

<u>No:</u>	BH2025/01397	<u>Ward:</u>	South Portslade Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	70 North Street Portslade BN41 1DZ		
<u>Proposal:</u>	Refurbishment of existing builders merchants including single storey extension to South elevation of customer service building and reconfiguration of site layout.		
<u>Officer:</u>	Rebecca Smith, tel: 291075	<u>Valid Date:</u>	02.06.2025
<u>Con Area:</u>		<u>Expiry Date:</u>	28.07.2025
<u>Listed Building Grade:</u>		<u>EOT:</u>	12.12.2025
<u>Agent:</u>	Rapleys LLP One Upper James Street Third Floor London W1F 9DE		
<u>Applicant:</u>	Stark Building Materials UK Ltd C/o Rapleys LLP One Upper James Street Third Floor London W1F 9DE		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Location Plan	101	A	02-Jun-25
Block Plan	103	G	10-Nov-25
Proposed Drawing	105	G	10-Nov-25
Proposed Drawing	106	A	02-Jun-25
Report/Statement	Design Statement	5.0	10-Nov-25
Report/Statement	Daylight and Sunlight Report	CC/25-02232	16-Oct-25
Report/Statement	Daylight and Sunlight Report Addendum		10-Nov-25

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3. The material finish of the development hereby approved, shall be in accordance with the approved plans and page 13 of the Design Statement (V.5).

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies DM18 and DM21 of City Plan Part Two and CP12 of City Plan Part One.

4. The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

Biodiversity Net Gain

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the Environment Act 2021.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, unless an exception or a transitional arrangement applies, the planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

2. SITE LOCATION

- 2.1. The application site is a builder's merchants sited within an industrial estate on the northern side of North Street in south Portslade. The site has an access from North Street through Chapel Place and a secondary access from St Andrews Road at the rear. The existing builders merchant buildings are industrial in appearance mostly orientated in a west-east orientation with metal cladding. The buildings are sited in the north-western part of the estate in close proximity with the residential terrace on Albion Street, which backs onto the western boundary of the site. The yard also shares a boundary with residential properties on St

Andrews Road on the northern side, with the main structures set further away from this boundary by the merchant yard itself.

- 2.2. The site is not within a Conservation Area and there are no listed buildings in close proximity. There are no relevant Article 4 directions with regard to the development applied for.

3. RELEVANT HISTORY

None identified.

4. REPRESENTATIONS

- 4.1. Representations have been received from **13 (Thirteen)** people, objecting to the proposed development for the following reasons
- Inappropriate height of development
 - Overdevelopment
 - Overshadowing, particularly due to lower land level of neighbours
 - Loss of views
 - Loss of light/sunlight
 - Loss of property value for adjacent houses
 - Oppressive nature of proposed structure
 - Too close to the boundary
 - Construction noise and dust
 - Loss of privacy
 - No need to extend this branch
 - Additional traffic
 - Additional demand for parking in the vicinity of the site
 - Concerns about public consultation
- 4.2. **Councillor Robins** has objected to the proposals. A copy of their representation is attached to this report.
- 4.3. One representation received has been labelled 'support' but the content expresses an objection and it has therefore been considered as such.
- 4.4. Full details of representations received can be found online on the planning register.

5. APPLICATION DESCRIPTION

- 5.1. Planning permission is sought for the refurbishment of the existing builders' merchants, including a new single storey extension to the south elevation of the customer service building and reconfiguration of the site layout.
- 5.2. The building to be extended is located on an east/west orientation and borders the rear gardens of 19 and 21 Albion Street at the western end. The extension

proposed would be 4m in height and it would project forward of the main building by approximately 6.6m and be 22m in width. The siting would be such that the extension would be set away from the western boundary with Albion Street by approximately 4m. The extension and adjoining building would be finished in grey cladding with an insulated composite steel roof and a blue trim.

- 5.3. The proposal has been amended during the course of the application to reduce the size of the proposed extension, in order to create some separation further away from rear garden boundaries of the residential properties to the west, on Albion Street.
- 5.4. **Planning Policy:** No comments to make
- 5.5. **Sustainable Transport:** No objection
The proposed development is considered acceptable; however, cycle parking for staff and visitors should be secured by a condition.
- 5.6. Full details of consultation responses received can be found online on the planning register.

6. MATERIAL CONSIDERATIONS

- 6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report.
- 6.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
 - Brighton & Hove City Plan Part Two (adopted October 2022);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013; revised October 2024; revised October 2024);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Harbour JAAP (adopted October 2019).

7. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP2	Sustainable economic development
CP3	Employment land
CP9	Sustainable transport
CP12	Urban design
DA8	Shoreham Harbour

Brighton & Hove City Plan Part Two:

DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM33	Safe, sustainable and active travel
DM36	Parking and servicing

Supplementary Planning Documents:

SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards
SPD17	Urban Design Framework

8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this application relate to the design and appearance of the proposed extension to the existing customer building at the site and the impacts of such an extension on the neighbours adjoining the site. Consideration will also be given to the wider site layout redesign which would reduce parking on site.
- 8.2. A site visit has been undertaken (November 2025) to consider the proposed siting and size of the extension, with particular consideration given to the relationship between the existing structures and Albion Street.
- 8.3. The application site is located within the Shoreham Harbour Development Area (DA8) and is a Protected Employment site within policy CP3. The proposals to expand the existing use are considered to support both the objectives of the Shoreham Harbour Development Area and employment policy CP3 which seeks to retain and enhance employment opportunities. Although there is no uplift in employment stated on the application form, the additional floor area would improve the vitality of the current site.

Design and Appearance:

- 8.4. As existing the site has four warehouses and a customer services/retail building. The proposed refurbishments include replacing and restoring cladding on the existing buildings as the existing finishes and signage no longer match the applicant's current branding. The existing structures would be visually upgraded to ensure a consistent appearance of dark grey metal cladding with a blue trim. The finishes are considered appropriate to the character of the site and would cause no visual harm.
- 8.5. The extension is proposed in the southwest corner of the site on land currently utilised for customer parking. This part of the site is close to the rear garden boundaries of the residential dwellings on Albion Street, located to the west. The properties on Albion Street have short and limited rear garden areas and they are set on a land level somewhat lower than the application site. A chain-link fence provides the existing boundary treatment.

- 8.6. The proposal has been amended since submission to reduce the size of the extension. The extension would have a flat roof and project from the southern elevation of the building into an area currently used for customer parking. As above, the extension would have a flat roof and be approximately 4m in height and project from the existing building by 6.6m. Further to amendments the extension would now be set in from the western boundary (rear of properties along Albion Street) by 3.8m. The extension would be 22.4m wide following the main building form to the east. The plans indicate that the existing chain link boundary fencing is to be retained.
- 8.7. The existing material racking will largely remain with some adjustment to accommodate an additional 3 parking spaces to the east of the exit.
- 8.8. Overall, the design of the proposals is considered acceptable, the existing metal clad appearance is being retained, and the overall appearance would be commensurate with the current use and would cause no harm to the character of the area. The siting of the extension is considered to be appropriately scaled and separated from the neighbouring western properties in design terms and is otherwise considered to be in accordance with policy DM21 of the Brighton and Hove City Plan Part Two and CP12 of the Brighton and Hove City Plan Part One.

Impact on Amenity:

- 8.9. Policy DM20 of City Plan Part Two states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.10. An initial amendment to the scheme was supported by a Daylight and Sunlight Assessment (to demonstrate the impacts on the residents who adjoin the site). While the amendments addressed some of the harm, it was considered that it would continue to be harmfully overbearing.
- 8.11. The applicant has since further amended the design and increased the separation from the neighbouring western properties. The plans provided demonstrate the land level differences between the properties which has been considered in ensuring the impacts are suitably addressed.
- 8.12. The set in from the shared boundary with Albion Street is now 3.8m which has increased the separation and the extension would have a flat roof, which further reduces any overbearing impact. The set in of the extension is now considered supportable and an addendum to the Daylight and Sunlight Assessment has been submitted and confirms that the extension would not have any harmful impacts to windows of the properties on Albion Street. Whilst the properties of 15-19 Albion Street would have a view of the extension, the separation is not considered to result in any substantial harms over and above the existing situation.
- 8.13. An existing ground floor window in the southern elevation of the building would be removed as part of the proposal, which would reduce some overlooking and

perceived overlooking from within the existing building onto the garden/properties of Albion Street.

- 8.14. Following the amendments described above, the proposed extension is not considered to be overbearing or be in such close proximity to neighbouring properties to have a harmful impact upon sunlight/daylight or loss of outlook. No harm to privacy would occur over and above the existing situation and the development is considered to be in accordance with policy DM20 of the Brighton and Hove City Plan Part Two.

Sustainable Transport:

- 8.15. The existing entrance to the site is situated on the corner of Ellen Street and West Street, and the exit is through Chapel Place onto North Road. An additional access point leading from the northern part of the site to St Andrews Road is not in regular use. The application proposes to reconfigure the site layout and parking arrangements to accommodate the extension, and the site accesses will remain unchanged.
- 8.16. The site has 9 car parking spaces as existing for customer parking. Following the proposed extension, capacity for parking would be reduced to six spaces (although still large enough for van users) and would include a disabled parking space. The Council's Transport Officer has raised no concern with regards to the reduction in parking levels on site and have commented that if overspill parking were to occur in the future, then they do not consider it likely to result in parking stress within the locality.
- 8.17. The Transport Officer has noted that the proposals do not include cycle parking. The proposals do result in an increase to the commercial floor space coupled with a reduction in car parking; therefore, it is considered reasonable to add a condition requiring further details of cycle parking facilities which would be installed and available for use prior to the new extension being first used.
- 8.18. Overall, subject to the inclusion of a condition requiring cycle parking details prior to the use of the extension, the proposal is considered to have an acceptable impact upon the Local Highways network in accordance with policies DM33 and DM36 of the Brighton and Hove City Plan Part Two.

Other Matters:

- 8.19. It is acknowledged that the extension would change the overall outlook and views from the rear of properties on Albion Street. Whilst this is noted, views are not protected and their loss is not a material planning consideration in this context.

Biodiversity Net Gain

- 8.20. This scheme was considered exempt from the need to secure mandatory biodiversity net gain under Schedule 7A of the TCPA because it does not impact a priority habitat or habitat of more than 25sqm or 5m of linear habitat.

9. EQUALITIES

- 9.1. Section 149(1) of the Equality Act 2010 provides:
- 1) A public authority must, in the exercise of its functions, have due regard to the need to—
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. Officers considered the information provided by the applicant, together with the responses from consultees (and any representations made by third parties) and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.