

**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 ("the Council")  
on behalf of the SOUTH DOWNS NATIONAL PARK AUTHORITY ("the  
SDNPA")**

**REFERENCE NUMBER: MI/21**

1. **THIS NOTICE** is issued by the Council on behalf of the SDNPA because it appears to them that works have been executed to a listed building: 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 Act") The Council considers that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

**2. THE BUILDING AFFECTED**

Building at 37 North Street, (Midhurst Grill), Midhurst, West Sussex GU29 9DR ("the Building"), within the land shown edged red on the attached plan ("the Plan").

**3. THE CONTRAVENTION ALLEGED**

Without listed building consent the erection of a wooden framed extension and an open sided timber extension roofed in polycarbonate plastic sheeting to the rear elevation of the Building.

The works contravene Section 9(1) of the Act in that they involve the extension and 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 Building is situated in the South Downs National Park. The SDNPA has the following statutory purposes and socio-economic responsibilities, as specified in the Environment Act 1995.

1. To conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
2. To promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.

Working in partnership with other Local Authorities and other organisations, it is also the duty of the SDNPA to seek to foster the economic and social well-being of the local communities within the National Park.

By reason of its rudimentary construction and the unsympathetic materials used for the wooden framed extension and an open sided timber extension roofed in polycarbonate plastic sheeting to the rear elevation of the Building, it's stark functional appearance is considered to severely detract from the character, appearance and dominates the rear elevation of the Building.

Accordingly the development is considered to be contrary to Paragraphs 212, 213 and 60 of the National Planning Policy framework and Policies SD5, SD12, SD13, and SD34 of the South Downs Local Plan 2019.

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 the steps specified below be taken:

- (i) Dismantle and remove the said wooden framed extension and the said opened sided timber extension roofed in polycarbonate plastic sheeting from the rear elevation of the Building;
- (ii) Remove the metal and screw fixings that have been attached to the brick walls of the Building;
- (iii) Make good any damage to the fabric of the Building following compliance with (i) and (ii) above.

## **6. TIME FOR COMPLIANCE:**

Six months after this notice takes effect.

## **7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 17<sup>th</sup> of September 2025, unless an appeal is made under Section 39 is made against it beforehand.

Dated: 06th August 2025



Signed:

Principal Solicitor

on behalf of

Chichester District Council  
East Pallant House  
East Pallant  
Chichester  
West Sussex  
PO19 1TY  
EXPLANATORY NOTE

## **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 17<sup>th</sup> of September 2025 (i.e the date when this notice takes effect).

## **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against the Enforcement Notice, the Notice will take effect on the date specified in paragraph 7 indicated above and you must then ensure that the required steps for complying with it, and for which you may be held responsible are taken within the period/s specified in paragraph 6 of the Notice. Failure to comply with an enforcement notice that has taken effect is a criminal offence and can result in legal proceedings 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.

## **PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE**

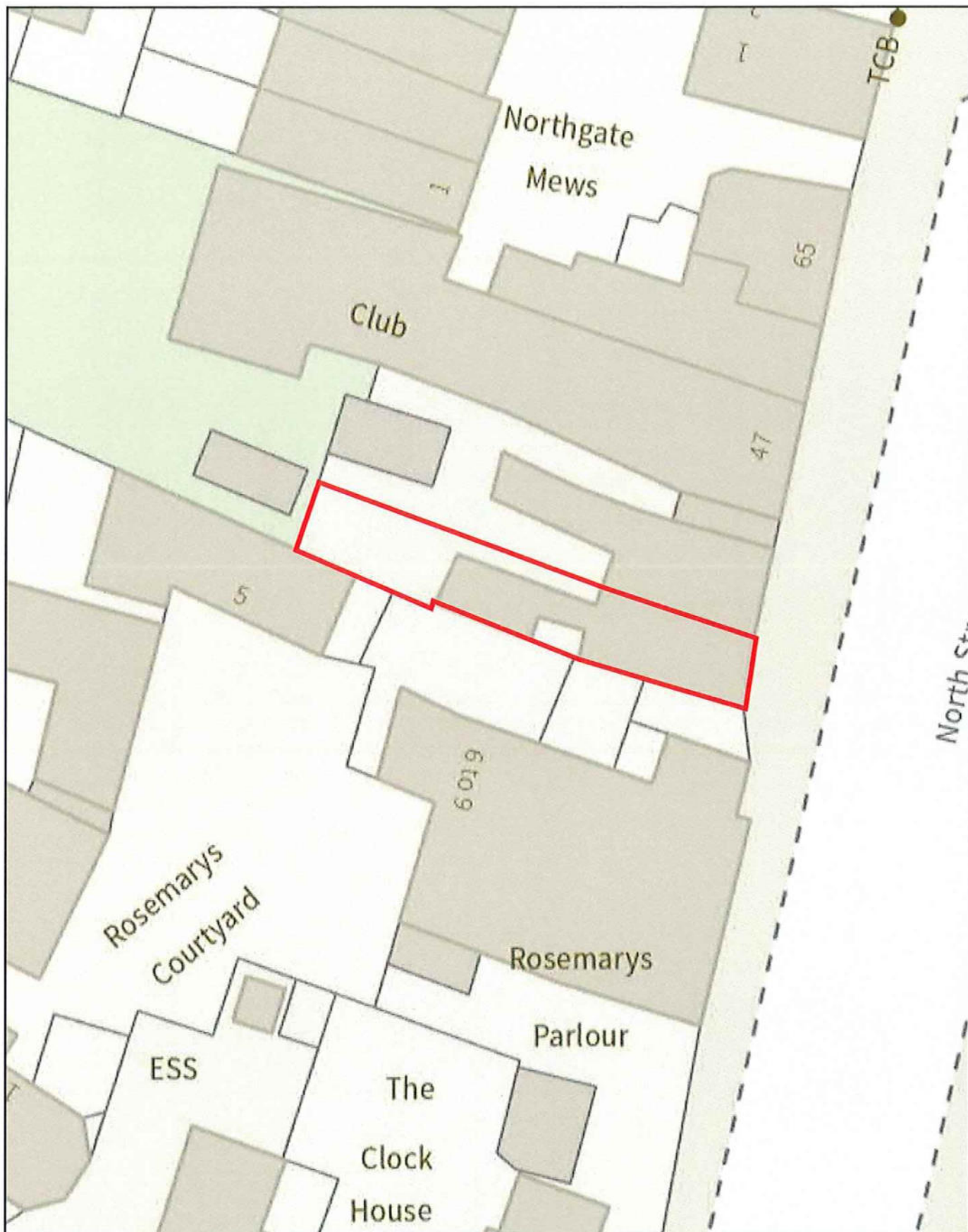
In accordance with the legislation, this Enforcement Notice has been served on the following individuals / organisations:

### **The Owners**

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

Other named Parties





## Enforcement Notice Site Plan Midhurst Grill



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