

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

**ISSUED BY: CHICHESTER DISTRICT COUNCIL (“the Council”), on behalf of the
SOUTH DOWNS NATIONAL PARK AUTHORITY (“the SDNPA”)**

REFERENCE NUMBER: HT/26

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that works are being 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 at East Harting Farm, Hollist Lane, East Harting, West Sussex shown edged in red on the attached plan (“the Building”).

3. **THE CONTRAVENTION ALLEGED**

Without Listed Building Consent the partial demolition of the Building and erection of timber frame extension in the approximate position shown coloured in black on the attached plan.

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 Building and its walls contribute to the historic agricultural setting of the main listed building known as East Harting Farm and the East Harting Conservation Area. The demolition of the walls attached to the Building (and forming a small enclosure) and partial construction of a timber framed extension results in the linear extension of the Building in a non-traditional form which would, by reason of its siting, form and design result in a harmful addition to the Building detracting from its simple historic agricultural character and appearance. The alterations would result in the loss of a feature of historic interest and would neither conserve nor enhance the cultural heritage of the South Downs National Park.

As such the development conflicts with policies BE4, BE5, BE6, BE11, BE12 and H12 of the Chichester Local Plan First Review (1999), General Policy 9 of the South Downs National Park Partnership Management Plan 2014-19, policies SD6, SD11, SD39 and SD40 of the Pre-Submission South Downs Local Plan ,Sections 7 (specifically paragraphs 60, 61 and 64) and 12 (paragraphs 131, 132 and 134) of the National Planning Policy Framework and the first purpose of designation of the South Downs National Park.

The Council considers that listed building consent should not be granted for the works because conditions attached to the consent could not overcome these objections.

5. WHAT YOU ARE REQUIRED TO DO

In exercise of their powers under Section 38 of the Act, the Council require that the steps specified below be taken:-

- (i) Remove the said timber frame extension;
- (ii) Remove the concrete base and brick foundations to the said timber frame extension;
- (iii) Reinstall the roof tiles using retained tiles;
- (iv) Reinstall the brick paved yard floor using retained bricks;
- (v) Reinstall the flint walling to the north boundary of the enclosed area;
- (vi) Reinstall the stone and brick walls of the east and south boundary of the enclosed area using retained bricks where possible to match the original walls as shown in photographs attached, height of walls of enclosure to be 108cm, length of southern wall of enclosure to be 362cm and length of eastern wall of enclosure to be 116cm from the southern end and 120cm from the northern end of the wall reinstating the entrance to the enclosure.

Time for compliance: Three months beginning on the date this notice takes effect.

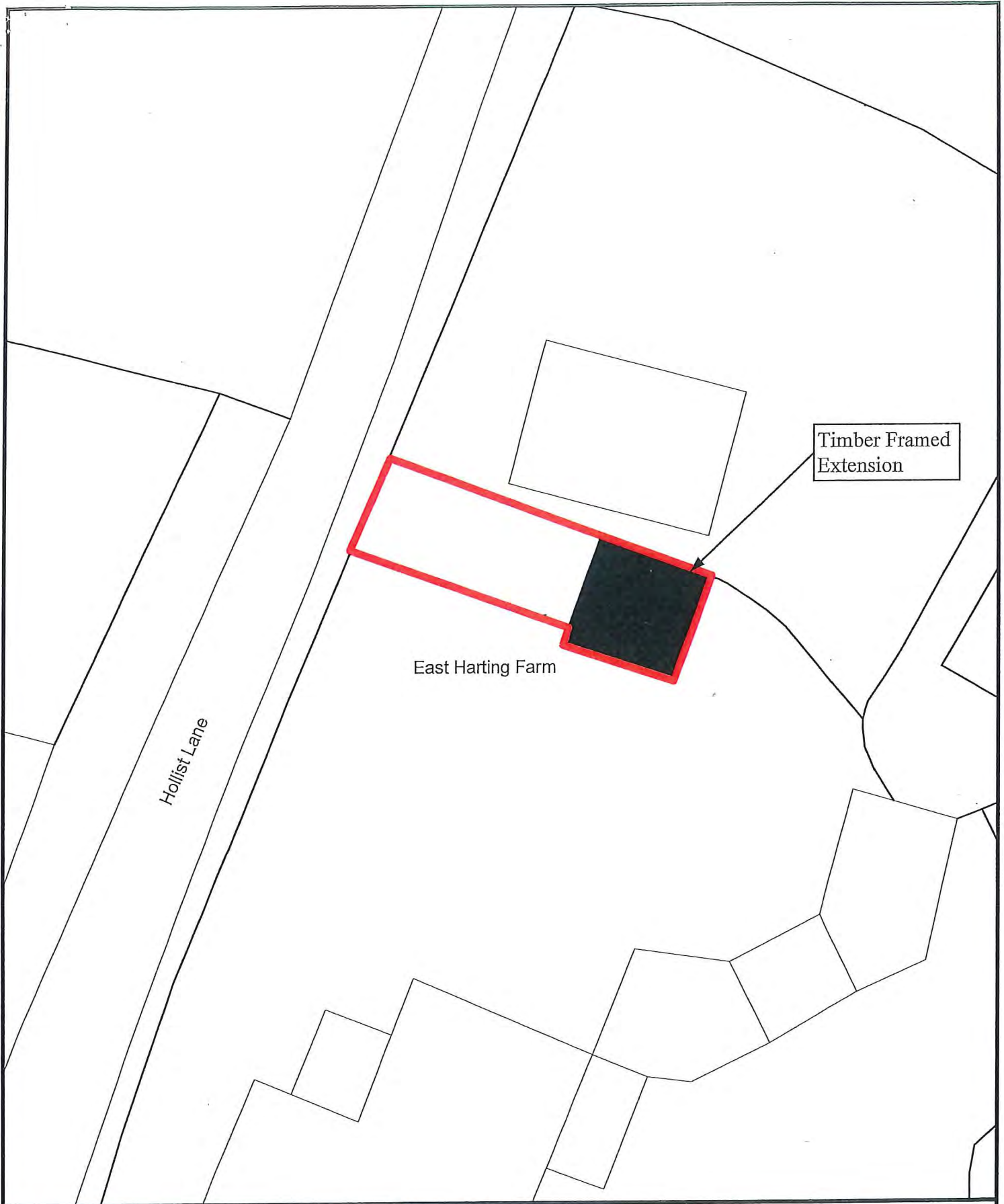
6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 14th June 2017 unless an appeal under Section 39 is made against it beforehand.

Dated: 3rd May 2017

Signed:

on behalf of
Chichester District Council
East Pallant House
East Pallant, Chichester, West Sussex PO19 1TY



CHICHESTER DISTRICT COUNCIL

Working in partnership with the South Downs National Park

S. R. CARVELL, DIP TP, MRTPI.

EXECUTIVE DIRECTOR OF ENVIRONMENT



Subject: Listed Building Enforcement Notice Plan HT/26

LOCATION: East Harting Farm, Hollist Lane, East Harting, West Sussex

File Reference:
HT/SDNP/17/00050/LB

Scale: 1:200

O.S. Plan Reference: SU7919

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PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

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

The Owners

1.

2.

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

Other named Parties Clerk of Harting Parish Council
The old Post Office, South Harting, Petersfield
Hampshire GU31 5PU

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 14th June 2017 (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 14th June 2017 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.



Legal Reference: TCP-10-004232
Planning Reference: SDNP/16/00692/LB



