transport is necessary, providing there is capacity within the existing highway network for the level of traffic proposed, and the nature, volume and routing of vehicles would not have an unacceptable impact on local communities and other users of the highway network, access arrangements are appropriate to the predicted levels of vehicle movements, and there is adequate on-site manoeuvring, parking and loading/unloading space. MWJP Policy D02 (Local amenity and cumulative impacts) is also relevant, which relates to the impacts on local communities and residents, where in this case potential impact of increased HGVs has been raised as a concern through objections. SBLP Policies relevant include DEC4 (Protection of amenity) and INF1 (Transport).

10.141. Policy M17 of the MWJP (Other spatial and locational criteria applying to hydrocarbon development) sets the criteria that needs to be taken into account when considering planning applications for hydrocarbon, including accessibility and transport; cumulative impact, local economy, and specific local amenity consideration relevant to hydrocarbon development.

10.142. NPPF paragraph 115d) states it should be ensured that '*any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision led approach.'* NPPF paragraph 116 states that '*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'.*

10.143. The Site has direct access off the A165 Coastal Road. The accompanying Transport Assessment clearly demonstrates that there is sufficient capacity on the road network for the level of traffic proposed. The development at its peak is expected to generate 18 HGV trips, or 36 two way HGV movements with an additional 10 vehicle trips for staff per day. There is a 37 week program for the development with a much lower number, of 10 HGV trips per day, expected for 17 weeks of that program. A Construction Traffic Management Plan (CTMP) would be agreed with the Highways Authority to help ensure HGVs arrive and exit at staggered times to prevent congestion. The projected trip generation from the proposed development would add no more than 0.63% to daily vehicle movements during the summer tourist season and 0.79% during the non-tourist season.

10.144. The existing site access falls within a derestricted 60mph speed limit just outside the 30mph limit for Burniston Village. The site access has appeared to operate satisfactorily for many years with no recorded injury accidents. The Transport Assessment affirms that the access off the A165 has been used for many years for HGVs with no evidence of any accidents caused by HGVs turning into or out of the

site. The access currently serves the mill and a number of industrial units. Visibility towards Burniston (southbound) is very good at 122m in accordance with visibility splay requirements. In the northbound direction, visibility is partly constrained by the alignment of Coastal Road and an existing wall. Given the temporary nature of the development, the limited number of new HGV movements, and the absence of any recorded road traffic accidents, the visibility splays are judged to be acceptable.

10.145. A parking area for twelve cars is included on site. Provision is included on site for a loading and unloading area for one HGV. For abnormal loads, large vehicles would require some assistance whilst manoeuvring within the site. Banksmen would be used when required to help ensure these and any other manoeuvres are conducted in a safe manner. One matter of concern raised within objection relates to the access of the site, particularly the strip that would pass the solar panels and the safety of such, for large vehicles. The Applicant has confirmed that they have a landowner agreement in place so that if at any time, HGVs experience difficulty accessing the site along this strip, that the solar panel(s) could be moved to temporarily accommodate, although they do not envisage that this would be necessary.

10.146. The HGV movements associated with each phase of the proposed development are outline in Table 4-3 below:

Table 4-3 HGV Movements for Each Phase

Phase	Aspect	Duration (Weeks)	Total HGV Numbers	Average HGVs per day	Maximum Number of HGVs on anyone day
1	Site construction	7	334	8	18
2	Drilling	7	330	8	17
3	Testing & Proppant Squeeze	2	65	5	5
	Flow Testing	15	75	1	5
4	Well-decommissioning and site restoration	6	350	10	17

10.147. As the proposed development site joins the A165 it is expected that HGV movements to and from the site will be restricted to the principle road network. The routes identified as the possible options are:

Route 1 - the Coastal route, taking the A165 south of the site to Scarborough where either the A170 or A64 would be options or to continue south of the A165; or

Route 2 - would be via Scalby, initially A165 north from the site entrance and then onto the A171 south through part of Burniston and Scalby, heading towards Scarborough where onward connections to the A64 and A170 are available.

10.148. The A165 south of Burniston has an annual average daily traffic (AADT) flow in the region of 5500 of which approximately 6% are classed as HGV's. Closer to

Scarborough the traffic flows do increase significantly, with AADT of 15000 (approx. 8% HGV) on the A165 Filey Road south of Scarborough centre.

10.149. For the Scalby Route, on the A171 just north of Scalby, traffic counts indicate an AADT of just under 7000 vehicles with approximately 14% of these being classed as HGV's. Closer to Scarborough traffic volumes on the A171 increase with the AADT being 13000.

10.150. The Local Highway Authority raised no objection to the proposed development, and on review of the information (as summarised above), affirm that both identified routes already carry a significant volume of traffic and HGV's on a daily basis and were either route to be used for solely for all development traffic the percentage increase in overall traffic flows or if just considering HGV traffic would lead to a relatively small percentage increase. The applicant has indicated they would prioritise the use of route 2 via Scalby as this does have the advantage of avoiding the more central area of Scarborough. The Highway Authority agreed with this approach and suggested two conditions in the interests of road safety, and public safety/amenity. These conditions include a restriction of HGV numbers to and from the site to 40 per day (20 in and 20 out); and the submission of an updated CTMP (see list of conditions for both). The Highway Authority concluded that through the construction traffic management plan and monitoring of its implementation the applicant should be able to control movements to and from the site appropriately.

10.151. The Highway Authority also affirmed in their response that the applicant has undertaken a speed survey at the access and recorded average speeds of 44.3mph and 44 mph. It is accepted by the Local Highway Authority that using a set back distance of 2.4m at the site access to measure the available visibility provides splays approaching 120m. It would be recommended that the existing 30mph speed limit is moved east on the A165 to cover the site entrance on a temporary basis during the development and that Banksmen as proposed by the applicant are used to assist movements at the entrance. With these measures in place the expectation is the access can continue to operate safely with the additional traffic expected as a result of the development.

10.152. The NYMNP further suggested that NYC should impose appropriate controls and/or conditions relating to HGV routing proposed by the construction management plan; emissions from HGV movements.

10.153. As discussed earlier in this report, the potential impact on local amenity and air quality as a result of increased vehicle emissions in the area, was assessed within the AQIA. The report concluded that the predominant source of pollutant releases during site operations would be from the use of diesel fuel in mobile plant, stationary engines and from the incineration of produced natural gas. Again, as per earlier on in this report, the report concluded that these activities would have a negligible impact on local air quality.

10.154. To conclude, considered is given to the above discussion, the response from the Highway Authority, and the mitigation measures proposed and secured by condition, including HGV number restrictions; vehicle log keeping; proposed routing; temporary speed limit and warning signs; wheel washing; site delivery management; and overall

monitoring of the proposed construction traffic management plan. It is considered that the proposed development would not significantly impact upon the local highway network or local amenity where it would be controlled and monitored via the proposed highway conditions, and it is therefore considered that the proposed development, specifically regarding highways matters is in accordance with Policies D02, D03 and M17 of the MWJP, SBLP Policies DEC4 (Protection of amenity) and INF1 (Transport) and the NPPF.

Public Rights of Way

10.155. It is acknowledged that a number of objections make reference to the nearby Cinder Track, including the impact on horses and Cleveland Way and potential visual and amenity impact the proposed development may have upon these. Further assessment of potential impact upon these can be found earlier in the report.

10.156. The closest Public Right of Way (PRoW) is a public footpath (ref 30.3/10/1) which is 400 metres to the west and which runs beside the former railway line. The long-distance coastal footpath, known as the Cleveland Way (ref 30.3/7/4), lies 730 metres to the north east.

10.157. The Council's Public Rights of Way Team confirmed in their consultation response that if the proposed development will physically affect the Public Right of Way permanently in any way, an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible which is 400 metres to the west. Given the footpath does not directly adjoin the site or site access and heads away from the site in a northwestern direction, it is considered that no further steps are required in this instance and is therefore not contrary to policy.

Restoration and Aftercare

10.158. It is acknowledged that many objections refer to the grant of planning permission for the appraisal of a well, and that it would pre-empt future development at the site consisting of the production of gas in the long-term, therefore not leading to restoration as proposed. Paragraph 120 of the Minerals Planning Practice Guidance states that *"individual applications for the exploratory phase should be considered on their own merits. [Mineral planning authorities] should not take account of hypothetical future activities for which consent has not yet been sought."* This guidance arguably also applies to applications at the appraisal phase. Any further development is purely speculative at this time. "The next steps" would be the submission of a new and separate application at which time consultees would have an opportunity to comment on any new proposal.

10.159. Following the end of the well testing, the site would be restored to agricultural use and would be subject to a five-year aftercare period. A programme of site clearance, well decommissioning, restoration and aftercare can be found within the Planning Statement which accompanies the application. The well would be plugged,

hydrostatically tested, and sealed ('abandoned') using an agreed programme or method approved by the Health & Safety Executive, the EA and the NSTA.

10.160. The wellbore would be filled with specialist concrete plugs to the surface, installed casing strings would be cut at least 2 metres below ground level and a metal plate stitch-welded across the cut-off casing. The well number would be welded on top of the plate. The site itself would then be restored; all equipment, infrastructure, membranes, aggregates and facilities would be removed. This is shown in drawings Site Restoration Plan' (Appendix I) and Indicative Restoration Section Plan' (Appendix J). Existing stored topsoil and subsoil bunds would be tested and reused to ensure compatibility with the surrounding land quality. The land would be seeded with a suitable long term dual purpose agricultural grass mix. The Site area would then be returned to the landowner.

10.161. Development plan policies relevant to restoration includes MWJP Policy D07, which requires schemes to achieve net gains for biodiversity through design, including any proposed mitigation measures; Policy D10 (Reclamation and afteruse) which permits proposals where it can be demonstrated that they would be carried out to a high standard and provide for the longer term implementation and management of the agreed form of restoration and afteruse; and Policy D12 which requires the protection of agricultural land and soils; and Policy M18 (Other specific criteria applying to hydrocarbon development) which covers waste water and restoration issues.

10.162. Policy M18 (Other specific criteria applying to hydrocarbon development) covers waste water and restoration issues: *2) "Decommissioning and restoration Proposals for hydrocarbon development will be permitted where, subject to other regulatory requirements, it can be demonstrated that: i) Following completion of the operational phase of development, notwithstanding the requirements and obligations under any other regulatory regimes, any wells will be decommissioned, insofar as this involves the complete removal of any associated surface development, so as to both prevent the risk of any contamination of ground and surface waters and emissions to air and ensure the proper restoration and after-care of the site; and ii) All plant, machinery and equipment not required to be retained at the site for operational purposes would be removed and the land restored to its original use or other agreed beneficial use within an agreed timescale. Cloughton wellsite Planning Statement Europa Oil and Gas Limited 39 iii) For unconventional hydrocarbon development, the Mineral Planning Authority may require provision of a financial guarantee, appropriate to the scale, nature and location of the development proposed, in order to ensure that the site is restored and left in a condition suitable for beneficial use following completion of the development."*

Europa's Test Site Closure and Restoration Procedure sets out in detail how the site will be restored following the wellsite operations (as described in summary above).

10.163. Paragraph 224 (e) of the NPPF supports proposals that provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards and which can be controlled by conditions. Paragraph 127 of the Minerals PPG (Reference ID: 27-127-20140306) is also relevant, which advises that for hydrocarbon

extraction sites where expected extraction is likely to last for a short period of time, the MPA should impose a detailed set of planning conditions.

10.164. The proposed development is temporary and would be confined to areas of modified grassland, and enhancement opportunities could include increasing the biodiversity of modified grassland through the creation of native wildflower meadows and closing gaps in the existing hedgerows to improve habitat connectivity. BNG assessment has been undertaken with regard to the proposed development, and has established that, with suitable onsite and offsite enhancement of hedgerow and area habitats, the statutory minimum 10% BNG gain can be achieved as a result of the proposed development.

10.165. Again, as discussed earlier in this report, the Council's Landscape Architect requested a condition to request reinstatement and remediation of the site following completion of the works, and this is reflected in the conditions list at the end of this report. Natural England raised no concerns over the proposed restoration for the site, nor did the Ecology Team, who requested a number of conditions, of which include the requirements for BNG securement via condition.

10.166. The proposed restoration and aftercare would accord with Policy D07 in that it would contribute to biodiversity in the area; Policy D10 in that it can be demonstrated that restoration would be carried out to a high standard and provide for the longer term implementation and management of the agreed form of restoration and afteruse; and Policy D12 in that it would achieve a high standard of agricultural restoration. The proposed restoration and aftercare would also comply with paragraph 224(e) of the NPPF in that it would provide for restoration and aftercare at the earliest opportunity to high environmental standards and which could be achieved by the proposed planning conditions. The proposed restoration and 5-year aftercare are therefore considered acceptable and complies with the policies of the development plan and paragraph 224(e) of the NPPF.

Economic Growth and Employment

10.167. The proposed development would require specialist engineers and skilled operatives throughout all four phases of development. It is understood that the number of personnel on site would vary according to the security situation; however, the likely staff present onsite during each phase are indicated in the table below:

Phase	Summary	Operations	Roles	
			Full time	Part time
1	Site construction	Development of wellsite and installation of a well cellar.	6 x security 6 x civils	1 x Construction Manager 1 x Admin/accounting 1 x HSE 1 x Geologist 1 x Europa Management 6 x Site services (hauliers, HDPE welding, wastes, equipment servicing etc)
	Totals		12	11 (7 on site, 4 off site)
2	Drilling	Drilling	6 x security 16 x drilling 10 x logging/casing/cementing/ directional 1 x waste management 8 x workover	1 x Admin/accounting 1 x HSE 1 x Drilling Management 1 x Petroleum Engineering 1 x Geologist 1 x Europa Management 8 x Site services (hauliers, materials, wastes, equipment servicing etc)
Totals			41	14 (8 on site, 6 off site)
3	Testing	Test production by undertaking a proppant squeeze and flow testing	6 x security 6 x production/supervisory personnel 6 x proppant squeeze 4 x nitrogen lift	1 x Admin/accounting 1 x HSE 1 x Drilling Management 1 x Petroleum Engineering 1 x Geologist 1 x Europa Management 8 x Site services (hauliers, materials, wastes, equipment servicing etc)
Totals			22	14 (8 on site, 6 off site)
4	Well decommissioning and site restoration	Plug and decommission wells, restore the site	8 x workover 6 x civils 4 x pipeline/process equipment 6 x site infrastructure/equipment/wastes	1 x Construction Manager 1 x Admin/accounting 1 x HSE 1 x Drilling Management 1 x Geologist 1 x Europa Management 20 x Site services (hauliers, materials, wastes, equipment servicing etc)
Totals			24	26 (21 on site, 5 offsite)

10.168. It is anticipated that the employment generated would support the local economy in terms of the employee spend on everyday goods and services. In addition to onsite employment and haulier jobs, activities at the site help to indirectly support other local companies through expenditure on goods and services needed to support day-to-day operations, such as suppliers of security and welfare facilities, skilled trades people such as electricians, construction services, site maintenance, professional fees, waste management and fuel providers. Paragraph 2.38 of the Scarborough Borough Local Plan adds that *"the creation of a healthy economy and the potential growth of new employment sectors will encourage inward migration of the economically active and the retention of the younger population".*

10.169. It is considered that the proposed development would therefore have modest but positive economic and social impacts upon the local community. It is considered that it accords with the North Yorkshire Council Economic Growth Strategy 2024-29 by complimenting the key strengths in North Yorkshire, namely a strong and diverse economy; a highly skilled workforce and strong labour market and strengths in food, energy and bio renewables.

10.170. The proposed development also supports one of the three priorities within the Strategy which is to develop energy infrastructure to enable sustainable growth. NPPF paragraph 224 adds that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy.

10.171. SBLP Policy EG 1 (Supporting Industry and Business) seeks to encourage sustainable development in rural areas, which brings sustainable economic growth through local employment opportunities or expansion of businesses; specifically, where a particular development is appropriate in scale and type to its location, does not harm the character of the area, and seeks a good standard of amenity. It is considered that the proposed development meets the objectives of this policy in providing employment through sustainable development in an appropriate location which is of scale.

Climate Change and Downstream Impact

10.172. Following the Finch decision in the Supreme Court in June 2024, the consideration of downstream greenhouse gas emissions now forms part of the assessment in the EIA process. Again, and as discussed throughout this report, the proposed development is only for the appraisal of subsurface hydrocarbons, which comprises the testing of the flow of gas and whether it would be commercially viable to then move to production (which would form a separate planning application). The proposal does not include exporting gas for combustion, however, some of the gas would be flared on site. Therefore while the proposed development falls outside the scope for a downstream gas emissions assessment (Scope 3, category 11), the flaring element falls within Scope 1 (direct emissions controlled by Europa), and therefore the planning application is accompanied by an emissions assessment.

10.173. It is acknowledged that the proposal could have an impact through emissions from vehicles, plant and machinery; however, there are no alternative options to be able to operate the site as is required to do so. Plant and machinery are governed by manufacturer's specifications and HGVs by Government restrictions. The Climate Change PPG (DLUHC, 2019b) advises how planning can identify suitable mitigation and adaptation measures in plan-making and the planning application process to address the potential impacts of climate change. The proposed mitigation measures would protect habitats and the proposed restoration scheme would create new habitats that would contribute to offsetting carbon loss. It is therefore considered that the proposal would not have an unacceptable impact on climate change and would meet the relevant criterion of Policy D07 of the MWJP, which requires schemes to achieve net gains for biodiversity through design, including any proposed mitigation measures, and SBLP Policy ENV 5 (The natural environment) which states that

proposals should respond positively and seek opportunities for the enhancement of species, habitats or other assets thereby resulting in a net gain in biodiversity.

10.174. Policy D11 of the MWJP requires developers to explain how climate change has been taken into account, in this instance the planning application is accompanied by an Appraisal Well Emissions Report, that sets out the expected and reasonable worst-case emissions forecast for the proposed development. The report concludes that the expected-case project emissions are 2,408 tCO2e and the reasonable worst-case project emissions are 7,054 tCO2e. The report states that "*the most significant factor contributing to this difference in emissions between the scenarios is accounted for by the volume of gas flared during well testing in the success case, where the reasonable worst-case emissions includes an additional two-week discretionary testing period where flaring would occur."* Having regard to the above, it is considered the proposed development is unlikely to have any significant and consequently unacceptable adverse impact upon climate change and is acceptable for the purposes of Policy D11 of the MWJP.

Proposed changes to the NPPF

10.175. It is acknowledged that a number of objections refer to the new draft of the NPPF, which was released for consultation in December 2025, asking for deferral of a decision of this application based on the proposed amendments with regard to extraction of coal, oil and gas.

10.176. The Government began a consultation exercise on a new draft of the NPPF. The consultation exercise is currently underway. One of the proposed changes is to introduce a more restrictive approach to the extraction of coal, oil and gas. Policy M3 of the draft NPPF means that "great weight to the benefits of mineral extraction…" does not apply to development involving peat, coal, or onshore oil and gas extraction. This represents a policy change for oil and gas (i.e. the policy no longer provides that "great weight" should be given to the benefits of oil and gas extraction).

10.177. Whilst draft proposed changes to national policy can be treated as a material consideration, officers are of the view that given that this is only subject to consultation and represents a shift from current policy, no more than negligible weight should be given to the suggested change.

Obligations under the Equality Act 2010

10.178. Under Section 149 of The Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment, and victimisation; (ii) advancing equality of opportunity 56 between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

10.179. Given the substantial scale of the site and the works involved with the development, if approved, the development is considered to have an impact on amenity of a nature and duration that is potentially likely to affect older and younger people, people with disabilities or people who are pregnant, if not factors are not mitigated to protect the local amenity.

10.180. Therefore, in order to ensure that the Council fulfils its duty under Section 149 of the Equality Act and is consistent with MWJP Policy D15: Planning obligations it needs to be ensured that if planning permission is granted, the decision notice includes conditions which require the impacts on those residents with the aforementioned protected characteristics to be mitigated as much as possible, taking into consideration their specific requirements and needs.

11.0 PLANNING BALANCE AND CONCLUSION

11.1. Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting position for the determination of this planning application is the 'Development Plan'. The decision must be made in accordance with the extant policies of the development plan, unless there are material considerations, including the NPPF and merging plans indicate otherwise. The assessment of material considerations within the overall 'planning balance' has been considered in Section 10.0 of this report.

11.2. There are a range of policies in the 'Development Plan' to which due regard must be had and the proposal has been assessed against the development plan policies and national policy and guidance. The relevant policy documents of the 'Development Plan' are set in Section 6.0 of this report. In considering the relationship of the proposals to the 'Development Plan', the proposal must be judged against the 'Development Plan', as a whole rather than against individual policies in isolation and acknowledge that it is not necessary for proposals to comply with all policies in order to be found in accordance with the development plan.

11.3. The proposed development seeks the construction of a temporary wellsite for the appraisal of gas, including drilling operation, proppant squeeze and flow testing operation and site restoration on land at Land East of the Mill Yard, Burniston Mill, Coastal Road, Burniston. The principle of the proposed development is considered acceptable in land use planning terms as discussed in section 10 above. Both local and national policy recognise the need for indigenous hydrocarbon extraction to ensure the security of energy supply and reduce national demand for imports, as well as the local economic benefits.

11.4. As outlined in Section 10.0 of this report, it is considered there are no material planning considerations to warrant the refusal of this planning application. The application, along the supporting documents and additional information, has been assessed and it is considered that the proposed development would not have an adverse impact on the local amenity, landscape, ecology, local highway network, water environment, historic environment or public rights of way. Although the

proposed development would lead to a temporary change to the landscape, it is not considered to be significantly material so as to outweigh the benefits of the proposal.

11.5. The proposed development has been assessed in line with local and national planning policy, and, for the reasons outline above, the development is therefore considered to be in compliance with the Adopted Development Plan policies as a whole and consistent with national planning policy contained within the NPPF.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to conditions listed below:

Recommended conditions:

Implementation Time Limit

1. The development to which this permission relates shall be implemented no later than the expiration of three years from the date of this Decision Notice.

Reason: To comply with Section 91 of Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Notification of Commencement

2. Written shall be provided in writing to the Local Planning Authority within seven (7) days of the commencement of each of the following stages of the development:

Phase	
1	Site Construction
2	a) Mobilisation and demobilisation
	b) Drilling borehole and completion
3	a) Initial well testing
	b) Proppant Squeeze
	c) Flow Testing
4	Well-decommissioning and restoration

Reason: To enable the Local Planning Authority to monitor the development to ensure compliance with this permission.

Permission Time Limit

3. The permission hereby granted authorises the appraisal for natural gas for a period of three (3) years following the commencement of phase 1 (site construction) to be notified to the Local Planning Authority for the purposes of condition two (2). Thereafter the development hereby permitted shall be discontinued, all plant and machinery removed from the site and

the site restored in accordance with the Site Layout Plan – Indicative Restoration (Ref. ZG-EOG-CLTN-PA-16 Rev 1, dated February 2025).

Reason: To ensure the restoration of the land with the minimum of delay in the interests of amenity.

Decision Notice

4. A copy of the planning permission and any agreed variations and approved details and schemes and programmes for the purposes of the conditions, together with all the approved plans, shall be kept available at the site office at all times and made known and available to managing and supervising staff on the site.

Reason: To ensure that site personnel are aware of the terms of the planning permission.

Approved Plans

5. The development hereby permitted shall be carried out in accordance with the application details dated 4th March 2025 and the approved documents listed below and the following conditions which at all times shall take precedence.

ZG-EOG-CLTN-PA-02	Location Plan	Feb 2025
ZG-EOG-CLTN-PA-01	Location Plan (Site of Application)	Feb 2025
ZG-EOG-CLTN-PA-03 Rev 1	Site Layout Plan Existing Site	Feb 2025
ZG-EOG-CLTN-PA-08	Indicative Section Plan – Drilling Phase	Feb 2025
ZG-EOG-CLTN-PA-06	Indicative Section Plan – Proposed Site Construction	Feb 2025
ZG-EOG-CLTN-PA-12	Indicative Section Plan – Proppant Squeeze Phase with coil tubing unit	Feb 2025
ZG-EOG-CLTN-PA-10	Indicative Section Plan – Proppant Squeeze Phase with workover rig	Feb 2025
ZG-EOG-CLTN-PA-15	Indicative Section Plan –Security Fencing & Gates	Feb 2025
ZG-EOG-CLTN-PA-17	Indicative Section Plan – Site Restoration	Feb 2025
ZG-EOG-CLTN-PA-14	Indicative Section Plan – Well Testing Phase	Feb 2025
ZG-EOG-CLTN-PA-5	Site Layout Plan – Indicative Construction Phase	Feb 2025
ZG-EOG-CLTN-PA-7	Site Layout Plan – Indicative Drilling Phase	Feb 2025
ZG-EOG-CLTN-PA-11	Site Layout Plan – Indicative Proppant Squeeze Phase with coil tubing unit	Feb 2025
ZG-EOG-CLTN-PA-09	Site Layout Plan – Indicative Proppant Squeeze Phase with workover rig	Feb 2025
ZG-EOG-CLTN-PA-16 Rev 1	Site Layout Plan – Indicative Restoration	Feb 2025
ZG-EOG-CLTN-PA-13	Site Layout Plan – Indicative Well Testing Phase	Feb 2025

ZG-EOG-CLTN-PA-04	Indicative Section Plan – Existing Site	Feb 2025

Reason: To reserve the right of control by the Local Planning Authority to monitor the development for compliance with this permission in order to ensure that the development is carried out in accordance with the application details.

Hours of operation

6. The appraisal of natural gas, hereby permitted, shall take place only in accordance with the hours of operation as follows:

Phase	Phase Aspect	Monday - Friday	Saturday	Sunday / Bank / Public Holidays
1	Site Construction	07:00 – 19:00	07:00 – 13:00	None
2	Mobilisation and demobilisation	07:00 – 19:00	07:00 – 13:00	None
	Drilling borehole and completion	24/7 hours	24/7 hours	24/7 hours
3	Initial well testing	24/7 hours	24/7 hours	24/7 hours
	Proppant Squeeze	07:00 – 19:00	07:00 – 13:00	None
	Flow Test	24/7 hours	24/7 hours	24/7 hours
4	Well-decommissioning restoration	07:00 – 19:00	07:00 – 13:00	None

Reason: In the interests of amenity of the area.

Phasing

7. The appraisal of natural gas, hereby permitted, shall take place only in accordance with the phasing arrangements indicated in table:

Phase	Description of Phase	Timescale
1	Site Construction	7 weeks
2	c) Mobilisation and demobilisation	7 weeks
	d) Drilling borehole and completion	
3	d) Initial well testing	2 week
	e) Proppant Squeeze	2 week
	f) Flow Testing	15 weeks
4	Well-decommissioning and restoration	6 weeks

Reason: To safeguard the character of the site in the interests of visual amenity.

Closed-Circuit Television (CCTV)

8. Prior to the commencement of development a scheme for the installation of CCTV on site shall be submitted to the local planning authority for approval in writing.

Reason: In the interests of site security

Construction Method Statement

9. No development shall take place until a detailed construction method statement has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the following:
    - the timing of the works
    - the measures to be used during the development in order to minimise environmental impacts of the works (considering both potential disturbance and pollution)
    - construction methods
    - pollution protection methods
    - proposed scheme for monitoring.

   Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

Reason: To ensure protection of habitat during set up and construction

HGV Vehicle Numbers

10. The total number of Heavy Goods Vehicles (as defined by this permission accessing and leaving the application site shall not exceed 40 per day (20 going into the site and 20 going out).

Reason: In the interests of road safety.

HGV Vehicle Numbers Verification

11. A record of all heavy goods vehicle (as defined by this permission) movements into and out of the site shall be maintained and retained for a period of six months from commencement. The record shall contain the vehicles' weight, registration number and the time and date of movement. The record shall be made available for inspection to the Local Planning Authority at the site office during permitted working hours or within two working days of any written request made by the Local Planning Authority.

Reason: To enable the verification of vehicle movements limited under condition no.10.

Highways Access

12. There shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway shown on Location Plan (site of application) Ref ZG-EOG-CLTN-PA-01 dated February 2025. The access shall be maintained in a safe manner.

Reason: In the interests of both vehicle and pedestrian safety and the visual amenity of the area.

Construction Traffic Management Plan (CTMP)

13. No development for any phase of the development must commence until an updated Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:
    a) details of the temporary speed limit and warning signage to be provided on the A165;
    b) wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
    c) the parking of contractors' site operatives and visitor's vehicles;
    d) areas for storage of plant and materials used in constructing the development clear of the highway;
    e) measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
    f) routes to be used by HGV construction traffic;
    g) details of the monitoring to be undertaken of construction traffic to ensure adherence to the CTMP;
    h) details of site working hours and a detailed method statement and programme for the works;
    i) contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

    Construction of the permitted development must be undertaken in accordance with the approved CTMP.

    Reason: In the interest of public safety and amenity.

    Dust control

14. All efforts shall be made to reduce dust generation to a minimum. Stockpiles of materials for use on the site or disposal that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

    Reason: In the interests of residential amenity and in accordance with the local plan.

    Air Quality Monitoring

15. Prior to commencement of development, an Air Quality Monitoring Plan shall be prepared by a suitably qualified person and submitted to and approved by the Local Planning Authority. The plan should include but not be limited to;
    a) monitoring of local air quality to provide a base line before work starts onsite
    b) sampling of NOx at the perimeter of the site
    c) sampling of NOx in Burniston Village

    The approved Air Quality Monitoring Plan shall be implemented in full. The results shall be produced by a suitably qualified person and be submitted to the Local Planning Authority. There shall be a six month monitoring period before development commences. Thereafter the air quality monitoring plan shall be implemented in full until the site is returned to its original condition and returned to the landowner.

    Reason: To safeguard the health and amenity of the residents of the area and to provide an understanding of how a drilling operation will impact on local air quality.

Noise Management Plan

16. Prior to the commencement of development, the applicant shall submit a Noise Management Plan (NMP) to the Local Planning Authority for review and approval. The NMP shall detail the procedures to be adopted to minimise noise and also the process to be followed in the event of a noise complaint being received or a request being made by the Local Planning Authority for suitable noise monitoring and actions to be undertaken within 48 hours of notification. The NMP shall be complied with at all times.

Reason: In the interests of residential amenity and in accordance with the local plan

Noise Limits

17. The equivalent continuous sound level (LAeq) at the nearest noise sensitive properties to the site shown in Figure 2 of the Noise and Vibration Impact Assessment (Spectrum Acoustic Consultants, dated 27 January 2025) and attributable to the operations subject of this permission, shall not exceed the following values during daytime (07:00- 18:00), evening period (18:00- 22:00) and nighttime (22:00-07:00) weekdays, Saturdays and where applicable Sundays including bank Holidays:

Phase	Phase Name	Noise Limit
1	Site Construction	• daytime LAeq 1hr 53dB, • evening LAeq 1hr 40dB and • nighttime LAeq 15mins 40dB.
2	a) Mobilisation and Demobilisation	• daytime LAeq 1hr 55dB, • evening LAeq 1hr 40dB and • nighttime LAeq 15 mins 40dB.
	b) Drilling borehole and completion	
3	a) Initial well testing	• daytime LA eq 1hr 50dB (54dB during proppant squeeze), • evening LAeq 1hr 40dB (44dB during proppant squeeze) and • nighttime LAeq 15mins 40dB.
	b) Proppant Squeeze	
	c) Flow Testing	
4	Well-decommissioning and restoration	• daytime LAeq 1hr 53dB, • evening LAeq 1hr 40dB and • nighttime LAeq 15mins 40dB.

Measurements shall be hourly LAeq measurements and be corrected for the effects of extraneous noise. In the event that the noise levels are exceeded, those operations at the site deemed to be causing the excessive noise shall be investigated immediately and where practicable shall cease until steps are taken to attenuate the noise level to ensure compliance with the specified levels.

Reason: In the interests of residential amenity and in accordance with the local plan.

Noise Verification Report

18. Within one (1) month of commencement of each phase, a verification report detailing the actual noise produced at the commencement of each phase shall be submitted to the local

planning authority. The verification report shall include results of onsite/attended monitoring for a representative monitoring period for each phase covering each of the noise limits detailed in condition 17 above.

Reason: In the interests of residential amenity and in accordance with the local plan.

Noise and Vibration:

19. All recommendations outlined in Noise and vibration Impact Assessment (Ref. ARC7281/24160/V3, dated 27 January 2025) shall be implemented before each phase and shall be thereafter maintained until end of operations.

Reason: In the interests of residential amenity and in accordance with the local plan.

Plant Noise Attenuation

20. All plant, machinery and vehicles used on any part of the site shall be fitted with effective noise attenuating equipment and include either non-audible, ambient-related or low-tone reverse warning alarm systems which shall be regularly maintained and employed at all times during permitted operational hours. The drilling rig shall have acoustic enclosures for generators and mud pumps silenced vibration and exhausts and acoustic screening of the drill floor substructure and draw works and incorporate measures to alleviate the potential for brake squeal.

Reason: To ensure that noise impacts associated with the plant, machinery and vehicles at the site would be minimised in the interests of local amenity.

Vibration Limits

21. V*ibration from construction work on site and during phase 2 (construction) shall not exceed 0.3mm/s (PPV) at any residential property at any time.*

Reason: In the interests of residential amenity and in accordance with the local plan.

Vibration Monitoring Scheme

22. A scheme and programme for the monitoring of ground vibration levels shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include:
    - Vibration monitoring locations which for the avoidance of doubt, should include locations or publicly accessible proxy locations:
    - Details of monitoring equipment to be used;
    - Monitoring periods;
    - The frequency of monitoring (minimum once per week when drilling is taking place).
    - The recording of the monitoring results, including provision for the results to be made available to the Local Planning Authority on request
    - A programme of implementation.
    - A program of how complaints will be responded to and monitored.
    - A programme of inspection and maintenance of all plant and equipment, including daily inspections to ensure noise attenuation measures are being use

Thereafter monitoring shall be undertaken in accordance with the approved scheme and if the results of monitoring show that the limit as stated in condition 21 to this permission is exceeded, operations at the site shall be modified to ensure compliance with the limit specified in condition 21 to this permission.

Reason: In the interests of residential amenity and in accordance with the local plan.

Lighting Scheme

23. Prior to the commencement of development, a scheme and programme for the external lighting of the site shall be submitted to the Local Planning Authority for approval in writing. The scheme and programme shall include the phasing of the implementation of the approved scheme relative to the phases of the development to ensure the minimum lighting necessary is employed throughout the respective phases.

    The lighting scheme installed at the premises must be in accordance the Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installation CIE150 2003 and the Institute of Light Professional Guidance Note 01/20. The zone rating for the lighting scheme must be rated no greater than E1.

    Lighting shall only be erected and operated in accordance with the approved scheme and programme throughout the operational life of the site. All lighting shall be removed from the site following completion of the development.

    Reason: This is a pre-commencement condition and is required given the particular circumstance and imposed to control the impact of light and light pollution generated by the development in the interests of residential amenity and the North York Moors National Park.

Ground Water and Surface Water Contamination

24. All recommendations outlined the Hydrogeological Impact Assessment (Ref. 3729/HIA, dated December 2024) shall be implemented before each phase and shall be thereafter maintained until end of operations.

    Reason: In the interests of residential amenity and in accordance with the local plan.

Flood Risk and Surface Water Drainage

25. The Development shall be built in accordance with the Flood Risk Assessment & Surface Water Drainage Strategy, Hafren Water, Ref. 3729/FRA, Final Version F6, July 2025.

    The development at all times must be completed in compliance with the detailed maintenance and management regime for the storage facility and principles of sustainable urban drainage shall be employed wherever possible. A 25% allowance shall be included for climate change for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 years plus climate change critical storm event.

    Reason: To ensure that the development is built to the submitted drainage design; to prevent the increased risk of flooding; to ensure the provision of adequate and sustainable means of drainage in the interests of amenity.

Odour Management

26. Prior to the commencement of development, an Odour Management Plan shall be submitted to the Local Planning Authority for review and approval. The Odour Management Plan (OMP) shall detail the procedures to be adopted to minimise odour and also the process to be followed in the event of an odour complaint being received or a request being made by the Local Planning Authority for suitable odour monitoring and actions to be undertaken within 48 hours of notification. The OMP shall be complied with at all times.

Reason: In the interests of residential amenity and in accordance with the local plan.

Pollution Prevention

27. Any oil, fuel, lubricant, paint or solvent within the site must be stored so as to prevent such materials contaminating topsoil or subsoil or reaching any watercourse. Any fixed oil or fuel tanks must:

    (a) be surrounded by a fully sealed impermeable enclosure with a capacity not less than 110% of that of the tank so as to fully contain their contents in the event of spillage;
    (b) if there is multiple tankages, the enclosure must have a capacity not less than 110% of the largest tank;
    (c) all filling points, vents and sight glasses must be within the sealed impermeable enclosure;
    (d) there must be no drain through the impermeable enclosure.

Reason: To deal with contaminated drainage to protect the quality of and prevent pollution of the ground and water environment.

Protection of Existing Landscaping

28. Prior to the commencement of development a Tree Protection Plan must be submitted to the Local Planning Authority for written approval.

Reason: This is a pre-commencement condition and is required given the particular circumstance and imposed to adequately control the development and to safeguard the character of the site in the interests of visual amenity.

Soil Resource Management

29. The development shall be carried out in accordance with the below soil resource management requirements throughout the lifetime of the development
    a) No soils shall be stripped, moved, placed or removed during the months of November to March inclusive, unless the soils are in a dry and friable condition.
    b) During soil stripping, placement and removal, machinery shall be routed to avoid compaction of such soils.
    c) No topsoil or subsoil shall be removed from site.
    d) All topsoil and subsoil shall be retained for restoration of the site.
    e) All topsoil and subsoil shall be stored in separate mounds that do not overlap or immediately be utilised in the restoration of the site.
    f) The topsoil and subsoil mounds shall be graded and seeded within one month of their construction and thereafter retained in a grassed, weed free condition throughout the duration of the development pending their use in the restoration of the site.

Reason: *To safeguard the topsoil and subsoil resources available on site for restoration purposes.*

Construction Ecological Management Plan:

30. Prior to the commencement of development (including demolition, ground works, vegetation clearance) a Construction Environmental Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval in writing. The CEMP shall include the following:
    a) The identification of stages of works and working hours;
    b) Details of community engagement arrangements;
    c) Details of all plant and machinery to be used during demolition and construction stage;
    d) Details of the roles and responsibilities in regard to biodiversity e.g., details of an ecological clerk, details of times when specialist ecologists are required on site, risk assessments, practical measures including use of fences exclusion barriers and warning signs;
    e) Details of measures to remove/prevent re-colonisation of non-native species; and
    f) Identification of "biodiversity protection zones";
    g) The location and timing of sensitive works to avoid harm to biodiversity features e.g., bird breeding season;
    h) Habitat protection measures including objectives, extent and location of protective measures and timetable for implementation.

Reason: *This is a pre-commencement condition and is required given the particular circumstance and imposed in the interests of protecting the amenity of the area and* nature conservation.

Decommissioning Ecological Management Plan:

31. Within 12 months of the date of this decision notice a Decommissioning Ecological Management Plan (DEMP) shall be submitted to the Local Planning Authority for approval in writing. The DEMP shall include the following:
    a) The identification of stages of works and working hours;
    b) Details of community engagement arrangements;
    c) Details of all plant and machinery to be used during demolition and construction stage;
    d) Details of the roles and responsibilities in regard to biodiversity e.g., details of an ecological clerk, details of times when specialist ecologists are required on site, risk assessments, practical measures including use of fences exclusion barriers and warning signs
    e) Details of measures to remove/prevent re-colonisation of non-native species;
    f) Identification of "biodiversity protection zones";
    g) The location and timing of sensitive works to avoid harm to biodiversity features e.g., bird breeding season;
    h) Habitat protection measures including objectives, extent and location of protective measures, timetable for implementation.

Reason: *To ensure the development delivers biodiversity net gain and secures long-term habitat management.*

Biodiversity Gain Plan

32. The Biodiversity Gain Plan shall be prepared in accordance with draft Biodiversity Net Gain Metric, dated 28 January 2025.

Reason: *In order to meet the requirements of Schedule 7A of the Town and Country Planning Act 1990 to achieve biodiversity net gain.*

Habitat Monitoring and Management Plan

33. Prior to the commencement of development a Habitat Monitoring and Management Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan must be submitted to, and approved in writing by, the local planning authority and including:
    a) a non-technical summary;
    b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
    c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
    d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of biodiversity net gain works;
    e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be undertaken and the results to be submitted to the local planning authority.

Reason: To ensure the development delivers biodiversity net gain and secures long-term habitat management.

Biodiversity Net Gain Implementation

34. The Local Planning Authority shall be notified in writing within 28 days of the date of when the habitat creation and enhancement works as set out in the HMMP have been completed.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Restoration

35. Within 6 months of the date of commencement of phase 1 (site construction), as notified to the Local Planning Authority for the purposes of condition 3, a detailed restoration scheme shall be submitted to the Local Planning Authority for approval in writing in compliance with Site Layout Plan – Indicative Restoration (Ref. ZG-EOG-CLTN-PA-16 Rev 1, dated February 2025). The scheme and programme shall include details of the following: -
    a) the sequence and phasing of restoration clearly showing their relationship to the working scheme and surrounding landscape;
    b) timing, phasing and method of replacement of top and subsoils;
    c) the ripping of any compacted layers of final cover to ensure adequate drainage and aeration; such ripping should normally take place before placing of the topsoil;
    d) the machinery to be used in soil re-spreading operations;
    e) the final levels of the restored land;
    f) drainage of the restored land including the formation of suitably graded contours to promote natural drainage and the installation of artificial drainage;
    g) Details of the materials to be used as part of the final restoration surface;
    h) Details for the planting of trees and shrubs including numbers, types and sizes of species to be planted, location and layout of planting areas, protection measures and methods of planting;
    i) Details for the management of any landscaping areas including maintenance of tree and shrub planting and grazing or mowing of seeded areas;
    j) Details of trees and shrubs that are to be retained post restoration of the site;
    k) Details for the seeding of any landscaping areas including mixes to be used and rates of application; and
    l) a timetable for implementation.

The approved scheme and programme shall be implemented in the first available planting season.

Reason: To protect the amenity of the area and to ensure the provision and establishment of acceptable landscaping.

Aftercare Scheme

36. Within 6 months of the date of commencement of phase 1 (site construction), as notified to the Local Planning Authority for the purposes of condition 3, a detailed scheme for the aftercare of the site for a period of 5 years to promote the afteruse of the site shall be submitted to the Local Planning Authority for approval in writing. The scheme and programme shall contain details of the following:
    - Maintenance and management of the restored site to promote its intended use and the establishment of the restored site.
    - Weed control where necessary.
    - Measures to relieve compaction or improve drainage, which would include temporary and long term water control measures.
    - Maintenance and replacement of trees, shrubs and vegetation, weed control and re-staking and re-planting any failures.
    - An annual inspection to be undertaken in conjunction with representatives of the Local Planning Authority to assess the aftercare works that are required the following year.

    Thereafter the aftercare of the site shall be carried out in accordance with the approved scheme and programme including weed control, replacement of dead and dying trees shrubs or plants with species of similar size and species and maintenance of protection measures. A review of the aftercare scheme can be requested by the local planning authority in writing at the end of each phase of extraction.

    Reason: To comply with the requirements of Schedule 5 of the Town and Country Planning Act 1990 and to ensure restoration of the land to the standard required for agriculture and amenity purposes.

Definitions

Heavy goods vehicle: a vehicle of more than 3.5 tonnes gross weight.

Informatives

Statutory Biodiversity Condition

Deemed Condition

Development may not be begun unless:

(a) a biodiversity gain plan has been submitted to the planning authority; and
(b) The planning authority has approved the plan.

Key Requirements

1.2.1 The biodiversity gain plan must include
[1]: (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
(b) the pre-development biodiversity value of the onsite habitat;
(c) the post-development biodiversity value of the onsite habitat;
(d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
(e) any biodiversity credits purchased for the development; and
(f) any such other matters as the Secretary of State may by regulations specify.

When calculating the post-development biodiversity value of a habitat, the planning authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a planning condition, planning obligation, or conservation covenant[2].

[1] Paragraph 14(2) of Schedule 7A TCPA 1990
[2] Paragraph 14(2) of Schedule 7A TCPA 1990

EA – informative

Unacceptable risk to groundwater quality – general In order to protect groundwater we will review well design proposals to ensure that adequate levels of protection are in place to prevent the loss of groundwater resources or any detrimental impact to groundwater quality. This protection will consist of suitably designed well casings that are appropriate to the geological conditions and to the sensitively of any vulnerable resources.

Reference to the 'Hydrogeological Impact Assessment' document dated December 2024 (HIA) indicates that a borehole will be drilled to target the Carboniferous Yoredale Succession, expected at depths between 2168m - 2746m TVDSS. Drawing 3729/HIA/07a and table 3729/HIA/T4 of the document indicates proposed casing in the borehole. It is noted that not all aquifers are individually cased off. While the document states "the active zone of groundwater movement is considered likely to occur within the top 150 m of the bedrock", the legal definition of groundwater is: "All water which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil." and all groundwater pollution must be prevented as per Position Statement G1 of The Environment Agency's approach to groundwater protection (2018). Casing over multiple aquifers may allow potentially polluted groundwater to migrate vertically and impact the groundwater in overlying aquifers.

Our approach to groundwater protection is set out in ‘The Environment Agency’s approach to groundwater protection’. In implementing the position statements in this guidance we will oppose development proposals that may pollute groundwater especially where the risk of pollution is high.”

Public Rights of Way – informative

i There is a Public Right of Way or a ‘claimed’ Public Right of Way within or adjoining the application site boundary – please see the attached plan.

ii If the proposed development will physically affect the Public Right of Way **permanently** in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990

as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.

iii If the proposed development will physically affect a Public Right of Way **temporarily** during the period of development works only, an application to the Highway Authority (North Yorkshire Council) for a Temporary Closure Order is required. Please contact the Council or visit their website for an application form.

iv The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.

v It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.

vi If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.

vii Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the Council's Countryside Access Service at County Hall, Northallerton via CATO@northyorks.gov.uk to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

Target Determination Date: 25 June 2025

Case Officer: Amy Taylor,

Appendix

- Appendix A - Site Layout Plan – Indicative Drilling Phase (Ref. ZG-EOG-CLTN-PA-07)
- Appendix B - Indicative Section Plan – Drilling Phase (Ref. ZG-EOG-CLTN-PA-08)

- Appendix C Site Layout Plan – Indicative Proppant Squeeze Phase with workover rig (Ref. ZG-EOG-CLTN-PA-09)
- Appendix D - Indicative Section Plan – Proppant Squeeze Phase with workover rig (Ref. ZG-EOG-CLTN-PA-10)

- Appendix E - Site Layout Plan – Indicative Proppant Squeeze Phase with coil tubing unit (Ref. ZG-EOG-CLTN-PA-11)
- Appendix F Indicative Section Plan – Proppant Squeeze Phase with coil tubing unit (Ref. ZG-EOG-CLTN-PA-12)

- Appendix G - Site Layout Plan – Indicative Well Testing Phase (Ref. ZG-EOG-CLTN-PA-13)
- Appendix H - Indicative Section Plan – Well Testing Phase (Ref. ZG-EOG-CLTN-PA-14)

- Appendix I - Site Layout Plan – Indicative Site Restoration (Ref. ZG-EOG-CLTN-PA-16)
- Appendix J - Indicative Section Plan – Site Restoration (Ref. ZG-EOG-CLTN-PA-17)

- Appendix K - Indicative Section Plan –Security Fencing and Gates (Ref. ZG-EOG-CLTN-PA-15)

- Appendix L – Figure 6.2 Predicted Noise Contours during night-time drilling

- Appendix M - Figure 6.3 Drilling phase of site layout (light spill)

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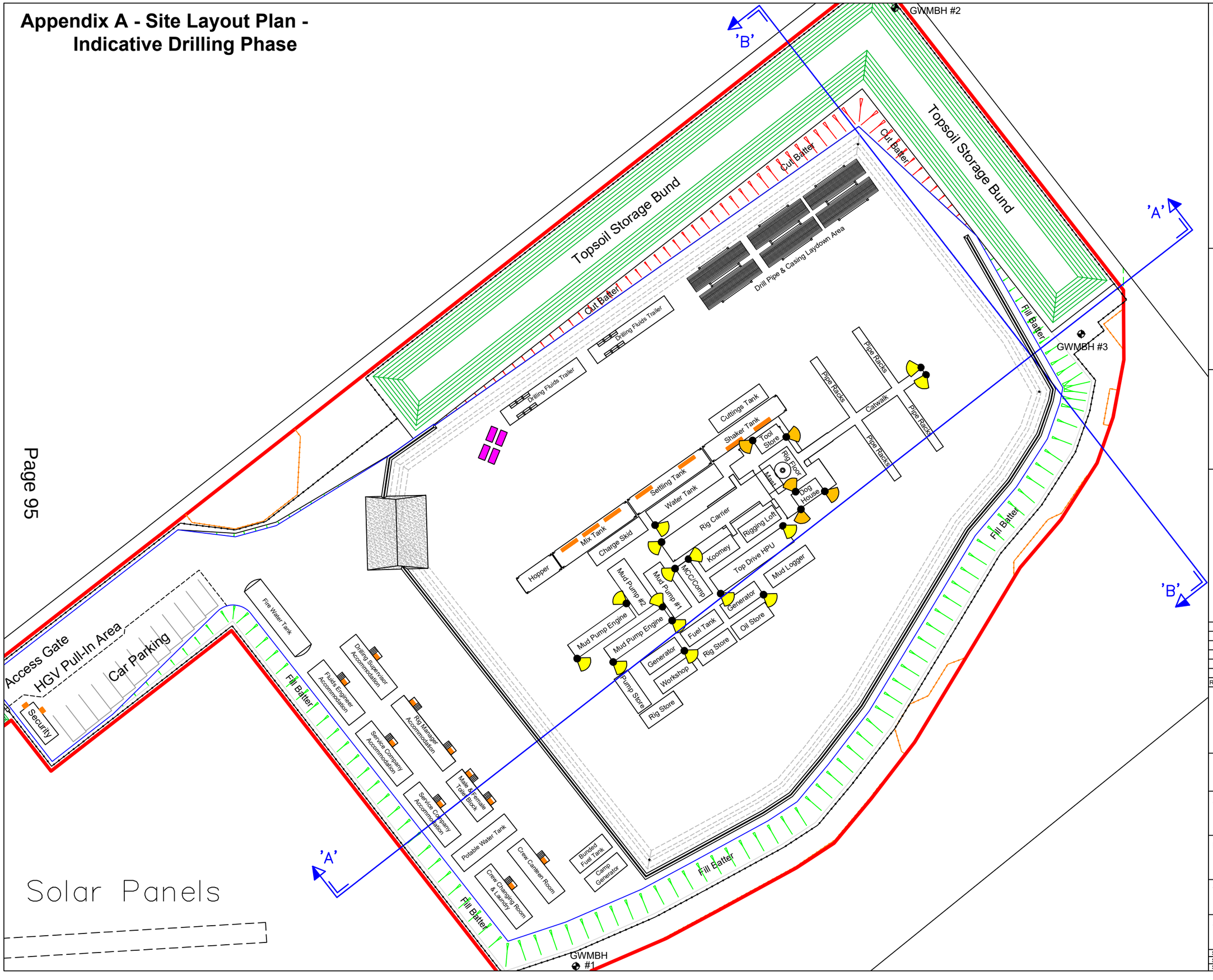
Appendix A - Site Layout Plan - Indicative Drilling Phase



N

KEY:

- PLANNING APPLICATION BOUNDARY
- CUT BATTER
- FILL BATTER
- PERIMETER CONTAINMENT DITCH
- SECURITY FENCING
- GROUNDWATER MONITORING BOREHOLES (GWMBH)
- TREE ROOT PROTECTION FENCE

LIGHTING DETAILS:

- LXFL20WBV2 (1 X 20W / 1613 ml)
- DRILLING RIG 300W LED FLOODLIGHT
- DRILLING RIG 212W HIGH BAY FLOODLIGHT
- DRILLING RIG 75W LINEAR LED
- MOBILE LIGHTING TOWER 4 X 300W LED (OR SIMILAR SPECIFICATION)

ABBREVIATIONS:

HPU: HYDRAULIC POWER UNIT
KOOMEY: ACCUMULATOR
V-DOOR: RAMP FROM CATWALK TO RIG FLOOR

NOTES:

CROSS-SECTION VIEW DETAILS INDICATED BY THE DIRECTION THE ARROWS ARE FACING, FROM POINT 'A' TO POINT 'A', AS SHOWN BELOW:

'A' 'A'

FOR SECTION DETAILS, REFER TO PLAN NO: ZG-EOG-CLTN-PA-08

REVISION HISTORY				
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0	FEB25	JF	FIRST ISSUE	JF
REV	DATE	BY	DETAILS	APR

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SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

PROJECT: APPLICATION FOR PLANNING PERMISSION

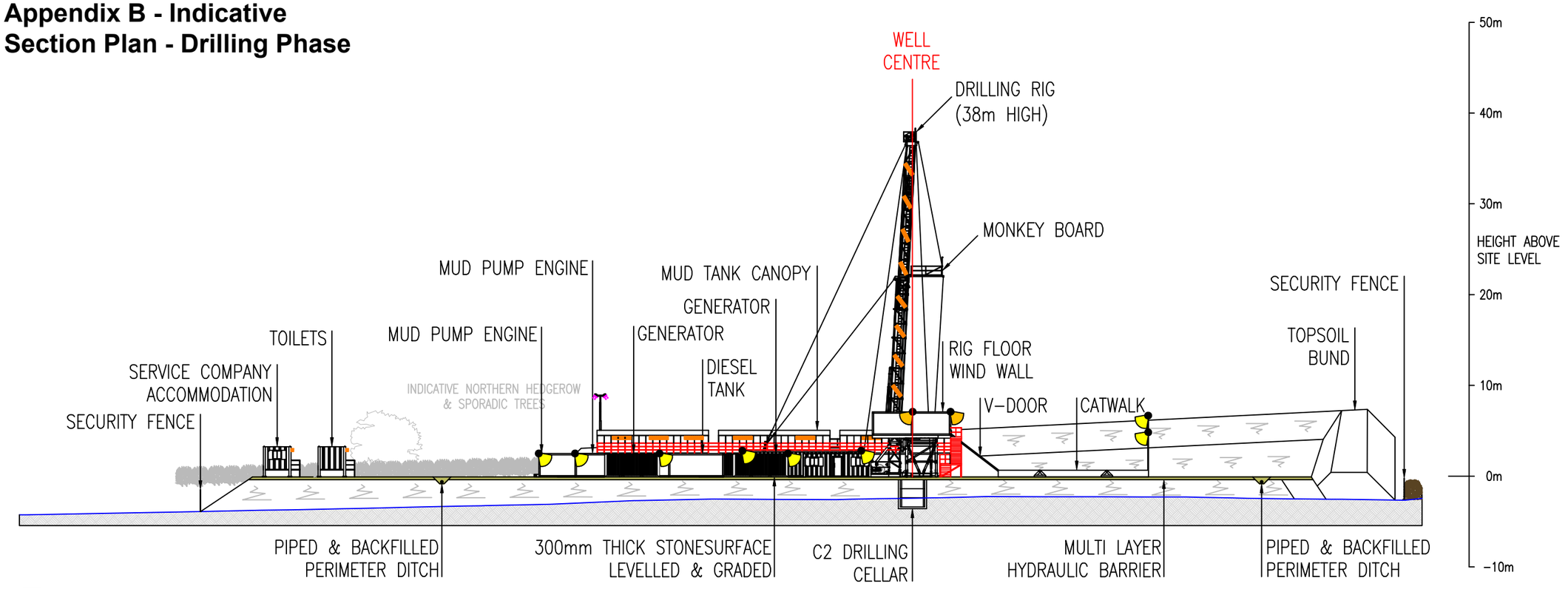
TITLE: SITE LAYOUT PLAN - INDICATIVE DRILLING PHASE

CLIENT: EUROPA OIL & GAS LIMITED

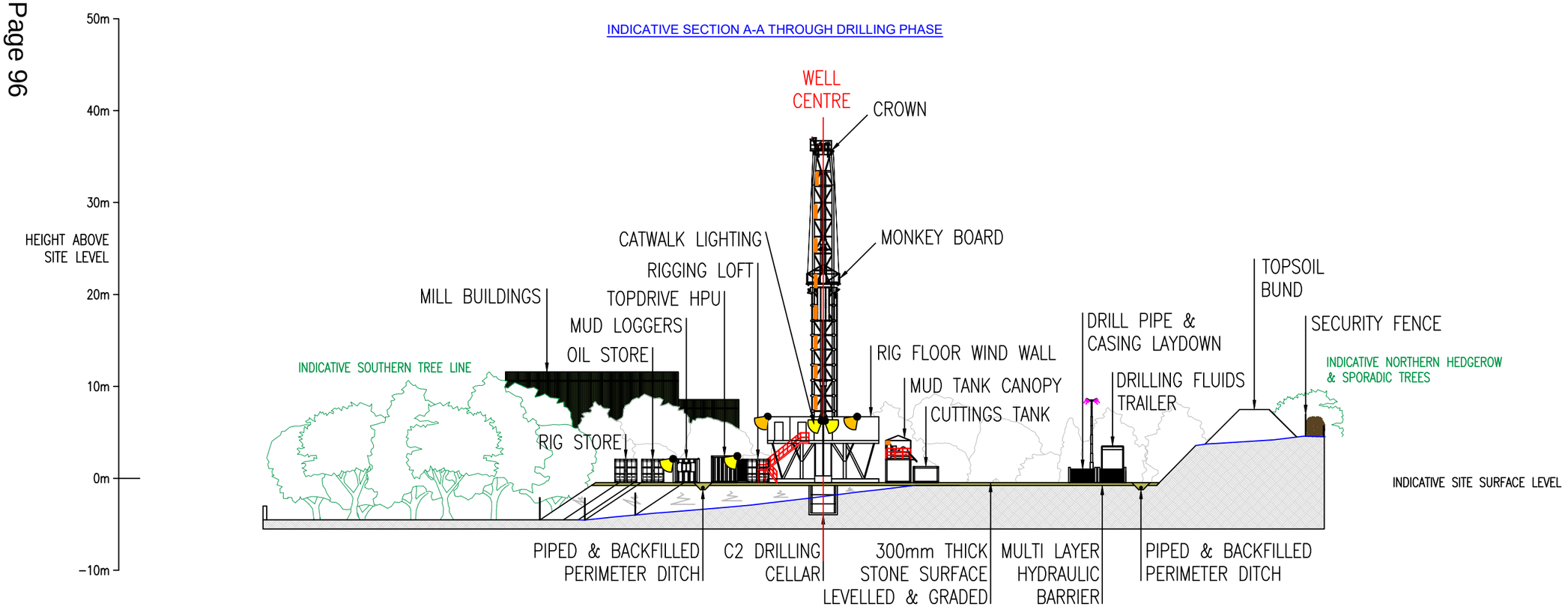
Scale:	1:500
Size:	A3
Sheet:	1 of 1

DWG. No: ZG-EOG-CLTN-PA-07

Appendix B - Indicative Section Plan - Drilling Phase



INDICATIVE SECTION A-A THROUGH DRILLING PHASE



INDICATIVE SECTION B-B THROUGH DRILLING PHASE

0 5m 10m 20m 30m 40m 50m

SCALE IN METRES 1:500

KEY:

LIGHTING DETAILS:

LXFL20WBV2 (1 X 20W / 1613 ml)

DRILLING RIG 300W LED FLOODLIGHT

DRILLING RIG 212W HIGH BAY FLOODLIGHT

DRILLING RIG 75W LINEAR LED

MOBILE LIGHTING TOWER 4 X 300W LED (OR SIMILAR SPECIFICATION)

ABBREVIATIONS:

C2: CLOUGHTON 2 APPRAISAL BOREHOLE
HPU: HYDRAULIC POWER UNIT
V-DOOR: RAMP FROM CATWALK TO RIG FLOOR

NOTES:

FOR LAYOUT DETAILS, REFER TO PLAN NO. ZG-EOG-CLTN-PA-07

REVISION HISTORY				
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SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

PROJECT: APPLICATION FOR PLANNING PERMISSION

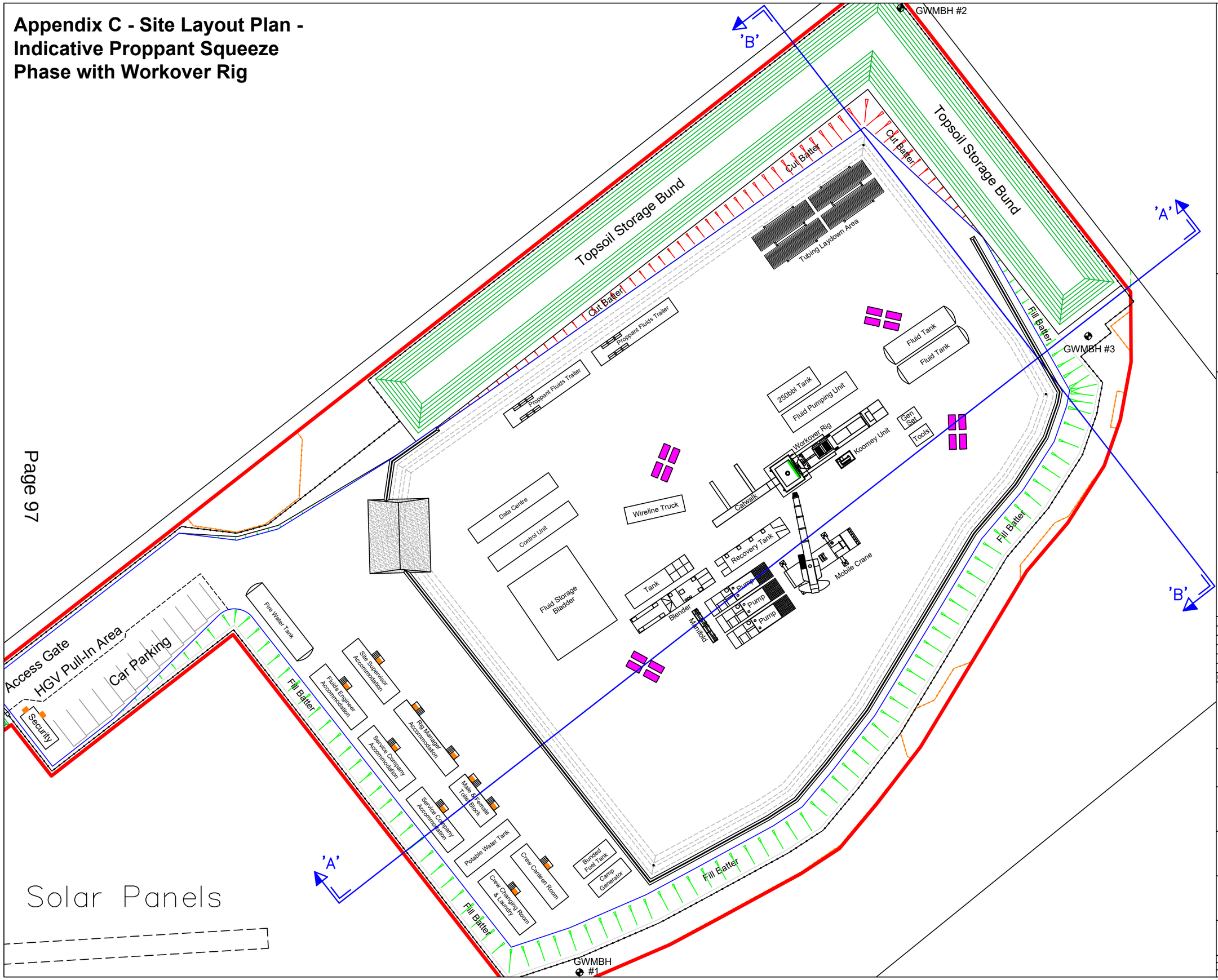
TITLE: INDICATIVE SECTION PLAN - DRILLING PHASE

CLIENT: EUROPA OIL & GAS LIMITED

Scale:	1:500
Size:	A3
Sheet:	1 of 1

DWG. No: ZG-EOG-CLTN-PA-08

Appendix C - Site Layout Plan - Indicative Proppant Squeeze Phase with Workover Rig



N

KEY:

- PLANNING APPLICATION BOUNDARY
- CUT BATTER
- FILL BATTER
- PERIMETER CONTAINMENT DITCH
- SECURITY FENCING
- GROUNDWATER MONITORING BOREHOLES (GWMBH)
- TREE ROOT PROTECTION FENCE

LIGHTING DETAILS:

- LXFL20WBV2 (1 X 20W / 1613 ml)
- WORKOVER RIG EXTERNAL EX LINEAR FLUORESCENT (CEAG 2 X 36W 3350 LUMENS)
- MOBILE LIGHTING TOWER 4 X 300W LED (OR SIMILAR SPECIFICATION)

ABBREVIATIONS:

bbl:	BARRELS (147 LITRES)
GEN SET:	GENERATOR
KOOMEY:	ACCUMULATOR
TOOLS:	TOOL STORE

NOTES:

CROSS-SECTION VIEW DETAILS INDICATED BY THE DIRECTION THE ARROWS ARE FACING, FROM POINT 'A' TO POINT 'A', AS SHOWN BELOW:

'A' 'A'

FOR SECTION DETAILS, REFER TO PLAN NO: ZG-EOG-CLTN-PA-10

REVISION HISTORY

REV	DATE	BY	DETAILS	APR
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SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

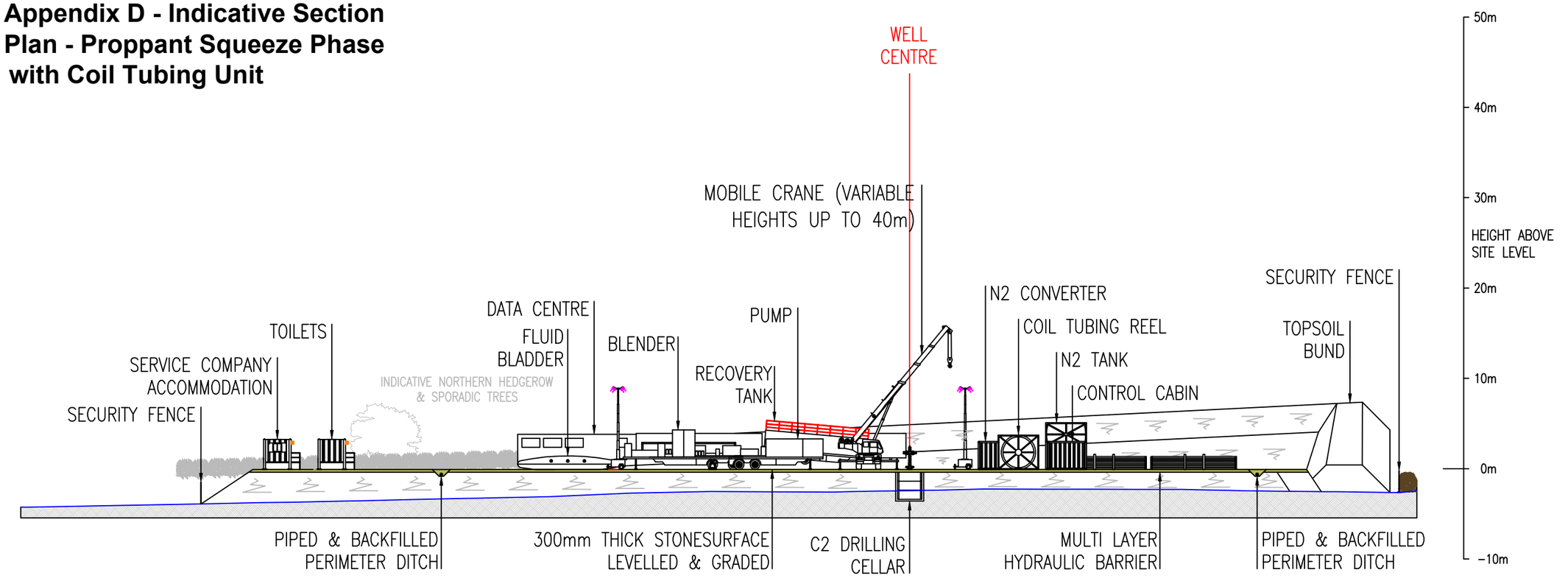
PROJECT: APPLICATION FOR PLANNING PERMISSION

TITLE: SITE LAYOUT PLAN - INDICATIVE PROPPANT SQUEEZE PHASE WITH WORKOVER RIG

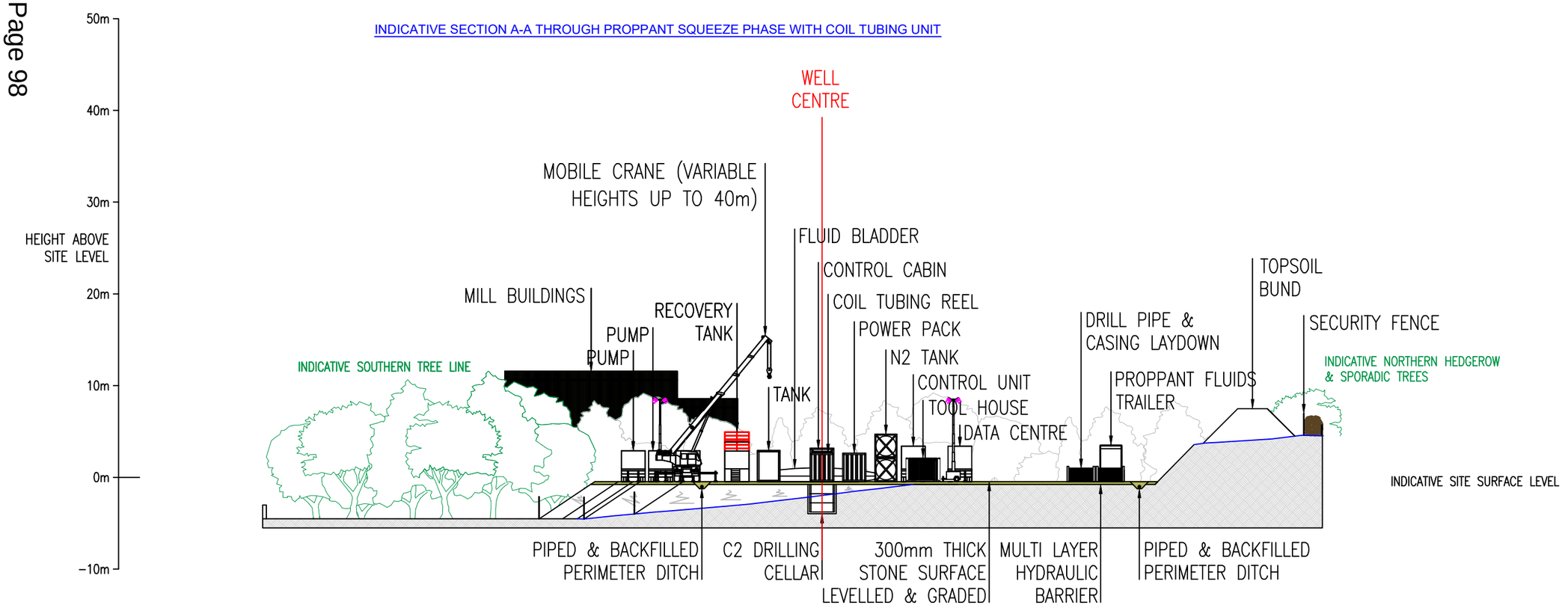
CLIENT: EUROPA OIL & GAS LIMITED

Scale:	1:500	DWG. No: ZG-EOG-CLTN-PA-09
Size:	A3	
Sheet:	1 of 1	

Appendix D - Indicative Section Plan - Proppant Squeeze Phase with Coil Tubing Unit



INDICATIVE SECTION A-A THROUGH PROPPANT SQUEEZE PHASE WITH COIL TUBING UNIT



INDICATIVE SECTION B-B THROUGH PROPPANT SQUEEZE PHASE WITH COIL TUBING UNIT

KEY:

LIGHTING DETAILS:

LXFL20WBV2 (1 X 20W / 1613 ml)

MOBILE LIGHTING TOWER 4 X 300W LED (OR SIMILAR SPECIFICATION)

ABBREVIATIONS:

C2: CLOUGHTON 2 APPRAISAL BOREHOLE
N2: NITROGEN

NOTES:

FOR LAYOUT DETAILS, REFER TO PLAN NO. ZG-EOG-CLTN-PA-11

REVISION HISTORY				
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SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

PROJECT: APPLICATION FOR PLANNING PERMISSION

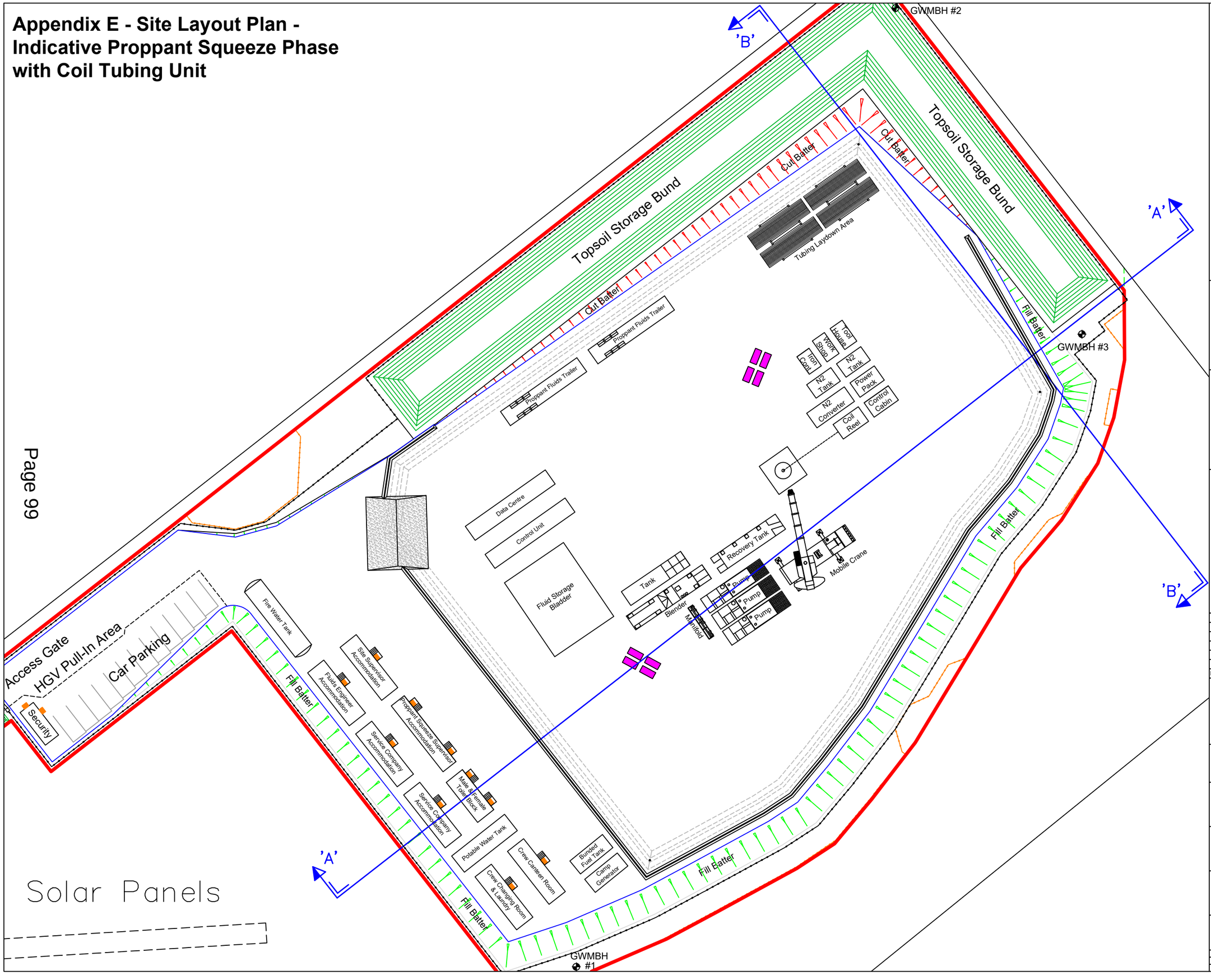
TITLE: INDICATIVE SECTION PLAN - PROPPANT SQUEEZE PHASE WITH COIL TUBING UNIT

CLIENT: EUROPA OIL & GAS LIMITED

Scale:	1:500
Size:	A3
Sheet:	1 of 1

DWG. No: ZG-EOG-CLTN-PA-12

Appendix E - Site Layout Plan - Indicative Proppant Squeeze Phase with Coil Tubing Unit



Page 99

KEY:

- PLANNING APPLICATION BOUNDARY
- CUT BATTER
- FILL BATTER
- PERIMETER CONTAINMENT DITCH
- SECURITY FENCING
- GROUNDWATER MONITORING BOREHOLES (GWMBH)
- TREE ROOT PROTECTION FENCE

LIGHTING DETAILS:

- LXFL20WBV2 (1 X 20W / 1613 ml)
- MOBILE LIGHTING TOWER 4 X 300W LED (OR SIMILAR SPECIFICATION)

ABBREVIATIONS:

N2:	NITROGEN
CONT.:	CONTAINER

NOTES:

CROSS-SECTION VIEW DETAILS INDICATED BY THE DIRECTION THE ARROWS ARE FACING, FROM POINT 'A' TO POINT 'A', AS SHOWN BELOW:

'A' 'A'

FOR SECTION DETAILS, REFER TO PLAN NO: ZG-EOG-CLTN-PA-12

REVISION HISTORY

REV	DATE	BY	DETAILS	APR
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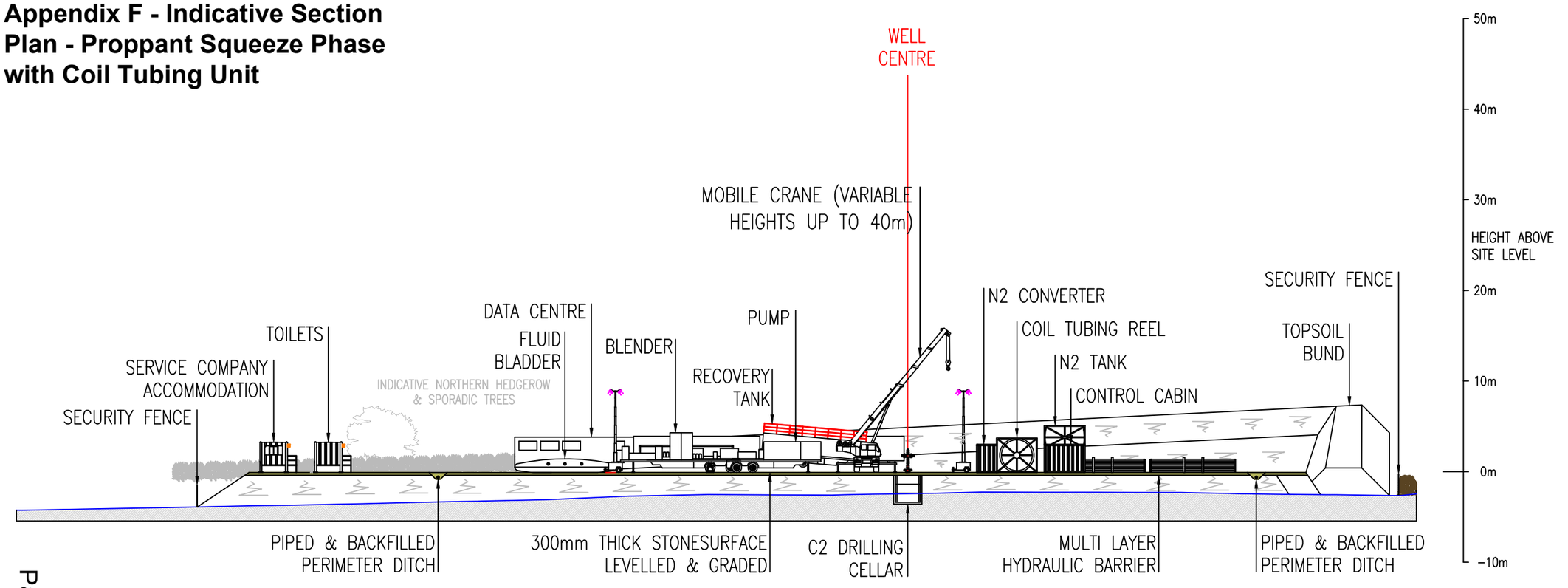
SITE:	CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE
PROJECT:	APPLICATION FOR PLANNING PERMISSION
TITLE:	SITE LAYOUT PLAN - INDICATIVE PROPPANT SQUEEZE PHASE WITH COIL TUBING UNIT
CLIENT:	EUROPA OIL & GAS LIMITED

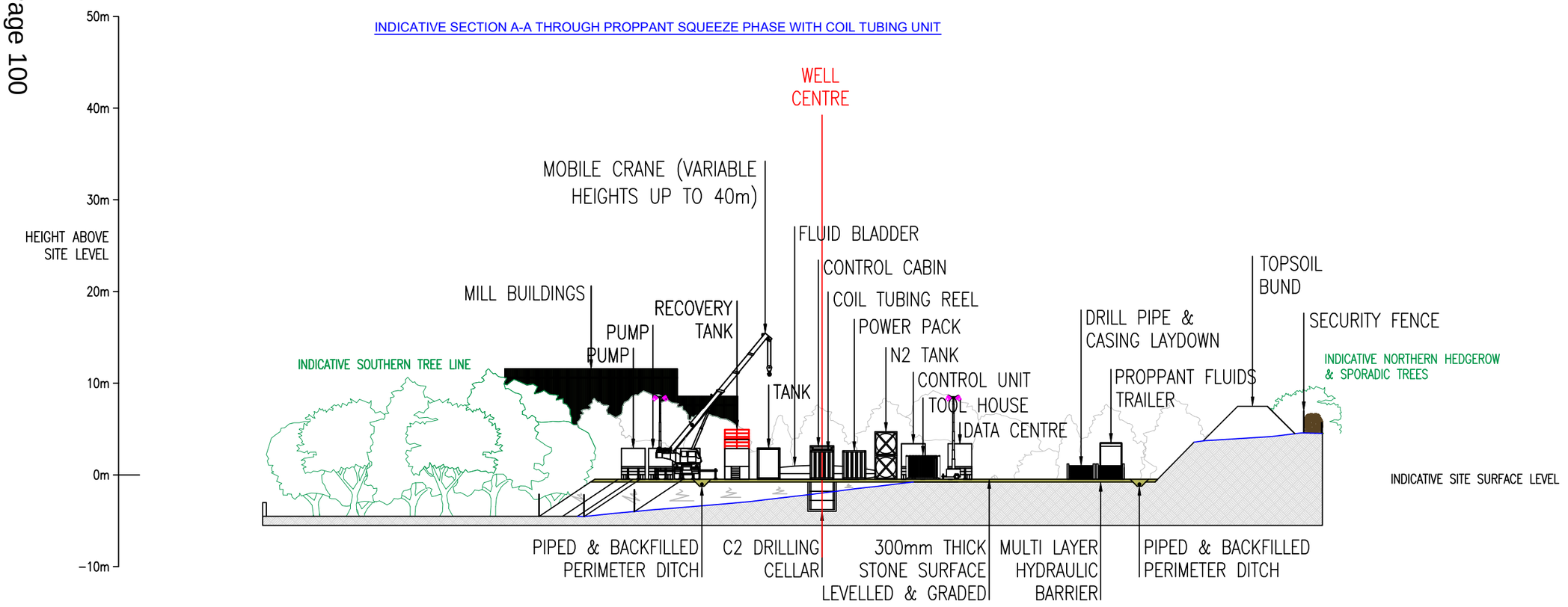
Scale:	1:500
Size:	A3
Sheet:	1 of 1

DWG. No: ZG-EOG-CLTN-PA-11

Appendix F - Indicative Section Plan - Proppant Squeeze Phase with Coil Tubing Unit



INDICATIVE SECTION A-A THROUGH PROPPANT SQUEEZE PHASE WITH COIL TUBING UNIT



INDICATIVE SECTION B-B THROUGH PROPPANT SQUEEZE PHASE WITH COIL TUBING UNIT

0 5m 10m 20m 30m 40m 50m

SCALE IN METRES 1:500

KEY:

LIGHTING DETAILS:

LXFL20WBV2 (1 X 20W / 1613 ml)

MOBILE LIGHTING TOWER 4 X 300W LED (OR SIMILAR SPECIFICATION)

ABBREVIATIONS:

C2: CLOUGHTON 2 APPRAISAL BOREHOLE
N2: NITROGEN

NOTES:

FOR LAYOUT DETAILS, REFER TO PLAN NO. ZG-EOG-CLTN-PA-11

REVISION HISTORY				
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REV	DATE	BY	DETAILS	APR

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SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

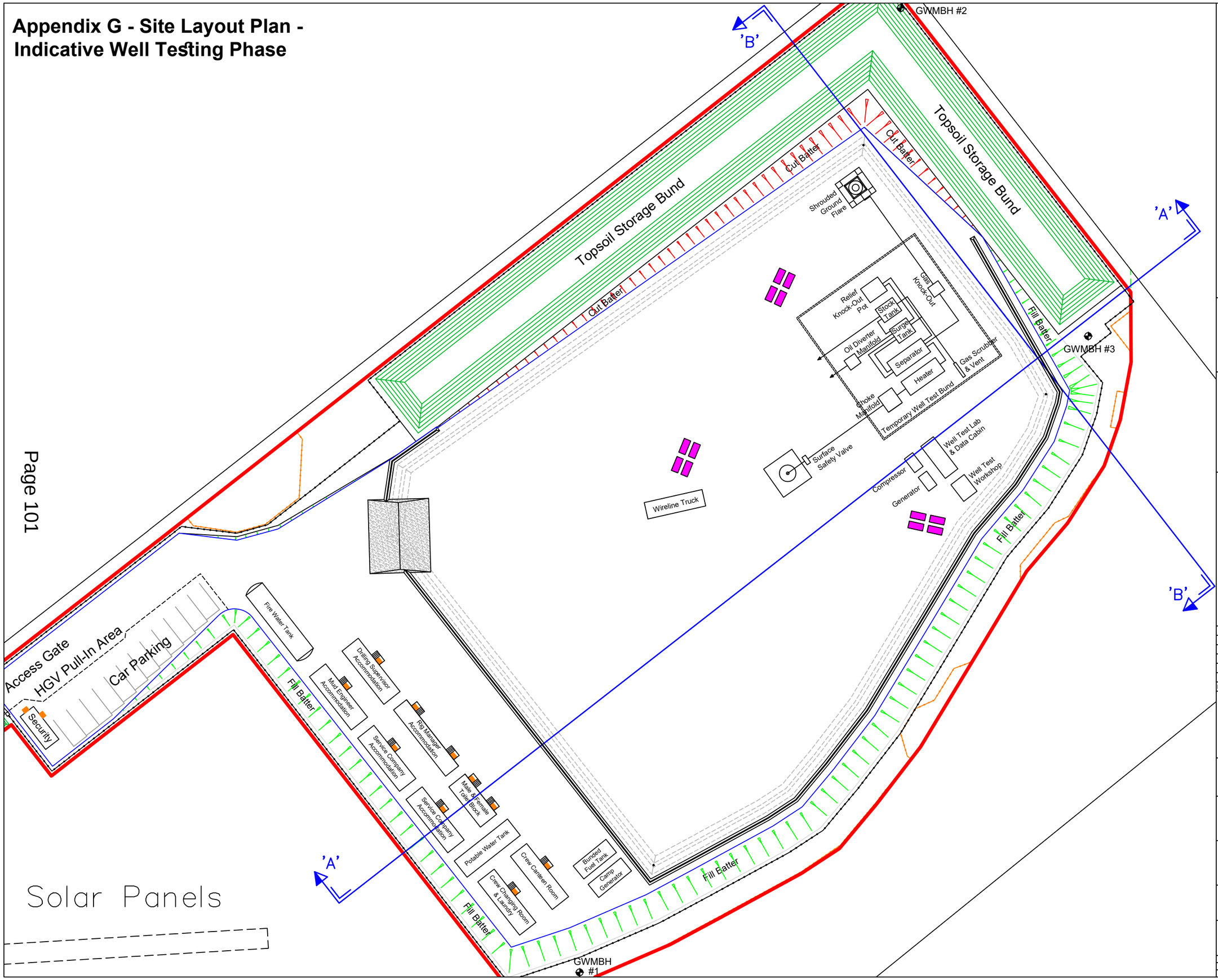
PROJECT: APPLICATION FOR PLANNING PERMISSION

TITLE: INDICATIVE SECTION PLAN - PROPPANT SQUEEZE PHASE WITH COIL TUBING UNIT

CLIENT: EUROPA OIL & GAS LIMITED

Scale:	1:500	DWG. No: ZG-EOG-CLTN-PA-12
Size:	A3	
Sheet:	1 of 1	

Appendix G - Site Layout Plan - Indicative Well Testing Phase



N

KEY:

- PLANNING APPLICATION BOUNDARY
- CUT BATTER
- FILL BATTER
- PERIMETER CONTAINMENT DITCH
- SECURITY FENCING
- GROUNDWATER MONITORING BOREHOLES (GWMBH)
- TREE ROUTE PROTECTION FENCE

LIGHTING DETAILS:

- LXFL20WBV2 (1 X 20W / 1613 ml)
- MOBILE LIGHTING TOWER 4 X 300W LED (OR SIMILAR SPECIFICATION)

ABBREVIATIONS:

NOTES:

CROSS-SECTION VIEW DETAILS INDICATED BY THE DIRECTION THE ARROWS ARE FACING, FROM POINT 'A' TO POINT 'A', AS SHOWN BELOW:

'A' 'A'

FOR SECTION DETAILS, REFER TO PLAN NO: ZG-EOG-CLTN-PA-14

REVISION HISTORY				
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REV	DATE	BY	DETAILS	APR

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SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

PROJECT: APPLICATION FOR PLANNING PERMISSION

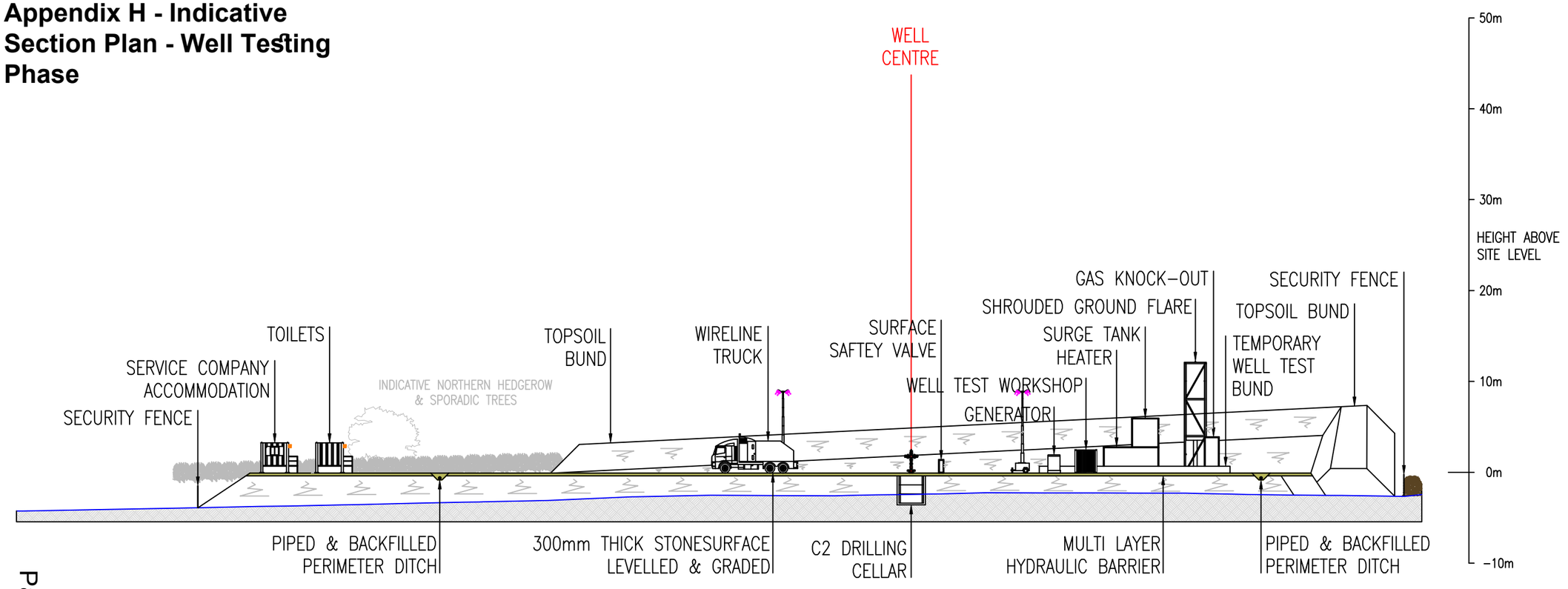
TITLE: SITE LAYOUT PLAN - INDICATIVE WELL TESTING PHASE

CLIENT: EUROPA OIL & GAS LIMITED

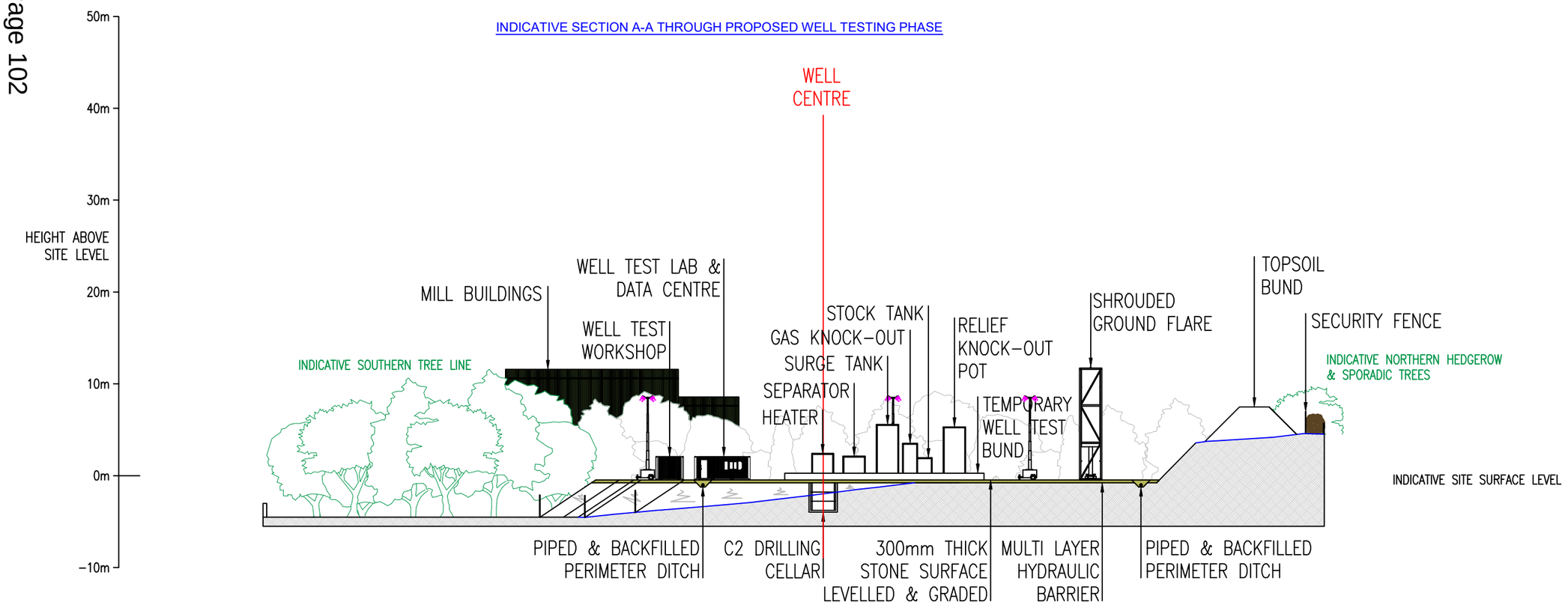
Scale:	1:500
Size:	A3
Sheet:	1 of 1

DWG. No: ZG-EOG-CLTN-PA-13

Appendix H - Indicative Section Plan - Well Testing Phase



INDICATIVE SECTION A-A THROUGH PROPOSED WELL TESTING PHASE



INDICATIVE SECTION B-B THROUGH PROPOSED WELL TESTING PHASE

0 5m 10m 20m 30m 40m 50m

SCALE IN METRES 1:500

KEY:

LIGHTING DETAILS:

LXFL20WBV2 (1 X 20W / 1613 ml)

MOBILE LIGHTING TOWER 4 X 300W LED (OR SIMILAR SPECIFICATION)

ABBREVIATIONS:

C2: CLOUGHTON 2 APPRAISAL BOREHOLE

NOTES:

FOR LAYOUT DETAILS, REFER TO PLAN NO. ZG-EOG-CLTN-PA-13

REVISION HISTORY				
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REV	DATE	BY	DETAILS	APR

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SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

PROJECT: APPLICATION FOR PLANNING PERMISSION

TITLE: INDICATIVE SECTION PLAN - WELL TESTING PHASE

CLIENT: EUROPA OIL & GAS LIMITED

Scale:	1:500	DWG. No: ZG-EOG-CLTN-PA-14
Size:	A3	
Sheet:	1 of 1	

Appendix I - Site Layout Plan - Indicative Restoration

Agricultural Grass Mixes Schedule

SUPREME AGRICULTURAL Long Term Dual Purpose	
Supplier: Greenland Seeds, Sowing Rate: 14kg per acre	
Mix per pack/kg	Species
2.5	Agaska/Boyne Intermediate Diploid Perennial Ryegrass
4.0	Aston Energy/Nolwen Intermediate Tetraploid Ryegrass
3.5	Bijou/Nashota Late Tetraploid Perennial Ryegrass
3.0	Oakpark Late Diploid Perennial Ryegrass
0.25	Climax/Tenho Timothy
0.75	Dual White Clover Blend

The land will be regraded and returned to agriculture

Proposed - Agricultural Grass Mix
Seeding with SUPREME AGRICULTURAL Long Term Dual Purpose, at the rate of 14kg per acre

'A'

'B'

Grass

Woodland
Fronting Trees To Survey

Solar Panels

KEY:

- PLANNING APPLICATION BOUNDARY
- 1m CONTOURS
- 0.2m CONTOURS
- HEDGEROW
- TREE

NOTES:

CROSS-SECTION VIEW DETAILS INDICATED BY THE DIRECTION THE ARROWS ARE FACING, FROM POINT 'A' TO POINT 'A', AS SHOWN BELOW:

'A' 'A'

FOR SECTION DETAILS, REFER TO PLAN NO: ZG-EOG-CLTN-PA-17

RESTORATION SCHEME TO BASED ON TOPOGRAPHIC SURVEY ACQUIRED 16TH SEPTEMBER 2024.

REVISION HISTORY				
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0	FEB25	JF	FIRST ISSUE	JF
REV	DATE	BY	DETAILS	APR

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Registered in England No. 05264458. Registered office: The Innovation Centre, Kirkleatham Business Park, Redcar, TS10 5SH

SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

PROJECT: APPLICATION FOR PLANNING PERMISSION

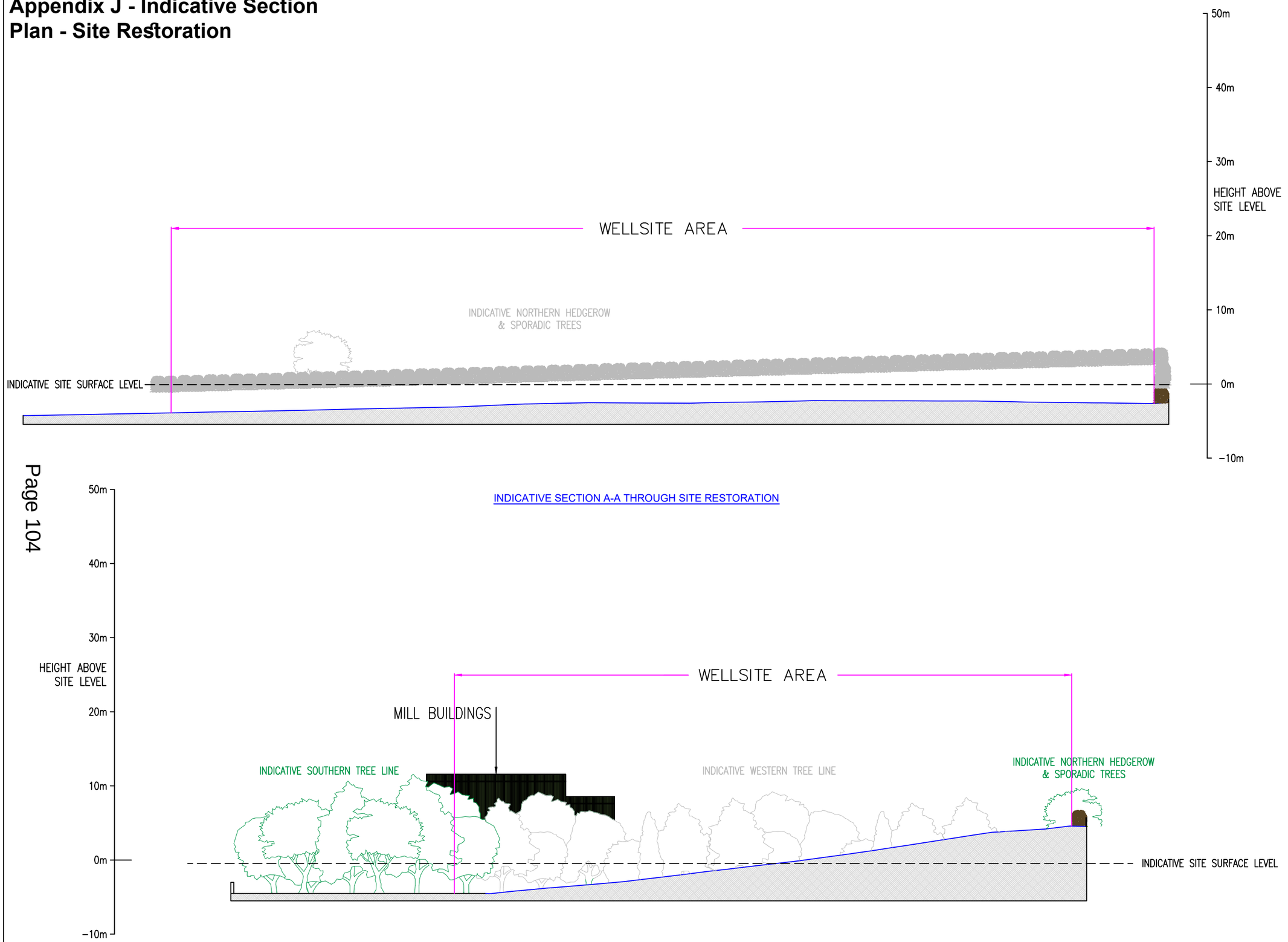
TITLE: SITE LAYOUT PLAN - INDICATIVE RESTORATION

CLIENT: EUROPA OIL & GAS LIMITED

Scale:	1:500
Size:	A3
Sheet:	1 of 1

DWG. No: ZG-EOG-CLTN-PA-16

Appendix J - Indicative Section Plan - Site Restoration



INDICATIVE SECTION A-A THROUGH SITE RESTORATION

INDICATIVE SECTION B-B THROUGH SITE RESTORATION

0 5m 10m 20m 30m 40m 50m

SCALE IN METRES 1:500

KEY:

NOTES:

RESTORATION SECTIONS DERIVED FROM TOPOGRAPHIC SURVEY ACQUIRED 16TH SEPTEMBER 2024.

FOR LAYOUT DETAILS, REFER TO PLAN NO. ZG-EOG-CLTN-PA-16

REVISION HISTORY

REV	DATE	BY	DETAILS	APR
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SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

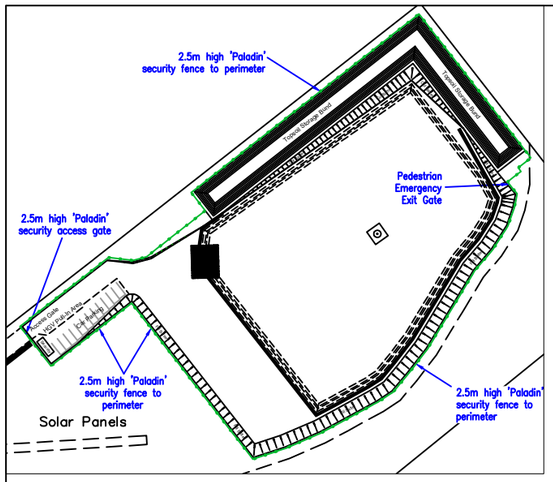
PROJECT: APPLICATION FOR PLANNING PERMISSION

TITLE: INDICATIVE SECTION PLAN - SITE RESTORATION

CLIENT: EUROPA OIL & GAS LIMITED

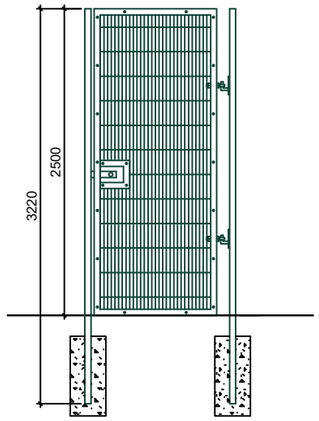
Scale:	1:500	DWG. No: ZG-EOG-CLTN-PA-17
Size:	A3	
Sheet:	1 of 1	

Appendix K - Indicative Section Plan - Security Fencing & Gates



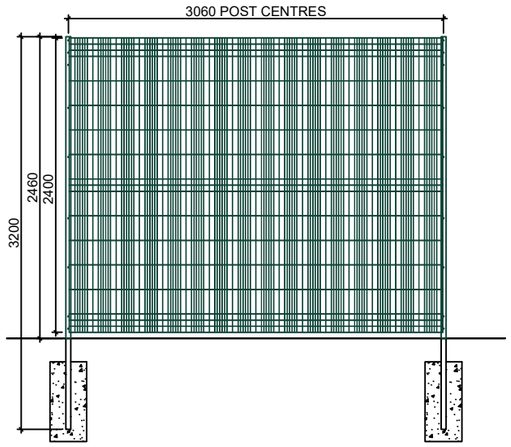
WELLSITE FENCING & GATES PLAN 1:2,000 SCALE

2.46M MESH PANEL SECURITY FENCE & PEDESTRIAN SECURITY GATE (NORTHERN, EASTERN, SOUTHERN & WESTERN BOUNDARIES OF THE WELLSITE)



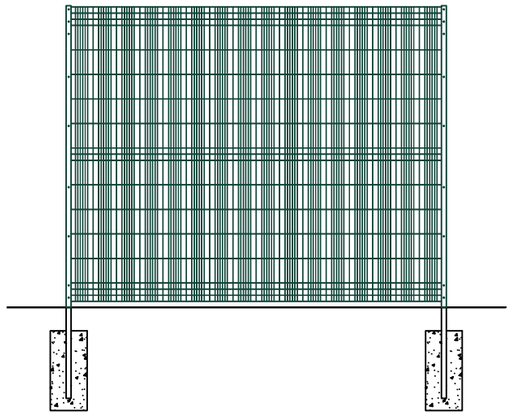
Pedestrian Gate - Front Elevation

Scale 1:50



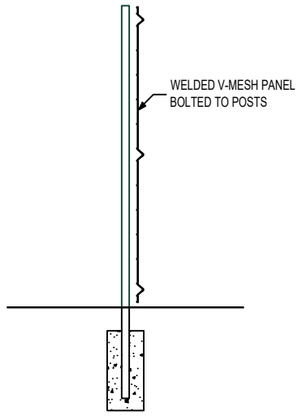
Fence Panel - Front Elevation

Scale 1:50



Fence Panel - Rear Elevation

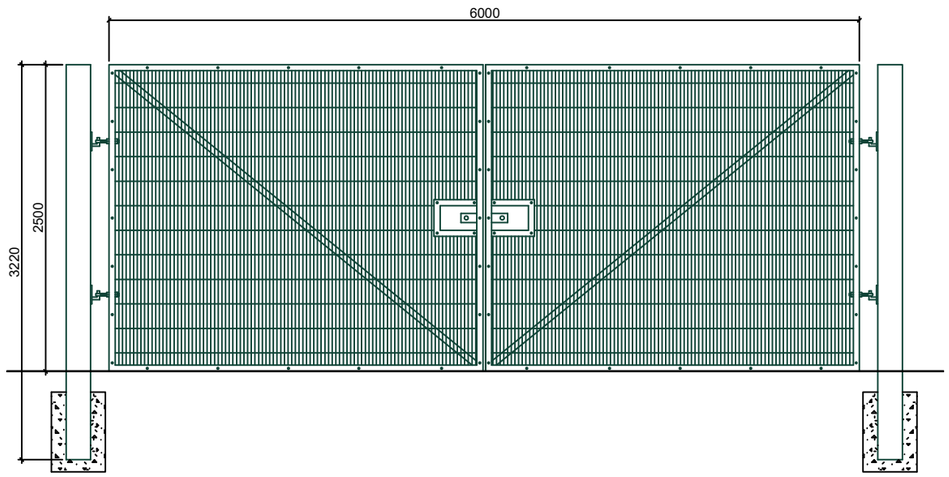
Scale 1:50



Side Elevation

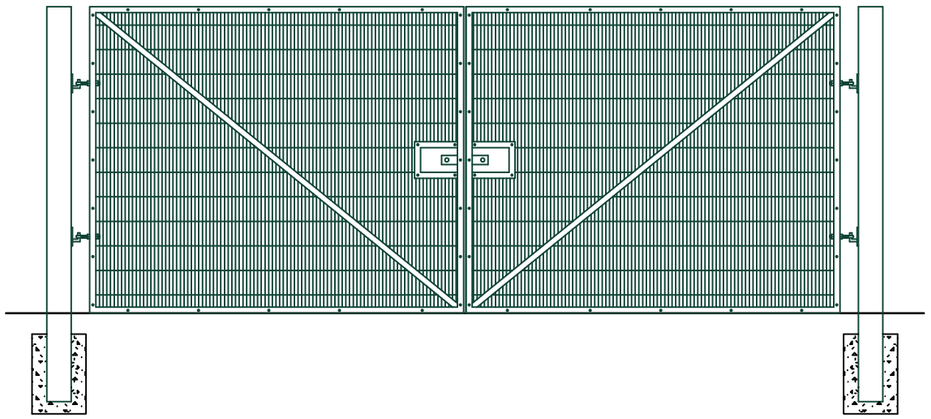
Scale 1:50

2.50M MESH PANEL SECURITY GATES (SOUTH WESTERN BOUNDARY OF THE WELLSITE)



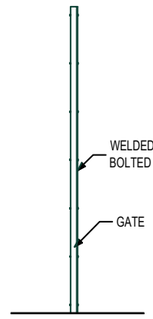
Gate - Front Elevation

Scale 1:50



Gate - Rear Elevation

Scale 1:50



Gate - Side Elevation

Scale 1:50

KEY:

SECURITY FENCING

NOTES:

REVISION HISTORY				
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0	FEB25	JF	FIRST ISSUE	JF
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T: +44(0)1642 777726 E: info@zetlandgroup.com W: www.zetlandgroup.com
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SITE: CLOUGHTON WELLSITE, BURNISTON, NORTH YORKSHIRE

PROJECT: APPLICATION FOR PLANNING PERMISSION

TITLE: INDICATIVE SECTION PLAN - SECURITY FENCING & GATES

CLIENT: EUROPA OIL & GAS LIMITED

Scale:	1:50	DWG. No: ZG-EOG-CLTN-PA-15
Size:	A3	
Sheet:	1 of 1	

Appendix L - Supporting Statement - Figure - Predicted noise contours during night-time drilling

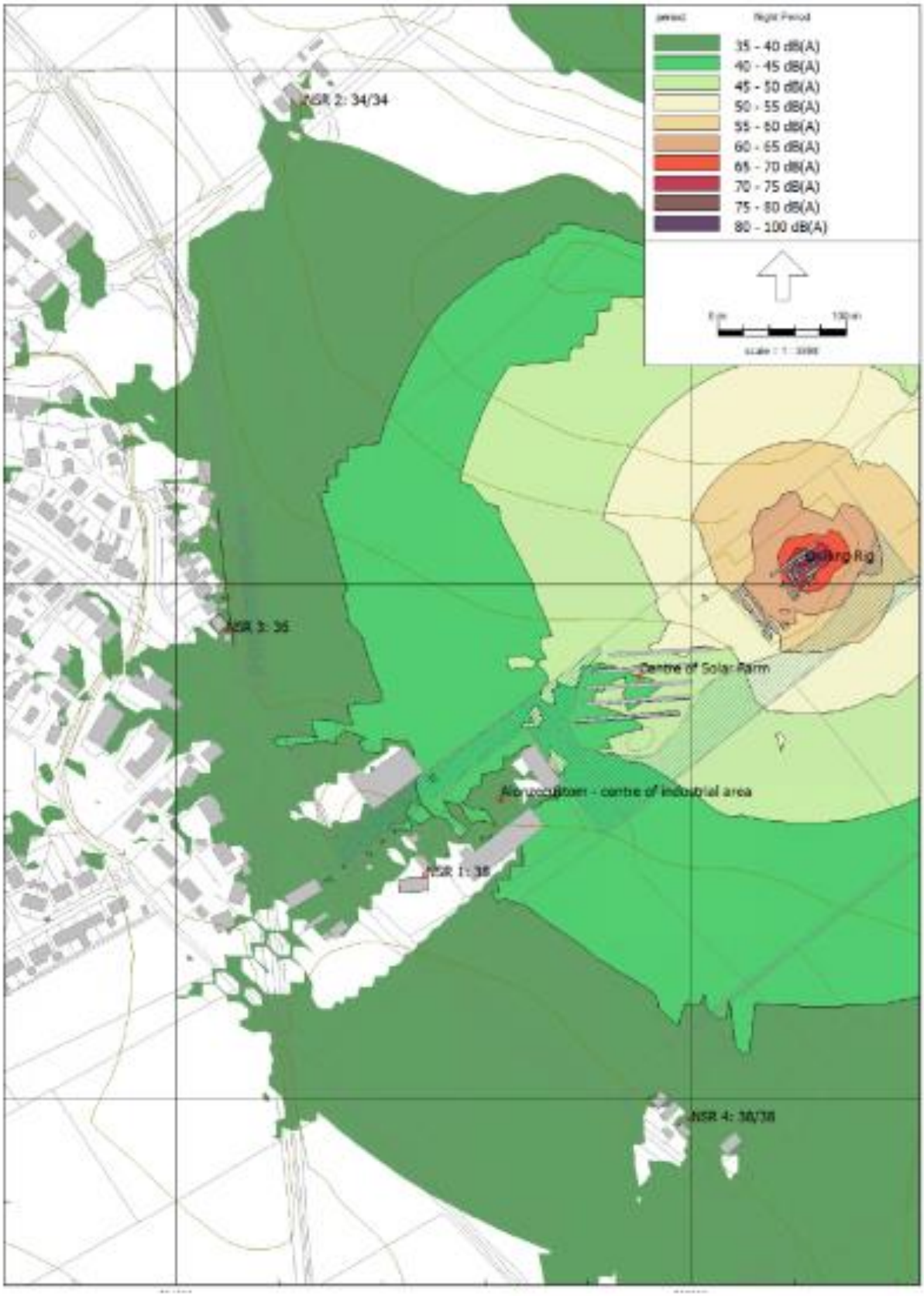

Figure 6.2 - Predicted noise contours during night-time drilling

Figure 6.3 - Drilling phase of site layout (light spill)

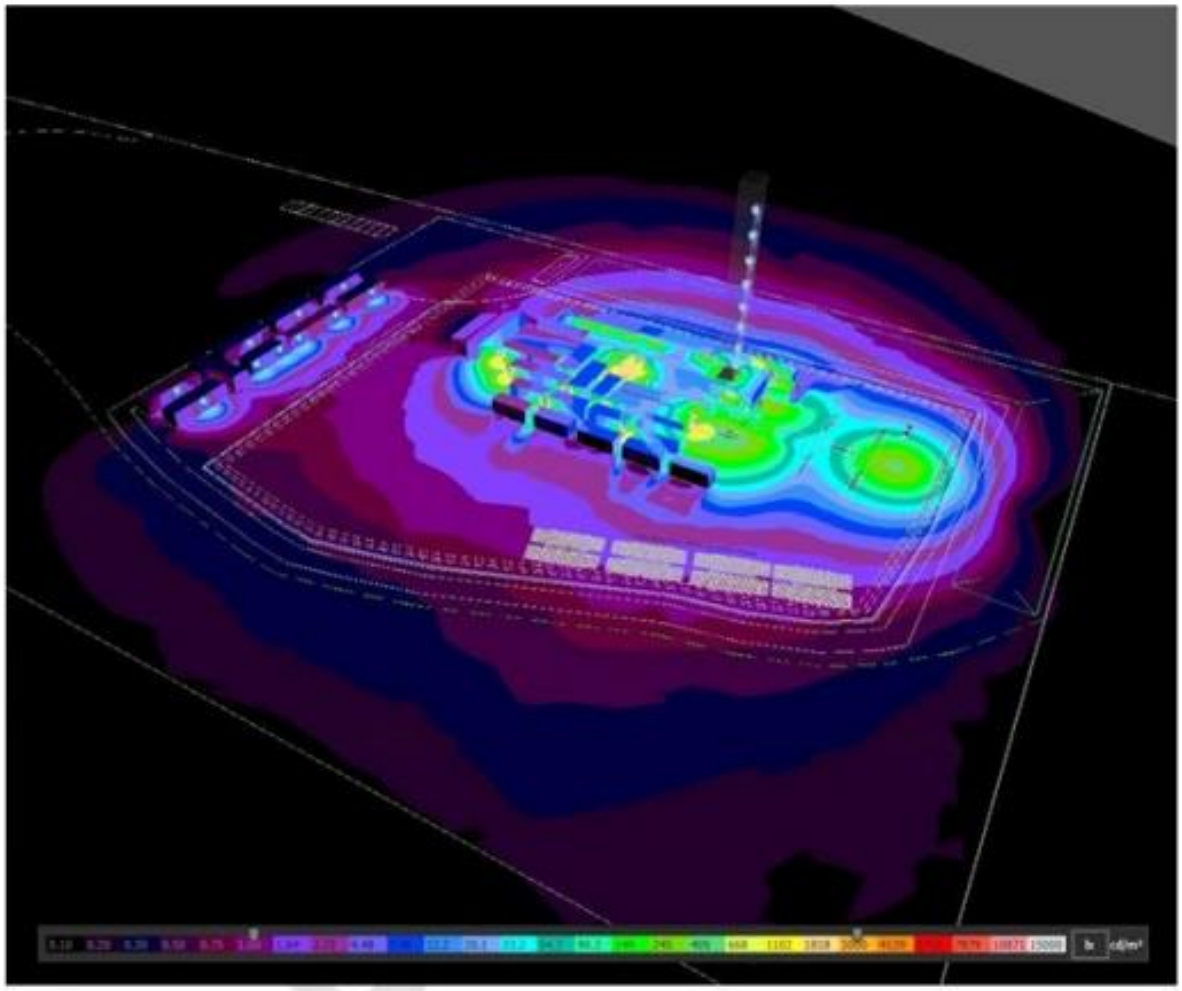

Figure 6.3 - Drilling phase of site layout (light spill)

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