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**Sent:** 23 December 2025 17:02:15 UTC+00:00  
**To:** "planninginfo" <planninginfo@midsussex.gov.uk>  
**Subject:** Mid Sussex DC - Online Register - Consultee Comments for Planning Application DM/25/3021

**Wishing you a Merry Christmas and a Happy New Year. Although our offices and phone lines are closed for the Christmas period from 4pm on 24th December 2025 and reopening on Monday 5th January 2026, most of our services can be accessed online through our [website](#).**

**All emails will be responded to on our return on 5th January.**

## 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 23/12/2025 5:02 PM from Mr Nick Bennett on behalf of Environmental Protection.

### Application Summary

Reference:	DM/25/3021
Address:	Land To The West Of Courthouse Farm Copthorne Common Copthorne West Sussex
Proposal:	Outline planning application for the erection of residential dwellings (Use Class C3), including associated parking, outdoor amenity space, landscaping and drainage, with all matters reserved except for the new access proposed from Copthorne Common Road.
Case Officer:	Joanne Fisher

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### Comments Details

Comments:	The proposed development is for residential premises on a site close to the A264. The proximity of this noise source means that with the proposed design/layout, in order to avoid adverse noise impacts, windows on the Northern façade of the development will
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need to be kept closed, both day and night, according to the noise assessment.

The National Planning Policy Framework encourages improved standards of design, and ProPG: Planning and Noise was published in May 2017 in order to encourage better acoustic design for new residential schemes in order to protect future residents from the harmful effects of noise. An example of good design in such circumstances might be a layout incorporating a completely enclosed courtyard in order to provide sheltered, and therefore quieter, facades for habitable rooms, especially bedrooms. Alternatively, the internal layout of dwellings can also mitigate such noise issues, through the location of non-habitable rooms such as bathrooms, kitchens and hallways or circulation areas as buffers between the noise source/s and habitable rooms.

It is our view that Good Acoustic Design, as advocated within National Policy, includes ventilation and overheating assessment and should be a fundamental consideration in the design of schemes. Closed window solutions should be considered only as a last resort and should be accompanied by a satisfactory Acoustic Design Statement (as per ProPG) and an appropriate overheating assessment (ie conducted in accordance with Acoustics Ventilation and Overheating (AVO) Residential Design Guide (January 2020) and / or CIBSE's Design Methodology for the Assessment of Overheating Risk in Homes TM59: 2017).

In a recent (Nov 23) Appeal Decision where noise was one of the relevant issues, the Inspector made the following comments (APP/C3810/W/23/3318827):

"It is reasonable that future residents of the development would expect to be able to open their windows, particularly in fine weather. Being able to open windows (and patio doors) in a dwelling is an essential part of everyday life, and something which most people take for granted. Forcing future residents to make a choice between opening windows and tolerating road noise at the levels identified in the Appellant's noise evidence would create an oppressive living environment, inconsistent with the principles of good design."

The development referred to was adjacent to the A27, but the principle that the Inspector refers to is clear – occupiers should not have to choose between fresh air and a noise environment within safe levels.

It is for this reason that closed windows solutions are viewed as a last resort and should only be considered once it has been demonstrated that there is no other option. This is the purpose of the ADS as per ProPG. For this development, it is not demonstrated that a good design process has been followed. Given the need to avoid closed windows solutions wherever possible, the proposed design/layout does not appear to be appropriate.

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With regard to the air quality assessment, the calculated emissions mitigation cost of £8,046.51 is accepted, but the mitigation proposal of a travel plan is not accepted as this is already required for this development. The mitigation scheme should comprise additional measures, rather than those already necessary for the development.

Accordingly, the following conditions are recommended:

Soundproofing – Prior to development starting on site, details of a scheme for protecting the proposed dwellings and other noise sensitive uses from external traffic noise shall be submitted to and approved in writing by the LPA. The scheme shall ensure that, upon completion of the development, good acoustic design (GAD) will be used to achieve good acoustic standards. Once approved in writing, all the noise mitigation measures shall be implemented and thereafter retained.

Informative - A good acoustic design process should be followed in accordance with 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017 or later versions) to ensure that the internal noise criteria are achieved with windows open. Where the standards 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.

Air Quality - Prior to the commencement of any residential part of the 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, and to a value derived 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.

Informative – In order to ensure approval, we strongly recommend that the above scheme is agreed in advance with the Council's Air Quality Officer. The submitted calculated value of £8,046.51 is accepted

Construction Management - 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 control noise or vibration affecting nearby residents; artificial illumination; dust control measures in accordance with best practice. The construction works shall thereafter be carried out at

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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.

Construction and Deliveries (during the construction phase): Unless otherwise agreed in writing with the LPA, no construction plant or machinery shall be used and no commercial goods or commercial waste shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours of 08:00 - 18:00 Hours Monday – Friday, 09:00 - 13:00 Hours Saturday, and no work permitted on Sundays or Bank/Public Holidays.

REASONS: In the interests of residential amenity and in accordance with Policy DP29

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Kind regards