

The Inspector  
 North Yorkshire Joint Minerals and Waste Local Plan Examination  
 C/o Programme Officer - Carmel Edwards  
 Planning Services  
 North Yorkshire County Council  
 County Hall  
 Northallerton  
 DL7 8AH

**Date:** 12 June 2018

**Our ref:** 50303/10/HS/JG/16057072v1

**Your ref:**

Dear Madam,

## **NYJM&WLP Examination: Written Ministerial Statement on Shale Gas Development**

You have asked for our comments on the Written Ministerial Statement (WMS) relating to the national importance of Shale Gas Development by email correspondence of 23 May 2018.

This response is made on behalf of Sirius Minerals PLC.

You have asked two questions with regards to the WMS, which we respond to in turn below:

### **1. Whether the WMS affects the Plan, and if so, how.**

The WMS is primarily directed to planning authorities in the process of receiving and then determining applications for planning permission for hydrocarbon exploration and subsequent exploitation. It is a statement of support for the shale gas industry and a call-to arms for local planning authorities to consider application expeditiously. The WMS also gives consideration to the potential for hydrocarbon developments to be considered under the National Infrastructure Planning regime and/or for such development to be treated as permitted development in certain circumstances – both matters which are considered to be subject to future review.

With regards to Plan-making, there is only one aspect of the WMS that is potentially relevant to the JM&WLP under Planning Policy and Guidance. This confirms the relevance of the WMS to plan-making and confirms the national importance of shale gas development. This merely re-confirms the status of shale gas development already set out in the glossary to NPPF, as being one of the minerals of local and national importance. Nothing in the WMS alters the status of Shale Gas exploration in terms of National Parks.

The WMS clarifies that the Government expects Mineral Planning Authorities to give great weight to the benefits of mineral extraction, including to the economy. It is considered that the submitted M&WLP, as proposed to be modified following discussions at Examination, does give such weight to mineral extraction including shale gas exploration and gives relevant definition to hydrocarbon, natural gas and associated hydraulic fracturing.

Significantly, the WMS confirms that Minerals Plans must reflect that minerals resources can only be worked where they are found and that policies should avoid undue sterilisation of minerals resources (including

shale gas). This latter point has been the subject of much consideration at the M&WLP Examination in the context of minerals safeguarding and an agreed position has been reached in respect of the respective locations of Potash, including Polyhalite and potential hydrocarbon resource. This recognised the point made in the WMS, that minerals have to be worked where they are found and that Potash is one of the NPPF defined minerals of local and national importance and is only found in this part of England. It is therefore considered that the submitted M&WLP as proposed to be modified following these discussions, fully reflects the WMS.

## **2. Whether to Plan should be modified and if so how to reflect the WMS**

Given the consideration of the context and direction of the WMS set out above, it is concluded that the Plan requires no modifications beyond those agreed at the recently concluded Examination sessions.

I trust that this response will be given full consideration in the context of the M&WLP Examination and ~~should~~ you require any further contributions from us on this point, please do not hesitate to request such.

