



## Department for Communities and Local Government

### **Department for Communities and Local Government**

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Mr John Wilkinson

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Date: **7 November 2017**

Dear Mr Wilkinson,

I must profusely apologise for not responding to your further email of 24 July concerning development proposals for exploratory fracking lodged in one local authority may have wider impacts (such as traffic) on a neighbouring authority area. I am afraid resource constraints within our team has meant that we have been unable to respond to correspondence such as yours as quickly as we would have liked.

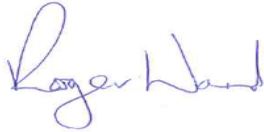
Planning law prescribes circumstances where consultation must take place between a planning authority (in the case of a shale exploration proposal, this would be a mineral planning authority – a county council or unitary authority) prior to a decision being made on an application. [Article 15 of the Development Management Procedure Order](#) sets out the minimum statutory requirements. The organisations in question are under a duty to respond to the local planning authority within a set deadline and must provide a substantive response to the application in question. In certain cases there are specific requirements to consult other local authorities; this is usually where development is likely to affect land in a metropolitan county other than land in a National Park (as per Schedule 4 of the Development Management Procedure Order).

Where an application straddles the boundaries of two or more local planning authorities, publicity should be undertaken separately in each local planning authority area. The authorities will need to agree between themselves whether publicity beyond the statutory minimum in each area is appropriate.

Anyone can respond to a planning consultation. In addition to individuals who might be directly affected by a planning application, community groups and specific interest groups (national as well as local in some cases) may wish to provide representations on planning applications. And as set out earlier, a neighbouring local authority would need to respond to that consultation.

Planning law requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. So those 'material considerations' could well include planning concerns raised by a local authority or other body as well as those raised by local people.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Roger Wand'. The signature is written in a cursive style with a large initial 'R'.

Roger Wand