



Mayor and Cabinet

Report title: Thomas Lane Yard – Acquisition and Planning Submission

Date: January 2024

Key decision: Yes

Class: Part 1

Ward(s) affected: Rushey Green

Contributors: Director of Inclusive Regeneration, Director of Public Realm, Director of Finance, Director of Law

Outline and recommendations

- 1.1. This paper seeks delegated authority to negotiate and acquire land currently held by Catford Regeneration Partnership Limited to facilitate the delivery of the Thomas Lane Yard scheme. The paper also seeks delegated authority to submit a planning application for the scheme to the Local Planning Authority. Delegated authority is required now to support the programme required by the GLA's Affordable Housing Programme.
- 1.2. Its is recommended that Mayor & Cabinet:
- 1.3. Note the progress on developing the Thomas Lane Yard scheme, including the proposed housing mix.
- 1.4. Approve the freehold acquisition of land from Catford Regeneration Partnership Ltd shown shaded in green and pink on the plan in Appendix 1
- 1.5. Delegate authority to the Executive Director of Place to:
- 1.6. Agree final terms for the freehold acquisition
- 1.7. Agree final terms for the leaseback arrangement with CRPL pending vacant position of the site being required
- 1.8. Agree the final scheme and submit a full planning application to the Local Planning Authority

Timeline of engagement and decision-making

In July 2018, Studio Egret West architects were appointed to develop a draft Catford Masterplan for public consultation. On 14 July 2021, Mayor & Cabinet adopted the Catford Town Centre Framework.

In March 2020, the Council secured £1.65m Good Growth Funding from the Greater London Authority (GLA), following a successful bid to develop, amongst other schemes, plans for Thomas Lane car park site. On 16 September 2020, Mayor & Cabinet approved match-funding to the GLA Good Growth Fund, agree and enter the GLA's Good Growth Grant Agreement and to commence procurement of consultancy support.

On 28th October 2021 the Executive Director of Housing, Regeneration and Public Realm gave approval for officers to undertake a procurement process via the ADUP framework. Turner Works architects were appointed to commence the scheme design in January 2021.

On 28th April 2023, the Executive Director for Place approved the extension of Turner Works contract and fees to enable updates to the scheme in line with the council's requirements, to bring the scheme in line with changes to building regulations and to explore various options for the introduction of a second cores in the residential elements of the scheme.

1. Summary

- 1.1. This paper seeks delegated authority to negotiate and acquire land currently held by Catford Regeneration Partnership Limited (CRPL) to facilitate the delivery of the Thomas Lane Yard housing scheme. The paper also seeks delegated authority to submit a full planning application to the Local Planning Authority.
- 1.2. Thomas Lane Yard (TLY) is a mixed use scheme on a site north of Catford Broadway. The scheme currently delivers 113 affordable units: 39 new social rented homes (target rent) and 74 shared ownership flats. These homes will be in two separate blocks, Nelgarde House (target rent) and Doggett House (shared ownership).
- 1.3. The majority of the site constitutes Thomas Lane car park, owned by Lewisham Council. There are two further pieces of land owned by CRPL (Title Number LN208811 and Title Number TGL544865). Acquisition of these sites by the Housing Revenue Account (HRA) provide the Council the opportunity to deliver Thomas Lane Yard and provide much needed high-quality affordable housing, affordable workspace and public realm to the wider area.

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2. Recommendations

- 2.1. That Mayor & Cabinet:
- 2.2. Note the progress on developing the Thomas Lane Yard scheme, including the proposed housing mix.
- 2.3. Approve the freehold acquisition of land from Catford Regeneration Partnership Ltd shown shaded in green and pink on the plan in Appendix 1
- 2.4. Delegate authority to the Executive Director of Place to:
- 2.5. Agree final terms for the freehold acquisition
- 2.6. Agree final terms for the leaseback arrangement with CRPL pending vacant position of the site being required
- 2.7. Agree the final scheme and submit a full planning application to the Local Planning Authority

3. Policy Context

- 3.1. This report aligns with Lewisham's Corporate Priorities, as set out in the Council's Corporate Strategy (2022-2026):

- Cleaner and Greener
- A Strong Local Economy
- Quality Housing
- Children and Young People
- Safer Communities
- Open Lewisham
- Health and Wellbeing

- 4.2.1 The scheme will contribute towards the Council's Corporate Strategy (2022-2026) objectives of delivering homes that Lewisham needs, meeting housing needs and improving the quality, standard and safety of housing. The scheme meets these objectives by providing 113 affordable units.

- 4.2.2 Lewisham's new Local Plan will build on the existing growth strategy contained within the Core Strategy 2011, which identifies a growth corridor extending from New Cross and Deptford to Catford. Lewisham's new Local Plan proposes a strengthened focus on Lewisham's places, to ensure that development is positively managed with

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communities over the long-term for the benefit of all.

- 4.2.3 The Catford Town Centre Framework forms part of the evidence base for the new Lewisham Local Plan's place-making approach. The process of plan making involves significant information gathering and specialist studies at the front end of the process. This information is then used to set policy options and preferred approaches for the plan going forward. Local plans are required to meet prescribed 'tests of soundness' as set out in the NPPF. This includes that they must be 'justified' by evidence. The evidence base will be published alongside the submission Local Plan and be subject to scrutiny through the independent examination process. The Catford Town Centre Framework will form part of this evidence base along with other Area Frameworks.
- 4.2.4 The London Plan has identified opportunity areas across London in order to help meet the challenges of economic and population growth. These opportunity areas represent London's largest development opportunities. The Plan identifies Catford as a Major town centre within the London retail hierarchy and as an opportunity area where more intensive development is supported.
- 4.2.5 The focus of the National Planning Policy Framework (NPPF) is on a presumption in favour of sustainable development and positive growth. The NPPF provides a high-level planning policy context for Catford, setting out the evidence base requirements for town centre uses and encouraging local authorities to meet town centre needs in full. This is particularly relevant for Catford, given the need to maximise opportunities for the regeneration of the town centre while responding to local needs.

4. Background

- 4.1. Thomas Lane Yard (TLY) is a mixed use scheme on a site north of Catford Broadway. The majority of the site constitutes what is now Thomas Lane car park, owned by Lewisham Council and the Supersets site, owned by the Catford Regeneration Partnership Limited (CRPL).
- 4.2. The scheme forms part of the first phase of the Catford Town Centre Framework. The Framework sets out the council's regeneration aspirations for the town centre for the next 15-20 years.
- 4.3. The scheme currently delivers:
 - 113 affordable units: 39 new social rented homes (target rent) and 74 shared ownership flats. These homes will be in two separate blocks, Nelgarde House (target rent) and Doggett House (shared ownership).

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- Nelgarde House is an 8-storey mixed-use building with 6 stories of residential above commercial/workspace/ancillary functions, the building is over the 18m and under 30m;
- Doggett House is a 12-storey mixed-use building with 11 stories of residential above commercial/workspace/ancillary functions, the building is over 30m.
- Ten percent of the homes provided will meet the M4(3) standard wheelchair user dwellings. The remainder will meet the M4(2) adaptable dwelling standard (lifetime homes) in accordance with the London Plan. No parking (except blue badge) is being provided in the scheme.
- Over 1000sqm of new commercial and office space (including a proportion of affordable workspace which is a requirement of the GLA Good Growth Funding).
- Over 3000sqm of public realm.

4.4. When the scheme was last presented to M&C it was only providing 101 units at 50% affordable housing. The scheme has secured affordable housing grant funding from the Greater London Authority for the target rent units and will use Right to Buy receipts for the shared ownership which has allowed the private for sale units to become shared ownership. The scheme is now 100% affordable.

4.5. The current schedule of residential accommodation is as set out below:

TYPE	TARGET RENT	SHARED OWNERSHIP	RESIDENTIAL TOTAL
1 BEDS	14	42	56
2 BEDS	11	32	43
3 BEDS	14	0	14
TOTAL	39	74	113

4.6. The number of shared ownership units in the scheme has increased to rebalance viability following the loss of residential floorspace due to the inclusion of a second staircase in both buildings to comply with a change in fire safety guidance and building regulations.

4.7. The changes to building regulations are still pending however we have taken advice from fire safety consultants, the Health and Safety Executive and the London Fire Brigade in arriving at the current design and, notwithstanding any further changes that

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may be made, the scheme is compliant and projected to be delivered within the grace period that Government has confirmed.

4.8. The current schedule of non-residential uses is as set out below:

DESCRIPTION	PLANNING USE	UNITS	AREA SQM
BASEMENT COMMERCIAL (Plant)	Class E	TBC	100
GROUND FLOOR COMMERCIAL	Class E	TBC	668
FIRST FLOOR COMMERCIAL	Class E	TBC	274
TOTAL			1042

4.9. The commercial spaces have been designed to achieve a BREEAM Excellent rating. Soft market testing for this space has commenced.

5. Land assembly

5.1. The majority of the site constitutes Thomas Lane car park, owned by Lewisham Council (outlined in blue on plan 1). There are two further pieces of land owned by the Catford Regeneration Partnership Limited (CRPL, a wholly owned council company) which will need to be acquired freehold (shaded pink and green on plan 1 in appendix 1). A leaseback arrangement is being proposed for the CRPL sites until vacant possession is required.

5.2. The Council proposes to acquire the following freehold interests from CRPL:

- Title Number LN208811 (site A – shaded pink on plan 1)
- Title Number TGL544865 (site B – shaded green on plan 1)

5.3. Acquisition of sites A and B by the Housing Revenue Account (HRA) provide the Council the opportunity to deliver the Thomas Lane Yard scheme and provide much needed high-quality affordable housing, affordable workspace and public realm to the wider area.

5.4. Site C (title number 377841, shaded blue on plan 1) is Thomas Lane car park, which sits within the General Fund (GF). It is intended that in due course, the Council will appropriate this site into the HRA and following the grant of planning permission the Council will then appropriate the entire site (A, B and C) for planning purposes. A future

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M&C decision will be sought for this.

6. Closure of Thomas Lane car park

- 6.1. Thomas Lane car park currently provides 60 car park spaces. The car park is used for informal servicing by commercial premises on the Broadway. When the scheme is complete these units will need to be serviced from the Broadway.
- 6.2. The scheme, once developed will only provide blue badge parking and loading bays. The car park is in close proximity to the Holbeach Road car park (another council owned car park) which has sufficient capacity to absorb users of Thomas Lane when it is no longer available. It is expected that the lost income from the car park will be made up through the use of Holbeach Road.

7. Engagement with Planning to date

- 7.1. There has been a range of engagement activity during design development. This includes five pre-application meetings with Council planning officers, two presentations to Lewisham's Design Review Panel and a presentation to the GLA London Review Panel.
- 7.2. The feedback from these meetings has informed the overall scheme including the layout of the site, the siting and massing of the buildings and the mix of uses across the site and how they are accessed and serviced.

8. Consultation to date

- 8.1. The community have been involved from the outset in these proposals. This took the form of a programme of public consultation events in September 2021, with a series of in-person and online events. This hybrid digital/in person approach was taken due to the restriction on public gatherings due to COVID-19.
- 8.2. A dedicated website 'Beyond Broadway' was built as an online platform to share the information about the proposals and upcoming events and to invite feedback.
- 8.3. At the engagement events, polls were taken on the following categories of the design: public space, town centre living, home design and ground floor uses
- 8.4. Feedback was generally positive with many engaged members of the community actively participating in the process. The findings from all stages of engagement have fed into and strengthened the development of the proposals. The designs were amended as follows to address some of the concerns raised:
 - Efforts were undertaken to introduce more character to the façade designs.

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Warmer tones for the brick were selected in response to comments.

- Cycle parking in the public realm has been allocated and the scheme provide spaces for cargo bikes.
- A landscape designer was appointed to select appropriate species of trees and planting and create a holistic and connected ecology strategy for the scheme.
- The provision of public toilets was explored.
- Spaces for community use have been designed into the public realm, with adequate space and flexibility.

9. Budget

- 9.1. The scheme has an approved budget up to planning submission. This budget includes all work on the scheme including the work carried out prior to the decision to phase it.
- 9.2. Additionally, the Part 2 report sets out the current Total Scheme Costs, funding for the delivery of the scheme and details of financial viability.

10. Financial implications

- 10.1. As identified within part 2 of the report.

11. Legal implications

- 11.1. This report seeks authorisation for the Council to acquire for planning purposes land currently owned by Catford Regeneration Partnership Limited. Section 227 of the Town and Country Planning Act 1990 permits the Council to acquire by agreement any land which the Council could acquire compulsorily pursuant to section 226 of that same act. Section 226 permits the Council to compulsorily acquire any land in its area that the Council thinks will facilitate the carrying out of development, redevelopment or improvement in relation to the land. To do so, the Council must be satisfied that the development, redevelopment or improvement will contribute to the promotion or improvement of the economic, social, and/or environmental well-being of the area. This report sets out reasons why it is considered that the the acquisition of the site currently owned by Catford Regeneration Partnership Limited would satisfy these requirements.
- 11.2. The Council has the power under section 120 of the Local Government Act 1972 to acquire by agreement any land for any purpose for which they are authorised by any enactment to acquire land (including under section 227 of the Town and Country Planning Act 1990) notwithstanding that the land is not immediately required for that purpose. Until the land is required for the purpose for planning purposes it may be

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used for the purposes of any of the council's functions.

- 11.3. It is intended that a planning application will be made for the development of the site. The Local Planning Authority will consider that application in the usual way and no approval given in this report will fetter the Local Planning Authority's decision making powers. Should planning approval for the site be granted, it is intended that the Council will seek to rely on its powers in section 203 Housing and Planning Act 2016 to override third party rights in respect of land acquired from Catford Regeneration Partnership Limited as well as land on the development site already owned by the Council. This will be the subject of a future report.

12. Equalities implications

- 12.1. The Council must have due regard to its Public Sector Equality Duty as set out in the Equality Act 2010. This requires all public bodies, including local authorities, to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those who do not
- 12.2. The Council's Single Equality Framework 2020-2024 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.
- 12.3. The Council is committed to ensuring our developments will be inclusive and feature accessible and adaptable homes that will meet the needs of our residents throughout their life.
- 12.4. Ten percent of the homes provided in the Thomas Lane Yard scheme will meet the M4(3) standard wheelchair user dwellings. The remainder will meet the M4(2) adaptable dwelling standard (lifetime homes) in accordance with the London Plan. No parking (except blue badge) is being provided in the scheme.
- 12.5. A more detailed equalities implications will be set out as part of the full planning application.

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13. Climate change and environmental implications

- 13.1. The scheme will seek a planning consent will be in line with the high standards expected by the Council and the GLA. Developments will meet the London Plan requirements including seeking to reduce energy consumption, emissions, and climate change.
- 13.2. Every effort will be made to enhance the natural environment, enhance landscape and amenity space. This will include undertaking demolition and construction works in line with environmental protection and public health guidelines and seek to limit the impact on neighbours.

14. Crime and disorder implications

- 14.1. There are no matters arising from this report.

15. Health and wellbeing implications

- 15.1. There are no direct health and wellbeing implications arising from this report although the provision of new social homes along with improvements to the the public realm and additional communal amenity spaces will have a positive impact on health and wellbeing of people on the housing register waiting for permanent accommodation.

16. Background papers

- 16.1. The Catford Town Centre Framwork - <https://lewisham.gov.uk/inmyarea/regeneration/catford-regeneration/catford-town-centre-framework>

17. Glossary

- 17.1.

Term	Definition
CRPL	Catford Regeneration Partnership Limited (CRPL) is a wholly owned subsidiary of Lewisham Council. The company was originally created in January 2010 to purchase the leasehold interests in and around the Catford Centre in order to manage and regenerate the property to improve the economic, social and environmental wellbeing of the people of the London Borough of Lewisham (LBL).

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Term	Definition
Health and Safety Executive	The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety.

18. Report author(s) and contact

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- 18.4. Comments for and on behalf of the Director of Law and Corporate Governance
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19. Appendices

- 19.1. Appendix 1 – Site plan

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