MARKS & SPENCER

The Point
37 North Wharf Road
London W2 1AF
Tel: 020 7935 4422
www.marksandspencer.com

Planning Services
Adur District Council
Civic Centre
Ham Road
SHOREHAM-BY-SEA
West Sussex
BN43 6PR

PLANNING
PLAN No. Add/0726/07
DATE RECEIVED 29 NOV 2007

Date: 02 November 2007
Our ref:
Your ref:

Dear Sir or Madam,

APPLICATION UNDER SECTION 73 OF THE TOWN & COUNTRY PLANNING ACT (AS AMENDED) TO ENABLE CONTINUED USE AT THE RETAIL UNIT WITHOUT COMPLYING WITH CONDITION 8 OF PERMISSION SU/4/91 TO PERMIT THE STORE TO EXTEND TRADING HOURS TO 08:00 AM TO 10:00 PM WITH 24 HOUR TRADING ON 30 DAYS PER CALENDAR YEAR (NOT INCLUDING SUNDAYS).

Marks & Spencer plc encloses an application seeking permission for the above. The application comprises four copies of the following:

- Completed application form and relevant signed certificate;
- Site location plan;
- Sharps Redmore Noise Assessment; and
- Design and Access Statement; and
- Temporary Consent Decision Notice.

A cheque for £135.00 in respect of the application fee is also enclosed.

Planning History

Outline permission for the development of the store was granted on 12th September 1991 (ref. SU/4/91). Condition 8 stated that trading hours for the store had to be approved. The hours approved by the council were 08:00 hrs to 21:00 hrs Monday to Saturday, with Sunday trading being controlled through separate legislation.

An application to vary this condition was temporarily granted by the council on 26 May 2006 (Ref: ADC/0044/06). Marks and Spencer plc were granted permission to extend trading hours from 08:00 hrs to 22:00 hrs with 24 hours trading being permitted on 30 days per calendar year (not including any Sundays). A noise survey accompanied this application and concluded that no adverse effects would be brought about by this application, the findings of which were also supported by the Council's Environmental Health Officer, however as there were concerns from local residents relating to noise from the additional usage of the car park, a trial period was suggested.

I have contacted Adur District Council by telephone and a planning officer stated that as far as they were aware no complaints from residents had been received as a result of the permitted extension to trading.

Marks and Spencer plc
Registered Office:
Waterside House
35 North Wharf Road
London W2 1NW
Registered No. 214436
(England and Wales)

PRODUCED ON 100% RECYCLED PAPER
MS8003661B - 06/06

Tesco stores gained planning consent for 24 hour opening in 2000 following a trial period agreed in 1999. I am aware that their store is slightly further away from residential properties than the Marks and Spencer store, but as a noise survey has concluded that noise would not cause any adverse impacts and the fact that the council have previously noted 24 hour opening has advantages, as it increases customer convenience and helps to spread the vehicular traffic flow, avoiding peak concentrations and in turn is actually in the interests of sustainability which Marks and Spencer are wholly supportive, we believe that the application would actually benefit the surrounding area.

Application Proposals

This application under section 73 of the Town and Country Planning Act 1990 seeks consent to vary condition 8 of permission SU/4/91. Marks and Spencer plc seek permission to allow extended opening hours on a permanent basis, as a result of the expiration of the consent for the temporary trial period, for the same proposal.

This application seeks to change the maximum closing time of the store from 09:00 pm to 10:00 pm. In addition, 24 hour opening is sought for 30 days per calendar year.

Sunday trading will not be affected by these proposals and will accord with the planning consent previously approved by the council.

Conclusions

Given that it is not anticipated that there will be an unduly adverse impact on the amenities of local residents, resulting from additional noise and the fact that traffic would be more easily spread throughout the day, we trust that the proposal is considered acceptable.

If you require any further information then please do not hesitate to contact me.

Yours sincerely



Andrea MacGregor

Direct Dial: 02087 182 904
Email: Andrea.Macgregor@marksandspencer.com

OUR DISTRICT COUNCIL
PLANNING D
PLAN No. 0x6072407
DATE RECEIVED 29 NOV 2007

Design and Access Statement

Introduction

APPLICATION UNDER SECTION 73 OF THE TOWN & COUNTRY PLANNING ACT (AS AMENDED) TO ENABLE CONTINUED USE AT THE RETAIL UNIT WITHOUT COMPLYING WITH CONDITION 8 OF PERMISSION SU/4/91 TO PERMIT THE STORE TO EXTEND TRADING HOURS TO 08:00 AM TO 10:00 PM WITH 24 HOUR TRADING ON 30 DAYS PER CALENDAR YEAR (NOT INCLUDING SUNDAYS).

This statement will set out the design and access principles that have been applied to the proposed application for the extension of opening hours at Marks and Spencer plc, Shoreham.

Design

The proposal consists of the extension of opening hours to the existing Marks and Spencer store at Holmbush Centre, Upper Shoreham, West Sussex, BN43 6TD. Marks and Spencer plc currently trades Monday to Saturday, 08:00 hrs to 21:00 hrs and it is proposed that this permission is varied to allow the store to trade until 22:00 Monday to Saturday with 24 hour trading 30 days of the year (excluding Sundays).

Sunday trading will not be affected by these proposals and will accord with the planning consent previously granted.

It is proposed to extend the opening hours during the Christmas period to offer the residents of Shoreham more flexible opening hours during this busy period.

Marks and Spencer plc is located adjacent to the Tesco store in the Holmbush Centre, Shoreham. The use is primarily a retail centre, however residential accommodation is also within close proximity to the east boundary of the site and as a result it is acknowledged that we are keen to ensure that the residential amenity of neighbouring residents is protected and thus a noise survey has been carried out.

Access

Marks and Spencer plc is located off of Upper Shoreham Road, Shoreham and has a car park to the south and east of the store which accommodates customers, accessed off of Upper Shoreham Road.

Form Ref. No. 838448

ADUR DISTRICT COUNCIL

Application For Planning Permission

TOWN AND COUNTRY PLANNING ACT, 1990

4 copies of this form required, together with plans and appropriate fee.
All measurements are to be given in metric.
If site relates to Lancing or Sompting, please submit 5 copies.

FOR OFFICIAL USE ONLY	
Appl. No.	A/0072/07
Date Received	
Fee	135
	29 NOV 2007
Rem. List	

Applicant's Details

Title	
Forenames	c/o Andrea MacGregor
Surname or Company/ Organisation	Marks and Spencer plc
Telephone	[redacted]
Email	Andrea.Macgregor@marks-and-spencer.com
Do you have an agent?	No

Address	The Point (TP 4.2)
	37 North Wharf Road
	LONDON
Postcode	W2 1AF

Agent's Details

N/A

Title	
Forenames	
Surname	
Telephone	
Email Address	
Address	
Postcode	

Application Type

(a) Full planning permission (including changes of use)

(b) Outline planning permission

If 'Yes', state those matters to which this application relates (tick where appropriate)

- (i) Layout ☐
- (ii) Scale ☐
- (iii) External Appearance ☐
- (iv) The means of access ☐
- (v) Landscaping of the site ☐

(c) Renewal of a temporary permission

If 'Yes', state the Date

and Permission Application

and the Condition Number

(d) Permission for retention of building or continuance of use without complying with a condition imposed on a planning permission — YES

If 'Yes', state the Date	12/09/1991
and Permission Application	SU/4/91
and the Condition Number	8

(e) Permission to develop land without complying with a condition imposed on a planning permission

If 'Yes', state the Date

and Permission Application

and the Condition Number

Land Details

Full address or location of the land to which this application relates

Marks and Spencer Store
Holmbush Centre
Shoreham by the Sea
BN4 6TD

Does the applicant own or control any adjoining land? No

If 'Yes', this land must be edged blue on the location plan

Area of site (Hectares)

Dimensions of the application site and distances from the new buildings to boundaries must be clearly indicated on plans

Proposal Details

For Residential Developments, please enter the number of units (flats, bungalows, houses)
- for a Change of Use that REDUCES the number of units, please enter a negative(-) number.

Description of proposed development

Application under s.73 of the Town and Country PLanning Act (1990) for the use of the Marks and Spencer store without compliance with condition 8 of outline permission ref: SU/4/91/TP/08 (relating to opening hours).

(If residential development, state type if known, e.g. houses, bungalows, flats)

State whether the proposal involved:-

(i) New building(s) or structure(s) No

(ii) Alteration or extension of building(s) No

(iii) Construction of a new *vehicular* access to a highway No

Construction of a new *pedestrian* access to a highway No

(iv) Alteration of an existing *vehicular* access to a highway No

Alteration of an existing *pedestrian* access to a highway No

(v) Closure of existing access No

(vi) Change of use only No

Is there to be any 'furniture' placed on a street/highway? No

Use of Land

Particulars of **Use** of Building or Land: Please State

Present use: Retail (A1)

If vacant, the last use:

Additional Information

(a) Is the application for industrial, office warehousing, storage, shopping, commercial purposes or places of public assembly? Yes

(b) Is the application for the winning or working of minerals? No

(c) Is the application for an agricultural dwelling or building? No

(d) Does the proposed development involve the demolition of any residential units? No

If 'Yes', how many units? Please indicate their position on plans

(e) Does the proposed development involve the felling of any trees? No If 'Yes', indicate their position on plans

(f) Does the proposed development involve any public right of way within the site? No If 'Yes', indicate their position on plans

(g) Does the proposed development involve demolition or alteration of a building or Special Architectural or Historic interest or demolition within a Conservation Area? No

If 'Yes', a separate application for **Listed Building Consent** or **Conservation Area Consent** may be necessary

(h) (i) How will surface water be disposed of? N/A

(ii) How will foul sewage be disposed of? N/A (e.g. mains, cesspit, etc.)

(i) Is there to be any 'furniture' placed on the street/highway? No

Process Description

Additional information required in respect of applications for Industrial, Office, Warehousing, Storage, Shopping, Rest and Nursing Homes, Commercial Purposes or Places of Public Assembly.

In the case of industrial development, give a description of the processes to be carried on and of the end products, and the type of plant or machinery to be installed. Please relate your answer to the 'Floor Areas & Uses' section.

N/A

Details of Proposal

Is the proposal related to an existing use on or near the site? Yes

If 'Yes', please explain the relationship: The store seeks to vary the trading hours of the Marks and Spencer Store.

Is this a proposal to replace existing premises in this area or elsewhere which have become obsolete, inadequate or otherwise unsatisfactory? No

If 'Yes', please give details including gross floor area of such premises and state your intentions in respect of those premises.

Details of Floor Areas and Uses - please specify in square metres

	Existing Floor Space or use (if any)	**Proposed New Floor Space or use**	**Total Floor Space** (Allow for any space lost)
What is the amount of industrial floor space?			
What is the amount of office floor space?			
What is the amount of retail floor space?			
What is the amount of storage or warehousing floor space?			
Other Use 1 (please specify)			
Other Use 2 (please specify)			
TOTALS			

Other Uses 1 or Comments/Information

Details of Staff	**Office**		**Industrial**		**Other**	
	Male	Female	Male	Female	Male	Female
(i) **Number of staff in existing premises on the site**						
(ii) **How many new staff will be employed on the site as a result of the development?**						
(iii) **If you propose to transfer staff from other premises, please give details of the numbers involved***						

*and details of the premises affected.

Premises Details

In the case of restaurants, hotels, public houses, theatres, cinemas, meeting halls, Rest and Nursing homes, etc., please specify:

Type of Business: N/A

Public floor space (Total):

Seating capacity:

Bar floor area (sq.m):

Single bedrooms:

Double bedrooms:

Parking & Traffic

What provisions have been made for parking, loading and unloading of vehicles within the curtilage on the site?

As existing

State number of car spaces:

and Lorry spaces:

What is the estimated vehicular traffic flow to the site during a normal working day?
Please include all vehicles:

Separately specify those used by employees driving to work:

Waste N/A

What is the nature of disposal of any trade effluents or trade refuse?

What is the volume of any trade effluents or trade refuse?

and the proposed means of disposal of any trade effluents or trade refuse?

Will the proposed use involve the use or storage of any hazardous substances?

If 'Yes', please indicate

Plans

List of drawings and plans submitted as part of the application - indicate drawing numbers and scales.
4 sets of all drawings are required.
Additional copies in respect of major applications will assist in determination of such applications.
All measurements are to be given in metric (89/617 EEC Directive).

Plan / Drawing	Number	Scale
See Covering Letter for Details		

Fees

If a fee is submitted, please give the amount £135.00 Calculated Fee £135.00

I/WE APPLY FOR PLANNING PERMISSION AS DETAILED ABOVE ☑ Tick to agree to this statement.

Signed: Marks and Spencer plc 28/11/07

On behalf of: (Insert applicant's name if signed by agent)

Certificate

Certificate under Section 65 of the Town and Country Planning Act 1990 (Article 7 of the T & CP (General Development Procedure) Order 1995. **N.B.** A signed certificate MUST accompany this application. If the applicant is the sole owner (a) the following certificate should be completed and signed.
'Owner' means a person having a freehold interest or tenancy the unexpired term of which was not less than 7 years

Certificate A

I certify that:
on the day 21 days before the date of the accompanying application nobody, except the applicant, was the owner of any part of the land to which the application relates.
None of the land to which the application relates is or is part of an agricultural holding.

Do you agree to these statements? Yes

OR

_____ given requisite notice to every person other than _____ who, on the day 21 days before the date of the application was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows

Name of Tenant	Address at which Notice was served	Date on which Notice was served

Do you agree to these statements? _____

Signed: Marks and Spencer plc Date: 28/11/07

On behalf of: .....

ADUR
DISTRICT COUNCIL

Civic Centre, Ham Road,
Shoreham-by-Sea, West Sussex,
BN43 6PR

Tel: (01273) 263222
Fax: (01273) 263203
www.adur.gov.uk
DX 59765 Shoreham-by-Sea
e-mail: developmentcontrol@adur.gov.uk

Development Control

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

APPLICATION NUMBER: ADC/0044/06

Nathaniel Lichfield And Partners
14 Regents Wharf
All Saints Street
London
N1 9RL

Details of Development
VARIATION OF TRADING HOURS APPROVED UNDER CONDITION 8 OF SU/4/91 TO EXTEND HOURS TO 8AM-10PM WITH 24 HOUR TRADING ON 30 DAYS PER CALENDAR YEAR (NOT INCLUDING ANY SUNDAYS)

Location of Development
MARKS AND SPENCER HOLMBUSH CENTRE UPPER SHOREHAM ROAD SHOREHAM-BY-SEA WEST SUSSEX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 24th April 2006.

This is for reasons stated on the attached schedule and subject to compliance with the conditions specified thereon.

Your copy of the application, determined as above, is returned herewith for your records.

[redacted]

Peter Davies
Head of Planning and Community

Dated this 26th day of May 2006

SCHEDULE

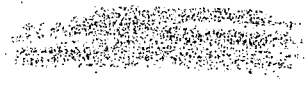
Reasons for Granting Permission

01. Extended opening hours would be likely to help avoid concentrations of traffic as well as giving greater flexibility for customers but, because of the potential risk to the amenities of residents in the area through noise and disturbance at unsocial hours, it is necessary only to grant a temporary permission in order to provide a trial period, retaining planning control and avoiding conflict with the relevant policies of the Adur District Local Plan (AG1, AP7) and West Sussex Structure Plan (NE10, DEV1).

Conditions

01. The use of the premises for the additional hours hereby permitted shall be discontinued permanently, unless otherwise approved in writing by the Local Planning Authority, on or before the expiration of the period ending on 30th June 2007 and thereafter the premises shall be restricted to the trading hours previously approved under condtion 8 of permission ref. no. SU/4/91 .

Reason: *To enable the Local Planning Authority to review the special circumstances under which this permission is granted, paying regard to the policies of the Adur District Local Plan (AG1, AP7) and the West Sussex Structure Plan (NE10, DEV1).*



KM

SHARPS REDMORE PARTNERSHIP

ACOUSTIC CONSULTANTS

ENVIRONMENTAL NOISE ASSESSMENT OF INCREASED TRADING HOURS AT MARKS & SPENCER, HOLMBUSH CENTRE, SHOREHAM

[redacted] COUNCIL
PLANNING DIVISION

PLAN No.	A/dc/07/2407
DATE RECEIVED	29 NOV 2007

Prepared by:

K. J. Metcalfe
BSc(Hons). MIOA.

Project No: 056871/R02

10th February 2006

REPORT - M & S Holmbush Centre, Shoreham

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1.0 Introduction

1.1 The Sharps Redmore Partnership (SRP) has been instructed by Marks and Spencer (M&S) to undertake an Environmental Noise Assessment of the noise implications arising from extended trading hours which is the subject of a current planning application. A site location plan is attached as Appendix A.

1.2 The objective of the assessment is to determine how noise associated with increased trading hours (principally car parking activity) would affect the amenities of local residents. It is noted that the adjacent Tesco superstore currently operates with unrestricted trading and delivery hours.

1.3 Section 2.0 of this report contains a discussion of the available methods of assessment and assessment criteria.

1.4 Details of an environmental noise survey undertaken at the site are presented in Section 3.0.

1.5 Predicted noise levels from car parking activity at the nearest noise sensitive receptors are considered in Section 4.0.

1.5 The assessment conclusions are contained in section 5.0 of this report.

1.6 A guide to the acoustic terminology used in this report is shown in Appendix D.

2.0 Assessment methodology and criteria

2.1 The effect produced by the introduction of a certain noise source may be determined by several generic methods, as follows:

i) The effect may be determined by reference to guideline noise values. British Standard (BS) 8233:1999 and World Health Organisation (WHO) *"Guidelines for Community Noise"* contain such levels. This method is well suited to the assessment of noise from activity or equipment that is fixed within a defined boundary (such as car parking).

ii) Alternatively, the impact may be determined by considering the change in noise level that would result from the proposal, in an appropriate noise index for the characteristic of the noise in question. There are various criteria linking change in noise level to effect. This is the method that is suited to, for example, the assessment of noise from road traffic because it is capable of displaying impact to all properties adjacent to a road link irrespective of their distance from the road.

iii) Another method is to compare the resultant noise level against the background noise level (L_{A90}) of the area. This is the method employed by BS 4142:1997 to determine the likelihood of complaint from noise of an industrial nature.

2.2 With these comments in mind, it is proposed to assess car park activity noise against guideline values (method [i] above).

Guideline values

2.3 There are a number of guidance documents that contain recommended guideline noise values. These are discussed below.

2.4 In PPG 24 Annex 3, reference is made to BS 8233:1987 (now superseded by BS 8233:1999). This Standard is principally intended to assist in the design of new dwellings; however, the Standard does state that it may be used in the assessment of noise from new sources being brought to existing dwellings.

2.5 BS 8233:1999 was based on the advice contained in a draft of World Health Organisation document "Guidelines for community noise". This document was released in final form in 2000.

2.6 The WHO guideline values are appropriate to what are termed "critical health effects". This means that the limits are at the lowest noise level that would result in any psychological, physiological or sociological effect.

2.7 The National Physical Laboratory document *"Health Effect based noise assessment methods; a review and feasibility study", (September 1998)* contains an "interpretation" of the WHO guidelines (then in draft form) for the DETR. The summary of this section of the NPL report states *"In essence, the WHO guidelines represent a consensus view of international expert opinion on the lowest threshold noise levels below which the occurrence rates of particular effects can be assumed to be negligible. Exceedances of the WHO guideline values do not necessarily imply significant noise impact and indeed, it may be that significant impacts do not occur until much higher degrees of noise exposure are reached"* (paragraph 5.4).

2.8 In an earlier section of the NPL paper entitled *"Practical Noise Criteria - balancing the desirable and affordable"* the authors explain that there is the tendency in the scientific community to assume that the thresholds of unacceptability equate to the WHO thresholds of low or negligible noise effects (page 23). The paper explains that the *"definition of a threshold of unacceptability is essentially a matter of social, economic and political interpretation"* (page 23).

2.9 The NPL advice to the DETR is that no absolute noise limits are available which denote the threshold of unacceptability of a scheme. However, it is felt that compliance with the limits given by WHO and BS8233: 1999 would denote a "good" noise climate in relation to this scheme.

2.10 In this respect the guideline values are robust against the national policy that "significant environmental impacts should be avoided and alternative options which might reduce or eliminate those impacts pursued" (my emphasis) (Ref Planning Policy Statement 1 [PPS 1], paragraph 19).

2.11 The WHO and BS 8233 guideline values are summarised in the following table:

TABLE 1: Guideline noise levels

Document	Limit	Guidance
World Health Organisation "Community Noise 2000"	L_{AeqT} = 55 dB	Serious annoyance, daytime and evening. (Continuous noise, outdoor living areas)
	L_{AeqT} = 50 dB	Moderate annoyance, daytime and evening. (Continuous noise, outdoor living areas).
	L_{AeqT} = 35 dB	Moderate annoyance, daytime and evening. (Continuous noise, dwellings, indoors)
	L_{AeqT} = 45 dB	Sleep disturbance, window open at night. (Continuous noise, outside bedrooms, outdoor values)
	L_{AeqT} = 30 dB	Sleep disturbance at night. (Continuous noise, bedrooms, indoors)
	L_{AMAX} = 60 dB	Sleep disturbance, window open at night. (Noise peaks, outside bedrooms, outdoor values)
	L_{AMAX} = 45 dB	Sleep disturbance at night. (Noise peaks, bedrooms, indoors)
BS 8233 : 1999 "Sound Insulation and noise reduction for buildings"	L_{AeqT} = 55 dB	Upper limit for external steady noise. (Gardens and balconies).
	L_{AeqT} = 30 dB	Good resting/sleeping conditions for living rooms during the day (Internal – steady noise)
	L_{AeqT} = 40 dB	Reasonable resting/sleeping conditions for living rooms during the day. (Internal – steady noise)
	L_{AeqT} = 30 dB	Good resting/sleeping conditions for bedrooms during the night. (Internal – steady noise)
	L_{AeqT} = 35 dB	Reasonable resting/sleeping conditions for bedrooms during the night. (Internal – steady noise)
	L_{AMAX} = 45 dB	Limit for individual noise events for a reasonable standard in bedrooms at night. (Internal)

2.12 For L_{AeqT} criteria the time base (T) given in the documents is 16 hours for daytime limits and 8 hours for night time limits. When assessing impact, this has the tendency to smooth out the hourly variations in noise level. As such, our calculations are carried out to a 1 hour time base, which is a more stringent assessment than is given in the guidance documents.

2.13 For car parking activity noise a criterion based on BS 8233 and the latest WHO guidance has been adopted. The external noise level at the nearest noise sensitive property should not exceed the following:

Daytime	(0700 - 2300 hours)	$L_{Aeq16hr}$ = 55 dB
Night time	(2300 - 0700 hours)	L_{Aeq8hr} = 45 dB
		L_{Amax} = 60 dB

3.0 Noise survey details

3.1 A noise survey was undertaken on 17th and 18th January 2006 to obtain measurements of the existing noise climate. Noise measurements were made at a single location (see Appendix A) at the boundary of the M&S car park with the rear of the properties in Holmbush Close.

3.2 During the site visit, the weather conditions were cloudy, and largely dry and cool (1°C to 8°C) with light westerly winds (<5m/s). From 0420 hours on 18th January 2006 light rain was observed which elevated the measured noise levels for the remainder of the survey. As a result of the adverse weather conditions after 0420 hours, these levels have not been used in this assessment.

3.3 Noise levels were measured using a Norsonic 118 sound level meter type, which was calibrated at the start and end of the measurements. The measurements were taken over 10 minute sample periods. The sound level measurements were undertaken in weather conditions which satisfy the requirements of BS 4142: 1997, with the exception of the measurements taken after 0420 hours, as outlined in 3.2 above.

3.4 The existing noise climate at the site is extensively dominated by road traffic noise on the main A27 trunk road which borders the site to the north.

3.5 The results of the noise survey are summarised in table 1 below and displayed in full in Appendix B:

TABLE 1: Noise levels measured at M&S Holmbush Centre, Shoreham.

Location	Measured noise level dB			
	Evening (2050 to 2300 hours)		Night time (2300 to 0410 hours[1])	
	L_{A90}	$L_{Aeq\,T}$	L_{A90}	$L_{Aeq\,T}$
A	52.0 – 57.4	54.8 – 60.3	41.2 – 53.0	43.9 – 55.8

[1] Noise measurements taken from 0420 hours onwards are not presented in Table 1 because these levels were affected by adverse weather conditions.

4.0 Noise from car parking

4.1 SRP has undertaken hundreds of retail development noise assessment over the past 13 years. These studies have demonstrated that noise associated with retail superstore trading activities is dominated by customer vehicle activity within car parks; including vehicles manoeuvring into parking spaces, movements along access road, noise associated with the closing of car doors/boots, and trolley movements. All of the noise sources outlined above are encompassed in the measurements which from the basis of this assessment.

4.2 Surveys of noise levels at the boundaries of large retail store car parks have shown that levels range from $L_{Aeq,1hr}$ = 43 dB to 48 dB at a distance of 10 metres, depending on the level of usage. The peak level, dictated by door or boot slams is typically L_{Amax} = 66 dB at the same distance.

4.3 For robustness the higher measured noise level of 48 dB $L_{Aeq,1hr}$ has been used as the basis for this assessment; this noise level is based on typical peak hour car parking levels (including simultaneous vehicle movements) in a large car park of comparable size.

4.4 The closest properties to the boundary of the M&S car park are numbers 1, 2 and 3 Holmbush Close (all single storey dwellings). The receiver and barrier heights used in the screening calculations in Appendix C are based on site observations; the ground height at the bungalows is approximately 3.5 metres higher than the M&S car park level.

4.5 Site observations confirm that the car park boundary adjacent to these properties comprises of a retaining wall approximately 3.5 metres high with a 1.8 metre high close boarded fence on top.

4.6 The boundary of the car park is 14 metres away from the façade of 3 Holmbush Close. At this distance, predicted car park noise would be reduced by 3 dB (distance attenuation); screening attenuation (see Appendix C1) would reduce this level by another 15 dB. The resultant predicted noise level from vehicles using the closest car parking spaces at 3 Holmbush Close (1 metre from the façade) would be 33 dB $L_{Aeq\ 1\ hr}$ (48 – 3 – 15 + 3 [façade correction] = 33).

4.6 Predicted peak noise levels from car door slams occurring at the closest parking spaces to 3 Holmbush Close would result in noise levels 1 metre from the façade of 51 dB L_{Amax} (66 – 3 – 15 + 3 = 51).

4.7 As distance increases from the site boundary into the car park the level of screening attenuation diminishes (see Appendix C2). Site observations indicate that at approximately 45 metres from the façade of 3 Holmbush Close the level of screening attenuation starts to diminish as the tops of the windows become visible above the retaining wall/fence. For car parking activity occurring at this mid point within the car park resultant noise levels at 1 metre from the façade of 3 Holmbush Close would be $L_{Aeq,1hr}$ = 31 dB (48 – 13 [distance attenuation]– 7 [screening attenuation] +3 [façade correction] = 31).

4.8 Predicted peak noise levels from car door slams occurring in the middle of the car park at 3 Holmbush Close (1 metre from the façade) would be 51 dB L_{Amax} (66 – 13 – 7 + 3 = 49).

4.9 The predicted noise levels from car parking activity comply with the WHO guideline noise values for daytime and night time noise.

4.10 Furthermore, assuming a worse case approach that the bungalows do not benefit from any screening to a mid point into the car park resultant ambient and peak noise levels from car parking activity would still comply with the guideline values outlined in section 2.13.

4.11 The results of the noise survey undertaken at the site provide a further indication that the predicted noise levels from car parking activity are unlikely to result in disturbance to the occupants of the bungalows in Holmbush Close. Both the existing ambient (L_{Aeq}) and peak noise (L_{Amax}) climates are generally well above the predicted noise levels from car parking activity.

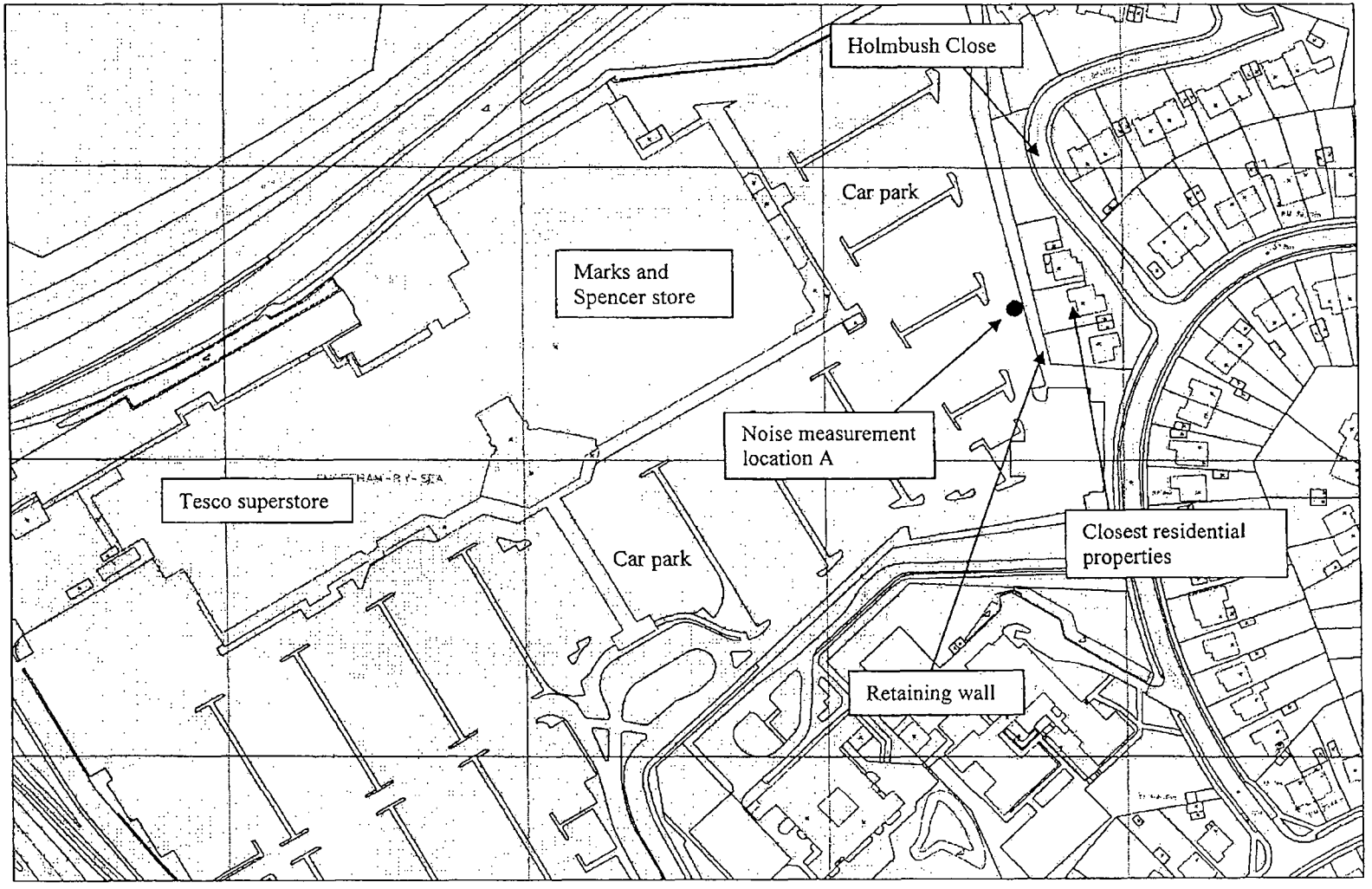
5.0 Assessment conclusions

5.1 This report demonstrates that predicted car park activity noise at Marks and Spencer at the Holmbush Centre, Shoreham, complies with both daytime and night time guideline noise values and is therefore consistent with the requirements of Planning Policy Statement 1 not give rise to 'significant environmental impacts'.

5.2 It is therefore concluded that M&S could trade without any restriction on opening hours on the basis that associated car parking activity noise would not result in disturbance to adjacent residences.

5.3 It is noted that the adjacent Tesco superstore currently benefits from unrestricted trading and delivery hours.

Appendix A: Site location plan showing noise measurement location



Appendix B: Noise survey results

Appendix B	Title: Noise survey results

Measurement location A - Rear of properties in Holmbush Close

Date	Sample start time	Noise Parameter - dB				
		L_{A10}	L_{A90}	L_{Aeq}	L_{AMAX}	L_{AMIN}
17.01.06	20:50:00	61.6	56.6	59.9	73.2	51.5
	21:00:00	62.7	56.7	60.3	73.0	53.6
	21:10:00	61.6	56.5	59.6	67.6	52.7
	21:20:00	60.8	56.7	59.0	65.7	53.4
	21:30:00	60.7	56.6	58.9	65.3	51.9
	21:40:00	61.3	57.1	59.7	70.0	54.7
	21:50:00	61.3	57.4	59.7	69.3	54.1
	22:00:00	60.4	55.8	58.6	66.8	52.8
	22:10:00	58.4	54.1	56.7	63.4	49.8
	22:20:00	59.4	55.5	57.7	63.4	52.7
	22:30:00	58.6	54.2	56.8	65.1	50.4
	22:40:00	58.1	53.0	56.1	65.0	49.9
	22:50:00	58.3	53.8	56.5	63.2	51.2
	23:00:00	56.8	52.0	54.8	63.1	49.1
	23:10:00	57.9	53.0	55.8	65.6	48.6
	23:20:00	57.4	52.1	55.1	62.1	49.5
	23:30:00	55.2	50.3	53.0	61.4	47.6
	23:40:00	53.4	49.1	51.6	58.7	45.0
	23:50:00	53.6	48.0	51.6	64.5	44.2
18.01.06	00:00:00	54.2	48.4	51.7	59.4	44.9
	00:10:00	53.4	47.5	51.1	60.5	45.1
	00:20:00	51.4	46.4	49.2	56.2	43.6
	00:30:00	52.8	46.7	50.3	58.0	42.9
	00:40:00	52.5	46.8	50.3	56.6	42.9
	00:50:00	52.5	46.3	50.0	57.9	42.1
	01:00:00	52.7	45.7	50.2	60.5	40.7
	01:10:00	52.2	46.6	50.1	66.4	42.4
	01:20:00	52.6	46.9	50.2	56.7	43.2
	01:30:00	50.8	45.9	48.9	61.7	42.8
	01:40:00	50.4	46.0	48.5	59.9	43.6
	01:50:00	49.5	45.2	47.7	57.8	43.0
	02:00:00	51.5	46.0	49.2	59.9	43.2
	02:10:00	51.8	46.7	49.4	55.5	44.7
	02:20:00	51.7	47.2	49.7	57.1	44.9
	02:30:00	51.8	46.0	49.6	57.3	42.6
	02:40:00	52.0	46.7	49.9	57.0	43.5
	02:50:00	51.7	46.7	49.7	57.3	42.6
	03:00:00	51.5	46.3	49.4	63.3	43.5
	03:10:00	51.8	46.2	49.8	59.9	44.0
	03:20:00	50.7	44.0	49.0	66.5	40.6
	03:30:00	51.5	43.3	49.2	64.3	39.6
	03:40:00	46.0	41.2	43.9	50.7	38.4
	03:50:00	47.7	41.4	45.0	56.0	38.7
	04:00:00	49.3	41.2	48.7	68.9	38.0
	04:10:00	48.9	42.1	48.7	70.4	39.8
	04:20:00	52.2	47.2	51.4	73.4	42.4
	04:30:00	53.6	49.2	51.9	60.3	46.6
	04:40:00	53.0	48.4	51.1	61.1	45.6

Appendix B	Title: Noise survey results

Measurement location A - Rear of properties in Holmbush Close

Date	Sample start time	Noise Parameter - dB				
		L_{A10}	L_{A90}	L_{Aeq}	L_{AMAX}	L_{AMIN}
18.01.06	04:50:00	53.8	49.2	52.0	60.6	46.2
	05:00:00	55.6	50.1	53.4	61.3	47.5
	05:10:00	56.1	50.2	53.8	59.8	45.4
	05:20:00	57.5	51.9	55.0	63.0	49.2
	05:30:00	57.3	52.8	55.5	64.7	50.0
	05:40:00	58.0	53.4	56.0	62.3	49.4
	05:50:00	58.4	53.5	56.3	63.2	50.9
	06:00:00	58.9	54.3	56.9	64.9	51.7
	06:10:00	58.7	54.9	57.0	67.9	52.3
	06:20:00	60.0	56.2	58.4	65.5	53.0
	06:30:00	60.2	57.3	58.9	64.7	55.7
	06:40:00	60.4	57.6	59.1	63.3	54.7
	06:50:00	61.6	58.7	60.3	65.8	56.5
	07:00:00	62.4	59.5	61.0	65.7	57.9
	07:10:00	63.7	61.2	62.6	66.2	59.6
	07:20:00	63.9	61.2	62.7	67.4	58.0
	07:30:00	64.0	61.5	63.0	73.0	58.6
	07:40:00	63.7	61.4	62.6	66.6	59.8
	07:50:00	63.8	61.5	62.7	66.1	59.4
	08:00:00	72.6	53.1	67.7	90.8	31.6
	08:10:00	74.4	29.8	69.5	89.5	25.9

Appendix C: Screening Calculations

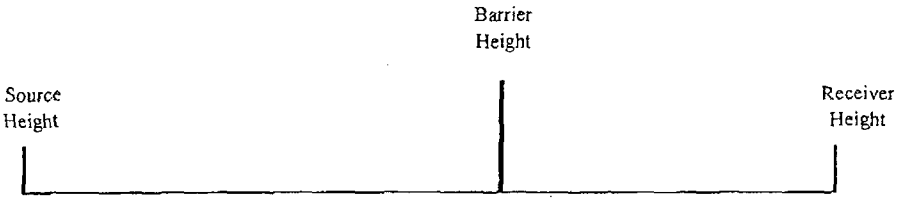
Appendix C1

BASIC BARRIER ATTENUATION

(based on Maekawa or CRTN)

Receptor: 3 Holmbush Close
Project: M&S Homebush Centre, Shoreham

Source: Car parking activity **Receiver: 3 Holmbush Close**



Source-to-Barrier Distance | Receiver-to-Barrier Distance

Source-to-Barrier Distance	6.0 m
Receiver-to-Barrier Distance	8.0 m

Source Height	0.5 m
Receiver Height	5.6 m
Barrier Height	5.3 m

Path difference = 0.789 m

Frequency - Hz	63	125	250	500	1K	2K	4K	8K	CRTN
Attenuation - dB	**9.4**	**11.6**	**14.2**	**16.9**	**19.8**	**22.7**	**25.7**	**28.7**	**14.6 dBA**

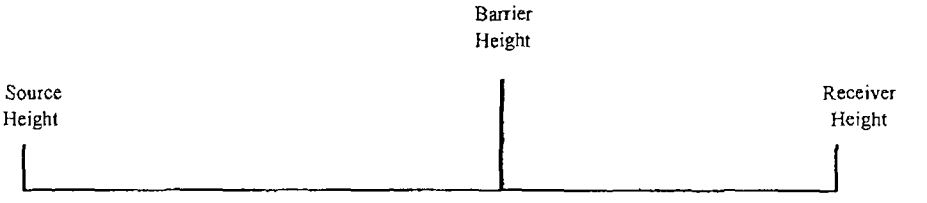
Appendix C2

BASIC BARRIER ATTENUATION

(based on Maekawa or CRTN)

Receptor: 3 Holmbush Close
Project: M&S Homebush Centre, Shoreham

Source: Car parking activity **Receiver: 3 Holmbush Close**



Source-to-Barrier Distance | Receiver-to-Barrier Distance

Source-to-Barrier Distance	37.0 m
Receiver-to-Barrier Distance	8.0 m

Source Height	0.5 m
Receiver Height	5.6 m
Barrier Height	5.3 m

Path difference = 0.028 m

Frequency - Hz	63	125	250	500	1K	2K	4K	8K	CRTN
Attenuation - dB	**5.1**	**5.3**	**5.8**	**6.6**	**7.9**	**9.7**	**12.0**	**14.6**	**7.5 dBA**

Appendix D: Acoustic Terminology

1. Noise, defined as unwanted sound, is measured in units of decibels, dB. The range of audible sound is from 0 dB to 140 dB. Two equal sources of sound, if added together will result in an increase in level of 3 dB, i.e. 50 dB + 50 dB = 53 dB. A 10 dB increase in sound is perceived as a doubling of loudness.

2. Frequency (or pitch) of sound is measured in units of Hertz. 1 Hertz = 1 cycle/second. The range of frequencies audible to the human ear is around 20 Hz to 18000 Hz (or 18 kHz). The capability of a person to hear higher frequencies will reduce with age. The ear is more sensitive to medium frequency than high or low frequencies.

3. To take account of the varying sensitivity of people to different frequencies, a weighting scale has been universally adopted called "A-weighting". The measuring equipment has the ability to automatically weight (or filter) a sound to this A scale, so that the sound level it measures best correlates to the subjective response of a person. The unit of measurement thus becomes dBA (decibel, A-weighted).

4. The second important characteristic of sound is amplitude or level. Two units are used to express level a) sound power level - Lw, and b) sound pressure level - Lp. Sound power level is an inherent property of a source whilst sound pressure level is dependent on surroundings/distance/directivity etc. The sound level that is measured on a meter is the sound pressure level, Lp.

5. External sound levels are rarely steady but rise or fall in response to the activity in the area - cars, voices, planes, birdsong, etc. A person's subjective response to difference noises has been found to vary dependent on its temporal distribution (i.e. its variation with time). For this reason, a set of statistical indices have been developed.

6. There are four main statistical indices in use in the UK:

L_{A90} The sound level (in dBA) exceeded for 90% of the time. This unit gives an indication of the sound level during the quieter periods of time in any given sample. It is used to describe the "background noise level" of an area.

L_{AeqT} The equivalent continuous sound level over a period of time, T. this unit may be described as "the notional steady noise level that would provide, over a period, the same energy as the varying noise in question". In other words, the energy average level. This unit is now used to measure a wide variety of different types of noise of an industrial or commercial nature, as well as road traffic, aircraft and trains.

L_{A10} The sound level (in dBA) exceeded for 10% of the time. This level gives an indication of the sound level during the noisier periods of time in any given sample. It has been used over many years to measure and assess road traffic noise.

L_{AMAX} The maximum level of sound, i.e. the peak level of sound measured in any given period. This unit is used to measure and assess transient noises, i.e. gun shots, individual vehicles, etc.

ADUR DISTRICT COUNCIL
PLANNING
PLAN No. AA0172407
DATE RECEIVED 29 NOV 2007

Holmbush Centre, Shoreham by Sea.



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