

Land at Benedict Wharf, Mitcham

in the London Borough of Merton

planning application no. **19/P2383**

Planning application

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

Strategic issue

To extend the time period for completion of the Section 106 legal agreement to 11 June 2021.

Recommendation

That the Deputy Mayor agrees to an extension of time for the completion of the Section 106 agreement (i.e. the period after which the Head of Development Management has delegated authority to refer the application back to the Deputy Mayor in order to refuse permission if the Section 106 legal agreement is not completed).

Context

1 On 8 December 2020, the Deputy Mayor (under delegated powers) acting as local planning authority, resolved to grant conditional planning permission in respect of London Borough of Merton planning application 19/P2383 – Land at Benedict Wharf, Mitcham - subject to the prior completion of a Section 106 legal agreement.

2 The Deputy Mayor also gave delegated authority for the Head of Development Management to negotiate the Section 106 legal agreement and to refer the application back to the Deputy Mayor in order to refuse permission should the Section 106 agreement not be completed by 8 April 2021.

Extension of Time

3 Progress has been made on Section 106 agreement negotiations during the months that followed the Representation Hearing in December and the drafting of the legal agreement has advanced. However, a further extension is required to allow additional time to progress the wording and final agreement of a number of obligations in the S106, specifically those relating to the Belgrave Walk Tram stop and energy related obligations which are required to ensure full compliance with the London Plan 2021.

4 An extension of the time period for completion of the Section 106 legal agreement to Friday 11 June 2021 is therefore recommended.

5 A Holding Direction was issued by the Secretary of State on 7 December 2020, which is still in place and has not been lifted. The Holding Direction prevents planning permission being issued but does not prevent the Section 106 agreement being further developed and finalised.

Legal considerations

6 Under the arrangements set out in Article 7 of the 2008 Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Deputy Mayor (under delegated powers) is acting as the Local Planning Authority for the purposes of determining this planning application.

Decision record

Extension of Section 106 completion period to 11 June 2021 (agreed)

A handwritten signature in black ink that reads "Jules Pipe". The signature is written in a cursive style with a horizontal line underneath the name.

Jules Pipe

Deputy Mayor for Planning, Regeneration & Skills

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