

25 November 2014

## 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 9 January 2015.

### 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, 27 August 2014, 24 September 2014 and 29 October 2014 to subsequent extension of the section 106 conclusion period. The current extension runs until 28 November 2014.

3 Since the previous update on 29 October 2014 GLA officers have considered position statements from Lewisham Council planning officers and the applicant team on disputed points within the draft section 106 agreement, and devised the principal way forward in terms of section 106 drafting. A further technical meeting has been held in relation to finalising the design of the affordable housing review mechanism, and GLA officers have offered The Lenox Project CIC and Sayes Court Garden CIC an opportunity to make any final comments on the draft section 106 provisions for these community projects. GLA officers (in conjunction with the other section 106 parties), are currently considering the responses received from the aforementioned community project groups, before determining the final form of drafting which should be incorporated within the agreement.

4 GLA officers seek to allow a two-week period for considering and addressing responses from the community project groups, conclusion of the affordable housing review mechanism design, and finalisation of the section 106 agreement drafting.

5 Having regard to the above, and the need to allow time for circulation and execution of the agreement over the Christmas period, GLA officers propose an extension of the programme until 9 January 2015.

### **Legal considerations**

6 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**

7 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**

8 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.

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### ***Decision record***

**Extension to 9 January 2015 agreed**

**Signed:**



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for further information, contact GLA Planning Unit (Development & Projects team):

**Colin Wilson, Senior Manager – Development & Projects**

020 7983 4783 email colin.wilson@london.gov.uk

**Justin Carr, Strategic Planning Manager (Development Decisions)**

020 7983 4895 email justin.carr@london.gov.uk

**Graham Clements, Senior Strategic Planner (case officer)**

020 7983 4265 email graham.clements@london.gov.uk

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