

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 04 March 2026 14:35:21 UTC+00:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/26/0131

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 04/03/2026 2:35 PM from Mr Nick Bennett on behalf of Environmental Protection.

Application Summary

Reference:	DM/26/0131
Address:	Land South And West Of Upper Imberhorne School Imberhorne Lane East Grinstead West Sussex
Proposal:	Approval of Reserved Matters following Outline Planning Permission (Ref. DM/23/2699) relating to appearance, landscaping, layout and scale for 550no. new residential units.
Case Officer:	Steven King

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Comments Details

Acoustic design with regard to Cond 24

We are not satisfied that the submitted design/layout is in accordance with Cond 24.

Comments:

The proposed development is for residential premises on a site West of Imberhorne Lane. With the proposed design/layout, in order to avoid adverse noise impacts, windows on the façades of the development facing the spine road will need to be kept closed during the daytime.

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 moving the units further away from the road or changing the building orientation in order to provide sheltered, and therefore quieter, facades for habitable rooms. 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 as buffers between the noise source/s and habitable rooms.

It is our view that Good Acoustic Design, as advocated within National Policy, also includes ventilation and overheating assessment and should be a fundamental consideration in the design of schemes. Closed window type solutions should be considered only as a last resort and should be accompanied by a satisfactory Acoustic Design Statement (as per ProPG) and usually 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, we are not fully satisfied that a good design process has been demonstrated. Specifically, with regard to these subsections of the condition:

"v. Using the layout of the scheme to reduce noise propagation across the site

vi. Using the orientation of buildings to reduce the noise exposure of noise sensitive rooms."

Additionally, in the undesirable event that closed windows are demonstrated as unavoidable, at any properties, then an overheating assessment will also be required for those properties: "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. Where windows must remain closed to achieve acceptable internal noise levels, an overheating assessment must be undertaken with accordance with CIBSE. The cooling hierarchy below shall be applied to the scheme....."

I will be happy to discuss this further with the applicant in the hope that a satisfactory outcome can be reached.

Kind regards