



Issued: 1 August 2022

SOUTH DOWNS NATIONAL PARK AUTHORITY

LISTED BUILDING ENFORCEMENT NOTICE

relating to
The Milburys, Beauworth Road, Beauworth, Alresford, Hampshire, SO24 0PB

Neil McArthur, Service Lead- Legal,
Winchester City Council, City Offices, Colebrook Street, Winchester, Hampshire,
SO23 9LJ

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990
(as amended by the Planning and Compensation Act 1991)**

LISTED BUILDING ENFORCEMENT NOTICE

ISSUED BY:

SOUTH DOWNS NATIONAL PARK AUTHORITY

1. THIS LISTED BUILDING ENFORCEMENT NOTICE is issued by South Downs National Park Authority as the Local Planning Authority, pursuant to Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Act”) because it appears to the Authority that works have been carried out for the alteration of the listed building described in paragraph 2 of this Notice in contravention of Section 7 of the Act. The Authority consider it expedient to issue this Notice, having regard to the effect of the works on the character of the building as being of special architectural or historic interest. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LISTED BUILDING TO WHICH THIS NOTICE RELATES**

The Milburys, Beauworth Road, Beauworth, Alresford, Hampshire, SO24 0PB which is shown edged red on the attached plan (“the Listed Building”).

3. **WORKS EXECUTED TO THE LISTED BUILDING**

Without Listed Building Consent the execution of works to the Listed Building in contravention of Sections 7 and 9 of the Act as follows:

- (i) The removal of 6 no. traditionally detailed and rebated single glazed 6 over 6 timber sliding sash windows and;
- (ii) The replacement of the windows identified in item (i) with UPVC top hung double glazed units on the south elevation.

The windows are shown circled in red on the attached photo (“Photo A”).

4. **REASONS FOR ISSUING THIS NOTICE**

The works relate to a building included on the Statutory List of Buildings of Special Architectural or Historic Interest (Grade II).

It appears to the Authority that these works have occurred since the building was listed in 19th December 1983. The windows are referenced within the initial listing.

The development does not conserve the cultural heritage of the South Downs National Park, no explanation of public benefit has been provided and the works are also contrary to multiple other local and national policies. As such the works are contrary to Policy SD1 of the South Downs Local Plan 2014-2033 and the NPPF 2021.

The development is not appropriate or sympathetic to the area, the materials used are not in keeping with the continuity across the built form within the landscape area and therefore results in harm to the special landscape character of the SDNP contrary to policy SD5 of the South Downs Local Plan 2014-2033 the guidance contained within the Landscape Character Assessment 2020 and the requirements of the NPPF 2021.

The removal of the windows and replacement have resulted in a harmful impact upon the character and appearance of the grade II listed building without delivering any public benefits. As such the harm would not therefore be clearly or convincingly justified, contrary to policies SD1, SD5, SD12, SD13 and SD14 of the South Downs Local Plan 2014-2033 and the NPPF 2021.

The Authority do not consider that listed building consent should be given due to the reasons above.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the UPVC windows and frames shown circled in red on Photo A;
- (ii) Replace the windows circled in red on Photo A with traditionally detailed vertical sliding 6 over 6 sash windows, without horns, with true glazing bars and a puttied finish. The windows and frames shall be constructed in timber and painted white inside and out. The replacement windows shall exactly match the traditional sliding sash 6 over 6 windows on the first floor of the western elevation in all respects;
- (iii) Make good surrounding fabric, where required, on a like for like basis.

6. TIME FOR COMPLIANCE

6 months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 1 September 2022 unless an appeal is made against it beforehand.

Date: 1 August 2022

Signed:



Name: Neil McArthur, Service Lead - Legal

Winchester City Council , City Offices, Colebrook Street, Winchester, Hampshire
SO23 9LJ, as agent for South Downs National Park Authority

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 the date specified in paragraph 7 of the Notice.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this listed building enforcement notice, it will take effect on the date specified in paragraph 7 of the Notice 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(s) specified in paragraph 6 of the notice. Failure to comply with a listed building enforcement notice which has taken effect can result in prosecution and/or remedial action by the Authority.



Date: 29/06/2022

Scale: 1:1,250

Author:

Notes:

Legend

PHOTO A

