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Sent: 12 February 2026 12:06:22 UTC+00:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/25/3129

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 12/02/2026 12:06 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

Reference:	DM/25/3129
Address:	Land At Borde Hill Lane Haywards Heath West Sussex
Proposal:	Outline planning application for the erection of up to 125 dwellings, together with the provision of landscaping, open space, and associated development works, with access from Balcombe Road. All matters reserved except for access.
Case Officer:	Steven King

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Comments Details

Noise:

Comments: I have reviewed the submitted Noise Impact Assessment by Anderson Acoustics, Ref. 8687_001R_1-0_BG, and dated 9 January 2026. The assessment indicates that a number of dwellings, particularly those closest to Balcombe Road, Borde Hill Lane and the railway, would not achieve the BS 8233 and ProPG internal noise criteria with windows open. The report also advises that overheating and ventilation matters will be addressed at the detailed design stage.

While the final layout, orientation and internal room placement will be confirmed at Reserved Matters, ProPG requires that a Good Acoustic Design process is established at the earliest planning stage. This includes consideration of dwelling placement, building

orientation, room configuration and the use of passive screening measures before concluding that windows need to be kept closed.

It should therefore be made clear that the Council will not accept a design that relies by default on closed windows or mechanical ventilation as the primary means of achieving acceptable internal noise levels. Such reliance will only be considered where the applicant demonstrates, through an Acoustic Design Statement at Reserved Matters, that all reasonable and more sustainable passive design options have been fully explored and applied, and that alternative design approaches were shown not to be viable. Without this demonstration, the detailed scheme would not be supported by Environmental Health.

I would therefore recommend that the outline application only be approved subject to a condition requiring submission of a full Acoustic Design Statement at Reserved Matters. This must demonstrate how the scheme has incorporated the principles of good acoustic design in accordance with ProPG, including consideration of layout, orientation, room placement and all feasible passive measures, before any reliance on closed windows or alternative mechanical ventilation strategies is proposed.

The submitted Noise Impact Assessment also considers future plant noise and provides representative background sound levels from which suitable plant noise emission limits can be derived. A condition should therefore be applied requiring that any external plant associated with the dwellings (such as air source heat pumps) is designed and installed so that its rating level does not exceed the background sound levels identified in the report at the nearest noise-sensitive receptor.

Air Quality:

I have reviewed the submitted Air Quality Assessment by Anderson Acoustics, Ref. 8642_001R_2-0_HF, and dated 2nd December 2025. The report concludes that baseline air quality conditions are well within the relevant Air Quality Objectives and that the development is suitable for residential use. It also calculates the emissions damage cost required under the Sussex Air Quality and Emissions Mitigation Guidance, identifying a total 5-year mitigation cost of £9,045.

The report notes that an Emissions Mitigation Statement will be provided at a later stage, but it does not set out how the required mitigation cost will actually be met within the design of the development. At this outline stage this is acceptable, but it must be addressed during the detailed design phase.

I recommend that a condition therefore be required ensuring that, prior to commencement or at Reserved Matters stage, the applicant submits a full Emissions Mitigation Statement demonstrating how

the development will deliver mitigation measures equivalent to, or exceeding, the calculated damage cost. This should include confirmation of the measures to be incorporated into the scheme and how compliance with the Sussex Guidance will be achieved.

Construction:

Given the proximity of nearby existing residents to the application site, there is a concern with regards to the impact of the construction work which will produce a certain level of noise and dust. Conditions are therefore recommended in order to try and minimise the impact as far as reasonably practicable.

Recommendation: Approve with the following conditions:

1. No development shall commence until a scheme that addresses the issues of acoustics, ventilation and overheating (AVO) has been submitted to and agreed in writing by the Local Planning Authority.

Good acoustic design shall be fully integrated into the scheme. The hierarchy of good acoustic design (GAD) shall be applied in descending order and the methods utilised shall be clearly outlined in an Acoustic Design Statement (ADS).

The scheme shall a) outline the level of noise exposure for each property and how the noise level within any domestic living room or bedroom, with windows open for normal ventilation, shall comply with the desirable internal noise levels as outlined in Table 2.1 of BS8233:2014 and b) outline how the noise level within any domestic bedroom, with windows open, shall not normally exceed 42 dB(A) LAFmax between 23:00 and 07:00, in line with WHO NNGL 2007.

Where the standards in (a) or (b) above cannot be achieved following GAD and with windows open, only then shall the scheme show how those standards will be met with windows closed and how adequate ventilation and cooling will be provided.

and unless otherwise agreed in writing by the Local Planning Authority,

Where windows must remain closed to achieve acceptable internal noise levels, an overheating assessment must be undertaken with accordance with CIBSE. The cooling hierarchy shall be applied to the scheme.

The methods integrated into the design to prevent overheating shall be fully outlined in the AVO scheme and no dwelling hereby permitted shall be occupied until the approved scheme has been implemented in full for that dwelling.

If as a last resort mechanical ventilation is to be used, it must be demonstrated that it still complies with internal noise levels while providing sufficient ventilation.

Any amendments to the scheme or alterations to it must be agreed in writing with the Local Planning Authority in advance.

All acoustic reports submitted in relation to the scheme shall include characterisation of uncertainty and shall demonstrate the adoption of good practice to minimise uncertainty.

2. Any external plant or machinery associated with the development shall be designed, installed and operated so that its rating level (L_{Ar},Tr), as defined and derived in accordance with BS 4142:2014+A1:2019, does not exceed the representative background sound levels (L_{A90,T}) already established for the site within the submitted Noise Impact Assessment by Anderson Acoustics, Ref. 8687_001R_1-0_BG, and dated 9th January 2026. The assessment shall be undertaken with all plant operating at its maximum duty condition, and shall demonstrate compliance at the nearest existing or proposed residential façade. The approved noise control measures shall be implemented prior to first occupation of the relevant dwelling(s) and thereafter retained and maintained for the lifetime of the development.

3. Construction hours: Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

- Monday to Friday: 08:00 - 18:00 Hours
- Saturday: 09:00 - 13:00 Hours
- Sundays and Bank/Public Holidays: no work permitted

Reason: to protect the amenity of local residents.

4. Deliveries: Deliveries or collection of plant, equipment or materials for use during the demolition/construction phase shall be limited to the following times:

- Monday to Friday: 08:00 - 18:00 hrs
- Saturday: 09:00 - 13:00 hrs
- Sundays and Bank/Public Holidays: None permitted

Reason: To protect the amenity of local residents

5. Construction Environmental Management Plan: Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of:

- measures to monitor and control noise and vibration affecting nearby residents (in accordance with BS5228:2014 Code of practice for noise and vibration control on construction and open
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sites - with particular regard to the noisiest activities, typically piling, earthmoving, concreting, vibrational rollers and concrete breaking);

- dust management plan – monitoring and control in accordance with industry best practice
- control of artificial illumination
- complaints procedure and site contact details in case of complaints from nearby residents.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: to protect the amenity of local residents from noise and dust emissions during construction.

6. Prior to the commencement of the proposed development hereby permitted, the details of a scheme of mitigation measures to improve air quality relating to the development shall be submitted and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the costs derived from the Air Quality Assessment by Anderson Acoustics, Ref. 8642_001R_2-0_HF, and dated 2nd December 2025, and the migration measures in accordance with the Air quality and emissions mitigation guidance for Sussex which is current at the time of the reserved matters application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Kind regards