



The Carlisle District Local Plan 2015-2030

Proposed Submission Draft Consultation Representation Form



Images courtesy of Andrew Paterson, D&H Photographers and Jason Friend

INSTRUCTIONS

Before you start, you are advised to read the Guidance Note published separately alongside this form.

Please note all representations must be received by no later than Monday **20th April 2015**. There are no guarantees that any representations received after this deadline can be accepted.

For all representations parts one and two of this form should be completed. Should you wish to make more than one representation, please fill in and submit a separate form for each.

A copy of the Proposed Submission Draft Local Plan and all supporting documentation is available to view at www.carlisle.gov.uk/localplan

How to respond –

Via email: lpc@carlisle.gov.uk

In writing:

Investment and Policy
Carlisle City Council
Civic Centre
Carlisle
Cumbria
CA3 8QG

To find out more Call: 01228 817569

PART ONE- YOUR DETAILS

It is important that you fill in your contact details below; **we cannot register your representation without your details**. Please note that we will not be able to keep your representation or personal details confidential. We may also wish to contact you to clarify your representation.

In circumstances where there are individuals/ groups/ organisations who share a similar view on the plan, it would be helpful if individuals/ groups/ organisations make a single representation. It would also be useful if the group/organisation state how many people the submission is representing and how the representation was authorised.

Your Details	Your Agent's Details (If applicable)
Title: MR	Title: MISS
Surname: BANNISTER	Surname: FLOUNDERS
Forename: STEVEN	Forename: RACHEL
Organisation/Company: NORTH CUMBRIA UNIVERSITY HOSPITALS NHS TRUST	Organisation/Company: ID PLANNING
Address: C/O AGENT	Address: ATLAS HOUSE 31 KING STREET LEEDS
Postcode:	Postcode: LS1 2HL
Contact No: C/O AGENT	Contact No: 0113 2436116
Email: steven.bannister@ncuh.nhs.uk	Email: rachel@idplanning.co.uk
Signature: 	
Date: 16/04/15	
☒ Please tick if you wish to be updated on the progress of the Local Plan	

PART TWO - YOUR REPRESENTATION

Please use a separate form for each part of the Proposed Submission Draft Local Plan that you wish to comment on.

Q1. To which part of the document does this representation relate?

☒ Policy	☐ Paragraph	☐ Chapter	☐ Figure
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Please specify which Policy, Paragraph, Chapter or Figure you are referring to:

CM1 - HEALTH CARE PROVISION

Q2. Do you consider that the Local Plan is:

Legally Compliant?

☒ Yes	☐ No
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Sound?

☐ Yes	☐ Yes, with minor changes	☒ No
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Q3. If you consider the Local Plan is unsound, is it because it is not:

- ☐ Positively Prepared?
- ☒ Justified?
- ☒ Effective?
- ☐ Consistent with National Policy?

Q4. Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan, please also use this box to set out your representation.

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

SEE SEPARATE STATEMENT ATTACHED

Please continue on a separate sheet if necessary

Q5. Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at Q3 above where this relates to soundness. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible:

- SEE SEPARATE STATEMENT ATTACHED
- NEW ALLOCATION PROPOSED FOR CUMBERLAND INFIRMARY

Please continue on a separate sheet if necessary

Q6. Do you wish to make any comments on the supporting documents, such as the Sustainability Appraisal, Habitats Regulations Assessment, Infrastructure Delivery Plan or evidence base?

N/A

Please continue on a separate sheet if necessary

Q7. If your representation is seeking a change; do you consider it necessary to participate in the hearing sessions of the examination?

- ☐ No, I do not wish to participate at the hearing sessions of the examination
- ☒ Yes, I wish to participate at the hearing sessions of the examination

Q8. If you wish to participate, please outline why you consider this to be necessary:

Please note it will be at the discretion of the Inspector to determine the content of the hearing sessions and who will be heard.

TO SET OUT THE CASE RELATING TO THE NEED FOR AN
ALLOCATION FOR THE CUMBERLAND INFIRMARY SITE
AND WHY POLICY CM1 ALONE WOULD NOT ADDRESS
THE TRUST'S NEEDS.

Please continue on a separate sheet if necessary

**Thank you for your time to complete and return this Representation form.
Please keep a copy for future reference.**

Dated: April 2015

**Representations to the Carlisle District Local Plan
Proposed Submission Draft
(February 2015)**

**With Specific Reference to
Cumberland Infirmary, Carlisle**

On behalf of

North Cumbria University Hospitals
NHS Trust

Prepared by

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Atlas House
31 King Street
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APPENDICES

1 - Site Plan

1.0 Introduction

- 1.1 Following instructions from North Cumbria University Hospitals NHS Trust [The Trust], ID Planning were commissioned to make representations to the Carlisle Local Plan Proposed Submission Draft (February 2015).
- 1.2 These representations are made in the specific context of North Cumbria University Hospitals NHS Trust's property and land assets at Cumberland Infirmary in Carlisle.
- 1.3 The Trust has reviewed its assets at the Cumberland Infirmary site and have identified a number of opportunities to improve facilities on the site and release land and buildings for alternative uses.
- 1.4 During the plan period it is expected the site could deliver a new cancer centre, the development of a fifth pavilion to expand the main hospital building, the demolition of the dated tower block, the provision of new car parking areas and the development of land and buildings surplus to requirements for alternative uses.
- 1.5 An allocation is therefore being sought on the hospital site which would support future investment in the hospital as well as the redevelopment of the surplus land and buildings for alternative uses.

2.0 Site Description, Current Local Plan Allocation and Planning History

- 2.1 The Cumberland Infirmary site is located within the settlement limits of the Carlisle, to the north west of the City Centre.
- 2.2 The main access into the site is off Newtown Road, with further access from Infirmary Street to the east of the hospital.
- 2.3 The site comprises a number of buildings of varying ages and styles. The newest buildings lie towards the north western extent of the site and comprise the main hospital building. There is a dated older town block located in the centre of the site. In addition there are a two Listed Buildings including the original Infirmary building which is Grade II* and the Crozier Lodge Building which is Grade II. The entrance gate, piers and wall to the east of the Infirmary are also Grade II Listed.
- 2.4 To the north western extent of the site is an area of open space, part of which is in use as a heli-pad. A further area of open space is located at the south eastern extent of the site which is adjoined by a large surface car park. Further surface car parks are located to the east of Infirmary Street.
- 2.5 The hospital site is allocated for development on the 2008 Carlisle Local Plan Proposals Map. Policy LC12 (Cumberland Infirmary) advises that land to the west of and on the site of Cumberland Infirmary, as identified on the Proposals Map, is safeguarded to meet future health needs through the continuing development of the new hospital.
- 2.6 The supporting text to Policy LC12 at paragraph 8.39 states that planning permission will be granted for non-hospital related development within the boundary of the Infirmary where buildings are declared surplus to requirements, for example on land to the east of Infirmary Street, or on vacant land where previous hospital buildings have been demolished. However, the large greenfield site to the rear (north and west) of the hospital will be safeguarded for hospital purposes only.
- 2.7 The planning history of this site relates to its use as a hospital.

3.0 Representation Structure & National Planning Policy Framework Tests of Soundness

3.1 These representations have been prepared in relation to the Local Plan Submission Draft (February 2015) and addresses the following:-

- The need to incorporate the Trust's long term investment plans for the Cumberland Infirmary site into the Local Plan.
- The suitability of the land and buildings expected to become surplus to requirements during the plan period for alternative use.

3.2 In each case, the response concludes whether the Council's proposed approach in relation to each of these matters is sound.

National Planning Policy

National Planning Policy Framework (NPPF)

3.3 The National Planning Policy Framework (NPPF) was published on 27th March 2012. Paragraphs 150 to 185 of the NPPF relate to plan-making. Paragraph 151 advises that local plans must be prepared with the objective of contributing to the achievement of sustainable development and therefore they should be consistent with the principles and policies set out in the Framework, including the presumption in favour of sustainable development.

3.4 Paragraph 154 requires plans to be aspirational but realistic. Paragraph 178 advises that public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities.

NPPF Tests of Soundness / European SEA Directive and Environmental Assessment of Plans and Programmes Regulations 2004.

3.5 As the Local Plan will subsequently be examined by an independent Inspector, the document will be assessed on the basis of whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound.

3.6 Our response therefore gives due consideration to the allocation of the hospital site to support continued investment in this key community facility along with support for alternative uses when surplus land and buildings become available and whether these matters are legally compliant and sound based on the four tests of soundness set out in the NPPF.

3.7 Paragraph 182 of the NPPF states:-

"A local planning authority should submit a plan for examination which it considers is "sound" – namely that it is:

-
- ***Positively prepared*** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
 - ***Justified*** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - ***Effective*** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - ***Consistent with national policy*** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

3.8 In addition, the representations focus on the legal duty to comply with the European SEA Directive – 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004. The Directive and the Regulations require the need for:

1. Environmental reports to be of sufficient quality and provide proper information to allow consideration of all the potential effects
2. Sufficient detail to allow the public to understand why the plan is said to be sound.
3. An accurate and equal assessment of the alternatives to the chosen strategy / policy and explanation as to why they were not considered to be the best option.

4.0 Representations to the Local Plan - Cumberland Infirmary Site

Q1. To which part of the document does this representation relate?

Policy CM1 – Health Care Provision

Q2. Do you consider that the Local Plan is:

Legally Compliant – Yes

Sound - No

Q3. If you consider the Local Plan is unsound, is it because it is not:

Positively Prepared – n/a

Justified – Plan not justified

Effective – Plan not effective

Consistent with National Policy – n/a

Q4. Please give details of why you consider the Local Plan is not legally compliant or is unsound.

4.1 The current Local Plan (adopted 2008) includes an allocation for the Cumberland Infirmary site (Policy LC12) which safeguards the site to meet future health needs through the continuing development of the new hospital with the associated text (paragraph 8.39) supporting non-hospital related development where land and buildings are declared surplus to requirements.

4.2 Investment in the Cumberland Infirmary site is ongoing. During the plan period it is expected the site could deliver a new cancer centre, the development of a fifth pavilion to expand the main hospital building, the demolition of the dated tower block, the provision of new car parking areas and the development of land and buildings surplus to requirements for alternative uses.

4.3 The allocation which supported development at the Cumberland Infirmary site in the 2008 Local Plan has not been carried forward. Appendix 3 of the Local Plan Submission Draft sets out a Schedule of Superseded Policies which is intended to make clear where saved policies from the current adopted Local Plan are intended to be superseded by policies within the emerging Local Plan. Policy LC12 (Cumberland Infirmary Site) is not listed within Appendix 3 and therefore it is clear the Council has not sought to address the needs of the Trust and the Cumberland Infirmary site within the emerging plan.

4.4 The only policy within the emerging Local Plan that relates to health care provision is Policy CM1. This states:-

“Proposals for the development of health care facilities will be supported where the scale and location of the proposal is appropriate for the catchment it is intended to serve and is or can be made accessible by walking, cycling and public transport.”

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- 4.5 Whilst in principle proposed Policy CM1 would support ongoing hospital related development at the Cumberland Infirmary site, the policy does not lend any support for situations when land and buildings which have previously provided health care or supporting facilities become surplus to requirements.
- 4.6 The Trust has confirmed that land and buildings are likely to become surplus to requirements and therefore available for alternative uses at the Cumberland Infirmary site during the plan period.
- 4.7 New build hospital related development is also proposed during the Plan Period along with land and buildings becoming surplus to requirements and available for alternative use. In this regard, it is considered that an allocation for the Cumberland Infirmary site should be maintained. In addition, as the site contains a number of heritage assets, with hospital and non-hospital related development being proposed during the Plan Period, it is maintained the allocation should include a requirement for a development brief to be prepared.
- 4.8 The allocation for the Cumberland Infirmary could be incorporated into Policy CM1 (Health Care Provision) or could be a new policy within Section 8 of the emerging Local Plan (Health, Education and Community).
- 4.9 The Cumberland Infirmary site was allocated for hospital related development in the current Local Plan, and along with the supporting text at paragraph 8.39 would support development for alternative uses. The Council has not provided any justification as to why the allocation has not been carried forward into the emerging Local Plan.
- 4.10 Whilst the Council has not sought to retain an allocation for the Cumberland Infirmary site, it is likely the Council has assumed that as the previous phase of new development at the hospital is complete that an allocation is no longer required rather than having a specific objection to the site retaining an allocation. It appears the Council has not been made aware to date of the longer term plans for the hospital and the potential for surplus land and buildings to become available during the plan period for alternative uses.
- 4.11 The hospital and non-hospital related development proposed at the Cumberland Infirmary site is not a matter that is covered by national policy such that a specific policy would not be required. In addition, it is clear that proposed Policy CM1 (Health Care Provision) would not address the non-hospital related development proposed at the site when land and buildings become surplus to requirements.
- 4.12 Without a specific allocation relating to the development potential of the Cumberland hospital site the Plan would not be sound as the proposed approach currently makes no reference to the development at the Cumberland Infirmary site despite there being an allocation in the currently adopted Local Plan and there being proposals for hospital and non-hospital development during the plan period. To carry an allocation forward into the
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emerging plan which reflects the development proposed and secures the delivery of a development brief for the site is the most appropriate strategy when assessed against the reasonable alternatives. Without an allocation, the Council's approach in relation to this site would be unjustified.

4.13 The inclusion of an allocation for this site would also ensure the Plan is effective in ensuring the delivery of hospital and non-hospital related development at the Cumberland Infirmary site over the plan period.

4.14 The following allocation is proposed:-

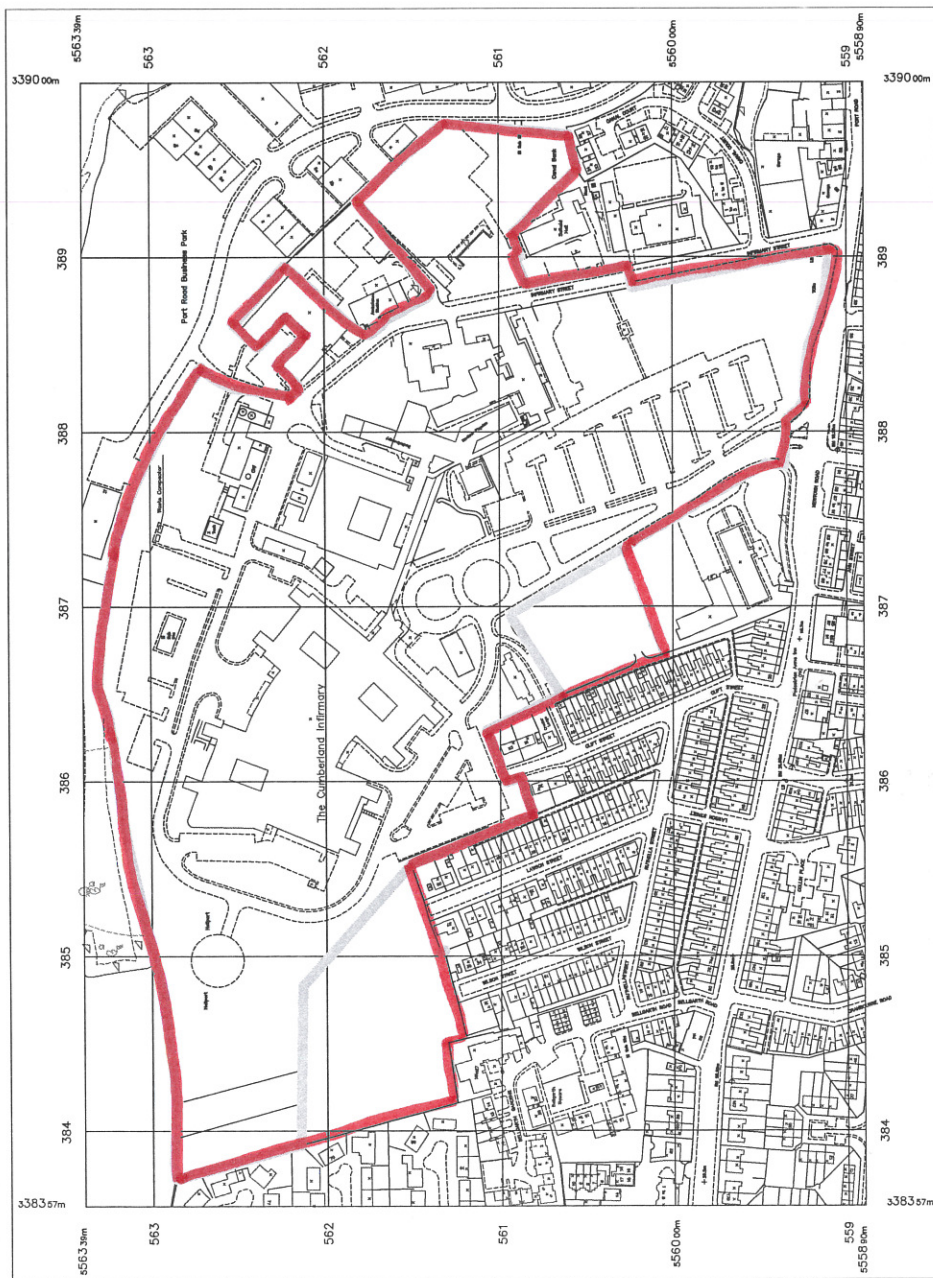
Cumberland Infirmary – Proposed Allocation

Development at the Cumberland Infirmary site in Carlisle will be supported to meet the future health needs of the City and deliver improved facilities.

A development brief will be prepared for the site setting out development parameters and acceptable alternative uses. Where land and buildings become surplus to requirement, planning permission will be granted for non-hospital related development in accordance with the development brief.

5.0 Conclusion

- 5.1 The Trust has identified that during the plan period further investment in the facilities at Cumberland Infirmary will take place along with land and buildings becoming surplus to requirements.
- 5.2 The currently adopted Local Plan included an allocation for the Cumberland Infirmary site which supported hospital and non-hospital related development where land becomes surplus to requirements. This allocation has not been carried forward into the emerging plan yet given the Trust's investment plans for the site over the plan period, an allocation is still required.
- 5.3 There is no policy within the emerging plan that would support hospital and non-hospital related development at the Cumberland Infirmary site. Emerging Policy CM1 (Health Care Provision) would support further hospital development at the Cumberland Infirmary site but would not address the non-hospital development proposed for land and buildings that will become surplus to requirements during the plan period. In addition, given the heritage assets which form part of the site, these will need to be addressed as part of any development proposal.
- 5.4 In this context it is considered that for the plan to be justified and effective that the allocation for the Cumberland Infirmary site is carried forward into the emerging Local Plan to support hospital and non-hospital related development at the site. Wording for the proposed allocation has been provided which includes the requirement for the preparation of a development brief which it is considered would provide clear parameters for the development of the site.
- 5.5 The Council has not provided any justification as to why the existing Local Plan allocation has not been carried forward and as the proposals for the Infirmary site are not addressed by Policy CM1 it is maintained that the most appropriate strategy when assessed against the reasonable alternatives is to include a specific allocation for the Cumberland Infirmary site as set out in section 4.



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The alignment of tunnels is approximate.

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