17th November 2025

12 Warren Yard
Warren Park
Milton Keynes
MK12 5NW

[redacted]

Tracey Annear
East3 Case officer
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN

Dear Tracey

Town and Country Planning Act 1990 - Appeal by HE4 UK Enterprises 17 GP Limited

Site Address: Land Parcel at 507911 125837, Newbridge Road, Billingshurst, West Sussex, RH14 9HY

Appeal Ref. APP/Z3825/W/25/3373279

We write further to your letter of 5th November 2025 containing the local planning authority's (LPAs) Statement of Case and associated appendices for the above appeal. Outlined below are the Appellants final comments having now seen the LPAs appeal documentation. These should be read in conjunction with the final comments from ACCON UK (the appellants acoustic engineer) in their Technical Rebuttal of 14.11.25, and the PRC drawing 11623_PL150 Site Sections, also attached.

The majority of the LPA statement refers to the planning history of the site up to the history of the site and most of what is said has been addressed in the applicants Written Statement.

In paragraph 2.7, reference is made to the EHOs response to ACCONs earlier comments and states'

'We will therefore be contacting residents of Pond Close with a view to undertaking our own noise monitoring from one of the properties. Once this monitoring has been undertaken, we will be happy to share this with you.'

Despite chasing, we have not been informed that this additional noise monitoring from the Pond Close properties was ever undertaken by the LPA. As a result, the appellant commissioned ACCON to undertake this specific locational monitoring which forms part of the main ACCON Written Statement previously submitted as part of this appeal.

Paragraph 2.13 refers to the LPAs remaining concern in relation to Units 1-4 but fails to acknowledge the fact that the buildings themselves have been orientated in a north northeast to south southwest alignment thus contributing further to screening the properties to the east from undue noise.

PRC Architecture and Planning Limited - Registered Office: The Stable Yard, Vicarage Road, Stony Stratford, Milton Keynes, Buckinghamshire, England, MK11 1BN - Incorporated in England: No. 02844543

Appendix C of the LPAs statement provides the last EHO comments to be issued. These have been specifically addressed, point by point, in the ACCON Technical Rebuttal note of 14.11.25 attached.

In addition to the ACCON note, the Appellant would make the following comments in regard to a number of the points raised by the EHO.

Point 9. For reference, the design and scale of the Units 1-4 is of a smaller nature and as such, will not be able to accommodate HGV vehicles delivering to these units. The maximum vehicle load that could arrive at these units is a 7.5 tonne vehicle. The units are of a size/scale that are anticipated to, and are more likely to, attract van deliveries.

Point 10. Reference is made to Units 1-4 screening the properties to the east being accepted, but that '*...the main access road, which will be the predominant source of HGV noise, will not be effectively screened.'* The fact is that this same access road section being referred to has been accepted by the LPA as suitable for HGVs serving Units 5-9, together with the vehicles using Units 1-4 (which are not able to receive HGVs due to their size). The LPA is now making a spurious and fundamentally flawed case that this same section of road and these same vehicle movements will now cause unacceptable noise to the nearest properties, thus making it necessary to restrict deliveries to Units 1-4.

In Point 10, the EHO also makes the statement:

'It is also important to note that first floor bedrooms are not screened from the service yard as the height of first floor of the nearest noises sensitive dwellings relative to the development site mean first floor windows will have a view of the servicing yard.

There is no evidence provided by the LPA to demonstrate that this is correct. However, the attached new drawing 11623_PL150 Site Sections has been prepared to rebut this point and clearly demonstrates that there will be no viewing of the service yards to Units 1-4 as the EHO has stated.

The above points made, the attached ACCON UK Technical Rebuttal note, and Section Drawing provide the appellants final comments on this appeal which we trust are clear and enable the Inspector to allow this appeal.

Yours sincerely

[redacted]

Senior Associate Director
PRC Architecture & Planning Limited
[redacted]

Figured dimensions only are to be used. All dimensions to be checked onsite. Differences between drawings and between drawings and specification or bills of quantities to be reported to the PRC Group.

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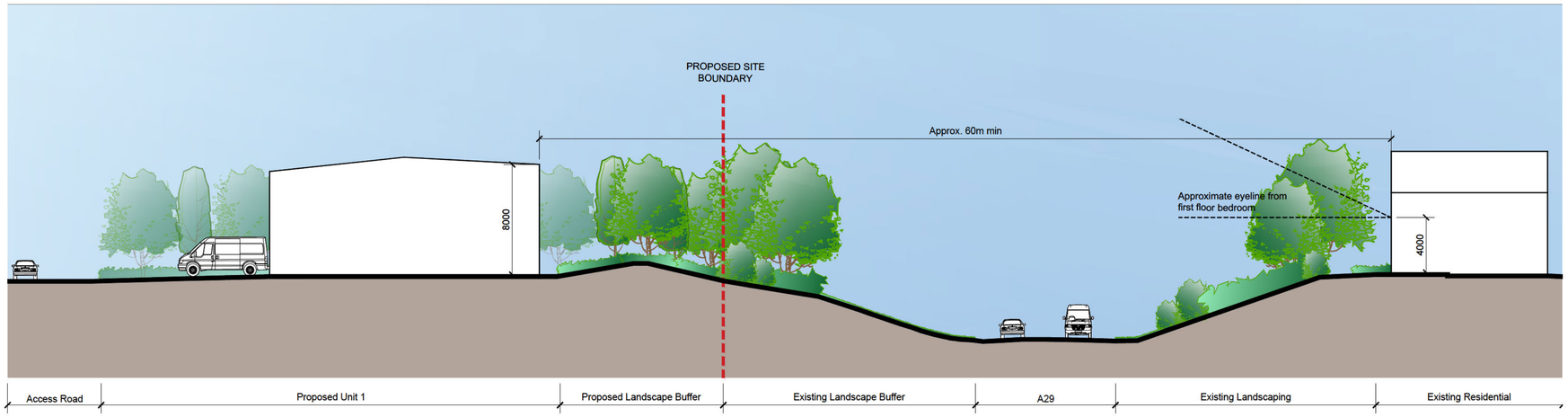
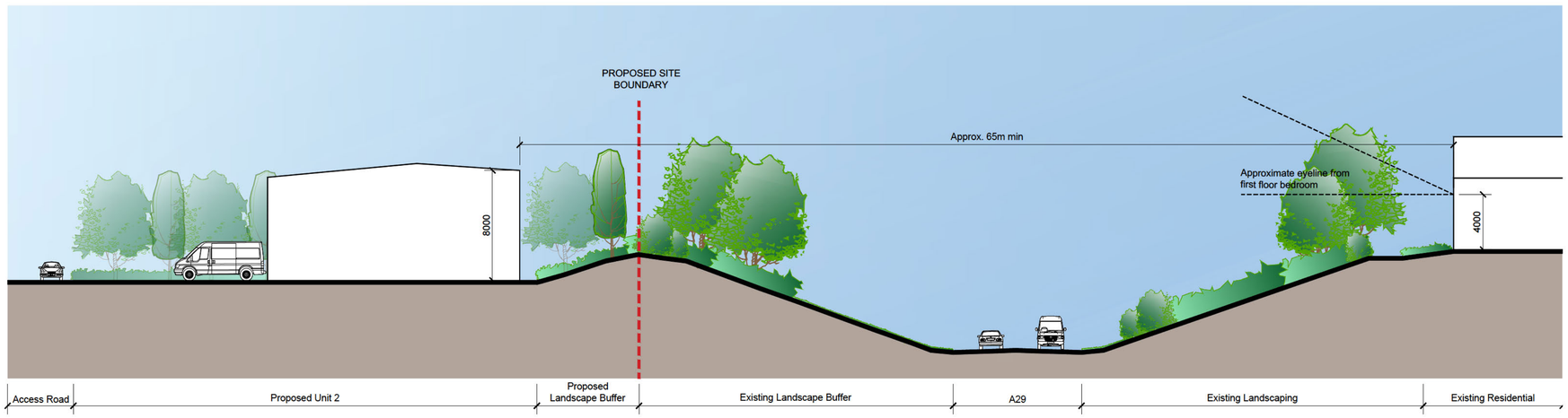
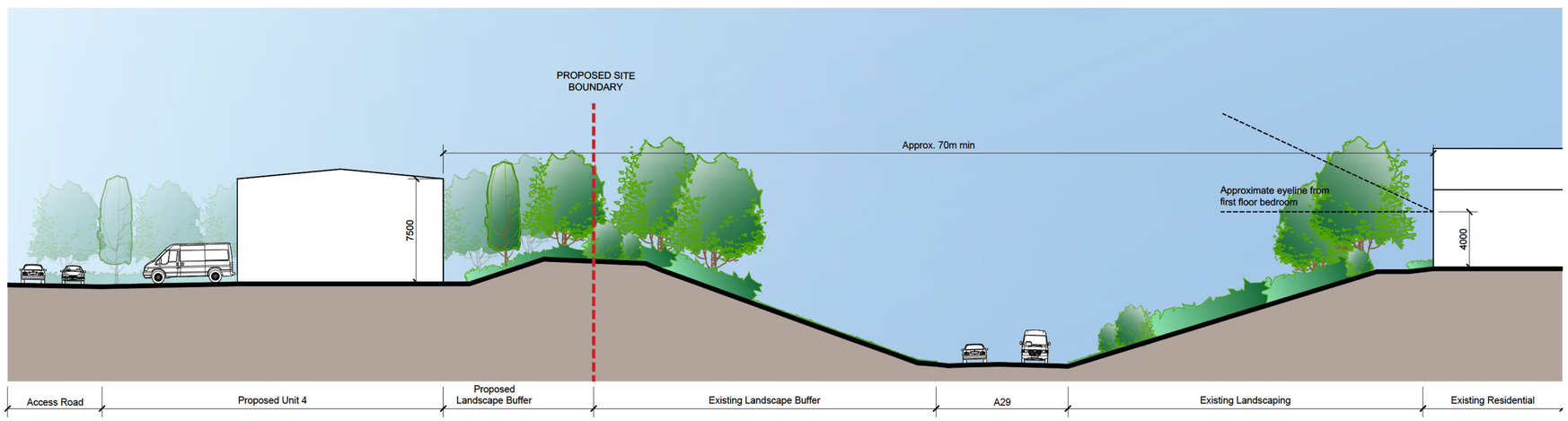
Revisions: Drawn/Chkd: Date:



SECTION A-A
SECTION THROUGH EASTERN BOUNDARY TO RESIDENTIAL



SECTION B-B
SECTION THROUGH EASTERN BOUNDARY TO RESIDENTIAL



SECTION C-C
SECTION THROUGH EASTERN BOUNDARY TO RESIDENTIAL

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Scale 1:500



REFERENCE PLAN
NTS

PRC
Architecture
Landscape
Town Planning
Masterplanning
Urban Design
London 0203 5953540
info@prc-group.com
Milton Keynes 01908 305246
prc-group.com

Client: HE4 UK ENTERPRISES 17 GP LTD

Project: PLATTS ROUNDABOUT
BILLINGSHURST

Drawing Title: PROPOSED SITE SECTIONS
EASTERN BOUNDARY

Job No: 11623 Project Stage: PL Status: PLANNING
First Issue Date: NOV 25 Scale: @A1 1:200 Lead/Checked:

Project:	Originator:	Zone:	Level:	Type:	Role:	Drg. No:	Rev:
-	-	-	-	-	-	150	-

BIM File Name:

This Technical Rebuttal Note responds to Horsham District Council's comments from Environmental Health in respect of the Expert Witness Statement, dated 12.09.2025, prepared by Graham Parry, FIOA, of ACCON UK Limited.

For ease of understanding I have adopted the numbering used by Environmental Health when responding to individual points.

1. The Council Officer make the point that in their experience traffic patterns have shifted since Covid-19 and may be significantly less now, such that noise monitoring data from 2018 may not reflect current traffic flows. Table 1 below identifies a comparison of traffic flows for the A29. This information has been obtained from the DfT traffic count website. A comparison calculation of traffic noise levels for 2024 against 2019 identifies that the change in noise level would be -0.3 $L_{Aeq,24hr}$, which is so small a change in noise level as to be negligible and would not be noticeable. A change in noise level of 3 dB(A) is generally considered to be just perceptible[1]. The DfT report that overall traffic in Great Britain in 2024 was 0.7% lower than when compared to 2019 pre-pandemic levels (https://roadtraffic.dft.gov.uk/). Accordingly, the assertion by the Council Officer that current traffic flows are significantly less now is not borne out by the evidence from the DfT.

Table 1. Traffic Data (Road Traffic website - Count point 70380

Year	Traffic count status	Total 24 hr flow	HGV's
2024	Estimated	7611	281
2019	Manual count	8207	291
2018	Estimated	7910	364

3. The Expert Witness Statement which I produced identified that at night there were a large number of existing measured exceedances of the 60 L_{Amax} dB noise level which would result in exceedances of the internal 45 L_{Amax} dB noise criteria at which the onset of sleep disturbance occurs. Importantly, the predicted noise levels from HGV movements serving the industrial units would only result in a maximum external noise level at the sensitive receptors of 56 L_{Amax} dB. This would result in an internal noise level of 41 L_{Amax} dB from HGV movements at the consented units which is below the internal noise criteria and significantly below existing noise levels from traffic using the A29 at night.

Whilst the ACCON noise assessment did not identify the specific types of vehicle resulting in the measured night-time noise levels, it is important to note that it is not the type of vehicle or characteristic of the noise which specifically results in sleep disturbance, but the extent to which it exceeds an internal noise level of 45 L_{Amax} dB. In this respect the higher noise levels may have been as a result of noisier HGV's or fast-moving cars or motorcycles on the A29; however, the predicted noise levels for the use of HGV's at the consented development would be lower than the existing noise levels experienced by occupiers of properties at Platts Meadow and Pond Close.

[1] Institute of Environmental Management and Assessment (2014). Guidelines for environmental noise impact assessment.

4. The Council accepts in their words "*that noise levels from the adjacent A29 will be having a degree of noise impact on the existing residential properties, during the night-time and early hours of the morning period it is predominantly made up of non-HGV movements.*" The distinction that the Council is endeavouring to make is that HGV's would have a different noise profile to light traffic when arriving, manoeuvring and departing the consented development. I accept that this is the case; however, reiterate that it is the absolute noise level from the use of HGV's at night at the consented development which would not result in sleep disturbance (See Point 3).

5. The Council make the point that "*HGV movements during the nighttime period are very low and in our view will not be sufficient to mask the nighttime noise associated with the proposed (*note this should be consented*) development*." It is not part of ACCON's assessment or conclusions that masking of HGV movements would occur due to traffic noise from the A29, but that noise from the development would be significantly lower than noise events from the A29 traffic and at a noise level which should not result in sleep disturbance even with open windows at the closest noise sensitive receptors located at Platts Meadow and Pond Close.

6. The total number of HGV's using the A29 during the night-time period (2300hrs to 0700hrs) was 483 vehicles in January 2025 as identified in the Table provided at Point 3 in the Environmental Health comments. This is a significant number of overall vehicle movements.

7. Environmental Health comment that " *In our view Condition 23(a) and 23(b) are necessary and their removal is likely to result in an adverse impact and loss of amenity of nearby residential properties.*" I entirely disagree with the comment and for the reasons identified previously, I have come to the professional opinion that the removal of the planning conditions 23(a) and 23(b) would not result in a significant adverse impact.

Importantly, the Government's Planning Practice Guidance – Noise, make the point that:

Plan-making and decision making need to take account of the acoustic environment and in doing so consider:

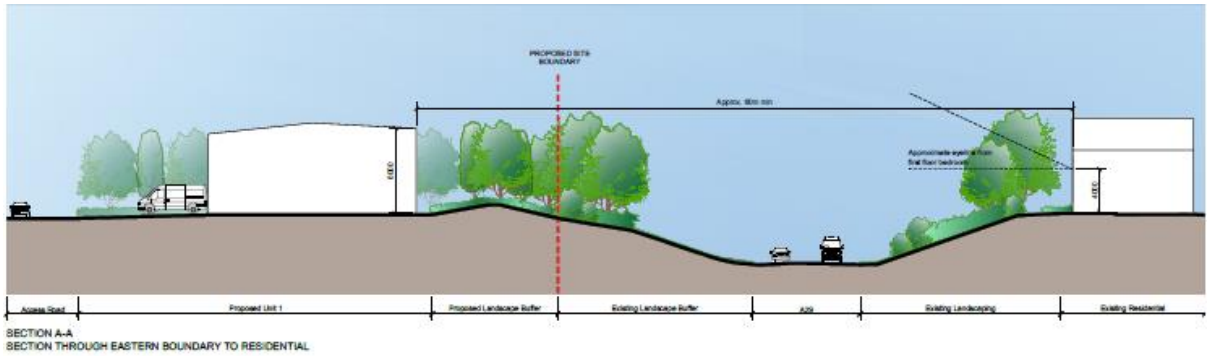
- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

In line with the Explanatory note of the noise policy statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.

I have identified earlier that the adverse effect level would be the point at which sleep disturbance occurs, and therefore as internal noise levels from the HGV manoeuvres at night would be lower than the sleep disturbance level the removal of Conditions 23(a) and 23(b) would not result in an adverse impact or a diminution of amenity.

8. The Council's comment is agreed; however, for the reasons I have explained previously, it is the peak noise levels which result in sleep disturbance not the type of vehicle or characteristics of the specific noise event.

10. The Council comment that "*It is also important to note that first floor bedrooms are not screened from the service yard at the height of first floor of the nearest noise sensitive dwellings relative to the development site mean that first floor windows will have a view of the servicing yard.*" This comment is patently not true as evidenced by the cross-section drawing provided below. It can be clearly identified that there is no line of sight between a first-floor window and vehicles within the service yard such that there is a high degree of noise screening from the consented units.



SECTION A-A
SECTION THROUGH EASTERN BOUNDARY TO RESIDENTIAL

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ACCON UK Limited

14.11.2025