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| Description | Former Novartis Site, Parsonage Rd, Horsham, RH12 5AA Planning Application Ref DC/25/0629 Response to officer comments on noise |
| Date | 5 January 2026 |
| Issued by | N D Treby BEng(Hons) CEng FIOA MAES |
| Issued to | William McKay, Lovell |
| Ref No | NDT7305/21324 |

This technical note is a response to noise comments issued by Lee Money, of the Environmental Health Department at Horsham District Council, by email on 9th December 2025.

It follows previous comments issued by the Officer on 6th June 2025, which we responded to by Technical Note on 23 June 2025.

Noise and Overheating

- Consideration of Overheating is a Building Regulations matter.
- The Secretary of State’s intention in the Building Regulations Approved Document O is that the building’s overheating strategy only needs to consider noise at night.¹
- Approved Document O sets out that *In locations where external noise may be an issue (for example, where the local planning authority considered external noise to be an issue at the planning stage), the overheating mitigation strategy should take account of the likelihood that windows will be closed during sleeping hours (11pm to 7am).*²
- Therefore, there is no regulatory requirement to consider internal noise levels during the day during the mitigation of overheating which means that noise does not preclude windows being open for the mitigation of overheating during the day.
- Overheating at night is addressed in the submitted acoustic report.
- The scheme as designed in respect of noise and overheating is in full accordance with current legislation and policy. In any event, this will require further approval under the Building Regulations during detailed design.
- Amendment to draft condition 6 remains required as discussed in our note of June 2025.

AVO Guidance

- We note the officer’s comments that if mechanical ventilation is required to mitigate overheating, then it follows this guidance.

¹ Approved Document O O1(2)(a) Intention a.

² Approved Document O para 3.2

Balconies and access to outdoor amenity space

- The acoustic report recognises that the noise levels on some balconies will exceed WHO guidelines.
- This has been understood since the original Outline Approval issued in 2020.
- This is justified by referenced to BS 8233 as described in the acoustic report.

'... However, it is also recognized that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited...'

'Other locations, such as balconies, roof gardens and terraces, are also important in residential buildings where normal external amenity space might be limited or not available, i.e. in flats, apartment blocks, etc. In these locations, specification of noise limits is not necessarily appropriate. Small balconies may be included for uses such as drying washing or growing pot plants, and noise limits should not be necessary for these uses. However, the general guidance on noise in amenity space is still appropriate for larger balconies, roof gardens and terraces, which might be intended to be used for relaxation. In high-noise areas, consideration should be given to protecting these areas by screening or building design to achieve the lowest practicable levels. Achieving levels of 55 dB $L_{Aeq,T}$ or less might not be possible at the outer edge of these areas, but should be achievable in some areas of the space.' (7.7.3.2)

- This makes clear that an excess should not be a reason to refuse permission.
- The acoustic report sets out that there are amenity areas that comply with the guidelines.
- The officer suggests strategies to further minimise noise levels to balconies. Whilst some strategies (absorbing panels and glazed screens) are expected to make a modest difference, the benefit is small and so may be difficult to justify, and in any event would not bring noise levels to satisfy the guideline values. Other strategies (winter gardens) would result in material design change to the strategy of open external areas and are not necessary in the light of BS 8233 comments regarding noise levels in such spaces.
- The scheme as designed in respect of noise in external amenity areas is in full accordance with current legislation and policy
- Draft condition 7 should could be modified to require the applicant to submit for approval comment relating to these strategies.

However, the condition needs to recognise that, as allowed by BS 8233, noise levels in some external areas may exceed guideline values.

The adjoining site (DC/25/0415) also had noise comments from the Environmental Protection Team. The planning officer's report to committee in that case concluded that *'The comments of the Environmental Health Team are noted, however, it is not felt that a refusal on the grounds of noise impact would be justified. In this central town location, some noise impacts would be expected. The proposal indicates that the dwellings would be set back from the boundaries by internal roads and landscaped areas whilst the development also includes a LEAP and a LAP to the eastern section of the site which separates the dwellings from the industrial activities to the east. Taking on board the comments of the Environmental Health Team, it is felt that further details can be required to acceptably address the noise impact of the adjacent uses by condition. A condition is therefore recommended requiring full details of all acoustic measures to be implemented to the buildings to mitigate noise impacts.'*

As we advised in June 2025, we welcome the overall view that there is no objection to the scheme. The matters of concern raised by the Officer are overheating, which is addressed by the Building Regulations, and noise in gardens where the Officer's intent is met by the scheme as currently designed. We will be pleased to work with the LPA Officers to agree suitable precise and reasonable wording.