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Wrench Green, Hackness
Scarborough
YO13 9AB

12th March 2025

Amy Taylor - Case Officer
Planning Department
North Yorkshire Council
County Hall
Racecourse Lane
Northallerton
DL7 8AD

**Re: Planning Ref. No: NY/2025/0030/ENV
Europa Oil and Gas application for appraisal drilling at Burniston Mill Site**

Dear Amy,

I am writing in connection with the above Planning Application made by Europa Oil and Gas for the construction, drilling and testing of this site to extract gas through a proppant squeeze process.

Having considered this fully, I wish to object for the following two reasons, which I explain in more detail below:

1. There are significant material discrepancies in the description of the proposed development in the documents submitted with the application. These make it impossible for the planning committee to determine the application on the basis of the current documentation.
2. The applicant's clear intention, on the basis of 1. above, is to move from appraisal to production. This brings it within the scope of the arguments which prevailed in the 2024 Supreme Court judgement *Finch v Surrey County Council*: specifically, the applicant should have considered, in the Environmental Statement, the impacts of Scope 3 emissions.

1. Discrepancies in the documentation submitted with the application

The headline description of the proposed development as presented on the planning register is:

"Construction of a temporary wellsite for the appraisal of gas, including drilling operation, proppant squeeze and flow testing operation and site restoration".

However the title page of the Planning Statement uses an alternative formulation:

"Construction of a wellsite and operation of a drilling rig for the appraisal of subsurface hydrocarbons, well testing and retention of equipment".

The reference to 'retention of equipment' is explicitly included in the following:

- Cloughton Planning Statement – Executive Summary, paragraph 1; Chapter 1 paragraph 1; Chapter 4 'Description of the Proposed Development' paragraph 1

- Environment Statement (Cloughton - ES Main Text Volume 1; Volume 2; Volume 3) title pages and Volume 1 section 1.1 paragraph 1
- Article 13 Notice published in the Scarborough News on Thursday 13th February and posted on the Village Hall on 4th February
- Statement of Community Involvement (p. 3, Executive Summary)
- Letter to Corporate Director of Environment 14-2-2025 (Certificate B)
- Letter to Mr and Mrs Morgan 14-2-2025 (Certificate B)

Chapter 4 of the Planning Statement, despite the reference to 'retention of equipment' in the opening paragraph of the Chapter, describes the four phases of the development as:

- (1) Site construction
- (2) Drilling
- (3) Proppant Squeeze & Flow Testing
- (4) Wellsite decommissioning, restoration and aftercare.

There is no conditionality in the move from phase (3) to phase (4). In contrast, in the Environmental Statement Volume 1, Section 2.4.3, the move from phase (3) to phase (4) is conditional: *"In the event that the testing phase (Phase 3) shows that long term production would not be commercially viable, Europa would move directly to Phase 4 (wellsite decommissioning and site restoration)."* The implication is clear: Europa's preferred and expected trajectory is to move from testing / appraisal to production and to retain equipment on site pending further planning applications.

In view of the above, the Planning Committee cannot treat this application as a temporary development that would lead to site restoration within a few months of the start of the work on site. As Europa has been telling (prospective) investors for months, they expect to be able to access a significant proportion of the gas within the 'Cloughton Discovery' for commercial production.

2. Scope 3 emissions

The fact that the proposed development is seen by Europa as a precursor to production over a period of ten to twenty years brings it within the scope of the *Finch v Surrey County Council and others* 2024 judgement in the Supreme Court. A legal opinion obtained by SOS Biscathorpe in September 2024 concludes that planning authorities, even at an exploration and appraisal stage, should take into account downstream (Scope 3) emissions from hydrocarbons that may potentially be produced. The current application from Europa explicitly excludes consideration of Scope 3 emissions on the grounds that their proposal is for a temporary, appraisal-focused development. As shown above, this argument cannot be sustained given the evidence within the application documents of the applicant's intentions.

Yours sincerely,



Christopher James Garforth, Emeritus Professor of Agricultural Extension and Rural Development, University of Reading