From: **Michael Lavender** <michael.lavender@adur-worthing.gov.uk>
Date: Thu, 22 May 2025 at 10:39
Subject: Re: 250512 - AWDM/0371/25 - 82-84 Montague Street, Worthing - Retail to Bingo
To: Jacqueline Fox <jacqueline.fox@adur-worthing.gov.uk>
Cc: Alistair Anderson

Dear Jacqueline,

I have now had the opportunity to look at this application again in more detail and consider the applicant's request for 24 hour operations.

My main concern is customer noise as customers make their way to and from the premises. Montague Street is a pedestrian precinct, there is no traffic and we have seen over the years more and more residential living accommodation is being located above the shops in this area to meet the housing needs of our residents. The acoustic reports that have been submitted with the planning applications for these conversions have demonstrated that the background noise levels in this locality fall below 30dB in the early hours of the morning. Therefore we can see it is a quiet area once the local businesses have closed and their customers have gone home. Therefore to protect the current amenity of occupants of these flats, I would not want to see customers being attracted to the area beyond the current night time economy's closing time in this area. This is because we have no way of knowing what level of new custom the premises will attract nor do we have any way of controlling customer behaviour when they are off the premises, even normal conversation as people walk along the precinct will be audible in bedrooms if windows are open. It should be noted that our brains continually assess sounds whilst we are asleep and if a sound is deemed a threat then it will cause awakening. Most people will sleep through anonymous sounds such as distant traffic, but conversation, even at a relatively low noise levels will cause awakening as we perceive this as a threat.

Unfortunately, there is no practical way of quantifying this through noise measurement, mainly because customer numbers, their location and how they behave will be variable. Therefore the most practicable way of preventing any adverse impact from the proposed development is to control the operating hours.

I see that the applicant is trying to demonstrate that noise is not an issue at his other premises and I have been contacted by PC James Williams, a Kent County Police Licensing Officer. I have not spoken to PC Williams because Licensing considers public nuisance and for public nuisance to exist the disruption has to be quite severe. Someone walking down the precinct having a conversation in the early hours of the morning would not constitute a public nuisance. Whereas the standards in planning are to protect amenity and if somebody has a home in the town centre and is accustomed to having commercial premises around them closed by a certain time, then any disruption beyond these hours is going to impact their amenity.

Permitting 24 hour openings 7 days a week in this part of town will set a precedent and will completely change the character of this mixed commercial residential area. I

am of the view that we need to balance the needs for business with residential amenity and having considered the hours of nearby licensed premises, I would suggest a 2am closing time would be a fair compromise at weekends e.g. Friday night Saturday morning and Saturday night Sunday morning, with a 11pm finish all other nights.

Kind Regards.

Michael Lavender