From: Planning - <planning@adur-worthing.gov.uk>
Sent: 05 November 2024 09:53:38 UTC+00:00
To: "Planning -" <planning@adur-worthing.gov.uk>
Subject: Fwd: AWDM/1317/24: Shell Service Station, Sompting Avenue, Worthing

---------- Forwarded message ---------
From: **Michael Lavender** <michael.lavender@adur-worthing.gov.uk>
Date: Thu, 31 Oct 2024 at 16:52
Subject: AWDM/1317/24: Shell Service Station, Sompting Avenue, Worthing
To: Jacqueline Fox <jacqueline.fox@adur-worthing.gov.uk>

Hi Jacqueline,

I am objecting to this application on the grounds of potential noise nuisance to neighbouring homes.

The service station is located on a B road, on which there will be relatively little through traffic at night. It is overlooked by residential property, some of which on Beaumont Road are only around 15m from the forecourt canopy. The amenity of these homes at night time is protected by the current planning condition which curtails the opening hours of the premises and I am of the opinion that there is no case to remove this safeguard against potential nuisance.

It should be noted that the premises owners have applied to vary their premises licence under the Licensing Act 2003 to include late night refreshment and 24 hour alcohol sales. Therefore we are looking at this premises as a filling station, retail store and as a destination for late night refreshment.

Customer noise is my main concern here and we have no way of knowing what level of new custom a change in hours will attract to the premises in these early hours or what potential nuisance they may cause. Whether it is one customer or a hundred customers a night, it will be permitted under these changes. Any conversation or shouting on the forecourt, or music from car stereos is going to impact bedrooms and peoples sleep in the nearest property, particularly during the summer when windows are open. Our brains continually assess sounds whilst we are asleep and if a sound is deemed a threat then we will awaken. Most people will sleep through anonymous sounds such as distant traffic, but conversation or music, even at a relatively low noise level can cause awakening.

The applicant has provided a BS4142 noise assessment with the application which is not relevant to my concerns. If we consider the scope of BS4142 copied below we will see it is not to be used to determine nuisance, nor is it to be used to assess noise from people or from music. So there is no way of rating what level of music or people noise is acceptable in this situation.

Scope
1.1 This British Standard describes methods for rating and assessing sound of an industrial and/or commercial nature, which includes:
a) sound from industrial and manufacturing processes;
b) sound from fixed installations which comprise mechanical and electrical plant and equipment;
c) sound from the loading and unloading of goods and materials at industrial and/or commercial premises; and
d) sound from mobile plant and vehicles that is an intrinsic part of the overall sound emanating from premises or processes, such as that from fork-lift trucks, or that from train or ship
movements on or around an industrial and/or commercial site.

The methods described in this British Standard use outdoor sound levels to assess the likely effects of sound on people who might be inside or outside a dwelling or premises used for residential purposes
upon which sound is incident.

1.2 This standard is applicable to the determination of the following levels at outdoor locations:
a) rating levels for sources of sound of an industrial and/or commercial nature; and
b) ambient, background and residual sound levels, for the purposes of:
1) investigating complaints;
2) assessing sound from □existing,□ proposed, new, modified or additional source(s) of sound of an industrial and/or commercial nature; and
3) assessing sound at proposed new dwellings or premises used for residential purposes.

1.3 **The determination of noise amounting to a nuisance is beyond the scope of this British Standard**.
Sound of an industrial and/or commercial nature does not include sound from the passage of vehicles on public roads and railway systems.
The standard is not intended to be applied to the rating and assessment of sound from:
a) recreational activities, including all forms of motorsport;
b) **music** and other entertainment;
c) shooting grounds;
d) construction and demolition;
e) domestic animals;
f) **people;**
g) public address systems for speech; and
h) other sources falling within the scopes of other standards or guidance.

The service station has no control over how customers will present themselves at the premises or how they will behave, but even normal behaviour has the potential to disturb sleep and this is not acceptable. There is no other 24 hour business in this locality so why change the character of the area in this instance.

Regards

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Michael Lavender
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