

1. Details of the Article 4 Direction covering Chichester
 - 1.1. It is suggested that an immediate Article 4 Direction be served withdrawing the following classes of "Permitted Development" as outlined in **the Town and Country Planning (General Permitted Development) Order 1995:-**
 - i) **Part 1 of Schedule 2:** consisting of the erection, alteration or removal of a chimney on a dwelling house or building within the curtilage of a dwellinghouse
 - ii) **Class A, Part 1 of Schedule 2:** consisting of the enlargement, improvement or other alteration to a dwelling house, where any enlargement or improvement would front a public highway or other public space. Including replacement of doors or windows with a different style or material, new front porches or changes to external finishes such as wall surfaces or roof tiles which would affect the appearance of the property.
 - iii) **Class C of Part 1 of Schedule 2:** consisting of alteration to the roof of a dwelling house where the roof slope would front a public highway or other public space.
 - iv) **Class D of Part 1 of Schedule 2:** Consisting of the erection of a porch outside any external door that would front a public highway or other public space.
 - v) **Class E of Part 1 Schedule 2,** consisting of provision within the curtilage of a 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 public highway or other public space, or where the part of the building or enclosure maintained, improved or altered would front a public highway or other public space.
 - v) **Class F, Part 1 of Schedule 2:** consisting of the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse, where the hard surface would front a highway or other public space.
 - vi) **Class H, Part 1 of Schedule 2:** consisting of the installation, alteration or replacement of a satellite antenna on a dwellinghouse or within the curtilage of a dwellinghouse where the part of the building or other structure on which the satellite antenna is to be installed, altered or replaced fronts a public highway or other public space.
 - vii) **Class A of Part 2 of Schedule 2:** involving the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure to a dwellinghouse where the gate, fence, wall or other means of enclosure would front a highway or other public space.

viii) **Class B of Part 31 of Schedule 2:** involving any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure

1.2. It is suggested 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 any additions to the areas agreed by Cabinet.

2. It is suggested 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) Order 1995 as amended:-**

i) **Part 40 of Schedule 2:** consisting of the installation, alteration or replacement of solar PV or solar thermal equipment on any roof slope fronting a public highway or other public space.

2.2 It is suggested 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. The procedure for making Article 4 directions requires a Notice in relation to the Direction to be:-

- Advertised in a local paper. The Direction will take effect as soon as this has been done;
- Displayed on site at no fewer than two locations within the area to which the direction relates for a period of not less than six weeks; and
- Served on the owner and occupier of every dwelling house within the area in so far as this is practicable.
- Served on West Sussex County Council; and
- 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. A letter 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 Direction 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 Direction is 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.