



Appeal Decision

Site visit made on 26 June 2025

by JJ Packman MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 August 2025

Appeal Ref: APP/Q1445/W/25/3360891

7, The Furlong, Brighton, BN2 4FR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Gemini Makerfield Limited against the decision of Brighton and Hove City Council.
 - The application Ref is BH2024/00546.
 - The development proposed is creation of 9x studio units and cluster flat formed of 6x bedspaces of purpose-built student accommodation (Use Class Sui Generis) within first floor and new communal gymnasium, dance studio and flexible social / study space in place of vacant commercial unit within ground floor of existing student accommodation block no.8, incorporating external alterations including the creation of a roof terrace and cycle storage. Internal refurbishment of ground floor level of student accommodation blocks 6&7 to provide improved social/study space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Two slightly revised floor plans have been submitted with the appeal. These both relate to block 8. The scheme presented is still essentially the same as that considered by the LPA and interested parties at the application stage. I also note that Council have raised no objections to the plans being considered at appeal.
3. I am satisfied that due to the minor nature of the proposed changes which involve delivering part of the proposed communal amenity space as separate study rooms, accepting them for consideration would not give rise to procedural unfairness. Accordingly, I have taken the revised plans into account.
4. I have used the amended description of development that was agreed by both parties.
5. I note that appellant claims that the Council have quoted the wrong floorspace figures in their assessment of the proposals. As there are no specific quantitative requirements set out in policy, and the disputed figures are not significantly different, I shall base my assessment on the plans presented and my observations made during my site visit.

Main Issues

6. The main issue is the effect of proposal on the living conditions of the occupiers of the proposed development with particular regard to access to community amenity space.

Reasons

7. The appeal property is No.7 the Furlong, which comprises student accommodation in three blocks (referred to hereafter as blocks 6, 7 and 8). These are operated as a single site known as 'iQ Brighton'.
8. Block 8 has 213 bedspaces on floors 2-10, a mixture of studio units and cluster flats. On the first floor is a communal area with kitchen, dining and socialising areas, a gym and private study spaces. The ground floor of the building contains the plant room, refuse store, cycle parking and vacant retail floorspace.
9. Blocks 6 & 7 to the south have a further 342 bed spaces, with the ground floor providing further communal facilities. Residents have access to both buildings. 43% of the bedspaces at iQ Brighton are within cluster flats which also have their own communal facilities.
10. The proposal is for the replacement of the existing first floor communal facilities within block 8 with additional bedspaces comprising 9 studios and a single cluster flat with 6 bedspaces. It is proposed that communal facilities would be partially re-provided on the ground floor of block 8, albeit with less than half of the current floorspace. The ground floor facilities would include a Gym/Dance Studio and Private Dining, Study Space and Social Area.
11. As part of the proposals the ground floor communal area of blocks 6 & 7 would be refurbished creating an additional 37sq.m of communal floorspace.
12. The appellant claims that the current communal areas for block 8 are underutilised and has provided a headcount survey undertaken by the site operator to demonstrate this. The survey covers a 12 day period during November 2024 and includes data for both block 8 and blocks 6 & 7.
13. Whilst I have no reason to doubt the findings of the survey, I am mindful of its limitations. The submitted survey does not capture activity during the late morning or late evening and its overall duration is also limited. Notwithstanding this, it does show the communal areas of block 8 to be reasonably well used. Over the 12 day period the Gym is shown as being consistently¹ used, and there are only four instances where the remainder of the communal area is shown as not being used.
14. The appellant notes that the communal areas within blocks 6 & 7 generally see higher usage than the communal areas of block 8. Whilst this appears true from the survey presented, this is not entirely surprising as blocks 6 & 7 have over 100 more bedspaces than block 8 and it is reasonable to expect that residents will naturally be drawn to their nearest communal space.
15. I am not convinced that the survey data shows what the appellant claims, it only appears to demonstrate that communal areas throughout blocks 8 and 6 & 7 are in use throughout most of the day.

¹ At 2pm and 6pm when surveyed

16. The appellant claims that the quantitative reduction in communal space will be mitigated by the qualitative improvements resulting from the re-provision of communal space in block 8 and the refurbishment of space in blocks 6 & 7. The proposal refurbishment of blocks 6 & 7 appears innovative, attractive and space efficient. The proposed changes should enable residents to gain greater use out of the existing space available whilst also providing some additional space.
17. The proposals for the re-provision of space at block 8, however, will undoubtedly result in the deterioration of communal space in quantitative and qualitative terms. Whilst the appellant has noted that the current gym is well used, the proposal will see it reduced in size. The proposed studio, which will occupy the space of a retail storage area, will not benefit from natural light as it does at present. Whilst the dedicated study spaces shown on the revised plans are an improvement over the shared spaces shown previously, the proposed dining area divorced from an associated kitchen and social area appears lacking in usefulness.
18. I accept that providing these facilities on the ground floor will make a greater contribution towards the concept of a shared communal hub space between the two blocks. However, it would be an unequal relationship, with the vast majority of space and facilities situated at blocks 6 & 7, to detriment of the residents of block 8.
19. Whilst it is a short walk between the two blocks, bad weather and / or darkness would likely be deterrent enough at certain times of the year. The imbalance in communal space provision is likely to have an adverse impact on the living conditions of the residents of block 8, especially to those living on the upper floors.
20. I note the intention of the appellant to part fund the refurbishment of the communal space at block 6 & 7 with the increased income generated by the new bedspaces from the appeal proposal. If the new proposal does not come forward that may put the refurbishment at risk. Nevertheless, it is not considered that the benefits resulting from the proposed refurbishment would outweigh the harm caused by the proposed changes to communal space at block 8.
21. Neither is it considered that the general benefits arising from the provision of additional student accommodation would outweigh the harm I identify below.
22. The proposals would result in a reduction in the overall standard of communal living space at block 8 both in terms of quantum and the quality of spaces provided. The proposed replacement communal space would not only be smaller, it would also have a contrived and compromised layout as a result of the existing irregular arrangement of rooms on the ground floor with less access to natural light, making these spaces gloomy and less attractive. The proposed dance studio for example, would have no natural light, likely making it less attractive to those who might consider using it. Whilst I acknowledge there is a trend towards having gyms situated on active frontages, I consider the existing arrangement affords more privacy and is likely to have a broader appeal. I consider that the proposal will likely result in less opportunities for social interaction within the block and result in a less welcoming environment overall.
23. Accordingly, I consider that the proposal would have an unacceptable adverse impact on the living conditions of the residents of iQ Brighton, and, in particular the residents of block 8.

24. Consequently, it is considered that the proposal would fail to comply with Policies DM8 and DM20 of the Brighton and Hove City Plan Part 2 (October 2022). These policies require communal living spaces to be commensurate in size to student living accommodation proposed and for proposals to not result in an unacceptable loss of amenity for the proposed, existing, adjacent or nearby occupiers.

Other Matters

25. The appellant has drawn attention to a number of planning applications and developments and has included significant detail on IQ New Build Specifications in other parts of the country. Whilst certain communal space standards may have been applied elsewhere, I have reached my conclusion as a result of the particular circumstances of this case. In particular the nature of the existing and proposed accommodation and the relationship between the existing buildings.

Conclusion

26. For the reasons given above, and taking into account all other matters raised, I conclude that this appeal should be dismissed.

JJ Packman

INSPECTOR