

Appendix C  
**BH2025/00264 – Brighton College**

Should the s106 agreement not be completed on or before 4<sup>th</sup> October 2025 the Head of Planning is hereby authorised to refuse planning permission for the reasons:

Biodiversity Net Gain Monitoring

The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure a financial contribution to ensure monitoring of Biodiversity Net Gain associated with the scheme and ensure effective implementation of relevant Development Plan policies, and to ensure timely delivery of the scheme, contrary to the requirements of Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 187 and 193 of the National Planning Policy Framework 2024 and Policy DM37 of the City Plan Part 2 and the Council's Developer Contributions Technical Guidance.

Travel Plan

The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure a financial contribution to ensure monitoring of a Whole School Travel Plan associated with the scheme and ensure effective implementation of relevant Development Plan policies, and to ensure timely delivery of the scheme, contrary to policies DM20 and DM33 of the Brighton & Hove City Plan Part Two.

Wall on the western side of Walpole Road

The development would cause harm to the appearance and character of the College Conservation Area and would cause harm to the setting of the Grade II Listed St Marys Hall building and East Cliff Conservation Area contrary to development plan policies DM18 and DM26 of Brighton & Hove City Plan Part 2, and CP12 and CP15 of the Brighton & Hove City Plan Part One.

Skills and Employment

The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure a financial contribution towards the City Council's Local Employment Scheme to support local people to employment within the construction industry, contrary to policy SS1, SA6, CP2, CP7 and DA2 of the Brighton & Hove City Plan Part One and the Council's Developer Contributions Technical Guidance.

