

**1. Details of the Article 4 Direction covering Chichester Conservation Area**

1.1. It is recommended that an immediate Article 4(1) Direction be served withdrawing the following classes of "Permitted Development" as outlined in the **Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)**:-

- i) **Class A, Part 1 of Schedule 2:** Consisting of the enlargement, improvement or other alteration to a dwellinghouse, where any part of the enlargement, improvement or alteration would front a relevant location.
- ii) **Class C, Part 1 of Schedule 2:** Alteration to the roof of a dwellinghouse where the alteration would be to a roof slope that fronts a relevant location.
- iii) **Class D, Part 1 of Schedule 2:** Consisting of the erection or construction of a porch outside any external door of a dwellinghouse where the external door in question fronts a relevant location.
- iv) **Class E, Part 1 Schedule 2:** The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure where the building or enclosure, swimming or other pool to be provided would front a relevant location, or where the part of the building or enclosure maintained, improved or altered would front a relevant location.
- v) **Class F, Part 1 of Schedule 2:** Development consisting of (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or (b) the replacement in whole or in part of such a surface where the hard surface would front a relevant location.
- vi) **Class G, Part 1 of Schedule 2:** Consisting of the installation, alteration or replacement of a chimney on a dwellinghouse.
- vii) **Class H, Part 1 of Schedule 2:** Consisting of the installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse where the part of the building or other structure on which the antenna is to be installed, altered or replaced fronts a relevant location.
- viii) **Class A, Part 2 of Schedule 2:** Consisting of the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure where the gate, fence, wall or other means of enclosure would be within the curtilage of a dwellinghouse and front a relevant location.
- ix) **Class C, Part 2 of Schedule 2:** The painting of the exterior of any part of (i) a dwellinghouse or (ii) any building or enclosure within the curtilage of a dwellinghouse which fronts a relevant location.

- x) **Class C, Part 11 of Schedule 2:** Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure where the gate, fence, wall or other means of enclosure is within the curtilage of a dwellinghouse and fronts a relevant location.

1.2. Under paragraph 2(10) of Schedule 3 “relevant location” means a highway, open space or waterway.

1.3. It is recommended that due to the fairly unified and the predominantly residential character of the Chichester Conservation Area that the Direction if approved should cover the whole of the conservation area including the additions to the areas agreed by Cabinet in December 2016.

**2. It is recommended that a non-immediate Article 4 Direction be served withdrawing the following classes of "Permitted Development" as outlined in The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended):-**

- i) **Class A, Part 14 of Schedule 2:** consisting of the installation, alteration or replacement of microgeneration solar photovoltaic (PV) or solar thermal equipment on any roof slope on –

i) a dwellinghouse or block of flats; or

ii) a building situated within the curtilage of a dwellinghouse or a block of flats

where the part of the building on which the equipment is to be located fronts a relevant location

2.1. Under paragraph 2(10) of Schedule 2 “relevant location” means a highway, open space or waterway.

2.2. It is recommended that to preserve the character of the conservation area that the Direction if approved should cover the whole of the area including any additions agreed by Cabinet.

### **3. Procedures for making an Article 4 Directions**

3.1. Under Parts 1 and 2 of Schedule 3, the procedure for making Article 4 directions requires a Notice in relation to the Direction to be made:-

- by local advertisement;
- by site display at no fewer than two locations within the area to which the direction relates for a period of not less than six weeks; and
- by serving the notice on the owner and occupier of every part of the land within the area to which the direction relates.
- In the case on non-immediate Directions notified to the Secretary of State for Communities and Local Government.

- 3.2. Immediate Directions come into force as soon as the Notices are issued. A period of at least 21 days is given to those affected by the direction to make representations to the Council and they must be given some consideration before confirmation. If there are no objections then the Council can seek to confirm the direction, but at least 28 days must have lapsed since the notice was given. Confirmation of the Direction must be done within 6 months. Non-immediate Directions only come into force once the Direction has been confirmed. As soon as practicable after the Direction has been confirmed the local planning authority shall send a copy of the confirmed Direction to the Secretary of State.
- 3.3. It is also recommended that, in addition to formal, legally required consultation, the Council also sends explanatory leaflets and letters to affected households informing them in plain English how the Article 4s affect them and why the Council is issuing them. The leaflet will explain the restrictions but would also point out some of the potential positive implications. This will detail the intrinsic benefit of helping to preserve the character of the area, along with less obvious effects such as the potential positive effect on the value of properties that fall within the enlarged Conservation Area.
- 3.4. A further Notice confirming the Directions will also need to be advertised in a local paper and served on the owner and occupier of every dwelling house within the area in so far as this is practicable.
- 3.5. If the Directions are made it is intended that the effectiveness of the controls should be monitored and reviewed through recording the present and future condition of the buildings concerned to help inform future decisions regarding rolling out Article 4 Directions more widely across the District's conservation areas.