Horsham District Council

Mr Peter Davey
Peter Davey Ltd
49
Park Drive
Rustington
BN16 3DY

NOTICE OF REFUSAL TO GRANT A LAWFUL USE OR DEVELOPMENT CERTIFICATE

TOWN & COUNTRY PLANNING ACT 1990: S192 (AS AMENDED BY S10 OF THE PLANNING AND COMPENSATION ACT 1991)

TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER (ENGLAND) 2015

Application No: DC/25/1873

1. Refusal

Horsham District Council by this notice **refuses** the application made under s192 of the Town and Country Planning Act 1990 (as amended) dated 21st January 2026 (reference DC/25/1873) for the matters referred to in paragraph 2 in respect of the land described in paragraph 3 for the reasons set out in paragraph 4.

2. Matters

Fill in open well in upper floor (over pool), Installation of new partition. Replacement of 1no. window like for like on the West elevation (Lawful Development Certificate - Proposed)

3. The land to which this refusal relates

Bucks Cottage Tismans Common Rudgwick West Sussex

4. Reason for refusing this application

1 The development would represent an alteration to the building, where condition 3 of planning permission reference RW/38/99 explicitly states that the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on application in that behalf. The replacement window would not therefore represent lawful development.

5. Schedule of plans/documents

This decision is based on the following schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan	Location & Block Plan	0434 / 114 REV A	14.11.2025

Elevation & Floor plan	Pool House - Existing Plans	0434 / 108 REVISION A	14.11.2025
Elevation & Floor plan	Proposed Plans	0434 / 110 REVISION A	14.11.2025

Note to Applicant
The Applicant is advised that the use of the upper floor for the accommodation as indicated on Proposed Plan reference 0434/110 REVISION A would go beyond what would be considered "incidental to the enjoyment of the dwellinghouse as such". The use of the building for the purpose shown would not therefore represent permitted development under Class E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. A planning application for the conversion of the building as shown would be required.

Your right to appeal
Where your application to the Council has been refused or refused in part you may appeal under s195 of the Act to the Secretary of State for Communities and Local Government. Further details and appeal forms are available at **www.gov.uk/appeal-lawful-development-certificate-decision**.



Emma Parkes
Head of Development and Building Control

Date: 21/01/2026