

7 PROPOSED AMENDMENT TO SECTION 75 AGREEMENT - REDEVELOPMENT OF FORMER DUNDEE ROYAL INFIRMARY, INFIRMARY BRAE, DUNDEE (AN183-2002)

Members will recall that planning permission was granted for the redevelopment of this site on 20th September, 2000 subject to conditions and to a Section 75 Agreement which principally controlled the phasing of the development.

The first 3 phases each included the refurbishment of existing buildings with specific numbers of new build houses. Phase 4 is the redevelopment of the Main Building. With the exception of Phases 1 and 2 which ran concurrently, the agreement required each phase to be completed before the next phase commenced.

The phasing control was intended to ensure that the new houses were not built leaving the older buildings undeveloped.

In fact work has progressed much more quickly on the conversion of the existing buildings and a number of units have been sold in the refurbished buildings. Construction is now underway on the new build family houses.

No Listed Building application has yet been received for the redevelopment of the Main Building although the principle of the conversion to apartments was approved in the planning application for the whole site.

The developer has sought a variation of the agreement to allow Phase 3 to be commenced prior to completion of Phases 1 and 2. This will allow work on the northern half of the site, comprising 4 of the 5 existing buildings, to be completed more quickly, to provide a finished environment for the new residents. It will also allow a single programme of construction of the roads and the substructures for the new houses which allows maintenance of a continuous programme of construction of the new build houses at a rate of 1 unit per week.

The proposed variation does not alter the number of units within each phase or the order in which the phases are to be constructed. It seeks to overlap the phases so that construction and conversion work can progress without interruptions.

In order to continue progress it is further recommended that the variation be subject to a condition which requires submission of a Listed Building application for the redevelopment of the Main Building prior to the commencement of construction of Phase 3 excluding the substructures. It is also considered appropriate that the Council's reasonable legal fees should be met by the developer.

It is recommended that the proposed variation to the Section 75 Agreement to combine Phase 3 with Phases 1 and 2 be approved subject to the above conditions.