Construction of a wellsite and operation of a drilling rig for the appraisal of subsurface hydrocarbons, well testing and retention of equipment – Land east of The Mill Yard, Burniston Mill, Coastal Road, Burniston, Scarborough

Planning Statement

Europa Oil and Gas Limited

February 2025

Quality information

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Table 0-1 Abbreviations used within this Planning Statement

Abbreviation	Definition
AOD	Above Ordnance Datum
ALC	Agricultural Land Classification
AQIA	Air Quality Impact Assessment
AQMA	Air Quality Management Area
AADT	Annual Average Daily Traffic
AES	Annual Energy Statement
BOPD	barrels of oil per day
BMV	Best and Most Versatile
BNG	Biodiversity Net Gain
BGS	British Geological Survey
BEIS	Business, Energy and Industrial Strategy
CI	Carbon Intensity
CCC	Climate Change Committee
CQA	Construction Quality Assurance
CTMP	Construction Traffic Management Plan
DCLC	Department for Communities and Local Government
DLUHC	Department for Levelling Up, Housing and Communities
DECC	Department of Energy and Climate Change
DTI	Department of Trade and Industry
DAS	Design and Access Statement
DMRB	Design Manual for Roads and Bridges
DBA	Desk Based Assessment
DPD	Development Plan Document
EAR	Ecology Appraisal Report
EA	Environment Agency
EGS	Economic Growth Strategy
EIA	Environmental Impact Assessment
ES	Environmental Statement
FRA	Flood Risk Assessment
GHG	Greenhouse Gas
GVA	Gross Value Added

Abbreviation	Definition
HGV	Heavy Goods Vehicle
HDPE	High-Density Polyethylene
HER	Historic Environment Record
HRA	Hydrogeological Risk Assessment
LVA	Landscape and Visual Appraisal
LCT	Landscape Character Type
LDF	Local Development Framework
LNR	Local Nature Reserves
LPA	Local Planning Authorities
LWS	Local Wildlife Site
LOAEL	Lowest Observed Adverse Effect Level
Mboe	Thousand barrels of oil equivalent
MPA	Mineral Planning Authority
NCA	National Character Area
NNR	National Nature Reserves
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NVZ	Nitrate Vulnerable Zone
NMP	Noise Management Plan
NML	noise monitoring locations
NSR	noise-sensitive receptors
NSTA	North Sea Transition Authority
NYC	North Yorkshire Council
NYMNPA	North York Moors National Park Authority
OGA	Oil and Gas Authority
OS	Ordnance Survey
EN-1	Overarching National Policy Statement for Energy
PEDL	Petroleum Exploration and Development Licence
PINS	Planning Inspectorate
PPG	Planning Practice Guidance
PRoW	Public Right of Way
SOAEL	Significant Observed Adverse Effect Level
SSSI	Site of Special Scientific Interest
SAC	Special Area of Conservation
SPA	Special Protection Area
SCI	Statement of Community Involvement
SuDS	Sustainable Drainage Systems
TWH	Terawatt hours

Abbreviation	Definition
TA	Transport Assessment
UKOOG	UK Onshore Operators Group
UNFCCC	United Nations Framework Convention on Climate Change
WHS	World Heritage Sites
WMS	Written Ministerial Statement

Executive Summary

Europa Oil and Gas Limited ('Europa') is applying to North Yorkshire Council (NYC) for planning permission under the Town and Country Planning Act 1990 (as amended) for the following development:

> *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, Coastal Road, Burniston, Scarborough*

Europa is an independent onshore oil and gas exploration and development company, formed in 1995. Europa has been exploring for and producing oil and gas from the UK onshore for over 10 years. The company operates the legacy oil and gas fields at West Firsby in West Lindsey in Lincolnshire and Crosby Warren in North Lincolnshire.

The proposed wellsite lies within Petroleum Exploration and Development Licence (PEDL) 343, which covers an area of 110km^2 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).

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.

Europa is submitting an application to NYC to construct and drill a new wellsite in order to appraise the gas reserves from the reservoir, followed by well abandonment, decommissioning and site restoration. Following the drilling phase, Europa will undertake a proppant squeeze operation to enable the gas to be flowed for the purposes of testing the volume and quality of the gas. Europa is seeking a temporary 3-year planning permission. If drilling and subsequent testing does not prove that gas volumes are commercially viable, it is likely that decommissioning and site restoration would take effect sooner.

No changes are proposed to the established site access, a private road off the A165 Coastal Road, which serves Burniston Mill. Access is currently used for the existing animal feed mill as well as a number of industrial units. The access has a good sight line and is suitably wide to cater for HGVs. It is therefore considered to be a safe and established means of access which will be sufficient to support the Proposed Development.

The Proposed Development will not result in any notable adverse environmental or amenity impacts. The Proposed Development has been assessed in relation to:-

- landscape and visual amenity (chapter 6 of the Environmental Statement)
- transport (chapter 7 of the Environmental Statement)
- ecology and biodiversity net gain
- noise
- flood risk, hydrogeology and surface water drainage
- air quality
- lighting
- emissions
- archaeology and cultural heritage; and
- agricultural land quality and soils.

All the assessments conclude that, with the application of appropriate mitigation measures (including best practice operational measures and suitable planning conditions), there will not be any notable adverse impacts from the Proposed Development on the environment or local amenity. At the same time, the Proposed Development will deliver modest but positive economic and social impacts for the local community.

The Proposed Development has been assessed in line with local and national planning policy. It accords with the most relevant adopted development plan policies contained within the Minerals and Waste Joint Plan (2022) and the Scarborough Borough Local Plan (2017).

The proposal has also been found to accord with the key material considerations, including the National Planning Policy Framework (NPPF) and the relevant Planning Practice Guidance notes. In terms of the NPPF, the proposal is considered to be ‘sustainable development’ to which the presumption in favour of sustainable development applies.

1. Introduction

Scope

This Planning Statement has been prepared to accompany a planning application submitted by Europa Oil and Gas Limited ('Europa') to North Yorkshire Council (NYC) in its capacity as Mineral Planning Authority (MPA).Europa is seeking planning permission for the following development:

> *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, Coastal Road, Burniston, Scarborough*

For clarity, Europa will not use the process known as High Volume Hydraulic Fracturing (commonly referred to as 'fracking').

Further details of the proposed development are provided in Section 4, below.

The planning application comprises:

- completed planning application form, validation checklist and certificates;
- this Planning Statement;
- covering letter;
- Environmental Statement comprising
  - Landscape and Visual Appraisal chapter;
  - Transport chapter, Transport Assessment (TA) and Construction Traffic Management Plan (CTMP);
  - Cumulative Effects
- Preliminary Ecology Appraisal (PEA);
- Biodiversity Net Gain (BNG) Assessment;
- Lighting Assessment;
- Noise and Vibration Assessment and Noise Management Plan;
- Air Quality Impact Assessment (AQA);
- Odour Management Plan;
- Archaeology and Cultural Heritage Desk Based Assessment (DBA);
- Agricultural Land Classification (ALC) and Soil Resource Survey;
- Emissions Report (Climate Change Assessment);
- Statement of Community Involvement;
- Hydrogeological Impact Assessment (HIA);
- Flood Risk Assessment (FRA) and Drainage Strategy; and
- the plans/drawings shown in Table 1-1, below:

Table 1-1 Plans / Drawings

Plan / Drawing	Plan / Drawing Title	Scale
ZG-EOG-CLTN-PA-01	Location Plan (Site of Application)	1:2,500
ZG-EOG-CLTN-PA-02	Location Plan	1:10,000
ZG-EOG-CLTN-PA-03	Site Layout Plan – Existing Site	1:500
ZG-EOG-CLTN-PA-04	Indicative Section Plan – Existing Site	1:500
ZG-EOG-CLTN-PA-05	Indicative Site Layout Plan – Construction Phase	1:500
ZG-EOG-CLTN-PA-06	Indicative Section Plan – Construction Phase	1:500
ZG-EOG-CLTN-PA-07	Indicative Site Layout Plan – Drilling Phase	1:500
ZG-EOG-CLTN-PA-08	Indicative Section Plan – Drilling Phase	1:500
ZG-EOG-CLTN-PA-09	Indicative Site Layout Plan – Proppant Squeeze Phase with Workover Rig	1:500

ZG-EOG-CLTN-PA-10	Indicative Section Plan – Proppant Squeeze Phase with Workover Rig	1:500
ZG-EOG-CLTN-PA-11	Indicative Site Layout Plan – Proppant Squeeze Phase with Coil Tubing Unit	1:500
ZG-EOG-CLTN-PA-12	Indicative Section Plan – Proppant Squeeze Phase with Coil Tubing Unit	1:500
ZG-EOG-CLTN-PA-13	Indicative Site Layout Plan – Well Testing Phase	1:500
ZG-EOG-CLTN-PA-14	Indicative Section Plan – Well Testing Phase	1:500
ZG-EOG-CLTN-PA-15	Indicative Site Layout Plan – Security Fencing and Gates	1:50
ZG-EOG-CLTN-PA-16	Indicative Section Plan – Site Restoration	1:500
ZG-EOG-CLTN-PA-17	Indicative Site Layout Plan – Site Restoration	1:500
ZG-EOG-CLTN-PA-18	Potential Area of Hydrocarbon	1:25000

Referencing

For referencing purposes, the following definitions have been adopted and are utilised from this point onwards:

- **the Proposed Development** – the proposal being put forward by Europa as described in Section 4 of this Planning Statement;
- **the Site** – the area within the red line boundary of drawing ref. 'ZG-EOG-CLTN-PA-01 Location Plan (Site of Application)', comprising the proposed wellsite, the Site access road and visibility splays (1.4175 ha in area);
- **the wellsite** – comprises the earth bunds and the well cellar, where the operational activity takes place but excluding the car park, new and existing sections of access road (1.1414 ha in area);
- **the Site access road** – the existing private access road to the Site, off the A165 (806 sqm);
- **the new section of access road** – the extension of the existing access road (874 sqm) and
- **the car parking area** (580 sqm).

Design and Access Statement

A requirement for planning applications to be accompanied by a Design and Access Statement (DAS) was introduced under Section 42 of the Planning and Compulsory Purchase Act 2004. Section 42 inserts a new Section 327A into the Town and Country Planning Act 1990, the effect of which is to prohibit, amongst other things, a Local Planning Authority from entertaining an application unless it is accompanied by a DAS, where required.

Article 9 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the various categories of planning application to which the above requirement applies i.e.:

- major development (as defined in Article 2 of the 2015 Order); and
- dwellings or other buildings over a certain size, in designated areas.

Although 'the winning and working of minerals or the use of land for mineral-working deposits' falls within the definition of 'major development', paragraph 4(a) of Article 9 confirms that applications made for 'engineering or mining operations' are exempt.

It follows that there is no requirement for this application to be accompanied by a DAS.

Pre-Application Advice

Europa submitted a request for pre-application planning advice to NYC on 21st March 2024, which provided details about the site history, the Proposed Development, and the relevant environmental and planning considerations. A response was issued by NYC on 11th June 2024. This outlined, among other things, the key local and national policies with which the Proposed Development would need to take into account and the relevant assessments that NYC would expect to accompany a formal planning application.

Environmental Impact Assessment (EIA) Screening

A formal request for an Environmental Impact Assessment (EIA) Screening Opinion was submitted by Europa to NYC on 12th July 2024 in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) ('the EIA Regulations') 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 her decision on 6th November 2024, concluding that the proposed development is not EIA development within the meaning of the 2017 Regulations. The Direction was accompanied by a Written Statement which set out her reasoning (see Appendix 2.2 of the ES).

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 will 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 in Section 6, below.

Application Copies

The planning application documents are available for viewing via the Council's website (www.northyorks.gov.uk). An electronic copy of the application and the accompanying documents and plans can also be obtained from the applicant by contacting Mr Jamie McGill (info@europaoil.com).

2. Europa Oil and Gas Limited and the Planning History of the Site

The Applicant

Europa is an independent onshore oil and gas exploration and development company, formed in 1995. Europa has been exploring for and producing oil and gas from the UK onshore for over 10 years. The company operates the legacy oil and gas fields at West Firsby in West Lindsey in Lincolnshire and Crosby Warren in North Lincolnshire.

As a responsible oil and gas exploration and production business, Europa is highly conscious of its responsibilities and is mindful of the potential risks to people and the environment. Europa is committed to high standards of Health, Safety and Environmental management, protection and performance and these aspects have equal prominence with other business considerations.

For further information on Europa, please refer to the Company's website: Europa Oil & Gas

Site Context

The proposed wellsite lies within Petroleum Exploration and Development Licence (PEDL) 343, which covers an area of 110km^2 to the north of Scarborough. Europa has been a licence holder since 2014 and took over as the operator from Egdon Resources in July 2023. It has a 40% interest, along with Egdon (40%) and Petrichor (20%). 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).

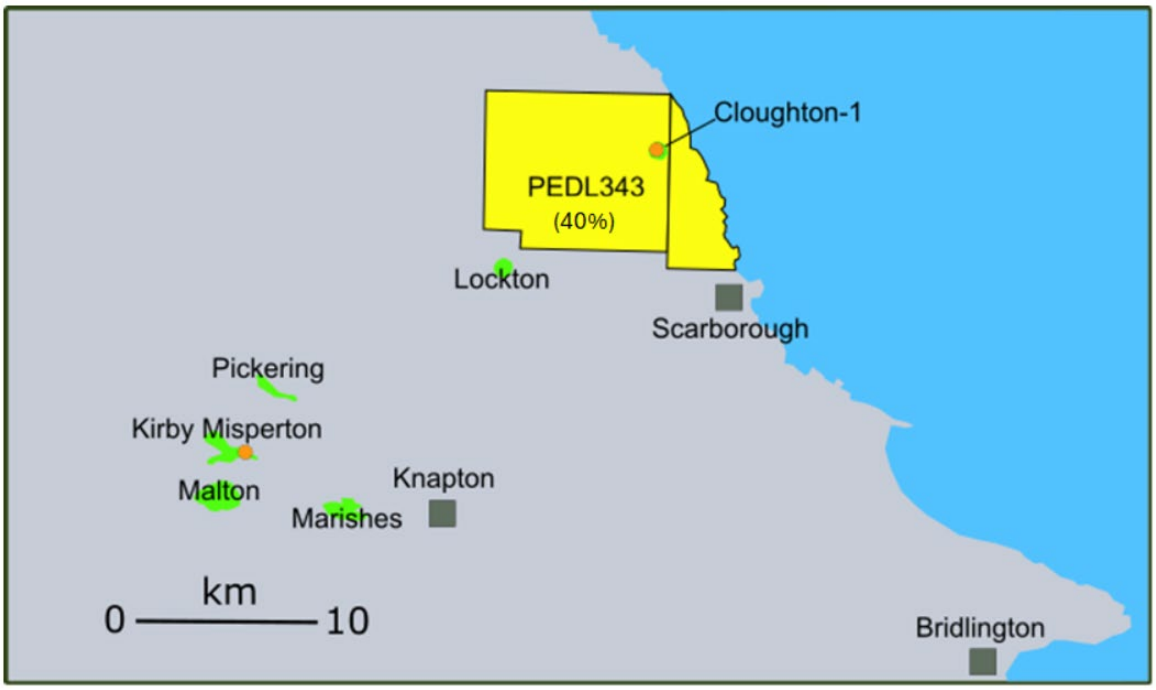


Figure 2.1 - PEDL 343

Planning History

The relevant planning history relating to the Site is summarised in Table 2-1, below.

Table 2-1 Land east of Burniston Mill Planning History Summary

Application Number	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 2014
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

3. Site and Surroundings

Site Location and Description

The proposed wellsite is located within the administrative boundaries of NYC and Burniston Parish Council. The location of the Site is shown in drawing ref. 'ZG-EOG-CLTN-PA-02 Location Plan'. It lies 350m to the east of the village of Burniston, 700m southwest of the coastline and 800m south of the North York Moors National Park boundary. The Site has access directly off the A165 Coastal Road. Burniston is 6 km 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 approximate centre of the Site is at Ordnance Survey (OS) grid reference TA 02057 92800. The address and postcode of the Site are land east of Burniston Mill, Coastal Road, Burniston, Scarborough YO13 0DB.

The nearest watercourse is Burniston Beck, located approximately 115m southwest of the Site's entrance. A small drainage ditch runs northwest to southeast, approximately 180m southwest of the centre of the Site, between the PV solar panel array and the Mill Yard industrial units. There are two small ponds within 100m of the Site.

The topography within the Site varies from 57m AOD on its northern edge to 49m AOD on the southern part.

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 are:

- 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.

Access

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. Coastal Road is a busy tourist route during the summer months.

This access is currently used by the existing industrial units at Mill Yard and Burniston Mill with approximately 4 Heavy Goods Vehicles (HGVs) serving on a daily basis. The access has good sight lines and is suitably wide to cater for HGVs. There has been no conflict with HGVs associated with the industrial units and the Mill. It is therefore considered to be a safe and established means of access.

Environmental Designations

The presence/absence of designations in the vicinity of the Site is summarised below. Designations have been identified using MAGIC (Defra, 2024) unless otherwise stated.

Landscape and Visual

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 800m to the north and 2km 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.

The local landscape character is classified by the North Yorkshire and York Landscape Characterisation Project (2011). The Site falls within the Rugged Cliffs, Coastal Valleys and Bays character type (27).

The full list of published character descriptions is provided within the LVA in the Environmental Statement.

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.

Ecology and Biodiversity

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 km of the Site.

There is one national ecological designation within 1km of the Site:

- Coastal SSSI (Iron Scar and Hundale Point to Scalby Ness – 800m to the east of the site.

There is one non-statutory designated sites within 1 km of the Site:

- Scarborough to Whitby Disused Railway Site of Importance for Nature Conservation (SINC) – 360m west of the site

Hydrology and Hydrogeology

According to the Environment Agency (EA, 2023) online flood map for planning, the Site lies within Flood Zone 1, this 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).

The closest watercourse to the site is the Burniston Beck, located approximately 115 m 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-east, approximately 180 m 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. It discharges into the Burniston Beck.

A small pond is located approximately 100 m to the southwest of the centre of the site, immediately to the south of the photovoltaic panel array. Another small pond is located 80 m 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).

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.

Cultural Heritage

There are no Scheduled Monuments protected by the Ancient Monuments and Archaeological Areas Act of 1979 (HMSO) present within 1km radius of the red line boundary. Scarborough Castle lies 4.4km to the southeast of the Site. There are a total of 12 Listed Buildings lying within 1 km of the Site all but one within the Burniston Conservation Area.

There are no World Heritage Sites (WHS) located within 5 km 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 km of the Site.

Material Assets and Waste

According to the Groundsure Enviro Data Viewer (Groundsure, 2023), there are no historic or authorised landfills within 1 km of the Site.

Air Quality

The Site does not fall within an Air Quality Management Area (AQMA). It is located within a rural setting, which infers that the Site is not located in an area where pollutant concentrations are considered to be at risk of exceeding the national air quality strategy objectives. The nearest AQMA is the Scarborough AQMA, 3.5km to the south west, designated for 24 hour mean PM10.

Public Rights of Way

According to the NYC Definitive Map (NYC, 2023), the closest Public Right of Way (PRoW) is a public footpath (ref 30.3/10/1) which is 400m 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 730m to the north east.

There are no National Trails or National Cycle Network Routes within or near the Site.

Greenbelt

The Site is not located within or near the Green Belt.

Geology and Soils

The bedrock in the region comprises a vertically extensive sequence of Middle and Upper Jurassic sedimentary strata. The lithology predominantly comprises mudstone, with sandstone, siltstone and argillaceous limestones also occurring within the sequence. They have a uniform easterly dip. They are primarily clastic, although calcareous strata are also present.

The local superficial geology predominantly comprises glacial deposits characterised by firm, stiff, brown sandy clay with angular gravel sandstone and mudstone pockets.

The local bedrock geology is the Long Nab Member of the Scalby Formation.

The quality of the agricultural land within the proposed site was assessed using the revised guidelines and criteria for grading the quality of agricultural land issued by the Ministry of Agriculture, Fisheries and Food (MAFF, 1988). Land within the whole of the survey area is poorly drained (Wetness Class IV). With the present climatic conditions at the site and a medium clay loam topsoil result in a significant wetness and workability limitation which restricts the land to Subgrade 3b.

4. The Proposed Development

Description of the Proposed Development

The description of the Proposed Development is as follows:

> *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, Coastal Road, Burniston, Scarborough*

It would consist of four phases, as outlined in Table 4-1, below.

Table 4-1 Proposed Development Phasing

Phase	Summary	Operations	Duration
1	Site Construction	Development of wellsite and installation of a well cellar.	7 weeks
2	Drilling	Drilling	7 weeks
3	Proppant Squeeze & Flow Testing	Test production by undertaking a proppant squeeze and flow testing	17 weeks in total comprising Initial test: 1 week; Proppant squeeze: 1 week; and Further flow testing: 15 weeks
4	Wellsite decommissioning, site restoration and aftercare	Plug and decommission well and restoration of the Site to agricultural land.	6 weeks

Phase 1 - Site Construction

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 2.5m 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 3m. 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 south western, south eastern and north eastern perimeters.
- Installation of a 2.4m diameter drilling cellar to a minimum depth of 2.75m
- 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 will 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 will mitigate against the potential risk of any polluting materials permeating down into sub-surface soils or groundwaters.
- The configuration of the site during construction is set out in drawing refs. ZG-EOG-CLTN-PA-05 and ZG-EOG-CLTN-PA-06.

Phase 2 – Drilling

To appraise the reserves, a drilling rig up to 38m 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 will 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 drawing no ZG-EOG-CLTN-PA-07. Demobilisation will 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

Initial Production Testing

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

Proppant Squeeze

It is anticipated that there will 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.

The proppant squeeze components will comprise:

- c.300-500 m^3 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).

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.

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.

A pre-treatment injectivity test uses approximately $15m^3$–$25m^3$ 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 will 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, will 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 will consist of approximately 60 to 80 tonnes of ceramic proppant and approximately $300m^3$ to $500m^3$ 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.

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 refs. 'ZG-EOG-CLTN-PA-9 and 'ZG-EOG-CLTN-PA-10. A slightly different layout is shown with the coil tubing unit in drawing refs. 'ZG-EOG-CLTN-PA-11 and 'ZG-EOG-CLTN-PA-12.

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

The well would need to be flowed through the use of a separator. It is expected that the well will 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 drawing refs. 'ZG-EOG-CLTN-PA-13 and 'ZG-EOG-CLTN-PA-14.

Phase 4 – Well Decommissioning, Site Restoration and Aftercare

Following the end of the well testing, the Site will be restored to agricultural use. A programme of site clearance, well decommissioning, restoration and aftercare can be found at Appendix 1 of this Planning Statement. The wells will be plugged, hydrostatically tested, and sealed ('abandoned') using an agreed programme or method approved by the Health & Safety Executive, the EA and the NSTA.

The wellbore will be filled with specialist concrete plugs to the surface, installed casing strings will be cut at least 2 m below ground level and a metal plate stitch-welded across the cut-off casing. The well number will be welded on top of the plate.

The Site itself will then be restored; all equipment, infrastructure, membranes, aggregates and facilities will be removed. This is shown in drawing refs. 'ZG-EOG-CLTN-PA-16 Indicative Site Restoration Plan' and 'ZG-EOG-CLTN-PA-17 Indicative Restoration Section Plan'. Existing stored topsoil and subsoil bunds will be tested and reused to ensure compatibility with the surrounding land quality. The land will be seeded with a suitable long term dual purpose agricultural grass mix. The Site area will then be returned to the landowner.

Plant and Equipment

The equipment required for each phase of the Proposed Development will vary; a full breakdown is shown in Appendix 2 (Plant Equipment List).

Operating Hours

The operating hours relating to the Proposed Development are outlined in Table 4-2, below.

Table 4-2 Hours of Operation

Phase	Phase Aspect	Mondays to Friday	Saturdays	Sundays, Bank Holidays and 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 & 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 and site restoration	07:00 – 19:00	07:00 – 13:00	None

Traffic and Transport

No changes are proposed to the Site access route, which will be via the existing private access track off the A165. Therefore, a safe and established means of access will continue to be used for the duration of the Proposed Development. The access has good sight lines and is accessible with a suitably wide entrance to cater for HGVs.

The HGV movements associated with each phase of the Proposed Development are outlined in Table 4-3, below. 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.

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

The traffic and transport impacts of the Proposed Development have been considered in more detail in the Transport Assessment that can be found in the Environmental Statement.

Waste Management

The Site is not connected to mains sewerage and all wastes will be stored in under cabin waste tanks which are collected by a licenced waste operator using a road tanker. During drilling, semi-dry drilling mud and rock cuttings will 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 will be undertaken through licenced waste contractors. All wastes taken from the Site are to be managed in accordance with Europa's Waste Management procedure.

Site Drainage

The wellsite will 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 can be mitigated by using standard techniques that have proven successful at other onshore sites. A HDPE impermeable membrane will be installed across the Site under a CQA plan. This will 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.

Security and Welfare Facilities

The onshore oil and gas industry has experienced a significant increase in protest activity by those opposed to fossil fuel exploration and production. Europa are obliged to take all precautions as advised by local and national Police. For all phases, security may be required depending on the perceived level of potential protestor activity, and this may involve the need to have 24/7 specialist security operatives.

All operational phase drawings have included 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 most phases will not require this level of security – nor will such levels remain in place for the duration of the phases.

Lighting

The lighting requirements of the Site will vary depending on each phase of the Proposed Development. Once mobilised to site, drilling will progress 24/7 until completion. Flow testing will 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 this Planning Statement.

Employment

The Proposed Development will require specialist engineers and skilled operatives throughout all phases of development. The Proposed Development will also support local businesses such as electricians, pipework fabricators, construction companies, crane suppliers, road hauliers to name but a few. Local restaurants, cafes, pubs, food stores and petrol stations will also be utilised, so the development thereby supports indirect employment and the local economy.

The number of personnel on site will 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, below. Staff are present onsite 24/7 during the drilling and testing phases.

Table 4-4 Local and Direct Economic Impacts of the Proposed Development

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)

5. Relevant Development Plan Policies and Material Considerations

Introduction

The application for planning permission falls to be determined by the MPA, NYC, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that "*if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*"

The 'material considerations' referred to include national planning policies (mainly published in the form of the National Planning Policy Framework (NPPF, December 2024), relevant Planning Practice Guidance (PPG), current and emerging National Energy Policy, emerging local planning policies (including emerging neighbourhood plans) and other relevant evidence in support of the planning application.

Development Plan

The relevant development plan documents in this case comprise the following:

- the Minerals and Waste Joint Plan (MWJP) 2022; and
- the Scarborough Borough Local Plan – 2011/32

The adopted development plan policies considered to be most relevant to the Proposed Development are outlined in the following sections.

Minerals and Waste Joint Plan

The MWJP was adopted by North Yorkshire County Council (NYCC) in February 2022. It covers the areas of North Yorkshire, the City of York and the North York Moors National Park and has been produced jointly by the three planning authorities. The Plan period runs until 31st December 2030.

In relation to the Proposed Development, it is considered that the following policies are relevant. This accords with NYC planning officers' view in the Pre-Application Planning advice issued on 11th June 2024.

• M16 – Key spatial principles for hydrocarbon development

• M17 – Other spatial and locational criteria applying to hydrocarbon development

• M18 – Other specific criteria applying to hydrocarbon development

• D01 – Presumption in favour of sustainable minerals and waste development

• 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

• D10 - Reclamation and afteruse

• D11 – Sustainable design, construction and operation of development

• D12 – Protection of agricultural land and soils

An assessment of the degree to which the Proposed Development accords with the above planning policies is provided in Section 6. From this, it can be seen that the proposal is considered to accord with the relevant policies of the MWJP.

Scarborough Borough Local Plan - 2011/32

The Scarborough Borough Local Plan (SBLP) was adopted by Scarborough Borough Council (SBC) in July 2017. In relation to the Proposed Development, it is considered that the following policies are relevant. This accords with NYC planning officers' view in the Pre-Application Planning advice issued on 11th June 2024.

• SD 1 – Presumption in Favour of Sustainable Development

• DEC 4 - Protection of Amenity

• ENV 3 – Environmental Risk

• ENV 4 – Groundwater Protection

• ENV 5 – The Natural Environment

• ENV 6 – Development Affecting the Countryside

• ENV 7 – Landscape Protection and Sensitivity

• ENV8 - Green Infrastructure

• INF 1 – Transport

• INF4 – Cinder Track (The Former Scarborough to Whitby Railway Line)

An assessment of the degree to which the Proposed Development accords with the above planning policies is provided in section 6. From this, it can be seen that the proposal is considered to accord with the relevant policies of the SBLP.

Material Considerations

Material considerations in this case are considered to include the following:

- National Planning Policy Framework (NPPF) (most recently updated in December 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; and
- emerging local development plan documents (including any relevant emerging local neighbourhood plans).

National Planning Policy Framework (2024)

A revised NPPF was published in December 2024 by the Ministry of Housing, Communities & Local Government (MHCLG), 2024a). This sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications.

Achieving Sustainable Development

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 identifies three objectives for sustainable development: an economic objective –

contributing to building a strong, responsive, and competitive economy; a social objective – supporting strong, vibrant, and healthy communities; and an environmental role – contributing to protecting and enhancing the natural, built, and historic environment, using natural resources prudently, minimising waste and pollution and mitigating climate change including transitioning to a low carbon economy.

Paragraph 9 adds that these objectives are not criteria against which every decision can or should be judged. Planning decisions should take local circumstances into account, reflecting the character, needs and opportunities of each area.

Paragraph 11 provides for a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay (paragraph 11(c)). That presumption is engaged in this case.

Decision Making

Paragraph 48 states:

> *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."*

Paragraph 49 states:

> *"Local planning authorities may give weight to relevant policies in emerging plans according to:*
>
> *(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
>
> *(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
>
> *(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."*

Building a Strong, Competitive Economy

Paragraph 85 states that significant weight should be placed on the need to support economic growth and productivity, which includes taking into account local business needs and wider development opportunities.

Paragraph 87 states that planning decisions should address the specific locational requirements of different sectors.

To ensure that the planning process supports the growth of a prosperous rural economy, paragraph 88 of the NPPF states (inter alia):

> *"Planning policies and decisions should enable:*
>
> *a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
>
> *b) the development and diversification of agricultural and other land-based rural businesses;*
>
> *c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
>
> *d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."*

Paragraph 89 goes on to state:

> *"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public*

transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."

The Proposed Development is located within the countryside and enables sustainable growth and expansion. The potential to potentially develop indigenous hydrocarbons will help contribute to creating jobs and prosperity. It will also assist with the twin challenges of global competition by reducing the growing level of gas imports from abroad and assisting in meeting the continuing need for oil and gas as the UK transitions to a low carbon economy.

Promoting Healthy and Safe Communities

Paragraph 96 concerns promoting healthy and safe communities and states that planning decisions should aim to achieve healthy, safe and inclusive places.

Furthermore, the drilling operation and subsequent site activities will be undertaken in accordance with the Boreholes Sites & Regulations 1995, the Management of Health and Safety at Work Regulations 1992, the Construction (Design & Management) Regulations 2007, the Offshore Installations & Wells (Design & Construction etc.) Regulations 1996 and the Applicant's Health and Safety Management System.

As a responsible oil and gas exploration and production business, Europa is highly conscious of its responsibilities and is mindful of the potential risks to people and the environment. Europa is committed to high standards of Health, Safety and Environmental management, protection and performance and these aspects have equal prominence with all other business considerations. All operations are undertaken under the umbrella of Europa's established Health, Safety and Environmental Management System which applies to all stages of activity. This process includes undertaking risk assessments for all activities to ensure that all potential health, safety and environmental risks are documented, and mitigation and control measures are identified and implemented.

It is therefore considered that the proposal accords with NPPF paragraph 96.

Promoting Sustainable Transport

Paragraph 109 states that transport issues should be considered at the earliest stages of development proposals.

Paragraph 115 states that developments should ensure that appropriate opportunities to promote sustainable transport modes have been taken up, that there is safe and suitable access to the site and that any significant impacts from the development on the transport network or highway safety can be effectively mitigated to an acceptable degree.

Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the cumulative impacts on the road network would be severe.

The Transport chapter of the Environmental Statement and the accompanying Transport Assessment have concluded that the amount of traffic generated by the development will be relatively light and will not adversely affect waiting times on the existing highway network. In response to paragraph 116, the TA concludes that there will be no anticipated adverse impacts on the local highway network as a result of the Proposed Development.

Making Effective Use of Land

Paragraph 124 states that planning decisions should promote the effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Achieving Well-Designed Places

Paragraph 131 states that good design is a key aspect of sustainable development and effective engagement between applicants, communities, local planning authorities and other interests is essential in making development acceptable to communities.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

Paragraph 161 states that the planning system should support the transition to a low-carbon future in a changing climate, taking full account of flood risk and coastal change.

Paragraph 181 states that when determining any planning applications, local planning authorities (LPAs) should ensure that flood risk is not increased elsewhere.

Conserving and Enhancing the Natural Environment

Paragraph 187 states that planning decisions should contribute to enhancing the natural and local environment. This includes recognising the intrinsic character and beauty of the countryside, providing net gains for biodiversity

and preventing new and existing development from contributing to, being put at unacceptable risk from and/or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 191 states that planning decisions for development within the Heritage Coast 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.

Paragraph 193(a) states that proposals should be refused if there is harm to biodiversity, which cannot be avoided, adequately mitigated, or, as a last resort, compensated for.

Paragraph 198 states:

> *"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the Site or the wider area to impacts that could arise from the development."*

Paragraph 201 states:

> *"The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively."*

The development proposed by this planning application is to construct a wellsite to appraise the gas reserves in place within the carboniferous sandstones. The design incorporates a number of measures to help reduce the risk of adverse impact upon the natural environment to the minimum.

Section 6 of this Planning Statement discusses the need for the Proposed Development and compliance with planning policy in greater detail. The Environmental Statement, technical reports and assessments which accompany the planning application serve to demonstrate that the impact is generally positive and acceptable. The technical assessments also demonstrate that the Proposed Development will not result in any adverse impacts on the environment. A number of design and management measures have been proposed to ensure that impacts from, among others, noise, air quality, landscape, and lighting are avoided or reduced. Therefore, the proposal accords with the NPPF paragraphs above on conserving and enhancing the natural environment.

Conserving and Enhancing the Historic Environment

Paragraph 207 states that when determining planning applications, LPAs should require applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 215 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposed development, including, where appropriate, securing its optimum viable use.

Facilitating the Sustainable Use of Minerals

Paragraph 222 states:

> *"It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation."*

Paragraph 224 adds that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. It adds that when considering proposals for mineral extraction, MPAs should:

- ensure that there is no unacceptable adverse impact on the natural or historic environment or human health;
- ensure that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source and establish appropriate noise limits for extraction in proximity to noise-sensitive properties; and
- provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards.

Both conventional and unconventional hydrocarbons are considered to be minerals of local and national importance by the Government (Annex 2: Glossary of the NPPF). As stated above, minerals can only be worked where they are found.

Fundamental principles underpinning the NPPF are the need to deliver sustainable development and build a strong, competitive economy nationwide. The Government's overall commitment is to secure economic growth aimed at the creation of jobs and prosperity, building on the country's inherent strengths and meeting the twin challenges of global competition and providing a low carbon future. To achieve this, the Government is committed to ensuring that the planning system encourages sustainable economic growth and does not impede it.

Planning Practice Guidance (2014)

On 6th March 2014, the formerly named Department for Communities and Local Government (DCLG) launched the Planning Practice Guidance (PPG) resource. The PPG seeks to make new planning guidance easier and simpler for practitioners and the public and should be read in conjunction with the national policy contained within the NPPF. The suite of PPGs does not have the status of policy, but they are an important material consideration in the determination of planning applications. They are updated online on a regular basis.

Air Quality PPG (2019)

Paragraph 005 of the Air Quality PPG (DLUHC, 2019a)) states that:

> *"Whether air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species). Air quality may also be a material consideration if the proposed development would be particularly sensitive to poor air quality in its vicinity".*

Where air quality is a relevant consideration, paragraph 005 states that the LPA may need to establish:

- *"the 'baseline' local air quality, including what would happen to air quality in the absence of the development;*
- *whether the proposed development could significantly change air quality during the construction and operational phases (and the consequences of this for public health and biodiversity); and*
- *whether occupiers or users of the development could experience poor living conditions or health due to poor air quality".*

Climate Change PPG (2019)

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.

Paragraph 001 requires LPAs to "*ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment*." Addressing climate change is one of the core land use planning principles underpinning both plan-making and decision-making.

Paragraph 003 cites the consideration of the "*availability of water and water infrastructure for the lifetime of the development and design responses to promote water efficiency and protect water quality*" as an example of the planning system's means of adapting to a changing climate.

Paragraph 005 states that the impact of climate change "*needs to be taken into account in a realistic way*" such as looking at "*the potential vulnerability of a development to climate change risk over its whole lifetime*."

Healthy and Safe Communities (2022)

The Healthy and Safe Communities PPG (DLUHC, 2022) provides advice regarding how positive planning can contribute to achieving healthier and more inclusive communities.

Paragraph 001 states that "*the design and use of the built and natural environments, including green infrastructure are major determinants of health and wellbeing*".

Paragraph 003 defines a healthy place as "*one which supports and promotes healthy behaviours and environments and a reduction in health inequalities for people of all ages. It will provide the community with opportunities to improve their physical and mental health, and support community engagement and wellbeing*".

Minerals PPG (2014)

The Minerals PPG (DLUHC, 2014) confirms that minerals 'make an essential contribution to the Country's prosperity and quality of life'.

Paragraphs 91 to 128 relate specifically to hydrocarbon extraction.

Paragraph 92 sets out the three phases of onshore hydrocarbon extraction, these being exploration, testing (appraisal) and production.

Paragraph 93 notes that planning permission is required for each phase of hydrocarbon extraction, while paragraph 94 notes that applications can cover more than one phase and paragraph 118 notes that both vertical and horizontal drilling can be included in one application.

Paragraph 99 explains that the appraisal phase of hydrocarbon extraction "*takes place following exploration when the existence of oil or gas has been proved, but the operator needs further information about the extent of the deposit or its production characteristics to establish whether it can be economically exploited*", whilst paragraph 100 states that the "*appraisal phase can take several forms including additional seismic work, longer-term flow tests, or the drilling of further wells*".

Paragraph 104 is a reminder that hydrocarbon extraction can only take place in areas where the Department of Energy and Climate Change (DECC) (now the OGA) has issued a licence under the Petroleum Act 1998. Some hydrocarbon issues may be covered by other regulatory regimes but may still be relevant to MPAs.

Paragraph 120 states:

> *"When determining applications for subsequent phases, the fact that exploratory drilling has taken place on a particular site is likely to be material in determining the suitability of continuing to use the site only insofar as it establishes the presence of hydrocarbon resources."*

Paragraph 124 states that account should be taken of national energy policy, making clear that *"energy supplies come from a variety of sources*" including onshore oil and gas, as set out in the AES (dated October 2013). Published by the DECC, it sets out the then government's priorities in delivering the UK's energy policies. These are:

- helping households and businesses take control of their energy bills and keep their costs down;
- unlocking investment in the UK's infrastructure that will support economic growth; and
- playing a leading role in efforts to secure international action to reduce greenhouse gas emissions and tackle climate change.

The AES is more than eleven years old; nevertheless, it continues to be referred to in the Minerals PPG and consequently, it should be taken into account by MPAs when determining planning applications for hydrocarbons.

Natural Environment PPG (2024)

The Natural Environment PPG (DLUHC, 2024c) examines key issues in implementing policies to protect and enhance the natural environment, including the landscape.

Paragraph 010 requires LPAs to "*consider the opportunities that individual development proposals may provide to enhance biodiversity and geodiversity, and contribute to habitat connectivity in the wider area (including as part of the Nature Recovery Network)*."

Paragraph 016 states that LPAs must consider "*the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications*".

Paragraph 036 states that planning policy should *"recognise the intrinsic character and beauty of the countryside", and that "plans can also include policies to avoid adverse impacts on landscapes and to set out necessary mitigation measures, such as appropriate design principles and visual screening, where necessary. The cumulative impacts of development on the landscape need to be considered carefully."*

Water Supply, Wastewater and Water Quality PPG (2019)

Paragraph 016 of the Water Supply, Wastewater and Water Quality PPG (DLUHC, 2019d) advises that whether water is likely to be a material consideration "*will depend on the Proposed Development, its location and whether there could be concerns about water supply, water quality or both*."

With regard to water supply, it advises that this would normally be addressed through the local plan and is therefore unlikely to be a material consideration for most planning applications.

With respect to water quality, paragraph 016 states:

> "*It is only likely to be a significant planning concern when a proposal would:*
>
> - *Involve physical modifications to a water body such as flood storage areas, channel diversions and dredging, removing natural barriers, constructions of new locks, new culverts, major bridges, new barrages/dams, new weirs (including for hydropower) and removal of existing weirs; and/or*
> - *Indirectly affect water bodies, for example:*
>   - *As a result of new development such as the redevelopment of land that may be affected by contamination, mineral workings, water or wastewater treatment, waste management facilities and transport schemes including culverts and bridges;*
>   - *Through a lack of adequate information to deal with wastewater*."

When assessing the impacts on water quality, they could include:

- "*The likely impacts of the Proposed Development (including physical modifications) on water quantity and flow, river continuity and groundwater connectivity, and biological elements (flora and fauna);*
- *How the Proposed Development will affect measures in the river basin management plan to achieve good status in water bodies;*
- *How it is intended the development will comply with other relevant statutory requirements relating to the water environment (such as those relating to bathing waters, shellfish waters, freshwater fish and drinking water) bearing in mind compliance will be secured through the EA's permitting responsibilities."*

Heritage coasts: definition, purpose and Natural England's role (2015)

This policy document, prepared by Natural England, sets out the purpose of heritage coasts. Heritage coasts are defined rather than designated. Heritage coasts are protected through development control within the planning system.

Energy Supply and Climate Change National Policy Context

Energy Act (2008)

Oil and gas form an integral part of the UK's energy and generation mix and play an important role in maintaining security and affordability and decreasing carbon emissions in the UK. It is important, therefore, to take into account the context of the UK's energy and climate change policy.

The Energy Act 2008 (UK Government, 2008a) implemented the key aspects of The Energy Challenge: Energy Review Report (Department of Trade and Industry (DTI), 2006) and Meeting the Energy Challenge: A White Paper on Energy (DTI, 2007), and reflects the changing requirements for energy supply and infrastructure, as well as the need for adequate protection for the environment and the UK's population. This policy is driven by two long-term energy challenges: tackling climate change and ensuring a secure, clean and affordable energy supply.

Overarching National Policy Statement for Energy (EN-1) (2024)

The Overarching National Policy Statement (NPS) for Energy EN-1 was designated by the Department for Energy Security & Net Zero on 17th January 2024. It replaces the original 2011 version. It has effect for the decisions by the Secretary of State on applications for energy developments that are nationally significant under the Planning Act 2008 (UK Government, 2008b). The NPS can be considered to be a material consideration in the determination of planning applications. Paragraph 5 of the NPPF confirms this and states:

> *"National policy statements form part of the overall framework of national planning policy and may be a material consideration in preparing plans and making decisions on planning applications."*

Paragraph 2.3.3 states that the Government's objectives for the energy system are to ensure our supply of energy always remains secure, reliable, and affordable. Paragraph 2.3.11 acknowledges the key role the UK's oil and gas sector can play in helping the UK meet its net zero commitment. Paragraph 2.5.6 references the British Energy

Security Strategy which emphasises the importance of addressing the underlying vulnerability to international energy prices by reducing our dependence on imported oil and gas.

Powering Up Britain (2023)

The most recent Government energy strategy was published by the Department for Energy Security and Net Zero in March 2023 under the 2022 to 2024 Sunak Conservative government. . It was the previous Government's blueprint for the future energy in the UK. After decades of reliance on imported fossil fuels, it states that the new department's mission is to replace them with cheaper, cleaner, domestic sources of energy. It acknowledges the vital role that UK oil and gas will play in the transition to net zero, making the UK more energy independent and protecting us from volatile international energy markets. The Government's vision is to power the UK by maximising the vital production of UK oil and gas as the North Sea basin declines.

British Energy Security Strategy (2022)

The British Energy Security Strategy was published in April 2022. The Strategy sets out how the UK will accelerate homegrown power for greater energy interdependence. The long-term solution it states is to address our underlying vulnerability to international oil and gas by reducing our dependence on imported oil and gas. *"Even as we reduce imports, we will continue to need gas to heat our homes and oil to fill up our tanks for many years to come – so the cleanest and most secure way to do this is to source more of it domestically…Net zero is a smooth transition, not an immediate extinction for oil and gas."*

Climate Change Act 2008 (2050 Target Amendment) Order (2019)

The Climate Change Act 2008 (UK Government, 2008c) established a legally binding target to reduce the UK's greenhouse gas emissions by at least 80% below base year levels by 2050, to be achieved through action both at home and abroad. To drive progress and set the UK on a path towards achieving the target, the Act introduced a system of carbon budgets which provide legally binding limits on the amount of emissions that can be produced in successive five-year periods, beginning in 2008.

In July 2019, the Government passed an amendment Order which set a target of a 100% reduction in net UK emissions of targeted greenhouse gasses by 2050.

The Sixth Carbon Budget (CCC, 2020) is referred to below, together with an assessment of its relevance to the Proposed Development.

Climate Change Committee – Net Zero Report: The UK's Contribution to Stopping Global Warming (2019)

The Net Zero report published by the CCC in May 2019 reassesses the UK's long-term emissions target at the request of the Governments of the UK, Scotland and Wales. It recommended a new emissions target for the UK of net-zero greenhouse gases by 2050 which will deliver on the commitment made by the UK Government in signing the Paris Agreement (United Nations Framework Convention on Climate Change (UNFCCC), 2016). This is only possible if clear, stable and well-designed policies to reduce emissions further are introduced without delay.

Even with Net Zero 2050, the CCC has forecast that the UK will still require 140 Terawatt hours (TWH) in 2050 with a 10% dependency, assuming no increases in onshore oil production. There is therefore a continued recognition of the need for oil. In the report, the CCC states clearly that offshoring of greenhouse gas emissions is not acceptable. The policy framework to reduce UK industry emissions must ensure that it does not drive industry overseas, which would not help to reduce global emissions. Accordingly, the CCC's report continues to endorse the current Government policy that the UK needs a secure long-term supply of natural gas and oil to meet our net zero targets.

The CCC stated in their technical report that net zero emissions would constitute the UK's 'highest possible ambition' as called for by Article 4 of the Paris Agreement. The CCC does not currently consider it credible to aim to reach net-zero emissions earlier than 2050.

Sixth Carbon Budget: The UK's Path to Net Zero (2020)

The Sixth Carbon Budget was published by the CCC in December 2020. It looks at the changes that the UK can expect on the journey to net zero between 2033 and 2037. The pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035. The economy is forecast by the CCC to become more energy efficient with total energy use falling by around 33% between now and 2050. Demand for oil will fall significantly by 2050 (by 85%), as use is mainly restricted to the aviation sector.

The UK Onshore Operators Group (UKOOG) in their response to the release of the Energy White Paper in 2020 highlighted that using the CCC's 'Balanced' and 'Headwinds' scenarios, import dependencies will rise by up to 40%

for oil by 2050 when feedstock oil is included in the assessment (which was not included in the CCC figures for consumption). The sources of fossil fuels should be that which generate the lowest emissions footprint. This is domestically produced oil and gas with imports having an estimated volume-weighted-average carbon intensity (CI) up to 157% higher than that of UK crude production.

Energy White Paper: Powering our Net Zero Future (2020)

The Energy White Paper was published in December 2020 (Department for Business, Energy & Industrial Strategy (BEIS) (now the Department for Energy Security and Net Zero), 2020). It sets out how the UK will work towards net zero emissions by 2050 and aims to clarify a strategy for the wider energy system that transforms energy, supports a green recovery and creates a fair deal for customers.

Chapter 6 (Oil and Gas) states that "*the UK's domestic oil and gas industry has a critical role in maintaining the country's energy security and is a major contributor to the economy*". It goes on to say that *"projections for demand for oil and gas though much reduced is forecast to continue for decades to come".*

Written Ministerial Statements

Paragraph 6 of the NPPF states:

> *"Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission."*

September 2015 Written Ministerial Statement

The 2015 Written Ministerial Statement (WMS) was a joint statement made by the Secretary of State for Energy and Climate Change and the Secretary of State for Communities and Local Government concerning shale gas and oil.

Although the WMS focuses on shale oil and gas production and the proposed wellsite would be appraising 'conventional' hydrocarbons, it includes important statements in support of indigenous oil and gas supplies. In 2014, 40% of oil consumption was from net imports. The DECC calculated that would rise to 73% by 2030. The WMS highlights the need for indigenous fossil fuels to support the UK's transition to a low-carbon economy.

May 2018 Written Ministerial Statement

The 2018 WMS was again a joint statement between the Secretary of State for Business, Energy and Industrial Strategy (BEIS) and the Secretary of State for Housing, Communities and Local Government. Its principal objective concerned the need for shale gas to contribute to the UK's energy needs. It also set out the planning approach to shale gas. It reiterated the policy from the NPPF by stating that great weight should be given by local authorities to the benefits of mineral extraction. It added that the Government had set out definitions for 'fracking'. The Proposed Development does not involve fracking and can be considered 'conventional'.

May 2019 Written Ministerial Statement

The 2019 WMS was published in May 2019 (Secretary of State of Housing, Communities and Local Government, 2019) following the judgment of Mr Justice Dove in the case of Stephenson vs SoS MHCLG [2019] EHWC 519 (Admin). That judgment quashed paragraph 209(a) of the NPPF. This had stated that *"minerals* planning *authorities should recognise the benefits of on-shore oil and gas development, including unconventional hydrocarbons, for the security of energy supplies and supporting the transition to a low-carbon economy; and put in place policies to facilitate their exploration and extraction."*

The WMS confirmed that hydrocarbons were considered a mineral and so 'Chapter 17: Facilitating the Use Of Minerals' still applies. It added that the WMS of 2018 and the PPG remain in place. The Government highlighted again its commitment to the sustainable development of onshore shale gas resources and its commitment to indigenous fossil fuels.

Emerging Local Planning Policy

Review of the Scarborough Borough Local Plan

The draft consultation of the SBLP Review was published in January 2023. However, the review is no longer progressing following local government reorganisation and the formation of North Yorkshire Council.

Emerging Neighbourhood Planning

According to NYC's website, there are no designated Neighbourhood Areas or Neighbourhood Plans in preparation that are relevant to the Proposed Development.

Local Economic Policy

This section refers to the relevant regional and local economic policy documents.

North Yorkshire Council Economic Growth Strategy 2024-2029

The Strategy sets out the Council's growth ambitions over the next five years. One of those ambitions is "to attract investment and grow our economy to create new and exciting opportunities for our residents and businesses." It states that there is a leading role for the Council, taking the lead on tackling some of the big economic challenges such as net zero and energy security. One of the localised sector specialisms identified in the Strategy is mining and quarrying, which encompasses the proposed development at Burniston. The Growth Strategy recognises that the sectors provide tens of thousands of jobs, enabling people to participate and progress in work which is essential to building an inclusive economy. North Yorkshire is recognised as a national leader in energy generation

Finch Supreme Court Decision – June 2024

On 20 June 2024 the Supreme Court gave judgment in *Finch* ([2024] UKSC 20). The majority of the Supreme Court (Lord Leggatt with whom Lady Rose and Lord Kitchin agreed) allowed the appeal. They held that the effect on climate of the combustion of the oil to be produced was, as a matter of law, an "effect" of the project. It was a question of judgment whether an effect was "likely" and "significant", but on the agreed facts the GHG emissions were both inevitable and significant. In breach of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("EIA Regs") Surrey County Council had failed to assess that effect and, consequently, the grant of planning permission was unlawful.

The effects of the project on climate included as a matter of law the downstream combustion emissions. Whilst in *Finch*, the project was unarguably required to undertake an EIA given its scale and exceedance of the threshold in Schedule 1 of the EIA Regulations, the decision has clear parallels to the circumstances of this application in that extraction of hydrocarbons (which includes testing or appraisal) is proposed. Consequently, the decision-maker is required to consider the scale of any indirect effects arising from the combustion emissions.

The planning application is accompanied by an assessment of all greenhouse gas emissions arising from the construction and operation of the appraisal wellsite at Burniston.

6. Compliance with Relevant Development Plan Policies and Material Considerations

Introduction

This section considers the benefits of the Proposed Development, and compliance with development plan policy and material considerations which relate to this.

Policy Themes

The key policy themes that are identified as being relevant to the determination of this planning application are listed below.

- principle of development;
- need;
- site location and land use;
- sustainability and climate change;
- economic and social benefit; and
- environmental and amenity issues.

The following paragraphs set out an analysis of the Proposed Development in the context of the above policy themes.

Principle of Development

The proposal is for the construction and operation of a temporary wellsite for the appraisal of conventional hydrocarbons using a form of stimulation known as a proppant squeeze. The relevant policies for determining the principle of the proposed development at Burniston Mill are policies M16, M17 and M18 of the MWJP.

There is no requirement for a MPA to identify a landbank of energy minerals such as gas. Consequently, each application seeking permission for energy mineral-related development must be considered on its individual merits and with due regard to the relevant development plan policies at the time of the determination of the application.

MWJP policy M16b (Key spatial principles for hydrocarbon development) is the most relevant development plan policy in the determination of this application in that it sets out NYC's approach to proposals for the appraisal of conventional hydrocarbons including hydraulic fracturing. Paragraph 5.124 of the Plan states that, for the purposes of the Plan, 'hydraulic fracturing' includes the fracturing of rock under hydraulic pressure regardless of the volume of fracture fluid used. Policy M16(b)i) states:

> *"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 Site at Burniston Mill lies outside these designated areas. The proposal is therefore in compliance with Policy M16(b)i).

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 relevant and is not engaged.

Policy M16(b)iii) states:

> *"Surface and sub-surface proposals for these forms of hydrocarbon development will also be required to be in accordance with Policies M17 and M18. Surface proposals will also, where relevant, need to comply with Part d) of this Policy."*

The degree of compliance with policies M17 and M18 of the MJLP is discussed below.

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 800m south and 2,150m east of the North York Moors National Park boundary. Therefore, it lies within the 3.5km visual sensitivity zone. The NYC pre-application advice confirms that a detailed assessment is required in order to confirm that there would be no adverse impact upon the NYMNP. 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.

Policy M16(d)(ii) states:

> *"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 which is a non-statutory designation. A significant part of PEDL 343 lies within the NYMNP which Policy M16 excludes as a suitable site for hydrocarbon development (see Figure 6.1). The remaining part of the PEDL licence area includes the Heritage Coast designation. It is acknowledged that the drilling rig would be 38m in height and would need to be lit at night for safety reasons. The LVIA confirms that the drilling rig will be highly visible from the Heritage Coast and thereby have a moderate adverse impact. However, 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 would not be significant.

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.

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."*

The proposed development would not have an unacceptable impact on the local area, including the setting of the National Park and its location within the Heritage Coast, when full account is taken of the a) temporary nature of the development and b) the great weight that should be given by the MPA in determining planning applications for mineral extraction (paragraph 224 of the NPPF).

Policy M17 of the MWJP (Other spatial and locational criteria applying to hydrocarbon development) sets out four spatial and locational criteria which need to be taken into account when considering planning applications for hydrocarbon.

1) *"Accessibility and transport*

   i) *Hydrocarbon development will be permitted in locations with suitable direct or indirect access to classified A or B roads and where it can be demonstrated through a Transport Assessment that:*

   a) *There is capacity within the road network for the level of traffic proposed and the nature, volume and routing of traffic generated by the development would not give rise to unacceptable impact on local communities, businesses or other users of the highway or, where necessary, any such impacts can be appropriately mitigated, for example, by traffic controls, highway improvements and/or traffic routing arrangements;"*

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. A maximum 18 HGVs are expected to be generated on any one day, although the daily average will be no more than 7 HGVs. A CTMP will 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 will add no more than 0.63% to daily vehicle movements during the summer tourist season and 0.79% during the non-tourist season.

   b) *Access arrangements to the site are appropriate to the volume and nature of any road traffic generated and safe and suitable access can be achieved for all users of the site, including the needs of non-motorised users where relevant;*

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.

   c) *There are suitable arrangements in place for on-site manoeuvring, parking and loading/unloading.*

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 will require some assistance whilst manoeuvring within the Site. Banksmen will be used when required to help ensure these and any other manoeuvres are conducted in a safe manner.

   ii) *"Where access infrastructure improvements are needed to ensure that the requirements of i) a) and b) above can be complied with, information on the nature, timing and delivery of these should be included within the proposals."*

There is no requirement for any highway or infrastructure improvements.

iii) *"Where produced gas needs to be transported to facilities or infrastructure not located at the point of production, including to any remote processing facility or the gas transmission system, this should be via underground pipeline, with the routing of pipelines selected to have the least practicable environmental or amenity impact."*

The only produced gas will be during the flow testing phase. Gas will be flared onsite during this short time so there will be no need for gas to be taken off site.

iv) *"Where hydraulic fracturing is proposed, proposals, where practicable, should also be located where an adequate water supply can be made available without the need for bulk transport of water."*

Low volume hydraulic fracturing is proposed which will not require high volumes of water to be brought to site.

2) *"Cumulative impact*

i) *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."*

The cumulative impacts from the development are covered in the Environmental Statement. In the Screening Opinion, dated 1st August 2024, NYC officers stated that there was potential for a significant cumulative impact on the access road and highway network, especially during the tourist season, and a visual impact within the special landscape owing to the height of the drilling rig. However, officer also acknowledged that *"any effects that may arise could be largely mitigated through the use of conditions such as the requirement for a Landscape and Visual Assessment, a Transport Statement, a traffic survey and a Construction Environmental Management Plan."*

The Screening Direction of 6th November 2024 concluded that there are no issues or factors, either in isolation or cumulatively, which indicate a likelihood of there being significant environmental effects from this proposal.

The Cumulative Effects chapter in the Environmental Statement 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.

"ii) 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 pad within the proximity of the proposed wellsite at Burniston or within PEDL 343. Therefore, there will be no combined effects.

b) *"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. Any 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.

c) *"The sensitivity of the receiving environment, taking into account the nature and distribution of any environmental constraints, proximity to local communities, 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 the Plan."*

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. It lies in Flood Zone 1 which is acceptable for this type of development. The agricultural land quality 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. Taking into account the temporary nature of the proposed development, the sensitivity of the receiving environment is judged to be suitable.

3) *"Local economy*

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."

The planning 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 application is also

4) *"Specific local amenity considerations relevant to hydrocarbon development*

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 demonstrate that that the proposed development will not give rise to unacceptable impacts upon these properties.

ii. *"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, and that comprehensive mitigation measures are proposed where necessary."*

The environmental assessments 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.

iii. *"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 will be prepared, to be agreed with NYC. There is no need for the monitoring of odour or for the impact of construction and operations traffic as this will be negligible. A Health Impact Assessment has not been requested in any pre-app advice. All impacts that may

affect population and health are covered in the noise, flood risk and drainage assessment, transport and air quality assessments.

iv. *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."*

Drawing ZF-EOA-CL-TN-PA-13 shows the indicative layout of the well testing phase. This includes a shrouded ground flare in the northern corner of the Site. The flare is 12m in height. All produced gas during the testing period will be disposed of by burning the gas in the flare. The environmental permit issued by the EA will regulate the amount and frequency of gas to be burnt.

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 will be collected and stored temporarily on site. It will 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.

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.*

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 (Appendix 1) sets out in detail how the site will be restored following the wellsite operations.

Site Location

There is no evidence to indicate that the Proposed Development will conflict with any of the above policies. As demonstrated under 'Economic and Social Benefit' and 'Environmental and Amenity Issues' below, the Proposed Development will deliver some economic benefit to the local community, and the potential for any notable environmental and amenity impacts to arise is considered to be low.

In terms of its setting, the Proposed Development will not be incongruous with the already approved development that lies to the north east of Coastal Road, which comprises Burniston feed mill and a large hardstanding with two large industrial buildings which are occupied by local businesses.

Map 19 of the SBLP shows the Site lies outside the Burniston development limits. Policy SH1 (Settlement Hierarchy) of the SBLP identifies Burniston as a Service Village and states that all areas outside the development limits are to be regarded as ' countryside'. Policy ENV6 (Development Affecting the Countryside) 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."

The Proposed Development is minerals development; paragraph 215 of the NPPF states that minerals are a finite natural resource and can only be worked where they are found. It is considered that the proposed development is appropriate development in the countryside and in accordance with policy ENV6.

For the reasons outlined in the paragraphs above, it is considered that the proposed development is generally in accord with the relevant development plan policies and also benefits from national policy support and is, therefore, acceptable 'in principle'.

Need

Paragraph 215 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. Hydrocarbons are essential not only in contributing to the UK's energy supply but also critical in relation to the supply of materials and products we use every day. Should planning permission for the Proposed Development be granted, it would help to ensure the efficient use of minerals resources within North Yorkshire in accordance with Objectives 3 and 4 in the MWJP.

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.

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 will support the 2013 AES's three main aims by enabling the production of indigenous oil reserves which, in turn, will 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 our 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.

Security of Supply and Reduced Demand for Imports

It is not part of national policy to attempt to reduce emissions by restricting the production of hydrocarbons in the UK, nor was such an approach suggested by the CCC when dealing with the net zero 2050 position; there is no policy which provides that a net zero carbon economy in 2050 would be hydrocarbon-free.

Government policy makes it clear that gas remains an important part of the UK's energy mix. Energy policies recognise the continuing importance of fossil fuels whilst acknowledging the need to manage the UK's reliance on them, their potential environmental impacts and the risks associated with security of supply. While the Government manages the transition to a low carbon energy mix, it is the case that oil and gas will remain key elements of the energy system for many years to come, especially for transport and heating.

The CCC has acknowledged 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 Sixth Carbon Budget – "the UK's path to net zero" was published by the CCC in December 2020. It looks at the changes that the UK can expect on the journey to net zero between 2033 and 2037. The pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035. The economy is forecast to become more energy efficient with total energy falling by around 33% between now and 2050.

There is no evidence that increasing indigenous gas production will lead to higher levels of gas consumption. The Government continues to acknowledge the importance of securing home-grown supplies of energy in order to reduce imports and help to meet the gap between UK gas production and demand. 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 consistent with national energy policy.

Sustainability and Climate Change

Prior to the outcome of the Finch decision in the Supreme Court in June 2024, decision making of applications for exploration, appraisal and production considered the potential impacts on climate change directly arising from the Proposed Development from the emission of greenhouse gases. It was at the discretion of the decision-maker whether 'downstream' emissions should be taken into account.

Following the Finch decision, the consideration of downstream greenhouse gas emissions now forms part of the assessment in the EIA process. The effect of the decision makes it prudent for NYC, as the decision-maker, to take account of the assessment of both upstream and downstream greenhouse gases in this application as far as reasonably possible. This application for hydrocarbon extraction only covers the appraisal phase, that is, testing the flow of gas in the reserve to determine the scale of the gas reserve, its characteristics and whether it is likely

to be commercially viable to be produced. No gas will be exported for combustion; consequently, the question of downstream gas emissions as defined by Scope 3 category 11 does not arise. However, some of the gas will be flared on site which falls within Scope 1 (direct emissions controlled by Europa). Therefore, the planning application is accompanied by a report, prepared by Sustainable, a specialist environmental company, that sets out the following an emissions assessment of the proposed Cloughton appraisal well activity.

Local Setting

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. Therefore, it makes best use of the existing resources available. No changes are proposed to the existing Site access track, and the Site benefits from existing screening vegetation.

This proposal also takes account of the impact of climate change in respect of increased rainfall and the potential for increased flooding events. The FRA prepared as part of this planning application concludes that with the implementation of standard best-practice mitigation measures, the Proposed Development would not result in any adverse flood risk or drainage impacts, including when taking climate change into account. All surface water will be removed from Site by a licensed tanker.

The Proposed Development is therefore:

- in accordance with NYC Policy D09 (3) (Water environment), which states that development which would lead to an unacceptable risk of all sources of flooding will not be permitted;
- in accordance with NYC Policy D09 (4) (Water environment), which states that development should, where necessary or practicable, include measures to contribute to climate change mitigation and adaptation measures;
- considered sustainable development, in accordance with NPPF Chapter 2 (Sustainable Development) and Chapter 17 (Facilitating the Sustainable Use of Minerals); and
- in accordance with the relevant guidance in the Climate Change PPG and with 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.

National Setting

National energy policy, most succinctly set out in NPS EN-1 and the NPPF, is aimed at reducing demand from end users and, in turn, reducing consumption. That includes reducing the need to travel, using public transport and switching to vehicles which have low or zero emissions. National policy does not require operators to reduce emissions by restricting the production of hydrocarbons in the UK. The Supreme Court decision of R (Sarah Finch) vs Surrey CC in June 2024 [UKSC 20] made it clear that indirect effects arising from, in particular, the combustion of fossil fuels, are capable of being significant environmental effects for the purposes of the EIA Regulations 2017. In Finch, the project in question was unarguably required to undertake an EIA given its scale and exceedance of the threshold in Schedule 1 of the EIA Regulations. The decision has clear parallels to the circumstances of this application as the extraction, namely, the appraisal, of hydrocarbons is proposed. Neither NYC in its Screening Opinion of 1st August 2024, not the SoS in her Screening Direction of 6th November 2024, specifically referred to the scope of greenhouse gas emissions, arising from combustion, as an indirect effect associated with the proposed development at Burniston. In order for NYC to take into account the potential for Scope 1, 2 and 3 emissions , the application is accompanied by an independent assessment of emissions.

The CCC has acknowledged in its 2019 report ‘Net Zero: The UK’s contribution to stopping global warming’ that a net zero carbon economy in 2050 would not be hydrocarbon-free. With this 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 consistent with national energy policy. The Proposed Development would not increase the use of hydrocarbons; the evidence demonstrates that the effect would be to transfer production to a more local source.

Specifically relating to climate change, the Proposed Development would involve the drilling of an appraisal well for conventional hydrocarbons. By enabling the potential production of indigenous gas reserves, subject to a separate planning application, the Proposed Development will help to reduce the need for imports into the UK, thereby reducing associated production and transport greenhouse gas emissions when compared to sourcing the fossil fuels from other countries.

The Proposed Development is therefore consistent with current government policy on climate change and the adoption of a net zero target.

Economic and Social Benefit

The Proposed Development will require specialist engineers and skilled operatives throughout all four phases of development. The number of personnel on site will 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, above.

The employment generated will 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 2.7 of the SBLP states that the area suffers from a low wage economy; paragraph 2.13 states that the median weekly income for people working across the Borough is below both the regional and national averages. Paragraph 2.38 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"*.

The Proposed Development will 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.

The proposed development also supports one of the three priorities within the Strategy which is to develop energy infrastructure to enable sustainable growth.

As stated in Section 5, above, NPPF paragraph 224 adds that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy.

Environmental and Amenity Issues

The potential for any notable environmental and amenity impacts to arise as a result of the Proposed Development is considered low. The Proposed Development is very unlikely to give rise to any nuisance or wider issues of pollution, as demonstrated in the consideration of environmental and amenity issues presented below. The application is accompanied by an Environmental Statement which covers those matters that NYC consider may give rise to significant environmental effects, namely landscape and transport. The other relevant environmental matters are addressed in free standing technical reports.

Landscape and Visual Amenity

A LVA has been undertaken in respect of the Proposed Development and comprises Chapter 6 of the Environmental Statement. The key findings are summarised below.

Baseline

The Site does not fall within an area designated either nationally or locally for its landscape value. The Site falls within NCA: 25 North Yorkshire Moors and Cleveland (Natural England, 2014). The Site and study area fall within the following:

- Rugged Cliffs, Coastal Valleys and Bays LCT 15;
- Scalby Character Area LCA D3;
- Limestone Foothills and Valleys LCT4;
- Cloughton & Burniston LCA A1; and
- Long Nab to North Bay LCA G3

The full list of published character descriptions is provided within the LVA.

Land use surrounding the Site is agricultural in nature; the character of the area is open countryside with field boundaries marked by ditches, trees, and hedgerows. There are no sensitive receptors directly overlooking the wellsite, with the closest residential property, Wayside Farm, located approximately 320 m to the south west of the

wellsite. The site is partly screened by some existing woodland to the south side and intermittent gappy hedgerows to the wider field boundaries to the north sides.

A site visit was undertaken in November 2024 to assess the existing character of the landscape and record views from representative photo viewpoints. The visit was undertaken in good weather with good visibility.

Potential Effects and Mitigation (if required)

There is potential for increased visual impact during the drilling phase, when there will be a drilling rig onsite (this have been assessed to a height of 38 m in the LVA as a worst-case scenario). However, this phase of the development is temporary in nature and relatively short-lived (up to a maximum of seven weeks if the mobilisation and demobilisation stages are included). The testing phase of the development, when gas will be flowed, will have a lesser impact on landscape and visual amenity as the infrastructure on site will be relatively low-key.

Heritage Coast

The qualities defined within the Heritage Coast are judged to be of Medium susceptibility. Considering this combined with the judgement of national value, the Heritage Coast is considered to be of high/medium sensitivity.

During phase 1 construction activity would be partially visible within this landscape but of Small/Negligible scale and Limited in terms of geographic extent. 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.

During phase 2 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.

During phase 3 following the demobilisation of the drill rig there would be a Negligible scale of change of very limited extent perceived from the Heritage Coast 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.

During phase 4 well decommissioning effects would be similar to phase 1 resulting in Minor Adverse effects on the Heritage Coast considered not significant

These effects would reduce to Negligible and not significant as the land is returned to agricultural usage and integrated back into the landscape following the short-term operational phase.

Landscape Effects

Effects on landscape character have been appraised to be of a minor level of effect on both the Scalby LCA and the Long Nab to North Bay LCA which lies 0.5 km to the north of the wellsite, which is not an ‘important’ effect. Moreover, minor effects are only expected for Phase 2 (drilling) on the landscape character of the Site. For other phases, landscape effects are appraised as minor/negligible.

Within the landscape of the Site itself, effects would be **Moderate Adverse** and **not significant** across all four phases of development. The effects within 2km of the Site on the ‘Host Landscape’ (LCA D3: Scalby) would be at most, **Minor Adverse** during phase 2 drilling operations, and **not significant**.

Similarly, effects on LCA G3: Long Nab to North Bay would be at most **Minor** Adverse and **not significant** during, with no other landscape effects greater than **Minor/Negligible**.

Effects on the National Landscapes of the North York Moors National Parks would be at most **Minor/Negligible** whilst effects on the Heritage coast are judged to be at most **Minor adverse** with none of the effects considered significant.

Visual Effects

Visual effects are appraised through seven representative viewpoints and are expected to be moderate (not significant) from the Cleveland Way National Trail during Phases 1, 2 and 4 and minor during Phase 3. Visual effects would be moderate/minor during Phase 2 (drilling) when viewed from the recreational routes along High and Low Toft Hills. Otherwise, during Phases 1, 3 and 4, visual effects would be negligible at most, which is not an ‘important’ effect. Such effects are likely where the drilling rig would be visible above intervening woodland for the timescales noted above. For the remainder of the other viewpoints, no adverse change in visual amenity is expected.

In some locations the rig would protrude above this vegetation, affording views of its upper section. Based on the appraisal of the seven representative viewpoints, it is considered that the Proposed Development would form only a minor, temporary component or indistinct element within most of these views due to the effect of intervening vegetation.

There will be no adverse impact upon the Cinder Track, the former Scarborough to Whitby Railway Line, which lies 290m to the west of the Site.

Views from Burniston would be limited to a small number of properties on higher ground (Viewpoint 5 – Limestone Road) to the upper levels of the drilling rig and would be at most, **Minor Adverse** and **not significant** during phase 2 drilling operations.

Residential properties within Scalby, particularly those on the northern edge (Viewpoint 6 – Field Lane) and within Cloughton (Viewpoints 4 and 7), particularly to its southern edge, would similarly experience **Minor Adverse** effects on visual amenity as a result of views of the drill rig during phase 2. No other visual effects on settlements or residential receptors would be greater than **Minor/Negligible (not significant) Adverse**. Visual effects would be **Moderate** Adverse for the closest receptors and recreational users of the England Coastal Path/ Cleveland Way National Trail (Viewpoint 1) as they pass adjacent to the site during phases 1, 2 and 4 of development. However, these effects would reduce to **Minor** Adverse during phase 3 well decommissioning, further reducing to **Negligible** as the land is returned to agriculture following operation. All effects would be **not significant** on the basis that effects would be temporary, short term and reversible.

Visual effects for other recreational users of the National Cycle Route 1 / Cinder Track (Viewpoint 3) and the Tabular Hills Walk would experience at most **Minor/Negligible Adverse** effects which would be **not significant**.

Views from other recreational routes would be at most **Minor/Negligible** with the exception of the group of PRoW along the High and Low Toft Hills which would experience **Moderate/Minor Adverse** effects during phase 2, only. Effects would be **not significant**.

With regard to road users, including users of the A165 Coastal Road and the A171, none would experience visual effects greater than **Minor/Negligible Adverse** effects during phase 2 of operations.

There would be some **Minor/Negligible Adverse** effects on visual amenity of recreational users of the National Par to within 3km of the Site and on local highpoints with vistas towards the coast. Effects would be **not significant** and would reduce to **Negligible** as the land is returned to agriculture following operation.

There would also be some **Moderate Adverse** effects on recreational users and visitors to the Heritage Coast, within which the Site sits, with recreation routes running to within 0.45km of the Site boundary. Effects would be **not significant** and would again reduce to **Negligible** as the land is returned to agriculture following operation.

Summary and Policy Compliance

Given the above, it is considered the Proposed Development will not result in notable landscape or visual impacts. The Proposed Development therefore accords with:

- MWJP Policy D06(1) (Landscape) which states that proposals for mineral extraction will be permitted where it can be demonstrated that there will be no unacceptable impact on the quality or character of the landscape, taking into account mitigation measures;
- MWJP Policy D06(3) (Landscape) which states that permission will only be granted where it would not lead to an unacceptable impact on the undeveloped character of the Heritage Coast, unless the need for, or benefits of, the development outweigh the harm caused;
- MWJP Policy D06(4) (Landscape) which states that schemes should provide for a high standard of design and mitigation, having regard to landscape character, the wider landscape context and the setting of the site and any visual impact;
- SBLP Policy ENV7 (Landscape Protection and Sensitivity), which states that proposals should protect the distinctiveness or special features that contribute to the landscape character of a particular area;
- SBLP INF 4 (Cinder Track – the former Scarborough to Whitby Railway Line) which states that proposals within the vicinity of the Cinder Track should demonstrate that it will not harm the character, integrity or amenity value of the route;
- the Natural Environment PPG, which examines key issues in implementing policies to protect and enhance the natural environment, including landscape; and
- NPPF Chapter 15 paragraph 187, as outlined in Section 5, above.

Traffic and Transport

A TA has been undertaken in respect of the Proposed Development and accompanies the application. The key findings are summarised below.

Baseline

No changes are proposed to the Site access, which will be via the existing private access road off the A165 (Coastal Road). Therefore, a safe and established means of access will continue to be used for the duration of the Proposed Development. The A165 and A170 are wide enough to accommodate two-way HGV movement. The access has good sight lines and is accessible with a suitably wide entrance to cater for HGVs.

Automatic Traffic Count (ATC) surveys were conducted between 22nd and 28th August 2024 (that is, within the summer tourist season) and between 21st to 27th September 2024 (outside the tourist season during school term time) on Coastal Road near the Site entrance. The Average Daily Traffic (ADT) flow was recorded as 7,260 vehicles during August (of which, 756 were HGVs) and 5,814 vehicles in September (of which, 800 were HGVs). For context, according to the Design Manual for Roads and Bridges (DMRB, TA46/97), a road of this type would be designed to accommodate up to 13,000 ADT per day.

The anticipated HGV movements associated with the Proposed Development are identified in Table 4-3, above. The maximum average number of HGVs per day is forecast to be 18 during the drilling phase. As the Site will operate 12 hours Monday to Friday, this equates to approximately 1.5 HGVs per hour.

Potential Effects and Mitigation (if required)

The small number of additional vehicles on the highway network as a result of the Proposed Development is well within network capacity and would not lead to a material change in road safety risk. Given this, and the low number of collisions recorded near the Site, no road safety mitigation is required.

It has been agreed with NYC Highways that unction capacity modelling is not required if HGV traffic is effectively managed under an agreed CTMP.

The Proposed Development will only result in the generation of a small number of vehicle trips, and a safe and established means of access will continue to be used for the duration of the Proposed Development. It is considered that the Proposed Development would have no unacceptable impact on highway safety, or residual cumulative impacts on highway capacity.

Summary and Policy Compliance

Given the above, it is therefore concluded that the Proposed Development accords with relevant policies relating to traffic and transport, including:

- MWJP Policy M17(1) (Other spatial and locational criteria applying to hydrocarbon development), which states that permission will be granted where there is sufficient capacity within the road network, access arrangements are appropriate and there are suitable parking and loading/unloading arrangements;
- MWJP Policy D02 (Local amenity and cumulative impacts), which relates to the impacts on the amenity of local communities and residents;
- MWJP Policy D03 (Transport of minerals and waste and associated traffic impacts), which echoes Policy 17(1) and states that permission will be granted where there is sufficient capacity within the road network and access arrangements are appropriate; and
- NPPF paragraphs 109, 115 and 116, which relate to promoting sustainable transport and are outlined at Section 6, above.

Ecology

An Ecological Appraisal has been undertaken in respect of the Proposed Development and accompanies the application. The key findings are summarised below.

Baseline

There are five statutory designated sites within 5 km of the Proposed Development. The nearest, Iron Scar and Hundale Point to Scalby Ness SSSI, lies 640m to the east of the Site. The North York Moors National Park lies approximately 800m to the north. The North York Moors SSSI and SPA lies 3.5km to the north. There are two Ancient Woodland sites located within 5 km of the Site. There is one non-statutory designated site within 2km of the Site. The Site where the proposed development is to be located is judged to be geographically separated from

any designated sites. No hydrological connectivity or any other impact pathways were identified. Therefore, there is no potential impact on any designated site.

A desk study and a field survey (an extended Phase 1 habitat survey) of the Site were undertaken in June 2024 by RSK ADAS.

Habitats

The majority of the Site where the wellsite will be located is an area of modified grassland. The grassland is considered to have negligible ecological importance. No trees, hedgerows, scrub, neutral grassland or woodland boundaries will be impacted by the works. An area of modified grassland will be temporarily lost due to well construction, drilling and flow testing operations. However, this habitat will be fully restored upon completion of the works.

Protected and Notable Species

A small area of mixed woodland (1.3 km) stretches along the entirety of the southern and eastern boundaries. There are extensive stretches of mature native hedgerow along the northern and western boundaries. The northern hedgerow is 120m in length and in good condition with no obvious signs of damage or disease. There were no gaps within the hedgerow and it connected to the woodland towards the north-eastern boundary of the Site. The western hedgerow is approximately 250m in length and is similar to the northern hedgerow. However, it contained multiple gaps and included a small number of scattered trees. Two of these trees – a holly and a sycamore - are mature and in good condition, showing no obvious signs of disease or damage. The mature Elder, however, is severely damaged. 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.

There was one small pond located approximately 300m to the west. It is isolated from connecting terrestrial habitats.

The Site is considered to be of low value to ground-nesting birds but it has the potential to support notable species of foraging birds. The Site’s hedgerows, tree cover and scrub are likely to support common birds during nesting. These habitats will remain unaffected and protected during the proposed works. There will be no direct impact on nesting birds.

Construction activities such as artificial lighting near foraging or commuting habitats, pose risks that could disrupt bat movement and habitat use. A sensitive lighting design that avoids illuminating these corridors should be implemented. Construction activities should be limited between dusk and dawn if lighting is required.

Suitable habitats for common species of reptiles include areas of neutral grassland, hedgerow bases, dense scrub and woodland along the eastern and southern boundaries. The proposed works will not directly impact these potential reptile habitats.

Potential Effects and Mitigation (if required)

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.

A 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 for the Proposed Development. See the BNG Assessment submitted alongside this Planning Statement for further details.

It is considered that, with the implementation of the lighting mitigation and precautionary pre-construction measures outlined above, no adverse effects upon ecological features are likely as a result of the Proposed Development.

Summary and Policy Compliance

Given the above, the Proposed Development is considered to accord with:

- MWJP Policy 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.

- MWJP Policy ENV8 (Green Infrastructure), which requires all forms of development to investigate the potential to integrate with nearby existing green infrastructure assets.
- The Natural Environment PPG and NPPF Chapter 15, as outlined in Section 5 above.

Flood Risk, Hydrology and Surface Water Drainage

A Hydrogeological Impact Assessment and Flood Risk Assessment has been prepared in respect of the Proposed Development. The key findings are summarised below.

Baseline

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).

The nearest watercourse is Burniston Beck The closest watercourse to the site is the Burniston Beck, located approximately 115 m 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-east, approximately 180 m 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 and discharges into the Burniston Beck.

A small pond is located approximately 100 m to the southwest of the centre of the site, immediately to the south of the photovoltaic panel array. Another small pond is located 80 m 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).

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.

Potential Effects and Mitigation (if required)

Flooding

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.

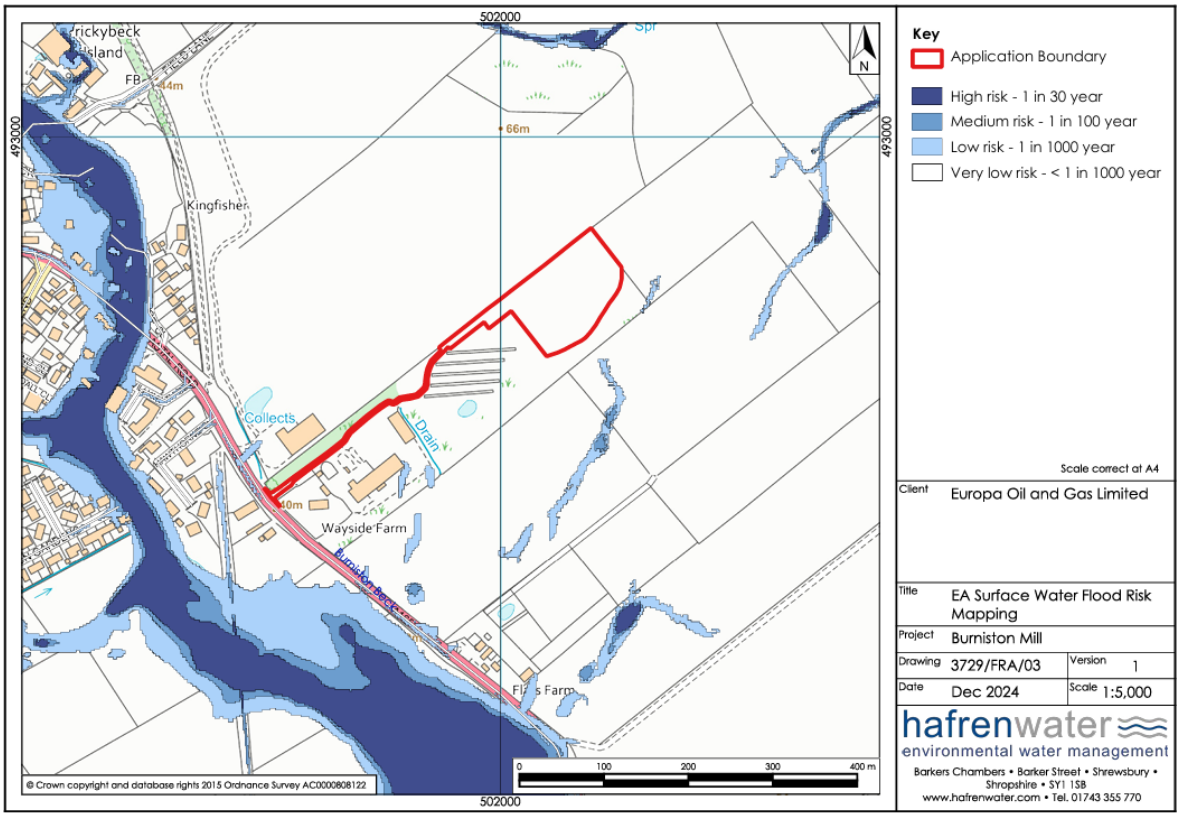


Figure 6.1 - Surface Water Flood Risk

Drainage

All surface water run-off will be retained on-site for the duration of operations. The Site will be lined with an impermeable membrane to prevent infiltration of rainfall-derived surface water, with bunds around the Site Perimeter to prevent surface water run-off. Surface water will be collected within perimeter ditches and pumped to bunded tanks and disposed off-site at an appropriate facility. The tanks have been designed to accommodate a 1 in 2-year event. In the unlikely event of exceedance flows due to a blockage, pump failure or an extreme storm event, surface water would be contained within the Site Boundary by the impermeable membrane and perimeter bunds. The containment of all water within the Site is such that there is no risk contamination. Therefore, the risk from exceedance and effect on water quality is negligible.

Hydrogeology

An assessment of potential impacts on the hydrogeology (that is, the quality and quantity of surface water, and groundwater) of the Site and its vicinity has been undertaken for each phase of development.

The lining of the entire site, with a welded membrane, will mitigate against the potential for contamination of both surface water and groundwater from surface sources. Rigorous procedures and mitigation measures will be adopted when drilling and testing the appraisal well. The operational programme has been devised with environmental protection at its core, and the work programmes for each phase will be submitted for approval by the relevant authorities and regulators. The composition of the drilling mud, the successive lining of the wellbore with steel casing and the nature of the deeper geology will ensure that fluid interchange between the wellbore and the surrounding groundwater environment cannot occur. Three monitoring boreholes will be installed and sampled to determine groundwater conditions within the upper bedrock aquifer. After removing imported materials used during site construction, the restoration phase will return the site to its previous landform and agricultural use.

Summary and Policy Compliance

Given the above, the Proposed Development is considered to accord with:

- MWJP Policy 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;
- MWJP Policy 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;

- MWJP Policy 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) 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;
- NPPF Chapter 2 (Sustainable Development) and Chapter 17 (Facilitating the Sustainable Use of Minerals); and
- the Climate Change PPG and with 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.

Air Quality

An AQIA has been undertaken in respect of the Proposed Development and accompanies the application. The key findings are summarised below.

Baseline

The Site does not fall within an AQMA. It is located within a rural setting, which infers that the Site is not located in an area where pollutant concentrations are considered to be at risk of exceeding the national air quality strategy objectives. NYC does not undertake automatic air quality monitoring in the Burniston area. Therefore, the maximum values from the DEFRA air quality archive has been used within a 1km radius of the proposed wellsite.

Potential Effects and Mitigation (if required)

The predominant source of pollutant releases during site operations will be from the

a) use of diesel fuel in mobile plant and stationary engines;

b) use of diesel fuel from construction vehicles used on site;

c) the incineration and combustion of produced natural gas during flow testing from a shrouded ground flare; and

d) fugitive release of natural gas from well development and testing.

The AQIA modelled the release of nitrogen oxides, carbon monoxide, volatile organic compounds, particulate matter and sulphur dioxide over a 1km x 1km study area from the Site.

The results of the AQIA are summarised 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 likely that the construction activities associated with the development of the wellsite will 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’.

In addition, the wellsite will continue to operate under an Environmental Permit and in accordance with established strict management procedures and controls. Such measures will 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 has 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.

Europa will employ a specified complaints procedure throughout the life of the Proposed Development.

It is therefore considered that the Proposed Development will not result in any adverse impacts with regards to air quality.

Summary and Policy Compliance

Given the above, the Proposed Development is considered to accord with:

- MWJP Policy 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; proposals involving hydraulic fracturing should be accompanied by an air quality monitoring plan;
- MWJP Policy 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 air;
- MWJP Policy 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;
- the Natural Environment PPG, which examines key issues in implementing policies to protect and enhance natural environment, including air quality; and
- NPPF Chapter 15 paragraph 199 and the Air Quality PPG, as outlined in Section 5, above.

Noise

A Noise and Vibration Impact Assessment has been undertaken in respect of the Proposed Development and accompanies the application. The key findings are summarised below.

Baseline

The set back distances between the centre of the wellsite and the nearest sensitive receptors is between 350m and 530m. The noise assessment identifies four noise-sensitive receptors (NSRs) relevant to the Proposed Development:

- NSR1: Wayside Farm;
- NSR2: House on Field Lane;
- NSR3: House on Bridge Close; and
- NSR4: Flatts Farm.

Long-term unattended noise monitoring was undertaken between 10th October 2024 and 5th November 2024 at two noise monitoring locations (NML 1 and 2, near the most sensitive identified receptors NSR1 and NSR4 respectively) to establish existing ambient noise levels in the area. Long-periods of high wind speeds meant that some monitoring cannot be used to establish a baseline, however, the remaining data provides a sufficiently robust dataset. Short term attended measurements were made at NML3 (close to NSR3) and NML4 (close to NSR2) with the purpose of obtaining a small sample of data. However, the data is not used in the assessment as they not considered to represent typical noise levels owing to the weather conditions at the time. Background noise levels are re-produced in Table 6-1, below.

Table 6-1 Background Sound Levels for Operational Assessment

Receptor	Noise Monitoring Location	Background sound levels L_{A90T} (day/night)
NSR1	NML1	47/30

NSR2	NML4	35/28 (short term and not representative)
NSR3	NML3	37/25 (short term and not representative)
NSR4	NML2	42/30

The nearby Mill activity strongly influenced the daytime ambient noise levels at NSR1.

Potential Effects and Mitigation (if required)

Noise modelling has been undertaken for each phase of the Proposed Development with respect to the four NSRs:

- 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.

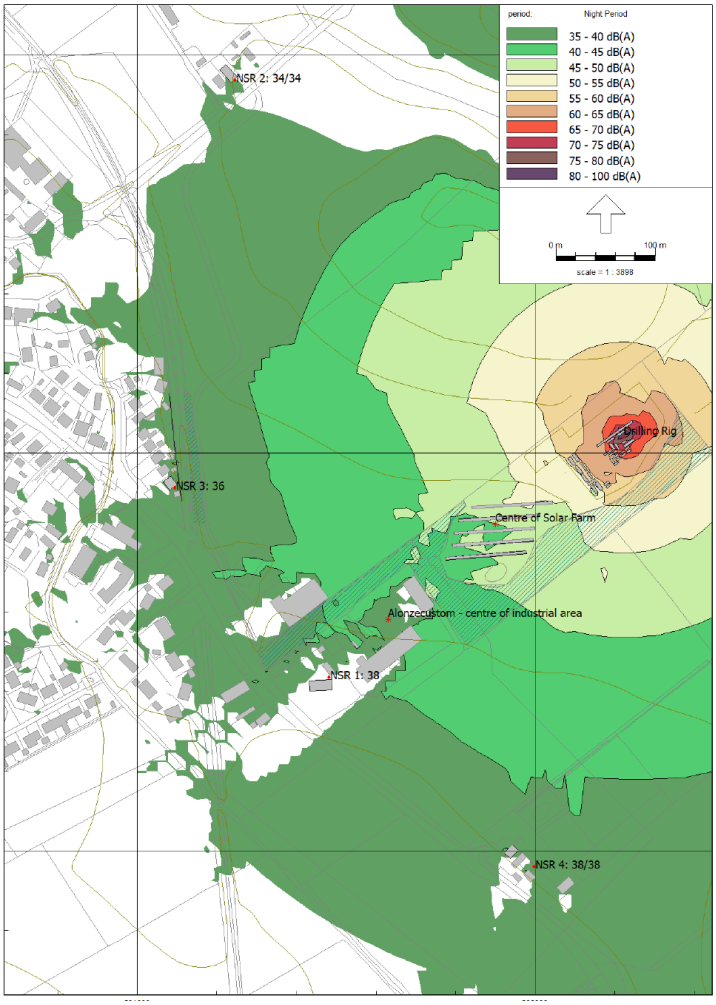


Figure 6.2 - Predicted noise contours during night-time drilling

- 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.

An outline Noise Management Plan (NMP) has been developed and is appended to the Noise and Vibration Impact Assessment. The NMP sets outs the protocol in the unlikely event of a noise issue being raised as a result of the development.

As outlined above, noise associated with the Proposed Development is predicted in practice to below, in all cases being lower than both the SOAEL and LOAEL thresholds. There will be no adverse noise or vibration impacts on any nearby receptors as a result of noise emissions from the Proposed Development.

Summary and Policy Compliance

Given the above, the Proposed Development is considered to accord with:

- MWJP Policy 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;
- MWJP Policy D02 (Local amenity and cumulative impacts) which states that minerals and waste development will be permitted where there will be no unacceptable impacts as a result of noise and vibration;
- 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; and
- NPPF Chapter 15, as outlined in Section 5, above.

Lighting

A Lighting Assessment has been undertaken in respect of the Proposed Development and accompanies the application. This assesses the capacity of the Proposed Development to introduce intrusive lighting effects (light spill), on nearby residential and ecological receptors. The lighting scheme for the drilling phase has been modelled to determine the degree of light spill as this is the phase when the most external lighting will 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.

Baseline

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 Proposed Development. 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.

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.

Potential Effects and Mitigation

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. 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 of the drilling phase is reproduced below. It 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.

There is a minimal spill of light to the immediate surrounding area, as would be expected when lighting a site to high levels of illumination to aid safe working of complex activities. However, it should be noted that that the levels are relatively low and controlled due to the use and angle of fittings and the shielding of light offer by the structures that make up the site. Crucially levels of illumination being emitted towards the scrubland/tree belt are between 0.20 and 0.75 lux which are deemed to be low and acceptable on a short term basis.

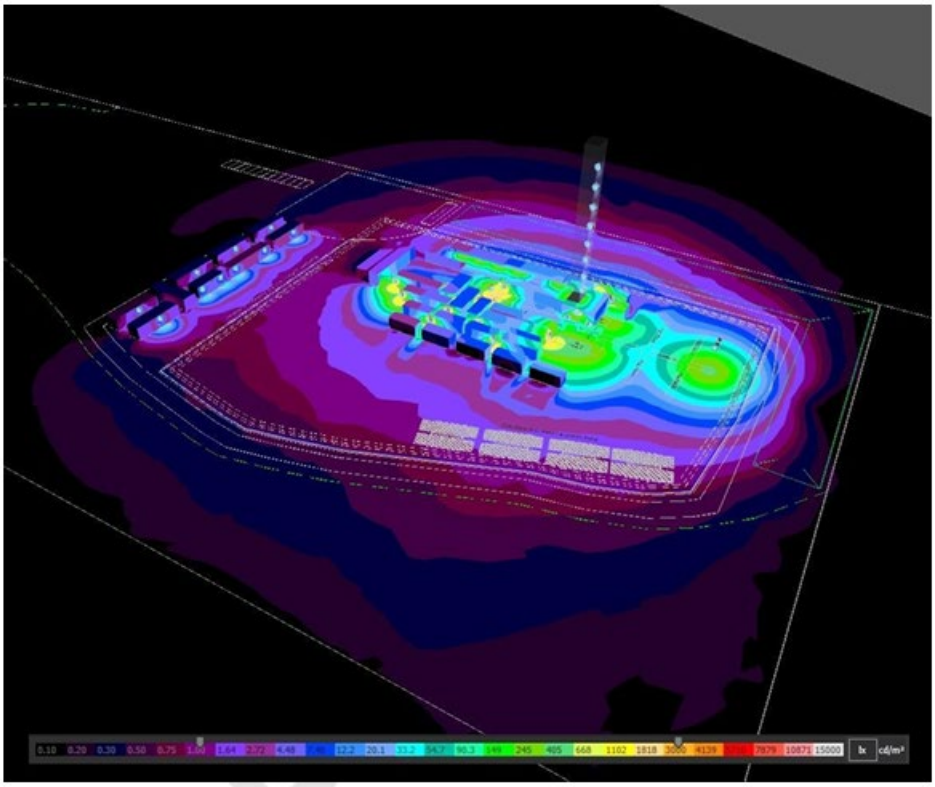


Figure 6.3 - Drilling phase of site layout (light spill)

In conclusion, the lighting associated with the drilling rig, working areas and compounds etc. is compliant with the requirements of ILP GN01 and CIE150:2017. 5.2.2. The site is well shielded from view to sensitive receptors, so direct views of the lighting across the site will be limited or negligible. However, 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 but given the short duration of the drilling phase the effect will be temporary and negligible.

Given the above, the Proposed Development is considered to accord with:

- MWJP Policy M16 ((Key spatial principles for hydrocarbon development), which requires proposals for surface hydrocarbon development within 3.5km visual sensitivity zone of the National Park to be supported by a detailed assessment of the potential impacts on the designated area;
- MWJP Policy D02 (Local amenity and cumulative impacts), which requires applications involve lighting to demonstrate that there would be no adverse impact on local amenities including site lighting;
- MWJP Policy D06 (Landscape) which requires proposals to provide for a high standard of design and mitigation to reduce impacts on dark skies.

Archaeology and Cultural Heritage

An Archaeological 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. The key findings are summarised below.

Baseline

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 520 m 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 undertaken by APS on 29th August 2024.

Potential Effects and Mitigation (if required)

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. Mitigation to offset the impact from the Proposed Development will be required, in the first instance, in the form of a programme of archaeological evaluation in accordance with a Written Scheme of Investigation to be agreed with the Principal Archaeologist for North Yorkshire Council.

No prehistoric, Roman or Saxon period archaeology is known from the assessment area. There has been a low number of archaeological investigations close to the Site, so it is possible this represents a gap in our knowledge rather than a genuine absence of remains. There are no archaeological remains in the area earlier than medieval ridge and furrow. The potential to encounter remains dated to this period is considered low, and likely to be confined to agricultural features. Inclosure probably occurred in 1771 when the Site was part of a large rectangular field. This was subdivided by 1850. No significant changes have occurred since this date.

Given the above, it is considered that the Proposed Development is acceptable in terms of cultural heritage.

Summary and Policy Compliance

Given the above, the Proposed Development is considered to accord with:

- 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;
- SBLP Policy DEC5 (The Historic and Built Environment) which requires proposals to conserve historic rural, urban and coastal environments;
- SBLP Policy 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;
- NPPF paragraph 207, as outlined in Section 5, above

Soils and Agricultural Land

An Agricultural Land Classification (ALC) and Soil Resource Survey has been undertaken in respect of the Proposed Development and accompanies the application. The key findings are summarised below.

Baseline

The Natural England Regional ALC map for the Yorkshire and The Humber (ALC003) (Natural England, 2010) shows that the Site is located within an area of ALC Grade 3 'good to moderate' land. ALC Grades 1 to 3a are classified as BMV land. The 1:250 000 scale reconnaissance soil map of the area shows the whole site to be mapped as Salop Association soils, described as 'slowly permeable seasonally waterlogged reddish fine loamy over clayey, fine loamy and clayey soils associated with fine loamy over clayey soils with slowly permeable subsoils and slight seasonal waterlogging.'

Potential Effects and Mitigation (if required)

A soil survey was undertaken in October 2024, in which soil profiles were examined up to a depth of 120 cm at ten locations within the wellsite and access track extension. A soil pit was also dug to assess subsoil structure and characteristics. The ALC survey identified one soil type within the study area, described as comprising of:

> *"a non-calcareous, very slightly stony, medium clay loam topsoil, which overlies dark yellowish brown, mottled, heavy clay loam upper subsoil. This upper subsoil in turn overlies a mottled and*

gleyed clay lower subsoil. The upper and lower subsoils were slowly permeable and poorly drained are assessed as Wetness Class IV."

The quality of the agricultural land within the survey area was assessed using revised guidelines and criteria for grading the quality of agricultural land issued by the Ministry of Agriculture, Fisheries and Food (MAFF, 1988). Land within the survey area is poorly drained. The present climatic conditions at the site and a medium clay loam topsoil result in significant wetness and workability limitation which restricts the land to ALC Grade 3b (i.e., not BMV land).

The soil survey found the topsoil to be predominantly medium clay loam; the upper subsoil is heavy clay loam and the lower subsoil is clay.

No agricultural land is to be permanently sterilised by the Proposed Development. The soil that is to be removed will be stored on a short-term basis as topsoil bunds and reinstated once works have been completed. All above-ground equipment and infrastructure shall be removed, and the wellsite will be restored to agricultural use or to an approved new use appropriate for the area as appropriate.

Given the above, it is considered that the Proposed Development will not result in an adverse impact on soils. It therefore accords with:

- MWJP Policy D12 (Protection of agricultural land and soils), which states that best and most versatile agricultural land will be protected from unnecessary and irreversible loss; development proposals will be required to demonstrate that all practicable steps will be taken to conserve and manage on-site soil resources; and
- NPPF Chapter 15, paragraph 187.

Population, Health and Security

As a responsible operator, Europa is highly conscious of its responsibilities and is mindful of the potential risks to people and the environment. Europa is committed to high standards of Health, Safety and Environmental management, protection and performance and these aspects have equal prominence with all other business considerations. Appropriate measures are in place to ensure that workers are aware of the risks associated with the Site. This includes standard practice health and safety measures as well as any site-specific issues.

The Site is not on publicly accessible land. It would be closed off to the public and would remain so during for the four phases of the Proposed Development, with a security gate and security personnel onsite as required.

Drawing reference ZG-EOG-CLTN-PA-15 shows the site will be surrounded along each perimeter by a 2.5m high 'Paladin' mesh panel security fence. A pedestrian emergency exit gate will be located on the eastern perimeter to allow for contractors and visitors to leave the site in an emergency situation. The main entrance to the Site will have 2.5m high mesh panel security gates to manage and control access and egress.

A thorough public engagement and consultation programme was devised and implemented on behalf of Europa in September 2024 around the Proposed Development. The proposal generated considerable interest with 200 visitors attending the Burniston village hall for the drop in event. Further details of this programme are detailed in the Statement of Community Involvement submitted alongside this Planning Statement.

The technical assessments and the Environmental Statement that accompany the planning application demonstrate that the risk of the Proposed Development giving rise to any material adverse impacts upon the health of the local community in relation to road safety, air quality, noise, lighting, groundwater contamination, waste water or flood risk are negligible. The temporary nature of the development and the relatively short time periods for each phase is an important material consideration in assessing the potential risk to health. It is not considered that the Proposed Development would incur any adverse impacts upon the health and wellbeing of nearby residents.

It is therefore considered that the Proposed Development accords with:

- MWJP Policy 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;
- MWJP Policy D02 (Local amenity and cumulative impacts) which states that proposals for minerals and waste development will be permitted where it can be demonstrated that there will be no unacceptable impacts on the amenity of local communities and residents, local business and users of the public rights of way network as a result of public health and safety; and
- Chapter 8 of the NPPF (which concerns promoting healthy and safe communities) and the Healthy and Safe Communities PPG.

Public Rights of Way and Recreation

According to the NYC Definitive Map (NYC, 2023), the closest Public Right of Way (PRoW) is a public footpath (ref 30.3/10/1) which is 400m 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 730m to the north east.

There are no National Trails or National Cycle Network Routes within or near the Site.

No closures or diversions are required as a result of the Proposed Development. Given their distance from the Site, it is considered unlikely that there would be adverse impacts to PRoW as a result of the Proposed Development.

Restoration and Aftercare

Following the end of the well testing and proppant phase, the Site will either be restored back to agricultural use or to an approved new use appropriate for the area. A Site Closure and Restoration Procedure is attached at Appendix 1 of this Planning Statement. The well will be plugged, hydrostatically tested, and sealed ('abandoned') using an agreed programme or method approved by the Health & Safety Executive, the EA and the NSTA.

The wellbore will be filled with specialist concrete plugs to the surface, installed casing strings will be cut at least 2 m below ground level and a metal plate stitch-welded across the cut off casing. The well number will be welded on top of the plate.

The Site itself will then be restored; all equipment, infrastructure, membranes, aggregates and facilities will be removed. The stored topsoil bunds will be tested and reused to ensure compatibility with surrounding land quality. The Site area will then be returned to the landowner.

The Proposed Development therefore accords with:

MWJP 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

Paragraph 127 of the Minerals PPG, 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.

7. Planning Balance and Conclusions

This Planning Statement accompanies an application by Europa to NYC under the Town and Country Planning Act 1990 for planning permission for the construction and operation of a temporary wellsite for the purposes of appraisal of gas on land east of the Mill Yard, Burniston Mill, Burniston, Scarborough.

The potential environmental impacts of the Proposed Development have been assessed in the accompanying technical assessments, prepared in accordance with the relevant regulations and industry guidance. The application is accompanied by an Environmental Statement which assesses the likely impacts arising from the four phases of the proposed development upon landscape and the transport network, together with cumulative impacts. They demonstrate that the proposed mitigation, including monitoring, will prove effective, and the Proposed Development will not result in any material adverse impacts.

The Proposed Development has been assessed in line with local and national planning policy and is found to accord with the relevant adopted development plan policies contained within the Minerals and Waste Joint Plan (2022) and the Scarborough Borough Local Plan (2017). 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.

The Proposed Development has also been found to accord with key material considerations, including the NPPF, the relevant PPG, relevant energy supply and climate change national policy context documents and emerging local planning policy development plan documents. Therefore, in accordance with the presumption in favour of sustainable development, it is considered that the planning application under the Town and Country Planning Act 1990 which this Planning Statement accompanies can be approved by NYC without delay.

The planning balance is therefore strongly in favour of granting planning permission.

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Appendix 1 – Test Site Closure and Restoration Procedure

Europa Oil and Gas Ltd

Environmental Management System

TEST SITE CLOSURE AND RESTORATION PROCEDURE

Purpose of this document

Europa undertakes exploratory and appraisal drilling for, and flow testing of, oil and gas of onshore sites in the UK. At the end of the operational life of a wellsite, it will need to be decommissioned and restored back to its original condition/use.

When this decision is taken, this procedure sets out the processes that will be applied in order to mitigate and manage any potential environmental impacts from the decommissioning and restoration of a Europa site.

Environmental Hazards

This procedure sets out:-

- How the well(s) will be sealed ("abandoned"), in terms of the processes applied to the borehole(s) to make it permanently safe and seal it against any potential for environmental impact
- How the equipment, facilities, infrastructure and made ground will be managed when decommissioning and restoring a site
- The restoration and aftercare that will be applied to a site

An environmental risk assessment is undertaken in respect of site closure and reinstatement activities, to cover the two operational scenarios - namely after drilling has concluded and after a period of test production. Following the risk assessment, which is appended to this procedure, the key measures that will mitigate and prevent any environmental impacts that arise from site decommissioning and restoration are set out within this document.

The processes set out within this procedure are referenced when equipment and facilities are to be decommissioned, from the point after all hydrocarbons, produced waters, chemicals and other treatments or fluids have been removed from site.

Site Management

During equipment and facilities decommissioning, the main contractor on site is responsible for ensuring that this procedure is followed and adhered to. When contractors are used to

restore the site, Europa will engage the services of a Consultant Structural and Civil Engineering company as Europa's contracted management representatives to oversee the restoration process – this is usually the same organisation that would design and oversee the original site build (if it is a Europa site built for a drilling operation). Adherence to the details and requirements of this procedure will then be the responsibility of Europa's appointed management contractor.

Site Contractors

Site contractors will comply with the following environmental requirements:-

- Europa Site Rules must be adhered to
- All measures must be taken to prevent any pollution, spills or littering
- Any spills to be managed in accordance with Europa's Incident Management procedure
- Fuel bowsers must be double skinned
- Drip trays must be used under taps/connections
- Spill kits must be on site
- Europa Incident Forms must be used in the event of any spillage or health/safety/environmental incident
- All wastes must be managed in accordance with Europa's Waste Management procedure
- All wastes must have Waste Transfer Notes

The sections covering decommissioning of groundwater monitoring boreholes and equipment, facilities and installations include tables that set out the individual processes and measures to mitigate against environmental impacts. These tables also clarify the responsibilities for each individual process, in terms of Europa responsibilities, and the responsibilities of the site contractor.

Stages

Site Closure and Restoration will progress in the following stages:-

1. Well/borehole sealing ("abandonment")
2. Pre-restoration environmental monitoring
3. Groundwater monitoring borehole decommissioning
4. Equipment, facilities, installations and site decommissioning
5. Site restoration
6. Site aftercare

Well/borehole Sealing

When the decision is made to restore the site either to its former or an approved new use appropriate for the area, a full detailed programme is developed and is subject to independent examination. The well(s) will be plugged, hydrostatically tested, and sealed ("abandoned") using an agreed programme or method approved by the Health & Safety Executive, the Environment Agency and the North Sea Transition Authority (NSTA).

Once confirmed that a well is to be abandoned, this may be progressed whilst the drill rig is on site (drilling phase) or by mobilising a workover rig to site (flow test phase). Subject to the detail of the program, the following principles as summarised within Table 1 below will apply:-.

Table 1:- Well Abandonment Summary

Scenario	
Post drilling (dry-hole scenario)	Post production test
Process	
For water-based mud in hole: select cement preflush. For oil-based mud in hole: select OBM displacement programme.	Circulate with produced water and kill well
Number of cement plugs depends on programme and well	
RIH to 1st plug setting depth with cement string, set cement plug number 1 from / to defined depths in final plan	
For plug top in open hole: tag top of plug with workstring. For top of plug inside casing: pressure test cement plug – specifics defined in programme	
Pull cement string back to second plug depth and set second cement plug as defined in programme	
As before: tag or pressure test cement plug as appropriate – specifics defined in programme	
Pull string to third and subsequent plug depth and set and test cement plug from / to depths per programme with final plug finishing at cellar floor.	
Rig down drilling or workover rig	
Clean out cellar and cut casing strings at least 2m below top of cellar. Stitch-weld metal plate across the cut off casing. Weld well number on top of plate	
Backfill well cellar with gravel or top soil as part of site restoration	

Pre-restoration environmental monitoring

Wells – exploratory or production boreholes

In advance of building of new Europa sites soil samples will be taken and analysed to establish baseline conditions. The analysis methodology and sample depths will be determined in advance via specialist environmental bodies/consultants, and may involve sampling of soils below the proposed impermeable liner depth.

For post operational sites, monitoring may be applied in accordance with Table 2 below.

Table 2

Aspect	Applies to	Procedure	Responsibility
Stored topsoil	Test Site	Sample and analysis, compare to baseline data If comparison shows significant variation, agree treatment programme to reconcile soils	Europa
Exposed soils following removal of membrane	Test Site	Sample and analysis, compare to baseline data	Europa
Sub surface soils around wellbore	Post drilling - dry hole, no testing phase	If no gas evident, no monitoring around wellbore	Europa
	Post test phase	Soil sampling and analysis, to include for gas content, in accordance with pre-agreed sampling and monitoring plan	Europa
Site surface aggregates - stone	Test Site	Sample and analysis, compare to baseline data	Europa

Groundwater Monitoring Boreholes

If Groundwater Monitoring Boreholes are installed as per the environmental permitting regime, samples of water from the boreholes will be taken and chemically analysed. The results will be compared and assessed against:-

- the samples taken when the boreholes were first installed
- the samples taken during operations

Before any restoration woks starts, consultation will be undertaken with the Environment Agency (EA) to confirm that groundwater quality has not been affected by site operations. Approval must be sought from the EA before any site works progress.

Surface waters

If surface waters have been subject to water quality analysis under the environmental permitting process, final samples will be analysed and the results compared against previous monitoring rounds. Again, the Environment Agency will be consulted in advance of site works starting.

RSR

If the site has been subject to Radioactive Substances Regulations (RSR) permitting (production operations only), site surface background readings will be taken by Europa's RPS or the appointed RPA/RWA and compared with baseline data. This will determine whether there are increased levels of NORM present that affect the decommissioning of the site and the management of the surface aggregates.

Sub-surface soils and landscaping

If sub-surface soil samples were taken in advance of the original site build, further samples may be taken before decommissioning and analysed and compared with baseline data.

Before any of the following processes are applied, consultation may take place with environmental specialists and the Environment Agency to determine what, if any, remediation treatments will be applied to the site in order to ensure that the soil condition is in accordance with any originally-tested samples and also comparable with soils surrounding and adjacent to the site.

If the site is long-established, there may be significantly-established natural screening by way of tree, shrubs and vegetation which may support wildlife and birds. The outline measures as detailed below assume that the soil banks will be re-used to restore the site, but there may need to be discussions with the Planning Authority, the Environment Agency and Natural England to determine whether it is appropriate to use any stored soils, effectively taking out whatever foliage exists and therefore impacting on what will be natural habitat. If it is deemed that the banks and trees/shrubs are to remain in-situ, the site will need to be restored by bringing in top soil and treating/enhancing as appropriate.

The outline processes set out within the Restoration and Aftercare section are applied subject to the requirements of, and agreement with, the landowner.

Equipment, facilities, installations and site decommissioning

This section covers the decommissioning of the following aspects:-

- Groundwater Monitoring boreholes
- Equipment and facilities – storage tanks, production lines, pumps, welfare units etc
- Surface water management - containment ditches, interceptors etc
- Surface aggregates and built materials – concrete, blockwork, surface stone etc
- Sub-surface impermeable membrane and geotextiles

The risk assessment has identified the control and mitigation measures needed in order to prevent environmental impacts when decommissioning all of the above and these measures are detailed within each relevant section below.

For any wastes transferred off site, Waste Transfer Notes must be obtained and copies sent to Europa.

Groundwater monitoring boreholes

There are specific decommissioning requirements in relation to groundwater monitoring boreholes, to ensure that the boreholes are fully sealed to mitigate against the boreholes becoming a pathway for contaminant migration into groundwaters and aquifers. There may be a number of both shallow (up to 10m depth) and deeper (up to 80m depth) boreholes on site, and the locations of these are documented within the Environmental Management System for each site.

The process for borehole decommissioning must consider the geological setting, borehole construction, hazards and intended after-use of the land. As such, the abandonment procedure will vary from site to site. Notwithstanding this, Table 3 provides an indicative process for borehole decommissioning, in line with current guidance, together with the responsibilities for each individual process.

Table 3:- Decommissioning of shallow groundwater boreholes

Shallow boreholes and installation retrievable	
Procedure:- removal of installation Responsibility	Responsibility

1. Excavate around borehole to 2m below ground level, 1m diameter 2. Remove headworks 3. Pull installation clear 4. Infill borehole to 2m from top of borehole (4m below ground level) with either high-permeability or low permeability material or grout, depending on natural ground conditions. 5. Infill 2m to top of borehole with cement 6. Create concrete cap extending around top of borehole 0.2m deep, so that concrete is flush with top of borehole 7. Deeply inscribe "WELL" on cement/concrete cap 8. When set, complete restoration to site with sub/topsoil in accordance with original contours	Site Contractor – all sections

Equipment and Facilities

Table 4 below sets out the procedures that will be applied when decommissioning equipment and facilities on a Europa site. Responsibilities for each step are also defined.

Table 4

Aspect	Applies to	Procedure	Responsibility
Storage tanks, pipelines and equipment used that has had hydrocarbon flow or contact	Test Site	Undertake NORM monitoring as per Site Closure sections of RSR procedures Clean or flush through/purge all equipment When breaking containment, secondary containment measures such as drip trays and temporary bunds must be used Any waste sent off site recorded, and Waste Transfer Notes obtained	Europa Site contactors Site contactors Site contactors
Tank containment bunds	Test Site	Undertake NORM monitoring as per Site Closure sections of RSR procedures Transfer any standing fluids to storage tanks Pressure wash using detergents to clean down tanks and equipment within bund Pressure wash bund walls and floors to remove any contamination/staining Use suction tanker to clear any fluids within bunds	Europa Site contactors Site contactors Site contactors Site contactors

Well Cellars	Test Site	Undertake NORM monitoring as per Site Closure sections of RSR procedures1 Empty well cellars with suction tanker Clean internal cellar surfaces with pressure washer, offload via suction tanker Any waste sent off site recorded, and Waste Transfer Notes obtained	Europa Site contactors Site contactors Site contactors
Temporary bunding	Test Site	Use suction tanker to clear any fluids within bunds Scrape any solid material i.e. sand and dispose of as hazardous waste if evidence of hydrocarbon contamination Dispose of impermeable liner as hazardous waste if hydrocarbon contaminated Any waste sent off site recorded, and Waste Transfer Notes obtained	Site contactors – all sections

Surface water containment/discharge systems

Europa sites will have containment systems in place to prevent discharge or run-off of surface waters beyond the confines of the site itself. The actual mechanisms installed will depend on the status of the site, in terms of whether the site is being restored after drilling, when the site will not be progressed to a test phase or following production or a production test. Table 5 (below) details the processes for a test site.

Table 5

Aspect	**Applies to**	**Procedure**	**Responsibility**
Containment ditches - Open	Test Site	Use suction tanker to skim off any hydrocarbons or contamination on contained waters then transfer this off site as waste product Allow clean water to discharge via interceptor if levels high enough If residual water is clean, pump into surface watercourse using pump/ hose	Site contactors – all sections

Containment ditches - French drain system	Test Site	Excavate stone down to retained water level and/or drainage pipe – monitor for hydrocarbon contamination If stone is contaminated, transfer offsite as waste material If water level above any pipe has hydrocarbon or contamination skin, use suction tanker to skim off contamination then transfer this off site as waste Allow clean water to discharge via interceptor if levels high enough If residual water is clean, use access chamber and pump into surface watercourse using pump and hose Excavate and retain drainage pipes	Site contactors – all sections
Residual concrete (interceptor, ditches)	Test Site	Segregate as waste stream, send offsite for recycling as hard core	Site contactors

Surface aggregates and built materials

All sites will have concrete used to build the wellpad(s) and well cellar(s), and production sites will have purpose-built tank bunds and tanker loading bays built to construction specifications. All sites will have been constructed with surface stone or aggregates to create a flat working platform. Table 6 details the processes that will be applied with regard to management of these materials during site closure.

Table 6

Aspect	Applies to	Procedure	Responsibility
Well Cellars	Test Site	After cleaning, remove concrete sections down to 2m below surface level, break up and segregate for offsite transfer as hardcore	Site contactors
Well Pads	Test Site	Clean down with pressure washer/chemicals Transfer contained cleaning fluids offsite as waste via licensed waste contractor Break up/remove concrete and segregate for offsite transfer as hardcore	Site contactors – all sections
Concrete plinth bund walls	Test Site	After cleaning down, break up up/remove concrete, blockwork and cement and segregate for offsite transfer as hardcore	Site contactors
Surface aggregates (stone, sand)	Test Site	Undertake NORM monitoring as per Site Closure sections of RSR procedures Sample and analysis of surface aggregates, compare with baseline results	Europa

Site impermeable membrane and geotextiles

Impermeable membranes may be either clay-based self-sealing products, or heavy gauge plastic sheeting designed to prevent percolation of liquids into soils and strata. They may be used in conjunction with geotextiles to stabilise the surface of a site, and end of site management of these materials is detailed within Table 7.

Table 7

Aspect	Applies to	Procedure	Responsibility
Clay-based membrane	Test Site	Once stone is removed, inspect (visually) for hydrocarbon contamination If contaminated, isolate sections separate from uncontaminated material and transfer offsite If not contaminated take offsite to non-hazardous waste disposal site Ensure licensed waste contractors are used and Waste Transfer Notes obtained	Site contactors – all sections
Plastic-based membrane	Test Site	Once stone is removed, inspect for hydrocarbon contamination If hydrocarbon patches evident, clean by washing down into ditch system Once clean, plastic can be segregated for recycling or re-use	Site contactors – all sections
Geotextiles	Test Site	Transfer off site as waste – may be contaminated	Site contactors

Sub-site soils

Once all surface-laid materials have been removed, leaving a “bare” site with exposed soils, Table 8 below sets out the processes that will be applied in respect of any environmental issues that may affect soils beneath the site area.

Table 8

Aspect	Applies to	Procedure	Responsibility
Immediate soils below liners	Test Site	Site inspection to determine any hydrocarbon contamination	Site contactors
		If evident, complete Europa Incident Form and advise Europa management	Site contactors
		Await instructions	Site contactors
		If contaminated, contact Environment Agency to review and agree next steps	Europa
		On Europa authority, excavate contaminated areas, noting depth and spread	Site contactors
		Treat as hazardous/contaminated waste	Site contactors

Litter

During all activities, site contractors will ensure that the site area is kept tidy at all times and no litter is left or allowed to migrate to adjacent areas. All site-associated materials will be removed from site at the end of activities.

Site Restoration and Aftercare

When all materials have been removed from the site and the sub-site soil is confirmed to be uncontaminated the site will be restored to its original agricultural or other use by reinstating any stored sub-soil and top-soil and any associated drainage using the following procedures. These procedures assume that any stored soils are reused.

In advance of any restoration, there needs to be a mechanism to ensure that the restored area soils are compatible with, and are of similar condition (ph, nutrient levels etc) to soils adjacent to the site area. If soil samples were taken before the site was originally built, then that analysis data will be used as the baseline.

Samples will be taken from any stored topsoil, and analysed to then compare with the baseline. If there is no baseline record, then additional samples will be taken from adjacent land and this will be the baseline. The analysis will be compared, and this will inform any need for soil conditioning or improvement to ensure that the stored soil, that will be re-used on the site area, has the same (or similar) qualities as the surrounding land.

Sub-Soil Cultivation

Any weed growth on any subsoil stockpiles will be eliminated by non-persistent, contact weed killer such as “Roundup”, prior to the re-grading of the sub-soil to reform the falls and gradients which existed prior to occupation of the site. The formation will be subsoiled, using a crawler or four-wheel drive tractor, drawing a winged, deep tine cultivator to a depth of 600 mm at 1000 mm centres, so as to achieve a good heave across the full width of the site.

1. Work will be carried out in suitable conditions, and as far as practical at right angles to the field drainage system (if any). Any extraneous material brought to the surface will be removed to a tip with stones picked up to approximately 75 mm across any direction.

2. Works for the replacement and spreading of the topsoil to an even depth will be carried out following the fine grading of subsoil and following an inspection by the Landowner or their Agent. The planning officer would also be asked to approve the finished profile and levels.

Replacement and Cultivation of Topsoil

3. Any weed growth on the topsoil stockpiles will be eliminated by non-persistent, contact weed killer such as “Roundup”. Topsoil will then be spread from the stockpile, using agricultural machinery, crawler or four-wheel driven tractors. Topsoil

will be spread to a uniform depth over the whole site, to avoid the formation of depressions which could hold water, and to grade to the original levels.

4. All operations will be carried out when both the ground and topsoil are at or within the plastic limit of the soil, being dry and crumbly.
5. All topsoil areas within the site, including areas not affected by construction operation will be ploughed and cultivated to ensure that all stones, rubble, vegetation and other extraneous material larger than 75mm across any direction are removed from site to a suitable tip.
6. The topsoil will be worked to a fine tilth by rotovator or harrowing to not less than 100 mm depth. Subject to a soil sample analysis, three (3) tonnes of lime, or sufficient to achieve a pH level between 6 and 6.5, will be applied and 375kg of 20-10-10 fertiliser per hectare (less if seeding carried out in the autumn to reduce leaching into nearby watercourses). Seeding will be with perennial ryegrass or an agricultural alternative to the Landowner's satisfaction.
7. If it should prove necessary to import topsoil into the site, disease and pest free material as near as practicable to that on site will be used. All topsoil will be to BS 3882 and subject to the approval of the Landowner.

Reinstatement of Fences & Gates.

8. Any fences and gates removed during the use of the site will be replaced with new materials which match as closely as practicable those previously existing on site – if applicable.
9. Any hawthorn hedge removed to create the site originally will be replanted with container grown "quicks" spaced in a double row of plants 23 centimetres (9 inches) apart. A tannalised or pressure-treated timber post and four rail fence with livestock and rabbit proof netting will be constructed on either side of the newly planted hedge.

New Field Drainage.

10. If necessary, a scheme of field drainage in the site area will be prepared and agreed with the Landowner, to comply with DEFRA requirements, and for works to be carried out by a specialist land drainage contractor in year two, or earlier at the request of the Landowner.
11. Any construction header drains installed to intercept the field drains will be retained and rodded to check their integrity prior to their incorporation as part of the drainage reinstatement scheme.
12. Either perforated plastic pipe or clay tiles with a minimum diameter of 110 mm will be laid at the bottom of the trench surrounded by and backfilled with clean-washed

10 to 20 mm pea-gravel [depending on drainage machine to be used], and will be backfilled to within 225 mm of surface allowing for settlement for the gravel. Drains will be laid to the maximum available falls and at depths not less than 600 mm cover.

13. Any outfall of the drainage system will consist of 2m lengths of frost-resistant plastic pipe set into a suitable headwall (concrete or gabion) with a splash plate, discharging at water level into the ditches.
14. If it is not possible to lay drains at a depth of at least 600 mm of cover, Europa will consult with the Landowner and his written approval will be sought to an amended specification.

Management and Aftercare

15. The whole former operational site will be returned to agriculture after completion of the works, subject to the Landowner's agreement.

Year 1

16. The site will be rolled with a light, grassland roller and spread with a compound fertilizer as recommended by soil sample analysis.
17. The grass will be cut for silage or hay in May/June and subsequently grazed.

Year 2

18. Fertilizer, as indicated by soil sample analysis, will be applied in spring and summer.
19. Any areas where the grass sward has not established will be re-seeded.
20. Grass produced will be cut for silage or hay or grazed in a controlled manner.

Subsequent Management

21. In normal circumstances, the Landowner will take the land back into his control and apply the same agricultural plan as for the adjacent land. Additional treatment including the addition of fertilizer will be subject to the Landowner's assessment of the reinstated area.

Appendix 2 – Plant Equipment List

Appendix 4 Plant equipment specification

Equipment		Type	Description	Reference
A1	Construction plant	14 t excavator	Hitachi ZX130-6 14t excavator, 78.5 kW Isuzu AR-4JJX DOC and SCR, EU Stage 4	Hitachi, ZAXIS utility class excavators (17/08), 2019.
A2		14 t excavator	Caterpillar 323 14t excavator, Caterpillar 7.1 engine, 122 kW, EU Stage 4	Caterpillar 323 product specification, Cat.com
A3		Dozer	Liebherr PR726 dozer, Liebherr 934 A7, 120 kW, EU Stage 4	Liebherr, PR 726 Litronic, LWT/VM 12227193-0, 5.05.19.
A4		9t dumper (2)	Thwaites MACH 2098 9t dumper, Deutz TD 3.6 L4 engine, 55.4 kW, EU Stage 3B	Thwaites Limited, MACH 2098 9t power swivel, 08/2017
A5		13t sheeps foot roller (2)	Hamm 13i 13t sheeps foot roller, Deutz TCD 4.1 L4, 115 kW, EU Stage 5	Hamm AG, Hamm3i, 12.19, 2737730
A6		Roller (2)	Bomag BW120 roller, Kubota D1803, engine, 24.6 kW, EU Stage 5	Bomag, Technical data, tandem rollers, BW 120 AD-5, 130220 sa04.
A7		Concrete pump	Schwing Stetter concrete pump, engine OM470, R6, 240 kW, EU Stage 6	http://www.schwing-stetter.co.uk/Downloads/S20.pdf?t=637436076063436607
B		Lighting Towers (4)	Site light 908, Perkins 403D-11G engine, 8.8 kVA, EU stage 3A	Bruno Generators, Site light 908P specification.
C		Welfare Unit	Librerty Guard Welfare Unit, 15 kVA generator, assumed to be EU Stage 3A compliant	MHM UK, MG15000 SSK-MV specification
D		Surface Conductor Rig	Junttan PM 20LC surface conductor rig, Cummins QSB6.7 engine, 179 kW, EU stage 3A	Junttan, PM20LC Pile Driving Rig Data sheet, M120LC003, 2 March 2009
E		Generator	Perkins 2206A- E143TAG3 generator, 350 kW, EU Stage 3A	Perkins, PM1880A/12/14.2206A-E13TAG3 engine specification
F1-F3		Main drilling rig engines (3)	MTU 12V4000G23 3B diesel engine 1420kW, US Tier 2 assumed for low emission mode operation	MTU Technical Engine Data, 12V4000G23, October 2007.
F4		Accommodation	Cummins 6BTA5.9 G5 80 kW (100kVA) diesel generator, assumed EU Stage 3A	Cummins Inc, Generator data sheet C110 D5 (6B), DS381-CPGK, October 2017
		Telescopic Handler	10 ton Merlo P40.13CSTOP, Perkins 904J 100kW diesel engine, EU Stage V	Merlo Spa, MKT MERLO RANGE EU A503, March 2024.
G		Workover rig	Moor 475 workover rig, Detroit Series 60 engine, 354 kW, US Tier 2 compliant.	Detroit Diesel Corp, Detroit engine series 50 and 60 for petroleum applications, 6SA587 304, 2003.
H		Flare	PW Well Test Shrouded Ground Flare (6.5 MMscfd disposal capacity)	P W Well Test Limited, Technical document, shrouded flare, April 2016
I		Oil heater	RBC 600 oil burner, fuel consumption 69 l/h assumed at AP42, 1.3 emission rates	Fulton, Technical information, Sheet 109, Issue 6.
J1	Restoration plant	14 t excavator	Hitachi ZX130-6 14t excavator, 78.5 kW Isuzu AR-4JJX DOC and SCR, EU Stage 4	Hitachi, ZAXIS utility class excavators (17/08), 2019.
J2		14 t excavator	Caterpillar 323 14t excavator, Caterpillar 7.1 engine, 122 kW, EU Stage 4	Caterpillar 323 product specification, Cat.com
J34		Dozer	Liebherr PR726 dozer, Liebherr 934 A7, 120 kW, EU Stage 4	Liebherr, PR 726 Litronic, LWT/VM 12227193-0, 5.05.19.
K		100 tonne crane	Liebherr 400kW diesel engine assume EU Stage 4	Liebherr-Werk Ehingen GmbH, Mobile and crawler cranes, LTM1100-5.3, 10/2022.