

BURNISTON Parish Council



Report into planning application NY/2025/0030/ENV.

Construction of a temporary wellsite for the appraisal of gas, including drilling operation, proppant squeeze and flow testing operation and site restoration at Land East of the Mill Yard, Burniston Mill, Coastal Road, Burniston, Scarborough, YO13 0DB

Applicant - Europa Oil and Gas Limited, 30 Newman Street London W1T 1PT

Council decision, 15/04/2025 – Object to the above application.

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1. Introduction.

On the 12th of July 2024 planning application NY/2024/0113/SCR - *'Request for a formal Screening Opinion for the proposed Temporary planning permission for the construction and operation of a drilling rig for the exploration of subsurface hydrocarbons testing well and retention of equipment'* was received by North Yorkshire Council from Europa Oil and Gas Limited. The location was given as land east of the Mill Yard, Burniston Mill, Coastal Road, Burniston, Scarborough, YO13 0DB.

The request was made based on whether or not an Environmental Impact assessment would be required for any future planning application for the described operation.

On 1st August 2024 North Yorkshire Council confirmed that the Council is of the opinion that the proposed development is classed as an EIA development and therefore should be accompanied by an Environmental Statement.

Europa Oil and Gas Ltd then made an appeal against this decision to The Secretary of State.

On 6th November 2024 The Secretary of State published a decision showing that an Environmental Impact Assessment was not required.

On 17th February 2025 the full application, NY/2025/0030/ENV – *'Construction of a temporary wellsite for the appraisal of gas, including drilling operation, proppant squeeze and flow testing operation and site restoration'* was received by North Yorkshire Council.

On 12th March 2025, as part of this planning application, Burniston Parish Council (**BPC**) was sent a consultation notification. The site of the proposed drilling operation is on land that falls within the BPC area.

There is great awareness that this is a highly emotive issue for the people in our community and beyond. It was clear to BPC that everyone should be listened to and have an opportunity to air their views, irrespective of whether they support or object to this application.

2. Working Group.

As a result of the screening opinion application in July 2024 (NY/2024/0113/SCR) and the expected following full application (NY/2025/0030/ENV), BPC decided to set up a working group with a remit to look into any future planning application and the potential effect on our community.

Within the remit the Working Group would consult with the community, with Europa Oil and Gas and with people who had an interest or particular expertise which was relevant to this issue.

The Working Group would take no predetermined position.

It was agreed that that the findings of the Working Group would report back to Burniston Parish Council who would then be able to make a decision as to whether or not the Council would object to a planning application for this matter.

Following the decision by the Secretary of State, in early November 2024, the Working Group was formed, meeting on a regular basis, mostly weekly.

Views have been sought from our community via an Extra Ordinary meeting (29/7/24), a drop in session (28/2/25), and several invitations posted on social media inviting views (which were received by social media, written letter, email and social media). Further views were sought at an additional Extra Ordinary meeting on 15th April 2025 following which Burniston Parish Council made a decision unanimously to object to the planning application.

Views have also been sought from Europa Oil and Gas and their Senior Management team which included Will Holland, CEO and Alistair Stuart, COO.

The working acknowledges that Europa Oil and Gas (EOG) see this planning application submission as part of a business opportunity that is aligned with their operations.

There has been contact with EOG on a number of occasions. This includes a Teams meeting with representatives of the company including their CEO Will Holland and COO Alistair Stuart.

EOG facilitated a visit to their Wressle site to view a similar operation as well as a visit to the proposed site at the proposed drilling site in Burniston

The Working Group has spoken with representatives from Frack Free Coastal Communities and Frack Free Scarborough and acknowledges the hard work that has been completed by these communities and still goes on.

This document contains areas addressed, and the findings of the Working Group now agreed by BPC. This includes areas that the Group believe need to fully addressed and answered by the North Yorkshire Planning authority, whilst making any decision on the application.

3. Location.

The proposed site lies to the east of the village of Burniston, with access via Mill Yard, Burniston and next to a solar farm.

It lies on agricultural land and the surrounding land is farmed by the Green family.

The distance from the site to neighbouring residential buildings, businesses, roads and pathways is as follows -

1. Wayside Farm - 260m. Planning statement states 350m.
2. Bridge Close residential properties - 320m. Planning statement states 350m.
3. Burniston Nurseries - 350m.
4. Cinder track- 310m. Planning statement states 400m.
5. Coastal Path – 870m. Planning statement states 730m.
6. Cliff top – Approx 1km. Planning statement states 1km.
7. Coastguard building situated in Mill Yard – 230m.
8. The A165, which is the nearest road to the proposed site – 290m

There are some discrepancies in the measurements between those on the planning statement and the actual distances. Those are outlined above.

As the proposed site is so close to the roads, pathways and buildings and residences, it is important that the planning authority have accuracy.

Is it right that this site which is so close to where people live and work are subjected to the potential risks and unknown risks to their health, that are written about in the sections below?

The area is known locally as a safe haven for wildlife. Much of the surrounding area is farmed by one family who take great care to ensure that an ecological balance is maintained.

BPC is aware that an independent bird survey has been commissioned by the family, which we have had sight of. More detail is contained in the Ecology section below.

4. Land on which the site will sit.

The land which is based to the east of Mill Yard, Burniston and neighbours the Mill yard and a Solar panel instalment.

Currently the actual land on which the site would sit is agricultural land, which has access via Mill Yard.

The land does not appear to be currently used for agricultural purposes although the land immediately next to it and stretching towards the coast and to Cloughton and Scalby is being farmed.

This is an agricultural area and this land, which has for centuries been used for such purposes, will be lost, should this application be approved.

It should be noted carefully that the current planning application, on the planning statement includes 'the retention of equipment'.

It is understood that should any appraisal of the gas extraction, show economic viability, then a further long term application will be pursued. This means that good quality agricultural land will be lost.

In today's world environment, BPC questions whether it is acceptable that this land, which could and perhaps should be used for farming, is lost. Particularly when in this area the land is seen as very suitable for agriculture.

5. Cliff stability.

It is well documented that there are serious concerns about the stability of our nearby cliffs. In recent months there have been three large landslips, one 10m deep on cliffs just south of Crook Ness (extremely near the proposed drilling site), one near to Scalby Mills and one at Ravenscar.

The Cleveland Way footpath tracks the route of the cliff top. Over a number of years the path has been moved further inland because of cliff instability.

A site visit revealed that the cliff edge is two fields from the drilling site. Photograph below shows the cliff edge from the centre of the drilling site.



Having consulted with a local geologist we are aware that much of what lies below the area subject to this planning application has not been fully documented and indeed much of the data that is being relied upon within the application is old and far from comprehensive.

We do know that there is a major fault line, Peak Fault, which runs roughly north to south, with other faults either running from it or close by.

Peak fault, which is a major fault line, runs directly below the site area.

The Group would suggest that the Planning Authorities take note of documents that have been published and are available to view in relation to these fault lines. A suggested source of information is the British Geological Society.

Any seismological survey will not take place until this application has been approved.

We do know there have been recent landslips affecting the cliffs. We do know that the Cleveland Way has been moved inland because of cliff instability and landslips.

What we do not know, with any degree of certainty, is the effect that this planned operation will have on the Peak fault line and other nearby fault lines and what the effect will be on the nearby cliffs.

In this section of this report, BPC recommends -

A full and comprehensive seismological survey takes place before any planning decision is taken. BPC understands that a seismological survey will be required prior to licensing being obtained, if planning approval has been obtained. However, owing to fragility of the cliff area it appears that no planning decision could possibly be reached, without this information being available.

As a result of the geological discussions we have held, and the uncertainty around the effect on the nearby cliff area, coupled with the recent landslips we have seen, BPC recommend that North Yorkshire Council do not allow this application to proceed to a decision, unless absolute certainty of the security of the nearby cliffs is assured.

6. Dust

BPC has noted the number of public comments that have been made around both air quality and dust from the proposed site. At this point the issues are linked, owing to extra dust in the air affecting air quality.

There appear to be two main reasons for an increase in dust.

Firstly the drill itself. Once the drill hits the ground, we know dust particles will be sent into the air.

Secondly is the dust that is put into the air by over a thousand Heavy Goods Vehicles accessing the site on what is part an unmade road surface.

This is the air that people have to breathe.

We know that there has been a massive increase in recent decades in respiratory illness. What we do not know, with certainty, is exactly how the increase in dust particles will affect people's health.

Part of the planning process is the duty to protect people. There is great uncertainty around this issue. Who will be affected and over what distance.

7. Air Quality.

Air quality links with the dust particle problem. However it goes much further than that.

We know from the application that the main aim is to remove gas from the site as part of an economic assessment as to future of gas extraction at this location.

We understand, and it is not fully refuted in any part of the application, that there will be some escape into the environment of gas. The gas joins the air and people breathe it.

There are accepted guidelines which the application quotes. There is a concern that amount of gas that escapes is based on estimates and not fact.

There will be a flaring tower at the site. The purpose of the flaring tower is to burn off gas before it enters the air. That in itself supports the unknowns in how much will escape. The flare whilst it is burning will send particles into the air, again affecting air quality.

In a document from Public Health England the following has been obtained –

Review of the Potential Public Health Impacts of Exposures to Chemical and Radioactive Pollutants as a Result of the Shale Gas Extraction Process

Evidence on key pollutants and their sources

Published evidence from the US and other countries suggests a potentially wide variety of different sources of air pollutants from shale gas extraction and related activities. Sources can include:

a Direct emissions from engines powering the drilling and hydraulic fracturing operations and compressors used to capture and transport the gas on-site. Pollutants can include particulate matter (PM), carbon monoxide (CO), and NOx, including nitrogen dioxide (NO2)

b Emissions from the venting of condensate and oil tanks on site. Pollutants can include a range of volatile organic compounds (VOCs)

c Emissions from gas capture and flaring. Pollutants can include methane, NOx and other gases associated with the flaring of the gas as well as PM

d Fugitive emissions associated with leaks from pumps, flanges, valves, pipe connectors, etc. Pollutants can include methane and other gases

BPC acknowledge that the review is based on shale gas extraction rather than the proposed extraction at Burniston. However it should be clear which of these pollutants and particulate matter will be added to the air that our residents have to breathe.

The health and welfare of our community is a massive concern to BPC and we recommend that the involved Parish and Town Councils take into account these unknowns when making their decision on whether to object or not. The group insists that North Yorkshire Council are certain that there will be no adverse effect on our community.

8. Noise pollution.

In a paper written and lodged in the House of Lords library.

HOUSE OF LORDS

Science and Technology Committee

2nd Report of Session 2022–23

HL Paper 232

The neglected pollutants: the effects of artificial light and noise on human health.

The report offers the following two definitions -

1. What is noise pollution?

The European Environment Agency defines noise pollution as “harmful or unwanted sounds in the environment, which in specific local[e]s, can be measured and averaged over a period of time”.

Noise. ‘Noise’ generally refers to unwanted sound. Sound is characterised by acoustic properties including pitch and volume. Volume is usually measured in decibels (dB), on a logarithmic scale; when

a sound is perceived to double in loudness, this corresponds to an increase of roughly 10 dB, a tenfold increase in power (see Table 1).

Sounds can be continuous or intermittent; the timing and duration of a sound are also relevant to its potential effects on human health.

Table 1: The Decibel Scale
 Decibel measure (dB) Common sound
 30 Leaves rustling/whisper
 40–50 Average room noise
 60 Background music
 70 Average office noise
 80 Inside an aeroplane or underground carriage

Table 1: The Decibel Scale

Decibel measure (dB)	Common sound
30	Leaves rustling/whisper
40–50	Average room noise
60	Background music
70	Average office noise
80	Inside an aeroplane or underground carriage
90	Hairdryer
110	Nightclub or rock concert
135	Jet engines

The planning statement suggests the following –

- *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.*
- *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.*

It is considered that the night time noise level should not exceed that of 30db, as demonstrated in the chart above. Residents in the nearby properties currently have a peaceful night, disturbed occasionally by a low level of passing road traffic, from the nearby A165 and A171.

The information provided in the Planning statement suggests there will be an increase in both day time and night time noise.

The noise levels will certainly be raised DB, that is demonstrated in the planning statement. There is a strong argument that is not acceptable and will have an effect on human health.

The area that is not covered in detail is the persistence of the sound, created whether day time or night time. This is an area of major concern with the potential effect on human health.

The sound issue appears to be unacceptable.

Within the same paper 'the neglected pollutants: the effects of artificial light and noise on human health', there appears to be absolutely no suggestion, that the proposed increase in noise and sound levels is anything other than detrimental for human health.

9. Light pollution.

It is fully accepted that it is vitally important, that any work place has the appropriate level of lighting to allow a work force to operate safely.

At the same time it is equally important that the people who live or work near the site are not affected by the lighting and are able to continue their lives without any affect.

Although the planning documentation from Europa Oil and Gas goes some way to providing what it considers to be a balance, the community is very concerned that their lives will be adversely affected.

In a government paper lodged in the House of Lords library,

Noise and light pollution: What's the harm?

Published 17th December 2024 What is light pollution?

UK government guidance defines light pollution as "light shining where it is not intended or wanted".

It says light pollution is "a source of annoyance to people, harmful to wildlife and undermines enjoyment of the countryside or the night sky, especially in areas with intrinsically dark landscapes".

In the paper quoted from above '**The neglected pollutants: the effects of artificial light and noise on human health**'. The following was written -

'Artificial light at night could influence human health by disturbing sleep and circadian rhythms'.

Planning statement quote on light pollution -

'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.'

North Yorkshire Council have published the following -

'Light Pollution is the intrusion of over bright or poorly directed lights onto neighbouring properties e.g., a neighbour's domestic security light spilling into a bedroom and preventing sleep. In law this is seen as unreasonable and a nuisance. It is also unreasonable to expect the complainant to use a black out blind or curtains to resolve the problem.'

Under the Environmental Protection Act 1990, as amended by the Clean Neighbourhoods and Environment Act 2005, *'Premises used for transport purposes, or those where high levels of light are required for safety and security reasons, are excluded from the act'*.

This in itself shows that if the proposed application is approved nearby residents may, quite lawfully, be subject to the intrusion of lighting owing entirely to the close proximity of the site to residential properties.

It is known that there will be light pollution from the proposed site.

It is known that this will affect the personal environment of some in our community.

It is known there is a risk of long term light pollution.

It is not known exactly how each individual will be affected and to what extent. The planning statement appears to be somewhat dismissive as to the extent, this may impact on the health of some in our community.

BPC highlight that although this is an individual application for the immediate project, there is a well spoken about, long term project in mind for this site. If the Planning Authority agrees to this application, there is a severe risk, of a long term negative impact, on the health of people within our community.

The light pollution issue alongside safe working practices must be resolved at this stage.

10. Ecology.

As part of the application process a 'Preliminary Ecological Appraisal' has been submitted.

The appraisal is based on one site visit which took place in June 2024 and a desktop exercise.

The document acknowledges the existence of many different forms of wildlife in the area of the proposed site. The document was written within according to parameters that were supplied to the author, Holly Lindley BSc (Hons), by Europa Oil and Gas Ltd, the applicant in this proposal.

The report has been written on the basis of the information supplied and the research carried out.

The report acknowledges the existence in the surrounding area, of various forms of wildlife including–

Swift,

House Sparrow,

Song Thrush,

Common Golden Eye,

Palmate Newt,

Smooth or common newt,

Great Crested Newt,

Common Toad,

The report also acknowledges that the site creates the possibility for the flight path of bats to be disturbed.

The report goes on to describe the nearby coastal area.

'On the coastline there are the areas Iron Scar and Hundale Point to Scalby Ness (SSSI) Iron Scar and Hundale Point to Scalby Ness SSSI features a striking coastal landscape of rocky shores, cliffs, and marine habitats. The area is significant for its Jurassic geological formations and supports diverse coastal and marine ecosystems. These habitats are vital for various seabirds, marine invertebrates, and unique plant communities, all adapted to the dynamic coastal environment.'

An independent Ornithological report has been commissioned by the Green family who reside locally and farm the surrounding area to the proposed site and beyond. This was completed by Nick W Addey, an ornithologist who resides locally, after a site visit on the 24th March 2025 and covers an area up to 300m from the proposed site.

It is understood that the Addey report will be submitted to North Yorkshire Council. Permission has been given for this report to refer to it.

The Addey report lists 26 species that were observed and makes comment on those species that are covered by two different pieces of legislation.

1. Species listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended)

Barn Owl

One nesting pair within 750m of the site which is a bespoke nest box provided by Yorkshire Water at their Water Treatment plant near Cromer Point. The site is within the species' hunting area.

2. Species listed under Section 41 of the Natural Environment and Rural Communities Act 2006

Skylark

A high breeding density has been identified locally along the coastal strip north of Scarborough to Cloughton. The immediate vicinity of the site holds several breeding pairs. Three singing birds in the immediate vicinity of the site on 24th March 2025 included one doing song flight directly over the grassland of the site indicative of a probable nesting site.

Linnet

This species breeds in gorse just 200m north of the site. Two singing males plus a pair were present in this area on 24th March 2025. In addition a flock of c40 were present north-east of the site.

Yellowhammer

Breeding pairs are present in hedgerows and gorse around the site. On the day of the survey a singing male was present on the edge of the site. Four additional males were feeding on adjacent arable land.

Reed Bunting

Breeding territories within 200-300m of the site. A singing male at the pond to the south-west on 24th March 2024, within 100m of the proposed access road.

Duncock

Adjacent hedgerows hold several breeding pairs. On the survey 24th March 2025 a single was on the edge of the site and two singing males within 200m.

Song Thrush

Breeding within 500m of the site. Two birds were present near the site on 24th March 2025.

Lapwing

In recent years pairs have nested within 1km of the site. None were seen on the visit.

Grey Partridge

Frequent sightings from fields immediately south of the site suggest 1-2 pairs. None were seen on the visit.

It is noted that there are differences within the two reports. There is a concern that the Europa report, based on one visit and a desktop exercise has been submitted as part of this process.

The Addey report states 'The breeding bird survey was carried out using the Common Birds Census (CBC) methodology described in 'Bird Census Techniques' (Bibby et al., 1992). As standard it is

recommended that six visits be made to undertake a robust breeding bird survey.

In one visit alone the Addey report highlights the difference between the two reports lending weight to the 6 visit standard.

During the course of a site visit the working group observed 4 deer, a number of hares, badger trails and many different birds.

The applicant acknowledges and has submitted the report and appears to be willing to try to correct any disturbance to the wildlife. By that point it is too late. The damage has been caused and will take a long time, if at all, to rectify.

It should be noted that a planning application submitted in 2011 for two wind turbines on this site highlighted the potential for ecological damage. The application was rejected by the then Scarborough Borough Council and subsequently by the Planning Inspectorate. In both rejections comment was made on the potential ecological effect on this area.

11. Visual Intrusion.

The main areas of concern for this application is the building of the 38m tall drilling rig and the shrouded flare stack around 12m high.

We know and fully understand that this application if granted will lead to a potential long term site being created.

The site rises from the entrance at Mill Yard and the solar farm, uphill to its furthest boundary. (shown in pic below) The site visit put into perspective how visible this site would be for residents in Burniston village, a nearby caravan park, for users of the Cleveland Way and Cinder track, as well as passing traffic. The photo below shows how there is very little or no screening from the site to the houses in the village.



This area is known for its natural beauty. An asset that draws many visitors and encourages people to relocate to the area. There are tourists who visit the area to enjoy the Cleveland way and partly newly refurbished Cinder track that runs all the way to Whitby.

It cannot be disputed that the rig and stack will visually change this area.

Both constructions will be very visible from miles around. Changing and in the views of many, spoiling the natural beauty of the surroundings. Scarborough Castle, The National Park, Burnside Caravan Park, very many Burniston residences, and the Cleveland Way were all clearly visible at ground level from the site. Therefore the site, the flare stack and drilling rig, will be clearly visible and potentially obtrusive from all these places.

If the area loses tourists put off by this visual intrusion, the local economy suffers.

To quote from the 'Planning Inspectorate Appeal Decision' dated 10th October 2012 –

'15. Taking into account all the information available from the submitted documents, and from my site visit, concerning the likely effects of the proposed turbine on the areas outlined above, I find that the proposal would have an adverse visual impact ranging from minor/moderate to major significance. In my judgement, the appellant's assessment, understates the likely harm.

16. On the first main issue, I find that the proposal would have significant adverse landscape and visual effects, and would harm the character and appearance of the area. The proposed development would not accord with the aims of RSS Policies C1 and ENV10. It would conflict with LP Policy E.2, irrespective of whether it would be essential development in a coastal location, because it would not enhance the coastal landscape. The harm and policy conflict I have identified weigh heavily against allowing the appeal.'

It should be noted the wind turbines were due to be 24m in height, as opposed to 38m for the drilling rig and around 14m for the flare stack.

Little has changed, visually, in this area in the intervening years. A small solar farm has been created, which does not appear to have any significant adverse visual effect, largely due to the size of farm and its low proximity to the ground.

Great care has been taken to ensure the lasting continuation, of the positive visual effect this area has on residents, visitors and passing traffic.

12. Landscape character

For the reasons outlined above in section 11, the landscape character will be changed adversely. There is the potential risk for this change to be generational.

Panoramic Photo looking east from centre of proposed site.



Panoramic photo looking west from centre of proposed site.



Photo looking towards Burniston and showing little or no screening between the proposed site and the nearest housing.



13. Traffic.

According to the submitted planning statement and the commissioned report, it is expected there will be 1154 HGV visits to the site over the period of the Construction, drill, testing and decommissioning of the site.

There is reference to the materials being brought to and away from the site.

There are three potential routes within the document and the commissioned report.

BPC, in looking at this subject and consulting with a traffic expert, albeit on a casual rather than formal basis have the following observations.

The proposed routes in and out of the site are A class roads and there are no immediate weight restrictions.

The 1154 HGV journeys is somewhat misleading. For every journey in, there will be a journey out. That is, using the applicants figures, 2308 HGV movements.

The materials being brought in are known. The materials being taken out are not fully known. There is a degree of uncertainty as to exact content of the removed materials.

Where will testing of the removed materials take place? If there is any risk of hazardous materials being extracted from the ground and removed by vehicle, to another location, that content has to be identified on site.

Our consultation with the previously described geologist suggests that there is a low risk of hazardous materials being brought to the surface and transported. However that is an unknown risk and should become known, before the transportation of any materials.

Having read through the construction transport management plan (CTMP) we know that what is being brought in will be known and will be transported in accordance with Road Traffic Legislation and if required HAZCHEM legislation. Exactly the same standards have to be applied to outgoing materials.

The CTMP outlines three possible routes in and out from the site. It identifies the route in along the A171 Scalby Road to Burniston, followed by a right turn at the mini roundabout onto the A165, followed by a left turn into Mill Yard as the preferred route.

The preferred route suggests that materials brought in and out will be coming from or going to somewhere South of Scarborough. There appears to be no indication that any impact study has been carried out in relation to any area other than on the very local preferred routes.

Newby, Scalby, Burniston and Cloughton are mainly residential areas. There are no high volume HGV movements in these areas, certainly in comparison with larger towns and cities.

The footpaths are narrow and used mainly by local pedestrians, including children going to and from school and our older residents walking to and from their chosen destination.

The road network was built at a time of very little motor vehicle movement and has been widened for footpaths, in most places as much as it can be. We are extremely aware of the local existing fear, around road safety and the fear of a large increase in HGV traffic and the danger that people are feeling.

It should be noted that this is a fear that has been voiced over a number of years and money, on a very local basis, has been spent to try to reduce vehicle speeds and increase driver awareness.

In the responses we have received in relation to this application, the fear of the increase in HGV's is highly noticeable and must not be ignored.

In the CTMP there is mention of abnormal loads. HGV's that fall outside the usual weight, height, width or length requirements of Road Traffic Legislation. More detail of numbers and loads should be made public for consideration.

It is known that HGV's trying to make deliveries to Burniston Nurseries, a garden centre across the road from the entrance to Mill Yard, experience difficulties in making a safe entry and exit to the car park area. Adding this volume of large traffic to this location cannot be described as safe.

The entrance to Mill Yard is in the national speed limit area. It is acknowledged that the 30mph limit of Coastal Road Burniston is nearby. However any vehicle under the size of a goods vehicle could be travelling at 60mph. The entrance is also on bend surrounded by tall trees. Large vehicles entering or exiting the site are by the very nature of their size, unable to make this manoeuvre quickly, safely and smoothly requiring, dependant on the size of the vehicle, encroachment onto both sides of the carriageway of the A165. This has the potential for a very serious road collision.

The A165 is a popular route for motorcyclists visiting or returning to our area. Meeting a slow moving turning HGV, at this location, is not to be ignored.

It is noted with great concern that the potential for road collisions has been down played in the CTMP and the planning statement.

The BPC is aware of the road collision statistics as outlined in the application. What is not discussed in detail is the potential for an increase in slow moving, slow turning HGV's. The sight line available to a driver exiting Mill yard and for a driver approaching that entrance on the A165 is very restricted by tall trees bordering the exit.

The condition of the wearing course of the A171 and A165 is already very poor, in many places it has fallen away, in other places potholes exist. The addition of this number of HGV's would be a problem for the road surface, if it started in a good condition. The degradation of the road surface is a potentially a serious problem for all our road users.

Earlier in this document reference was made to the concerns of our communities in the increase of exhaust fumes, dust, noise and lighting from the proposed increase in HGV movements. This is something that is factual and cannot be ignore or minimised. All those factors will be centred on the comings and goings to one location. The effect on our community's health cannot be ignored.

14. Risk of contamination to land and flood risk.

Having consulted with our local geologist, we are aware that there is a risk of contamination to the land and water system. We have been advised that the area beneath this site is not fully mapped.

We know that the Peak Fault exists and is below the site.

We know that there are other faults in the immediate area.

We do not know what other unmapped fault lines are there. This appears to be a subject that has not been fully addressed and not for a number of years.

The lack of definitive information and what may happen as a result of Hydraulic Fracturing is a real concern.

It is understood that some of the farmland in the immediate area and beyond is fed from an historical well.

During the process we know that water, propellants and chemicals, will be forced into the ground some 2000m to 2500m below the site and the area beyond.

We do not know the exact effect this will have.

Will the below ground water be contaminated?

If there is any form of contamination how will this affect the surrounding farm land and water well?

It is understood that the drilling and hydraulic fracturing is unlikely to raise the flood risk in the area significantly. We do though need to remember that this area, particularly properties close to the proposed site, have in the past been subjected to devastating flooding. Many of the residents in that area were forced out of their homes for lengthy periods whilst their properties were repaired. Roads were shut to keep people safe.

These floods were caused by heavy and sustained rainfall. Something that we are increasingly seeing, due to climate change.

Any increase in the flood risk in this area cannot be acceptable.

BPC is very concerned that the flood risk is seen as minimal. The experience of many of our residents is very different.

15. Site Access.

Access to the proposed site is from the rear of the Mill yard passed the solar farm. The submitted site layout plan shows the access road to left of the solar farm. This pathway is relatively narrow and is grassland. The pathway is shown on the below pictures.



It was noted during consultation, with an experienced HGV driver, that the current pathway made of the grassland construction is entirely unsuitable for HGV access. The pathway is not straight enough to allow HGV access, particularly larger, up to 44 tonne, HGV's.

In order to make the site accessible the crooked leg of the roadway, commencing in Mill yard and past the solar farm will need straightening and hard core being laid. To not do this, would make the site inaccessible to vehicular traffic possibly after even the first attempt.

A hard-core bed, forming the roadway, of approximately 12 to 18 inches in depth would be required. To straighten the crooked leg of the pathway requires the removal of the bordering trees. The planning statement states no trees, hedgerows or woodland boundaries will be impacted by the works. If the planning statement is correct, is it the intention to remove parts of the solar farm to allow HGV access?

16. Site restoration and aftercare

There appears to be a really obvious and very important contradiction for this part of the application.

We know that this is a single application for 'Construction of a temporary wellsite for the appraisal of gas, including drilling operation, proppant squeeze and flow testing operation and site restoration'

We know the planning statement submitted, is entitled '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'

We know that Europa Oil and Gas, if the site shows that it is economically viable in the extraction of gas, want to open up the extraction into a much wider area as shown in the submitted map, entitled 'Potential Area of Hydrocarbon'.

None of this plan has been hidden and has been openly talked about.

We understand why site restoration appears in the application. If this drill proves to be uneconomical at this time, it will not be proceeded with further at this time.

The question is, what is the proposal in the long term for this site?

There perhaps should have been a definite answer to this in the application. If this is an application for a one off operation, the site should be restored fully immediately upon completion.

If the intention is to operate from this site, in the long term, which has been openly spoken about (see below quote), then that intention should be in the application, very clearly and very transparently.

Quote from Europa Oil and Gas Annual report 2024.

'Cloughton is a gas appraisal opportunity with the critical technical challenge being to obtain commercial flowrates from future production testing operations. Burniston Mill has been identified as a potential location for an appraisal well pad, and Europa is in the process of submitting its planning application to North Yorkshire Council, the local planning authority. Following the granted permissions and successful testing operations, the field would be developed by connection to the nearby gas grid.'

A planning application for a similar operation at Kirby Misperton was turned down. One of the reasons, amongst others, was the UK Government were not assured of the financial stability of the applicant.

BPC believe that, in the event of the application being approved, North Yorkshire Council must ensure that the site is returned to its current condition, in full, immediately after this drill and appraisal has taken place. A restoration bond is put in place as a condition of this application, if it is

successful. That bond must be lodged securely and large enough to ensure that the site is returned to exactly its current condition, taking into account the future rises in costing.

17. Appraisal, exploration or both?

Is this application purely for an appraisal? Is there exploration taking place?

It is understood that the applicant needs to ensure that the extracted gas is economically viable, that is part of the appraisal stage.

Is it certain exactly where the gas will be or is there a degree of uncertainty? If there is uncertainty then surely this is also an exploration.

If there is an exploration then that is a different planning matter, two operations and therefore two planning applications required.

18. Economic benefits for our community.

With any new industrial project arriving in an area, there is an expectation that it would bring with it, economic benefits for the area affected.

This has been widely promoted in the literature from Europa Oil and Gas. It appears that those benefits are rather small. There may be some money spent by employees on the site on food and accommodation. That is not expected to be a large number of people, perhaps a dozen at best.

There may be economic benefits outside of the area for example road hauliers.

The drilling rig will be hired in, a specialist piece of equipment, not locally owned.

In discussions with Europa this was extent of the benefits to local businesses.

There has been feedback from the community that this project would lead to cheaper gas prices for the community. They would benefit from being able to use gas supplied directly.

It is known that any future gas extracted from the larger site shown in the 'Potential Area of Hydrocarbon' map, will flow directly into the national gas grid and be used and sold in exactly the same way that the grid sells now.

19. Economic benefits nationally.

This part of any discussion can be split into two main areas.

Nationally supplied gas has the potential to be cheaper and creates self-sufficiency.

If there were any guarantees around this, it would be beneficial to all users. However gas prices are subject to market forces and there does not appear to be a reasoned argument to support the cheaper prices discussion.

In terms of self-sufficiency of the gas we use now, it comes from, mainly from Norway and the UK Continental Shelf.

The fear that the UK was highly dependent on Russian gas is misplaced. The UK has not imported gas from Russia, according to the UK Government, since 2022.

Should the gas field in the Scarborough area be exploited in full, this will provide somewhere between 0.4% and 1% of the UK's needs.

20. The wider carbon neutral argument.

The UK Government is looking by 2050, for the UK to be carbon neutral. This is something that this BPC agree with absolutely.

The need for a realistic approach and investment in carbon neutral energy is essential and fully supported.

21. The NYC and NYMNP Minerals and Waste Joint Plan, March 2022.

The above plan sets out that it needs to find the balance between development and community and environmental protection.

The below paragraph makes clear the policy

'5.98 The expected increase in commercial interest in gas in the Plan area in future years, including shale gas, together with the highly sensitive nature of the environment in large parts of the area covered by new and existing PEDLs, presents a significant challenge. An appropriate balance has to be achieved between provision of a degree of support and flexibility to enable development to take place in appropriate locations, and the need to provide a high standard of protection to local communities and the environment.'

BPC expects that the NYC planning committee will look at the highest standard of protection for our community and environment.

22. Seismological testing.

BPC understands that seismological testing will take place, subject to planning approval.

It is known that there is a lack of current seismological data, in particular in 3d form. This testing would help the planning process to understand the geological risks to this environment.

We know that there is massive concern over the stability of the cliffs.

We know that there is a lack of up to date data of the ground underneath us, particularly in relation to fault lines.

It is not understood how any planning decision can be made in this matter which such concerns and lack of data.

23. Application documents.

BPC recognises that a mass of documentation has been submitted and that there has been an investment of time and money. It is the belief that the information submitted should be accurate.

Highlighted above (s3) are errors in the distances given.

Within the planning statement it clearly states there is no landfill site within 1km. There is the historic landfill site on which the Burniston Tip sits. This is around 550m away and directly above the drill area. The Old Scalby tip is near to Field Lane is around 1.25km away. The effect of drilling under these locations has not been considered.

We know the Landfill sites are there.

We don't know what effect there may be.

We question whether form NYPA 15 is the correct form. Should the form NYPA17 be used? NYPA17 requires a full and comprehensive geological assessment.

NYPA15 relates to surface mining, quarrying and waste disposal.

NYPA17 relates to applications for development relating to the onshore extraction of oil and gas.

In the ecology section of this report, EOG have submitted a report that is based on one visit to the site and a desktop exercise. The Common Birds Census recommends as standard, six visits be made to undertake a robust breeding bird survey.

If an Ecology report submitted is to be taken as accurate, then it absolutely needs to be robust and compliant. This appears to be neither.

24. Public consultation.

There has been extensive public consultation over a number of weeks. Many responses have been submitted. These responses are catalogued in a separate submitted document and include wide ranging views. As Councils we cannot recall ever seeing the level of response we have received.

For the purposes of this report it worth noting that of the responses over 96% oppose this planning application with fewer than 4% in support with one response uncommitted.

The public response in terms of actions taken, meetings held and responses received, demonstrate very clearly how this community feel about this application.

25. EOG Wressle Site.

There have been comparisons made by EOG between the proposed Burniston Site and the existing EOG site at Wressle in North Lincolnshire.

There are many differences that need to be taken into account.

The nearest substantial residential area is Broughton which is around 2 miles away.

The site itself is quite isolated, the nearest residence being a farm. The oil and gas site appears to be on land either currently or formerly belonging to this farm.

The site itself is surrounded by very tall trees, screening it from public view.

The site is in an area of North Lincolnshire that is close to Scunthorpe and its industrialised areas.

The only direct comparison that can be made is the Wressle site was formerly a field and the Burniston proposed site is still a field.

26. Summary.

In summary to the above BPC recommends that BPC objects to the application NY/2025/0030/ENV Construction of a temporary wellsite for the appraisal of gas, including drilling operation, proppant squeeze and flow testing operation and site restoration at Land East of the Mill Yard, Burniston Mill, Coastal Road, Burniston, Scarborough, YO13 0DB.

The grounds for the objection are based on the findings of BPC. It is very important that the below summary is read together with the above report. The report provides further insight into the reasons for objection.

a. Location.

The planned site is too close to residential properties and businesses. To subject our community to the known and unknown risks, described above and summarised below can never be justified.

b. Land on which the site will sit.

The land has historically been used for agricultural purposes until relatively recently when different attempts to industrialise it have been tried with different degrees of success. We have been informed by members of the farming community that there is no reason to lose good agricultural land to an industrial enterprise can be justified.

c. Cliff stability.

This is an area of major concern. The fragility of the nearby cliff area is very well known. Landslips have occurred nearby in recent weeks and months. Drilling here particularly at this stage with no 3d seismological testing leaves great concern. It is known that the cliffs are fragile and the risk of drilling so close to them is too high.

The Peak fault lies below the ground at this location, with other lesser fault lines. The area has not been investigated fully in recent times. We do not know what else lies there. Any disturbance of the faults may prove catastrophic to the fragile cliffs.

d. Dust.

We know that there has been a massive increase in recent decades in respiratory illness. What we don't know, with certainty, is exactly how the increase in dust particles will affect people's health. Part of the planning process is the duty to protect people. There is great uncertainty around this issue. Who will be affected and over what distance.

e. Air quality.

With absolute certainty we know that the air quality will be affected. Dust particles released into the air from the drill and the vehicles accessing the site, gas from the testing and fumes from the fare. Our community is very close to this site. Their physical health is likely to be affected. For some their mental health already is.

f. Noise Pollution.

It is clear that the area, in particular nearby residences will be affected by the increase in noise. The levels are described by noise report and the planning statement. There are so many research documents that show clearly, the effect on people's mental health.

24hr a day drilling with associated noise is not acceptable.

The lack of the effect of the persistence sound in any submitted report is of great concern. This is an integral part of noise pollution.

g. Light Pollution.

There is a conflict in this area between providing a well-lit, safe working environment on the site and the intrusion of light pollution in the nearby residences. Although the planning statement and accompanying report would lead us to believe this is not an issue, it already is. There are people in nearby residences who fear their sleep will be disturbed. The level of lighting needed for the safe working environment will intrude; irrespective of the direction the lighting is pointed.

h. Ecological report.

The report itself highlights the importance of the ecology of the area. The report makes mention of the potential effect of this application. The answers appear to be when there is a negative effect that hasn't been addressed it will be put right. Putting it right is shutting the stable door after the horse has bolted. The ecology of the area is precious and must not be put at risk.

i. Visual Intrusion.

There will be visual intrusion. A 38m tall drilling rig and 14m flare stack. This alters the character of the landscape and creates a visual intrusion for many miles around. For an area that relies so much on tourism there is so much to lose.

The site behind Mill Yard is rising ground. The pictures in the above report clearly show this making it more, not less, visible.

j. Traffic.

In the main body of this report there is listed many reasons why the increase of HGV's will have a detrimental effect on the area.

Noise intrusion, reduction in air quality and narrow footpaths for pedestrians, including school children, is included in greater detail above.

The collision risk at the entrance, which is located in the national speed limit area.

Slow moving HGVs entering and exiting the site add to the risks.

Excessive wear and tear on already damaged road surfaces.

The number of HGV journeys, 2308 is a massive increase. Every reason for objection both above and in the main body of the report applies to every single journey.

k. Risk of contamination to land and flood risk.

The application appears to consider that the risk of contamination and flooding is low.

Chemicals, water and propellants will be forced into the fractured areas. The level of reassurance, as to the associated contamination, this community needs is not within the reports.

The flood risk is described as low. Any risk in this area is too much. The area was just a few years ago devastated by flooding. Residents had to leave their damaged homes for long periods of time.

Any operation that may cause a repeat of this is grounds for objection.

l. Site restoration and aftercare.

There does not appear to be any offer of a bond to ensure the swift restoration of the site is guaranteed. That must be included.

All site restoration must be to return this site to its current state. The roadway in, if constructed will present a challenge to any restoration without simply burying a roadway which is clearly not restoration.

m. Economic benefits for our community.

There is little in the way of economic benefit to this community. Most of the workforce will have an expertise that is available here and will be brought in.

A small amount of the hospitality industry may gain a little.

n. Economic benefits nationally.

It is forecast that this drill, if it is seen to be economically viable will go on, if approved, to provide between 0.4% and 1% of the UK's gas needs. This is not a big economic revival for the UK.

o. The wider carbon neutral argument.

As the UK aims towards becoming carbon neutral, opening up a new gas resource makes no sense. It reduces the urgency of getting to the target and may well lead to a reduction in green energy investment.

On this issue the objection is that we cannot see how allowing this application will bring us closer to being carbon neutral. If anything it just adds fuel to the fire.

p. The NYC and NYMNP joint mineral and waste plan.

For all of the reasons stated in this report the NYC planning committee will not be able to guarantee the highest standard of protection for our community and environment.

q. Application documents.

The documentation appears to have inaccuracies within it.

The quoted distances described in section 3 of this document are inaccurate and seem those inaccuracies appear to favour the application.

The two landfill sites are missed completely.

We question whether form NYPA 15 is the correct form. Should the form NYPA17 be used? NYPA17 requires a full and comprehensive geological assessment

r. Public consultation.

These responses to our public consultation are catalogued in a separate submitted document and include wide ranging views. As Councils we cannot recall ever seeing the level of response we have received.

For the purposes of this report it worth noting that of the responses over 96% oppose this planning application with less than 4% in support.

The public response in terms of actions taken, meetings held and responses received, demonstrate very clearly how this community feel about this application.

On behalf of our community, the people we represent, we have to object.

s. The Finch ruling.

On June 20, 2024, the UK Supreme Court handed down a landmark judgment in a case against Surrey County Council. The ruling stated that planning authorities must assess the downstream greenhouse gas emissions from oil and gas projects as part of their Environmental Impact Assessments (EIAs). At this stage of this application the Finch ruling must be considered by North Yorkshire Council and be completely satisfied that the conditions are being met in this application.

27. Conclusion.

There will be no attempt to rewrite what is already a lengthy document. However it should be noted that the objections were arrived at from a starting position of impartiality. A review of all documents and all opinions that were offered.

There is a serious concern, which has not been allayed in way by Europa Oil and Gas, that this application is the beginning of many years of operation from this site.

If this application decision were to be based on nothing more than the National economic benefits and security, then it is clear that the extraction of gas that amounts to between 0.4% and a maximum 1%, of national usage, is such a small addition and comes at the risk of serious potential disruption to our community and environment.

One area that has been covered is that of the opinions of the community, around this application and the drive towards a greener environment, by reaching a position of being carbon neutral in the

UK. Some have stronger feelings than others about this. A small minority do not see the requirement.

The vast majority of people who responded, over 96% object to this plan.

Every one of those spoken to, some of whom did not put their thoughts in writing to BPC, believed that irrespective of the carbon neutral issue, this plan, is for a site in the wrong place and increases the risk, in an unacceptable way, to the health and wellbeing of our community and its environment and must not be allowed to go ahead.

BPC acknowledge that the people we represent have expressed constructive and well thought out opinions. The vast majority object to this planning application. We have a duty to listen to them and act accordingly on their behalf.

Burniston Parish Council objects to the planning application NY/2025/0030/ENV.