



## **Horsham District Council Local Planning Authority**

### **Warnham Parish Neighbourhood Plan 2014-2031**

#### **FINAL DECISION STATEMENT**

**Date: 12 April 2019**

#### **1.0 INTRODUCTION**

- 1.1 Horsham District Council (“the Council”) has a statutory duty<sup>1</sup> to support Parish Councils and Qualifying Bodies in the preparation of Neighbourhood Development Plans (NDP’s) and Orders and to take NDP’s and Orders through a process of examination and referendum.
- 1.2 This decision statement relates to the Neighbourhood Plan produced by Warnham Parish Council (“WPC”). Under the Town and Country Planning Act 1990 (as amended), (“the 1990 Act”) Horsham District Council (“the Council”) has a statutory duty to support Parish Councils and Qualifying Bodies in the preparation of Neighbourhood Development Plans (NDP’s) and Orders and to take NDP’s and Orders through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the responsibilities under Neighbourhood Planning
- 1.3 Following the Examination of the Warnham Neighbourhood Plan and the receipt of the Examiners Report. Horsham District Council is required to make a decision on the next steps. As set out in the Neighbourhood Planning Regulations these are:
  - a) to decline to consider a plan proposal under paragraph 5 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or a modification proposal under paragraph 5 of Schedule A2 to the 2004 Act;
  - b) to refuse a plan proposal under paragraph 6 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or a modification proposal under paragraph 8 of Schedule A2 to the 2004 Act;
  - c) what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) in relation to a neighbourhood development plan or under paragraph 13 of Schedule A2 to the 2004 Act in relation to a proposed modification of a neighbourhood development plan;

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<sup>1</sup> The Town and Country Planning Act 1990 (as amended)

- d) what modifications, if any, they are to make to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or paragraph 14(6) of Schedule A2 to the 2004 Act;
- e) whether to extend the area to which the referendum is (or referendums are) to take place; or
- f) that they are not satisfied with the plan proposal under paragraph 12(10) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or the draft plan under paragraph 14(4) of Schedule A2 to the 2004 Act.

1.4 In accordance with the Regulations, this report forms the Council's Decision Statement (Regulation 18(2)) and sets out the Council's decision and the reasons for this.

## **2.0 BACKGROUND**

2.1 The Warnham Neighbourhood Development Plan relates to the area that was designated by the Council as a neighbourhood area on 25 February 2014 (please refer to Plan A).

2.2 The Pre-Submission Warnham Neighbourhood Plan underwent consultation in accordance with Regulation 14 from 17 March 2018 – 30 April 2018.

2.3 Warnham Parish Council then submitted the submission draft plan to the Council. The submission draft WNDP was publicised and representations were invited between 17 August 2018 to the 12 October 2018.

2.4 Jeremy Edge was appointed by Horsham District Council with the consent of WPC, as 'the Examiner' to undertake the examination of the Warnham Neighbourhood Development Plan and to prepare a report of the independent examination.

2.5 The Examiner's report was received on the 9 March 2019. It concludes that the WNDP, subject to a number of recommended changes meets the basic conditions set out in the legislation and can proceed to referendum.

2.6 As has already been indicated in paragraph 1.3 of this report, Regulations 17A and 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the local planning authority to outline what action to take in response to the recommendations of an Examiner following the formal examination.

## **3.0 DECISION**

3.1 Having considered the recommended modifications made by the Examiner's Report, and the reasons for them, Horsham District Council, with the consent of WPC has considered each of the recommendations and agreed the action to take in response to each recommendation. It was decided to accept all the modifications made to the draft plan by the Examiner under paragraph 12(2)(4) of Schedule 4B to the Town and Country Planning Act 1990. The Examiner's proposed modifications are set out at Appendix A alongside the reason why the modification was accepted.

3.2 The Council is also in agreement with the Examiner that the SEA has considered an appropriate range of alternatives, and in addition makes reference to cumulative impacts. On this basis it agreed that the SEA meets the regulatory requirements.

#### **4.0 THE REFERENDUM AREA**

- 4.1 The Council is in agreement with the Examiner's recommendation that there is no policy or proposal significant enough to have an impact beyond the designated neighbourhood plan area, and that any referendum that takes place in due course be contiguous with the boundary of the designated neighbourhood plan area (Please refer to Plan A).

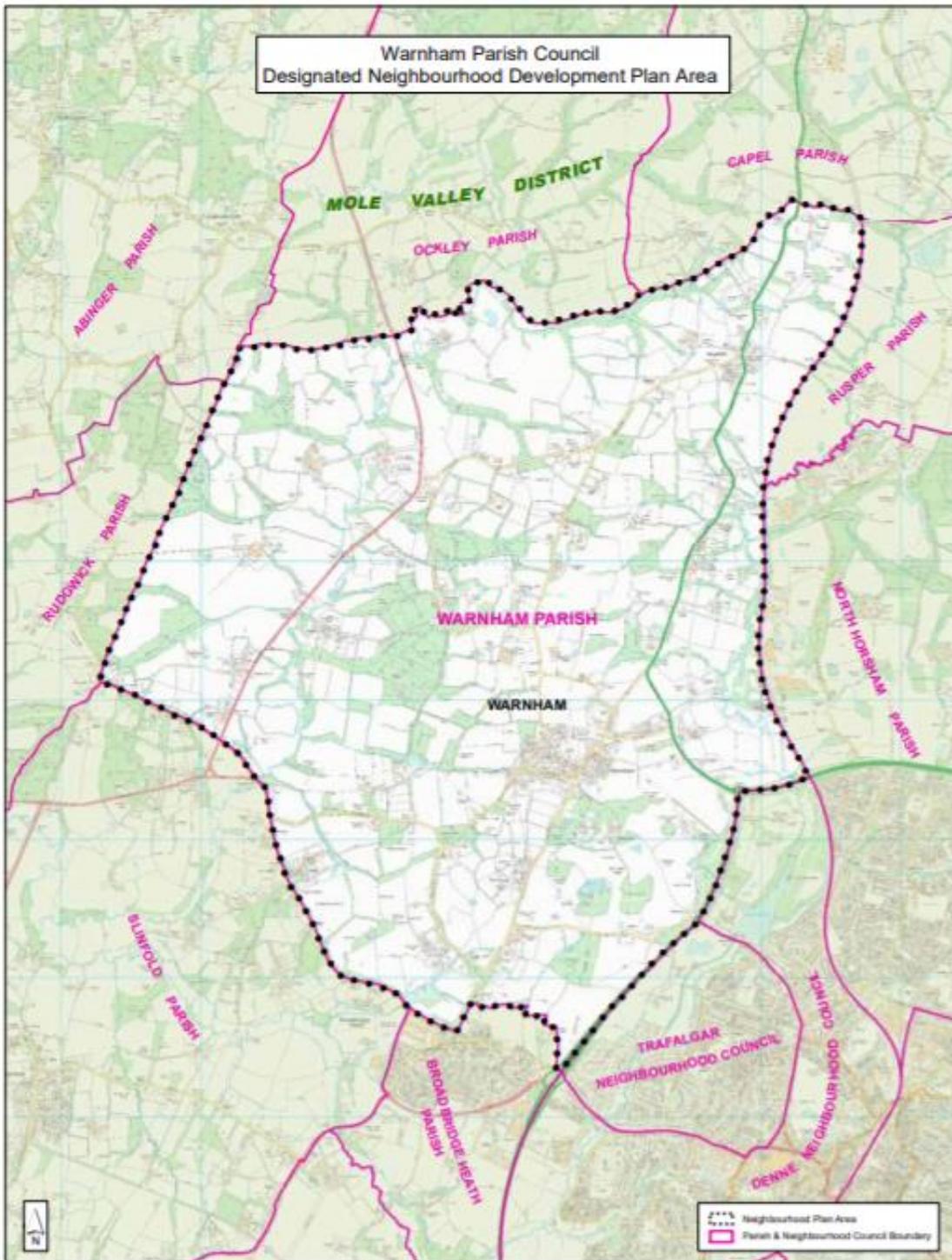
#### **5.0 CONCLUSION**

- 5.1 The Council is of the view that the draft submission Warnham Neighbourhood Plan as modified in Appendix A: Examiner's Proposed Modifications to the Warnham Neighbourhood Plan 2014-2031, complies with the legal requirement and may now proceed to Referendum.

Signed:



**Barbara Childs**  
**Director of Place**  
**Date: 12 April 2019**



<b>Horsham District Council</b> Park North, North Street, Horsham, West Sussex, RH12 1RL, Rod Brown - Head of Planning & Environmental Services		Confirmed by Horsham District Council under The Neighbourhood Planning (General) Regulations 2012 Regulation 5.	
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**Plan A: Warnham Neighbourhood Plan Area**

**Appendix A: Examiner's Proposed Modifications to the Warnham Neighbourhood Plan**

<b>Policies</b>	<b>Examiner's Modifications (insertion <u>underline</u>, omission as <del>strikethrough</del>)</b>	<b>Decision and Justification</b>	<b>Action Taken and Revised Modification</b>
Policy W1: Built-Up Area Boundary	<p><i>Policy W1: Built-Up Area Boundary</i></p> <p><i>1. New development in Warnham parish shall be focused within the Built-up Area Boundary of Warnham village identified on the Policies Map.</i></p> <p><i>a) Development proposals outside the Built-Up Area Boundary will not be permitted unless they conform to the policies of the Horsham District Planning Framework;</i></p> <p><i>2. Development in <del>overly</del> visually-intrusive locations will not be supported unless <del>it can be appropriately</del> mitigated with <u>appropriate</u> landscape screening.</i></p>	HDC agrees with this recommendation. To comply with the Basic Conditions and to provide flexibility and clarity.	No further action required. Modification to be taken forward to the final plan.
Policy W2: Scale of Housing Provision	<p><i>Policy W2: Scale of Housing Provision</i></p> <p><i>1. Over the plan period to 2031, <del>around</del> <u>a minimum of 50</u> new residential dwellings will be provided within Warnham parish.</i></p> <p><i><del>2. North of Freeman Road – minimum 50 dwellings.</del></i></p> <p><i><del>3. The maximum density of development in the WNDP shall be to a maximum of 20 units per hectare.</del></i></p>	HDC agrees with this recommendation. To comply with the Basic Conditions and in particular the need to ensure the sufficient supply of homes.	No further action required. Modification to be taken forward to the final plan.
Policy W3: Housing mix – meeting local needs	<p><i>Policy W3: Housing mix – meeting local needs</i></p> <p><i>1. <u>The housing mix for development proposals</u> must contribute to meeting <del>the existing and future</del> <u>identified housing</u> needs of Warnham parish.</i></p>	Examiner's recommendation is accepted. To provide clarification and meet the Basic Conditions.	No further action required. Modification to be taken forward to the final plan.

	<p>2. Developments should seek to provide a mix of dwelling sizes based on the following distributions:</p> <ul style="list-style-type: none"> <li>i. 1-bed dwellings: 15% to 20%</li> <li>ii. 2-bed dwellings: 40% to 45%</li> <li>iii. 3-bed dwellings: 35% to 40%</li> <li>iv. 4+-bed dwellings: 5 to 10%</li> </ul> <p>3. An alternative dwelling mix will only be permitted where new evidence is brought forward with an application which clearly demonstrates the need for a different mix.</p> <p>4. A fundamental element of such provision is the provision of affordable housing to address local needs.</p>		
Policy W4: Dwellings appropriate for the needs of older people	<p><i>Policy W4: Dwellings appropriate for the needs of older people</i></p> <p><i>In order to provide for the needs of older people in Warnham, developments that provide 25% of dwellings to Lifetime Homes standards will be strongly supported provided the proposal is compliant with other policies in the WNDP.</i></p>	No change.	No further action required.
Policy W5: Design of residential development	<p><i>Policy W5: Design of residential development</i></p> <p><del>1. <u>Proposals for New residential development must demonstrate that the scale and character of the proposals respect the landscape and its features, valued views into and out of the settlement, the local streetscape and heritage assets will be supported where:</u></del></p> <p>a) <u>The scale and character of the proposals respect the landscape and its features, valued views into and out of the settlement, the local streetscape and heritage assets;</u></p>	<p>Examiner’s recommendation is accepted.</p> <p>To provide clarification for DM purposes and to meet the Basic Conditions.</p>	No further action required. Modification to be taken forward to the final plan.

	<p>b) <u>There will be no unacceptable loss of amenity for neighbouring uses through the loss of privacy, loss of light or visual intrusion;</u></p> <p>c) <u>they demonstrate high quality design that is in keeping with the scale and existing character of buildings and layout in the area; and</u></p> <p>d) <u>they protect and preserve priority habitats;</u></p> <p>2. <i>Proposals for residential development, including redevelopments, will be supported subject to the following criteria being met, <u>where appropriate:</u></i></p> <p><del>a) they demonstrate high quality design that is in keeping with the scale and existing character of buildings and layout in the area;</del></p> <p>a) <i>They provide adequate off-road parking for residents, visitors and service vehicles, in accordance with Policy W10 (Parking standards for new residential development);</i></p> <p>b) <i>they provide high quality boundary treatment including the retention and enhancement, of established hedgerows;</i></p> <p>c) <i>they respect and protect the buildings and environment of the Conservation Area, listed buildings and the other heritage assets of the parish;</i></p>		
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	<p><del>d) they protect and preserve priority habitats;</del></p> <p>d) they provide good pedestrian and cycle connections to the main services, bus stops and the train station;</p> <p>e) they provide adequate storage for waste recycling containers;</p> <p>f) they provide storage for cycles;</p> <p>g) the maximum height does not exceed two storeys plus pitched roof unless clear justification can be made as to why such heights <del>—which are generally considered to be out of keeping with the prevailing height of buildings in Warnham—</del> are required and how they address the objectives of the Warnham Neighbourhood Development Plan;</p> <p>h) they contain a proportion of single storey dwellings; <u>and</u></p> <p>i) traffic generation and parking does not adversely affect vehicular and pedestrian safety,</p> <p>j) <del>they do not result in an unacceptable loss of amenity for neighbouring uses through the loss of privacy, loss of light or visual intrusion.</del></p>		
Policy W6: North of Freeman Road	<p><i>Policy W6: North of Freeman Road</i></p> <p>1. Development will be supported on approximately 3.55 hectares of Land to the North of Freeman Road subject to all of the following criteria being met:</p>	<p>HDC agree with the Examiner’s recommendation.</p> <p>To bring the policy in line with national policy requirements</p>	<p>No further action required. Modification to be taken forward to the final plan.</p>

	<ul style="list-style-type: none"> <li>a) <i>the provision of <del>around</del> <u>a minimum of 50 dwellings</u>;</i></li> <li>b) <i>the provision of affordable housing which meets the requirements of Horsham District Planning Framework Policy 16, with the expectation that all affordable housing provision shall be made on-site;</i></li> <li>c) <i>the provision of a range of house types in accordance with Policies W3, W4 and W5 of this plan;</i></li> <li>d) <i>the provision of accessible public green space within the site commensurate with the scale of development;</i></li> <li>e) <i>the provision of space within the road system or by means of a car park to permit occasional parking of up to ten vehicles in proximity to the football pitch;</i></li> <li>f) <i>the provision of appropriate access into the site for vehicles, and segregated access to the site by cyclists and pedestrians from Threestile Road and Church Street;</i></li> <li>g) <i>the retention and enhancement of trees and hedgerows on the western boundary of the site (except where required to provide access to the site);</i></li> <li>h) <i>the provision by landscaping of a buffer on the southern edge of the site adjacent to the housing in Freeman Road to minimise <u>visual</u> intrusion to existing properties;</i></li> </ul>	<p>and will therefore meet the Basic Conditions.</p>	
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	<p>i) <i>the provision of a buffer zone to the north of the football pitch to accommodate visitors and spectators to football matches;</i></p> <p>j) <i>the retention and enhancement of the established hedge along the northern boundary of the site;</i></p> <p>k) <i>provision for a footpath link to the existing footpath network: paths 1428 and 1429 and 1430, adjacent to the established hedgerows, and Tilletts Lane;</i></p> <p>l) <i>the provision of a footpath link from the south-west corner of the site to Tilletts Lane; and</i></p> <p>m) <i>the development shall respect <del>and protect neighbouring properties, the buildings and environment of the Conservation Area, and the heritage assets of the parish</del> <u>the amenity of neighbouring properties, conserve heritage assets in the Conservation Area and the setting of relevant listed buildings.</u></i></p> <p><del>2. Occupation of the site shall be phased to align with the delivery of service infrastructure, in liaison with the service provider.</del></p> <p><i>Proposals for new and improved utilities infrastructure will be encouraged and supported in order to meet the identified needs of the community.</i></p>		
<p>Policy W7: Protection of existing commercial premises or land</p>	<p><i>Policy W7: Protection of existing commercial premises or land</i></p> <p><i>1. There will be a <del>strong</del> presumption against the loss of commercial premises or land which provides employment.</i></p>	<p>Modifications have been made for the purposes of clarification and to ensure that the wording of the policy is in</p>	<p>No further action required. Modification to be taken forward to the final plan.5</p>

	<p><i>Applications for a change of use of existing commercial premises to an activity that does not provide employment opportunities will be resisted unless it can be demonstrated that <del>both of the following criteria are met</del> <u>the commercial premises or land</u>;</i></p> <p><i><del>a) the commercial premises or land in question has not been in active use for at least 12 months; and has not been in active use for at least 12 months; and</del></i></p> <p><i><del>b) the commercial premises or land in question has no potential for either reoccupation or redevelopment for employment generating uses and as demonstrated through the results of: a full valuation report and a marketing campaign lasting for a continuous period of at least six months.</del></i></p> <p><i><del>i) a marketing campaign lasting for a continuous period of at least six months <u>and a supplemental report evidencing the marketing undertaken and the market response: and</u></del></i></p> <p><i><del>ii) a detailed valuation report assessing the viability of the land and buildings for employment use.</del></i></p> <p><i><del>2. The continued expansion of appropriate <u>Development proposals which will provide employment in the parish is will be encouraged in the WNDP provided that the subject to such uses and premises are being compatible with the rural nature of the parish, neighbouring proper land uses, and the capacity of supporting infrastructure.</u></del></i></p>	<p>accordance with the NPPF and meets the basic conditions.</p> <p>HDC agree with the Examiner's recommendation.</p>	
<p>Policy W8: Public car parking</p>	<p><i>Policy W8: Public car parking</i></p> <p><i><del>1. There will be a presumption against the loss of publicly accessible car parking in Warnham parish. Any proposals that would result in the loss of existing</del></i></p>	<p>HDC agree with the Examiner's recommendation.</p> <p>To bring the policy in line with national policy and will</p>	<p>No further action required. Modification to be taken forward to the final plan.</p>

	<p><del>publicly available car parking spaces must provide at least the same number of spaces in an equivalent location.</del></p> <ol style="list-style-type: none"> <li>1. <i>Proposals to provide car parking to serve users of Warnham Station, as shown on the Policies Map [1] with vehicular access provided from Station Road and landscape mitigation measures as appropriate will be strongly supported.</i></li> <li>2. <del><i>Alongside any new Proposals including appropriate bicycle parking facilities in conjunction with proposals for public car parking provision, appropriate levels of bicycle parking facilities will also be required to promote sustainable transport development will be supported.</i></del></li> </ol>	<p>therefore meet the Basic Conditions.</p>	
<p>Policy W9: Parking standards for new residential development</p>	<p><i>Policy W9: Parking standards for new residential development</i></p> <ol style="list-style-type: none"> <li>1. <i>For all new residential developments, including redevelopments, the minimum number of car parking spaces to be provided will be in accordance with the West Sussex Residential Parking Demand Calculator, unless it can be satisfactorily demonstrated that an alternative provision would be appropriate on a specific site. Parking spaces can take the form of spaces or garaging/car port facilities but must be permanently available for parking use.</i></li> <li>2. <i>Additionally, appropriate levels of parking shall be provided for visitors and service vehicles.</i></li> <li>3. <i>Appropriate provision shall be made for the parking of cycles in developments and at car parks.</i></li> </ol>	<p>No change.</p>	<p>No further action required.</p>