



Nabarro McAllister & Co.

C h a r t e r e d S u r v e y o r s

Regulated by RICS

DATE 3rd July 2023

YOUR REF

OUR REF SGN/HC

Department of Planning
Hillingdon Council
Civic Centre
High Street
Uxbridge UB8 1UW

Dear Sirs

**RE: ARLA FOODS – LAND OFF VICTORIA ROAD, SOUTH RUISLIP –
APPLICATION FOR CERTIFICATE UNDER SECTION 17 OF THE LAND
COMPENSATION ACT 1961**

1. **INTRODUCTION**

- 1.1 This is an application for a certificate under Section 17 of the Land Compensation Act 1961. The General Vesting Declaration was made on the 10th November 2021.
- 1.2 The relevant CPO took the land for the purposes of the construction of HS2 Rail Line.
- 1.3 Prior to the issue of the CPO, Arla Foods were the landowners of the land which is the subject of this certificate together with approximately 13 acres of land which comprised a former Arla Dairy site.

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- 1.4 Immediately prior to the issue of the CPO, developers in conjunction with Arla Foods were on the point of submitting a planning application to cover the 13 acre site and the site which was the subject of the CPO.
- 1.5 Safeguarding was issued in relation to the HS2 development of the land which is the subject of this application and consequently a revised application was submitted excluding the area of land which is the subject of this application.
- 1.6 The planning application for the 13 acre site was subsequently approved for an Asda Supermarket, a multi-screen Cinema, 5 Restaurants and residential developments.
- 1.7 The applicants are of the opinion that if the CPO had not been issued the land which is the subject of this application would have been suitable for residential development.
- 1.8 Documentation attached is as follows;
- a) Ordnance survey plan identifying the location of the property in Appendix 1.
 - b) Plan of the site which is the subject of this application in Appendix 2.
 - c) Plan of 13 acres previously developed in Appendix 3.
 - d) Suggested layout plan of the site which is the subject of this application in Appendix 4.
- 1.9 The site at the time of the 13 acre application had prior to this been identified for a long period by Hillingdon Borough Council as a significant development

opportunity within the North of the Borough and only one of a few sites which enjoy excellent proximity to existing local centres.

2. **APPLICANTS GROUNDS FOR HOLDING THE OPINION**

- 2.1 The approved scheme on the adjoining 13 acres of land was of mixed use development comprising Food Retail, Restaurant, Leisure Use with Cinema and Residential.
- 2.2 It is considered by the applicant that an addition to the original scheme of a further 1.2 acres of land would have not had a material impact on the surrounding property which is bound by the 13 acre development, the underground Railway Line, Industrial Property and the rear of a Retail development fronting Victoria Road.
- 2.3 The residential development that was part of the approved scheme was adjacent to the food retail Supermarket still relatively close to the railway line at the rear of a Public House and a parade of shops.
- 2.4 Existing residential accommodation is present on Victoria Road, Braintree Road and Tiptree Road all of which back onto the industrial accommodation which stands to the west of the site which is the subject of this application.
- 2.5 All of the immediate locality comprises mixed land use with industrial, retail and residential property.
- 2.6 The development of the subject site for residential use will provide further housing provision for the local area.
- 2.7 It is envisaged that four storey developments similar to the residential blocks built on the 13 acre site would be suitable with the buildings being

constructed in the central and southern sections of the site leaving parking on the railway boundary.

3. **PROPOSED DEVELOPMENT**

- 3.1 The development would have consisted of the construction of 4 four storey blocks of flats as detailed on the layout plan in Appendix 4.
- 3.2 The buildings would be of traditional construction built in brick with pitched roofs.
- 3.3 Access to the site is gained via the road edged brown on the plan in Appendix 2.

4. **POLICY DOCUMENTS IN 2014**

- 4.1 At the time of the application on the 13 acre site, the Council's latest proposals for the site had been approved by cabinet as part of the draft Hillingdon local plan.
- 4.2 At that time the local plan was to be subject to public consultation.
- 4.3 At that time, the application on the 13 acre site conformed to the Council's aspirations for the site for comprehensive mixed use development including residential, leisure and retail use, and had the CPO not taken place, this would have extended to the site which is the subject of this application.
- 4.4 In 2014 the site which is the basis of this application provided no economic benefit to the local area.

- 4.5 In 2014 an application of this nature in 2014 would have meant that economic benefits were derived from the scheme consistent with the Governments drive to stimulate the economy through sustainable economic growth.
- 4.6 The proposal represents regeneration of an existing brownfield site.
- 4.7 The application on the 13 acre site provided 132 high quality new residential units which contributed then to the identified need for new housing with the borough including accommodation suitable for families. This proposal would have further enhanced that provision.
- 4.8 It was proposed that 10% of the units on the original 13 acre site were to provide affordable housing and it would be proposed that a similar percentage would be applicable to the site which is the subject of this application.
- 4.9 The 13 acre site proposal included, following consultation by the Local Authority, 125 letters and a petition of 52 signatures in support of the redevelopment of the 13 acre site. There is no particular reason why the same support would not have been applicable to the site which is the subject of this application.
- 4.10 At the time of the application on the 13 acre site, the Council had previously consulted upon a Draft Site Allocations in 2006 which included a specific Policy (Policy SA3) relating to the 13 acre site. The Draft Policy acknowledged that dairy operations on the site were due to cease in 2006 and that the site presented a significant redevelopment opportunity with benefits from the local centre. The Draft Site Allocations DPD promoted the site for mixed use development including residential, commercial and retail uses. There is no reason to believe that the site, which is the subject of this application, would not have been considered in the same light. The Policy

states "Land at the former South Ruislip Dairy Site amounting to 5.84 hectares is allocated for mixed use development comprising of residential, commercial and retail units, a public square and a community facility provided that:-

- i) Residential development is at a density not exceeding 50 units per hectare providing that there is no change in public transport accessibility levels.
- ii) Provision of 35% affordable housing.
- iii) That the development seeks to conserve energy materials, water and other resources, proposed sustainable waste management and the designs make the most of natural symptoms both within and around the building".

4.11 One of the reasons for the proposed reallocation of the site was to meet housing need. The supporting justification (Paragraph 7.1.40) stated that "The object of the site's redevelopment is to provide a high quality and sustainable residential design on unutilised land. This policy will have regard to the surrounding area and comply with the Hillingdon Design and Accessibility Statement, Affordable Housing SPD and Hillingdon's Community Safety By Design SPG. Where other designations exist on the allocated sites, the generic policies forming the coursed strategy will apply. The Council will see proposals to contribute to sustainable development and will expect developers to alleviate any impacts from new development and where appropriate to contribute towards meeting the costs of infrastructure, facilities and other improvements required as a direct result of development."

4.12 Whilst the policies referred to above were never formally adopted by the Council in 2014 as part of the development plan, they provided a clear

indication of the importance of the site, meeting the current and future needs of the local residents. There is no reason to believe that the site, which is the subject of this application, would not have been considered in the same way.

4.13 The 13 acre site was shown in 2014 to form part of the Braintree Road, South Ruislip allocation within the Site Allocations and Designations Document (Policy SA17: Braintree Road, South Ruislip). The Draft Policy recognised that the Arla Dairy Site had remained vacant for a number of years and was considered suitable for mixed use development. Whilst in 2014 the Policy remained in draft and subject to public consultation and scrutiny by a local Planning Inspector, it represented the Council's thinking at that time and is consistent with the Council's previous proposals for the site which were in turn consistent with the applicant's proposals on the 13 acre site.

4.14 The Draft Policy stated "This site represents a significant development opportunity to deliver regeneration in South Ruislip. The Council will support mixed use development proposals that do not have a significant adverse impact on South Ruislip or the wider area. Proposals will be assessed against the following criteria:-

- Development proposals should have a positive effect on South Ruislip.
- The scale of development should not affect the hierarchy of the centres in the Borough.
- The addition of leisure based uses such as a multiplex cinema will be supported subject to the above.
- As a minimum 20% of the site should accommodate residential uses.

- This will support some retail development on the site that does not adversely impact on surrounding centres.
- Transportation issues are key to the development of this site in particular the capacity of the junction between Long Drive and Victoria Road should be addressed.
- Development proposals should meet the requirements of Policies on other parts of the local plan.

4.15 Had the CPO not come along, the site which is the subject of this application would have been included in the 13 acre site application.

4.16 In 2014 consistent with the Local Plan: Part 1, The Immerging Local Plan: Part 2, proposed the release of the Braintree Road Industrial Area (which comprised the 13 acre Site) from its employment allocation, reflecting that the site is no longer suitable or needed for employment purposes consistent with the Council's and the applicant's evidence base.

4.17 The site allocations together with the proposed alterations to the policies map, promoted the 13 acre site for mixed use development including residential, leisure and retail uses and simultaneously the release (consistent with the Local Plan: Part 1) of the site from employment purposes. There is no reason to believe that this would not also have included the site which is the subject of this application had the CPO not come along.

4.18 The proposal, which is the subject of this application, accords with the Emerging Site Allocations Policy SA17 that was applicable in 2014 and would provide significant benefits to South Ruislip.

5. **RESIDENTIAL DEVELOPMENT**

- 5.1 The proposal, which is the subject of this application, enables units to have private amenity space in the form of gardens with the flats having balconies and shared communal amenity space. Cycle stores are provided in each block.
- 5.2 The proposed scheme which is the subject of this application provides additional residential units for the benefit of South Ruislip which would have met local needs and policy requirements for a greater supply of housing.
- 5.3 The plan in Appendix 4 duplicates some of the residential units which were part of the original 13 acre application site.
- 5.4 Each would have comfortably fitted onto the 1.2 acre site.
- 5.5 This would have provided a scheme of 52 residential units totalling 37,440 sq.ft. (3,478 sq.metres).

6. **CONCLUSIONS**

- 6.1 The information contained within this application would justify approval of a Certificate under Section 17 of the Land Compensation Act 1961.
- 6.2 The scheme is considered to be a suitable proposal for appropriate alternative development.
- 6.3 We would ask that the Local Planning Authority issue the Certificate accordingly.

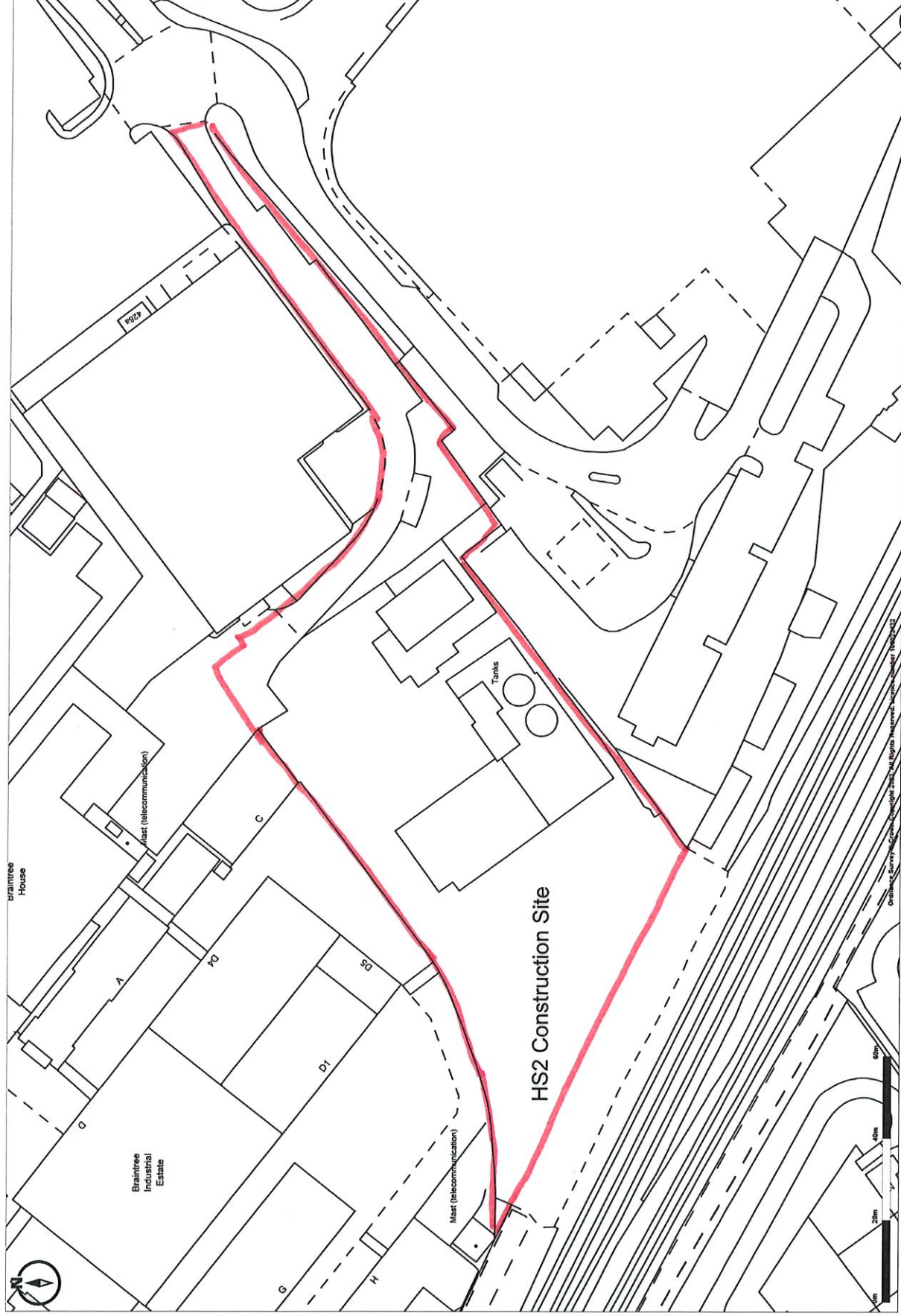
We trust the above details are adequate for your purposes however if we can be of any further assistance, please do not hesitate to contact us.

Yours faithfully



S.G.NABARRO

APPENDIX 1



APPENDIX 2

VICTORIA ROAD

Existing access
closed

Existing car
park
reconfigured

New car park
access

Tiptree Road

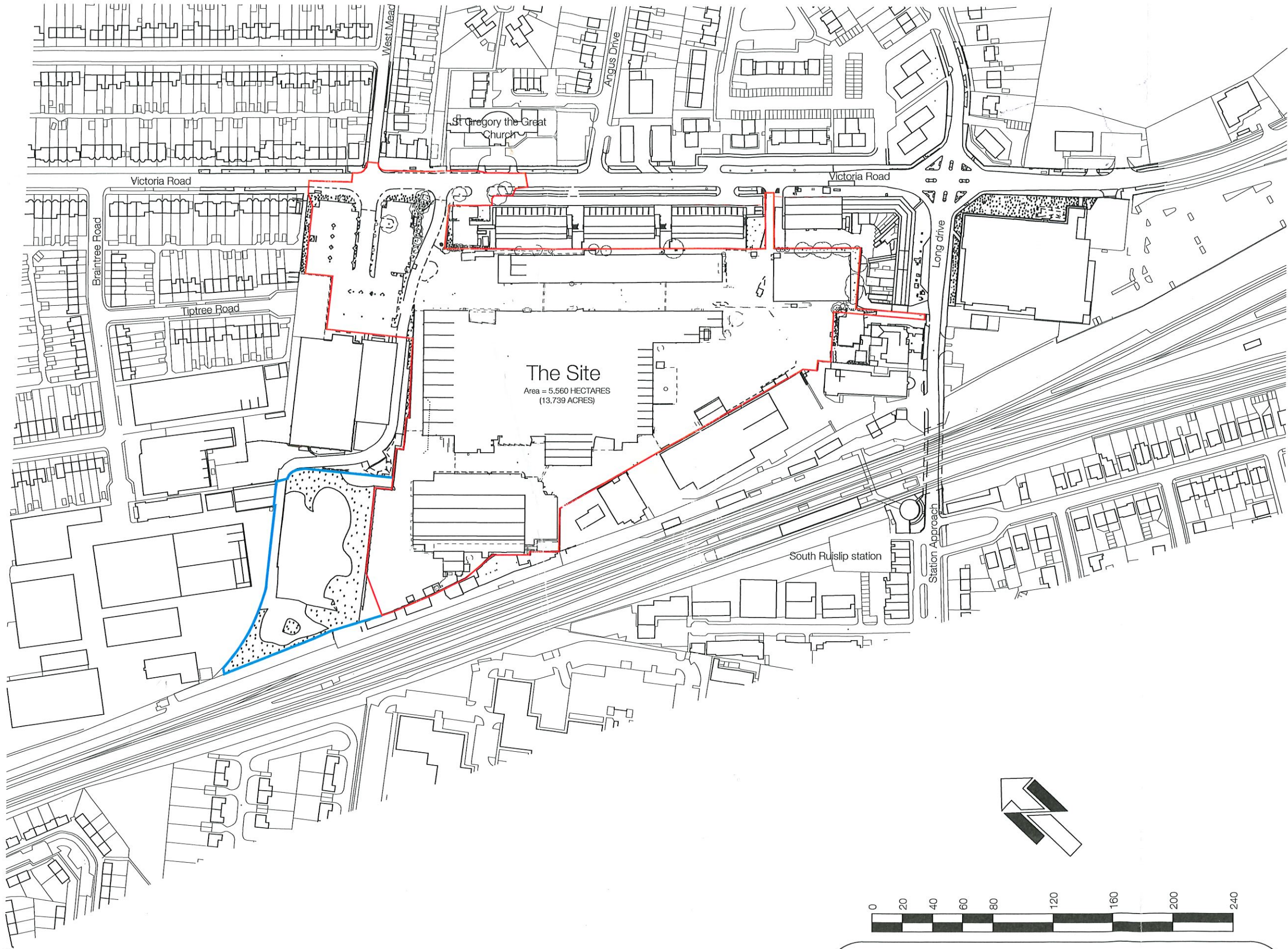
Existing Warehouse

New
PFS

HS2 easement
line



APPENDIX 3



For Planning

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PROJECT
ARLA SOUTH RUISLIP

TITLE
LOCATION PLAN

SCALE
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DATE
26/04/13

DRAWN
PSL

REVIEWED
CC

DRAWING NO
2013-056/G101

REVISION
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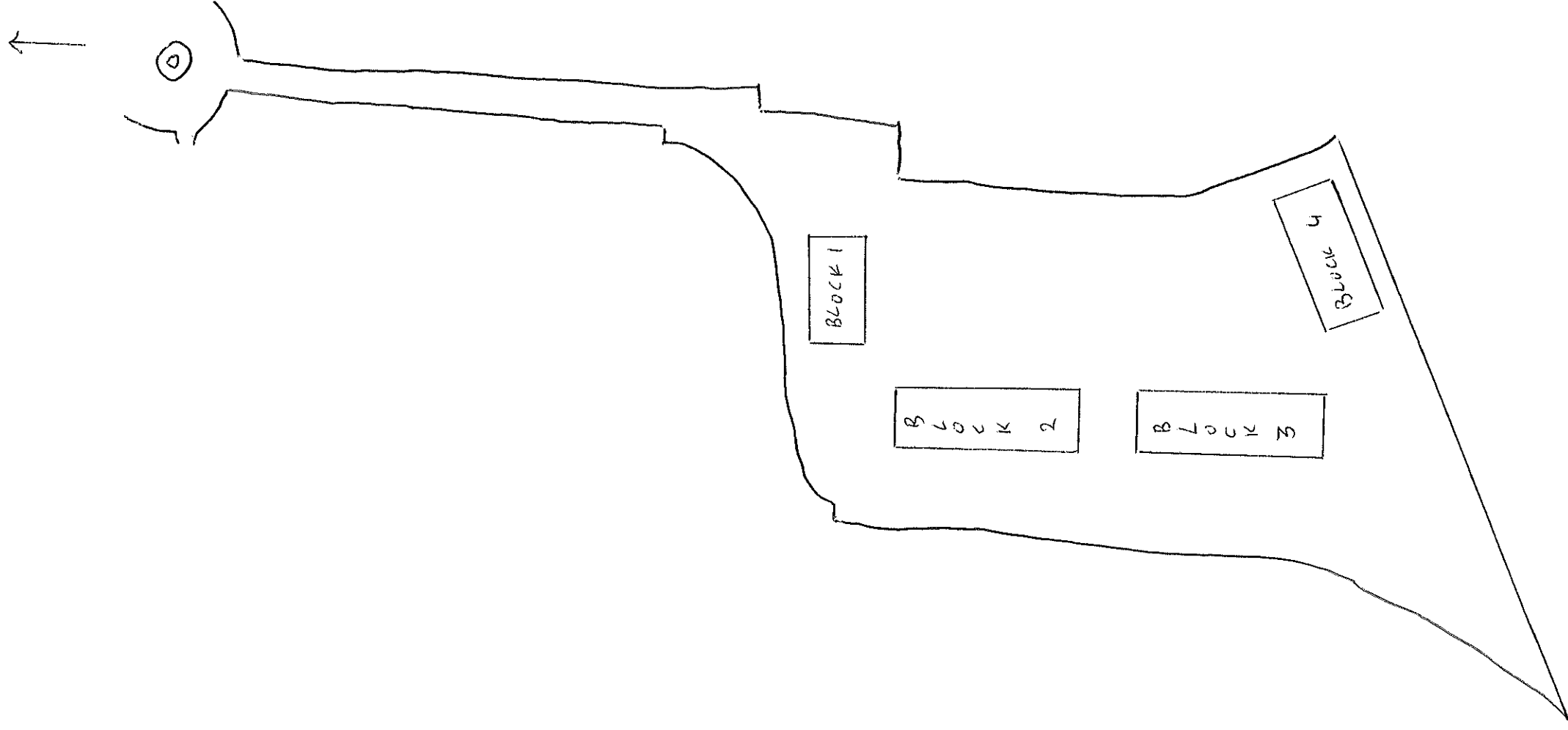
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Note: This is a colour drawing, in order to ensure any subsequent reproduction is viewed correctly it is to be re-printed in full colour

APPENDIX 4

TO VICTORIA ROAD



PROPOSED SITE PLAN

SCALE 1:1000 (A3)

ARCA FOODS SOUTH RUISLIP