

## **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 **31 March 2022**.

### **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.

3 On 1 April 2021, the Deputy Mayor approved an extension of this timescale to Friday 11 June 2021. On 4 June 2021, the Deputy Mayor approved a further extension of this timescale to 31 August 2021. On 24 August 2021, this timescale was then extended to 3 December 2021.

### **Extension of time**

4 The S106 agreement is now finalised and agreed. However, a further time extension to **31 March 2022** is now sought to allow for signing and for an update report to be presented to the Deputy Mayor detailing the changes to planning policy and guidance since the Representation Hearing on the 8 December 2020. This update report will be provided in the New Year.

## Legal considerations

5 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.

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### ***Decision record***

#### **Extension of Section 106 completion period to 31 March 2022 (agreed / not agreed)**

I agree the recommendation of this report.



#### **Jules Pipe**

Deputy Mayor for Planning, Regeneration & Skills

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