



West Itchenor

VILLAGE DESIGN STATEMENT

2nd Edition 2012

Appendix 7

Introduction to Current National Regional and Local Planning Policies

With the changes to national planning policy that will follow the Localism Legislation and the ongoing work by Chichester District Council to produce the next Local Plan for the District, our “saved” policies in the present Local Plan will be superseded. These changes will result in the need to replace this Appendix. It has therefore been designed with this in mind.

Reference to policies has therefore been omitted from the text of the VDS and instead all current policies have been placed in this Appendix. We cross reference the VDS to this Appendix.

The current National, Regional and Saved CDC Local Plan Policies of relevance to rural parts of the AONB, and those considered to be most relevant to Itchenor are set out in this leaflet.

1. NATIONAL POLICY:

Paragraphs are reproduced below from the National Planning Policy Framework (NPPF) 2012

Supporting a prosperous rural economy

NPPF paragraph 28 Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

7 Requiring good design

NPPF paragraph 56 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

NPPF paragraph 58 Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;

- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

8 Promoting healthy communities

NPPF paragraph 75 Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

11 Conserving and enhancing the natural environment

NPPF paragraph 114: The undeveloped coast

Local planning authorities should:

- set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; and
- maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast

NPPF paragraph 115: Areas of Outstanding Natural Beauty

Great weight should be given to conserving landscape and scenic beauty in

National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.⁹

NPPF paragraph 116: Areas of Outstanding Natural Beauty (cont...)

Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest.

Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and

⁹ *English National Parks and the Broads: UK Government Vision and Circular 2010* provides further guidance and information about their statutory purposes, management and other matters.

- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

NPPF paragraph 123: Noise

Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts¹⁰ on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established,¹¹ and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

NPPF paragraph 125: Light pollution

By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

12 Conserving and enhancing the historic environment

NPPF paragraph 130: Neglect or damage to a Heritage Asset

Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

NPPF paragraph 131: Determining planning applications:

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

NPPF paragraph 132: Considering the impact on the significance of the heritage asset:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or

10. See Explanatory Note to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs).

11. Subject to the provisions of the Environmental Protection Act 1990 and other relevant law

destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

NPPF paragraph 133: Harm to or loss of significance of a heritage asset:

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use.
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NPPF paragraph 136: Loss of a heritage asset:

Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

NPPF paragraph 137: new development to enhance a heritage asset

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

2. LOCAL POLICY

Chichester District Saved Local Plan Policies 1999 (selected extracts below)

Policy H12 Replacement dwellings and extensions in the rural area

Planning permission will only be granted for the extension or 1 for 1 replacement of dwellings in the rural area provided proposals would not create a dwelling readily capable of conversion into more than one dwelling; detract from the rural character and appearance of the existing dwelling and/or of the surrounding area, by virtue of scale, mass or design, particularly within the AONB where proposals should not detrimentally increase the bulk of the building visible from public vantage points; or detract from the amenities of adjoining residents. Proposals should also not result in the loss of a 'small dwelling' (external floorspace of 90 m² or less) by creating an increase in floorspace of more than 50% of the original dwelling.

Policy C1 Waterside Management

Proposals which detract from the openness or rural character of the landscape adjacent to Chichester Harbour by increasing the built development as seen from the coastal footpath, foreshore, water or viewpoints across the harbour will be refused.

Policy RE4 Chichester Harbour AONB

AONBs will be conserved and enhanced. Any development which would be harmful to their visual quality or distinctive character will not be permitted except in compelling circumstances (e.g. development essential for agriculture, forestry or quiet informal recreation, for roads, the extraction of minerals or deposit of waste may exceptionally be regarded as compelling provided these cannot be located or designed to meet these needs without giving rise to such harm).

Policy RE12 Rural diversification

To encourage employment opportunities proposals for rural diversification involving conversions, changes of use and new building in compliance with Policies B5 and RE14 will be accepted provided they are not contrary to policies for the protection of the countryside, visually damaging within the landscape, damaging to nature conservation interests, or result in a type/level of activity that would be detrimental to the surrounding area.

Policy B5 New build and extensions in the rural area

Extensions to existing buildings for business, industry or warehousing will only be permitted where they are small in scale in relation to the size of the existing buildings.

New buildings for business, industry or warehousing will only be permitted if they are small in scale and the LPA is satisfied that the enterprise necessitates a countryside location for its operation and there is no satisfactory location available within the nearby settlement policy area or business allocation.

Proposals should not:

- create unacceptable noise/activity for residents or the enjoyment of the countryside;
- generate unacceptable levels of soil, water, artificial light or air pollution;
- create unacceptable levels of traffic for the rural location;

- include proposals of a height or bulk that would be visually damaging to the rural area;
- result in unsightly external storage;
- result in isolated development which would lead to a damaging change in the character of the countryside and/or the special character of the AONB.

Policy C7 Boatyards and Marinas

In order to safeguard waterside sites for boating related facilities the development or redevelopment of boatyard and marina sites will only be permitted for uses associated with boat building, fitting out, maintenance and repair of boats and ancillary uses.

Policy BE4 Buildings of Architectural or Historic Merit

The district planning authority will place a high priority on protecting the character and appearance of all buildings of architectural or historic interest. The district planning authority will have special regard to the desirability of preserving listed buildings and their settings. There will be a presumption in favour of the preservation of such buildings, including their settings and any features of architectural or historic interest, unless a convincing case can be made for demolition or alteration; development affecting a listed building which would result in the loss of character of an area will similarly be resisted.

Policy BE5 Alterations to Listed Buildings

Where listed buildings are to be altered or extended the design, detailing and materials must be appropriate to the character of the listed building.

Policy BE6 Conservation Areas

Within designated conservation areas and their settings the district council will seek to preserve or enhance the special architectural or historic character or appearance of the area and will refuse applications where:

- (1) they include new buildings or extensions or alterations to existing buildings (including shop fronts) which are of inappropriate height, scale, materials or design, to accord with the character of the conservation area;
- (2) the proposals by reason of their bulk and height would obstruct or adversely affect views of buildings which are effective in helping to maintain the historic character of the conservation area;
- (3) the proposals fail to respect the existing historic layout and street pattern of the conservation area and the surrounding settlement (including passageways, alleys and public open spaces);
- (4) the proposals would result in the loss of trees, walls or other means of enclosure which are important to the character of the conservation area.

There will be a presumption in favour of retaining buildings which make a positive contribution to the character or appearance of conservation areas.

Policy BE11 New Development

New development within the district must not detract from its surroundings. In assessing planning applications the following matters will be taken into account:

- (1) its effect on the local environment;
- (2) the intrinsic merit of the design, scale, materials, siting and layout;
- (3) its relationship to and effect on neighbouring development;
- (4) its setting in the landscape.

To ensure that adequate infrastructure, and provision for its future maintenance, is or will be provided, permission may be refused or phasing requirements and/or contributions secured by condition or agreement. Permission will also be refused if the proposal takes insufficient measures to support the objectives of crime prevention.

Policy BE14 Wildlife habitat, Trees, Hedges and Other Landscape Features

Proposals for new development will only be granted planning permission if they include:

- (a) appropriate landscaping proposals which include the use of native species unless it can be shown that these are inappropriate to the site and which indicate the replacement of healthy trees lost as a result of the development;
- (b) a design and layout which will minimise the impact on features and sites of nature conservation or of geological value and take advantage of opportunities for habitat enhancement and creation.

Development which would have an adverse effect on wildlife species protected by law will not be granted permission.

Proposals for development which will affect existing trees or hedges or which will involve new planting will be required to include:

- (1) details to be submitted at the time of initial application showing the position of existing and proposed new trees and hedges in relation to both the site as existing and to the development as proposed. Such details should additionally show the location of proposed service cables and pipes;
- (2) measures to adequately protect existing trees and hedges whilst works are being carried out. The district planning authority may impose conditions on any permission given to ensure that adequate protection is implemented before development commences.

Requirements (1) and (2) must be prepared in accordance with BS 5837: 1991 ("trees in relation to construction").

Policy R4 Public Rights of Way and other Paths

The district planning authority will not permit developments that would extinguish or be detrimental to the amenity value of public rights of way or give rise to the need for inconvenient detours or threaten public safety. For the purposes of this policy public rights of way are defined as footpaths, bridleways, byeways open to all traffic (boats) and roads used as public paths (rapps).

Policy T4 Tourism in AONBs

Tourist development which has an adverse impact on the specific character of Chichester Harbour and Sussex Downs Areas of Outstanding Natural Beauty will be refused. In particular development will not be permitted which would:

- (1) adversely affect the undeveloped rural character of the surrounding landscape;
 - (2) give rise to works required for access or infrastructure which would be obtrusive;
 - (3) result in development, the design, bulk and height of which would be inappropriate to its setting;
 - (4) have a damaging effect upon long distance views into or within the areas of outstanding natural beauty;
 - (5) be detrimental to features of archaeological or ecological importance.
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Chichester Harbour AONB Management Plan 2009-2014 (see selected extracts from The Chichester Harbour Conservancy Planning Guidelines, Appendix 3 of the Chichester Harbour Management Plan below)

Policies A1-A6: Agriculture and Landscape

Policy A1: The Conservancy will seek to retain the rural nature of the area, opposing applications which involve major changes in geomorphology or which introduce large numbers of people into the landscape. In particular the Conservancy will oppose any applications that have an irreversibly damaging effect on the rural and natural nature of the landscape.

Policy A2: Whilst it is recognised that some agricultural development is permitted development, the Conservancy will seek to minimise the impact on the landscape of agricultural structures, that are out of keeping with the landscape, through the principle of prior notification. If the Conservancy is aware of any threats from permitted development, it will urge the local planning authorities to seek an Article 4 direction for significant landscape or environmental areas, where it is apparent that this landscape or environmental value is threatened by unacceptable land use.

Policy A3: The Conservancy will support only those proposals for a change of use from agriculture to other appropriate uses that can be accommodated without harming the open countryside or special landscape characteristics of that particular locality. Chichester Harbour AONB is outside of the areas designated for horticulture in the adopted local plans. Any application for a change of use to horticulture will need to demonstrate the need for horticulture in that location, the impact of the buildings on the landscape, and the increase of light and noise pollution

Policy A4: The Conservancy will only support the conversion of agricultural buildings to an alternative use if The Design and Access Statement submitted with the application outlines the following:

- A business or tourism use is considered for the building before residential
- The design is sympathetic to its landscape context particularly the use of materials, the insertion of additional openings and prevents any urbanisation of the site, particularly if a residential curtilage is to be introduced
- Where a conversion is for a self-catering use or holiday home a holiday occupancy condition should be instated as part of the planning permission
- Where residential is considered to be the best use, the statement should be submitted explaining why the site is unsuitable for employment or a tourism use, and if the site is suitable as an exception site (as defined in PPS 3) and could be considered for affordable housing
- That protected species are not affected, such as bats and barn owls.

Policy A5: The Conservancy will seek to ensure that any proposed development for the diversification of farming, the conversion of existing redundant buildings, a new industrial or employment site, or a tourist or sports facility will not:

- Cause a detrimental impact on the landscape by creating excess artificial light
- Cause a detrimental impact on the tranquillity of the AONB by way of activity or the level of noise generated
- Be visually intrusive.

Policy A6: The Conservancy will only support telecommunications masts where:

- A Design and Access Statement shows that there is a genuine need for the mast in that location within the AONB and no other suitable site or mast sharing opportunities are available outside of it
- That the mast is sited in an appropriate location within trees, or within an existing redundant structure/building
- That the mast is sensitively designed, its colour, height and bulk is kept to a minimum and that opportunities to disguise the mast are made (for example it could be made to look like other vertical key features in that landscape, for example trees or telegraph poles).

Policies B1-B8 : Built Development - Residential

Policy B1: In principle, the Conservancy will support only those proposals for new residential development which are in existing defined settlement boundaries as shown on the proposals maps in the adopted Local Development Plans, or are expressly intended to meet the social and economic needs of the rural communities and which do not adversely affect the landscape or conservation

qualities of the AONB. Any applications for infilling within hamlets or villages outside of the identified built up areas will be resisted where it would result in harm to the character of the area by reducing plot size, intensifying development, and would result in unsustainable development.

Policy B2: The Conservancy will oppose any property extension or replacement dwelling which significantly increases the size of the property to the detriment of the landscape and that increases the developed frontage of the waterside, when seen from public vantage points, such as public footpaths or the water.

Policy B3: The design construction and alteration of buildings in the AONB should reflect the nature of the landscape and the natural environment by linking the built environment through the use of vernacular styles and materials and good design. Special consideration will be given to such applications in respect of listed buildings. Chichester Harbour Conservancy in conjunction with two local planning authorities have produced Design Guidelines for New Dwellings and Extensions which should be referred to when assessing or presenting new proposals.

Policy B5a: Renewable energy: micro-generation. The Conservancy in principle supports the installation of small-scale* solar technologies, small-scale wind turbines, heat exchange systems and other renewable energy technologies, provided there is no detrimental impact on the AONB, its setting and nature conservation interests. Applications should:

- Take opportunities to site discreetly or out of view from public vantage points
- Be designed as far as practicable to minimise their impact on the appearance of the site and/or building
- Be of an appropriate scale in relation to the site and/or building and its setting in the wider landscape; and
- Operate at noise levels appropriate to their location.

* Primarily on or associated with residential properties and small businesses. For example, small arrays of solar panels, roof-mounted wind turbines or free standing wind turbines up to 20 metres to the blade tip.

Policy D1: Built Development - Commercial

Policy D1: To protect existing waterside sites for marine uses and water related facilities any new development or redevelopment of boatyard and marina sites will only be permitted for uses associated with boat building, repair, maintenance and ancillary uses. Where a site has been vacant for a long period of time and it can be demonstrated through marketing for at least a year that a marine facility is no longer viable, a mixed use retaining some marine use and alternative employment uses will be considered provided that can be accommodated without harming the special qualities of the area and which are capable of reversion to marine industrial use at a later stage.

C) AONB Landscape Character Assessment 2005 (with Planning and Management Guidelines)

The following Chapters are relevant to the area covered by the VDS

D2 Itchenor Reach, 1 West Manhood Peninsula, Sea Defences and paragraph 4.5 Harbour-side Housing Development

D) Design Guidelines for New Dwellings and Extensions in Chichester Harbour Area of Outstanding Natural Beauty (2010)

The Design Guidelines set out detailed general advice (on pages 3 – 10) on landscaping and planting, scale and massing, guidance on size increase, the design of extensions, colour, appearance and finish, and windows and glazing. The Design Guidelines provide various photographic examples and also give further guidance specific to Itchenor on pages 28 and 29.



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The publishers wish to express their grateful thanks for all those who have contributed to the writing and production of this Village Design Statement, see page 75.

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