

LDISSUE: LDMI25**Onshore Gas, Oil and Minerals**Name: **John**

02904/FLDP_MIR/3001/008

Comment:

Local plan policies should prohibit fracking regardless of the result of the Scottish Government's current review.

Response:

Comment noted. Policies IR15 and IR16 would likely be determining policies for a planning application relating to unconventional gas or oil extraction. The policies reflect current Scottish Planning Policy, which set out Scottish Ministers' expectations for local development plans. The Scottish Government's moratorium on unconventional gas or oil extraction remains in force.

Comments 1

Name: **Mr James Ashe**

02761/FLDP_MIR/3001/014

Comment:

Agrees with the preferred options for onshore gas, minerals and waste.

Response:

Support noted.

Comments 1

Name: **M Bremner**

02919/FLDP_MIR/3001/008

Comment:

Totally opposed to fracking.

Response:

The plan does not support fracking but identifies policies which would be used to assess any development. The current Scottish Government moratorium on granting consent for unconventional oil and gas proposals effectively bans such developments.

Comments 1

Name: **Callendar Pharmacy**

02887/FLDP_MIR/3001/009

Comment:

On-shore gas extraction is the way forward and would provide a lot of local employment.

Response:

The Council's position as planning authority on this issue is dictated by the Scottish Government's ongoing moratorium on unconventional oil and gas extraction. In the meantime, the Proposed Plan policies reflect Scottish Planning Policy.

Comments 1

Name: **Ms Kate Christie**

02922/FLDP_MIR/3001/012

Comment:

Agrees with the preferred options. Strongly opposed to the use of 'fracking'.

Response:

Comment noted.

Comments 1

Name: **Ms Jennifer Forsyth**

02903/FLDP_MIR/3001/012

Comment:

Fracking of any description should not be allowed within the area. Falkirk should refocus on renewables and move away as much as possible from its reliance on fossil fuels.

Response:

The Proposed Plan contains policies on onshore oil and gas extraction as required by Scottish Planning Policy. In the meantime, the Scottish Government's moratorium on unconventional oil and gas extraction remains. The Proposed Plan also contains policies which are supportive of renewable energy.

Comments 1

Name: **Frank and Birgitta Fortune**

00907/FLDP_MIR/3001/011

Comment:

Society should be moving away from fossil fuels. The safety of fracking is not proven and poses a risk to the community and the environment. Waste management is important and Falkirk has done well to improve recycling. However, Falkirk should not aim to be the receivers of waste that others do not deal with in their area.

Response:

The Proposed Plan sets out the criteria which mineral proposals (including onshore oil and gas) must meet to address concerns on the environment, infrastructure and communities. Notwithstanding this, the Scottish Governments policy position resisting the development of unconventional oil and gas remains in place. The Proposed Plan removes the safeguarding of a site for the extension of Avondale landfill site, rather than proposing any reduction in environmental protection. This is in line with the national Zero Waste Plan, which reflect the reduced requirement for landfill capacity regionally and nationally.

Comments 1

Name: **Grangemouth (including Skinflats) Community Council**

02723/FLDP_MIR/3001/011

Comment:

Given the number of industrial sites in Grangemouth the support for waste management facilities on business and industry sites is concerning. We understand that the Scottish Government Waste Strategy states that waste should be managed as close to source as possible and not transported over long distances. This may however be necessary until localised facilities can be constructed. Grangemouth should not become the waste management centre for others. This area has already experienced the effects of mismanaged and poorly regulated facilities. The recent consent at CalaChem for a CHP plant fuelled by RDF imported from outwith the Council is also highlighted.

Response:

The Proposed Plan supports the establishment of waste management facilities on business and industrial land in accordance with Scottish Planning Policy (SPP). SPP also highlights that while there is a capacity shortfall the emphasis is on need rather than proximity. Policy IR17 Waste Management Facilities recognises the need to consider the impact on local amenity and on sensitive receptors nearby including consideration of a buffer zone.

Comments 1

Name: **Ms Sandra Hallows**

00888/FLDP_MIR/3001/011

Comment:

Agree with the preferred options for onshore gas, minerals and waste.

Response:

Comment noted.

Comments 1

Name: **Mr Roddy Htet-Khin**

00803/FLDP_MIR/3001/013

Comment:

Agree with the preferred option for dealing with onshore gas, minerals and waste.

Response:

Supporting comment is noted.

Comments 1

Name: **INEOS Upstream Ltd**

02709/FLDP_MIR/3002/001

Comment:

A separate policy on all onshore oil and gas is required recognising that this type of mineral extraction is different from other forms of extraction alongside supporting text and glossary. The full range of the potential resource should be addressed including coal bed methane, methane in mines, conventional extraction and extraction by drilling and pumping. Support for development through the LDP and the proposals map should promote opportunities for onshore oil and gas extraction and PEDL licence areas should be safeguarded. References to onshore oil and gas in the general minerals policy RW03 in LDP should be deleted.

Response:

The extraction of unconventional oil and gas is a minerals activity and therefore sits within the minerals policy. Specific requirements for this type of extraction are included as required by SPP. Detailing different types of extraction methods is not considered necessary. Neither SPP or NPF3 require this industry to be supported or for PEDL licence areas to be safeguarded.

Comments 1

Name: **Mr Douglas Jardine**

02894/FLDP_MIR/3001/011

Comment:

Agree with approach taken on onshore gas, minerals and waste.

Response:

Support noted.

Comments 1

Name: **Ms Elaine Mackie**

02895/FLDP_MIR/3001/011

Comment:

Agree with approach on onshore gas, minerals and waste.

Response:

Support noted.

Comments 1

Name: **Ms Pamela Manson**

02914/FLDP_MIR/3001/001

Comment:

MIR2 Brae

Do not agree with removing the site safeguarding for additional landfill capacity. The Avondale site (0097) creates a lot of blown rubbish from lorries and the smell can be noxious. If the safeguarding was relaxed the problem would increase. We live here to enjoy the semi-rural location and not to have a landfill site nearby becoming a problem.

Response:

The removal of the site safeguarding means that the area of land identified for a potential extension of the landfill site will no longer be contained within the Plan.

Comments 1

Name: **Mr Gordon McKean**

02900/FLDP_MIR/3001/007

Comment:

Fracking should be resisted. Recycling is supported, but some landfill sites will always be required.

Response:

The Scottish Government has continued its moratorium on the granting of consents for the extraction of unconventional oil and gas. In the meantime, the Proposed Plan reflects the guidance in Scottish Planning Policy.

Comments 1

Name: **I D McSpurtle**

02901/FLDP_MIR/3001/008

Comment:

Fracking or any form of unconventional gas extraction is not supported.

Response:

The Scottish Government's moratorium on the granting of consent for extraction of unconventional oil and gas has been continued. In the meantime, the relevant policies in the Proposed Plan reflect the provisions of Scottish Planning Policy.

Comments 1

Name: **Ms Louise Meikleham**

02920/FLDP_MIR/3001/012

Comment:

Don't agree with the removal of site safeguarding at Avondale as this site is already causing air pollution.

Response:

LDP1 safeguards land for a future expansion of the Avondale Landfill site. However, this land is no longer required as less waste will be landfilled in future years. LDP2 has subsequently removed the safeguarding of the site. SEPA monitors Avondale Landfill site in line with the site's waste management licence.

Comments 1

Name: **Mr Stuart Moss**

02726/FLDP_MIR/3001/011

Comment:

Agreen with the preferred approach for main issue 11

Response:

Supporting comment is noted.

Comments 1

Name: **Jules Robinson**

02906/FLDP_MIR/3001/009

Comment:

There should be no unconventional gas extraction in Falkirk.

Response:

Comment noted. The Proposed Plan sets out the criteria which mineral proposals (including onshore oil and gas) must meet to address concerns on the environment, infrastructure and communities. Notwithstanding this, the Scottish Government's policy position resisting the development of unconventional oil and gas remains in place.

Comments 1

Name: **Mr Peter Robinson**

02913/FLDP_MIR/3001/008

Comment:

The council should block any attempt to extract fossil fuels through the process of fracking within the area.

Response:

Comment noted. Policies IR15 and IR16 would likely be determining policies for a planning application relating to unconventional gas or oil extraction. The policies reflect current Scottish Planning Policy, which set out Scottish Ministers' expectations for local development plans.

Comments 1

Name: **Ms Kathryn Rosevear**

02921/FLDP_MIR/3001/010

Comment:

Agree with the preferred option for the issue of onshore gas, minerals and waste.

Response:

Support noted.

Comments 1

Name: **RSPB**

00977/FLDP_MIR/3001/005

Comment:

The preferred option to maintain the current policy subject to the Scottish Government review is supported. A precautionary approach should be taken to all unconventional gas development. In the context of buffer zones RSPB consider national and international protected areas for wildlife/nature reserves to be sensitive receptors which require protection. If Scottish Government support such development supplementary guidance should be adopted prior to determining applications to address issues such as impacts on species and habitat and aftercare and restoration. RSPB's report "Are we fit to frack" is noted.

Response:

References to unconventional oil and gas are maintained in the plan as while there is a moratorium on granting consents SPP recognises the national benefit of indigenous oil and gas production and sets out development plan requirements for areas covered by Petroleum Exploration and Development Licences. Policy IR16 includes a number of factors that minerals proposals will be assessed against including impacts on sensitive receptors, nature conservation and biodiversity with reference to Policy PE19. Sensitive receptors as defined in SPP may include fauna and flora.

Comments 1

Name: **Scottish Natural Heritage**

00646/FLDP_MIR/3002/011

Comment:

The preferred approach is supported as there is currently no timescale for the lifting of the national moratorium on unconventional oil and gas.

Response:

Support welcomed.

Comments 1

Comment:

Comments on current LDP minerals and waste policies: RW02 Mineral Resources - requires that the policy is reviewed in the context of the Scottish Government moratorium on unconventional gas RW03 Assessment of Mineral Proposals - support the policy but require updates in relation to the Extractive Waste Regulations, and that reference is made to unconventional oil and gas proposals being considered against SPP RW08 Waste Management - support reference to the Zero Waste Plan but requires/recommends a number of changes to the scope and wording of the policy. RW09 Waste Reduction in New Development - support the policy but recommend some changes including the preparation of SG on waste storage, recycling and collection space. RW10 Vacant, Derelict, Unstable and Contaminated Land - support the policy but recommend changes in relation to contaminated land sites and remediation proposals.

Response:

Comments noted and suggested amendments to LDP1 policies incorporated where appropriate into Proposed Plan policies.

Comment:

Waste - Waste policies require to be modified according to current guidance relating to proximity.

Response:

Policy IR17 deals with waste management facilities. It states proposals will be assessed against Scottish Planning Policy. This would include requirements for proximity as set out by SPP, if they are material to the consideration of a relevant planning application.

Comment:

Onshore gas and minerals - Current policy on onshore gas and oil developments should be modified to take account of the Management of Extractive Waste Regulations as these relate to Council's responsibilities.

Response:

Policy IR16 states proposals should be accompanied by a waste management plan, where required, in terms of the Management of Extractive Waste (Scotland) Regulations 2010. This requirement can apply to proposals for extractive process, relating to unconventional oil and gas, under the terms of Policy IR15.

Comments 3

Comment:

Onshore oil and gas development should be excluded from LDP2 based on the concerns and evidence of harm set out in the PSR Compendium of Evidence and the precautionary principle. Fracking poses a significant threat in terms of pollution, public health, climate and seismic stability, community cohesion and economic vitality. There continue to be concerns about the adequacy of the regulatory regime and the omission of a hydrogeology report in the Scottish Government's research on the topic.

Response:

References to onshore and unconventional oil and gas are retained in the plan as while there is a moratorium on granting consents SPP recognises the national benefit of indigenous oil and gas production and sets out development plan requirements for areas covered by Petroleum Exploration and Development Licences.

Comments 1

Comment:

Coal resources should not be sterilised by new development and coal extraction should be carried out prior to such development. Land instability and mining legacy issues should not be seen as a complete constraint on development but highlighting issues allows them to be addressed. Reference should have been made to a review of the areas of search for minerals in LDP. The inclusion of a policy on vacant, derelict, unstable and contaminated land in LDP is welcomed and this should be continued through into LDP2.

Response:

Policy IR15 recognises that minerals should not be sterilised by development. There has been no significant change to warrant a review of the areas of search for minerals. The comments in support of the policy on vacant and derelict land are noted.

Comments 1

Comment:

Disagrees with using coal reserves or onshore gas that have residential properties built on or around them.

Response:

In line with Scottish Planning Policy, the Proposed Plan identifies areas suitable for surface coal extraction. The Spatial Strategy in the Proposed Plan also reflects the PEDL (Petroleum Exploration and Development Licence) boundaries. Any proposal would be subject to assessment against detailed environmental criteria included within minerals policies IR15 and IR16. The Scottish Government also continues its moratorium on onshore gas extraction.

Name: **Ms Yvonne Weir**

02907/FLDP_MIR/3001/007

Comment:

Agree that the policy on unconventional onshore gas extraction should only be reviewed upon the outcome of the Scottish Government's review.

Response:

Comment noted.
