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My Reference: WB/08/0201/FULL
Your Reference:

Ms. C. Widdowson
Nathaniel Lichfield & Partners
14 Regent's Wharf
LONDON N1 9RL

Dear Ms Widdowson

23rd June 2008

Town and Country Planning Act 1990
Installation of Roof Plant at Marks & Spencer, 51/59 Montague Street, Worthing
Condition 2 of Planning Permission WB/08/0201/FULL – Air Handling Units

I refer to your letter of 22nd May 2008 and noise level details relating to the above.

Condition 2 of the planning permission states:

2. The two Air Handling Units (AHU1 and AHU2), hereby approved, shall not be brought into operation before details of their maximum levels of noise at the site boundaries, including any sound or vibration attenuation measures to reduce the noise levels to an acceptable maximum level, have been agreed in writing with the Local Planning Authority. Thereafter, the maximum noise levels as may be agreed shall be exceeded at any time.

   Reason: To safeguard the amenities of the occupiers of nearby residential properties to the east in Montague Place and those of the occupiers of Knightsbridge House, Marine Parade, adjacent to the application premises to the south.

The Council's Senior Environmental Health Officer, Mr. Stephen Dommett (01903 221324) whom I have consulted, comments:

"The information submitted by Nathaniel Lichfield and Partners is not sufficient to discharge Condition of WB/08/0201/FULL.

It comprises a simple noise survey – with limited information – but establishes the current noise level on the roof at 55 – 61 dB(A) (doesn't say at what time of day). It also confirms that the plant without any treatment will create levels of around 74/75 Db(A) at the boundary – more than doubling the existing subjective noise levels

I have carried out a simple decibel/distance calculation and predicted levels of 61 – 64 at residential property to the south and east respectively. These results are unexpected and likely to be unacceptably intrusive.

Suggested course of action:

1. Nathaniel Lichfield and Partners state in their submission that the plant will only operate 07.00 to 21.00 hrs – this must be agreed as a binding, permanent and enforceable condition.

2. Mitigating measures should be designed for the plant (or quieter plant sought) to ensure that it does not exceed 60 dB(A) at any position outside the site boundary.

3. NL & P to agree operating hours, agree maximum noise level and details of the noise attenuation measures (or noise levels of the new plant) shall be submitted.

   N.B. The maximum noise level I have suggested is based on the information provided plus a maximum target of 50 dB(A) at the flats. If NL & P wish to question this, a more detailed noise survey and BS4142 assessment from an acoustic consultant would be appropriate."

I would be obliged if you would investigate on your client's behalf the above mitigating measures, and kindly submit the revised details for consideration under Condition 2 of the permission as soon as possible.

Should you have any queries over the information that will be required or any matters pertaining to the above, please contact Mr. Dommett on 01903 221324 or email: s.dommett@worthing.gov.uk

Yours sincerely

[redacted]

H. Barnes-Moss
Senior Planning Officer