# High Court dismisses Brighton couple’s £180,000 noise claim over car park disturbances



A couple in Brighton has seen their claim for £180,000 in damages dismissed by the High Court, following their assertion that persistent noise from a nearby car park had severely disrupted their lives. Zhengfang Huang and his partner Jingjing Chen argued that their mental health and peace were compromised due to the incessant "beeping" of an intercom and alarms situated just inches from their only window. This noise, they claimed, not only robbed them of sleep but also triggered anxiety, particularly for Mr Huang.

However, Judge Melissa Clarke underscored that it was reasonable for the couple to expect some level of noise when choosing to live in a ground-floor apartment within Brighton’s city centre—a location known for its vibrant atmosphere and foot traffic. The judge noted, “They should have expected this when they rented a city centre apartment on the ground floor,” reinforcing the notion that urban living often comes with certain unavoidable disturbances.

The couple's flat is situated in the Green Diamond Building, adjacent to a busy car park in the historic Lanes district, an area celebrated for its engaging nightlife and social venues. The location, while attractive for its cultural appeal, naturally also attracts the hustle and bustle typical of urban environments. The noise issues raised by Huang and Chen echo wider concerns in the community, where many residents have experienced disturbances from various sources, including anti-loitering alarms and late-night activity.

This isn't an isolated case in Brighton. Other residents have voiced similar grievances about noise nuisances, particularly from anti-loitering alarms in nearby facilities. Local resident Rob Coe reported that a high-pitched alarm disrupted his sleep, exacerbating his tinnitus. Following sustained complaints, the council intervened to deactivate the alarm, yet concerns about its reactivation lingered.

In light of ongoing issues, Brighton & Hove City Council has provided guidance on how residents can address noise-related nuisances. The council encourages individuals to initially seek resolution through informal channels such as direct communication with the responsible entity or mediation services. If these methods prove insufficient, residents are advised to document incidents thoroughly and pursue legal action, potentially escalating the matter to the Magistrate’s Court.

The rejection of Huang and Chen's compensation claim reflects a judicial perspective prioritising public convenience over individual complaints in densely populated urban areas. Judge Clarke concluded that closing the car park entrance—which was deemed detrimental to the public—did not justify the couple's proposed remedy. While their compensation claim was dismissed due to insufficient evidence, their case regarding the potential closure of the entrance will proceed in Brighton County Court, continuing the dialogue on noise management in vibrant urban settings.

This case highlights the delicate balance between the allure of city living and the realities of noise pollution, a challenge faced by many urban dwellers. As the local council and residents navigate these complex issues, finding a shared understanding between the vibrancy of urban life and residents' need for peace remains critical.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.independent.co.uk/news/uk/home-news/brighton-car-park-zhengfang-huang-b2749866.html> - Please view link - unable to able to access data
2. <https://www.theargus.co.uk/news/24552463.brighton-fury-high-pitched-alarm-stops-man-sleeping/> - Residents in Brighton's city centre have been disturbed by a high-pitched 'anti-loitering' alarm installed in a nearby car park. Rob Coe, a local resident, reported sleepless nights due to the noise, which exacerbated his tinnitus. After multiple complaints, the alarm was turned off, but concerns remain about its potential reactivation. The council's environmental health team investigated but found no audible alarm during their visits. NCP, the car park operator, stated the alarms were effective in reducing antisocial behaviour but acknowledged the disturbance caused to residents.
3. <https://www.brighton-hove.gov.uk/environment/noise-pollution-and-air-quality/can-i-take-private-legal-action> - Brighton & Hove City Council provides guidance on resolving noise nuisances through private legal action. Residents are advised to first attempt mediation or direct communication with the responsible party. If these methods fail, individuals can take their own legal action by collecting evidence, notifying the offender, and presenting the case to the Magistrate's Court. The council offers support and information on this process, emphasizing the importance of thorough documentation and following legal procedures.
4. <https://www.brighton-hove.gov.uk/environment/noise-pollution-and-air-quality/what-you-can-do-about-noise-and-nuisance> - Brighton & Hove City Council outlines steps residents can take to address noise and nuisance issues. The council recommends starting with informal methods, such as discussing the problem directly with the person responsible or using mediation services. If these approaches are unsuccessful, residents can pursue legal action by following specific procedures, including keeping detailed records of disturbances and seeking advice from the council's environmental health officers. The council also provides letter templates to assist in communicating with offenders.
5. <https://www.brighton-hove.gov.uk/environment/noise-pollution-and-air-quality/guidance-how-take-your-own-legal-action-against> - Brighton & Hove City Council offers guidance on taking private legal action against noise nuisances. The document outlines steps such as collecting evidence, notifying the offender, and presenting the case to the Magistrate's Court. It emphasizes the importance of thorough documentation and understanding the legal process. The council advises residents to seek legal advice and provides contact information for further assistance. This resource aims to empower individuals to address noise issues effectively when other methods have failed.
6. <https://www.bbc.co.uk/news/uk-england-sussex-44871598> - Brighton and Hove City Council was found to have placed a mother and her autistic son in unsuitable temporary accommodation below a nuisance neighbour. The neighbour's frequent swearing and threats caused significant distress. The Local Government and Social Care Ombudsman criticized the council for not finding more appropriate housing and ordered compensation for the family. The council apologized and committed to improving procedures to prevent similar issues in the future.
7. <https://www.brightonandhovenews.org/2012/11/08/two-noisy-neighbours-from-brighton-silenced-in-court/> - Two Brighton men were fined and had their noise-making equipment confiscated after causing significant disturbance to their neighbour. Despite warnings and noise abatement notices, the men continued to play loud music and make noise until early hours, leading to legal action by Brighton and Hove City Council. The court's decision highlights the council's commitment to addressing noise nuisances and protecting residents' quality of life.