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Re: Objection to Planning Application Ref: NY/2025/0030/ENV – Europa Oil and Gas – Drilling & ‘Proppant Squeeze’ Process

Dear Amy,

I am writing to formally **object on behalf of myself but also to, register this as the objection from Frack Free United** to the above-referenced planning application on technical, environmental, and policy grounds.

For background, I owned the company called Third Energy, who intended to Frack for gas in Ryedale prior to my ownership. From this time, I acquired an detailed insight into the discussions on definitions, operations and intentions of companies focused on onshore oil and gas when transforming this company into a renewable energy provider.

Whilst I recognise the proposal is not directly a geological shale gas extraction, I challenge that the method the company described as a “proppant squeeze” which employs operational techniques the same as hydraulic fracturing, also known as **fracking**.

As such, comparisons with shale gas operations are both relevant and necessary, particularly when measured against the requirements set out in the NYC Joint Waste and Minerals Plan.

Policy Trigger

At the finalisation of the Joint Plan in November 2019, the Conservative government imposed a moratorium on fracking by introducing a presumption against issuing additional Hydraulic Fracturing Consents until **compelling** new evidence on managing induced seismicity is presented.

This has not happened,

If anything, more evidence is only now coming forward on induced seismicity from onshore operations being more likely. ^{i ii}

This is a trigger point which should prompt a thorough use of NYC planning policies, specifically, but not limited to, policies M15, M17, and M18 in the York and North Yorkshire Joint Waste and Minerals Plan to ensure that all operational risks, including those related to seismicity and methane emissions, are properly addressed.

The plan was adopted in 2022 after deep scrutiny by the government inspector and signed off by the then Conservative Government.

I believe that this trigger has been fired, and the application should be rejected on material grounds within the plan.

Ambiguous Terminology and the Definition Under Policy M15

The application seeks to avoid using the term “**fracking**” by instead describing the process as a “proppant squeeze.” However, in the company documentation, as well as in public engagement, the company sought to make a specific point about the term **fracking**, referring to it as ‘mini frack’ in their terminology to deflect attention from the scale and size of their alternative description of ‘proppant squeeze.’

For example, recent internal correspondence with the regulator, the North Sea Transition Authority (NSTA), reveals a stark hypocrisy in Europa Oil & Gas’s communications. ⁱⁱⁱ

In an email, Europa asserted that *‘there is no limitation on fracking’* in the area and clarified that *“fracking of the Namurian sands [the Burniston target reservoir] would not be considered as ‘Shale Gas’ but fracking of a ‘conventional reservoir.’*

Yet, the same email - disclosed in response to a Freedom of Information request - explicitly referred to the “proposed volumes of **frack** fluid” and queried whether drilling a well “which would subsequently be **fracked**” would be supported by the NSTA.

This internal language directly contradicts the public-facing stance that attempts to distance the company from **fracking**, suggesting instead that the proposed process employs a different hydraulic fracturing technique.

Whether this is a deliberate ploy, or a clumsy approach as claimed by the company representative, it causes a lack of overall trust within the community.

I should add that in my experience in dealing with the NSTA in the past, the organisation requires precision and correct terminology in their discussions and decisions. This is not clumsy use of language, but in my opinion a very deliberate testing of the definition boundaries by the company,

The definition as set out in the Joint Waste and Minerals Plan

The hypocrisy in the internal communications as set out above, when juxtaposed with the clear and comprehensive definition in the Waste and Minerals Plan, reinforces the need to treat this as typical **fracking** planning application which will be decided under the material guidance of the North Yorkshire Council’s Joint Plan by the committee.

The Plan explicitly defines “**fracking**” as *“the fracturing of rocks by injecting a pressurized liquid in order to extract oil or gas”* and stipulates that, for planning purposes, *“hydraulic fracturing includes the fracturing of rock under hydraulic pressure regardless of the volume of fracture fluid used.”*

In a footnote, the plan further notes that hydraulic fracturing techniques may be used for conventional gas sources for well stimulation yet still producing **similar potential impacts**.

It is Fracking and should be treated as such!

To emphasise the point as above, Policy M15 of the Joint Waste and Minerals Plan clearly 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.’* This definition means that even if the process uses lower volumes of fluid, the technique still qualifies as hydraulic fracturing or ‘**Fracking**’ as it is commonly known.

Consequently, any risks associated with ANY hydraulic fracturing, or **fracking**, such as induced seismicity and methane emissions, should be addressed under the same regulatory and planning framework.

It has been proven that earthquakes are associated with lower volume Hydraulic Fracturing by the injection of fluids and proppants under high pressure. The use of ambiguous terminology, as shown above, downplays the risks and evades the full rigour of scrutiny, particularly in protecting amenity, public trust and even safety from induced seismicity.

Comparative lower volume fracks that caused earthquakes with this application.

Europa has confirmed that its Burniston operation will inject liquid at high enough pressures sufficient to **fracture rock**, yet there is existing evidence suggesting that the proposed “proppant squeeze” process could lead to seismic events as experienced in the UK, as observed at Preston New Road in Lancashire in 2018 and 2019 and in other onshore operations as referenced above.

The application champions a "low volume" fracking technique, asserting that significantly reduced fluid volumes will be used in the proppant squeeze stage, using 300m³ to 500m³ volume of fluid and up to 80 tonnes of proppant.

At this point, it should be noted that during the seven stages of **‘fracking’** at Preston New Road in Lancashire, not one frack stage was greater than is proposed at Burniston. ^{iv}

Data from Cuadrilla’s operations at Preston New Road in Lancashire show that even when considerably lower volumes of frack fluid was deployed across **seven stages** the operation induced notable and regular seismicity, **including a 2.9 ML tremor** approximately 62-72 hours after the seventh and final frack stage which used only 142 m³ volume of fluid and 3.7 tonnes of proppant.

The largest individual stage of fluid injection recorded was 432 m³ of fluid and 55 tonnes of proppant on 21 August 2019 coinciding with significant tremors.

This comparison clearly shows that even lower-than-permitted fluid volumes can trigger unexpected and significant seismic events and adds to the emerging evidence that onshore activity cannot be managed.

This potential for heightened seismic hazards raises significant concerns for both local infrastructure and community safety and well-being, as well as high public impact, as was shown in the wake of the Lancashire frack, where there were numerous reports of structural damage made by residents.

Despite Europa’s claim of "low volume" techniques, I would like to emphasise the importance and weight of the definition in the Minerals plan for resident protection from these proven risks,

I strongly believe that this application, and the methods meet the technical criteria for hydraulic fracturing and should be subject to the highest material weight equivalent as fracking developments.

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 description.

"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 I; 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)

Furthermore, 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:

- Site construction
- Drilling
- Proppant Squeeze & Flow Testing
- Wellsite decommissioning, restoration, and aftercare

The transition from phase (3) to phase (4) is unconditional.

In contrast, Volume I, Section 2.4.3 of the Environmental Statement makes the transition 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)."*

Reading between the lines, it's clear to me that Europa's preferred, and expected trajectory is to move from testing/appraisal to production and retain equipment on-site pending further planning applications.

Given the above, the Planning Committee should not treat this application as a temporary development leading to site restoration within a few months, there is clear intention to keep the site active into the future.

Uncertain Scale and Distribution

Approval of this application leads to considerable uncertainty surrounding the future development model and geographic distribution of any commercial production that might follow.

This is another fundamental point to address.

This application is pitched as an 'exploration only' application, yet the question is: What happens next? Aside from the definition interpretation, there are other significant material discrepancies in the description of the proposed development in the documents provided with the application.

These discrepancies prevent the planning committee from accurately determining the application based on the current documentation, if at all.

Cumulative impacts

As Europa has informed (prospective) investors, they anticipate accessing a substantial portion of the gas within the 'Cloughton Discovery' for commercial production.

The approval of this application raises concerns not only about direct environmental and seismic risks but also cumulative impacts in a region already under multiple development pressures, such as the Pot Ash mine. *(Please also refer to the Pot Ash section (8.3) in the Minerals plan)*

Policies M17 and M18 set critical safeguards to protect local amenity and sensitive receptors from cumulative impacts, addressing issues like induced seismicity, methane emissions, traffic, dust, noise, and landscape degradation.

The proposed activities could exacerbate these issues, with the incremental build-up of adverse effects potentially surpassing protections, thereby undermining local quality of life, established economies, and the sustainable development objectives set out in the Joint Plans and the emerging North Yorkshire Development Plan discussions.

Additionally, fracking at Burniston threatens significant impacts to the heritage coast through visual intrusion, noise, dust, light pollution, and toxic fumes from gas flaring. The development's proximity to residential properties, the National Park, and the Heritage Coast, coupled with the NYC plan's presumption against major development in such areas, poses a substantial risk.

Increased HGV movements could heighten accident risks, pollution from diesel emissions, and damaging vibrations affecting local dwellings and businesses as well as public amenity, the environment and impact the mental health of residents.

Furthermore, night-time lighting and gas flaring will disturb local people and wildlife, impacting the 'Dark Skies' aspect of the area. The proposal includes a 38 m (100-foot) drilling rig visible for miles, as was the case at Kirby Misperton in Ryedale, which would be an unacceptable industrial intrusion on the area, including the North Yorkshire Moors National Park.

From personal experience, as well as widely reported from previous applications in the UK, the worry and concern of residents of recognised impacts from industrial operations will affect the mental health of residents.

Permitting this application risks setting a precedent for further oil and gas developments, each contributing to an unsustainable cumulative impact on an area celebrated for its natural beauty, traditional industry, cultural and rural heritage and public wellbeing .

Environmental Risks - Methane Emissions and Buffer Zones, Spatial Policy

In reviewing the now adopted plan, and in response to questions from NYCC at the time, the planning inspector emphasised that due to significant uncertainties over methane emissions from hydraulic fracturing and onshore fossil fuel production, maintaining a 500m buffer zone is both sound and necessary. This reasoning reinforces the need for strict environmental safeguards - even in cases where the fracturing operation might be of lower intensity.

The 'Stephenson' judgement in 2018 on methane emissions was recognised and accepted in the context of the plan by the inspector and underscored the unpredictable nature of methane leakage from hydraulic fracturing operations.

Referencing the case, the inspector found that a robust buffer zone of no less than 500m was necessary to safeguard air quality and mitigate climate change impacts.

This decision clearly establishes that even processes employing lower volumes of hydraulic fluid are not immune to the risks of methane leakage.

Such emissions have profound implications for both local public health and wider climate change considerations. Rogue emissions are still a big problem in the UK and the only way of dealing with them is by burning off the gas.^{v vi} even in 2025.

Considering the many identified impacts set out above within this document, thorough assessment of the set-back distances is required. Measurements reported at the local parish council meeting show that residential properties, local amenities and business properties are well within distances specified in the plan and very much less than stated in the application.

- Wayside Farm - actual 260m. Planning statement states 350m.
- Bridge Close residential properties – actual 320m. Planning statement states 350m.
- Burniston Nurseries – actual 350m.

Plus

- Cinder track- actual 310m. Planning statement states 400m.
- Coastal Path – 870m. Planning statement states 730m.
- Cliff top – Approx 1km. Planning statement states 1km.
- Coastguard building situated in Mill Yard – 230m.
- The A165, which is the nearest road to the proposed site – 290m.

Scope 3 emissions and Energy Security

As shown above, it is Europa's view of this development will be a precursor to production over decades, which brings it within the scope of the *Finch v Surrey County Council and others 2024* judgment on Scope 3 CO2 emissions. The Supreme Court ruled that downstream emissions from the burning of fossil fuels extracted at a site or development must be assessed as part of an environmental impact assessment (EIA) for a planning application.

Recent legal opinion obtained by 'SOS Biscathorpe' in September 2024 concludes that planning authorities, even at an exploration and appraisal stage, should consider downstream (Scope 3) emissions from potentially produced hydrocarbons, and the impact these will have on climate change.^{vii}

Europa's current application explicitly excludes Scope 3 emissions consideration, citing their proposal as a temporary, appraisal-focused development which is not significant enough to warrant this assessment.

It should be noted at this point that the avoiding of Scope 3 assessment due to emissions produced not being of a significant amount to warrant further scrutiny, also makes useless any consideration that this development will aid energy security in the UK.

It is proposed that this will lead to a significant amount of gas to make a impact on energy security, if so it should lawfully need assessment of the associated Scope 3 CO2 emissions from direct use of the product, as set out in the Finch judgement.

Or, if the reasoning that this application will not produce enough to warrant scope 3 assessment, then any material weight relating to energy security is null and void and should be excluded from any decision or recommendation.

You simply cannot have it both ways.

Furthermore:

- **Local Gas Bills:** The development will not reduce local gas bills because the gas produced will be sold on the open market and potentially exported to other countries. This means it will not be available locally and will not benefit residents.
- **Financial Benefit:** The financial benefits will go to Europa Oil and Gas and their shareholders, not the residents of North Yorkshire or the rest of the UK.
- **Global Factors:** The price of gas is determined by global factors and international markets thus drilling on the North Yorkshire coastline will not bring down bills.

- **Transition to Clean Energy:** The UK is transitioning to clean energy with the aim to be net zero by 2050. More gas production, especially in sensitive areas, is not needed.

In Conclusion

The planning application for Europa Oil and Gas's appraisal drilling and 'proppant squeeze' process raises significant concerns on technical, environmental, and policy grounds. Although the proposed method attempts to distance itself from standard hydraulic fracturing, it employs similar techniques and therefore should be subject to the same rigorous scrutiny and regulations.

The Application is not sustainable, as required by The National Planning Policy Framework (NPPF) which emphasises in paragraph 8c the importance of protecting and enhancing our natural, built, and historic environment. This includes making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including transitioning to a low carbon economy.

Fossil fuel exploitation, including preparatory work for fossil fuel exploration, clearly fails to meet these objectives. It does not mitigate climate change or contribute to the country's transition towards a low carbon economy.

The assertion that this is merely an 'exploratory phase' with minimal impact is untenable to say the least. The primary objective of the exploratory phase is to determine the feasibility of further fossil fuel exploitation to transform the North Yorkshire coastal area, and nearby areas, into **the largest onshore gas field in the UK.**

Their plans to extract significant quantities of gas will necessitate additional wells being drilled and fracked beyond this site. Europa intends to continue drilling for 20 years.

The emissions from burning the extracted gas will exacerbate the climate crisis, jeopardising the environment for future generations and is in direct conflict with the York and North Yorkshire Climate Change Plan.

Therefore, this application must be considered within the context of the potential negative outcomes to the council's own plans and ambitions if the exploratory process proves successful. Approval of this planning application could imply North Yorkshire Council's acceptance of the environmental impacts associated with gas extraction.

Allowing this to proceed will provide an endorsement of future full production applications. In fact, it may become challenging to reject such an application should the test well receive approval.

Let us not open Pandoras box...

Key Material Objections

- **Policy Trigger:** The use of hydraulic fracturing should automatically trigger the use of local planning policies to address risks related to seismicity and methane emissions.
- **Ambiguous Terminology:** The application uses misleading terminology to avoid the term "fracking," yet internal communications reveal hypocrisy in the attempt to employ similar hydraulic fracturing techniques.
- **Hydraulic Fracturing Definition:** The process set out in the application meets the technical criteria for hydraulic fracturing as defined in the Minerals and Waste Joint Plan and compares to previous 'Fracking' operations halted under the moratorium, requiring equivalent regulatory scrutiny and planning assessment.
- **Seismic Risks:** Comparisons with similar operations show that even lower fluid volumes can induce significant seismic events, posing risks to local infrastructure and community safety.

- **Scope 3 Emissions:** Downstream emissions should be assessed in accordance with the Finch v Surrey County Council judgment, as the application intends to lead to long-term production.
- **Cumulative Impacts:** Approval of this application increases negative environmental, social and economic impacts across the region.
- **Environmental Risks:** Significant uncertainties necessitate strict environmental safeguards, including robust buffer zones to avoid exploration in and around valued and protected landscapes.
- **Water Contamination:** There is a significant risk of water contamination from the chemicals used in the drilling process, which can affect local water supplies and ecosystems.
- **Air Quality:** The increase in industrial activity and the emissions from gas extraction can significantly deteriorate air quality, posing health risks to the local population.
- **Noise Pollution:** The drilling operations and associated infrastructure can lead to increased noise pollution, disrupting the peace and well-being of nearby communities.

Given these substantial concerns, **I urge that this planning application be rejected** and that any future proposals adopt a comprehensive assessment, including strict adherence to the definitions and spatial criteria set out in the Joint Waste and Minerals Plan, as well as the robust legal precedents that have been established.

Thank you for your careful consideration of these concerns.

Yours sincerely,

Cllr Steve Mason

ⁱ [Were the Newdigate Earthquakes, Southern England, of 2018–2019 triggered by oil extraction? | Geological Magazine | Cambridge Core](#)

ⁱⁱ [Geologists link Surrey earthquakes to oil site as new tremor felt in the area – DRILL OR DROP?](#)

ⁱⁱⁱ [New twists in the F-word debate – DRILL OR DROP?](#)

^{iv} [Cuadrilla fracked seven times before record-breaking tremor – official logs – DRILL OR DROP?](#)

^v [UK onshore oil sites continue to emit methane, research reveals – DRILL OR DROP?](#)

^{vi} [Climate crisis: Lancashire fracking site ‘leaked emissions equivalent to 142 transatlantic flights’ | The Independent](#)

^{vii} [Plans to expand oil and gas production site in Lincolnshire quashed](#)