



Request for Call-In of Planning Application NY/2025/0030/ENV

To: The Planning Casework Unit
Ministry of Housing,
Communities & Local Government
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23 Stephenson Street
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Email: pcu@communities.gov.uk

Date: 24th January 2026

**Subject: Request for the Secretary of State to Call In Planning Application
NY/2025/0030/ENV – Construction of a Temporary Well Site for Gas Appraisal
at Burniston, North Yorkshire Heritage Coast**

Dear Sir or Madam,

I am writing to formally request that the Secretary of State exercise his powers under Section 77 of the Town and Country Planning Act 1990 to call in planning application NY/2025/0030/ENV, relating to the proposed construction of a temporary well site for gas appraisal, including drilling, proppant squeeze, flow testing, and site restoration, at Burniston, North Yorkshire, on the Heritage Coast.

This application raises issues of national and strategic importance, particularly in relation to the United Kingdom's climate change obligations, national energy policy, and the protection of environmentally sensitive landscapes.

1. Conflict with National Climate and Energy Policy

The proposal is inconsistent with the Government's statutory duty under the Climate Change Act 2008 (as amended) to achieve net zero greenhouse gas emissions by 2050, and with the objectives of the Net Zero Strategy (2021) and Carbon Budget and Growth Delivery Plan (2025).

The National Planning Policy Framework (NPPF 2024), notably para 161 requires planning decisions to support the transition to a "net-zero future" whilst the new para 163 emphasises "The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts." The facilitation of new fossil fuel extraction directly contradicts these principles and risks undermining the UK's legally binding carbon budgets and international commitments under the Paris Agreement.

2. Environmental Sensitivity and Heritage Significance

The proposed site lies within the North Yorkshire Heritage Coast, an area recognised for its exceptional natural beauty, biodiversity and cultural value. Industrial activity of this nature is incompatible with the landscape character and could adversely affect visual amenity, coastal habitats, local tourism, and the tranquillity of the area. Such development risks setting a precedent for hydrocarbon operations within or adjacent to protected coastal landscapes, which would have implications far beyond the immediate locality.

3. National and Precedent-Setting Importance

The application raises national policy issues regarding the compatibility of new onshore gas developments with the Government's decarbonisation agenda and energy transition commitments. Determining this proposal solely at a local level risks inconsistent treatment of similar fossil fuel proposals elsewhere in England, making this an issue of strategic and national significance.

4. Public Concern and Need for Transparency

There is substantial public interest and concern surrounding this proposal, particularly regarding climate change, local environmental impact, and the precedent it may establish. There is also great concern regarding the many material discrepancies between the planning application to North Yorkshire Council and the Environmental Permit Application to the Environment Agency. Given the national policy conflicts and widespread implications, a public inquiry under the supervision of the Planning Inspectorate would ensure the matter is considered transparently and comprehensively.

5. Emerging Policy and Legislation

The Government's proposed changes to the National Planning Policy Framework¹ signal a clear shift towards a more restrictive approach to fossil fuel development, reflecting the urgency of addressing climate change and meeting legally binding net zero commitments. Of particular significance is the proposed removal of the long-standing requirement to give "great weight" to the benefits of onshore oil and gas extraction, which fundamentally alters the planning balance for such proposals. These changes indicate that the assumed public interest in new fossil fuel extraction can no longer be relied upon to outweigh environmental and climate harms, and that planning decisions should reflect the evolving national policy direction away from further fossil fuel development.

At the recent Labour Party conference, the Secretary of State for Energy Security and Net Zero, Ed Miliband, stated that the government intended to pass a new law amounting to a permanent legislative ban on fracking. Mr Miliband, on behalf of the Government, argued that fracking will have little or no effect on energy prices, will not lower bills, is dangerous and would threaten the UK's climate commitments. The local member of parliament for Scarborough and Whitby, Alison Hume MP, has identified a legal loophole that allows for

¹ The UK Government published a consultation on "Proposed reforms to the National Planning Policy Framework and other changes to the planning system" in December 2025, with draft revised NPPF text alongside it. This consultation is aimed at shaping the next version of the NPPF. The consultation is open to responses (including from councils) and will influence what the final national planning policy looks like once adopted.

smaller volume fracking techniques, including so called “proppant squeeze”, that fall outside the legal definition of “high-volume hydraulic fracturing”. Replying to a written parliamentary question on 28 October 2025 the energy minister, Michael Shanks, said any future decision on national planning policy for fracking would “take into account all volumes of hydraulic fracturing”.

The government has recently confirmed (15/1/2026), in its response to a parliamentary petition, that it “recognises concerns from local communities regarding low volume fracturing and the fact that it is currently treated differently, and is therefore currently reviewing the position with regard to low volume hydraulic fracturing”.

It would be perverse to consider this planning application whilst significant and relevant legislation is being enacted.

6. Request

For the reasons above, I respectfully request that the Secretary of State call in planning application NY/2025/0030/ENV for his own determination. I further request that the local planning authority be instructed to defer any decision on the application pending consideration of this call-in request.

7. Contact Details

Professor Chris Garforth, Pear Tree Cottage, Wrench Green, Hackness, Scarborough YO13 9AB; Tel: 07730 532746; Email: chrisgarforth@btinternet.com

Thank you for considering this request. I would appreciate confirmation of receipt and notification of any decision regarding whether the application will be called in.

Yours faithfully,

A handwritten signature in blue ink that reads "Chris Garforth". The signature is written in a cursive, slightly stylized font.

Professor Chris Garforth

on behalf of the Steering Group of Frack Free Coastal Communities