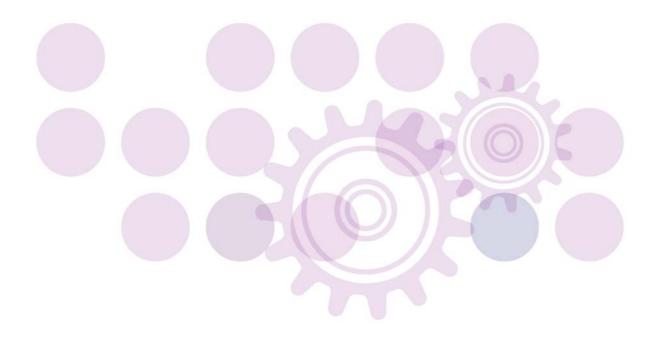


# Circus Street Municipal Market







#### What is an SPD?

A Supplementary Planning Document (SPD) is one of the material considerations that can be taken into account when determining a planning application. It forms a part of the Local Development Framework (LDF) and is intended to elaborate upon policies in the Development Plan Documents (DPD). This SPD is one of a series produced by Brighton & Hove City Council and it is to be read in conjunction with the DPD. Each SPD has been subject to a period of formal consultation and approval under the LDF. In preparing this SPD the council has had particular regard to Government policy as set out in Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Guidance Note 15: Planning and the Historic Environment.

This draft SPD was approved by the Environment Committee on XXX 2005 for the purposes of public consultation. It supplements policies EM2, EM9, and HO1 of the Second Deposit Brighton & Hove Local Plan 2002.

#### Introduction

Brighton and Hove City Council is seeking to regenerate the Circus Street Municipal Market site to provide a mixed-use development incorporating employment workspace and residential use with affordable housing. It is intended that this scheme acts as a landmark in terms of urban design and sustainability. In addition, the University of Brighton, who own part of the site, is currently looking to rationalise their facilities and to improve the quality and adaptability of their accommodation on the site. Since the closure and relocation of the Market, the area has inevitably suffered from the gradual degradation of the site. It is hoped that the guidance contained in this SPD will assist in bringing the site forward for comprehensive redevelopment.

In December 2004, the Council and American Express, along with the University of Brighton, commissioned Building Design Partnership (BDP) to complete and urban capacity study of this site and the nearby Edward Street Quarter. This study, entitled 'Urban Design Analysis and Guidance', provided advice on suitable forms of redevelopment for both sites, taking account of existing constraints and the surrounding urban environment. The study was not intended to be a masterplan for the sites and the advice in this Supplementary Planning Document (SPD) will be used as a material consideration in determining any future planning application for the site.

In additional, the City Council has issued a development brief for Circus Street based around the following vision for the site:

'That, as a gateway to East Brighton, the Circus Street/Municipal Market site is redeveloped to create an open, accessible and vibrant mixed-use area, which maximises its employment, education and housing potential, and acts as a model of urban design and sustainability.'

The Council has prepared this Supplementary Planning Document to formally endorse the objectives of the development brief and elaborate on the policies of the Brighton and Hove



Local Plan which are relevant to the site. It seeks to achieve the vision stated in the development brief by reinforcing the planning framework and providing more detailed guidance on future development, on the basis of existing policies in the Local Plan, East Sussex and Brighton & Hove Structure Plan, Regional Planning Policy Guidance Note 9 for the South East (RPG9) and other Government Planning Guidance.

#### **SPD Status and Procedures**

PPS12 (2004) sets out the Government's policy on the preparation of Local Development Frameworks and Supplementary Planning Documents (SPDs) are included in this framework. Supplementary planning documents may cover a range of issues, both thematic and site specific, which may expand policy or provide further detail to policies in a development plan document. They must not however, be used to allocate land. SPDs may take the form of design guides, area development briefs, master plan or issue-based documents which supplement policies in a development plan document.

#### **Sustainability Appraisal and Consultation**

As required by Planning Policy Statement 12, this SPD has been the subject of Sustainability Appraisal and has been prepared with the benefit of significant levels of consultation. A sustainability appraisal report specifically relating to this SPD is available from the Council together with a consultation report which summarises the consultation undertaken during the preparation of this document.



PPS12

# Objective and Purpose of the Supplementary Planning Document

The primary objective of the SPD is to supplement existing local plan policies and ensure the future physical, social, and environmental regeneration of the Circus Street site.

The purpose of the SPD is to establish the principles and parameters to guide and control future development and enable the overall vision for Circus Street to be realised, and against which future proposals can be assessed. Guidance on the mix of uses and physical form of the site is provided, together with a summary of the planning requirements for planning applications and the measures that the Council will pursue to implement all aspects of the regeneration. In particular, the SPD fulfils the following roles:

- □ it supplements Policies EM2, EM9 and HO1 of the Local Plan;
- □ it articulates a development vision for the area;



- □ it provides greater certainty on the form and quality of acceptable development, including the public realm, and guidance for prospective developers and landowners on how this might be achieved;
- □ it assists the Council in the consideration of planning applications;
- □ it provides guidance on the conservation, use and setting of listed buildings in the area; and
- it provides the basis for future decisions on assembling land to provide certainty, including the potential use of Compulsory Purchase Orders.



#### **Circus Street Municipal Market**

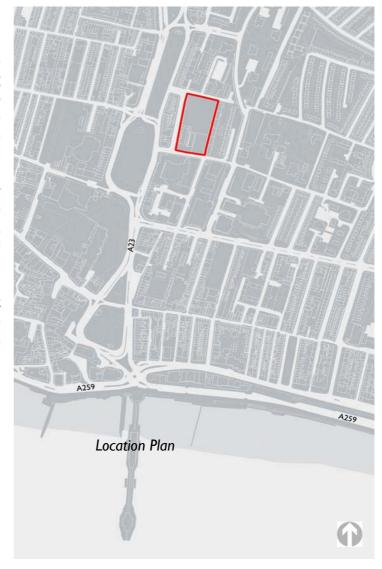
The site comprises a parcel of land to the east of Circus Street, bounded by Kingswood Road and Morley Street, as shown in the figure ground plan overleaf. It is presently occupied by the dilapidated former municipal market building, though the market has now been relocated and the building is used for short-term uses including a wood recycling project.

The site is located close to the heart of Brighton city centre, within an existing mixed-use area. It is situated on a major arterial road directly linking the nearby city centre with the eastern side of Brighton. Circus Street is a secondary road positioned on a gateway to Grand Parade, where the A23 from London, A270 from Lewes and A259 coast road all converge. The site is within walking distance of the city centre and the seafront. There are existing good public transport links to London, Gatwick Airport, surrounding towns and

within the city.

The site's position next to Grand Parade also puts it at the base of the academic corridor stretching along the A270/A27 and it is adjacent to the University's main city centre property which accommodates the Faculty of Arts and Architecture and the Sallis Benney Theatre. It is therefore a prime location for further academic development. The Valley Gardens Conservation Area borders the site to the west and south.

The topography is an important feature of the site and the surrounding area. The site is situated on a steeply sloping hillside that rises up from the valley bottom that comprises Grand Parade and Valley Gardens. As a result there is a sharp rise in ground levels between the western and eastern sides of the site.







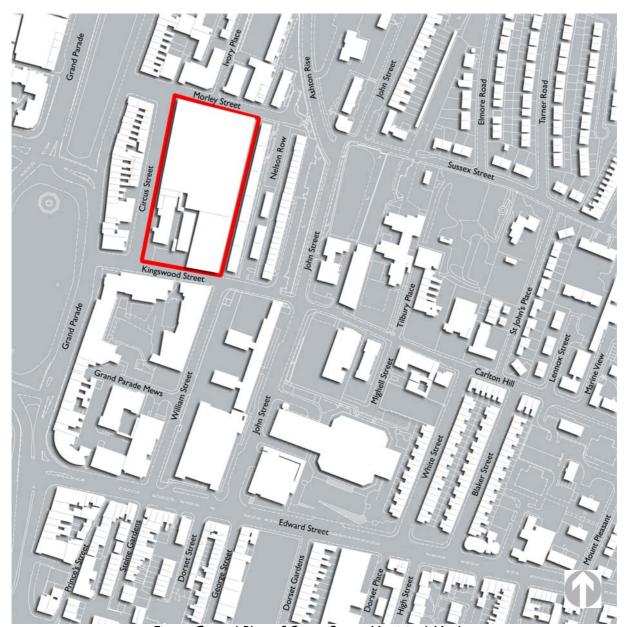


Figure Ground Plan of Circus Street Municipal Market





Aerial Photographs of the Circus Street Municipal Market site



#### **Analysis**

This section sets out to establish the context for the development proposals for the redevelopment of the Circus Street Municipal Market site, through a baseline study of the main issues. This comprises a full urban design analysis of the site and it surroundings, covering the following:

- □ natural features;
- building heights;
- □ access and movement;
- □ views; and
- □ edges.

This initial investigation culminates in a SWOT analysis of the site, and an Issues and Opportunities plan, which will inform the key principles and objectives for redevelopment.

#### **Natural Features**

The most defining feature of this area is its topography. The Circus Street site is located on a steeply sloping west-facing hillside, which also slopes down from Edward Street towards the seafront. The predominant west-facing hillside slopes towards Grand Parade, with the base of the valley forming north-south main between the South Downs and The site affords the seafront. views across the valley, and as such can be seen from various strategic view points across the city.



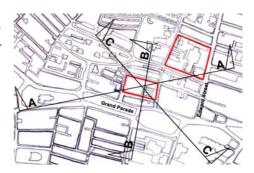
Contours Map



Above: Strategic Sections (Taken from 'Urban Design Analysis and Guidance', BDP, December 2004 p. 14)



Right: Plan Showing the Location of Sections (Taken from 'Urban Design Analysis and Guidance', BDP, December 2004 p. 14)



There is currently no public or private open space present on the site and as a result the Circus Street are generally suffers from a hard and unwelcoming environment. However, the site is in very close proximity to, and therefore benefits from the amenity provided by, Grand Parade, which is designated as a Greenway, defined by the Countryside Agency as:

'largely car-free off-road routes connecting people to facilities and open spaces in and around towns, cities and to the countryside for shared use by people of all abilities on foot, bike or horseback, for commuting, play and leisure' (Countryside Agency leaflet: 'Greenways – the way to go')...

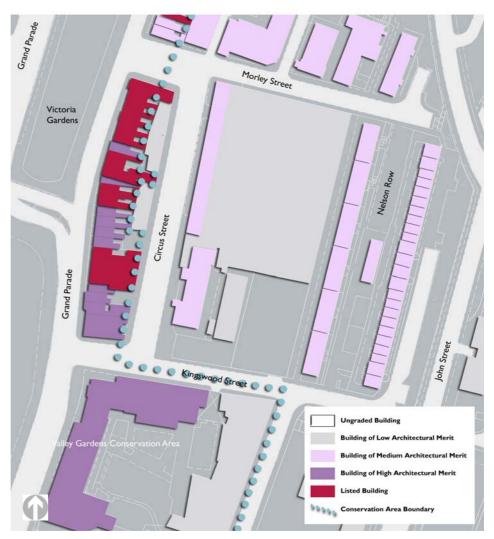




#### Conservation Areas, Listed Buildings and Buildings of Architectural Merit

Brighton and Hove has a wealth of historic architecture, which is reflected in the large number of listed buildings and conservation areas identified in City. The region is particularly renowned for its Regency stucco architecture, which contributes greatly to the character and appearance of the city.

There are 33 conservation areas Brighton in and Hove and the Circus Street Site is located adjacent to the eastern boundary of the Valley Gardens Conservation Area.



**Buildings of Architectural Merit** 

Twenty-five listed buildings are located near to the site, I4 of which are situated in close proximity to Circus Street, mostly fronting onto Grand Parade. There are other buildings around the site which are not listed, but their architectural merit should be noted. Whilst the former market building is generally of a poor quality, the Circus Street frontage is decorative and to a degree makes positive contribution to the street scene.

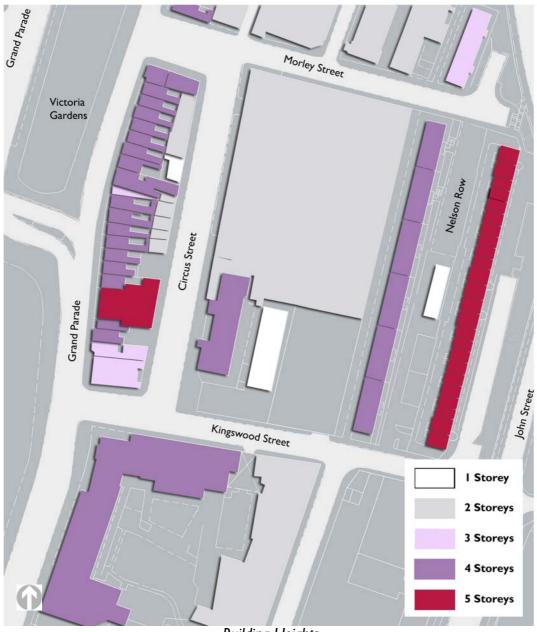
The plan highlights the differences in architectural quality in and around the Circus Street Site. The buildings on the site itself are not of notable quality, with the possible exception of the Municipal Market façade, which fronts onto Circus Street. The University-owned building on the south-west corner of the site, which dates from around the turn of the century, has some merit. However, over time there have been many additions and alterations made to the building.



#### **Building Heights**

The buildings surrounding the Circus Street site are predominantly four storeys in height. The block of flats to the east of Milner Flats rises to five storeys, as does one of the listed buildings fronting onto Grand Parade.

The site itself is dominated by the two-storey former market building. The buildings immediately to the north are also two storeys in height.



**Building Heights** 



#### **Access and Movement**

#### **Highways**

The Circus Street Municipal Market site is very centrally located within Brighton and is situated in very close proximity to one of the key routes within the city, the Grand Parade. The Circus Street site is therefore well-served in all directions by major vehicular thoroughfares, including the A23, A270, and A259. The site is currently accessed mainly by entrances facing onto the widened Circus Street, although there is also an access onto raised parking fronting Kingswood Street.

#### Pedestrians and Cyclists

The existing pedestrian environment around the Circus Street site is relatively poor, with limited pedestrian crossings and minimal street lighting. The eastern boundary of the Circus Street site, for example, is formed by a pedestrian route, which provides access to Milner Flats. This route however is presently low in quality and forms a deterrent to pedestrian movement, particularly at night. The exception to this poor pedestrian environment is the nearby Grand Parade, which contains numerous pedestrian crossing points, and forms part of the Greenway Network.

The Circus Street Municipal Market site is centrally-located within the city's cycle route network. The nearby Grand Parade is designated as a traffic-free cycle route, while John Street, which is in close proximity to the eastern boundary of the site, is identified as an advisory cycle route.

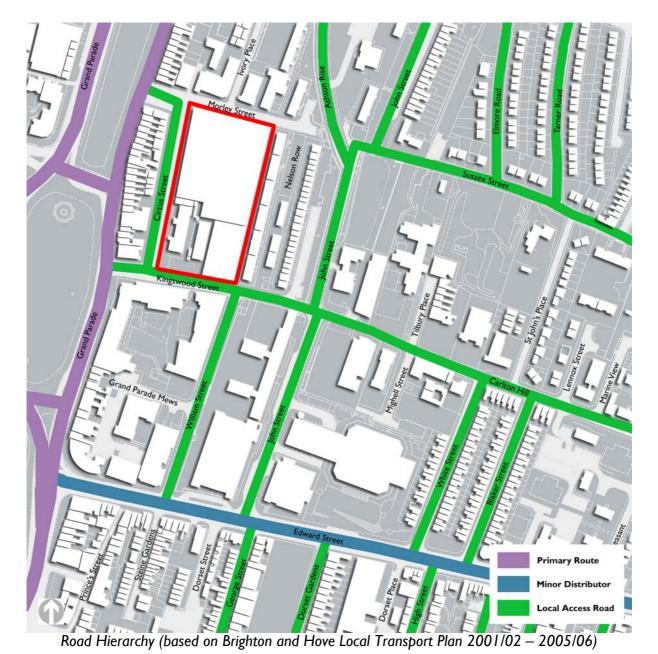
#### Public Transport

The site is served well by the existing public transport network, with three of the City's five national award winning bus lines serving the site. Buses run along Grand Parade, up the nearby Edward Street and along the entire academic corridor of the A270. Brighton mainline station is positioned approximately 10 minutes walk from the site. In addition to this, the City Council is looking to implement a Rapid Transit System, which will service Edward Street. It will link with the Park and Ride facilities at key gateways into the City. This will ensure that workers who start their journeys in cars outside the City will be able to avoid congestion once inside the City and will be taken straight to their workplace. This will turn many potential city centre car journeys into public transport journeys.

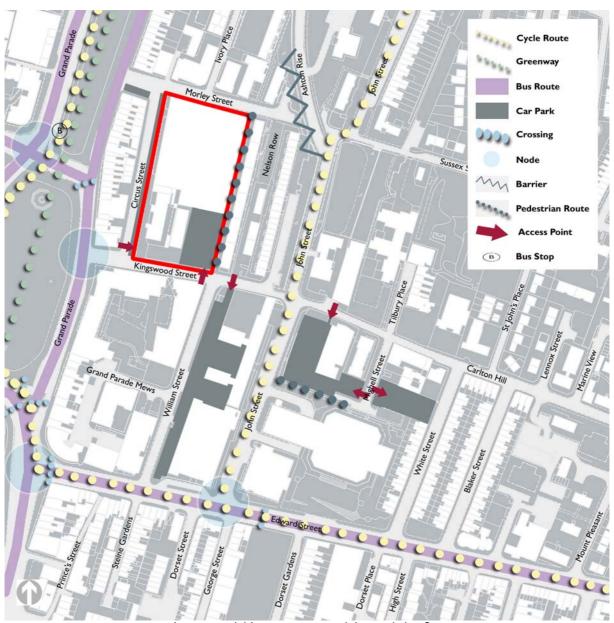
#### Car Parking

The site is located well within walking distance of the town centre and the seafront, making it a good candidate for reduced levels of car parking, and for pedestrian and cycling facilities to be extended and improved. The overall area is serviced well with car parking, to the extent that a large proportion of street level edges are dominated by them.









Access and Movement in and Around the Site

#### **Views**

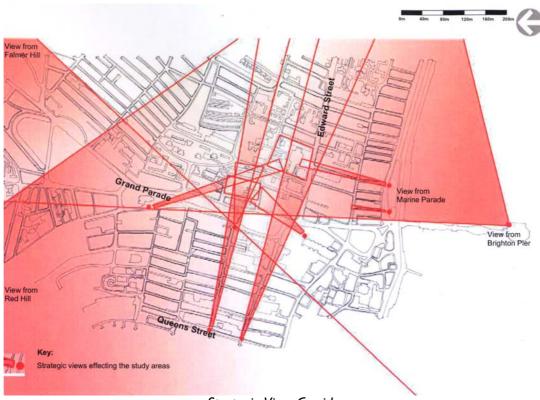
Due to the topography of the area, there are numerous views, vistas and panoramas into and away from the Circus Street site. The views are determined by the orientation of the streets. Those roads on an east-west axis allow for unrestricted views across Grand Parade and the Queen Street area in the west, as well as views of the town centre beyond.



#### Views towards the Site

There are a number of viewing corridors from within the city centre which cross over the site (see below). These include:

- York Place dissecting Grand Parade and affecting the setting of St. Peter's Church
- 2 Queen's Street viewing corridors along North Road and Church Street highlights the site as a potential prominent location.



Strategic View Corridor (Taken from 'Urban Design Analysis and Guidance', BDP, December 2004 p. 12)

The presence of the viewing corridors shown in the plan above, mean that the Circus Street Municipal Market site does not fall within any of the designated areas and corridors which are identified as being suitable for taller development. This is in line with SPG15 'Tall Buildings'.

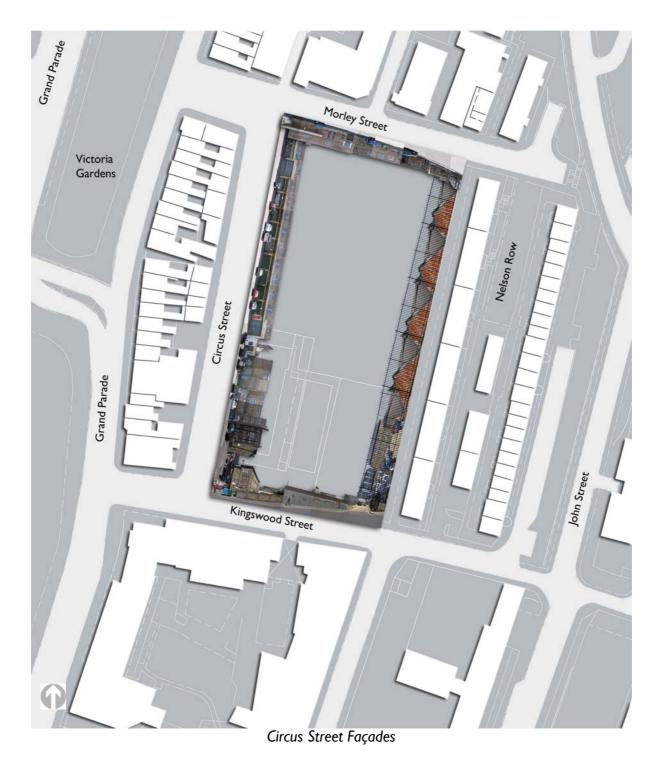
The plan below illustrates the various façades of the site which are visible from the surrounding streets. The Circus Street façade contains the entrance to the former Municipal Market building, as well as the side of the Brighton University building. Both buildings provide Circus Street with inactive edges, despite the market building entrance facing onto the street as the building is currently derelict.

The side of the Municipal Market fronts onto Morley Street. There are several entrances to the building, however only one of these appears to be in use. The footpath in front of the





Milner Flats looks over the site, and provides views of the Market building roof and the car park. A single brick wall, approximately six-foot high faces onto Kingswood Street.

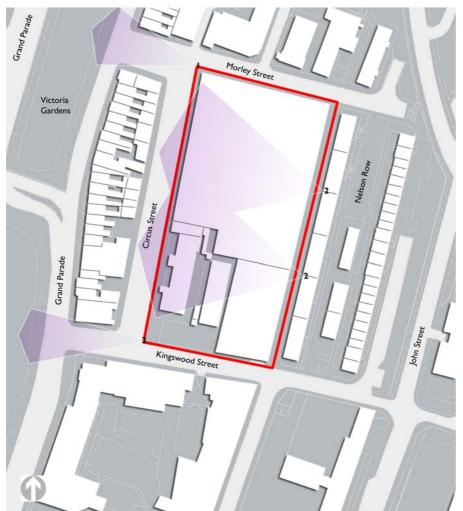






#### Views from the Site

The western corners of the site provide good views out towards Grand Parade. The residents of Milner Flats currently enjoy unrestricted views across the valley towards the town centre due to the current low rise nature of the site.



Views out of the Quarter



1. Morley Street widens as it joins Grand Parade



2. View from Kingswood Street

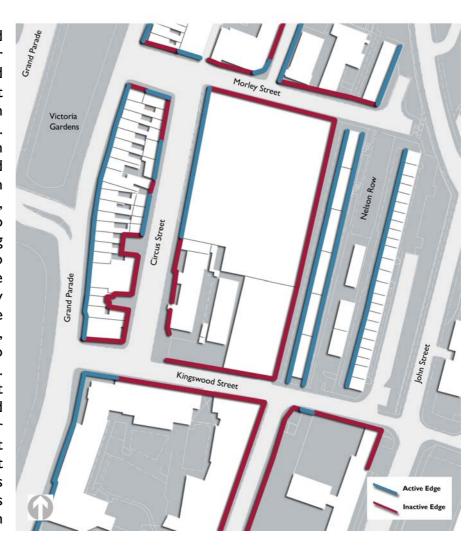


3. View towards the city



#### **Edges**

Circus Street and adjacent blocks suffer from negative edges and spaces which do not generally benefit from ground floor activity. The distinction between fronts and backs and public and private realm is not always clear. Despite the entrance to market building providing a frontage onto Circus Street, all of the sites edges are currently inactive due to the relocation of the market, providing limited or no activity onto the street. These blank edges result in problems of safety and security, whether perceived or actual. could be considered that severe change in levels across the site does cause problems achieving active edges.



Active and Inactive Edges



Market building roof



Entrance to market



Morley Street



Blank wall on KingswoodStreet





Western Elevation – Circus Street



Northern Elevation - Morley Street, South



Eastern Elevation – View over site from lane in front of Milner Flats



Southern Elevation – Kingswood Street, North



#### **SWOT** Analysis

Taking account of the analysis outlined above a SWOT analysis of the Circus Street site can be summarised as follows:

Strengths		Weaknesses
2 3 4 5 6 7 8	Wonderful location – within walking distance to city centre and railway station Strong visual links to Grand Parade Large site available for immediate development Adjacent to Valley Gardens Conservation Area Public access route to the east of the site Situated at the base of a west-facing hillside – good east/west aspect Good views across the valley Market Diner – significant facility contributing to local character	<ol> <li>Surrounded by poor facades and inactive edges</li> <li>Lies immediately adjacent to medium rise residential property with overlooking issues</li> <li>Area generally suffers from a run-down feel</li> <li>West side of Circus Street presents 'backs' – but combined access is required.</li> </ol>
O	pportunities	Threats
3 4 5 6 7 8 9	Wholesale redevelopment will raise the profile of the site and its surroundings Potential site for landmark buildings to draw people into the site whilst respecting the location Potential realignment of streets to reinstate urban grid Narrowing of Circus Street Redefinition of edges to streets Retention and restoration of Municipal Markets building façade Redistribution of residential uses throughout the site To 'green' the Circus Street edge Level changes could produce interesting and innovative townscape solutions University uses will add activity to the site	I Potential minor contamination of the site  2 Level changes may make land more expensive and/or difficult to develop  3 Evening economy uses may harm residential amenity



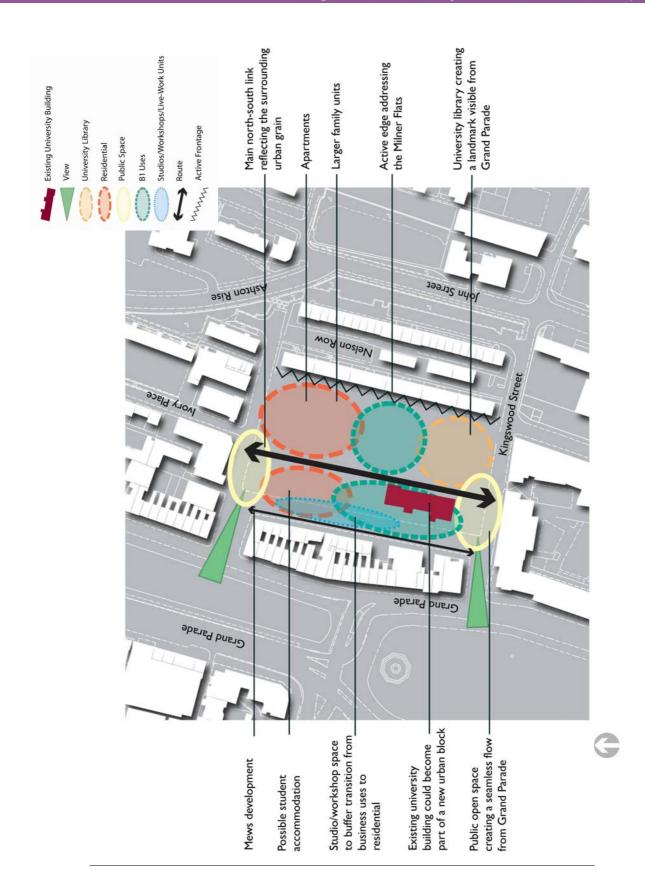
The plan below highlights the key issues and opportunities raised by the SWOT analysis. One of the key issues is that of the site's topography, which can be viewed both as an opportunity and a threat. Whilst a level site is almost more straightforward to develop, a sloping site can produce interesting townscape solutions and meas that the site will benefit from excellent views.

The prime location of the site presents an opportunity for a high profile, landmark scheme, with the potential for public realm improvements alongside any new development, acting as a catalyst for the wider regeneration of the area.

The Issues and Opportunities plan highlights the following key points:

- □ the chance to realise wholesale mixed-use redevelopment of the site
- □ the improvement of street frontages and the opportunity to reinstate the urban grid in order to create a new north-south connection
- □ the opportunity to provide a range of housing opportunities
- u the improvement of views into the site from Grand Parade.





Issues and Opportunities Plan



#### **Planning Context**

#### **National Planning Policy**

The Government's Planning Policy Guidance (PPG) notes set out the Government's policies on different aspects of planning. The advent of the Planning and Compulsory Purchase Act (2004) has created the context for the creation of Planning Policy Statements (PPS) which will gradually supersede PPGs.

Given the Circus Street's urban context, it is considered useful to briefly review national planning policy set out in PPS1, PPG3, PPG4, PPS6, PPG13, and PPG15.

<u>PPS1 Delivering Sustainable Development</u> sets out the overarching planning policies on the delivery of sustainable development through the planning system. PPS1 states that policies should promote high quality design and inclusion within the planning framework, taking opportunities to improve the character and quality of an area. Sustainability is a major component of other guidance, particularly PPG 3 Housing. PPS1 states that local planning authorities should seek to promote local economies by providing, in support of the Regional Economic Strategy, a positive planning framework for sustainable economic growth.

<u>PPG3 Housing</u> defines the need to plan for the requirements of the whole community including those in need of affordable housing. In addition, the guidance note also emphasizes the importance of providing a better mix in the size, type and location of housing, in order to create mixed and balanced communities. There is a major priority for re-using previously developed land, with the government setting a target that 60% of new housing should be provided on previously developed land or through conversions of existing buildings.

<u>PPG4 Industrial Commercial Development and Small Firms</u> seeks to encourage continued economic development in a way which is compatible with maintaining and improving a high quality environment. In particular it seeks to:

- encourage new development in locations which minimise the length and number of trips, especially by motor vehicles;
- encourage new development in locations that can be served by more energy efficient modes of transport (this is particularly important in the case of offices, light industrial development, and campus style developments such as science and business parks likely to have large numbers of employees);
- □ discourage new development where it would be likely to add unacceptably to congestion;
- locate development requiring access mainly to local roads away from trunk roads, to avoid unnecessary congestion on roads designed for longer distance movement.

<u>PPS6 Town Centres</u> re-iterates the need for sustainable patterns of development, promoting retailing, leisure, office and arts and culture uses in town centres through the sequential test. PPS6 also supports mixed use development and an increase in housing in town centres. In addition, the guidance also encourages high quality and attractive design and environments.



<u>PPG13 Transport</u> promotes more sustainable transport choices for people and for freight and seeks to ensure that jobs, shops, education, health, and leisure facilities are accessible by public transport, walking, and cycling. There is also a general principle to reduce the need to travel, especially by car. Major generators of travel demand should be situated in town centres near to major public transport interchanges. PPG13 also supports the use parking policies as well as other planning and transport measures to promote sustainable transport choices and reduce reliance on the car for work and other journeys. Sites and routes which could be critical in developing infrastructure to widen transport choices for both passenger and freight movements should be protected.

<u>PPGI5 Planning and the Historic Environment</u> sets out policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment. PPGI5 stated that conservation and economic growth not in conflict and that conservation is a key tool in supporting economic prosperity by offering attractive conditions that encourage inward investment. In general, design in historic area needs careful consideration in terms of scale, height, mass alignment and materials but not necessarily copies of old style buildings.

#### **Regional Planning Policy**

#### Regional Planning Guidance 9: South-East

The regional planning framework (2001) seeks to encourage economic success throughout the South-East region, ensuring a higher quality of environment with management of natural resources, opportunity and equity for the Region's population, and a more sustainable pattern of development. The main principles for development within the region, which relate to Circus Street, are:

- □ Urban areas should become the main focus for development through making them more attractive, accessible and better able to attract investment;
- □ The pattern of development should be less dispersed with more sustainable patterns of activity, allowing home, work, leisure, green spaces, cultural facilities and community services to be in closer proximity;
- □ Sufficient housing, and in particular affordable housing, should be provided for all who need to live and work in the region;
- □ The development of housing should be more sustainable, providing a better mix of sizes, types and tenures, having regard to the structure of households and people's ability to access homes and jobs;
- Access to jobs, services, leisure and cultural facilities should be less dependent on longer distance movement and there should be increased ability to meet normal travel needs through safe walking, cycling and public transport with reduced reliance on the car; and
- □ Transport investment should support the spatial strategy, maintaining the existing network, enhancing access as part of more concentrated forms of development,



overcoming bottlenecks and supporting high capacity and less polluting modes of transport.

Policies H4 and H5 within RPG9 are of particular relevance for the Circus Street Municipal Market site. Policy H4 states that a range of dwelling types and sizes should be provided, including alternative forms of tenure, in order to meet the needs of all sectors of the community and to plan for balanced communities. It also states that affordable housing should be provided to meet locally assessed need. Policy H5, meanwhile, states that full use should be made of the opportunities for increasing housing development within urban areas. It states that a sequential approach should be adopted for the allocation of land for housing and that at least 60% of all new housing development should take place on previously developed sites and through the conversion of existing buildings.

In terms of economic development at Circus Street, Policy REI0 states that economic diversity should be encouraged, facilitating small and medium enterprises, and supporting the growth of a variety of economic sectors including manufacturing.

The South East England Regional Assembly is currently preparing the South East Plan, which is to be submitted to Government by 31 March 2006. The plan is a Regional Spatial Strategy and is set to replace RPG9. The core vision for the South East, as set out within the South East Plan, is that through the plan and other measures, the South East will show a sustained improvement in its quality of life over the period to 2026, measured by the well-being of its citizens, the vitality of its economy, the wealth of its environment and the prudent use of natural resources.

Policy H3 of the South East Plan states that new housing should be in sustainable locations which have the necessary infrastructure, services and community provision and are in locations that are, or can be, well served by a choice of transport modes. Policy H5, meanwhile, states that higher housing densities will be encouraged along with measures to raise the quality of new housing, reduce its environmental impact and facilitate future adaptation to meet changes in accommodation needs.

#### **Development Plan Policy and Supplementary Planning Guidance**

East Sussex and Brighton and Hove Structure Plan (1999)

The East Sussex and Brighton and Hove Structure Plan, adopted December 1999, sets out a broad framework of strategic planning policies for the development and conservation of the area, up to 2011. The overall aim of the Structure Plan is:

"To seek a more environmentally sustainable future for the county and to meet the needs for development and change in a manner that is more sustainable in the longer term"

In order to meet this aim, the objectives of the Structure Plan are to:

protect and enhance the environment;



- □ achieve economic prosperity;
- provide for local housing requirements and contribute to meeting regional demand;
- □ regenerate urban areas;
- □ achieve prosperous and attractive rural areas;
- achieve better integration with mainland Europe;
- seek integration of transport and reduce the need to travel;
- □ match infrastructure and services to needs; and
- □ match policies, priorities, resources and programmes.

Structure Plan Policy S13 refers specifically to Brighton and Hove, stating that attention will be focused on revitalising and diversifying the economy and regenerating the physical fabric of the urban area in a manner that strengthens its important role as an international resort and sub-regional centre and enhances the outstanding townscape quality. Policy S13 goes on to state that there will be an emphasis on the regeneration of vacant and underused sites within the urban area and that further progress will be made in providing for a range of transport modes other than the private car.

Structure Plan Policy EI states that a positive approach to economic development will be pursued which provides strategic sites for modern business that will be suitable to attract inward investment and provide for the expansion of existing business. The policy also states the intention to broaden the economic base through developing sectors of the economy which are currently under-represented but have growth potential.

Policy E14 makes reference to the Brighton's Academic Corridor along the A27/A270 Lewes Road from Brighton town centre to Falmer, within which the Circus Street Municipal Market site is situated. The policy states that support will be given to the development of the higher education research functions of the universities and that new high technology, media-related and information-based business with academic links will be assisted.

#### Brighton and Hove Local Plan (2005)

The Brighton and Hove Local Plan provides a detailed framework for the use of land and buildings over a 10 year period. The Local Plan was adopted by full Council on 21 July 2005.

The Local Plan includes a vision for Brighton and Hove as 'a cosmopolitan, successful city by the sea where people have a high quality of life in a decent environment'. The Council's strategic policies, as set out within the local plan, therefore are:

- getting people to work;
- □ reducing local poverty;
- delivering key investment projects;
- □ making it easier to travel about;
- □ developing a learning city; and
- improving the Council's performance.



The Circus Street Municipal Market site is designated for employment and housing under policies HO1, EM2 and EM9. The northern half of the site is an identified housing site, while the southern half of the site is designated for mixed use. This mix of uses includes housing, high-tech business uses or general office uses.

#### **Housing**

The northern half of the Circus Street Municipal Market site is allocated for housing under **policy HOI**, while the southern half is allocated for mixed use development. **Policy HOI** indicates that the site should be developed to contain 100 residential units, 60 of which should be affordable. **Policy HOI** also sets out the Council's policy on affordable housing, which is defined as being residential accommodation that is provided with a subsidy to ensure that rents/prices remain at a level that is genuinely affordable to local people whose income means that they are unable to meet their housing needs through the housing market. In Brighton and Hove therefore, affordable housing will typically be for rent and will be managed by a Registered Social Landlord.

Under **Policy HO3**, the Council will seek to ensure that proposals for residential development incorporate a mix of dwelling types and sizes that reflect and respond to Brighton and Hove's housing needs. **Policy HO4** in the Local Plan indicates that higher dwelling densities than those typically found in the locality will be permitted where it can be demonstrated that the proposal:

- exhibits high standards of design and architecture;
- includes a mix of dwelling types and sizes which reflect local needs;
- is well served by public transport, walking and cycling routes, local services and community facilities; and
- respects the capacity of the local area to accommodate additional dwellings.

**Policy HO5** specifies that in new residential development the Council will normally require provision of private useable amenity space appropriate to the scale and character of the development.

Car free housing is supported by **Policy HO6** which states that planning permission will be granted for such housing:

in locations with good access to public transport and local services where there are complementary on-street parking controls; and

where it can be demonstrated that the proposed development will remain genuinely car-free over the long term.

#### **Economy and Employment**

Under **Policy EM9**, the southern half of the Circus Street Municipal Market site is designated for mixed-use development. The mix of uses at Circus Street could include offices and housing and **Policy EM2** indicates that planning permission will be granted for high-tech business uses or general office uses. The Local Plan indicates that uses should be mixed both horizontally and vertically, and should add to the vitality of the area and respect



the grain of the neighbouring developments. **Policy EM8** indicates that planning permission will be granted for the conversion or redevelopment of redundant industrial/business and warehouse premises to live-work units provided the sites are not identified for other uses elsewhere in the plan and ground floors are retained for industrial or business use. It is stated that the work areas must be suitable for a full range of B1 uses and be of adequate design and sufficient size for light industrial use.

#### Sustainable Development

**SU2** of the Local Plan. Proposals which demonstrate a high standard of efficiency in the use of energy, water and materials will be granted planning permission, as long as they accord with other policies of the development plan. This benchmark Policy seeks to promote a sustainable approach to energy, water and materials used in all new development in Brighton and Hove.

The factors that need to be taken into account when considering any development proposal include: access to daylight/sunlight, orientation, building form, materials, the uses of natural ventilation, fenestration, landscaping, provision recycling facilities, and cycle parking.

The Local Plan is part of a network of opportunities for securing improved energy efficiency set out in the Council's Home Energy Efficiency Strategy. Promoting energy efficiency and the use of renewable energy sources as an integral part of all development is consistent with national policy guidance in the form of PPG22 'Renewable Energy' and the Home Energy Conservation Act 1995. Regard should also be given to the Council's Sustainability Strategy and to SPG21 'Sustainability Checklist'. SPG 16 'Energy Efficiency and Renewal Energy' provides guidance on the technologies available and how developers and housebuilders can design for energy efficiency and renewable energy in new developments.

Specific sustainability guidance is contained within Supplementary Planning Guidance Note 21 – Sustainability Checklist, which is summarised below.

#### Transport and Movement

Within the Local Plan Eastern Road/Edward Street is designated as a Sustainable Transport Corridor and bus priority route. As such, under **Policy TR5**, planning permission will be granted for developments which create transport demand, provided that they are designed to:

- □ accommodate bus priority measures; and
- a facilitate access to bus services and/or enhance their effectiveness.

**Policies TR1 and TR2** state that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling. Furthermore, planning permission will only be granted for development proposals that have been assessed to determine their level of accessibility to public transport. According to the accessibility rating of the site, applicants will provide the appropriate level of parking or



contribute to the costs of improving accessibility by providing public transport improvements and improvements to pedestrian access.

The prevailing parking standards at the time of any application will apply and will need to be adhered to.

#### Design and Quality of Development

Under **Policy QDI**, the Local Plan specifies that new development should be of a high standard of design and states that all new buildings will be expected to make a positive contribution to the visual quality of the environment. **Policy QDI** goes on to state that the following design aspects will be taken into account in all new developments:

- □ scale and height of development;
- □ architectural detailing;
- □ quality of materials;
- u visual interest particularly at street level; and
- appropriate levels and type of landscaping.

It is indicated that a 'Design Statement' should be submitted for all large scale development proposals (i.e. residential schemes of 10 or more units or commercial proposals for 1,000 m<sup>2</sup> above). **Policy QD2** states that all new developments should be designed to emphasise and enhance the positive qualities of the local neighbourhood by taking into account the local characteristics, including:

- □ the height, scale, bulk and design of existing buildings;
- □ topography and impact on skyline;
- natural and developed background or framework into which the development will be set against;
- □ natural and built landmarks;
- □ layout of streets and spaces;
- □ linkages with surrounding areas, especially access to local amenities e.g. shops, community facilities, open spaces;
- patterns of movement (permeability) within the neighbourhood with priority for all pedestrians and wheelchair users, cyclists and users of public transport; and
- natural landscaping.

In order to preserve or enhance strategic views, important vistas, the skyline and the setting of landmark buildings, **Policy QD4** states that all new development should display a high quality of design. It goes on to state that development that has a detrimental impact on any of these factors and impairs a view even briefly due to its appearance, by wholly obscuring it or being out of context with it, will not be permitted. The Local Plan identifies the following features and buildings as being of strategic importance, and of relevance to the Circus Street Municipal Market site:

- u views of the sea from a distance and from within the built up area;
- □ views along the seafront and coastline;



- □ views across, to and from the Downs;
- □ views across valleys;
- u views into and from within the conservation areas;
- □ the setting of listed buildings and locally well known landmark buildings of townscape merit; and
- uvistas along avenues, boulevards and steeply rising streets.

#### Historic Environment

The Circus Street Municipal Market site is located adjacent to the Valley Gardens Conservation Area and close to a number of listed buildings. **Policy HE6** states that proposals within or affecting the setting of a conservation area should preserve or enhance the character or appearance of an area and should show:

- a consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, building lines and building forms;
- u the use of building materials and finishes which are sympathetic to the area;
- on o harmful impact on the townscape and roofscape of the conservation area;
- □ the retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area;
- □ where appropriate, the removal of unsightly and inappropriate features or details; and
- □ the retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shopfronts and small scale architectural details.

**Policy HEI** states that proposals involving the alteration, extension, or change of use of a listed building will only be permitted where:

- the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and
- □ the proposal respects the scale, design, materials and finishes of the existing building(s).

**Policy HE3** goes on to state that development will not be permitted where it would have an adverse impact on the setting of a listed building, through factors such as its siting, height, bulk, scale, materials, layout, design or use.

Other relevant supplementary Planning Guidance Notes

#### SPG15 - Tall Buildings

In response to the increasing number of proposals for tall buildings in Brighton, Brighton and Hove City Council have produced Supplementary Planning Guidance Note 15 'Tall Buildings'. This guidance note provides a checklist of planning and design issues that the council will require applicants of all tall building proposals to address in their detailed planning



submissions. Within the SPG, tall buildings are defined as buildings of 18m or taller (approximately 6 storeys), above ground level. The Circus Street Municipal Market site does not fall within any of the designated areas and corridors which are identified as being suitable for taller development. Paragraph 7.3.3 states that tall building proposals within conservation areas or affecting the setting of listed buildings or conservation areas or registered historic parks and gardens will only be approved if applicants can demonstrate, through a conservation impact assessment, that the surrounding area's character or appearance or the setting of any listed building or historic park or garden will be preserved or enhanced.

#### SPG21 Sustainability Checklist

The aim of the SPG is to provide certainty to developers on what the City Council considers to be a benchmark for achieving sustainable development. The need for a checklist has been identified in order to enable applicants to have regard to relevant sustainability issues, as identified by **policy SU2** of the Local Plan, at the initial stages of the planning application process. It is envisaged that by meeting the aims of the checklist developers will be able to demonstrate the extent to which sustainability considerations have informed their proposals

The checklist criteria have been taken from the Brighton & Hove Sustainability Strategy themes and objectives where they apply to developments along with the Brighton and Hove Second deposit Draft Local Plan. It is intended that all applications over 5 units or 500sqm will be assessed using the checklist.



#### **Vision**

Brighton and Hove City Council consider the Circus Street Municipal Market site to be a major opportunity for development of the highest design quality which fully embraces the concept of sustainable development, from design to construction. The overarching principle of this SPD therefore is the creation of a thriving, vibrant, sustainable community within the Circus Street site. Sustainability is a function of efficient land use, mixed-use, good and environmentally sensitive design, access to jobs, community facilities, local services and leisure activities, and a reduction in travel. Sustainable communities are balanced, inclusive, healthy and safe from crime or the fear of crime.

It is acknowledged that the regeneration of the built environment alone cannot deal with poverty, inequality and social exclusion; however it is a crucial component. Sustainable communities need sufficient good quality housing to meet the needs of the community; a flourishing local economy supported by appropriate infrastructure; a high quality, safe and healthy local environment; and the amenities and sense of place to support a diverse and vibrant local culture. The condition of the built environment has a direct impact on the quality of life of its inhabitants, and the appropriate conservation and improvement of the natural and built environment brings social and economic benefit for local communities.

Any new development on the Circus Street Site should harness the most up-to-date building technology and design processes to secure positive environmental impacts. The Council requires that there is a comprehensive and fundamental reconsideration of the built environment, in order to achieve a vibrant and sustainable new development. Any proposals must create a high quality urban area, which is integrated back into and is not physically distinct from its surroundings. This will require the combination of the right mix of uses provided at the optimum scale and density within a redefined and well-designed urban form.

The vision for the Circus Street Municipal Market site, as identified within the Circus Street Development brief is:

'That as a gateway to East Brighton, the Circus Street/Municipal market site is redeveloped to create an open, accessible and vibrant mixed-use area which maximises its employment, education and housing potential and acts as a model of urban design and sustainability.'

The Council will require that any proposal demonstrates the achievement of the following:

- a development that acts as an exemplar of urban design for mixed-use developments;
- provision for sustainable transport;
- physical, economic and social regeneration benefits for surrounding neighbourhoods and the City as a whole;
- provision of employment floorspace and a mixture of market and affordable housing
- provision of flexible creative workspace for use by creative industries, cultural organisations, artists and community groups;
- provision of new teaching and library space for the University of Brighton, reflecting the location of the Circus Street Municipal Market site within the academic corridor;



- creation of a sense of place with a mixture of uses, which brings the site into the public sphere and livens up the locality;
- a development which opens up the area, reintroduces the original street pattern and improves permeability;
- a scheme which complements and does not dominate surrounding buildings, including Milner Flats; and
- a development which complements the redevelopment of nearby Edward Street Quarter.

Sustainable development means ensuring a better quality of life for everyone in the present, and for future generations. The Council will expect that any proposals for the regeneration of Circus Street will provide long-lasting, rather than temporary solutions. It should become a place where people want to live and will continue to want to live. Any proposals must provide a high-quality solution, which allows the flexibility to respond to changes in the future, without the need for whole-sale redevelopment



#### **Development Principles**

In order to achieve the vision as set out above, key development principles have been prepared, which relate directly to the analysis of the area. It will be of paramount importance that new development proposals address these as proposed schemes will be considered against them.

#### **Social Sustainability**

- **Housing mix** Provision of new housing of sizes and tenures to meet identified need in order to encourage an integrated and mixed residential community.
- **Good design** Incorporation of a high standard of design contributing to public safety and crime prevention in accordance with Policies QDI, QD2 and QD7.
- Active frontage Provide 'eyes on the street' through the promotion of entrances and windows, thus reducing the opportunities for graffiti and anti-social behaviour in accordance with Policy QD5.
- **Affordable Housing** A range of dwelling types, sizes and tenures should be provided within any housing scheme.
- **Sustainability Checklist** Incorporation, wherever possible, of the criteria outlined within SPG21 Sustainability Checklist.

#### **Economic Sustainability**

- **Mixed Use** Provision of a variety of work/home/community use/facilities suitable to the size of the development and the local area in accordance with Policy EM9.
- **Business needs** Provision of a range of opportunities for both 'start-up' and expanding businesses, as well as established businesses in accordance with Policy EM2.
- Creative industries Provision for the expansion of creative industries.
- Education Provision for the enhancement and expansion of the academic corridor as supported by policy E14 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

#### **Environmental Sustainability**

- **Energy efficiency** Promotion of energy efficient buildings, maximising natural lighting and passive solar gain in accordance with Policy SU2. Development should also achieve a BREEAM/Eco Homes rating of excellent.
- **Materials** Building materials should be chosen for their low embodied energy and the ability to reuse and recycle the material in accordance with Policy SU2.
- **Construction** Promotion of sustainable construction processes, encouraging the reuse and recycling of materials, in accordance with Policies SU2 and SU13.



- Recycling Incorporation of recycling facilities within the development in accordance with Policy SU2.
- Nature conservation Promotion of nature conservation features including 'wildlife-friendly' plants and shrubs and features such as 'green roofs' and 'green walls' in accordance with Policy SU2.
- **Transport** Development should promote sustainable modes of transport in accordance with Policies TR I and TR2.

#### **Public Realm**

- **Pedestrians** Improved pedestrian environment along Circus Street incorporating widened footpaths, improved street furniture, tree planting and increased pedestrian priority.
- **Lighting** Incorporation of attractive lighting within all pedestrian routes and areas of public realm.
- **Public art** Promotion of public art, locally-designed where possible, within the public realm.
- **Commuted sums for recreational space** Financial contributions towards the provision of recreational space on a suitable alternative site, should this be required.

#### Layout and Urban Form

- **Design quality** All new buildings must be of a high quality of design and present active building frontages to principle routes around the site.
- **Topography** Take account of the topography of the site and maintain and enhance key views.
- **Aspect** Take advantage of the east-west aspect of the site which, in combination with the topography of the site, creates opportunities for good quality, environmentally sensitive development.
- **Grain** Respect for the grain of the site through the alignment of building footprints, streets, sewers and other watercourses with slope contours.
- Existing buildings Consider possibility of retention of existing university building.
- **Design statement** Submission of a design statement demonstrating how proposals takes account of the design aspects outlined under Policy QDI and QD2.

#### **Scale and Density**

- **Surroundings** Promotion of sensitively designed and well-landscaped development, respecting the scale of surrounding development.
- Overlooking Minimise overlooking and overshadowing of Milner Flats to the east of the site.



- **Building heights** In general, the heights of new buildings should not exceed 18 metres (from Circus Street level); although a single taller building may be appropriate.
- **Pedestrian routes** Buildings adjacent to internal pedestrian routes should not exceed 12 metres in height, to ensure sufficient light penetration.
- **Scale and rhythm** Development of the western edge of the site should respect the scale and rhythm of the adjacent Grand Parade properties.
- **Site lines** Consideration of building heights and sight lines from Marlborough Place and Gloucester Place, particularly in the north-eastern part of the site adjacent to 30-35 Grand Parade.
- **Listed buildings** Take account of the setting of the listed buildings adjacent to the site in accordance with Policy HE3.

#### Mix of Uses

- Relationships Encourage a careful relationship between mixed uses, where residential
  accommodation should be functionally separate from commercial or business use, and
  should be independently accessed at street level.
- **Building types** Provision of flexible building types to provide innovative ways of mixing residential and commercial uses.
- **Evening economy** Careful management of new development with existing night-time uses at Ocean Rooms Nightclub and the Market Diner.
- **Residential** Residential uses located along the Morley Street frontage.
- Unit size Smaller units located nearer Circus Street, larger family units located to the east.
- **Mixed-use** Southern end of Kingswood street frontage to be developed for mixed-uses including offices/business space and housing.
- **Commercial** Small business units appropriate to the Academic Corridor.
- University Provision for a new University library and teaching space.
- **Community facilities** Health centre/community uses would also be appropriate. A suitable contribution towards the provision of community facilities may be agreed with the Planning Authority should it is not possible to accommodate such facilities on site.

#### **Movement**

- Travel Plans Incorporation of Travel Plans within detailed planning applications, promoting greener, cleaner travel choices and removing dependence on the car in accordance with Policy TR3a.
- Walking and cycling Promotion of walking and cycling through the creation of safer and more attractive pedestrian routes.



• **Parking** - Application of the City Council's parking standards, as set out within Supplementary Planning Guidance Note (SPDBH4).



### **Development Options**

In order to provide a framework for development and in order to demonstrate how the preceding development principles might be applied to the site, two development options have been put forward in this draft SPD. The first is that contained in the Development brief which was produced following an urban design analysis and guidance document by BDP in December 2004. The second is an alternative development framework which provides an alternative development form and distribution of uses. The two options are taken in turn below and key factors of each are summarised. The variance between the two options revolves around the approach taken to key issues raised by the site, as follows:

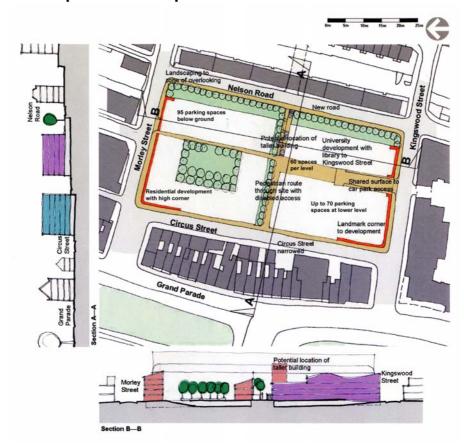
- Provide active edges to Morley Street, Circus Street and Kingswood Street;
- Approach taken to parking provision, taking account of site context and location;
- Approach taken to the provision of public open space;
- Approach taken to street pattern and block layout; and
- Approach taken to the retention of existing key buildings.

In addition to considering these options developers are invited to prepare innovative schemes for the site which comply with the established development principles.

It should be noted that, at this stage, the following development options are published for illustrative purposes only and to assist the consultation process.



#### **Option I - Development Brief Option**

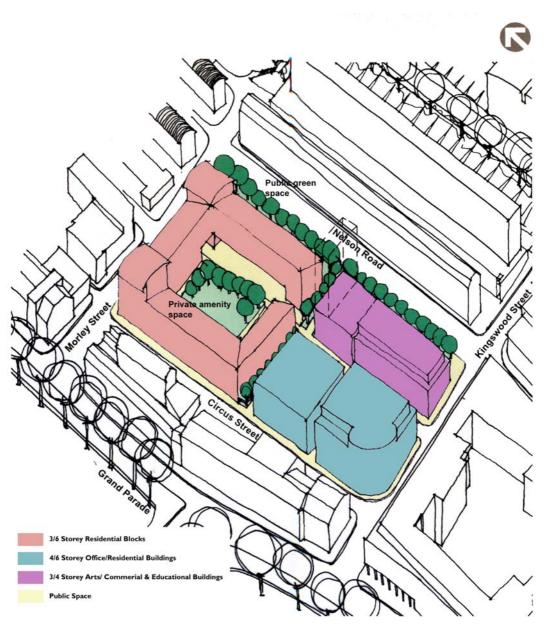


Layout Plan and Sections (Taken from 'Urban Design Analysis and Guidance', BDP, December 2004 p. 26)

This option was the. Site principles for the indicative scheme include:

- maintain and enhance vista along Carlton Hill towards Grand Parade;
- □ the vista along Circus Street extends above the south-west corner of the site, this vista should be preserved towards the valley;
- □ increase pedestrian permeability through the site;
- □ improve street connectivity and reintroduce urban grid structure;
- □ reduce the width of Circus Street;
- □ build a positive landmark to the south-western corner. Viewed from Grand Parade this corner could form an important legibility landmark;
- □ add service/car park access from the north and south;
- □ locate car parking to the eastern edge of the site, beneath the road level; and
- □ introduce private amenity space for residential properties, to current planning policies.





Land Use Axonometric (Taken from 'Urban Design Analysis and Guidance', BDP, December 2004 p. 25)



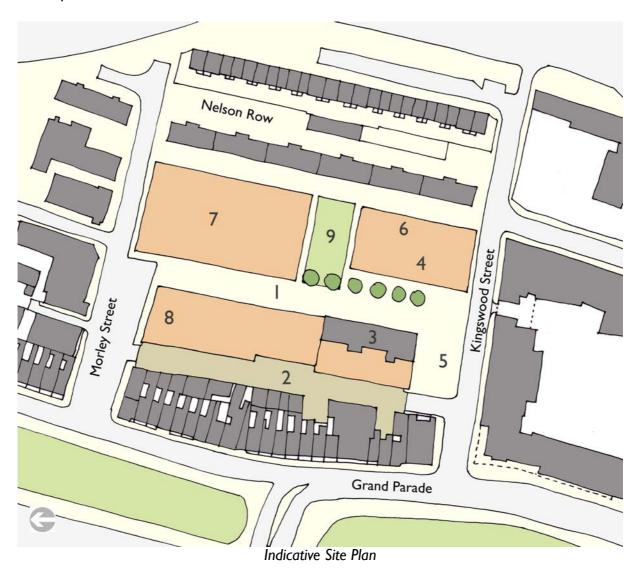
	Car parking/housing units	Footprint (sqm)	Storeys	Gross floor area (sqm)
Existing uses				
Educational		480	5	1,341
Educational ancillary		300	I	300
Commercial		5,525	I	5,525
Surface car park	Approx. 56 spaces	1,575	I	1,575
Approx. totals			8,741	

Additional development (where commercially viable)				
Educational		660/1,840	4 to 6	3,450
Commercial		660/1,840	4 to 6	2,947
Creative workspace	Managed workspace/production space/training rooms	660/1,840	4 to 6	1,933
Office			4 to 6	10,000- 14,900
Residential	Approx. 26 townhouses Approx. 115 two-bed flats	6,400	3 to 6	13,200
Underground car park (educational/arts/commercial)	60 spaces	1,750	I to 2	1,750
Underground car park (office)	110 spaces	1,750	I to 2	3,500
Underground car park (residential)	150 spaces	2,800	I to 2	4,550
Approximate total				46,230



#### Option 2

This option seeks to apply the development principles differently, resulting in an alternative development form.



#### Key features of the scheme:

- I A new central north-south thoroughfare is created.
- 2 Circus Street is narrowed and redesigned as a mews which acts as a focus for studio/workshop space and possible student residences.
- 3 The existing Victorian school could be retained if financially viable to do so with a new modern wing to create full accessibility and return the building to active use.
- 4 A site for a new University library is included in the south east quadrant of the site.
- 5 A new public space is created, linking the existing University buildings with the new library.



- 6 Parking for the University is included on the ground floor of the library building, against the existing retaining wall and screened by active ground floor uses.
- 7 The north eastern quadrant of the site is residential, including a mix of dwelling types. A courtyard is provided as shared amenity space over undercroft parking.
- 8 Student accommodation, which is optional for the scheme, and studio/workshop space in the north western quadrant of the site help to mitigate against the anti-social environment created by the nightclub and the all-night café.
- 9 A new green public space is created in the centre of the block. A ramped path through this space provides an accessible link between the lower and upper levels on the site.





Block		Footprint (sqm)	Storeys	Gross floor area (sqm)
A	Residential – approx. 48 flats	629	5	3,145
В	Residential – approx. 50 flats	541	6	3,246
С	Residential – approx. 6 duplex units and 12 flats	281	4	1,124
D	Residential – approx 8 duplex units and 16 flats	406	4	1,624
E	Studio/residential – approx. 12 studios	391	3	1,173
Residential total				10,312
_				
F	Business	471	5	2,355
G	Business	672	7	4,704
Н	Business	371	5	1,855
1	Business (former school)	435	4	1,740
Business total				10,654
J	Education	1,110	4	4,440
Education		•		4,440

	Spaces per level	Storeys	Total
New university car park	39	I	39
New car park under block D and adjacent courtyard	45	I	45
Parking spaces total			84

	Area (sqm)
Public space around Morley Street	1,440
New north-south thoroughfare	760
Public space around Kingswood Street	2,322
New green space in the centre of the block	588
Public space total	5,110







Version C – August 15 2005



# **Implementation and Planning Requirements**

### **Phasing**

The site benefits from a simple pattern of landownership. The University own the southwest corner of the site with the remainder being in Council ownership. The University has aspirations for a new library and teaching space on the site. A land swap between the Council and the University may be mutually beneficial in that it may enable the University to phase redevelopment so that new/replacement facilities can be constructed whilst existing accommodation remains in University use. An agreement would have to be reached between the University and the Council in order to enable such an approach.

#### Requirements of development proposals

In seeking to accord with the guidance contained in this Supplementary Planning Document and the relevant policies of the Local Plan the following is a list of some of the likely planning and transport requirements arising from the a development proposal on the Circus Street Municipal Market site, some of which might best be covered by way of legal agreement between the developer and the Council:

- Affordable housing under Policy HOI the northern part of site is identified as being suitable for 60% affordable housing. This is an indicative figure based upon the provision of a total of 100 housing units.
- Commuted sums for recreational space in this city centre location, in order to ensure best use is made of land, it is unlikely that outdoor recreation space standards for new development will be met on site. Therefore, under Policy HO5, financial contributions towards provision on a suitable alternative site may be required.
- Community facilities Under Policy HO21 there is a requirement for community facilities to be provided with new housing or mixed use development. Where it is not possible to accommodate such facilities on site, it may be appropriate to agree with the Planning Authority a suitable contribution towards the provision of such facilities on an alternative site.
- **Public art** under Policy QD6 the inclusion of an element of public art might be considered to be appropriate on this site.
- Sustainability Checklist the Local Planning Authority will undertake an assessment of development proposals against the criteria outlined in the Sustainability Checklist. A more favourable view will be taken on planning applications where it can be shown that proposals meet the expectations outlined in the checklist.
- Design Statement A design statement should be submitted in support of development proposals in order to demonstrate how the proposal takes account of the design aspects outlined under Policy QDI and QD2. This should take account of impact on listed buildings and conservation areas affected.



• **Travel Plan** – In order to seek to reduce traffic generation, a travel plan will be required in support of development proposals under Policy TR3a.



### **Monitoring and Review**

The SPD will be monitored, reviewed and updated to ensure that it remains relevant and in accordance with development plan policy. The SPD will become part of the Local Development Framework upon its adoption.

The Local Plan will be replaced by a series of development plan documents that form the Local Development Framework (LDF). The SPD will be reviewed when the LDF is adopted to ensure that there is still a chain of conformity with development plan policy, and to take into account changes that may have occurred in and around the site during that time.

### **Contacts and Further Guidance**

If you have a query regarding any aspect of the local development framework please email ldf@brighton-hove.gov.uk.

For queries about **planning applications**, please contact Development Control: TEL (01273) 292222.

More information on all planning matters can be found at www.brighton-hove.gov.uk.

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This can also be made available in large print, in Braille or on audio tape

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