

From: [REDACTED]
Sent: 14 June 2024 15:43
To: objectionsgfps
Subject: Grangemouth Flood Protection Scheme
Attachments: Grangemouth Flood Defence - [REDACTED] (TB309 - Rev 1).pdf; Grangemouth Flood Protection Scheme.pdf

 External email >

 First time sender >

Please find attached objection Letter submitted in respect of the above.

Yours faithfully

[REDACTED] MRICS
Surveyor

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My working hours are Monday to Wednesday, 8.45am – 5pm

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Chief Governance Officer
GFPS Objections
Falkirk Council
The Foundry
4 Central Boulevard
Central Park
Larbert
FK5 4RU

NCB/

14 June 2024

Dear Sirs

**Flood Risk Management (Scotland) Act 2009
Grangemouth Flood Protection Scheme**

We write in relation to Notice given pursuant to the above. As per the terms of the Notice please find enclosed a written objection to the Scheme submitted on behalf of our Client [REDACTED] acting on behalf of [REDACTED], also [REDACTED].

[REDACTED] has full legal Power of Attorney in respect of [REDACTED] ownership of properties affected by the scheme at Dock Street, Carronshore, [REDACTED]

[REDACTED] address is [REDACTED].

Whilst our Client has no objection to the principles of the Flood Protection Scheme which is understood to have a potentially wider benefit to the community, our Client would like to raise an Objection in respect of the proposals as they currently stand.

We trust that you will find the enclosed to be in order. However, should you have any queries in relation to this matter please contact [REDACTED] at this office.

Yours faithfully

[REDACTED] MRICS, BSc (Hons), PG Dip Surv

Email: [REDACTED]

Enc

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1 Introduction

- 1.1 The Grangemouth Flood Protection Scheme is being promoted by Falkirk Council in terms of the Flood Risk Management (Scotland) Act 2009 ("the Act") and The Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010 (As Amended) ("the Regulations").
- 1.2 Notice has been given pursuant to Section 60 and Schedule 2 of the Act and Parts II, III & IV of the Regulations, that Falkirk Council (the "Council") propose to make the Grangemouth Flood Protection Scheme (the "Scheme"). This constitutes a notice under Paragraph 1 of Schedule 2 of the Act and under regulation 7 of the Regulations.
- 1.3 [REDACTED] (our "Client") is the Owner in Title of the following land interests ("the property") affected by the Scheme – outlined in yellow on attached plan Ref: xxxx



- 1.4 Our Client is also Owner in Title of a block of agricultural land known as [REDACTED] ("the affected land") which forms part of the proposed Flood Protection Scheme – outlined in red on attached plan Ref: xxxx
- 1.5 Our Client objects to the Scheme insofar as it relates to the Affected Land on the following grounds;
- a) The proposed Scheme will have a negative effect on Our Clients Use and Enjoyment of the Affected Land.
 - b) There will be a restriction of Access to the Affected Land.
 - c) Insufficient evidence has been provided regarding the benefit/effect of the scheme on potential flood levels in relation to both the Property and Affected Land.
 - d) The Scheme if constructed as proposed will result in a significant diminishment in value of both the Property and Affected Land.

2.0 The Affected Land

- 2.1 The Affected Land known as [REDACTED] was acquired by our Client in 1990.
- 2.2 The Affected Land is an area of agricultural land extending to approximately 4.19 hectares (10.35 acres) currently used for livestock grazing.
- 2.3 A number of animal shelters, buildings and associated facilities are located on the Affected Land, including horse stabling and a riding arena.
- 2.4 The Affected Land is also used by [REDACTED].



- 2.3 The Affected land is currently protected from floods by an earth bund running along the eastern, western and southern boundaries (following the course of the river). No significant flooding has been noted on the Affected Land or the Property in 34 Years of ownership.

3.0 The Flood Protection Scheme

- 3.1 The Proposed Flood Protection Scheme includes construction of a flood defence wall running along the northern boundary of the Affected Land – Ref: Jacobs Drawing Title, Cell 1 Operations Sheet 18.
- 3.2 It is understood that the wall will vary in height being between 5.50m AOD and 5.80m AOD, it being further understood that this equates to a maximum height of 2.37m from ground level. It is also proposed that one access/flood gate will be provided. This being the sole access point to the Affected Land.

4.0 Objection to the Flood Protection Scheme

- 4.1 Construction of the Scheme will have a negative effect on our Clients Use and Enjoyment of his landholdings.

The Scheme will effectively create a new boundary between the Property and the Affected Land. At present the Affected land is used for agricultural purposes as well as being a horse riding facility which is utilised by Riding for the Disabled. Creation of this new boundary will make agricultural management of the Affected Land more difficult by restricting access to a single gateway.

The Scheme will create a boundary between the horse stables and the riding arena which will inconvenience users and could easily be avoided by means of alternate routing.

The Scheme is also assumed to increase risk of flooding on the Affected Land. Flooding will cause obvious Nuisance to current agricultural activity.

- 4.2 The Scheme will limit Affected Land access to a single flood gate located to the east of the northern boundary. This constricted entry will pose difficulty for cars towing livestock trailers, large horse lorries and agricultural vehicles. All of which require entry to the site. No information has been provided to our Client in respect of operation and maintenance of the flood gate, nor in terms of liability should agricultural activity conflict with closure of the gate.
- 4.3 Further information has been requested from the Council by our Client in respect of hydraulic modelling showing predicted flood levels, mitigation provided by the Scheme and the resultant effect on the Property and Affected Land.

To date this information has not been supplied.

The Environmental Impact (EIA) Report: Non-technical Summary, appears to show some Fluvial flooding potential on the land prior to construction of the Scheme (Figure 1a Baseline Flood Extent), despite no flooding having occurred during the period of our Clients Ownership. The EIA Report also appears to show very limited Fluvial flooding potential on the same land post construction of the



Scheme (Figure 1b Flood Extent with Scheme) – If this is the case it would appear that whilst the eastern and western sections of the flood protection wall are necessary, the section running from east to west on the Affected Land would not necessarily be required. Alternatively, if Figure 1b is not correct it can be assumed that Scheme would increase Flood risk on the Affected Land leading to potential damage of property and livestock.

- 4.4 Whilst the land is currently designated as Green Belt within the Local Plan, our Client has long term ambitions to further develop both the Property and Affected Land. Locating Flood Defences to the north of the Affected Land will have a significant negative effect on overall land and property value.

5.0 Modified Scheme

- 5.1 It has been proposed by our Client that an alternative option to the Scheme should be considered. This alternative option would involve substantially reinforcing existing flood defence bunds around the entire landholding thus allowing the landowner to retain full enjoyment of his land rights with no access issues or diminishment of land value. This proposal would negate the need for construction of a flood defence wall.
- 5.2 Reinforcement of existing flood defences would be our Clients preferred option. However, our Client would consider a revised scheme which would move the flood defence further south on the Affected Land - permitting full access to the riding arena whilst also encompassing some of the existing livestock buildings and agricultural land.

6.0 Conclusion

- 6.1 For the reasons set out in this Objection, the Council should reject the Scheme.
- 6.2 In the event that the Council are not minded to reject the Scheme they should confirm the Scheme with modifications and should discuss these modifications with our Client and other affected landowners.

