

TOWN AND COUNTRY PLANNING ACT 1990

NORTH YORKSHIRE COUNCIL

DECISION NOTICE

TO:

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

Egdon Resources UK Limited
Suite 205
450 Brook Drive
Green Park
Reading
RG2 6UU

The above-named Council, being the Local Planning Authority for the purposes of your application accompanied by an Environmental Statement dated 17 February 2025 in respect of the application for the 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 have considered your said application pursuant to Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 having first taken the environmental information into consideration, and have **REFUSED PLANNING PERMISSION** for the proposed development subject to the following reason(s):-

Reasons for Refusal:

1 – Heritage Coast and Landscape Harm

The height, siting and lighting of the drilling and workover rigs is considered to be a form of major development incompatible with the special character and conservation objectives of the Heritage Coast.

The development is therefore contrary to:

- MWJP Policy D06 (Landscape);
- MWJP Policy M16(d)(ii) (Key spatial principles for hydrocarbon development);
- Scarborough Borough Local Plan Policy ENV7 (Landscape protection and sensitivity); and
- NPPF paragraph 191, which states that major development in a Heritage Coast is unlikely to be appropriate unless compatible with its special character.

2 – Proximity to Residential Receptors and Amenity Impact

The proposed periods of 24-hour operations, illuminated infrastructure, vibration, air quality, HGV traffic, and associated noise and disturbance would give rise to cumulative harm to public health and residential amenity for properties within 500 metres of site of the proposed development.

The proposal is therefore contrary to:

- MWJP Policy M17(4)(i) (other spatial and locational criteria for hydrocarbon development);

FOR RIGHTS OF APPEAL SEE OVERLEAF

Dated: 15 May 2026

- MWJP Policy D02 (Local amenity and cumulative impacts);
- Scarborough Borough Local Plan Policy DEC4 (Protection of amenity); and
- NPPF paragraph 187(e).

3 – Harm to the Setting of the North York Moors National Park

The height, siting and lighting of the drilling and workover rigs would harm views to and from and the setting of the North York Moors National Park.

The proposal is therefore contrary to:

- MWJP Policy D06 (Landscape);
- MWJP Policy M16 (D)(i) (Key spatial principles for hydrocarbon development); and
- NPPF paragraph 189, which requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Parks and their settings.

4 - Impact on tourist impact and lack of economic gain

It has not been demonstrated that the potential economic impacts on the visitor economy are outweighed by any potential economic gains arising from the proposal.

The proposal is therefore contrary to:

- MWJP Policy M17 (other spatial and locational criteria for hydrocarbon development) due to impact on local economy;
- Scarborough Borough Local Plan Policy ENV7 (Landscape Protection and Sensitivity);
- Scarborough Borough Local Plan Policy INF4 (Protection of the Cinder Track and recreational assets);
- Scarborough Borough Local Plan Policy DEC4 (Protection of Amenity); and
- Paragraph 191 of the National Planning Policy Framework, which affords a high level of protection to Heritage Coasts and recognises that major development is unlikely to be appropriate unless compatible with their special character.

5 - Conflict with Council Climate Commitments / Sustainability Objectives

The proposal conflicts with the national and local climate change commitments, including the Council's adopted climate objectives, and fails to demonstrate that identified short term benefits outweigh the longer-term implications for climate change mitigation through the unquantified releases of greenhouse gases, including methane and carbon dioxide.

The proposal is therefore contrary to:

- MWJP Policy D11 (Sustainable design, construction and operation (including climate change));
- NPPF Section 14 (climate change); and
- North Yorkshire Council Plan 2025-29.

Date: 15 May 2026



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Martin Grainger - Assistant Director, Planning

**Statement of Compliance with Article 35(2) of the Town and Country Planning
(Development Management Procedure) (England) Order 2015**

In determining this planning application, the Planning Authority has worked with the applicant adopting a positive and proactive manner. The Planning Authority offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

RIGHTS OF APPEAL

- (1) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision, then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- (2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Council in which the land is situated, a purchase notice requiring that Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.