

REPORT TO: DEVELOPMENT QUALITY COMMITTEE – 26 AUGUST 2002

REPORT ON: RESTORATION AND REDEVELOPMENT OF BROUGHTY FERRY RAILWAY STATION

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 565-2002

1 PURPOSE OF REPORT

1.1 To seek Committee approval to:-

- i a request from Railtrack plc to extend the period for compliance with conditions attached to the planning permission and listed building consent in relation to the re-erection of the signal base and overbridge at Broughty Ferry Station and;
- ii reconvene the Broughty Ferry Station Steering Group.

2 RECOMMENDATIONS

2.1 It is recommended that the Committee:-

- i agrees to Railtrack's request that the two year period specified in Condition 4 of planning permission D24581 issued on 29 June 2000 be extended to a period of 2 years six months ie until 29 December 2002.
- ii agrees to Railtrack's request that the two year period specified in Condition 2 of listed building consent DLB/1796 issued on 2 August 2000 be extended until 29 December 2002.
- iii agrees that if no scheme has been submitted to the Council by Railtrack plc by 29 December 2002 in accordance with the respective conditions that appropriate enforcement action should take place.
- iv Remits the Director of Planning and Transportation to convene an early meeting of the Broughty Ferry Station Steering Group to pursue the business outlined in Para 6.10 of this report.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report.

4 LOCAL AGENDA 21 IMPLICATIONS

4.1 Local Agenda 21 objectives have been supported by the sympathetic restoration of the Broughty Ferry Station complex. These will be further enhanced by the restoration and re-erection of the signal box and overbridge which have been retained and stored on site for further use.

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 Later phases of the redevelopment project will provide for improved pedestrian access for all with the replacement of the unsatisfactory Gray Street underpass.

6 BACKGROUND

- 6.1 Reference is made to Article V of the meeting of the Planning and Transportation Committee of 22 November 1999 (Report 744/1999 refers) where in the Council agreed to:
- a work with Railtrack and Morrison Construction Limited to take forward a co-ordinated and environmentally sensitive development initiative at Broughty Ferry Station; and
 - b explore the potential for partnership working with Railtrack and Morrison Construction Limited and to report back to Committee on an integrated development strategy for the station and environs within the context of the Broughty Ferry Study.
- 6.2 During 1998/1999 a Steering Group comprising Council Members and Community Council representatives had worked with Railtrack and Morrison Construction Limited on the project which eventually led to the granting of planning permission and listed building consent for the development which has now largely been implemented apart from the re-creation of the signal box and overbridge.
- 6.3 The feedback which the Council has received from Railtrack, the contractor, the Community Council and members of the public has been that the restoration was welcomed and has resulted in a satisfactory solution which has enhanced the Conservation Area and restored for future re-use, a nationally important listed building. The Council also retained and restored the listed former cabman's shelter. The close working relationship between the principal parties and with Historic Scotland proved advantageous.
- 6.4 Progress on the project has been monitored and it became clear that Railtrack would not be in a position to comply with the conditions of their planning permission and listed building consent relating to the sympathetic re-erection of the signal box and overbridge within the specified time periods (2 years).

The wordings of the respective conditions are as follows:

Planning Permission D24581

Condition 4

“the timber footbridge, signal box and Cabmen's shelter shall be re-erected within the application site, in accordance with a scheme which has gained the prior approval of this Council and Historic Scotland, within two years of the date of this consent unless otherwise first agreed in writing with this Council.”

Listed Building Consent DLB
Consent 2

“the timber footbridge, signal box and Cabmen’s shelter shall be re-erected within the application site, in accordance with a scheme which has gained the prior approval of this Council and Historic Scotland, within two years of the date of this consent unless otherwise first agreed in writing with this Council.”

- 6.5 In response Railtrack has requested, in accordance with provisions within the Conditions, that the time target period for compliance specified in the planning permission (29 June 2002) be extended by 6 months.
- 6.6 Railtrack specify the following as reasons for non-compliance and as the basis for their request:
- a Morrison Construction Limited and Railtrack are able to demonstrate that they have been actively pursuing a Phase 2 commercial development of the station building;
 - b Railtrack is not in a position financially to implement the conditions without an end user for the building who is capable of guaranteeing the structural integrity of the structure after re-erection;
 - c Constraints of site layout and proximity of operational land have frustrated progress;
 - d Strong interest is being shown by a commercial operator and although detailed drawings and a business plan are being developed, the timescales involved would over-run 29 June.
- 6.7 Although it is disappointing that Railtrack have been unable to comply with the conditions timeously, for the reasons they have specified it is recommended that the timescale for compliance be extended.
- 6.8 By the time Members consider this report a portion of this extended timescale will already have elapsed and it is hoped that it can be verbally reported that further progress by Railtrack has been made in the interim.
- 6.9 If the extended period elapses without compliance a further report will be brought to Committee outlining the options for formal enforcement action.
- 6.10 In order that the momentum generated by the Steering Group is maintained at this critical time in the phased implementation of the entire project, it is recommended that the Steering Group meets with representatives of Railtrack and Morrison Construction Limited at an early date to discuss future partnership working arrangements for further phases of the project.

7 CONSULTATIONS

- 7.1 The Chief Executive, Director of Finance, Director of Support Services, Director of Corporate Planning, and have been consulted and are in agreement with the contents of this report.

8 BACKGROUND PAPERS

- 8.1 Joint Report by the Director of Planning and Transportation and Director of Economic Development to the Planning and Transportation Committee of 6 December 1999 (Ref 744/1999)
- 8.2 Reports to June 2000 Development Quality Committee on planning application D24581 and listed building application DLB 1796.
- 8.3 Letter from Railtrack to Council 23 May 2002.

Mike Galloway
Director of Planning & Transportation

Ian Mudie
Building Quality Manager

2 August 2002

IGSM/IAR/EH

Dundee City Council
Tayside House
Dundee