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YOUR REF: PA 2024/

OUR REF: RGA/JEK/01442021/1

DATED: 8 December 2025

Dear North Lincolnshire Council

Further objection to the planning application ("Application") for the extension of the Wressle Wellsite comprising new wells and 600m underground gas pipeline ("Proposed Development") (ref: PA/2024/275)

1. We submit this further objection to the Application on behalf of Fossil Fuel Free Lincolnshire. We ask that you consider this objection alongside our objections dated 29 October 2025, 3 November 2025 and our pre-action correspondence dated 10 June 2025 and 25 June 2025. We reiterate that the Council's Screening Opinion dated 16 May 2025 is unlawful, for the reasons set out in our pre-action letter, and we invite you formally to withdraw it and issue a new, lawful Opinion. We do not reiterate the points raised in our pre-action letter, but instead focus in this objection on the Applicant's updated reports purporting to assess the direct and indirect greenhouse gas ("**GHG**") emissions from the Proposed Development as well as the key factual inaccuracies in the updated Planning Statement.

Updated GHG Assessments

2. The Applicant has provided two updated GHG assessments: (i) Scope 3 Category 11 Emissions Assessment (use of sold product); and (ii) all other Scope 1, 2 and 3 Emissions Forecast (together, the "**Assessments**").

3. We agree that DESNZ's supplementary EIA guidance for assessing the effects of downstream scope 3 emissions on climate from offshore oil and gas projects ("**Supplementary Guidance**") is an important material consideration in the assessment of the climate effects of onshore oil and gas projects. There is no factual nor legal distinction between onshore and offshore oil and gas projects which could justify a difference in approach to the assessments of GHG emissions under the EIA regime. The assessment of the Proposed Development should accordingly be undertaken in accordance with the Supplementary Guidance.

4. In summary, and for the reasons set out below, the Assessments provide a legally flawed assessment of the GHG effects of the Proposed Development on the climate and fail to accord with the Supplementary Guidance. In particular, the Assessments fail to provide a lawful assessment of cumulative effects; fail to assess the reasonable worst-case scenario; and include irrelevant information. We also draw your attention to the issues raised in our objection of 29 October 2025, which sets out the additional legal and scientific errors underpinning the Assessments.

Cumulative effects

5. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("**EIA Regulations**") require consideration of the cumulation of effects, both when undertaking a screening assessment (see Schedule 3, paras. 1(b) and 3(g)) and when preparing an environmental statement (see Schedule 4, para. 5).

6. This legal requirement is reinforced by the Supplementary Guidance, which confirms that: "*Given the global effect of GHG emissions, the ES must consider the cumulative effects of the proposed project with other existing and planned future projects, in a global context*" (emphasis added). The Supplementary Guidance indicates that global reduction pathways may be used but only where they are *"inherently cumulative*". It states that global reduction pathways "*should be inherently cumulative, as these pathways take into account a wide range of existing and planned projects and other activities. Alternatively, or in addition, developers may choose to use information from global oil and gas datasets and inventories*" (p.12). The Supplementary Guidance therefore requires the developer to show that their chosen comparator pathway is inherently cumulative, rather than based on demand forecast. The key point is that a cumulative assessment must account for the existing and planned projects in a global context.

7. The Applicant's Assessments fail to provide a lawful assessment of cumulative effects because it does not account for existing and committed production from operating or in-development fossil fuel projects. It fails to distinguish between total oil and gas production in modelled scenarios and the portion of that production that originates from existing or approved projects, as opposed to new developments. As a result, the analysis fails to situate the Proposed Development's scope 3 emissions within a cumulative global context

8. The stated reason for this legal failure is that "*there is no publicly available data set or database that provides an overview of all current proposed or existing projects that will contribute towards the UK and/or global carbon budget*"; further, while it is stated that there are "*partial inventories*" for fossil fuel infrastructure the Assessments do not seek to utilise this information in any way (e.g. p.23, Scope 3, Category 11 assessment).

9. Contrary to the Applicant's assertion, however, global fossil fuel production data is in fact available from providers such as Wood Mackenzie, Rystad, IHS Markit and Global Energy Monitor. Peer-reviewed, credible estimates of committed emissions

from fossil fuel production have also been published and are available.[1] This data can and should have been used to inform a lawful cumulative assessment.

10. The Assessments instead rely on global and UK-focussed reduction pathways as a "*viable proxy*" for quantifying cumulative effects. But these pathways are not inherently cumulative. As for the UK carbon budgets (which are concerned with territorial emissions), they do not offer an appropriate tool against which to assess scope 3 emissions, including cumulative effects. As for the global pathways, the Global Energy Outlook Pathways used by the Applicant use a variety of models and projections, many of which comprise what are known as Integrated Assessment Models ("**IAMs**").

11. IAMs represent oil and gas supply crudely. They typically do not model fossil fuel extraction at the project level, nor do they capture the pipeline of approved or existing developments. Consequently, IAMs do not reflect project life-cycle stages or operational details. Rather, IAMs are built around a set of energy service demands, such as heating, transportation, and industrial activity, which are determined by societal needs linked to key macroeconomic drivers, including Gross Domestic Product ("**GDP**") and population. These models then determine the most cost-effective mix of energy sources to meet that demand, selecting from supply options that include oil, gas, renewable energy sources, and other technologies.

12. The volume of primary fuels extracted in any given scenario is, therefore, determined by the model's optimisation process, subject to a range of constraints and assumptions, including:
    - The size of each energy service demand;
    - Emissions limits consistent with the temperature target being modelled (e.g., 1.5°C or 2°C pathways and any permitted overshoot);
    - More ambitious CDR (carbon dioxide removal) assumptions (e.g., large-scale CCUS or afforestation) allow IAMs to model higher fossil fuel supply, because removals offset emissions later in the century.
    - The relative cost of different energy supply chains to meet each energy service demand (e.g., cost of fossil fuels to power combustion engine cars vs renewables to power electric vehicles);
    - Supply-side limitations (e.g., limits on the maximum amount of oil and gas extraction at the aggregate country or region level);
    - Trade constraints (e.g., liquefied natural gas export/import capacity); and
    - End-use technology constraints (e.g., the rate of electric vehicle deployment).

13. In broad terms, the level of oil and gas demand projected in an IAM scenario reflects the outcome of these 'levers' rather than a pre-determined allocation of production. These models are not designed to disaggregate production by field, nor do they represent existing or the pipeline of approved projects. That is, they typically do not model the life-cycle stage of fossil fuel projects. This simplistic approach means that

[1] See, for example, Trout K et al (2022). Existing fossil fuel extraction would warm the world beyond 1.5°C. Environ. Res. Lett. 17: 064010. Oil Change International (2023). Sky's Limit Data Update: Shut Down 60% of Existing Fossil Fuel Extraction to Keep 1.5°C in Reach.

IAMs are not inherently cumulative and so fail to address cumulative impacts. Moreover, this approach neither aligns with the Supplementary Guidance nor with best practice in cumulative emissions analysis.

14. A scientifically and legally robust approach to determining cumulative effects would overlay existing and committed production from current and in-development fossil fuel projects onto the supply projected in the climate-pathway models (Figure 1, below). The project's production (emissions) should then be assessed as an incremental addition to that existing and committed supply.

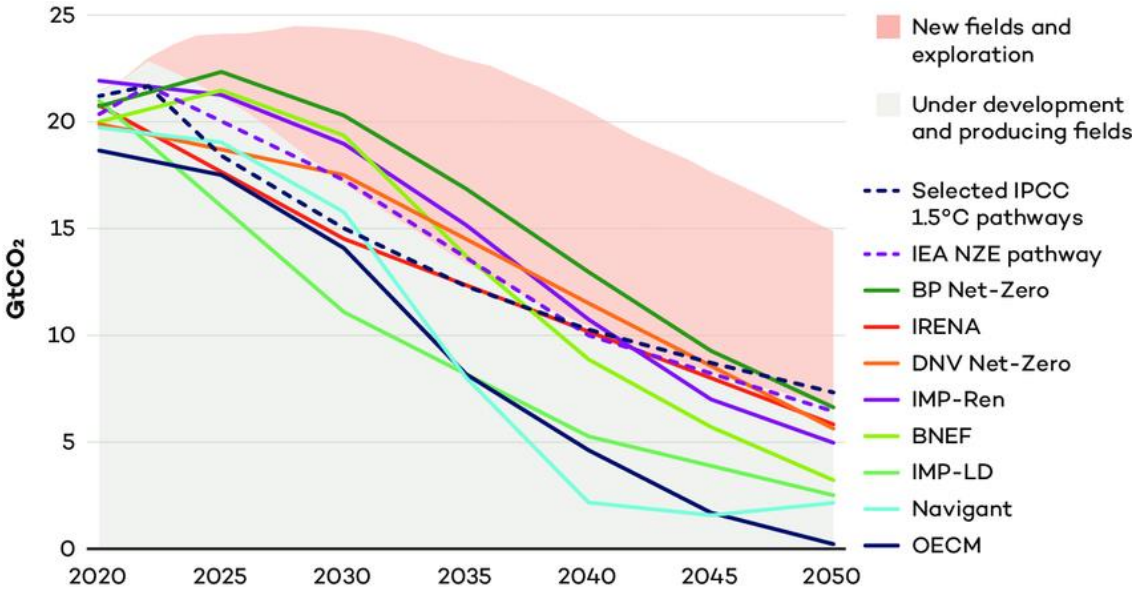

Figure 1: Projected global oil and gas production from existing (shaded grey) versus new (shaded pink) fields, compared to oil and gas consumption in 1.5°C scenarios. IISD Navigating Energy Transitions 2022.

15. This cumulative approach, consistent with methodologies adopted in the Production Gap Report,[2] IEA WEO scenario analyses,[3] IISD report on Navigating energy transitions. Mapping the road to 1.5 °C,[4] and UCL report on Climate implications of new oil and gas fields in the UK,[5] would enable a meaningful assessment of whether the addition of the Proposed Development's production is compatible with Paris-aligned pathways.

16. Consequently, the pathways that the developer has chosen to deploy in the Assessments is methodologically inappropriate and fails to produce a valid or cumulative assessment of the GHG effects.

Reasonable worst case scenario

17. The Assessments fail to assess the GHG effects on a "reasonable worst case"

[2] Stockholm Environment Institute (SEI), Climate Analytics (CA), and International Institute for Sustainable Development (IISD) (2025). *The Production Gap Report 2025*.
[3] International Energy Agency (IEA) (2025), *World Energy Outlook 2025*.
[4] The International Institute for Sustainable Development (IISD) (2022). *Navigating Energy Transitions: Mapping the road to 1.5°C*.
[5] Greg Muttitt, Fergus Green and Steve Pye (2025). *The Climate Implications of New Oil and Gas Fields in the UK - An Overview of the Evidence*. UCL Policy Lab, UCL Energy Institute and UCL Department of Political Science.

scenario, as required under the EIA regime. Specifically, both global scenarios against which the Proposed Development's GHG emissions are compared are "ambitious" climate scenarios, which "*are not designed around current or planned policies but are instead structured to achieve specific climate targets and therefore rely on significant changes to current policies to be achieved*" (e.g. p.24, Scope 3 Category 11 assessment).

18. Therefore, notwithstanding the inherent flaw in such comparisons (as explained above), the Assessments are further flawed in that they draw upon high-ambition scenarios which are not in any way aligned with existing or planned policies. Given that these pathways are unachievable without significant changes in policy, not only do the Assessments fail to account for a reasonable worst case but they also include information which cannot reasonably assist the Council in reaching an informed and rational decision. The Council cannot reasonably place any reliance on scenarios which are known <u>not</u> to align with existing and planned policies.

<u>Irrelevant information</u>

19. The Assessments include considerable information which is legally irrelevant to a proper assessment of the GHG effects of the Proposed Development on the climate. In particular, we draw attention to the Applicant's analysis of the purported demand for oil and gas. While this is not a complete analysis in any event, and fails to provide a full picture (including in relation to operating or in-development fossil fuel projects), the question of ongoing demand is irrelevant to the assessment of cumulative effects or indeed of overall significance of effects.

<u>Overall approach</u>

20. Overall, the Assessments adopt a flawed and simplistic analysis which essentially limits the usefulness of the exercise. The simplistic "project vs national or global comparison" methodology renders it impossible to evaluate the likely significance of the GHG emissions. Under the Applicant's approach, a single project could never be considered misaligned due to the scale of the national and global carbon budgets. Second, if every new oil and gas project adopted the same method, all of these would appear individually "insignificant," while their combined output could far surpass levels compatible with climate-safe pathways; driving systemic overproduction and undermining net-zero objectives. Accordingly, the Assessments fail to provide a robust or lawful evaluation of the Proposed Development's overall climate impact.

Updated Planning Statement

21. The updated Planning Statement fails to provide the Council with the full information required to make a reasoned and lawful decision on the Application. At the outset, we note that the onus falls squarely on the Applicant to provide the required information and that such information must be substantiated with evidence: see for e.g. Holgate J (as he then was) in the Cumbria coal mine case.[6] This applies to environmental information provided within the EIA and also further provided in, or

[6] *Friends of the Earth Ltd v Secretary of State for Levelling Up, Housing and Communities* [2024] EWHC 2349 (Admin), §§115-116

relied on within, planning documents such as the Planning Statement. As the Cumbria coal mine case makes clear (§112), it also arises where planning policies have the practical effect of requiring the developer to produce evidence to satisfy a criterion. This is the case with policy M23 of the North Lincolnshire Local Plan 2003, which requires sufficient evidence to demonstrate that the proposal incorporates environmental protection measures that are adequate to mitigate the impacts arising from a long-term site, in order to benefit from the support in that policy for oil and gas production facilities. The burden for providing sufficient evidence is on the developer. It is not for members of the public such as FFFL to "fill in the gaps".

22. Furthermore, we note that the Applicant's analysis of the following material considerations is particularly flawed.

23. Need (p.46). The analysis of the need for oil and gas to meet the national energy demand pays no regard to: (i) the existing and committed hydrocarbon production both in the country and globally; and (ii) the fact that oil is traded on the global market with no controls in place to require hydrocarbons from this Proposed Development to be restricted for UK consumption only.

24. Security of supply (p.47). This analysis is wholly deficient for the following reasons:
    a. The analysis is premised on the oil from the Proposed Development being used exclusively in the UK, which is inaccurate as there are no controls in place to require domestic use.

    b. The Applicant appears to suggest that increasing domestic oil will avoid increasing the global carbon footprint of the UK oil supply (due to less reliance on imports). This is commonly referred to as a 'substitution' argument, where developers claim that hydrocarbons extracted as a result of their project will replace, rather than be additional to, other hydrocarbons that would otherwise be extracted elsewhere. Substitution-based arguments have been firmly rejected by the UK courts (see the Cumbria coal mine case[7]) and the Supplementary Guidance. The Applicant cannot avoid the need to address substitution with robust evidence in its environmental information by raising it only in the Planning Statement. The same caution must be applied. The Applicant's assertion in this context is unevidenced and unsubstantiated, and no reasonable reliance can be placed on this analysis.

    c. The Applicant further seeks to rely on the apparent higher carbon intensity of imported oil and gas. For the reasons given above, the Council should treat this analysis with caution because it is not substantiated – both in relation to UK's emissions intensity as compared to other oil producing countries as well as in relation to the countries on which we rely on for imports. By way of example only, Norway is consistently within the UK's top three suppliers of hydrocarbons. Global research puts the UK industry at

[7] *Friends of the Earth Ltd v Secretary of State for Levelling Up, Housing and Communities* [2024] EWHC 2349 (Admin), §§115-124.

three times more emissions intensive than Norway.[8] But in any event, there is strong evidence that carbon intensity is not a useful measure and simply distracts from the key issue of the need to limit oil supply in order to reduce the additional GHG emissions from consuming the extra oil that new fields produce.[9]

d. The Applicant focuses on the Climate Change Committee's ("**CCC**") reports from 2019 and 2020 (i.e. the Sixth Carbon Budget), but fails to engage with the CCC's annual Progress Reports to Parliament, nor with the CCC's statutory recommendation on the Seventh Carbon Budget (it is expected that this will be adopted into law, no later than 30 June 2026, in keeping with the Government's approach to prior budgetary recommendations from the CCC).

25. Economic and Social Benefit (p.51). The Planning Statement accounts solely for claimed positive economic and social impacts,[10] but fails entirely to account for the negative economic and social impacts of the Proposed Development, specifically those arising from the adverse effects of climate change. It is methodologically feasible to calculate the carbon costs associated with such projects (for example, the methodology used by the Grantham Institute in its 2022 analysis,[11] or that developed by the UK Climate Impacts Programme[12]), and this information is wholly missing from the Applicant's assessment.

26. Proppant Squeeze and Hydraulic Fracturing (p.10). The Planning Statement 'clarifies' that the Applicant "*will not use the process known as High Volume Hydraulic Fracturing (commonly referred to as 'fracking')*". What this does not acknowledge is that the proppant squeeze technique proposed to be used during Phase 3 is also commonly referred to as 'fracking'. It is a type of low volume hydraulic fracturing. It will require a Hydraulic Fracture Plan, exactly as did the proppant squeeze operations for Wressle-1. Many of the same social[13] and environmental[14] issues arise across the different processes that fall within fracking, including low volume hydraulic fracturing, none of which are addressed by the Applicant, either in the environmental information or in the Planning Statement.

Hydrogeological and flood risk assessment ("FRA")

27. We note that an updated FRA has been produced owing to the New National

[8] Cited in G Muttitt, F Green and S Pye "The Climate Implications of New Oil and Gas Fields in the UK – An Overview of the Evidence" (UCL Policy Lab, June 2025) at pg 19 fn 101.
[9] Ibid, section 4.3 and the sources cited therein.
[10] Which are in any event overstated and unevidenced, failing to address issues such as the risk the Proposed Development will become a stranded asset.
[11] J Rising, S Dietz, M Dumas, R Khurana, J Kikstra, T Lenton, M Minsenmeier, C Smith, C Taylor and B Ward "What will climate change cost the UK? Risks, impacts and mitigation for the net-zero transition" (30 May 2022).
[12] Based at the Environmental Change Institute at the University of Oxford.
[13] See, for example, D Short and A Szolucha "Fracking Lancashire: The planning process, social harm and collective trauma" *Geoforum* (2019) Vol 98 pgs 264-276.
[14] OGA, *Summary report of the scientific analysis of the data gathered from Cuadrilla's PNR2 hydraulic fracturing operations at Preston New Road* (2020), page 3.

Modelling which designates parts of the application site as Flood Zone 2 and 3. It would appear that the findings of the FRA have not informed the assessment of flood risk and surface water drainage in the Planning Statement, which pre-dates the FRA. We also urge the Council to review this information in the course of issuing a new lawful Screening Opinion.

Conclusion

28. For the reasons set out above, and in our previous objections and pre-action correspondence, the Council should refuse to grant planning permission for the Proposed Development. A decision to grant consent, on the basis of the information currently before the Council, would be unlawful, irrational and in breach of the EIA Regulations.

Yours faithfully

[redacted]

Leigh Day