

## Thomas Wright

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**From:** hello@hfoe.org.uk  
**Sent:** 13 August 2021 15:35  
**To:** Planning  
**Subject:** Hull Friends of the Earth Objection to 21/02464/STFUL  
**Attachments:** Hull Friends of the Earth Objection to 2102464STFUL.pdf

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Hi

Please find attached Hull Friend's of the Earth Objection to 21/02464/STFUL. I have attempted several times to log onto the portal today and it appears that the system is running very slow and using the reference number doesn't find the planning application documents. I have managed to use the link via the Fossil Free East Yorkshire page which does link directly to the application, but that appears to be the only route at the current time. Can you look into this please, as this may prevent people for logging their comments?

Attached is our summary document showing the details of our objection on behalf of Hull FOE- please upload this onto the planning portal,

Thanks

Claire Gribben  
Group Coordinator Hull Friends of the Earth (HFOE).



13<sup>th</sup> August 2021

## Hull Friends of the Earth Objection to 21/02464/STFUL

Hull Friends of the Earth (HFoE) objects to application 21/02464/STFUL to construct an extension to the existing West Newton A (WNA) wellsite, test, appraise and produce from the two existing wells and drill, test, appraise and produce from up to six (6) new wells followed by decommissioning and wellsite restoration by Rathlin Energy Ltd.

As an immediate context for the objection, HFoE is using the Intergovernmental Panel on Climate Change 2018 (IPCC) report on global warming. This watershed report reveals the extraordinary dangers of allowing a global temperature rise of 1.5°C, seemingly far worse than previously anticipated, and underlines the overt need to speed up climate action to contain temperature increases below 1.5°C. The recent Intergovernmental panel report on Climate change 2021 (IPCC) has demonstrated the unequivocal link between human activity and climate impact and warming- with direct link to heatwaves, droughts, flooding and fires. The report has indicated that the rise above 1.5°C is extremely likely in most scenarios, and drastic action needs to be taken now to avoid catastrophic impact.

HFoE also refers to the updated Climate Change Act which fully commits the UK to achieving 'net zero' emissions by 2050. In addition, the government's own advisors, the Climate Change Committee (CCC), only recently released the 6th Carbon Budget; the first carbon budget to recommend the UK's pathway to net zero. It's clear from the CCC's intentions that the planning system has a major role to play in delivering on this target by shaping new development, transport patterns and energy systems that can deliver on the target and adapt to a dramatic increase in severe weather and sea levels.

As such this application can be seen to be a danger to achieving the net zero emissions necessary and contradicts East Riding of Yorkshire Council (ERYC) Policy S2 Addressing Climate Change and the ERYC recent declaration of a Climate Emergency. This application contradicts National Friends of the Earth's own Issue of **Beat Climate Breakdown**.

To justify the application, the Planning Statement provided by the applicant references the CCC letter of 31 March 2021 to the Secretary of State that exposes a potential supply gap in fossil fuel. The applicant's Planning Statement uses the overarching term 'fossil fuel' when in fact the CCC letter (page 3) refers specifically to fossil gas, **not** petroleum (oil demand paragraph 3.5.3. page 14 of Planning Statement uses figure 3.3 **for fossil gas** demand). Therefore, the Planning Statement would appear to be erroneous and/or misleading in using selected quotes and figures from the CCC letter. Furthermore, the CCC letter states that in respect to UK territorial fossil fuel production *producing fossil fuels leads to GHG*

*emissions wherever it occurs, so production within the UK would lead to higher territorial emissions. Importantly the CCC letter states that “Policies must be put in place to reduce direct emissions from fossil fuel consumption across the UK energy system, consistent with the path to Net Zero set out in our Sixth Carbon Budget advice”. These policies must drive substantial improvements in energy efficiency, strong deployment of zero-carbon energy sources and electrification where this is feasible, together with rapid development and deployment of hydrogen and CCS to tackle those activities that can’t be electrified. Regardless of choices over where the UK gets its fossil fuels at the margin, the UK should adopt a policy to limit the greenhouse gas emissions from the production/supply of fossil fuels consumed in the UK, irrespective of where the emissions occur.*

HFoE notes that the applicant has had two previous temporal extensions to the period of exploration and testing at the existing two wells at the current West Newton A (WNA) site. The last extension for 3 years (18/02924/CM) for testing was approved by ERYC with a decision notice issued November 2019. This current application includes in effect another extension for testing, appraisal and production for the two existing wells within the application for up to a further six wells for testing, appraisal and production for the next 20+ years (in light of previous temporal extensions for the WNA site). Based on the Planning Statement for this application, the duration of the testing and extent and quality of any oil reserve is still unknown as Phase 2 (page 31) states *“The timing of a decision by the Applicant to extend the existing wellsite is dependent upon the Phase 1 appraisal test results and/or the need to drill new wells”*. The testing for oil at WNA has been underway since 2013 following the original application of 12/04193/STPLF for a ‘temporary’ site for exploratory borehole drilling. HFoE acknowledges the Joint Minerals Local Plan 2019 and Policies EM2, EM3 and EM4 as required phases in oil and gas testing, appraisal and production: HFoE also notes paragraph 6.35 *The grant of planning permission for an exploratory borehole will not commit the MPAs to any subsequent grant of permission for appraisal or production related development*. This application would therefore appear to be attempted by the applicant to achieve a 20+ year ‘extension’ to the existing wells’ appraisal through a full planning application considering that the previous extension would expire in November 2021. The application would in effect circumvent the need for further applications for appraisal and production. The application also appears to ignore the pre-application advice provided by the ERYC Principal Development Management Officer - Minerals and Waste (PDMO-MW) dated 20 October 2020 (Appendix 4 of Planning Statement). The PDMO-MW refers the applicant to the JMLP 2019 Policies EM2, EM3 and EM4 and the above section 6.35. This could potentially leave ERYC with fossil fuel technology that would contradict its Policy EC5 Supporting the renewable and low carbon energy sector as proposed in the Local Plan Draft Strategy Document Update of May 2021 and Policy S2 Addressing Climate Change. It would importantly endanger the aims of ERYC’s recent declaration of a Climate Emergency and UK aim of achieving net zero CO<sup>2</sup> emissions as advised by the CCC.

The PDMO-MW letter of pre-application advice of 20 October to the applicant states “*The supporting document suggests low volume hydraulic fracturing is proposed. Policy EM6 of the JMPL covers exploration, appraisal and production phases for hydraulic fracturing. It does not distinguish between low and high volume*”. It must be noted that hydraulic fracturing in the UK has been suspended since UK government’s moratorium of November 2019: as noted above this letter is dated October 2020 so the PDMO-MW would have been aware of this moratorium. As Policy EM6 of the JMPL refers solely to shale gas extraction the application’s low volume fracking would appear to be in contradiction of UK government policy on hydraulic fracturing if the ERYC does not distinguish between low and high-volume fracking. Policy EM6 Paragraph 6.61 of the JMLP 2019 refers any application’s development for shale gas extraction to Policy EC5 of the current Local Plan: however, the Local Plan Draft Strategy Document Update of May 2021 Policy EC5 is now Supporting the renewable and low carbon energy sector which will provide a new framework for considering proposals. This demonstrates a lack of alignment on the updated ERYC Local Plan policies and that the JMLP 2019 needs updating. The Planning statement does confirm (page 30) *that this is not an acid fracture stimulation (acid squeezing) and would be below the formation fracturing pressure.* However, **HfOE would like clarification as to whether application 21/02464/STFUL contains the intention for ANY high and/or low volume hydraulic fracturing for ANY hydro-carbon.**

The evidence of community consultation/involvement within the application’s Statement of Community Involvement (SCI) is evinced by the log-in details to an on-line consultation platform (Section 4 page 6). This evidence shows that the majority of those who registered their details were from outside the area to be affected with only 115 responses from within the postcode area that would be immediately affected by this application (this out of a total of 618 visitors to the platform). This shows a lack of reaching out to local residents at this stage. Whilst the Covid emergency has limited any reaching out HfOE suggest it would be more prudent on the part of the main stakeholder, ERYC, to allow their residents more opportunity to have a meaningful engagement with the applicant. The applicant’s current response is merely to state that *detailed assessments, in particular traffic, noise, lighting and climate change have addressed these concerns and conclude that there are no significant impacts as a result of the Development.* That there are no ‘significant’ impacts (of traffic, noise, lighting, emissions and climate change) does not mean that there will be no impacts. This SCI contradicts National Friends of the Earth’s Issue of **Empowering Communities**. The letter of pre-application advice from the ERYC PDMO-MW (SCI Appendix 1) recommends that the applicant contact members of the Parish Councils that will be affected by this application. Again, the applicant appears to have ignored the pre-application advice as there are no supporting documents from each of the affected Parish Councils. HfOE notes that the previous application 18/02924/CM made by Rathlin Energy Ltd has been objected to by Ellerby PC and Witherwick PC. It must be assumed (at this date) that there is no support from those PCs for this application. That the application 18/02924/CM was approved by ERYC LPA demonstrates a lack of community involvement,

an ongoing ignoring of local residents' concerns and ERYC officer advice by the applicant and the disempowering of its own residents by ERYC.

One of the main concerns expressed in the SCI is increase in traffic movements (Paragraph 4.1.1). The response to this by the applicant is to include a 'worse case' scenario of 25 HGVs in to the WNA site and 25 HGVs out of the WNA site per day. This figure does not include the 72 daily vehicle trips by staff as shown in Table 5 of the applicant's Transport Assessment. The response does also NOT include the HGV trips in Phase 2 that is shown as 60 per day (assuming this is 30 HGV trips into the WNA site and 30 trips out of the WNA site) and additional 72 daily trips by staff. So there appears to be errors in the Statement of Community Involvement for impact of extra transport movements when referenced against the Transport Assessment that is meant to address those concerns of ERYC residents. Whilst the conclusion in the SCI is for 'no significant impacts' this does not mean that human and ecological receptors will be immune from the development proposed in this application. The increase in emissions from the site building and operation and associated vehicle travel WILL impact on the Lambwath Meadows SSSI (less than 1km to the north of the site and access road) as confirmed by the Air Quality Assessment and Ecological Impact Assessment. The increase of traffic on public roads WILL increase emissions and noise pollution, especially at Marton which is 800m west of the site. There WILL be an increase in vehicle emissions and noise pollution at the three Local Wildlife Sites along Burton Constable Road (not scoped by the EclA).

In conclusion, HFoE see this application as an attempt by Rathlin Energy Ltd to put in place a 20+ year approved development that would in effect avoid current and future UK government and ERYC policies for beating climate change through removing reliance on fossil fuels and achieving net zero emission targets. As noted above any oil and gas developments MUST submit applications to the MPA for each separate phase of the planned development as *The grant of planning permission for an exploratory borehole will not commit the MPAs to any subsequent grant of permission for appraisal or production related development.* This application avoids this staged application process. HFoE would like to re-emphasise the statement from the CCC letter dated March 2021: *Producing fossil fuels leads to GHG emissions wherever it occurs, so production within the UK would lead to higher territorial emissions... Policies must be put in place to reduce direct emissions from fossil fuel consumption across the UK energy system, consistent with the path to Net Zero set out in our Sixth Carbon Budget advice.* As ERYC has recently declared a climate emergency that seeks to develop a climate change strategy within 12 months and for the council to develop partnership working by building on existing relationships and creating new ones and helps influence behaviours and ambitions on climate change in both the public and private sector this application is a clear attempt to avoid the implications and impact that this declaration will have on the applicant's commercial activity. It will be the residents and businesses of the East Riding that will suffer the immediate and longer-term ecological and environmental consequences from this commercial activity.