

Statement on Behalf of the Ministry of Defence:

Matter 13: GB and Countryside Issue 1

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DIO wishes to respond to the following questions raised by the Inspector in relation to Matter 13, Issue 1:

Q2 How have the commercial sites in the GB been identified ? How have the boundaries been defined ? What is the justification for the uses stated in each case ? Are they justified ? Generally, are the proposed allocations justified, effective and in accordance with national policy ?

i) How have the commercial sites in the GB been identified ? How have the boundaries been defined ?

2.1 The developed area of the Dale Barracks site ('Dale Camp') is currently identified as part of a Major Developed Site (MDS) in the Green Belt in (Saved) policy ENV71 of the Chester District Local Plan and on the adopted Policy Map. The purpose of the policy is to facilitate the continued operation of the site as a military base and its concern is solely with the control of built development.

2.2 The proposed boundary of the Dale Barracks Commercial Site in the Green Belt is the same as the Major Developed Site. However, the purpose of Policy GBC1.C is different to that of Policy ENV71: while it is still intended to support military use of the site, in view of the future disposal of the site by MOD, Policy GBC1.C is also intended 'to provide a framework for the potential long term use of the site, in the context of national and local planning policy' (para 7.11). MOD only holds land that it uses for military purposes: there is no intention that it will retain those areas of the site outside the existing MDS boundary when it disposes of the Dale Barracks site. If Policy GBC1.C is to provide meaningful guidance for the long term future use of the Dale Barracks site, it therefore needs to consider a different boundary to that proposed by the LPA. This appears to be recognised in the Explanation to the policy, although not in the proposed boundary: paragraph 7.12 refers to the 'wide range of buildings and facilities within and around the site [my emphasis], used in connection with the military use' and paragraph 7.13 refers to the future use of a sports pitch in the eastern part of the site, outside the MDS boundary

2.3 The existing MDS boundary includes not just the developed portion of the Barracks site but also nearby dwellings that were previously owned by the MOD and occupied by Service families, most serving at the Barracks. The legal relationship between the MOD and the nearby Service Family Accommodation is now looser than previously. In 1996, MOD sold its Service Family Accommodation on a 999 year lease to Annington Homes Ltd and now rents back those properties that it requires. Dwellings no longer required by Service families are returned to Annington Homes and are then generally offered for sale or for rent on the open market by them. Some of the properties near Dale Barracks are now privately owned / no longer occupied by Service families and more will be returned to Annington Homes when the site closes, if not required by MOD. There is therefore less justification than previously to regard the dwellings as part of the MOD site.

2.4 Having regard to the purposes of the policy, DIO's view is that the boundary of the Commercial Site in the Green Belt should be redefined. The new boundary should exclude the existing nearby dwellings, where no land use change is expected, but should include all

of the land used directly by MOD as part of its occupation of the Barracks – i.e., the training area to the north and the sports pitches to the east, as well as the existing developed area of the site. The redevelopment of the ‘Commercial’ site can then be addressed comprehensively as part of the proposed development brief, taking into account any changes in circumstance that might arise in the interim.

- 2.5 The LPA appears to have taken an inconsistent approach towards defining the proposed boundaries of the Commercial sites. While that for Dale Barracks is the same as the existing MDS, the proposed boundaries of the nearby Chester Zoo and Countess of Chester Health Park Commercial Sites are both significantly different to those of the existing MDSs – presumably reflecting changed circumstances on the sites. (The revised boundary for Chester Zoo now includes areas used for purposes ancillary to the Zoo’s core operational activities – e.g., car parking; the revised boundary for the Health Park site appears to have been amended to exclude development not related to the Health Park).

ii) What is the justification for the uses stated in each case ? Are they justified ? Generally, are the proposed allocations justified, effective and in accordance with national policy ?

- 2.6 Policy GBC1 states that the principle of development for military use at the Dale Barracks site will be supported. The lawful use of the site is as a barracks within Use Class C2a of the Use Classes Order and DIO welcomes the LPA’s support for future military development there.
- 2.7 The Inspector will be aware that the Dale Barracks site has been identified by MOD for potential disposal post 2023, as part of the wider consolidation of the Defence estate. There is therefore a strong likelihood that the site will be brought forward for an alternative use within the Plan period. Although Policy GBC1.C gives some parameters that could be included in a future development brief to guide redevelopment, the policy gives little indication of uses that are likely to be considered acceptable by the LPA beyond the statement in criterion 1 that any proposals should be compatible with any retained military use and in criterion 4 that it might include an element of residential development.
- 2.8 Policy GBC1.C should give a clearer indication of what alternative uses would be acceptable in principle, acknowledging that the detail will be addressed in the proposed development brief. DIO’s view is that, as a large, previously developed site on the edge of the urban area and close to existing public transport routes, the most appropriate alternative use of the land within the MDS boundary would be for residential development. DIO recognises that the areas of Dale Barracks outside the current MDS boundary are also located within the Green Belt and that any new buildings there would be regarded as inappropriate development, (subject to the exceptions set out in the NPPF). The proposed development brief could consider the future role(s) of these areas in greater detail and how they might be brought forward.
- 2.9 Criterion 3 of the policy seeks to retain ‘existing residential properties’. It is not clear whether that is intended to include MOD’s Single Living Accommodation blocks within the Barracks site, which would be difficult to convert for non-MOD purposes and are of little architectural merit. MOD would object to any requirement to retain them without clear justification.

Q5 In relation to policy GBC1.C what is the justification for criterion 6, which refers to open space, sports and recreational facilities ? Does criterion 8, which refers to heritage assets accord with the statutory duty set out in my comments on policies DM46-DM47 and paragraphs 132-134 of the Framework ?

i) In relation to policy GBC1.C what is the justification for criterion 6, which refers to open space, sports and recreational facilities ?

5.1 DIO supports the requirement for new residential development to include appropriate levels of open space, as set out in Policy DM35 and Local Plan (Part One) policy SOC 6.

5.2 Policy DM36 indicates that development affecting indoor and outdoor facilities will be supported where it meets Local Plan (Part One) policy SOC 6. Policy SOC 6 sets out five instances where development affecting existing open space, sport and recreation facilities could be permitted. However, the wording of criterion 6 in policy GBC1.C appears to require that all existing open space, sport and recreation facilities on the site be retained, without regard for the possible exceptions set out in Policy SOC 6.

5.3 Existing facilities on the Dale Barracks site comprise:

i) Within the MDS / Commercial Site boundary

- 1 artificial 5-a-side pitch. (Poor condition).
- 1 artificial 7-a-side pitch. (Constructed to military standards).
- Tennis court. (Poor condition).
- Military gymnasium, cardio facility, 2 squash courts. (Require refurbishment).

All of the facilities were constructed to facilitate the physical fitness training of military personnel and are unlikely to meet requirements for community / commercial use. Having regard to the potential disposal of the site post 2023, it is likely that future significant refurbishment of the facilities will be limited and intended only to cover the period of MOD use.

ii) Outside the MDS / Commercial Site boundary

- 2 grass football pitches.
- 1 grass rugby pitch

The pitches were assessed as grade 'C' in Appendix 2 of the Cheshire West and Chester Open Space study, ('A' being highest quality, 'D' being lowest). Community use of the pitches has been limited.

5.4 DIO believes that the wording of criterion 6 should be amended to reflect the fact that not all of the existing open space, sport and recreation facilities on the site could necessarily be retained as part of any redevelopment. This could be done by amending the criterion to read:

'If appropriate, retains and enhances opens space, sport and recreation facilities...'

The proposed development brief would then provide the most appropriate opportunity to assess the up-to-date local requirement for open space etc. and the potential for existing

facilities on the Barracks site to meet those needs, (taking into account their specification, condition and the implications of retaining them as part of any redevelopment).

ii) Does criterion 8, which refers to heritage assets accord with the statutory duty set out in my comments on policies DM46-DM47 and paragraphs 132-134 of the Framework ?

5.5 There are no Listed buildings or Conservation Areas on the Dale Barracks site. Moston Hall was built in 1789 and is now used as an Officers' Mess. It has been altered and extended over the years but retains some local interest. Some remnants of the former gardens also survive within the Barracks site.

5.6 In assessing any development proposals on the site that affect a non-designated heritage asset, the LPA will need to exercise a balanced judgement, having regard to the scale or harm of any loss and the significance of the heritage asset, in accordance with the NPPF. DIO does not believe that the wording of criterion 8 reflects the balanced judgement that must be taken and therefore considers that it should be amended. A possible form of words could be:

‘has regard to the significance of the historic assets on the site and the LPA’s wish to retain them within any redevelopment;’

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