

**COPY**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**  
(as amended)

**LISTED BUILDING ENFORCEMENT NOTICE**

**ISSUED BY: CHICHESTER DISTRICT COUNCIL**

Acting as Agent for **SOUTH DOWNS NATIONAL PARK**  
which is the Local Planning Authority

**REFERENCE NUMBER: MI/14**

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that works have been executed to a listed building in their area; and that the works are such as to involve a contravention of Section 9(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (the "the Act"). They consider that it is expedient to issue this notice, having regard to the effect of the works on the character of the building as one of special architectural or historic interest.

2. **THE BUILDING AFFECTED**

Building know as Midhurst Grill, 37 North Street, Midhurst, West Sussex shown edged in red on the attached plan ("the Building").

3. **THE CONTRAVENTION ALLEGED**

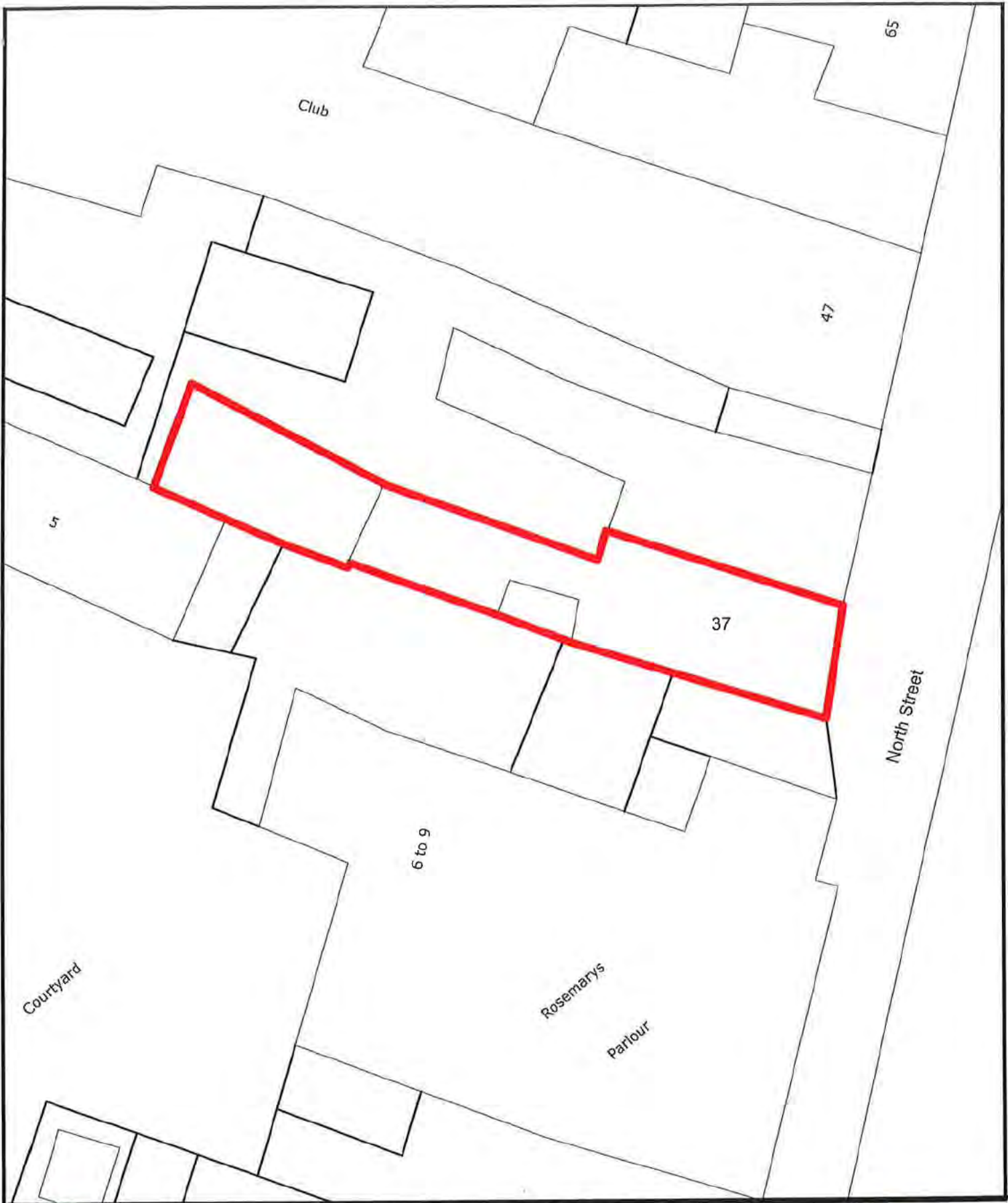
Without Listed Building Consent, the attachment of a plastic banner to the front shop fascia, the attachment of two halogen type light units above the said shop fascia and the painting of the ground floor shop front and entrance doors.

The Works contravene Section 9(1) of the Act in that they involve the alteration of the Building in a manner affecting its character as a building of special architectural or historic interest without listed building consent.

4. **REASONS FOR ISSUING THIS NOTICE**

The Council considers that the attachment of the plastic banner, installation of two halogen type light units and the repainting of the front of the Building in the form undertaken has a detrimental impact on the façade of this Grade II listed building. The attachment of the banner, the paint colour and lighting detracts from the character and appearance of the Conservation Area and harms the special architectural and historic character of the listed building; contrary to the aims and objectives of the NPPF paragraph 130, policies BE5, BE6 and BE9 of the Chichester District Council Local Plan First Review (1999) and policies SD1, SD5, SD6, SD7, SD29, SD39, 52 and SD55 of the SDNPA Emerging Local Plan.

The Council considers that listed building consent should not be granted for the



**CHICHESTER DISTRICT COUNCIL IN PARTNERSHIP WITH  
THE SOUTH DOWNS NATIONAL PARK AUTHORITY  
S. R. CARVELL, DIP TP, MRTPI.  
DIRECTOR OF ENVIRONMENT**



**Subject: Listed Building Enforcement Notice MI/14**

**LOCATION: Midhurst Grill, 37 North Street, Midhurst, West Sussex**

**File Reference:  
SDNP/14/00207/ADVERT**

**Scale: 1:200**

**O.S. Plan Reference: SU8821**

**Produced on GIS by NW**



Reproduced from the  
Ordnance survey Mapping  
with the permission of the  
controller of  
Her Majesty's Stationery Office,  
Crown Copyright.

**UNAUTHORISED REPRODUCTION  
INFRINGEMENTS CROWN  
COPYRIGHT AND MAY  
LEAD TO PROSECUTION  
OR CIVIL PROCEEDINGS.**

Chichester District Council  
East Pallant House  
Chichester, West Sussex. PO19 1TY.  
License No. LA077 250

**This copy has been produced specifically for planning purposes only. NO FURTHER COPIES MAY BE MADE**



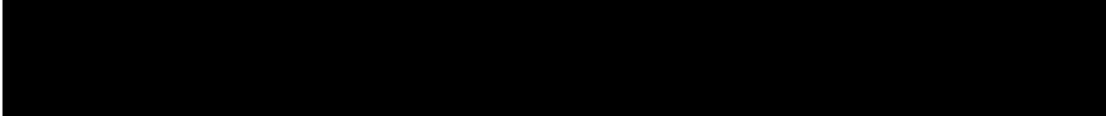
## PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

This Listed Building Enforcement Notice has been served on the following individuals / organisations:

### The Owners



### The Occupier



The Enforcement Notice has been sent for information to the following individuals / organisations:

### Other named Parties

Clerk of Midhurst Town Council  
Midhurst Town Council, The Old Library  
Knockhundred Row, Midhurst West Sussex GU29 9DQ

## ANNEX

### YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 20<sup>th</sup> July 2016 (i.e. the date when this notice takes effect). The enclosed information sheet from The Planning Inspectorate tells you how to make an appeal.

### WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on 20<sup>th</sup> July 2016 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

### EXISTING CRIMINAL LIABILITY

Section 9 of the Act creates immediate criminal liability if a person executes or causes to be executed any works for the demolition of a listed building, or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised. This criminal liability is independent of enforcement action commenced by an enforcement notice. You may, therefore, be liable to prosecution under Section 9 of the Act.