

**4 PROPOSED RESIDENTIAL DEVELOPMENT AT 62-63 DOCK STREET AND 13-17 CANDLE LANE (AN 247-2007)**

Reference is made to Article 1(b) of the minute of meeting of this Committee of 31st October, 2005 when the Committee resolved to grant planning permission for the conversion of the former Seamen's Mission to 8 flats and the erection of 30 new flats on Candle Lane subject to the conclusion of a Section 75 Agreement (application 05/00285/FUL).

The proposed Heads of Agreement were as follows:

- a the phasing of the development and the restoration of the listed buildings which shall ensure that the listed Seamen's Mission shall be converted into flats and the listed former Seamen's Chapel is made wind and watertight and transferred at nil value to Tayside Building Preservation Trust prior to the commencement of development of the proposed 30 new build flats;
- b the upgrading of the carriageway and footways at Candle Lane to a satisfactory standard; and
- c the prohibition of any of the proposed dwellings becoming a house in multiple occupation.

The Agreement has not yet been concluded. The applicants now wish to convert the former Seamen's Mission to 12 (as opposed to 8) flats and Members should note that a separate planning application for this conversion proposal is recommended for approval (07/00645/FUL) on tonight's Agenda.

The applicants have also requested that the requirement in the Section 75 Agreement to convert the former Seamen's Mission under (a) above would take effect prior to the occupation of any of the 30 new build flats as opposed to the commencement of development. This would allow them to continue with the development as a single operation rather than completing it in 2 distinct phases. It is considered that this change is acceptable and would also avoid the situation where dwellings were occupied in the converted building whilst extensive building works were being carried out on the adjoining land. The other requirements, including those relating to the former Seamen's Chapel, would remain unchanged.

It is recommended to Members that the Heads of the Section 75 Agreement be amended to reflect the changes sought.