

Convoys Wharf, Deptford

in the London Borough of Lewisham

planning application no. DC/13/83358

Planning consent

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

Strategic issue

There is a need to extend the time period for completion of the section 106 legal agreement.

Recommendation

That the Mayor extends the time period for the completion of the section 106 legal agreement (i.e. the period after which the Assistant Director - Planning or Executive Director of Development, Enterprise and Environment has delegated authority to refuse permission if the section 106 legal agreement is not completed) to 31 October 2014.

Context

- 1 On 31 March 2014 the Mayor of London, acting as local planning authority, resolved to grant conditional planning permission in respect of Lewisham planning application DC/13/83358 subject to the prior completion of a section 106 legal agreement.
- 2 The Mayor also gave delegated authority for the Assistant Director - Planning and Executive Director of Development, Enterprise and Environment to refuse planning permission if the section 106 legal agreement had not been completed by 30 June 2014. Further to this, the Mayor agreed on 25 June 2014 and 27 August 2014 to subsequent extension of the section 106 conclusion period. The current extension runs until 30 September 2014.
- 3 Following a constructive process of negotiation the drafting of the section 106 agreement is now substantially agreed between the parties, and, since the previous extension on 27 August 2014, considerable progress has been made on the detailed design of the affordable housing review mechanism (following a process of technical input and advice from specialist viability consultants). Notwithstanding this, further technical meetings are required during week commencing 29 September 2014.
- 4 Having regard to the applicant's requirement for a two-week circulation and execution period, and building in reasonable contingency for the conclusion of technical discussions on the review mechanism, GLA officers propose a one-month extension to the programme.
- 5 Both Lewisham Council planning officers and the applicant project team have respectively expressed support for a proposed further extension to the section 106 conclusion period - which

would enable negotiations to be amicably concluded, and will allow the agreement to be finalised and executed.

6 Accordingly it is recommended that the section 106 completion process is extended until 31 October 2014.

Legal considerations

7 Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Mayor is acting as the Local Planning Authority for the purposes of determining this planning application.

Financial considerations

8 The applicant has agreed to reimburse the GLA and TfL for legal costs associated with the preparation and completion of the section 106 agreement.

Conclusion

9 Given a need for additional time in order to conclude negotiations and execute the agreement, it is necessary to extend the time period for completion of the section 106 legal agreement.

Decision record

Extension to 31 October 2014 agreed

Signed:



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