CABINET	Agenda Item 198
	Brighton & Hove City Council

Subject:		Falmer Released Land	
Date of Meeting:		09 February 2011, Cabinet	
Report of:		Strategic Director, Resources	
Lead Member:		Cabinet Member for Finance & Central Services Cabinet Member for Planning, Employment, Economy & Regeneration	
Contact Officer:	Name:	Gil Sweetenham Tel: 29-3433	
	Email:	Gil.Sweetenham@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: CAB 25463	
Ward(s) affected:		Moulsecoomb & Bevendean	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The development and completion of the Brighton Aldridge Community Academy ("BACA") has released part of the former Falmer school site from education use so that it is now surplus to requirement and available for redevelopment and regeneration.
- 1.2 To progress the redevelopment of the site and contribute to the area's wider regeneration, it is proposed that a temporary use involving demolition of the surplus school buildings, temporary accommodation for the Bridge Community Education Centre ("The Bridge") and match day and event parking for the Amex Community Stadium ("the Stadium") can be progressed while testing the market to appoint a preferred developer to deliver a permanent redevelopment solution.

2. **RECOMMENDATIONS**:

That Cabinet

- 2.1 delegates authority for approval to proceed with the short term option in respect of the site shown on the plan at Appendix 1 ("the Released Land"), as described in paragraphs 6.2(b) and 7.1 of this report, to the Strategic Director, Resources in consultation with the Leader of the Council, Cabinet Member for PEER, Cabinet Member for Transport & Public Realm, and Cabinet Member for Finance & Central Services and that this consultation should be carried out following receipt by the council from The Community Stadium Limited ("TCSL") of a viable business case for the proposal.
- 2.2 agrees, subject to (a) the delegated decision to proceed with the temporary solution included at paragraph 2.1 of this report, (b) the granting of a waiver under Contract Standing Order 18 and (c) TCSL gaining planning permission, that the Council enter into licences to achieve the temporary solution, the detailed terms of such licences to be drawn up by the Strategic Director,

Resources in consultation with the Head of Law, the Leader of the Council, Cabinet Member for PEER, Cabinet Member for Transport & Public Realm, and Cabinet Member for Finance & Central Services.

- 2.3 agrees to the preparing of a Development Brief to test the market and procure a development partner as described in paragraphs 6.4 (i) and 7.5 of this report and delegates authority for approval of the Development Brief to the Strategic Director, Resources in consultation with the Leader of the Council, Cabinet Member for Planning Employment Economy & Regeneration, Cabinet Member for Transport & Public Realm, and Cabinet Member for Finance & Central Services, so that the Released Land can be marketed as a development site and the outcome of such marketing be further considered by Cabinet
- 2.4 notes that a report to the Planning Employment Economy & Regeneration Cabinet Member Meeting of 2nd February 2011 recommends the form of the Planning Brief for the Released Land in the form appended to this report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Following completion of BACA, a section of the former Falmer High School site, the "Released Land", which is no longer required for education purposes, is now available for redevelopment (Appendix 1, location plan).
- 3.2 A section of the former school buildings on the Released Land currently houses The Bridge. The council Leadership has expressed full support for the Bridge and, as part of any redevelopment, has secured a commitment from TCSL to provide temporary and new permanent accommodation and a contribution towards the running costs of the premises.
- 3.3 The council and governors of the former Falmer High School agreed that the school playing fields could be used by the Stadium on match and event days for approximately 1000 car parking spaces. These spaces were required to satisfy the planning condition imposed by the Secretary of State in the planning permission for the Stadium. By the time that the Stadium was constructed the agreement had lapsed and the school had become BACA. Since its inception, the BACA leadership has indicated that it is not willing to allow use of its site for Stadium related car parking spaces. BACA has also requested that the council demolish the surplus school buildings on the Released Land as soon as possible to improve the appearance of its entrance and provide a safer environment for the local community.
- 3.4 A footpath and cycleway adjacent to the railway line has been constructed to accommodate pedestrians and cyclists travelling to and from the proposed car parking area. This project was one of the elements of the £5.7million of SEEDA funding granted to the council, which also provided a new junction and connection to the Woollards Field site and tunnel serving the Retained Land, and a new access road to Stanmer Park and University of Sussex.

- 3.5 The council has been working alongside TCSL for three years to look at potential solutions involving the Released Land at Falmer and TCSL are working in partnership with the University of Brighton and University of Sussex for the longer-term regeneration of the site.
- 3.6 There is an underlying assumption that there is no long-term efficient use of the surplus buildings, due to their condition, layout and facilities, and that the most cost effective route is demolition and new build while providing temporary accommodation for The Bridge.
- 3.7 The council commissioned an independent valuation of the site based on providing 880 units of student accommodation, which was revised in January 2011 that suggested the potential to generate a substantial capital receipt. This potential receipt would be reduced with the inclusion of 750 car parking spaces. In January 2011, TCSL submitted an initial proposal for consideration to the council for the site to include student accommodation, stadium parking and new accommodation for The Bridge and they are continuing to develop this proposition further with the two universities, BACA and the Bridge.3.8 The PEERCMM report and recommended Planning Brief referred to in recommendation 2.3 refers to around 800 tiered car parking spaces to serve the Stadium on match and event days, the provision of community facilities (to accommodate The Bridge) and buildings linked with Higher Education, including the potential for student accommodation. The council will continue to work with stakeholders to address the identified issues and ensure best consideration is achieved for the council.
- 3.8 TCSL has submitted a new summary proposal to the council for consideration, which is outlined in paragraph 7.3 below, and provided in the part two report.
- 3.9 Primarily in response to concerns raised with the council's Cabinet Member for Transport & Public Realm by local residents about the effects of match day parking on streets in the Moulsecoomb and Coldean areas, the Leader of the Council and Chief Executive of B&HAFC jointly agreed to the preparation of an independent study of the current and future use, and impacts, of different forms of transport used by supporters to reach the Stadium at Falmer. This intervention by the council's Leadership has ensured that a full and proper investigation of the relevant transport issues is being carried out as a fundamental part of the consideration of this proposal.
- 3.10 In considering the wide range of transport issues, parking has been a key issue. The report has considered on-street problems, and the use and availability of parking both on-site (e.g. Bennetts Field) and off-site (e.g. Sussex University and the Released Land). Consideration of the Released Land is important given the original allocation of 1,000 spaces on the former Falmer High School Playing Fields as part of the original planning permission. In its overall conclusions and recommendations, the independent report has indicated that the case for the use of the Released Land for up to 800 spaces could be supported, and that this could form part of a wider package of proposals that would help to enable effective and efficient transport options for supporters to access the Stadium both now and in the future. Safe access to the Released Land site on match days should be a primary consideration in the design of the parking spaces and the management of movement to and from them by club stewards.

- 3.12 The conclusions of the independent study will be considered by the Stadium's Travel Management Group (TMG), which has been set up as a requirement of the planning permission and considers and addresses match day transport issues. The draft Executive Summary of the independent study is attached to the part two report to provide further details on the scope and outcomes of the study...
- 3.13 If agreed and implemented, the provision of these parking spaces could enable further consideration to be given to the potential opportunities that they may offer (outside the times that they would be used on match days and for other outdoor events), in terms of achieving an efficient use of such land within the city and addressing existing and future transport issues.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 The internal officer group including Major Projects & Regeneration, Property & Design, Legal, Planning, Finance and Education has been established for this project and has monitored the work carried out by TCSL, considered the council's independent valuation for the site and contributed to the compilation of this report.
- 4.2 Further consultation with Members, officers and external stakeholders will be carried out if a Development Brief is to be prepared to seek a preferred developer.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The financial implications of any development of the site will be included in subsequent reports. The recommendation for TCSL to carry out the works as set out in recommendation 2.1 above will be cost neutral to the council with any rent foregone offset by the cost of the demolition works and reduced security costs.

Finance Officer Consulted: Peter Sargent, Loans & Technical Manager Date: 18.11.11

Legal Implications:

- 5.2 The proposal for temporary parking for TCSL is consistent with previous decisions relating to the Amex Community Stadium and the reprovision of The Bridge is consistent with council support for community provision.
- 5.3 Planning permission will be required for the proposals and as part of the application process the local planning authority will review the Travel Management Plan for the stadium and the access arrangements to the site.
- 5.4 Contract Standing Order 12 would ordinarily apply to the circumstances of this case i.e. where the total value of a contract exceeds £75,000 at least 5 tenders should be sought and the most economically advantageous tender should be accepted. However, it is considered reasonable for a waiver under CSO 18 to be

given, to enable the appointment of TCSL who can then expedite the preferred temporary option.

Lawyer Consulted: Bob Bruce Principal Solicitor Date: 16.01.12

Equalities Implications:

5.5 The development of the Released Land offers the potential to provide improved community facilities for Moulsecoomb, which is recognised as an area that experiences high levels of multiple deprivation. Support for the continuation of the Bridge would benefit local residents in this area as well as city wide services. An Equality Impact Assessment will be carried out when it is clear how the project is to proceed.

Sustainability Implications:

5.6 Sustainability implications will be a significant part of the assessment of any scheme that is brought forward for the Released Land and consideration of these will be a normal part of any planning application for the site, as for all development proposals.

Crime & Disorder Implications:

5.7 Demolition of the buildings would eliminate the possibility of vandalism, which did occur during the past summer. Relevant issues relating to design, including the use of "Secured By Design", will be fully covered if a proposal for the Released Land comes forward.

Risk and Opportunity Management Implications:

5.8 The project manager keeps a Risk & Opportunity register for the project, which is reviewed on a regular basis with the project team.

Public Health Implications:

5.9 None arising from this report.

Corporate / Citywide Implications:

5.10 The redevelopment of this brownfield site will contribute to the overall regeneration of the area and build on the positive effects and good design of BACA, the Stadium and The Keep. It is likely that the remaining land at Woollards Field, which is not being used for the Keep and in which the council has a financial interest, will be better placed to attract development alongside the redeveloped Released Land.

6. **EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 A number of options are available for the council to consider that involve the following issues:
 - value of the site and the capital receipt that the council might reasonably expect to achieve:

- whether to work with TCSL or to test the market to establish the site value; and
- whether the council wishes to support inclusion of the Stadium parking in any redevelopment, reproviding accommodation for the Bridge, and agreeing that BACA may, at its own cost and in discussions with any future preferred developer, provide a referral centre on the site, and the direct and indirect costs of these items.
- 6.2 In the short term, to achieve the demolition of the surplus buildings the council may proceed in one of two ways:
 - (a) The council carries out the demolition, temporary landscaping and provides accommodation for The Bridge (either in its existing home or temporary units) and sets the cost of these works against the anticipated future capital receipt.
 - (b) The council allows TCSL to carry out the demolition, provide accommodation for The Bridge (either in its existing buildings or temporary units) and lays out the site to provide match day and event parking. The cost of these works would then be set against future parking revenue.
- 6.3 As referred to above, option (b) is the route recommended in this report.
- 6.4 In the long term, to achieve the redevelopment of this brownfield site and wider strategic aspirations, the council may consider the following options:
 - i. The council invites expressions of interest for redevelopment against an agreed Planning Brief, in order to test the market and procure a development partner. This would entail working up a Development Brief, which would incorporate the Planning brief and set out more specific requirements for the Released Land;
 - ii. The council enters into discussions with TCSL, with a view to reaching an agreement, whereby TCSL delivers the redevelopment of the site in partnership with stakeholders and to provide match day and event parking, and replacement accommodation for The Bridge.
- 6.5 Recommendation 2.3 of this report is that a Development Brief is prepared to enable the site to be marketed. The outcome of that marketing exercise will then be reported through to Cabinet so that Members will approve the long term solution for the Released Land.
- 6.6 In considering which long term option to pursue, the council will be mindful of the capital costs associated with including the Stadium parking and providing temporary and permanent accommodation for The Bridge. The use of any capital receipt generated from the sale of the land would be decided by Cabinet, including earmarking any of it to fund new accommodation for The Bridge.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 In the short term and to achieve the demolition of the surplus buildings, it is considered appropriate to allow TCSL to carry out the demolition, provide

accommodation for The Bridge (either in its existing buildings or temporary units) and the laying out of the site to provide match day and event parking. This option, included in 6.2(b) above, provides for the works to be carried out without the council incurring any capital costs. The cost of these works would be set against future parking revenue received by TCSL so that the council would provide a rent free licence to TCSL for the time it takes to recoup the cost of the capital works.

- 7.2 This short term option would only be agreed following the submission to the council by TCSL of a robust business case that is agreed by Members.
- 7.3 TCSL submitted to the council in November 2011 a high level business case summary to support its proposal, which is provided in the part two report. The summary proposes that TCSL carries out works on the Released Land including the demolition of the surplus buildings, providing temporary accommodation for The Bridge and the laying out of temporary stadium car parking. The summary states the need for a four year lease / licence at nil consideration (i.e. TCSL retaining all the car parking income) to balance the return against the cost of the works. Should the land be sold within that four year period to a party other than TCSL, there will need to be an agreement for the council to repay the outstanding difference to TCSL from the capital receipt.
- 7.4 Subject to agreement of recommendation 2.1 of this report, TCSL will be required to submit a full and viable business case before any agreement to proceed. The business case will need to set out evidenced costs for the demolition, providing temporary accommodation for The Bridge and laying out of the temporary car parking. Any works proposed will require planning permission and a waiver of Contract Standing Order 12 relating to contracts exceeding £75,000.
- 7.5 In order to test the market and procure a development partner, it is recommended that a Development Brief is prepared and agreed by Members that will form the basis for inviting expressions of interest from developers. This option, included at 6.4 (i) above, will offer Members and stakeholders the opportunity to agree and prioritise strategic objectives for the site. These will then be set out in a Development Brief to be delivered by the redevelopment.
- 7.6 Following market testing, the council will be better placed to consider the redevelopment route that offers best consideration and achieves wider strategic objectives and a report will be presented to a future Committee outlining the results of the marketing, options and recommendations.

SUPPORTING DOCUMENTATION

Appendices:

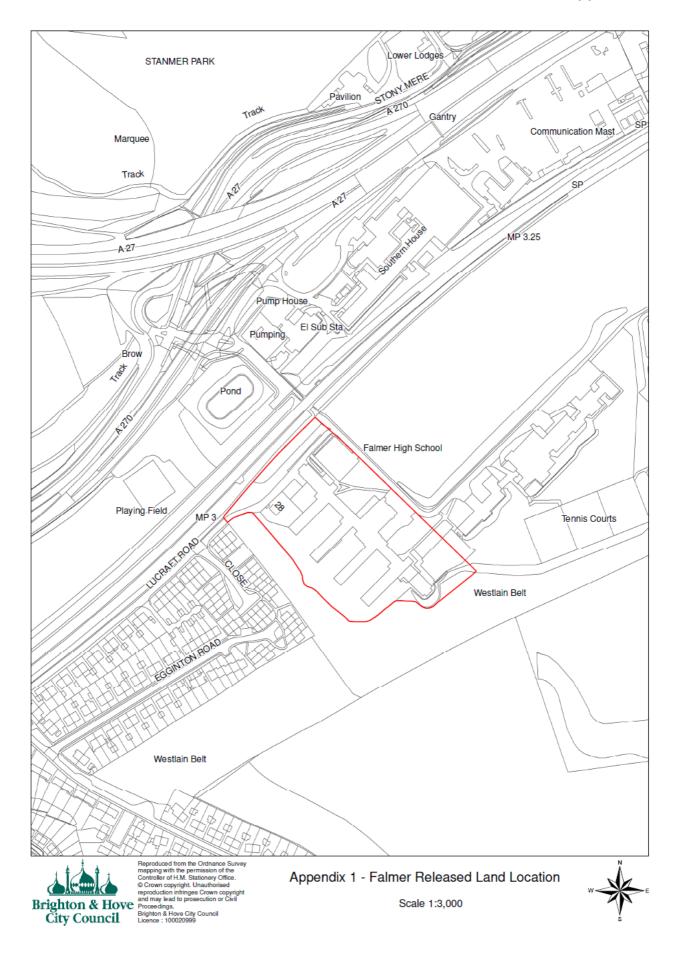
- 1. Falmer Released Land Location Plan
- 2. Planning Brief: Falmer Released Land

Documents in Members' Rooms

None

Background Documents

None



Planning Brief: Falmer Released Land

1. Status of this Planning Brief

- 1.1 This planning brief has been prepared as a tool to assist the council in securing its strategic objectives in respect of land that formerly formed part of Falmer High School, now deemed surplus to requirements for secondary education in the area.
- 1.2 Although the Planning Brief is a material planning consideration it cannot be afforded full statutory weight as it has not undergone full statutory consultation. However, the Brief complies with relevant Local Plan policies and national planning guidance and is a material planning consideration to which Members should give some weight in the determination of a planning application relating to the site.

2. Background

- 2.1 The site comprises the remaining (southern) building of the former Falmer High School, together with surrounding land, now deemed surplus to requirements due to the adjacent and recently completed Academy. The site is currently home to The Bridge Community Education Centre, which is seeking to remain in the area and which has submitted a business case to the council for replacement accommodation.
- 2.2 Through a now lapsed agreement between the council and Brighton & Hove Albion FC, 1000 car parking spaces were to have been provided on the High School playing field for the Amex Community Stadium on event days, in order to comply with planning requirements concerning total off site car parking in close proximity to the stadium. The closure of the High School and its replacement by the Academy has meant that parking on the playing fields is no longer an option. However, it is anticipated that in disposing of the site the council (as current landowner) will be seeking a development package that will provide both for replacement facilities for The Bridge, as well as car parking facilities to service the Amex Community Stadium on event days.
- 2.3 Although a degree of temporary car parking has been provided close to the stadium through agreements between the football club and other landowners, the need for additional local car parking to meet the full requirements of the planning permission remains and is heightened by the submission of a planning application in January 2012 to increase the spectator capacity of the stadium. Primarily in response to concerns raised with the council's Cabinet Member for Transport & Public Realm by local residents about the effects of event-day parking on streets in the Moulsecoomb and Coldean areas, the Leader of the Council and Chief Executive of B&HAFC jointly agreed to the preparation of an

independent study of the current and future use, and impacts, of different forms of transport used by supporters to reach the Amex Community Stadium at Falmer.

- 2.4 In considering the wide range of transport issues, parking has been a key issue. The report has considered on-street problems, and the use and availability of parking both on-site (e.g. Bennett's Field) and off-site (e.g. University of Sussex and the Falmer Released Land). Consideration of the released land is important, given the original allocation of 1,000 spaces on the former Falmer High School Playing Fields as part of the original planning permission. In its overall conclusions and recommendations, the independent report has indicated that the case for the use of the released land for up to 800 spaces could be supported, and that this could form part of a wider package of proposals that would help to enable effective and efficient transport options for supporters to access the Amex Stadium both now and in the future.
- 2.5 In the light of the above, a planning brief has been prepared in order to:
 - assist the council in its strategic objectives of securing a new home for The Bridge Community Education Centre and the recognised need additional car parking for the Amex Community Stadium;
 - help guide future development proposals by highlighting and applying the council's planning policies at a site specific level.

3. Site Context

- 3.1 The site area is on the north-east edge of Brighton close to the junction of the A27 bypass and the A270 Lewes Road. The Brighton to Lewes railway runs through the area and separates the existing school site from Woollards Field and Lewes Road. The area is within the defined 'Built-Up Area' in the Brighton & Hove Local Plan. However, given the site's proximity to the South Downs National Park and Stanmer Conservation Area, consideration should be given to its environmentally sensitive location.
- 3.2 The site, of approximately 2.25 ha, is owned by Brighton & Hove City Council and is flanked by ancient woodland to the south which is designated a Site of Nature Conservation Interest (SNCI). Woollards Field, on the northern side of the railway line, which forms the north boundary of the site, is allocated for employment use under Policy EM2 of the Brighton & Hove Local Plan. Part of the Woollards Field site has received planning permission for a new county records office (The Keep) for East Sussex and Brighton & Hove (under construction at the time or writing – January 2012). The University of Brighton campus and Virgin Active Health Club are located on the eastern boundary of the Academy site.

4. Planning Policy Context

Land Use

- 4.1 A sensitively designed scheme should be capable of accommodating the 800 car parking spaces required for event days at the stadium, in a tiered arrangement below a mixed use development.
- 4.2 The site contains a building that formed part of the former secondary school and is currently partially rented to The Bridge Community Education Centre. School buildings fall within the consideration of Local Plan policy HO20, which resists development proposals that would result in the loss of community facilities (including schools). Exceptions may apply, however, including instances where the community use is incorporated, or replaced within a new development. Whilst in this instance the former Falmer High School has been replaced with the Brighton Aldridge Community Academy, given the established community use of the released land, any proposals for community use will be supported in principle.
- 4.3 Other than the provision of car parking spaces and community uses, the site would be suitable for uses associated with either of the Universities' growth aspirations and the area's Academic Corridor status, such as student accommodation, teaching and learning space, business enterprise and start-up business units. Other educational uses (for example complementary to or in association with the adjacent Academy) would also be acceptable in principle.
- 4.4 Previous studies have identified land in this area of the city as being potentially suitable for Park + Ride, given the close proximity to the A27 Trunk Road. Although the council is currently reviewing its Park + Ride policy-options in the context of consultation to assist in the development of the new City Plan, the potential to make the most efficient use of this level of parking to assist in delivering the city's transport objectives remains a possibility (although clearly it could not fulfil such a role when it was being used in association with the stadium). The use of the site as a car park would be subject to satisfactory access arrangements. Safe access to and from the site on match and event days should be a primary consideration in the design of the parking spaces and the management of movement to and from them by stewards.

Design and Conservation Issues

- 4.5 Any development would need to be designed to take into account its potential visual impact on views from the South Downs National Park and Stanmer Conservation Area. With regard to the latter factor, development proposals should take on board policy HE6 which states that "proposals within or affecting the setting of a conservation area should preserve or enhance the character and appearance of the area". Proposals should pay particular attention to paragraph 8.21 of the adopted Local Plan which refers directly to Conservation Area studies and their relevance to development affecting a Conservation Area.
- 4.6 Likewise, development proposals need to ensure the preservation of the ancient woodland on its southern and eastern periphery (a site of nature conservation importance (SNCI)). In accordance with recent legislation and Policy QD1 of the

adopted Local Plan, a design statement will be required and it is likely that a landscape impact assessment will be necessary as a part of a wider Environmental Impact Assessment for the proposed development. The design statement should address the criteria contained in policies QD2 and QD4 of the adopted Local Plan.

4.7 Policy QD3 states that "new development will be required to make efficient and effective use of a site, including sites comprising derelict or vacant land and buildings. To secure the efficient and effective use of a site, proposals will be expected to incorporate an intensity of development appropriate to: the locality and/or prevailing townscape; the needs of the community, the nature of the development and proposed uses". The selection of building materials and screening of the development will also be important considerations in the design of any future scheme for the site.

Other Policy Considerations

- 4.8 Notwithstanding the likely role the site is likely to play in helping meet the car parking needs of the Amex Community Stadium, it is essential that any development being proposed for the site is carefully managed in terms of the travel and transport demands generated by the scheme. New development should not encourage unnecessary car journeys but should actively promote more sustainable alternatives such as public transport, walking or cycling. At the earliest stage, the following factors should be considered:
 - how the occupiers of the site will travel to and from the site;
 - how visitors will reach the premises;
 - how freight to and from the site will be managed; and
 - what the impact of these new activities will be on their neighbours.

These issues will need to be addressed at the planning application stage through the submission of a Transport Assessment and a Travel Plan that aims to minimise the impact of the scheme by reducing traffic generation.

4.9 Redevelopment of the site should not result in any significant increase in traffic through the Stanmer Conservation Area, other residential streets or lead to onstreet parking in surrounding streets. Off-site highways works may be required to mitigate any adverse impacts resulting from the development. Such works should be sympathetic to the character of the adjacent Conservation Area.

5. Environmental Sustainability

- 5.1 Due to the sensitive location of the site, any planning application coming forward is likely to require a formal Environmental Statement under the terms of the Environmental Impact Assessment (EIA) Regulations. The Environmental Statement in particular should seek to minimise impacts on the environment, propose mitigation measures when impacts are unavoidable and consider alternatives including that of doing nothing.
- 5.2 In line with council planning policy, any proposed development would have to pay regard to the guidance in the council's Sustainable Building Design **SPD 08** which promotes the use of renewable energy and greater energy efficiency within new

developments. The SPG should be read in conjunction with policies SU2, SU13 and SU14, to ensure compliance with Local Plan policies. For further practical ideas on how waste can be reduced, re-used and recycled, the developer should read the council's **SPD03** on **Construction and Demolition Waste**.

6 Useful Contacts

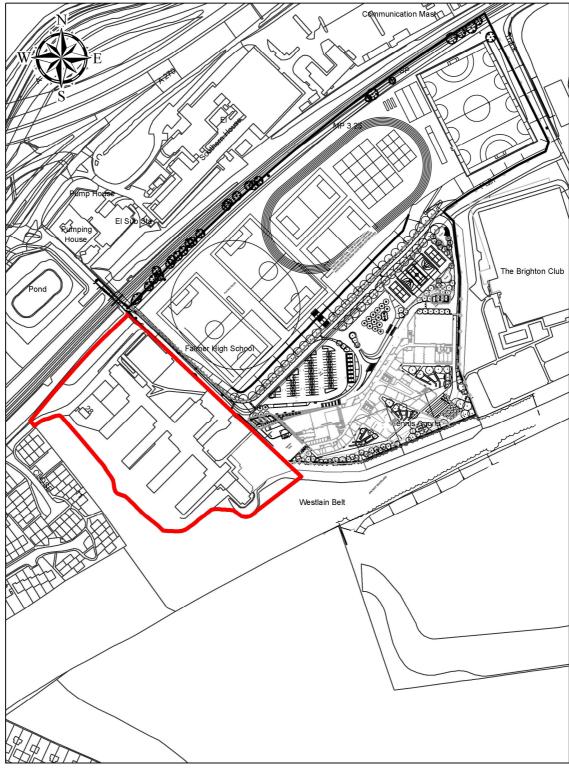
Contact: **Planning Projects** Jo Thompson (Major Projects Officer) Tel: 01273 292500 Email: jo.thompson@brighton-hove.gov.uk Planning Policy Liz Hobden (Local Development Team Manager) Tel: 01273 292504 Email: liz.hobden@brighton-hove.gov.uk Transport Pete Tolson (Principal Transport Planning Officer) Tel: 01273 292199 Email: pete.tolson@brighton-hove.gov.uk Richard Davies (Project Manager) Major Projects & Regeneration Tel: 01273 291093 Email: richard.davies@brighton-hove.gov.uk Heritage and Tim Jefferies (Senior Planner, Heritage) Conservation Tel: 01273 292103 Email: roger.dowty@brighton-hove.gov.uk Matthew Thomas (Ecologist) Ecology Tel: 01273 292371 Email: matthew.thomas@brighton-hove.gov.uk Environmental Francesca Iliffe (Sustainability Officer) Sustainability Tel: 01273 290486 Email: francesca.iliffe@brighton-hove.gov.uk Education Gil Sweetenham (Schools Futures Project Director) Tel: 01273 293433 Email: gil.sweetenham@brighton-hove.gov.uk

7 List of Relevant Planning Guidance and Other Documents

Planning: Adopted Local Plan (July 2005) SPGBH 4: Parking Standards (Adopted September 2000, under review) SPD 08 Sustainable Building Design SPD 11 Nature Conservation and Development SPD 03 Construction and Demolition Waste

Other:

Brighton & Hove Local Transport Plan Brighton & Hove Sustainable Community Strategy Brighton & Hove Economic Strategy Brighton & Hove Community Development Strategy



Site Plan: Former Falmer High School released land

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