To: North Yorkshire Council, Planning Department

From: Foxholes & Butterwick Parish Council

Date: 20th October 2025

Subject: Planning Application: **NY/2025/0113/FUL**

Dear Sir/Madam,

We wish to **formally object** to the above planning application concerning the proposed gas drilling operations at Foxholes in North Yorkshire. This objection is made with reference to the adopted Minerals and Waste Joint Plan (MWJP, 2022), the Ryedale Local Plan (RLP, 2016) and the National Planning Policy Framework (NPPF 2024). This objection is also made in respect of community wishes. All residents in Foxholes & Butterwick were consulted face to face. (90% opposed the development, 8% didn't know).

Foxholes & Butterwick Parish Council (as a statutory consultee), respectfully urge North Yorkshire Council Planning Committee (NYCPC) to REFUSE this proposal on the following grounds.

1. Relevant Historic Planning Application

The Planning Statement (PS) makes only a brief reference to the Fordon 1 exploratory well site (planning ref. NY/2013/0226/FUL) within a planning history table. That 2013 proposal, situated approximately two fields north of the current site, was withdrawn following formal objections from Yorkshire Water and the Environment Agency concerning groundwater vulnerability, source protection and containment risk.

Despite the proximity and hydrogeological similarity between the two locations, the applicant has not revisited or addressed those earlier regulator comments, despite these still being valid. The omission of this information prevents the NYCPC from understanding whether the issues previously raised remain relevant or have been resolved. The Hydrology Risk Assessment (HRA) 2025 similarly fails to reference the Fordon 1 evidence base or to analyse the cumulative risk within the same aquifer system.

This lack of historical and cumulative context undermines confidence that the current scheme has been assessed with sufficient precaution and contradicts policy requirements for evidence-led environmental protection.

The HRA provides generalised statements about containment, drainage and impermeable surfacing but contains no detailed modelling or sensitivity testing of the underlying aquifer. It assumes that standard bunding and impermeable membranes will prevent any infiltration but offers no quantitative demonstration of risk pathways, infiltration rates or receptor vulnerability.

Furthermore, the HRA does not explain how site design or operational management would address the concerns previously raised by regulators at Fordon 1, nor does it evaluate the

potential for cumulative impacts from both past and current hydrocarbon exploration in the locality.

The absence of this information renders the submission inconsistent with the following planning policies:

NPPF (December 2024) paragraph 183, requires that planning decisions ensure development is appropriate for its location by preventing unacceptable risks from pollution and by taking account of site sensitivity and cumulative impacts.

MWJP (2022) Policy D09 (Water Environment), requires minerals development to demonstrate no unacceptable impact on surface or groundwater quality, flow, or dependent ecosystems, taking cumulative effects into account.

Ryedale Plan Policies SP17 (Managing Air Quality, Land and Water Resources) and SP20 (Generic Development Management Issues), require proposals to safeguard the water environment and prevent pollution likely to harm human or ecological health.

The applicant has not:

- revisited and addressed the Yorkshire Water and Environment Agency objections recorded for the Fordon 1 application; or
- provided a robust, quantitative assessment of groundwater and surface water risks for the current proposal.

Therefore, the PS and *HRA (2025)* remain incomplete and non-compliant with the NPPF, MWJP D09, and Ryedale Plan SP17 & SP20.

The application therefore fails to demonstrate that the development would avoid unacceptable impacts on the water environment and we respectfully suggest, should be refused on that basis.

2. Incomplete and potentially misleading Planning Statement

In the submitted Weaverthorpe (which is actually Foxholes) Planning Statement (PS)
The document refers only to “Egdon Resources U.K. Limited” (and in some places “Egdon Resources plc”) as the applicant and operator.
It makes no mention of York Energy (UK) Holdings Limited, Cuadrilla North Cleveland Ltd, or the Farm-In and Equalisation (FEQ) Agreement between those companies.

The “Applicant Details” and “Company Overview” sections describe Egdon as “the operator and licence holder of PL081,” which is factually incomplete and potentially misleading, given that the joint venture interests have been publicly announced and recorded by the North Sea Transition Authority (NSTA).
In other words, the PS presents the project as if Egdon alone owns and controls it. There's no indication that it is a shared licence or that other entities will share benefits, liabilities, or operational responsibility.

The corporate record is indicated below:

According to the public market filings and NSTA licence data (see Investegate and Egdon news releases, August 2023):

Licence	Location	Operator	Licence Interests (post-FEQ)
PL081	Weaverthorpe (Ryedale, North Yorkshire)	Egdon Resources U.K. Limited	Egdon 52.5%, Cuadrilla 25%, York Energy 22.5%
PEDL347	Adjacent licence covering similar area	Egdon	Same as above

The FEQ Agreement (August 2023) stipulates that Egdon will act as operator on behalf of the joint venture, but not as sole licence owner.

Why this matters in planning and permitting
This omission has material implications for both the planning process and environmental permitting:

Issue	Planning Relevance
Accuracy of applicant details	Under NPPF para 31 and MWJP D01, submissions must be accurate and site-specific. Misidentifying the licence ownership structure could constitute a procedural inaccuracy.
Accountability for compliance and restoration	If multiple parties hold licence interests, all may share legal or financial responsibility for site restoration and liabilities. The PS should reflect this in the Restoration and Aftercare and Community Engagement sections.
Transparency and trust	For Parish and local consultation, it's essential that communities know who the other licence partners are, particularly since Cuadrilla is involved.
Environmental permitting	The Environment Agency permit application must name all parties with operational control. If the PS omits them, the EA may request clarification or amendments.

The Planning Statement refers only to Egdon Resources UK Limited as the applicant and operator. However, public records (NSTA licence data and Egdon's own market disclosures) show that licences PL081 and PEDL347 are jointly held by Egdon Resources, Cuadrilla North Cleveland Ltd, and York Energy (UK) Holdings Ltd.

The omission of these joint venture partners misrepresents the project structure and is inconsistent with the transparency and accuracy required under NPPF para 31 and MWJP Policy D01. The PS has provided incorrect information about all parties' roles, liabilities, and financial responsibilities. This is a material consideration, adversely affecting accountability and public trust. Hence we respectfully urge NYCPC to refuse the application on that basis.

3. Multiple references to unrelated sites

Egdon's Planning Statement (PS), clearly has sections which have been copied and reused from other Egdon or consultant submissions, without thorough editing.
These may be small, but are telling internal inconsistencies that seriously weaken the document's credibility. If this lack of attention to detail translates into the operating environment also, then concerns are amplified further. Issues identified include:

<u>Incorrect or inconsistent site references</u>
Several passages clearly reference other locations or generic sites:

- On page 10, the text refers to "the site is well located in relation to the existing Wressle oil field and established access route."
  This is irrelevant to Foxholes, which is 80+ miles away. It appears lifted from Egdon's Wressle submission.
- On page 38, the statement mentions "the nearest residential property is to the east of the Wressle-1 site."
  That reference is erroneous — there is no "Wressle-1" site in Foxholes.
- The Drainage and Surface Water section (p. 45–46) refers to "flows to the Ancholme Internal Drainage Board catchment."
  The Ancholme IDB covers North Lincolnshire, not Ryedale. Foxholes sits in the Yorkshire Derwent catchment, so this is a clear copy–paste artefact from Wressle.

<u>Outdated or mismatched regulatory context</u>

- Several references still cite "North Lincolnshire Council" as the local planning authority, instead of North Yorkshire Council.
  Strong evidence that sections have been reused from Wressle or North Kelsey documentation.
- The Planning Statement repeatedly mentions compliance with "the Lincolnshire Local Plan" rather than the Ryedale Plan Strategy (RLPS) in the policy section summary — one paragraph even conflates "Lincolnshire" and "Ryedale" within the same sentence.
- There's reference to "Lincolnshire Biodiversity Action Plan", which doesn't apply in North Yorkshire.

Formatting and content anomalies

- Several tables and headings (particularly in the “Policy Compliance” section) use different site names or formatting e.g. “Table 4: Policy M17 – Water Resources (Wressle site context).”
- Some paragraph numbering skips or repeats (e.g., 5.3 appears twice), consistent with partial editing of a reused document.
- The “Community Engagement” section incorporates language identical to that used in Egdon’s North Kelsey and Biscathorpe planning statements, including the sentence: “Public exhibitions were held in Broughton and Brigg.”
  Neither Broughton nor Brigg is remotely near Foxholes. Both are in Lincolnshire.

Inconsistent environmental references

- The hydrogeology section mentions “the Louth Chalk Aquifer,” which again is in Lincolnshire. The correct designation for Foxholes would be part of the Chalk of the Yorkshire Wolds.
- The ecology discussion refers to “Lincolnshire Biodiversity Records Centre” instead of the North and East Yorkshire Ecological Data Centre (NEYEDC). Another strong indicator of a recycled document.

Generic or misplaced contextual claims

- Several sentences use “the surrounding area” generically — but describe flat, open farmland, whereas Foxholes is set in a steep valley landscape.
  This mismatch shows text not tailored to the specific topography of the Wolds.
- One paragraph (p. 40) says:
  “The site is well screened by mature hedgerows and industrial buildings.”
  There are no industrial buildings near this proposed site and is certainly not well screened. Again likely carried over from a different, more developed site context (Wressle).

Implications

These copy/paste errors matter more than they might seem. They:

- Undermine the credibility and diligence of the environmental assessment.
- Suggest the applicant has not fully understood or site-specifically assessed the local hydrology, ecology, or community context.
- Provide legitimate grounds for objection under NPPF para. 31 and MWJP D01, which require that planning submissions be based on accurate, proportionate, and site-specific evidence.

The Planning Statement contains multiple references to unrelated sites (including Wressle, North Kelsey, and Ancholme catchment), indicating that large portions of the document have been copied from previous applications.

These errors show that the applicant has not prepared a site-specific assessment, contrary to NPPF para. 31 and MWJP Policy D01, which require that planning submissions be based on accurate and locally relevant evidence. Accordingly, the Planning Statement cannot be relied upon as a robust demonstration of compliance. We therefore urge NYCPC to refuse this application on that basis.

4. Planning Statement - Inadequate Policy Compliance

Egdon claims to have complied with the National Planning Policy Framework (NPPF), the Minerals and Waste Joint Plan (MWJP), and the Ryedale Local Plan Strategy (RLPS), but it does so in a selective, largely declarative way, rather than by demonstrating measurable or evidenced compliance.

How Egdon claims policy compliance

Throughout the document, Egdon's approach is mostly to assert that the proposal is in line with policy, often using brief summary statements such as:

"The development is consistent with the principles of sustainable minerals development as set out in the NPPF."

"The proposal complies with the MWJP policies relating to groundwater protection and landscape."

"The impacts will be short term and fully mitigated."

These phrases are presented without detailed cross-referencing or supporting evidence.

In other words, the statement names the policies, but rarely demonstrates that their requirements are met.

Policy by policy assessment (and where justification is missing)

A. National Planning Policy Framework (NPPF)

Egdon repeatedly cites the NPPF's support for "energy security" and "sustainable minerals extraction."

However:

- It largely omits NPPF paras. 152–158, which require planning to support the transition to a low-carbon future and reduce greenhouse gas emissions.
- The statement equates "temporary and reversible" development with "sustainable" development, which misreads the NPPF's definition, since temporary industrial activity can still conflict with climate and landscape objectives.
- There is no quantified carbon assessment, so no basis for asserting NPPF consistency on climate policy.

  Partial compliance claimed, but not substantiated.
  The NPPF's climate, biodiversity, and amenity provisions are under addressed.

B. MWJP (Minerals & Waste Joint Plan)

Policy M17 / D09 – Water Environment

- Egdon states that risk to the Chalk Principal Aquifer is "low" and adequately mitigated by well design and site lining.

- However, MWJP D09 requires evidence that there will be no unacceptable risk, supported by quantitative hydrogeological modelling and long-term baseline data.
- Egdon proposes only three months of groundwater baseline monitoring. Environment Agency (EA) guidance suggests 12+ months.
- The Conceptual Hydrogeological Model is referenced but not disclosed.

  Compliance claimed but unproven — there is insufficient data to verify compliance with D09.

Policy D06 – Landscape

- Egdon asserts that the site "sits well within the existing topography" and is visually contained.
- Yet the same document admits it lies within an Area of High Landscape Value, and less than 1 km from the Yorkshire Wolds National Landscape boundary.
- No verified photomontages or night-time visualisations are provided, just a qualitative statement that impacts are "minor."

  Policy referenced, but justification lacks required visual evidence or analysis, hence a non-compliance risk.

Policy D07 – Biodiversity

- The statement notes an ecological baseline survey but provides no quantified Biodiversity Net Gain (BNG) metric or mitigation hierarchy (avoid–mitigate–compensate).
- MWJP D07 requires that "a net gain in biodiversity will be provided where possible," and the Environment Act 2021 now mandates a 10% net gain.
- Egdon provides no BNG calculation or management plan.

Claimed compliance, but no evidence. BNG absent.

Policy D02 – Amenity and Cumulative Impacts

- Egdon's claim: impacts are short-term, minor, and "no significant cumulative effects are expected."
- There is no cumulative impact matrix showing a comparison with nearby energy, transport, or agricultural developments.
- Noise, lighting, and traffic assessments are general and not quantified in terms of thresholds (e.g., dB, lux, HGV movements).

Superficial compliance claimed; no supporting quantitative data.

Policy D11 – Climate Change

- Egdon's statement that "no gas will be exported for combustion" is used to justify omitting Scope 3 emissions.
- However, the purpose of exploration is to enable production and combustion, therefore Scope 3 emissions are foreseeable.

- The Supreme Court's Finch decision (2024) establishes that such emissions must be assessed.

Non-compliant. Justification conflicts with current case law and policy.

C. Ryedale Local Plan (RLP)
Policy SP13 – Landscapes
- Egdon describes the rig as "visible but not prominent," without photometric proof or landscape character assessment.
- The RLP requires that development "protect and enhance valued landscapes" not merely minimise visibility.
- The vertical rig structure (30–40m) would clearly alter local character during operation.

Insufficient evidence to demonstrate compliance; claim is qualitative only.

Policy SP17 – Water Resources
- Egdon repeats EA general guidance but fails to show how site drainage and liner systems meet the SP17(iii) requirement to "prevent pollution of surface and groundwaters."
- No drainage design drawings or containment testing data are included.

Compliance asserted, not evidenced.

Policy SP20 – Generic Development Management Issues
- Egdon says all amenity effects will be "kept within acceptable limits."
- Yet there are no numerical standards or noise/light modelling outputs provided to verify that claim.
- Continuous 24-hour drilling and lighting for 6 weeks likely conflicts with SP20's requirement to prevent material adverse effects on amenity.
  No data = no substantiation. This is only partial or non-compliant.

<u>The overall pattern</u>
Egdon's Planning Statement is essentially a narrative of compliance rather than a demonstration of compliance.
It:
- Lists relevant policies but provides minimal measurable evidence;
- Relies heavily on operator assurance ("impacts will be acceptable") rather than independent or modelled data;
- Treats short duration as justification for acceptability, which does not meet the policy tests of "no unacceptable harm";
- Uses outdated or incomplete environmental frameworks (e.g., omits Biodiversity Net Gain, Finch case law).

Egdon's planning statement does not genuinely demonstrate policy compliance.
It uses the correct language of compliance but lacks the supporting evidence required by the NPPF, MWJP, and RLPS. This leaves the application vulnerable to objection or legal challenge, particularly on:

- **Climate change (Scope 3 omission)**
- **Groundwater protection (insufficient data)**
- **Landscape and lighting (no visual or lux evidence)**
- **Biodiversity net gain (not addressed)**

On that basis we respectfully request that the application be refused.

5. Unacceptable risk to surface and groundwater

The proposed site lies within the Yorkshire Wolds.The chalk aquifer beneath the site:

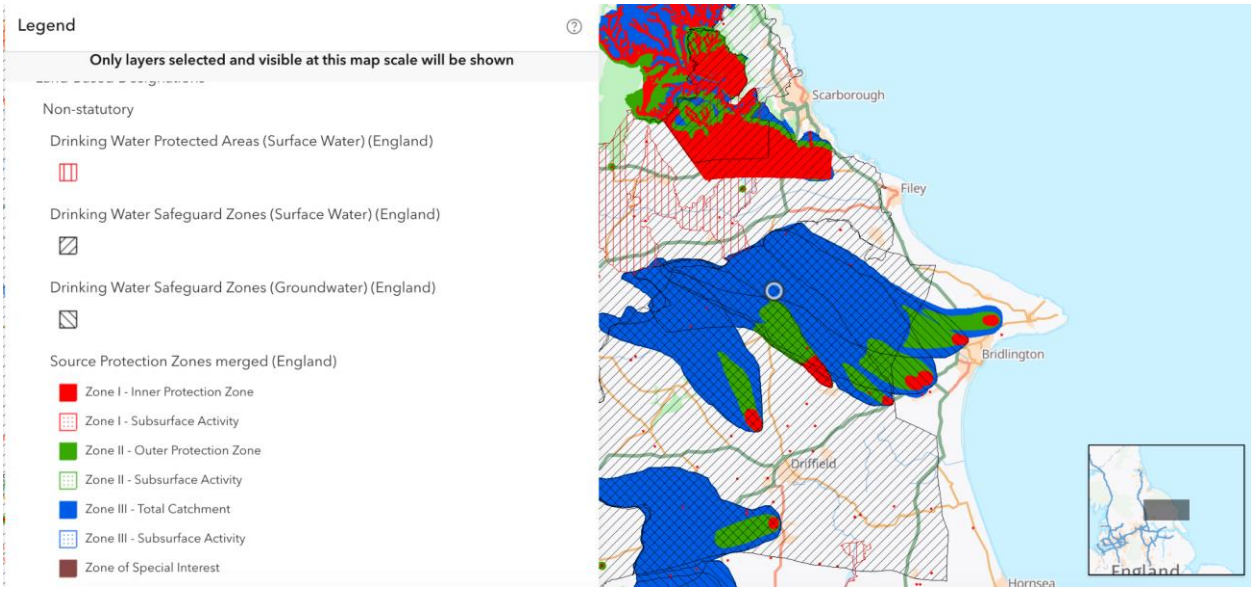
- Has low matrix permeability but highly interconnected fractures,
- Is capable of significant groundwater storage and flow,
- It is classified as a Principal Aquifer and Drinking Water Protected Area under the EU Water Framework Directive (retained in UK law).

The chalk aquifer beneath the site is particularly vulnerable to contamination due to its permeability and fractured structure. Karstic conduits and episodic springs, like those seen at Wetwang and Huggate, indicate the potential for rapid subsurface pollutant transport.

The proposed drilling site, directly through a principal chalk aquifer, is particularly sensitive for a number of other reasons. It lies within Source Protection Zone 3 (total catchment) for groundwater abstraction and several private water supplies and one licensed abstraction is located within 690–1,300m. In terms of groundwater and local ecology, Foxholes and the surrounding area sits within numerous groundwater designations which can be viewed on Magic Map in more detail, namely:

Source Protection Zone 3 for numerous potable water supplies
Groundwater Drinking Water Safeguard Zone for: Haisthorpe, Burton Agnes and Bridlington.
The proposed drilling site, specifically, sits within a field designated as a Source Protection Zone (SPZ) type 3. Meaning Foxholes sits in what is termed a Total Catchment Zone. This defines an area from which groundwater flows towards an abstraction point (well or spring). One of which locally is Haisthorpe, near Bridlington. Here, the borehole supplies local water, which is treated at Yorkshire Water's Haisthorpe Treatment Works. Essentially, Foxholes sits within a SPZ3, where any pollution or changes to the groundwater could affect the water being drawn for drinking or other uses.

Please see image below (courtesy of public source information - MagicMap)



"Any breach of the chalk aquifer would be catastrophic for 900,000 residents, farmers and businesses. Especially when monitoring is like marking your own homework and is certainly not scrutiny." (Foxholes resident).

The HRA, FRA and SWDS assessment concludes "*low/negligible risk*" This relies heavily on assumptions about well integrity and mitigation. Any failure of casing or surface drainage could directly affect the Principal Chalk Aquifer, which supports drinking water for almost a million residents in East Yorkshire.

The assessment also downplays the impact on the Gypsey Race. A rare chalk stream within Flood Zone 2/3, sited only 12m lower than the proposed site, it is in hydraulic continuity with superficial deposits and the primary chalk aquifer. This chalk stream is an irreplaceable, unique water body and ecosystem, which must be safeguarded from harm.

The report acknowledges risks from spills, drilling muds, and preferential pathways, but still classifies them as "*negligible*" post-mitigation.

Significant reliance is placed upon Containment and Management Systems
The design assumes impermeable membranes, bunds, and tanker removal of surface water will always function effectively. No contingency is assessed for system failure, human error, or extreme weather, contrary to NPPF para. 183 (pollution prevention) which requires planning for accidents and resilience. This is an unacceptable omission in the context of an aquifer supplying potable water to the East Riding.

FRA notes a "*High*" surface water flood risk at the site entrance (Butt Lane).
This is dismissed as "l*ocalised and shallow*" (<0.3m), but the access road is essential for emergency and tanker operations. Even shallow flooding could block access in a spill or storm

event. NPPF paras. 159–161 require sequential testing and resilience to climate change, which this FRA does not robustly demonstrate.

Additionally, there is significant post-restoration uncertainty.
The FRA states risks post-restoration will return to “Very Low”, but provides no evidence of how ground integrity will be monitored long-term once casing and membranes degrade.
MWJP Policy M17 requires assurance of restoration feasibility and long-term protection of the environment, which is not provided.

There is also over-reliance on Operator Assurances. This is a long way removed from Operator Compliance. Much of the risk reduction is conditional on “*operation and maintenance to the highest standards”*
The NPPF (para. 183) and MWJP require planning decisions to *prevent unacceptable risks, not just manage them through operational assurances.*

Chalk aquifers in this area are regionally crucial drinking water resources (for a population of almost 1 million in the East Riding of Yorkshire), particularly as our climate is changing.
Desktop research and consultation with the EA, British Geological Society (BGS) and North Sea Transition Authority (NSTA) indicates the strongest circumstantial evidence for several wells which may have penetrated chalk aquifers are Wytch Farm, Horse Hill and Broadford Bridge. Logs indicate they have penetrated strata beneath the Chalk, and that in those regions the chalk aquifer is a drinking water resource.

But we could not find a public, verifiable example yet (from those three) where all the boxes are ticked: i.e. a published borehole log + local abstraction data showing the chalk aquifer is both penetrated AND used for drinking water.

Egdon’s claims to have already done so on several occasions is therefore questionable (*Response to F&BPC - 4th Sept. 2025*).They have drilled adjacent to chalk aquifers and through chalk deposits and penetrated some shallow aquifers, but that is not the same as drilling directly through a principal chalk aquifer which is used for drinking water.

If that is the situation, this would be a novel risk, a test case. Regulators and developers would have little to rely on in terms of past experience. Hence the burden on the applicant to demonstrate safety, monitoring, emergency measures etc. is that much greater yet.

Even if that were not the case, any contamination risk to a regional supply of drinking water is wholly unacceptable given the policy emphasis on high levels of protection. Hence it conflicts with:

MWJP (D09) relating to the water environment. This requires proposals to avoid unacceptable risk to surface and groundwater.

NPPF (para. 196). These relate to ground conditions and pollution. It requires that planning decisions ensure a site is *“suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.”*

NPPF Para. 185 requires that new development should avoid creating risks from pollution that could adversely affect human health or the natural environment.

NPPF Para. 186 emphasises the need to ensure that unacceptable risks from pollution are prevented.

MWJP (M17) Requires hydrocarbon development to avoid unacceptable risks to sensitive environmental receptors, which includes water resources. By definition, drilling directly through a chalk aquifer, a principal drinking water source for almost 1 million people, presents an unacceptable risk.

RLP (SP17 and SP20) relating to Green Infrastructure and Climate Change and Generic Development Management Issues, require development to protect environmental assets and avoid risks to human health. Groundwater contamination risks conflict with these local policies as well.

In practice, penetrating a principal chalk aquifer used for drinking water creates a non-mitigable risk, in conflict with these NPPF, MWJP and RLP requirements:

NPPF (para. 174, 180 & 183-186) Insufficient protection of sensitive water environments (Chalk aquifer, Gypsey Race, private supplies), lack of robust contingency for accidents, reliance on best practice rather than prevention.

MWJP Policy D09 – Inadequate demonstration that risks to groundwater and surface water are avoided.

MWJP Policy D07 – No assessment of biodiversity impacts of potential water contamination.

MWJP Policy M17 – Failure to show long-term integrity of restoration and aftercare.

NPPF paras. 159–161 – Flood resilience underestimated, particularly regarding site access and climate change.

Ryedale Local Plan SP17 & SP20 – green infrastructure and health protection.

The precautionary principle applies in planning law when potential impacts are serious and uncertain. The development creates wholly unacceptable risks for meagre reward and should therefore be refused on that basis.

Supporting references:

Bloomfield, J.P., Bricker, S.H., & Hughes, A.G. (2020). *Characterising Variations in the Salinity of Deep Groundwater in the UK*. British Geological Survey, NERC Open Research Archive.

British Geological Survey (BGS). (2023). *Aquifer Designation Map and Geology Viewer*. British Geological Survey.

British Geological Survey (BGS). (Various Years). *Borehole Records: Fordon 1 and Hunmanby 1*. GeoIndex Database, BGS.

Environmental Permitting (England and Wales) Regulations. (2016). *Duty to prevent deterioration of groundwater chemical status*. UK Government.

European Parliament and Council. (2000). *Water Framework Directive (2000/60/EC): Groundwater Quality Obligations*. Official Journal of the European Communities.

Newell, A.J., Ward, R.S., & Fellgett, M.W. (2016). *A Preliminary 3D Model of Post-Permian Bedrock Geology in the Vale of Pickering, North Yorkshire, UK*. NERC Open Research Archive.

Roberts, N.M.W. (2020). *Near-surface Palaeocene Fluid Flow, Mineralisation and Faulting in the Yorkshire Wolds*. Solid Earth, 11(4), 1397–1414. European Geosciences Union.

Ward, R.S. (2016). *Environmental Baseline Monitoring – Vale of Pickering: Phase I*. NERC Open.

6. Saline Intrusion

The proposed drilling traverses multiple aquifer systems in the Yorkshire Wolds, including the Principal Chalk Aquifer and the Corallian Limestone Aquifer,(contains saline, brackish groundwater and studies have indicated the presence of dissolved methane here) which are separated by jurassic and marine sediments. Below these lies the target for gas exploration, the Sherwood Sandstone Group (SSG), parts of which have been proven to contain hypersaline water. This deep, hypersaline groundwater is indicative of a pressure sensitive, confined hydrogeological feature. This is structurally controlled by the Market Weighton High and the Vale of Pickering fault system. These structural elements and known borehole records demonstrate potential vertical and lateral pathways between these deep hypersaline deposits and shallower aquifers (including the Corallian and Chalk), which are used for public and private water supply.

Any drilling, pressurised injection, stimulation or gas-related activity that alters subsurface pressure, risks mobilising these dense brines or enabling saline upconing into overlying fresh groundwater bodies. The Environmental Permitting (England and Wales) Regulations 2016 and retained Water Framework Directive objectives require the prevention of deterioration of groundwater chemical status *regardless of baseline salinity.* So it does not just apply to potable water supplies.

Any drilling or pressurised fluid operations through these formations create a *material risk of saline intrusion*, where denser saline groundwater displaces or mixes with overlying freshwater. This can be triggered or exacerbated by abstraction, pressure changes, or poor well integrity.

Hydraulic isolation cannot therefore be assumed. Once saline intrusion occurs, it is typically irreversible, rendering aquifers unusable for drinking water supply.
In addition, hypersaline waste water cannot be effectively treated with a standard treatment plant to allow discharge to surface water. This would require a specialist treatment plant, which is unlikely to be on site (for a short term project). This would require transport of the hypersaline waste water to another pre-designated site, and thence to an approved disposal or reinjection site. All of the above conflicts with:

NPPF (para. 174) requires that planning decisions safeguard the natural environment, including protection of soils and water resources.

NPPF paras. 183–185 require development to ensure that it does not result in unacceptable risks from pollution. Saline intrusion is a recognised pollution pathway which would compromise potable water resources.

NPPF para. 188 requires decision-makers to consider whether development is appropriate in its location, taking account of its likely effects on the natural environment. The hydrogeological setting here is complex and vulnerable to contamination.

MWJP (Policy M17 or M21) states that proposals will only be permitted where they can demonstrate that there will be no unacceptable impacts on the quality or availability of water resources.

The applicant has not demonstrated that saline intrusion risks have been fully assessed or mitigated. In the absence of clear evidence, the precautionary principle must apply. This proposal fails to demonstrate compliance with the requirements of the NPPF and the MWJP to protect groundwater resources. The risk of irreversible saline intrusion presents an unacceptable threat to the Principal Chalk Aquifer, which is vital for public water supply, agriculture, and ecological health. For these reasons, the application should be refused.

Supporting references:

Bloomfield, J.P., Bricker, S.H., & Hughes, A.G. (2020). *Characterising Variations in the Salinity of Deep Groundwater in the UK.* British Geological Survey, NERC Open Research Archive.

British Geological Survey (BGS). (2023). *Aquifer Designation Map and Geology Viewer.* British Geological Survey.

British Geological Survey (BGS). (Various Years). *Borehole Records: Fordon 1 and Hunmanby 1.* GeoIndex Database, BGS.

Newell, A.J., Ward, R.S., & Fellgett, M.W. (2016). *A Preliminary 3D Model of Post-Permian Bedrock Geology in the Vale of Pickering, North Yorkshire, UK.* NERC Open Research Archive.

Roberts, N.M.W. (2020). *Near-surface Palaeocene Fluid Flow, Mineralisation and Faulting in the Yorkshire Wolds.Solid Earth* 11 (4): 1397–1414. European Geosciences Union.

Ward, R.S. (2016). *Environmental Baseline Monitoring – Vale of Pickering: Phase I.* NERC Open Research Archive.

7. Well integrity risks

Scientific and regulatory guidance recognises that well integrity is harder to assure in deviated and horizontal wells compared to vertical wells.

Risks include:

- Increased mechanical stresses on casing and cement.
- More challenging cement placement, raising the possibility of incomplete zonal isolation.
- Higher likelihood of annular pressure build-up and gas migration.
- Greater wear and corrosion due to extended lateral sections.
- More complex and less reliable monitoring of barriers.

These factors cumulatively raise the risk of loss of well integrity and unintended release of gases, including methane, which is a potent greenhouse gas.

Well cement in contact with chalk aquifer water may degrade differently than in sandstone or shale environments. Laboratory and field work shows that leaching and dissolution can occur. Groundwater in chalk, bizarrely, can be undersaturated in calcium and draws calcium ions out of the cement (leaching) . This increases porosity and weakens the cement over time.

Sulphate attack (localised), can also occur if the chalk aquifer contains gypsum or other sulphate minerals, which can attack cement, resulting in cracking.
This can be compounded by interface effects, where the cement–chalk rock boundary can be a weak point. Dissolution at this interface creates micro-annuli (gaps which form between the casing and surrounding cement), which gas can migrate through.

Field evidence in the UK (North Sea), where wells were drilled through chalk formations, in long-term monitoring showed higher rates of sustained casing pressure (gas migration) compared to sandstone reservoirs. This was attributed to cement degradation at chalk interfaces.

Laboratory simulations with chalk aquifer water confirm that cement exposed to chalk derived groundwater develops a leached, weakened rim zone within a few years under flow conditions, as we have on this site.

In addition, there are Public Health and Environmental Concerns. Any compromise in well integrity risks contaminating groundwater or allowing uncontrolled gas migration to the surface. Deviated drilling through multiple strata increases the number of formations exposed to potential leakage pathways. Particularly in this case where deviated drilling in a NW direction, is directly contrary to the flow of water (SE).

In situations where there are hypersaline brines, this is complicated yet further. Hypersaline brines are highly corrosive, this changes cement and casing chemical behaviour . Failure of the casing/cement is the most common pathway for fluid migration.

This is compounded by regulatory oversight limitations. While the Health and Safety Executive (HSE) set strict standards, detailed well integrity data is NOT made publicly available. This lack of transparency limits public and local authority ability to scrutinise safety claims, contrary to the principle of informed consent in planning.

The UK is legally bound by climate change targets and the MWJP states that environmental and community safeguards must be paramount. Approving higher-risk drilling techniques that compromise well integrity would run counter to both national climate commitments and local mineral planning policy. Specifically this conflicts with:

MWJP (M16), as it does not adequately avoid sensitive areas nor demonstrate that alternative locations have been fully considered.

MWJP (M17) as it does not ensure effective sealing and prevention of contamination under the acknowledged increased risks of lateral drilling.

MWJP (M18) It is inconsistent with this, given that the proposal does not demonstrate there is no unacceptable environmental impact, particularly regarding well integrity, which is fundamental to operational safety and environmental protection.

Given the above, we respectfully submit that this application should be refused on the grounds that the MWJP requires that proposals demonstrate high levels of environmental protection; the increased risks associated with lateral and deviated drilling conflict with this policy aim.

Supporting references:

González, A., López-Moro, F.J., & Ordoñez, B. (2021). *Cement–carbonate Interaction under Groundwater Conditions.Engineering Geology,* 297. Elsevier.

API / HSE (Health and Safety Executive). (2018). *Well Integrity Guidance for Onshore Oil and Gas Wells.* HSE Publications.

Committee on the Medical Effects of Air Pollutants (COMEAP). (2022). *Health Effects of Long-Term Exposure to Particulate Air Pollution.* UK Health Security Agency.

DEFRA (Department for Environment, Food and Rural Affairs). (2019). *Air Quality Guidance and National Objectives.* DEFRA Publications.

Institute of Air Quality Management (IAQM) & Environmental Protection UK (EPUK). (2017). *Land-Use Planning and Development Control: Planning for Air Quality.* London: IAQM.

Institute of Air Quality Management (IAQM). (2018). *Odour Guidance for Local Authorities.* London: IAQM.

Natural England. (2024). *Guidance: Natural Environment and AONB Setting – Yorkshire Wolds National Landscape Buffer Sensitivity.* Natural England.

NERC (British Geological Survey / Natural Environment Research Council). (2016). *3D Model of Post-Permian Bedrock, Vale of Pickering – Supporting Dataset.* NERC Open Research Archive.

8. Issues with site location, access, safety and sustainability

The Transport Assessment (TA) recognises that the site has *no meaningful access by walking, cycling or public transport* (nearest bus: 1.2 km away, with only 2 buses a day; nearest rail: 9.7 km away). This conflicts directly with:

NPPF paragraphs 109–110, which require developments to promote sustainable transport and reduce car dependency.

"Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places."

Specifically, this should involve integrating transport considerations into early engagement with communities.This has NOT taken place in Foxholes. Furthermore..

"The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes."

MWJP (policy M16) states proposals must demonstrate they are in *suitable* locations and that there is a *safe and suitable* access to the site.

Highway safety concerns relate to a number of roads forming the route proposed in the TA and Planning statement (PS).

Butt Lane is a narrow (5.2m wide), C class road, with no centre line markings (approaching the site) and no street lighting or footpaths. It is rural in character, having a 60mph speed limit, with average speeds of 55–64mph (though these were undertaken independently of NYC, hence the accuracy of the data cannot be interrogated). C-class roads are “classified unnumbered roads” which are typically designed for local access, farm traffic, and low HGV volumes, *not continuous heavy-goods movements.* It is narrow, with damaged verges, multiple potholes, and several pinch points where two cars cannot safely pass. It is used daily by school buses, agricultural vehicles, refuse collection trucks, cyclists, and pedestrians.

A 15.7 % increase in HGV traffic would exceed the level generally regarded by the Chartered Institution of Highways and Transportation (CIHT) 2019, and local highway authorities as a *material increase* on rural C-class roads (typically 10 %).

HGVs and LGVs turning into/out of the site may conflict with fast-moving local traffic. Some visibility splays are shown, but real-world safety risks (especially at night, in poor weather, or with agricultural traffic, particularly in seasonal peaks) are not fully addressed.

HGVs exiting Butt Lane onto the B1249, will need to turn right at a staggered crossroads, a location where the speed limit is derestricted, with restricted visibility of downhill traffic from Driffield, a very significant hazard. This conflicts with:

MWJP (policy M16) which requires proposals for hydrocarbon exploration, appraisal and production demonstrate that sites are in *suitable locations with safe and adequate access.* In addition, where sites fall within sensitive areas such as AONB buffer zones (as we do), applications must include detailed assessment of access and traffic impacts.

There is a significant issue with site location, which fails the safety and suitability test. Safety and suitability of access are both lacking in this application. We therefore respectfully suggest the application should be refused on that basis.

9. Issues with road safety and traffic impact in Foxholes

Foxholes already suffers from longstanding and well documented road safety issues. There are no safe pedestrian footpaths or crossings, and the village has only very limited traffic calming infrastructure. The lack of a safe pedestrian or cycle infrastructure only amplifies the risk for non-motorised road users. Recent speed surveys by North Yorkshire Council, on the B1249 Foxholes, (January 2025) showed that 58% of vehicles exceeded the speed limit by 10% or more, with the Community Speedwatch team having also recorded speeds of up to 59mph in a 30mph zone. These existing conditions demonstrate a highway environment already under stress.
Traffic data from North Yorkshire Council (June 2025) shows that the B1249 through Foxholes carries approximately 5,000 vehicles per day, with around 9% (450) being HGVs. This is a higher baseline level than assumed in the applicant's TA. Against this context, the forecast 2,039 additional vehicle trips (HGV + LGV), with up to 90 extra vehicle movements per day at peak (including 36 HGVs), represents a 15.7% increase in HGV traffic on the B1249.
For a rural village, this is clearly significant, contrary to the TA's *"non-material"* conclusion.

Furthermore, the TA fails to provide information on the percentage **i**ncrease of HGV traffic along Butt Lane itself, a much narrower and less suitable access road.

The TA also fails to consider non-standard and vulnerable road users, notably cyclists. It incorrectly states there are no cycle routes within 2km, when in fact NCN Route 166 crosses the Butt Lane/B1249 junction and runs north through Foxholes, directly along the proposed HGV/LGV construction traffic route.

These omissions undermine the validity of the TA and raise serious concerns about the safety of pedestrians, cyclists, and residents. This conflicts with:

NPPF Paragraph 114(b): fails to demonstrate safe and suitable access for all users.

NPPF Paragraph 115: risks an unacceptable impact on highway safety.

NPPF Paragraph 117(d): fails to safeguard access for service and emergency vehicles given the lack of alternative routes.

MWJP M17: requires developers to demonstrate sufficient road capacity AND appropriate access arrangements. It also requires assessment of cumulative impacts, including climate change. The application does not adequately address cumulative climate impacts. Pursuing new fossil fuel extraction is inconsistent with national and regional decarbonisation targets.

MWJP Policy D03 (Transport): fails to show that traffic can be safely accommodated on the highway network, with no unacceptable impacts on safety or the function of rural roads.

RLP Policy SP20: fails to provide safe access, and prejudices highway safety and the proper functioning of the highway network.

While the TA concludes a "non-material" impact, the combination of rural high-speed lanes, vulnerable pedestrian use, and potential HGV peaks indicates a risk that is not adequately mitigated in the application. Given these factors, the proposal cannot be considered safe or acceptable in transport terms and should be refused.

Supporting references:

Department for Transport (DfT). (2013). *Circular 02/2013: The Strategic Road Network and the Delivery of Sustainable Development*. Department for Transport.

Department for Transport (DfT). (n.d.). *Design Manual for Roads and Bridges (DMRB) CD 123 / CD 236: Junction Visibility and Access Safety Standards*. National Highways.

Department for Levelling Up, Housing and Communities (DLUHC). (2024). *National Planning Policy Framework (NPPF) Paragraphs 109–117: Sustainable Transport, Safe Access, and Cumulative Impacts*. UK Government.

Minerals and Waste Joint Plan (MWJP). (Adopted Policies M16, M17, D03). *Location, Road Capacity, and Transport Safety Policies*. North Yorkshire County Council, City of York Council, and North York Moors National Park Authority.

North Yorkshire Council. (2025). *Traffic Data Summary: Baseline 5,000 Vehicles per Day, 9% HGVs*. North Yorkshire Council.

Ryedale District Council. (Adopted Policy SP20). *Highway Safety and Proper Network Function Policy*. Ryedale Local Plan.

Egdon Resources plc. (2024). *Weaverthorpe Planning Statement: Transport Assessment Traffic Data*. Egdon Resources.

10. Lack of Alternative Access

The proposed development relies entirely on a single narrow access route (Butt Lane), single lane trunk road, through Foxholes (B1249) and single lane road to, from and including Staxton Hill. No alternative route is specified in the event of an accident, emergency, or road closure.

We also know that Staxton Hill is closed annually for repair and remedial work. This normally takes 1 week, but in Sept/Oct 2025, it took 2 weeks. The disruption and dangers posed by unsuitable vehicles (HGV etc.) diverted onto totally unsuitable country roads, beautifully illustrated the risks to our local Wolds communities. The lack of an alternative route in the event of planned or unplanned road closure, illustrates a lack of resilience which poses a serious risk to both site safety and local communities.

This conflicts and therefore fails to comply with:

NPPF (para 114 on transport and safety), which requires that *safe and suitable access for the site can be achieved for all users*. Plus (para 115) if there is an *unacceptable impact on highway* safety or the cumulative impacts on the road network would still be severe after mitigation.

MWJP Policy D03 (Transport of Minerals and Waste), which requires that *traffic can be safely accommodated on the highway network and that access is suitable, safe, and sustainable.*

RLP (SP20), which requires *safe access that does not prejudice highway safety or the function of the network.*

*N.B. Any discussions about an alternative route, with Highways, must take place **prior** to a planning decision in order that other villages/communities who are affected by this can be consulted in advance of a decision being taken.*

Without robust alternative access arrangements, the development cannot be considered safe, sustainable or resilient. We therefore request this application should be refused.

11. Traffic Emissions and Sensitive Rural Roads

The TA supplied makes no reference to the impact of idling/stop–start of traffic. None of this is appraised. Also, traffic screening uses average speeds, ignoring narrow rural lanes where convoying and passing manoeuvres increase nitrogen dioxide and PM emissions.
Trackout onto public highways is not properly considered. No enforceable trackout control plan or road-cleaning regime is proposed. This conflicts with:

MWJP (D03) where *“Proposals must demonstrate that transport of minerals and waste will not give rise to unacceptable impacts, including traffic emissions and effects on communities along transport routes.”*

Consequently, the application does not show traffic-related emissions will avoid unacceptable impacts, contrary to D03. On that basis, the application should be refused.

12. Impact upon air quality

The Air Quality Impact Assessment (AQIA) provided focuses almost entirely on the short term construction and drilling phases. This treats the impacts on air quality as temporary. Similarly, the cumulative effects of increased HGV/LGV traffic (over and above the existing 450 HGV's daily) are not adequately considered. There is a failure in the AQIA to properly assess cumulative impacts. This conflicts with:

MWJP (policy D02) which requires consideration of cumulative impacts.

Short-term nitrogen dioxide at the nearest dwelling (Westfield House 640m) is assessed in the AQIA as being a 10.5% process contribution (PC) of the 1 hour nitrogen dioxide objective. IAQM/EPUK guidance treats changes approaching 10% of an objective as *potentially significant*, rather than being dismissed as *negligible*.
As previously stated, there will be 2,039 additional vehicle trips (HGV + LGV), with up to 90 extra vehicle movements per day at peak (including 36 HGVs). This will significantly increase the amount of regulated pollutants, nitrogen dioxide and particulate matter (PM) levels (both sizes 10 and 2.5) present. The assessment downplays this by calling the impacts *'negligible.'* PM10 can be inhaled in the upper respiratory tract and lungs, and is linked to asthma, bronchitis and a range of other respiratory conditions. PM2.5 is much finer and can penetrate deep into the lungs and enter the bloodstream. Even short term increases can worsen health for vulnerable groups such as children, elderly, pre-existing respiratory problems.This conflicts with:

NPPF (para 186-7) and MWJP (D02) which require protection from *unacceptable harm to health and amenity,* **regardless of duration.**

The AQIA also fails to properly consider sensitive receptors. In this context, they include residents in Foxholes (close to B1249 or Butt Lane), children walking to school buses and pedestrians, as well as cyclists on NCN Route 166 (who were completely excluded). The AQIA does not properly model exposure for these vulnerable groups. This conflicts with:

NPPF (para 186-7) aiming to prevent unacceptable risk to quality of life and health.
The AQIA claims that 'standard mitigation' is sufficient during site construction and drilling, but this fails to factor in a couple of items. Local meteorology involves a narrow chalk valley, which is predisposed to trap pollutants. AQIA places a reliance on Bridlington station data, which does not reflect local valley flows. Also, night time drilling operations (up to 24 hours) increases both nuisance and emissions. The AQIA argues that because operations will last 13 weeks, air quality effects are negligible. This conflicts with:

NPPF (para 191) and MWJP (D02), which *do not permit even short term unacceptable harm, where communities are directly exposed.*

MWJP (D02) – Local Amenity and Emissions to Air Policy wording *"Minerals and waste development will be permitted where there will be no unacceptable impacts on local amenity… including from emissions to air, dust, odour, and cumulative effects."*

Another significant under-representation of the impact on air quality in the AQIA, relates to inadequate assessment of emissions from flaring events. Flaring adds significant sources of nitrogen dioxide, PM10, PM2.5, volatile organic compounds (VOCs) and carbon dioxide beyond that of road traffic. Especially harmful given proximity of Foxholes residents and NCN cycle route 166.

Then we have reliance on flaring as a safety/emergency measure, which raises concerns about worst-case scenarios (noise, light, heat, and visible pollution). Assumptions for flare exit temperature/velocity and co-incidence of plant loads are optimistic, not reasonable worst-case scenarios. Uncertainty remains material; MWJP requires applicants to remove doubt, not shift risk onto communities. Flaring is inconsistent with a number of MWJP and NPPF policy requirements to minimise air pollution and greenhouse gas emissions in respect of Climate Change Mitigation and Low Carbon Economy (CCMLCE) and Environmental Protection and Pollution Control EPPC). Specifically, this conflicts with:

NPPF (para 8), outlines three overarching objectives for sustainable development: economic, social, and environmental. T*he environmental objective includes mitigating and adapting to climate change, which encompasses reducing greenhouse gas emissions and transitioning to a low-carbon economy.*

NPPF (para 11) introduces the presumption in favour of sustainable development, stating that plans and decisions should promote sustainable development unless specific policies indicate otherwise. *This presumption underscores the importance of aligning development with sustainability goals.*

NPPF (para 158) where in the context of renewable energy applications, local planning authorities are encouraged to approve applications if their impacts are acceptable, without requiring applicants to demonstrate the overall need for renewable projects. *This reflects a broader policy direction towards supporting low-carbon energy initiatives.*

NPPF (para 174), where planning policies and decisions should contribute to and enhance the natural and local environment *by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of pollution, including air pollution.*

NPPF (para 186) Planning policies and decisions *should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.* Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

NPPF (para 188) where the focus of planning policies and decisions should be on *whether proposed development is an acceptable use of land, rather than the control of processes or emissions*, which are subject to separate pollution control regimes.
RLP (SP17). Protects air quality and health, which is undermined by episodic combustion/traffic emissions.

Clearly the impacts on local amenity will be significantly less than acceptable and the application should be refused on that basis.

Supporting references:

Committee on the Medical Effects of Air Pollutants (COMEAP). (2022). *Fine Particulate Matter (PM2.5) and Health: Evidence Review*. UK Government.

Department for Environment, Food and Rural Affairs (DEFRA). (2019). *Air Quality Guidance and National Objectives: Pollutant Limits and Sensitive Receptors*. DEFRA.

Institute of Air Quality Management / Environmental Protection UK (IAQM/EPUK). (2017). *Land-Use Planning & Development Control: Planning for Air Quality – 10% Process Contribution Threshold for Significance*. IAQM/EPUK.

13. Limitations of the Odour Management Plan (OMP).

The OMP outlines operational controls intended to minimise odour from drilling, testing, and well abandonment. It identifies potential sources such as wellbore fluids, gas flaring, condensate storage, and waste handling, with mitigation through engineering design, management systems, and complaint procedures.

However, the document remains generic and procedural, with limited site-specific evidence or quantitative assessment. It provides no modelling, baseline odour survey, or dispersion assessment, and its approach largely relies on management response (reactive) rather than proactive control.

There are several issues here:

<u>Non-Compliance with the NPPF</u>

The NPPF (paragraph 185) requires that planning decisions *“mitigate and reduce to a minimum potential adverse impacts (including odour) on health and quality of life.”*

The submitted OMP fails to meet this standard because it includes no baseline odour survey, dispersion modelling, or receptor impact assessment. It relies solely on subjective ‘sniff testing’ and a complaint-based response system rather than prevention. It also contains template errors (including a reference to *Burniston Parish Council*, not Foxholes), indicating it is not site-specific.

Consequently, the OMP cannot demonstrate that odour impacts have been assessed or mitigated *to a minimum* as required under the NPPF.

Conflict with the Minerals and Waste Joint Plan (MWJP)

The proposal also fails to meet several key MWJP policies:

- Policy D02 (Local Amenity and Cumulative Impacts) requires that mineral development prevents unacceptable impacts from odour, dust, and other emissions.
- Policy D14 (Air Quality) requires that developments demonstrate no significant adverse effects on air quality or amenity.

The OMP does not provide any quantified odour emission data, modelling, or performance standards. It also explicitly acknowledges that during well testing or emergency venting, odour *"cannot be controlled."*

This admission of unavoidable odour events contradicts the MWJP's expectation that impacts be avoided or minimised to an acceptable level. Moreover, the plan fails to assess cumulative impacts in combination with other regional hydrocarbon activity, as required under MWJP D02 and D07.

Conflict with the Ryedale Plan

The Ryedale Local Plan contains clear amenity protection requirements under:

- SP17 (Managing Air Quality, Water and Land Resources) – development must not give rise to unacceptable emissions;
- SP20 (Generic Development Management Issues) – proposals must safeguard the amenity of nearby residents, including from odour.

The nearest residential receptors (West Field House at approximately 570 m, and Foxholes village at 870 m) are within the potential impact zone for fugitive odours.
However, no receptor-specific assessment or odour contour modelling has been undertaken. There is no prevailing wind or weather analysis; the mitigation measures (e.g. flaring, enclosed tanks) are not supported by empirical performance data.

Accordingly, the applicant has not demonstrated that odour will be limited to levels compatible with residential amenity as required under SP17 and SP20.

Technical and Procedural Deficiencies
Several issues undermine the reliability of the OMP:
The plan appears copied from another site (incorrect parish name, generalised controls).
There is no quantified assessment or use of recognised odour measurement standards (e.g. FIDOL, odour units per cubic metre).
The OMP is reactive, relying on complaints rather than proactive monitoring and control.
There is no commitment to baseline or operational odour monitoring to validate performance.

These omissions fall short of professional best practice and of the expectations of the Environment Agency and local planning policy.

Nature of the gas

The OMP completely omits any reference to the nature of the gas expected to be encountered. Specifically, whether it is sweet gas (low in hydrogen sulphide) or sour gas (containing significant hydrogen sulphide).

This omission is serious because:

- Hydrogen sulphide (H_2S) is *highly odorous, toxic, and corrosive*; even at concentrations far below health limits, it causes strong odour nuisance and health effects.
- Sour gas requires specialist management, including sealed systems, real-time gas detection, scrubbing or amine treatment, and emergency venting controls.
- The current OMP contains none of these measures and offers no contingency plan should H_2S be detected.

By assuming, without evidence, that only sweet gas will be encountered, the applicant has failed to assess or plan for a potentially serious health and environmental hazard.

This represents clear non-compliance with:

NPPF paras. 185–191, which require identification and mitigation of environmental risks;

MWJP Policies D02, D09 and D14, which require prevention of unacceptable emissions and robust protection of public health; and

Ryedale Plan Policies SP17 and SP20, which require protection of air quality, amenity, and human health.

Without confirmed gas composition data or contingency measures for sour gas, the OMP cannot be regarded as a reliable or policy-compliant document.

The OMP is inadequate, generic, and reactive, offering no reliable assurance that odour emissions will be prevented or minimised to acceptable levels. The proposal therefore conflicts with the NPPF, MWJP Policies D02 and D14, and Ryedale Plan Policies SP17 and SP20. We respectfully urge NYCPC to refuse this application on these grounds.

Supporting references:

Environment Agency. (n.d.). *H4 Odour Management Guidance: Requirements for Quantitative Modelling and Proactive Control*. Environment Agency.

Institute of Air Quality Management (IAQM). (2018). *Odour Guidance for Local Authorities: Baseline Survey and Dispersion Modelling Standards*. IAQM.

14. Failure to address cumulative impacts

This hydrocarbon development must not give rise to unacceptable cumulative impacts, whether from the combined effects of impacts arising from the same development (traffic, air quality, noise, light, landscape, health); or the combined effects with other existing, planned, or unrestored hydrocarbon development.

Planning decisions need to ensure that any new development prevents unacceptable risks from pollution and provides a high standard of amenity for existing and future users. This includes cumulative and combined effects.

The applicant's assessment does not properly address these requirements:

Traffic and Highway Safety The TA considers the Foxholes scheme in isolation, despite the B1249 already carrying ~450 HGVs per day. The forecast 36 additional HGV trips/day represents a 15% increase at peak. When combined with existing heavy traffic and speeding problems in Foxholes, the cumulative impact is clearly unacceptable.

Air Quality The AQIA considers only Scope 1 on-site emissions and excludes cumulative exposure from traffic-related NO_2, PM_{10} and $PM_{2.5}$. Sensitive receptors (residents, pedestrians, schoolchildren, cyclists using NCN Route 166) are exposed to emissions from multiple sources in combination, not in isolation.

Noise and Amenity Construction activity, 24-hour drilling operations, HGV traffic, and potential flaring each create disturbance. These interact cumulatively, yet the assessments treat them separately and downplay the overall community impact.

Future Hydrocarbon Development The application itself confirms that if hydrocarbons are found, further appraisal and production applications will follow. By excluding these foreseeable stages, the cumulative assessment baseline is artificially limited, contrary to MWJP M17 and the precautionary principle embedded in the NPPF.

The application fails to comply with MWJP Policy M17 and NPPF paragraphs 186–187. It does not assess or mitigate cumulative impacts on traffic, air quality, noise, amenity, or landscape, nor does it account for foreseeable combined effects of future hydrocarbon development. On this basis, permission should be refused.

15. Legal Deficiency – Finch Supreme Court Ruling

In R (Finch) v Surrey County Council [2024] UKSC 20, the Supreme Court held that an Environmental Impact Assessment (EIA) must include the downstream (Scope 3) greenhouse gas emissions resulting from the combustion of hydrocarbons.

The Court made clear that these emissions are an inevitable and foreseeable consequence of granting permission for oil and gas development, and therefore cannot be excluded as "too remote."

In the Foxholes case, North Yorkshire Council determined that an EIA was not required. However, this position is no longer legally sound in light of Finch. The Air Quality and Emissions Assessment submitted with the application only considers:

- Scope 1 (onsite) emissions of approximately 1,675 tCO_2e;
- It excludes emissions from combustion of hydrocarbons if the exploration proves successful (Scope 3);
- It excludes lifecycle Scope 2 and 3 emissions from transport, processing, and end use.

The downstream combustion of hydrocarbons is not a speculative or incidental by-product, it is the very purpose of the development.
Excluding these emissions renders the assessment legally deficient and materially misleading. By failing to assess Scope 3 emissions, the application does not comply with:

The Finch ruling (UKSC 20, 2024), which sets a binding precedent. *Planning Practice Guidance (PPG, Climate Change, para 003)*

NPPF (para 158), climate change. Requiring planning decisions to help shape places that contribute to radical reductions in greenhouse gas emissions.

MWJP (Policy D11) relating to Sustainable Design and Operation, which requires development to minimise greenhouse gas emissions.

RLP (Policy SP17) Green Infrastructure and Climate Change, which requires new development to reduce greenhouse gas emissions.

The exclusion of downstream and lifecycle emissions from the assessment is a legal and policy deficiency. Permission granted on this basis would be open to challenge, hence the application should be refused.

16. Siting the development on undeveloped, productive agricultural land

Agriculture is not only the backbone of rural economies, it is the ecological and economic lifeblood of communities like ours. The introduction of gas drilling operations, even conventional ones, poses significant and often under-appreciated risks to farmland, livestock, and long-term soil health. In addition to the issues of water contamination as previously discussed, where boreholes utilised for field irrigation may be rendered useless.

Whilst ‘conventional’ drilling (as in this application) is typically perceived as less invasive than hydraulic fracturing, it can still cause lasting damage to agricultural land. These impacts go way beyond the physical footprint of the borehole or the water table issues already discussed, and extend into the chemical, microbial, and ecological functions of soil systems.

Gas Emissions from Conventional Drilling

Conventional gas operations can release a range of harmful substances:

- Methane (CH_4): Can leak from well casings, pipelines, and condensate tanks.
- Hydrogen Sulphide (H_2S): A highly toxic gas often found in sour gas formations, dangerous even at low concentrations.
- Volatile Organic Compounds (VOCs): Emitted from condensate tanks, drilling fluids, and leaking equipment.
- Combustion Byproducts: Including nitrogen oxides (NO_x), carbon monoxide (CO), and particulate matter from diesel engines and flaring.

These substances can either:

- Escape into the atmosphere and settle on land, or
- Migrate underground and disrupt subsurface soil layers.

Mechanisms of Soil Impact

Chemical Disruption manifests in several ways:

pH Alteration: Gases such as H_2S dissolve in water to form acids (e.g., sulphuric acid), lowering soil pH and making it inhospitable to crops and soil biota.

Toxin Accumulation: VOCs and hydrocarbons can adsorb to soil particles, impairing root growth and killing beneficial microbes.

Anaerobic Conditions: Methane accumulation in soil displaces oxygen, creating oxygen-starved environments detrimental to aerobic soil life.

Loss of organic matter - reactive gases can degrade humic substances, diminishing soil structure, fertility, and water holding capacity.

Soil microbiome disruption is often overlooked:

Soil health depends on diverse microbial communities, fungi and bacteria etc that regulate nutrient cycling, organic matter decomposition, and plant resilience.

Gas emissions can suppress beneficial species, disrupt nitrogen and carbon cycling (e.g., denitrification) and weaken plant-microbe symbioses, including nitrogen-fixing bacteria and mycorrhizal fungi.

This microbial imbalance leads to reduced soil resilience, impaired crop productivity, and potential knock-on effects on livestock health via fodder contamination.

The proposed Foxholes site is undeveloped agricultural land (Grade 3b), which is in active use, contributing to local food production. It is a greenfield, not brownfield site, sited directly above a Principal Chalk Aquifer within a Source Protection Zone. There are a number of issues arising here:

1. Loss of Best and Most Versatile (BMV) Agricultural Land

The Agricultural Land Classification (ALC) survey identifies the presence of Subgrade 3a land (good quality agricultural land) within the proposed development area (0.1 ha, 6.2% of the site). The NPPF (174(b), 219) is clear that local planning authorities should avoid the unnecessary

loss of BMV land (Grades 1, 2, and 3a). *Even small areas are significant in cumulative terms and contribute to national food security.* The MWJP Policy M17 reinforces this requirement, demanding demonstration that development will not result in unacceptable impacts on agricultural land.

2. Uncertain Soil Restoration Success

The applicant's report proposes stripping and storing soils for later restoration. However, it provides no evidence that restoration would return soils to their pre-development quality. Research shows that stripping and storage often result in degradation of soil structure, compaction, and carbon loss, reducing productivity in the long term. This fails to meet the standards of MWJP Policy D11, which requires sustainable design, construction, and operation, including safeguarding soils.

3. Cumulative Loss and Policy Conflict

The report considers the site in isolation and does not assess cumulative impacts on BMV land in the locality. MWJP Policy D02 requires consideration of cumulative impacts of development. The incremental loss of even small areas of 3a land sets a damaging precedent for further encroachment into productive farmland, contrary to the aims of both MWJP and NPPF.

4. Risks to Soil Hydrology and Potential Contamination

The ALC report identifies significant limitations of wetness, workability, and droughtiness for much of the site. Construction and drilling operations are highly likely to exacerbate these constraints through compaction, drainage disturbance, and possible contamination from drilling fluids. These risks conflict with MWJP Policy D09, which seeks to safeguard the water environment and soil functions.

5. Conflict with Climate and Sustainability Objectives

The NPPF places strong emphasis on climate change mitigation and sustainable development. Onshore gas exploration is inconsistent with these objectives and risks undermining the transition to a low-carbon energy system. Furthermore, soil disturbance will release stored carbon, compounding environmental harm.

There is no policy justification for choosing productive farmland in such a sensitive hydrological setting when the development could, in principle, be located on a less sensitive brownfield site. The applicant has not provided a robust sequential assessment demonstrating that alternative, less harmful sites (including brownfield) have been fully considered. This conflicts with the NPPF, RLP and the MWJP on multiple grounds:

RLP (SP17) relating to Managing Water, Land and Air Resources. Where the presumption is that mineral development should be prioritised on previously developed land wherever feasible Sited directly above a Principal Chalk Aquifer within a Source Protection Zone, is also contrary to SP17's requirement to safeguard water resources.

NPPF (para. 174) indicates that planning decisions should protect and enhance soils, recognising the economic and environmental benefits of the best and most versatile agricultural land.
MWJP Policy D09 (Water Environment) – requires proposals to avoid unacceptable risk to groundwater and surface waters.

MWJP Policy D10 (Reclamation and Afteruse) – expects high standards of land restoration and aftercare, which cannot offset the unjustified loss of productive agricultural land.

MWJP (D11). Failure to demonstrate that soils can be restored to their original quality.

MWJP (D02) Lack of cumulative assessment of BMV land loss.

MWJP (D09) Risks to soil hydrology and contamination.

NPPF (152-3) Conflict with national climate mitigation policy.

This application has located a new hydrocarbon development on productive agricultural land rather than previously developed land. Failed to safeguard groundwater resources and lacks a sequential site assessment. All of which reinforces the unjustified nature of this location. The application should be refused on that basis.

17. Impact on Yorkshire Wolds (Proposed National Landscape)

The proposed development lies within a highly valued and scenic rural setting, at the heart of *Yorkshire's 'Golden Triangle'* of protected and celebrated landscapes; the Yorkshire Dales, North York Moors, and Yorkshire Wolds. This wider landscape matrix is not only ecologically and culturally important but is also a major draw for tourism and recreation, with views and tranquility forming part of the area's economic and social capital.

The proposed drilling site lies only 880m from the proposed Yorkshire Wolds National Landscape (AONB). The proposal includes the installation of a 38-metre high drilling rig, which would:

- Visually dominate the local skyline during the initial phase (operational for up to six weeks).
- Be highly visible from surrounding open countryside, ridgelines, and key public rights of way.
- Potentially impact long-distance views into and out of the proposed Yorkshire Wolds National Landscape (formerly AONB).

- Be highly visible from several viewpoints along the Thwing and Octon Heritage Trail (funded by the UK Shared Prosperity Fund) utilising footpaths around the two villages. *This was not even mentioned in the LVIA.*

The site lies approximately 900 metres from the proposed National Landscape boundary and is well within the 3.5 km visual sensitivity buffer identified for the Yorkshire Wolds. As such, the visual amenity impacts must be considered significant and require robust assessment. This proposal conflicts with:

NPPF (paras 176–177), which requires great weight to be given to conserving landscape and scenic beauty, including pending designations which are material considerations.

MWJP (Policy D06 and D04) both demand a high level of protection for valued landscapes. The LVIA (Section 3.4.5–3.4.9) acknowledges proximity but downplays the potential harm.

We recommend refusal of this application on the basis that intervisibility and setting impacts on the Wolds are insufficiently assessed.

18. LVIA conflicts with multiple local and national policies

Inadequate Cumulative Impact Assessment (LVIA)
The LVIA restricts its study area to 5km, despite the proposed 38m drilling rig being visible over longer distances in this open chalk valley landscape.
Lack of, or inadequate cumulative assessment seems to be a recurring theme in the documentation. Cumulative assessment (Section 4.7) here, excludes consideration of wind turbines and other vertical infrastructure in the Wolds.This conflicts with:

NPPF para. 174 and MWJP Policy D10, which require full assessment of combined and sequential visual effects.

Baseline and Viewpoint Deficiencies
In the LVIA, surveys were conducted on a single day in April 2025 (Section 4.5.3), ignoring seasonal variation when visibility is higher (e.g. winter). This results in a weak and unrepresentative baseline.
Viewpoints are largely limited to public roads and public rights of way (though not all were considered e.g. Thwing & Octon Heritage Trail).
The impacts on private residential receptors (e.g. Foxholes and Wold Newton) are inferred rather than directly assessed (Section 4.12.1). This is in direct conflict with:

MWJP Policy D06(4) which requires schemes to demonstrate a *high standard of design and mitigation, having regard to landscape character, the wider context, and visual impact*.

Failure to Assess Whole Project Lifecycle
The LVIA specifically excludes *Phase 4 (suspension/restoration)* from the assessment (Section 4.11.2). This is inconsistent with:

NPPF requirements for comprehensive assessment.

MWJP (Policy M17), which requires consideration of restoration and aftercare feasibility.

Insufficient Mitigation

The LVIA proposes no effective mitigation for the 38m rig, which will be starkly visible. Removal of 10m of hedgerow (Section 8.2) with like-for-like replacement fails to achieve the net gains for biodiversity and landscape required by NPPF para. 180 and MWJP Policy D07. Reliance on the temporary nature of the proposal does not reduce the significance of harm during the construction and operation phases.

Underestimation of Landscape Value

The LVIA concedes that the site falls within an Area of High Landscape Value (Ryedale SP13) and Important Landscape Area (East Riding ENV2), adjacent to the proposed AONB. Despite this, impacts are classified as *"neutral"* or *"minor"* adverse (Appendix 2). This is inconsistent with the sensitivity of the setting and contrary to MWJP Policy D04 and NPPF para. 174.

The site's location, within the visual setting of the pending Yorkshire Wolds National Landscape, demands a precautionary and policy compliant approach. The scale and temporary nature of the drilling rig does not negate its potential to cause unacceptable harm to the setting and character of the surrounding landscape, particularly in an area identified for enhanced statutory protection. At 38m, the rig will significantly exceed the local treeline height, making mitigation impossible.

The application conflicts with multiple provisions of the NPPF (paras. 174–177, 179-182), the MWJP (Policies D04, D06, D07, D10, M17) and the RLP Policies SP13 & SP18 relating to landscape character and local distinctiveness.

The LVIA is deficient in its methodology, underestimates impacts on a sensitive landscape, and fails to adequately mitigate or justify the harm. For these reasons we urge North Yorkshire Council to refuse this application.

Supporting references:

Environment Act. (2021). *Part 6: Mandatory 10% Biodiversity Net Gain Requirement*. UK Government.

Natural England. (2024). *Guidance: Natural Environment and Areas of Outstanding Natural Beauty (AONB) Setting – Buffer Sensitivity Considerations*. Natural England.

19. Light Pollution Impact

We fully recognise and support the requirement that any operational site must maintain adequate lighting to enable a workforce to operate safely and effectively, particularly during hours of darkness or reduced visibility. Site lighting is a necessary safety measure, and its importance is not disputed.

However, it is equally important that this need is balanced against the rights of local residents and the preservation of the rural environment. Lighting should not intrude unnecessarily into neighbouring properties, disturb sleep, or compromise the character of areas defined by their tranquillity and dark skies, such as the Yorkshire Wolds.

A Government research paper placed in the House of Lords Library, *Noise and light pollution: What's the harm?* (17 December 2024), defines light pollution as:

"Light shining where it is not intended or wanted. It is a source of annoyance to people, harmful to wildlife and undermines enjoyment of the countryside or the night sky, especially in areas with intrinsically dark landscapes."

The Yorkshire Wolds fall squarely into that description. The area is promoted for its unspoilt natural character, attracts significant tourism based on its dark skies and landscapes, and is home to a community that values peace, quiet, and rural serenity.

In the same report, the article *'The neglected pollutants: the effects of artificial light and noise on human health'* notes:

"Artificial light at night can influence human health by disturbing sleep and circadian rhythms."

The North Yorkshire Council itself defines light pollution as:

"The intrusion of over-bright or poorly directed lighting onto neighbouring properties , for example, a neighbour's security light spilling into a bedroom and preventing sleep."

Importantly, the council states that it is unreasonable to expect residents to take steps such as installing blackout blinds to mitigate such impacts. Where the light intrusion is unreasonable and persistent, it may be treated as a statutory nuisance.

However, under the Environmental Protection Act 1990, as amended by the Clean Neighbourhoods and Environment Act 2005, there is a relevant caveat:

"Premises used for transport purposes or where high levels of light are required for safety and security reasons are excluded from the Act."

This means that if the drilling site is approved, residents could be lawfully subjected to intrusive light pollution, without recourse under nuisance legislation. Not because the intrusion is reasonable, but because the activity falls outside the Act's protective scope.

<u>Impacts on Dark Skies and Landscape Setting</u>
The Yorkshire Wolds is recognised for its dark skies and tranquillity. Lighting from the 38m drilling rig and associated site floodlighting will significantly affect night-time character, yet the Lighting Assessment (LA) categorises these as only "*minor*" effects.

This underestimates harm, contrary to NPPF para. 185(c), which requires planning to protect areas of tranquillity and dark landscapes, and MWJP Policy D06(4), which requires high standards of design respecting visual impacts.

Under-representation of Residential Receptors

The assessment focuses on roadside and limited viewpoints, omitting direct assessment of nearby villages (Foxholes, Wold Newton) and farmsteads.

This fails to capture community impacts, contrary to MWJP Policy D06(4), which requires consideration of setting and sensitive receptors.

Incomplete Assessment of Ecological Impacts

Artificial lighting is known to disrupt bats, birds, and nocturnal wildlife, yet the LA defers ecological assessment to other reports.

NPPF para. 180 and MWJP Policy D07 require developments to avoid biodiversity harm and deliver net gains. Without integrated consideration, the LA is incomplete and non-compliant.

Over-reliance on Mitigation by Design

Proposed angled floodlights, hoods, and time limits rely heavily on correct installation and ongoing operator compliance.

No assessment is made of residual impacts should lighting malfunction, be mis-angled, or require intensification during drilling.

This reliance on management alone is inconsistent with NPPF para. 183, which requires prevention of unacceptable risks rather than dependence on operator performance.

Lack of Cumulative Assessment

The Lighting Assessment does not adequately consider cumulative effects with other night-time infrastructure, such as wind turbine aviation lights or scattered rural lighting.

NPPF para. 174 and MWJP Policy D10 require assessment of cumulative and sequential effects on landscape and tranquillity, which has not been provided. The LA fails to demonstrate compliance with:

NPPF (paras. 174, 180, 183, 185) and the MWJP (Policies D06, D07, D10).

Rural communities like Foxholes should not be expected to absorb the full environmental cost of industrial activity without robust safeguards.

This LA underestimates harm to dark skies, residential amenity, and biodiversity, while relying excessively on mitigation without contingency. Therefore, we urge refusal of this application.

20. Noise

According to the European Environment Agency (EEA), noise pollution refers to:

"Harmful or unwanted sounds in the environment, which in specific locales, can be measured and averaged over a period of time."

In practical terms, noise pollution arises when unwanted or intrusive sound disrupts daily life or negatively impacts health. Sound itself is characterised by pitch and volume, with volume typically measured in decibels (dB). Crucially, noise may be continuous or intermittent, and its impact depends not only on loudness, but also on timing, duration, and frequency of occurrence. All factors that influence human perception and stress response.

The B1249 passes directly through the Great Wold Valley, a landscape whose shape and surface conditions significantly amplify environmental noise, especially traffic. The valley acts as an acoustic corridor, where sound travels farther and is more intrusive due to the following factors:

1. Valley Channelling & Sound Reflection

The linear, concave topography of the Wold Valley guides sound waves along its length, effectively channeling and concentrating road noise. As waves reflect off the valley's gently sloping sides, the sound persists and can appear louder than in open or elevated landscapes.

2. Topographical Resonance

The long, enclosed nature of the valley causes echoing and sound layering. Instead of dissipating, sounds, particularly those from fast-moving vehicles, are compounded by overlapping reflections, making them more intense and disruptive.

3. Atmospheric Inversion

Valleys are prone to temperature inversions, especially overnight or in still weather. A warmer air layer traps cooler air (and noise) beneath it. This acoustic "ceiling" prevents upward sound escape, meaning noise from even a single passing HGV or Motor Bike can seem prolonged, amplified, and inescapable to residents.

4. Road Surface and Traffic Type

The B1249 uses coarse tarmac, which produces more tyre friction noise, especially at higher speeds or during braking. As a primary rural through route, it also accommodates heavy vehicles, which further increases noise intensity and duration.

5. Low Ambient Sound / Lack of Noise Masking

Foxholes is a quiet, low-density village, meaning the natural ambient sound level is very low. In such environments, even moderate noise sources stand out starkly.
With little competing sound, road and industrial noise becomes immediately noticeable and more stressful.

6. Lack of Natural Sound Barriers

The surrounding terrain is predominantly open countryside with minimal hedgerow, woodland, or topographical shielding. Without vegetation to absorb or scatter sound, the valley walls instead reflect it, further amplifying perceived volume.
In this context, there are issues with the Noise and Vibration Impact Assessment (NVIA)

Baseline and survey limitations:
Baseline monitoring was undertaken over only two days in March, providing an unrepresentative dataset.
Very low background noise levels (26 dB) were recorded, but the assessment still applied BS 4142 despite its guidance *not to use the method* below 30 dB.

This undermines the reliability of the conclusions, contrary to MWJP (Policy D02), which requires protection of local amenity.

Underestimation of night time impacts:
Drilling and testing will operate 24/7, with predicted night time noise at Westfield House reaching 37–38 dB, above local background levels (~26 dB).
The assessment dismisses this as a *low impact*, but even small increases above background are significant in tranquil rural settings.

This conflicts with NPPF (paras. 187 and 198), which require protection of residential living conditions and tranquillity.

Narrow definition of residential receptors:
Only three receptors (Westfield House, Eastfield, Applegarth) are modelled.
Nearby villages (Foxholes and Wold Newton) and scattered farmsteads are omitted, despite being within 1–2 km and subject to low baseline noise.

This under represents community impacts and fails to meet MWJP (Policy D02).

Cumulative impacts excluded (yet again)
The NVIA explicitly excludes cumulative impacts from other existing or consented developments.

This is inconsistent with NPPF (para. 224 b) and MWJP (Policy M17(2), which require cumulative noise impacts to be assessed.

Over-reliance on mitigation by design:
Predicted compliance depends entirely on acoustic housings, silencers, and operator practices.
No consideration is given to equipment failure, deterioration, or extended drilling periods.

This reliance on management, rather than prevention, is inconsistent with NPPF (para. 183).

Tranquillity dismissed:
The NVIA report dismisses the area as non-tranquil due to local traffic, despite its rural location and very low noise baselines.

This undervalues the tranquillity of the area, contrary to NPPF (para. 185(b) and MWJP (Policy D06(4).

Ecological noise impacts ignored:
The NVIA excludes potential disturbance to local species, considering only designated sites more than 3 km away.
This fails to consider protected bats, birds, and other species in the local landscape.

This omission conflicts with NPPF (para. 180) and MWJP (Policy D07).

The NVIA is methodologically weak and underestimates both residential and ecological impacts. The application fails to comply with the NPPF (paras. 183, 185, 187, 198, 224) and the MWJP (Policies D02, D06, D07, M17). Noise from 24/7 drilling would erode local amenity, tranquility, and ecological value in this sensitive rural area. Hence the application should be refused.

21. Absence of seismic monitoring

This region is generally characterised by low natural seismicity, with few recorded earthquakes of note. However, it is not entirely without precedent: in January 2011, a magnitude 3.6 earthquake occurred near Ripon, which was felt across North Yorkshire, including in York and Malton.

To support environmental baseline studies in regions targeted for subsurface energy exploration, the BGS installed a dense network of seismic sensors across the Vale of Pickering in 2015. This network, funded by the former Department for Business, Energy and Industrial Strategy (BEIS), was designed to establish baseline seismic data, enabling clear distinction between natural tectonic activity and any induced seismicity potentially caused by subsurface drilling or gas extraction.

There are geological and structural considerations at play here. The Foxholes area lies on complex chalk geology. Geological surveys, including those by the Hull Geological Society, have documented structural features near the village, including:

- Exposure of the Burnham Chalk Formation in a local disused quarry.
- A monoclinal fold with a steep limb, indicative of significant historic structural deformation.
- A dextral normal fault zone, which provides evidence of active or past tectonic movement in the subsurface.

While these features may not directly indicate ongoing seismic risk, they underscore the geological sensitivity of the local subsurface environment and reinforce the importance of cautious monitoring during intrusive ground operations.

North Yorkshire Council (NYC) has issued general guidance on land movement risks, including sinkholes, subsidence, and landslips. NYC currently assesses the risk of ground instability in the Foxholes area as low, but notes that any anomalies or concerns should be reported promptly to local authorities for investigation. Notably, several residential properties in and around Foxholes

are of chalk construction and lack modern foundations, making them potentially more vulnerable to ground vibration, movement, or settlement arising from industrial activity.

There are precautionary principles to consider in relation to gas exploration. In February 2025, NYC concluded that the gas exploration proposal near Foxholes would not require a full Environmental Impact Assessment (EIA) under current thresholds. However, the council recommended that targeted technical assessments be carried out to address specific risks, including:

- Ground vibration and induced seismicity,
- Noise and operational disturbance, and
- Flooding or water-table interference.

Given that the Foxholes area has not previously hosted gas exploration operations, the impacts of subsurface drilling on local geology and settlement are unknown. Therefore, it is critical that robust baseline data be obtained and made publicly available, and that real-time seismic monitoring be incorporated into any planning or operational framework.

Even though Egdon states that high-volume hydraulic fracturing and reinjection are not proposed, drilling and well testing could still generate low-level seismic events. Without a monitoring framework, the Local Planning Authority (LPA) cannot be confident risks are properly assessed and managed. The absence of any seismic monitoring provisions conflicts with:

The NPPF (paras 187, 198, 224) requires that planning decisions prevent unacceptable risks to human health and the environment. The lack of seismic monitoring undermines compliance with NPPF principles on precaution, risk mitigation, and protecting communities.

MWJP (Policy M18) requires that hydrocarbon developments demonstrate they will not result in unacceptable environmental or public health impacts. Egdon's proposal fails to demonstrate compliance here, as there is no evidence seismic risk is being actively assessed or mitigated.

RLP SP17 (Managing Air Quality, Land and Water Resources) extends to environmental protection and risk management. SP20 (Generic Development Management Issues) requires that proposals protect local amenity, health and safety. Omitting seismic monitoring leaves a gap in demonstrating how risks to public safety and amenity will be managed, contrary to SP17 and SP20.

Although Egdon is not proposing fracking or reinjection (in this application), any subsurface operation carries seismic risk, however minor. The omission of a seismic monitoring plan means the proposal fails to demonstrate compliance with the above and should therefore be refused on that basis.

22. Lack of genuine independence

The companies providing environmental, technical and impact assessments are directly commissioned and paid for by the applicant. Their financial models create a dependency creating a strong incentive to deliver favourable findings.This compromises objectivity and conflicts with:

NPPF (2025 para 40) which requires planning decisions to be based upon *proportionate, objective and up to date evidence.* Evidence supplied under direct financial influence, cannot meet this standard.

RLP (SP18) emphasises safeguarding environmental resources through robust assessment. Reliance on conflicted evidence, undermines this requirement.

Custom and practice is a long way south of best practice. The application should be refused on that basis.

23. Selective and Incomplete Assessment

These reports highlight best case scenarios, whilst minimising significant risks including groundwater contamination, methane leakage and cumulative air pollution. Viable alternative energy strategies are not explored. This conflicts with:

MWJP Policy (D02) which requires that such developments demonstrate *no unacceptable cumulative impacts on health, air quality, groundwater and local amenity.*

RLP (SP18) encourages renewable and low carbon alternatives.

The reports fail to assess these, contrary to local and national climate commitments and the application should be refused on that basis.

24. Absence of accountability

Consulting firms who produce these reports bear no responsibility if their conclusions prove flawed and the result is harm. The burden of risk all lies with communities, taxpayers and regulators. Particularly in the absence of a *requirement* for financial bonding or insurance. This conflicts with:

NPPF (para 39) stressing the importance of accountability and transparency in planning. Assessments prepared without responsibility for their accuracy, lack credibility.

MWJP (Policy 13) restoration and aftercare r*equires clear accountability for impacts.*

The absence of clear accountability for restoration and aftercare from the applicants funded reports, precludes approval. The application should be refused on that basis.

25. Conflicts of interest

Many of the companies supplying these reports are heavily reliant on the extractive industries and their contracts. Their *'independence'* is nominal rather than genuine. This conflicts with:

NPPF (para 41) which requires that evidence used in planning must be *transparent, impartial and capable of being tested.*

We suggest that the evidence provided is lacking in transparency, impartiality and the ability to be tested. On that basis, the application should be refused.

26. Incomplete assessment of a historic environment.

Presence of probable prehistoric and Iron Age remains

The geophysical survey records an oval enclosure and a large trapezoidal anomaly which the author concludes are "likely to be archaeological features, perhaps prehistoric and related to the nearby features identified in aerial photographs."

The same anomaly corresponds closely to the Iron Age burial pit recorded by the North Yorkshire Historic Environment Record (HER).

This shows that significant buried features lie within or immediately adjacent to the development boundary, directly contradicting the applicant's claim that "no archaeological features are known within the wellsite."

Incomplete and low quality survey data

The geophysical report concedes that "the quality of magnetic data obtained by the survey is poor, with considerable interference in the northern part of the survey."

It also admits that the known "L-shaped ditch recorded by the HER is not recorded by the magnetometry survey… suggesting the possibility that some features may not have been captured."

This demonstrates that the data set is not sufficiently reliable to support conclusions of "low archaeological potential." The absence of evidence cannot be treated as evidence of absence.

Failure to comply with NPPF requirements

Under Para. 211 of the National Planning Policy Framework (2024), applicants must describe the significance of any heritage assets affected, including potential archaeology, to a level proportionate to their importance.

The current submission falls short: no trial trenching or intrusive evaluation has been undertaken, despite both reports identifying moderate to high potential for prehistoric remains along the proposed access road and southern field.

NYCPC therefore cannot properly assess the heritage impact or discharge its statutory duty to protect the historic environment as a non-renewable resource (NPPF para. 208).

Risk of irreversible loss

The Desk Based Assessment warns that excavation and landscaping "are likely to have a negative impact on any subsurface archaeology present."

The combination of incomplete data and proximity to a probable burial site means there is a real risk of permanent destruction of unrecorded heritage assets, contrary to NPPF para. 212–213.

Impact on the setting of the Grade II Church of St Mary
The 38m drilling rig would be visible from parts of Foxholes, and the applicant's own assessment concedes that from higher ground "the tower of St Mary's Church is discernible in the same view."
Even temporary visual intrusion within this rural landscape constitutes less than substantial harm to the setting of a designated heritage asset under NPPF para. 209–210, which must be given great weight in decision-making.

Given the admitted poor-quality data, the detection of probable prehistoric features, and the acknowledged potential for undiscovered archaeology, the current application fails to meet national policy standards for assessing and protecting heritage assets.
Accordingly, we request that NYCPC refuse the application on heritage grounds until adequate evaluation, including trial trenching, has been completed.

Both the desk-based and geophysical surveys confirm that the Foxholes site lies in an archaeologically rich landscape. The evidence reveals probable prehistoric and Iron Age remains immediately beside the development area, while admitting data gaps and missed features. **The proposal therefore cannot be said to have fully assessed or mitigated its impact on the historic environment, as required by planning policy.**
We respectfully urge NYCPC to refuse this application on archaeological and heritage grounds.

27. Deficiencies in Community Engagement

Whilst the applicant has submitted a Statement of Community Involvement (SCI), we believe this document is procedurally and substantively deficient. The NPPF (2023, paras. 39–42) and the North Yorkshire Council SCI (2024) stress the importance of '*early, meaningful and transparent engagement with communities*.'

The SCI suggests that *''to ensure **extensive involvement** with the local community and its interested stakeholders''* a variety of consultation approaches were utilised. It states that this forms *''a comprehensive public engagement and consultation programme.''*

''Meetings'' (plural).
The *only* meeting that Egdon participated in, face to face, was an informal fact finding meeting with some representatives of FBPC and WNPC. This meeting was at our invitation, prior to submission of the planning application and had no official status.
There have been 3 subsequent requests made by FBPC, all declined, for Egdon to participate in an open meeting with our Foxholes community (we are aware similar invites from neighbouring villages were declined also). Egdon only wanted to meet with PC representatives (via Teams), after the Planning Application was submitted. We declined this offer, as by then we were formally engaging in requesting further information and asking questions via the planning

process, through the online portal. Such a meeting (online or face to face) was deemed superfluous by FBPC, if we could not open it out to our community.
This cannot be regarded as extensive involvement with a local community and its key stakeholders.

''Event''
The *only* event that Egdon hosted was at Foxholes Community Hall on 30th May 2025 from 2.00 - 6.00 pm. This event took place on a Friday ahead of a Bank Holiday weekend, when many of our community were still working or had gone on holiday. Most attendees were from outside the village.
Only 4 written responses were captured from a 'consultation' that reached 284 households and recorded 59 attendees.
This cannot be regarded as a meaningful reflection of community views.

''Briefing email with leaflet''
This was *only* sent to the FBPC and Weaverthorpe PC Clerks, despite the fact that Wold Newton, Thwing & Octon, Willerby & Staxton and Ganton PC's are designated 'statutory consultees' and that Wold Newton is directly affected by this proposal.
This cannot be regarded as reaching out to interested stakeholders.

A site tour of Egdon's operational oil production site at Wressle, near Scunthorpe has been offered (at our initiation) and will be undertaken shortly by 2 councillors, one each from FBPC & WNPC.

Other consultation activities undertaken include leaflet distribution (limited in scope), posters, project web pages, site and press notices and provision of an email address.

During this Planning Application process, FBPC on behalf of our community has requested additional information from Egdon (given their lack of engagement) on three occasions. Egdon has refused to supply this. Information requested includes:

<u>Chemical Inventory and Safety Data</u>
We fully understand that this is not a requirement of NYC's validation checklist and that the permitting regime is distinct from the planning process. Nonetheless, we consider that this information is required in the public interest and in the interests of transparency, in order for the application to be properly assessed, and to facilitate a substantive response.

However, given that Egdon have already prepared the documentation and submitted this as part of their request for an environmental permit, why the reticence to publish this information on the planning portal?

How can this not be seen as requisite information, when they plan to drill through our primary chalk aquifer and potable water supply?

This will become publicly available as part of the Environment Agency's Public Consultation at some point. We wished to ensure that our community could view this, prior to the closing date for responses. This has been thwarted. Thrice.

Non-Technical Summary

We are well aware that this is not *normally* provided unless an Environmental Statement is required. As a Parish Council and a community, such an application and volume of technical documentation and information is totally unfamiliar to us.

Why then, if Egdon are committed to ''constructively engage with the community and associated relevant bodies'', are they unwilling to provide the information in plain language, such that local residents and the general public can understand the proposed project and its impacts, without needing specialist knowledge?

Construction Management Plan

We are well aware that this is *normally* a condition attached to the grant of planning permission. We are also aware that some of the 'likely' information is set out in the Transport Assessment.

So why is such an important part of the application not made public prior to determination?

All of the consultation activities undertaken by Egdon, are part and parcel of a box ticking exercise to meet legal and regulatory requirements. They have displayed a blatant unwillingness to supply us with all the information we need to make an informed decision. The SCI illustrates an almost total disregard for community engagement or involvement and the arrogance of a 'big energy' corporation.

The SCI also shows no evidence of alternative site or design options being presented, despite both NPPF guidance and NYC's SCI requiring developers to explore and present *genuinely different options and choices*.

This is doubly surprising given the previous application for the Fordon 1 Exploratory Well Site (2013) - NY/2013/0226/FUL. Location: North Cotes Road, approximately two fields north of the currently proposed site.

Feedback provided by event attendees (not many residents) on groundwater, traffic, and farmland loss, has not been shown to influence the design or mitigation proposals. Instead, consultation materials appear weighted towards promoting the development, with one respondent describing the information as "biased."

This SCI conflicts with a number of specific policies:
The MWJP contains specific policies on hydrocarbon development.
Policy M16 (Hydrocarbon Development – Exploration): Proposals must demonstrate that they can be carried out in a way that avoids unacceptable environmental and community impacts.
Policy M17 (Development Management): Proposals must address noise, traffic, landscape, groundwater, and cumulative impacts.

Policy M18 (Hydrocarbon Development – Production): Sets out safeguards for longer-term operations, which exploratory drilling may pave the way for.

The SCI itself records concerns on:

- Groundwater protection and potential contamination risks.
- HGV traffic and highway safety, including conflicts with cyclists on rural roads.
- Noise, light spill and air quality impacts.
- Loss of farmland and landscape harm.

The applicant has not demonstrated how these concerns will be mitigated in line with MWJP policy requirements. The lack of evidence undermines compliance with the adopted Plan.

Several strategic policies of the Ryedale Plan are in play here:

SP18 (Minerals): Requires proposals to be environmentally acceptable and demonstrate clear mitigation of impacts.

SP20 (Generic Development Management Issues): Requires that development does not have an unacceptable impact on the amenity of local communities in terms of traffic, noise, odour, water resources, and landscape character.

SP13 (Landscapes): Seeks to protect the distinctive character of Ryedale's countryside.

The SCI and associated application documents fail to show compliance with these policies. In particular, groundwater protection, traffic safety, and rural character impacts are insufficiently addressed.

North Yorkshire Council's own SCI (2024) makes clear that:

> *"A failure to undertake adequate consultation may reduce the weight the Council gives to the consultation statement and be material to the determination of the application."*

The applicant's SCI does not meet the standards set out by the Council, the NPPF, or industry best practice. This is a material consideration weighing against approval.

For the reasons outlined above, the application conflicts with the NPPF, MWJP Policies M16–M18, and Ryedale Plan Policies SP18, SP20 and SP13. The deficiencies in this insufficient and unbalanced consultation, coupled with unresolved environmental and amenity harms, mean the proposal fails to demonstrate compliance with adopted planning policy.
We therefore respectfully request that North Yorkshire Council refuses this application.

28. Incomplete proposals which cannot guarantee the claimed Biodiversity Net Gain (BNG).

The Biodiversity Net Gain Assessment (BNGA) document relies on assumptions, speculative habitat creation, and incomplete proposals which cannot guarantee the claimed BNG.

There is uncertainty of BNG delivery. The report claims an 11.95% net gain in habitats and 237% net gain in hedgerows. However, these figures are dependent on extending the application boundary by 1 hectare or relying on off-site compensation. Neither option has been secured.

No binding 30-year habitat management plan is provided, contrary to the requirements of the Environment Act 2021 and BNG good practice principles. The net gain is therefore speculative, not guaranteed.

This fails to comply with NPPF para 180, which requires measurable and secured net gains to be integrated into development design.

There is also a failure of the mitigation hierarchy. This requires avoidance of biodiversity loss first, then minimisation, before compensation. The scheme proposes the complete loss of existing cropland habitat (covering almost the entire site), with mitigation relying only on post-construction habitat creation or enhancement.

This approach is inconsistent with MWJP Policy D07 and Ryedale Plan SP14, which require applicants to demonstrate that harm has been avoided where possible, not simply offset.

In addition, there is a distinct lack of strategic biodiversity context. The BNGA acknowledges that no Local Nature Recovery Strategy (LNRS) has been factored into the evaluation, meaning habitat creation is not clearly aligned with local ecological priorities. The RLP SP14 and MWJP D07(6) both require development to contribute to strategic biodiversity objectives and ecological networks. Without this integration, the claimed gains cannot be said to meaningfully enhance the wider landscape or natural capital.

MWJP Policy D07(8) requires assessment of cumulative impacts, including interaction with other mineral developments. The BNGA report is silent on cumulative effects (e.g. the combined impacts of exploratory and potential production phases). This omission is a material deficiency.

There are also inflated gains claimed and an over reliance on a low baseline. The large net gain percentages are achieved by enhancing poor-quality baseline features (hedgerows in “moderate” condition). While technically permissible within the metric, this may overstate ecological benefits and does not equate to genuine biodiversity enhancement of higher value habitats. This approach risks greenwashing net harm to the site’s biodiversity.

The Biodiversity Net Gain Assessment is inadequate and fails to demonstrate policy compliance. The application should therefore be refused on the following grounds:

1. **Unsecured biodiversity gains (contrary to NPPF para 180, Environment Act 2021, MWJP D07, Ryedale SP14/SP20).**
2. **Failure of the mitigation hierarchy, with wholesale loss of habitat and no avoidance measures (contrary to MWJP D07 and Ryedale SP14).**
3. **Lack of integration with local ecological priorities (contrary to MWJP D07(6) and Ryedale SP14).**
4. **No cumulative impact assessment (contrary to MWJP D07(8)).**
5. **Risk of overstated or undeliverable net gains, undermining the credibility of the application.**

We therefore respectfully urge North Yorkshire Council to refuse this application on biodiversity and environmental grounds.

29. Omission of Waste Transport and Disposal Details

We are aware that normally this information would be provided in the Environmental Statement or Waste Management Plan, if submitted with the planning application (not the case here),or the Environmental Permit application to the EA, which would specify waste transport, treatment, and disposal routes.

The application fails to provide any details of where, how, or by whom waste generated from the exploratory drilling and testing phases will be transported, treated, or disposed of. This represents a significant omission, as such operations inevitably produce liquid and solid wastes, including drilling muds, cuttings, contaminated water, and potentially hazardous materials.

The accompanying TA makes only a single, generic reference to *"vehicles carrying waste material off-site being sheeted,"* but it provides no indication of the waste volumes, classifications, destinations, or disposal methods. There is also no assessment of the associated vehicle movements, potential for spills, or risk to public highways and nearby communities.

Without this information, it is impossible to evaluate the true scale of traffic impacts, pollution risk, or compliance with environmental protection standards. This omission undermines the validity of the Transport Assessment and the wider environmental evaluation, and therefore the application cannot be considered complete or compliant with good practice.

Foxholes & Butterwick Parish Council therefore objects on the grounds that the application fails to identify and assess the transport, handling, and disposal of waste materials arising from the proposed development, creating unacceptable uncertainty and risk to the environment, road safety, and public health. We urge NYCPC to refuse the application, on that basis.

30. Application is contrary to national and local planning policy and inconsistent with statutory climate obligations.

Conflict with National Energy and Climate Policy

EN-1 (2024) and the Net-Zero Trajectory

The applicant's Planning Statement asserts that new onshore gas exploration accords with national energy policy.

This is incorrect. Paragraph 2.2.5 of EN-1 (2024) confirms that the Government is legally committed to achieving net-zero greenhouse-gas emissions by 2050, and paragraph 3.3.2 states that future energy generation must be consistent with the Climate Change Act 2008 (as amended) and the Sixth and Seventh Carbon Budgets.

EN-1 paragraph 3.3.10 emphasises that while security of supply remains important, it must not undermine the statutory net-zero target. Paragraphs 3.4.1 and 4.2.1 prioritise renewables, low-carbon fuels and demand reduction. No paragraph of EN-1 (2024) provides explicit support for new onshore hydrocarbon exploration.

Therefore, granting permission for this application would be incompatible with EN-1 (2024) paras.2.2.5, 3.3.2 and 3.3.10, and with the Energy White Paper (2020) and Powering Up Britain (2023), both of which *require* a managed decline of fossil-fuel extraction.

Reliance on Superseded Ministerial and Policy Statements

The Planning Statement relies on Written Ministerial Statements (WMS) from 2013 to 2019 to justify onshore gas exploration.

These statements pre-date:

- the 2050 Net Zero Target (The Climate Change Act 2008 (2050 Target Amendment) Order 2019);
- the removal of NPPF paragraph 209(a) by the Secretary of State in 2019; and
- subsequent national policy revisions placing renewables and efficiency at the centre of the energy transition.

As such, reliance on those WMS documents is materially misleading, and the application cannot be considered compliant with current Government policy.

Non-Compliance with the NPPF (2024)

Key provisions of the NPPF directly contradict the development:

NPPF Paragraph	Policy Requirement	Conflict
7 – 11	Sustainable development requires economic, social and environmental gains.	Fossil exploration provides no enduring environmental benefit and contributes to emissions.
161	Plans and decisions must support the transition to a low-carbon future.	The project perpetuates carbon-intensive energy supply.

164	Development should take full account of flood and climate risks.	The application omits downstream climate effects.
187 & 193(a)	Prevent unacceptable pollution and ensure biodiversity net gain.	Combustion emissions and disturbance cannot achieve net gain.
224	Great weight to be given to mineral extraction only where benefits clearly outweigh harm.	Claimed benefits are speculative; climate harm is certain.

Accordingly, the presumption in favour of sustainable development under NPPF 11(c) is incorrect.

Conflict with Local and Regional Policy

The proposal also conflicts with adopted local policy:

Minerals and Waste Joint Plan (2022) Policies D01, D09, D11 and D12, which require sustainable design and the protection of water, climate and agricultural land; and

Ryedale Local Plan Strategy (2013) Policies SP17 and SP19, which commit to conserving natural resources and favouring low-carbon development.

Moreover, North Yorkshire Council's Net Zero Strategy (2023) commits to county-wide carbon neutrality by 2034. Authorising new fossil exploration directly contradicts that target and undermines the Council's own climate-emergency declaration.

For the reasons set out above, this gas drilling application is contrary to national and local planning policy and inconsistent with statutory climate obligations.
We therefore urge NYCPC to refuse the application on that basis.

Supporting references:

BEIS (Department for Business, Energy and Industrial Strategy). (2020). *Energy White Paper: Powering Our Net Zero Future*. HM Government.

Committee on Climate Change (CCC). (2020, 2025). *Sixth and Seventh Carbon Budgets: The UK's Pathway to Net Zero*. Committee on Climate Change.

Department for Levelling Up, Housing and Communities (DLUHC). (2024). *National Planning Policy Framework (NPPF) Paragraphs 7–11, 161, 164, and 224: Sustainable Development, Low-Carbon Transition, Flood and Climate Resilience, and Mineral Extraction Balance*. UK Government.

Energy Act. (2008). *UK Legal Framework for Energy Regulation and Decarbonisation*. UK Government.

Paris Agreement. (2016). *United Nations Framework Convention on Climate Change (UNFCCC) – Global Agreement on Emissions Reduction*. United Nations.

Planning Act. (2008). *National Infrastructure and Planning Framework for Sustainable Development*. UK Government.

Climate Change Act. (2008). *Framework for the UK's Emissions Reduction Targets*. UK Government.

The Climate Change Act 2008 (2050 Target Amendment) Order. (2019). *UK Net Zero Greenhouse Gas Emissions Target*. UK Government.

Written Ministerial Statements. (2015, 2018). *Government Policy Statements on Fossil Fuel Development and Net Zero Consistency*. UK Parliament.

North Yorkshire Council. (2023). *Net Zero Strategy: County-wide Carbon Neutrality Target by 2034*. North Yorkshire Council.

Minerals and Waste Joint Plan (MWJP). (Adopted Policies D01, D09, D11, D12). *Sustainability, Energy Efficiency, and Climate Protection Policies*. North Yorkshire County Council, City of York Council, and North York Moors National Park Authority.

Ryedale District Council. (Adopted Policies SP17, SP19). *Low-Carbon Development and Renewable Energy Prioritisation Policies*. Ryedale Local Plan.

Conclusion

Foxholes & Butterwick Parish Council strongly and respectfully object to the proposed gas drilling operation at Foxholes, in its entirety.

The application, as presented, is incomplete, inconsistent, and fails to provide the robust, transparent, and independent evidence required to justify approval. It underestimates or omits significant environmental, technical, and community risks and demonstrates a pattern of selective assessment and poor consultation.

The proposal would expose our community and the wider region to unacceptable risks to public health, groundwater, and air quality. It would cause harm to rural tranquillity, highway safety, landscape character, and agricultural productivity, while offering negligible local benefit. The site's position above a principal chalk aquifer supplying drinking water to nearly one million people compounds the seriousness of these risks.

The cumulative environmental, social, and legal deficiencies identified throughout this objection show that the application cannot be considered sound or sustainable. It also fails to reflect the

principles of fairness, accountability, and genuine community engagement expected of developments of this nature.

For these reasons, Foxholes & Butterwick Parish Council urges North Yorkshire Council's Planning Committee to **REFUSE this application in its entirety**.

Our community's environment, health, and safety must not be compromised for short-term industrial gain.

The Parish Council therefore calls upon decision-makers to uphold the highest standards of environmental protection, transparency, and public trust, and to protect our rural community for present and future generations.

It's time to 'Draw a Line in the Chalk.'

We reserve the right to provide additional information and evidence should this become available.

Please see Appendix A overleaf, in the event of approval being given.

Appendix A: Schedule of Requested Planning Conditions

(To be applied in the event that planning permission NY/2025/0113/FUL is granted)

1. Groundwater and Aquifer Protection

Condition:
No works (including site clearance or drilling) shall commence until a detailed *Groundwater Risk Assessment and Hydrogeological Monitoring Plan* has been submitted to and approved in writing by the Local Planning Authority (LPA) in consultation with the Environment Agency (EA).
The plan shall include:
(a) baseline sampling of all private and public water supplies within 2 km;
(b) continuous groundwater level and quality monitoring for the duration of operations and for a minimum of ten years post-restoration; and
(c) a contingency protocol requiring immediate cessation of drilling and notification to the LPA and EA if contaminants exceed baseline levels.

Reason:
To prevent unacceptable risk to the Principal Chalk Aquifer and nearby private and public water supplies, in accordance with NPPF paragraphs 183–186, MWJP Policies D09, M17, and Ryedale Local Plan Policies SP17 and SP20.

2. Well Design and Integrity

Condition:
Prior to commencement of drilling, a *Well Design Safety Report* shall be submitted to and approved by the LPA, including certification by a genuinely independent, suitably qualified well-integrity specialist.

The report shall address casing and cement design, zonal isolation, and corrosion resistance for chalk aquifer and hypersaline conditions.
A 6 monthly annual independent audit of well integrity shall be carried out and published for public inspection.

Reason:
To ensure the structural integrity of the well and to protect groundwater and public safety, in accordance with MWJP Policies M17 and M18 and NPPF paragraphs 183 and 187.

3. Seismic and Ground Stability Monitoring

Condition:
No development shall commence until a *Seismic Monitoring and Ground Stability Scheme* has been approved by the LPA in consultation with the British Geological Survey.

The scheme shall provide real-time seismic monitoring during drilling and testing, with a *"traffic-light"* control system requiring immediate suspension of activity if a seismic event of magnitude ≥0.5 ML is detected.

Reason:
To safeguard residents, property and infrastructure from induced seismicity, consistent with NPPF paragraphs 187 and 198 and MWJP Policy M18.

4. Traffic and Highway Safety

Condition:
A detailed *Construction Traffic Management Plan (CTMP)* shall be submitted to and approved by the LPA before development begins.

The CTMP shall specify:

- the approved HGV route (via the B1249 only);
- delivery hours (09:30–15:00, Monday–Friday only, excluding public holidays);
- prohibition on HGV convoying;
- real time ANPR monitoring of the site entrance to ensure traffic volumes are as specified. Results made available to the public quarterly.
- a requirement for all Egdon LGV/HGV to clearly display a sign in the lower nearside corner of the windscreen. This will ensure that any complaints regarding issues with LGV/HGV traffic, can be identified as Egdon vehicles and raised with NYC and Highways.
- driver speed limits of 20 mph through Foxholes;
- advance highway condition survey and post-works reinstatement obligations; and
- an agreed contingency route for Staxton Hill closures, developed with NYC and Highways and prior consultation with affected parishes.

Reason:
To ensure safe and sustainable access and to protect local highway users, in accordance with NPPF paragraphs 114–117, MWJP Policies M16, M17, D03, and Ryedale Plan Policy SP20.

5. Air Quality, Emissions and Flaring

Condition:
It is a requirement that genuinely independent, continuous air monitoring is undertaken either at the boundary of the site or at the nearest residential receptors.

No flaring or venting shall take place except in bona fide emergency situations agreed in writing with the LPA.

All flaring shall be via enclosed systems fitted with continuous emissions monitoring for NO_2, CO, PM_{10}, $PM_{2.5}$, VOCs and H_2S, with data reported monthly to the LPA and made publicly available.

Reason:
To minimise air-quality impacts and protect public health, consistent with NPPF paragraphs 186–188, MWJP Policies D02 and D14, and RLP Policies SP17 and SP20.

6. Noise and Lighting Control

Condition:
Noise from all operations shall not exceed 45 dB LAeq,5min (daytime) and 35 dB LAeq,5min (night-time) at the nearest residential receptor. Continuous noise monitors at the nearest residential receptor (Foxholes and Wold Newton) is therefore a requirement. The production of a monthly noise report is requisite also.

A site-wide *Noise and Lighting Management Plan* shall be approved before works commence, including:

- downward-directed, shielded lighting;
- lights will be switched off when not in use or will be sensor controlled;
- lights will be kept as low as safe and practicable for the works being undertaken;
- task lighting will be used where appropriate to light up local areas of works instead of mast illumination affecting a large area;
- When the site is not operating 24/7, a ligt curfew (22:00–06:00) except for safety-critical tasks; and
- genuinely independent quarterly monitoring with results published.

Reason:
To safeguard residential amenity, tranquillity and the dark-sky character of the Yorkshire Wolds, in accordance with NPPF paragraphs 185, 187, 198 and MWJP Policies D02, D06 and D07.

7. Biodiversity and Soil Restoration

Condition:
A *Biodiversity and Land Restoration Plan* shall be approved before development begins.
It shall include:
(a) pre-development soil survey;
(b) measures for soil stripping, storage, and reinstatement to restore pre-development productivity;
(c) verified *minimum* 10 % biodiversity net gain, secured via a 30-year management agreement; and
(d) genuinely independent verification within 12 months of restoration.

Reason:
To ensure effective restoration and lasting environmental benefit, in accordance with Environment Act 2021, NPPF paragraph 180, MWJP Policies D07, D10 and D11, and RLP Policies SP14 and SP17.

8. Community Liaison and Transparency

Condition:
Prior to commencement, the operator shall establish a *Community Liaison Group (CLG)* including representatives from Foxholes & Butterwick Parish Council, Wold Newton Parish Council and local residents. Crucially also, a representative from both NYC and Highways so any actions it is agreed Egdon must undertake, would be instructed by NYC and Highways, not the Parish Councils.
Quarterly meetings shall be held for the duration of operations and restoration, with minutes and monitoring data (air, water, seismic, traffic, noise) published on a publicly accessible website.

Reason:
To maintain community engagement, transparency, and trust, in line with NPPF paragraphs 39–42 and NYC Statement of Community Involvement (2024).

9. Financial and Restoration Security

Condition:
No development shall commence until a *Restoration and Aftercare Bond* and proof of environmental liability insurance (minimum £10 million) have been submitted to and approved by the LPA. All site infrastructure shall be removed, and the site fully restored, within three months of cessation of drilling or testing.

A Section 106 agreement must be put in place to provide financial security for site restoration and aftercare.

This could include improvements to infrastructure such as:

- road widening, resurfacing and marking;
- footpath enhancements;
- pedestrian crossing;
- improved road signage;
- changes to speed restrictions;
- Installation of fixed speed cameras;
- additional street lighting;
- a safe and equipped play area;
- restoration of the village pond (as part of the mitigation of impact upon wildlife and contribution to BNG).

Reason:
To secure site restoration and protect the public from financial and environmental risk, consistent with MWJP Policies D10, M17, and NPPF paragraphs 183 and 187.

10. Climate and Emissions Reporting

Condition:
The operator shall submit to the LPA an annual *Greenhouse Gas (GHG) Report* quantifying Scope 1–3 emissions associated with the development, including downstream combustion emissions, consistent with the *Finch* (2024) ruling and the EIA Regulations 2017.
The LPA shall publish the report and review its consistency with the Council's Net Zero 2034 Strategy.

Reason:
To ensure alignment with national and local climate objectives and legal obligations under the Climate Change Act 2008 (2050 Target Amendment Order 2019) and NPPF paragraphs 152–164.

11. Operational Duration

Condition:
The development shall cease and all associated infrastructure be removed within 12 months of commencement unless an extension is expressly approved by the LPA following full public consultation.

Reason:
To limit the duration of disturbance and environmental impact, consistent with MWJP Policy M17 and NPPF paragraph 183.

12. Genuinely Independent Compliance Review

Condition:
The operator shall fund a genuinely independent *Compliance Monitoring Officer*, appointed by NYC, to oversee adherence to planning conditions. The officer shall have access to the site at any time and report quarterly to the Planning Committee.

Reason:
To ensure effective enforcement and protect public confidence, in accordance with NPPF paragraph 39 and MWJP Policies D01 and M17.

13. Effective Archaeological Investigation

If permission is granted contrary to objection, the following conditions are essential:

1. **Pre-determination trial trenching across all areas containing or adjacent to identified anomalies (oval enclosure, trapezoidal pit, and southern access route).**
2. **Archaeological Watching Brief during all groundworks, with a stop-work clause for unexpected discoveries.**
3. **Written Scheme of Investigation (WSI) to be agreed in advance with the County Archaeologist, setting out mitigation, reporting, and archiving procedures.**
4. **Publication and deposition of findings with the North Yorkshire HER and the Yorkshire Museum.**
5. **Restoration and visual-impact conditions limiting lighting and rig height and requiring reinstatement of the site to its former agricultural state after operations conclude.**

Reason:
Both the desk-based and geophysical surveys confirm that the Foxholes site lies in an archaeologically rich landscape. The evidence reveals probable prehistoric and Iron Age remains immediately beside the development area, while admitting data gaps and missed features. The proposal therefore cannot be said to have fully assessed or mitigated its impact on the historic environment, as required by planning policy.

Summary

These conditions collectively aim to:

- prevent harm to the Chalk Principal Aquifer and potable water supply to the East Riding;
- protect public health and amenity;
- uphold NYC's Net Zero and environmental objectives; and
- secure transparency and accountability through independent oversight.