



Appeal Decision

Site visit made on 22 October 2025

by AJ Steen BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th February 2026

Appeal Ref: APP/C3810/W/25/3366513

Sparks Yard, 18 Tarrant Street, Arundel BN18 9DJ

- 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 Mr Geoffrey Thorpe of Terrier Firma Ltd against the decision of Arun District Council.
 - The application Ref is AB/6/25/PL.
 - The development proposed is conversion of existing single residential unit with associated commercial space to form three number residential units [use class C3A] together with associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether prospective occupiers of Townhouse C would enjoy satisfactory living conditions, having particular regard to the size of internal and external living space; and
 - the effect of the windows to bedrooms in Townhouse B on the living conditions of neighbouring occupiers of 18A Tarrant Street with particular regard to privacy

Reasons

Living conditions of prospective occupiers

3. Policy QE SP1 of the Arun Local Plan 2011-2031 (LP) requires that development must not significantly negatively impact residential amenity. This would include providing adequate living conditions. The Council indicate that the size of Townhouse C would not meet space standards. It is not clear what standards to which they refer, although the size is below that for a two storey, 1 bedroom, 2 person home as set out in the technical housing standards – nationally described space standard (NDSS). However, that would only apply where local authorities have adopted the standard in the Local Plan, which hasn't happened in the case of the LP. I will, therefore, consider the adequacy of the accommodation on its individual merits.
4. Townhouse C would be formed in the current side lean-to entrance area, with an extension to the rear. It would provide a one bedroom unit with the main living accommodation in the upper floor. Access would be taken from the small entrance

lobby shared with Townhouse A leading to a small hallway that would provide space for recycling and refuse storage as well as a spiral staircase to the first floor.

5. The bedroom would be located to the rear at ground floor, with access through the bathroom. The ground levels mean that the bedroom would be located below ground level such that it would not be provided with any window other than a small rooflight opening to the courtyard above.
6. The living accommodation at first floor would comprise a single living, dining and kitchen area accessed directly from the spiral staircase. It would be provided with doors to a very small courtyard at the rear enclosed by tall walls. That courtyard is to the north side of the building, so likely to be dark and dominated by the remainder of the building.
7. Overall, the size and layout of the ground floor and courtyard would result in cramped living accommodation.
8. For these reasons, I conclude that prospective occupiers of Townhouse C would not enjoy satisfactory living conditions, having particular regard to the size of internal and external living space. As a result, the development would conflict with Policy QE SP1 of the LP.

Living conditions of neighbouring occupiers

9. The reason of refusal from the Council refers to bedrooms one and two of proposed Townhouse B. I understand that the concern relates to potential views from the two windows at the rear of the building that directly face two windows in 18A Tarrant Street separated by a narrow gap between the buildings. The submitted floorplans indicate these are bedrooms two and three.
10. These are existing windows that served the previous use of the building. The Council have also approved the conversion of the building into a single dwelling, that I understand has been implemented. In that scheme, those windows would serve a modest room off the main living accommodation, possibly for use as part of the kitchen or a utility room. This means that, even if this appeal were dismissed, there would be some mutual overlooking between these windows in any event.
11. The proposed use of these windows to serve bedrooms would mean a more intensive use of these rooms than either the previous use or the alternative use as a single dwelling. It is more likely that occupiers would look through the windows into those of 18A Tarrant Street, given the proximity. Whilst provision of curtains or blinds would restrict views to some extent, it would not be possible to fully mitigate the views between this bedroom and the living accommodation in the neighbouring dwelling. On balance, therefore, this would affect the privacy of occupiers of the neighbouring dwelling.
12. For this reason, I conclude that the windows that would serve bedrooms two and three in Townhouse B would harm the living conditions of neighbouring occupiers of 18A Tarrant Street with particular regard to privacy. As such, the development would conflict with Policies QE SP1, D DM1 and D DM4 of the LP that seek to ensure minimal impact on neighbouring occupiers and ensure development does not have a significantly negative impact on living conditions of residents, including an adverse overlooking effect on neighbouring properties.

Other Matters

13. Planning permission has previously been granted and implemented for the conversion of the building, with the ground floor to be in commercial use and upper floors in residential use. I understand that the property was marketed for approximately 48 months at the time of application without success. Whilst I accept that there is limited demand for this use, that would not overcome my conclusions on the main issues relating to the living conditions of future and neighbouring occupiers.
14. In determining this appeal involving a listed building or its setting within a conservation area, I am required to have special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
15. Sparks Yard is listed grade II and comprises a former furniture repository dating from around 1880 that has subsequently been used as offices and a restaurant. It is located within the centre of Arundel Conservation Area, but a short distance from the majority of other commercial premises such as restaurants and retail premises. It is set over three storeys with a substantial two storey lean-to at the side, constructed of yellow and red brick with a slate roof. Most of the building has been largely open plan. The significance of the building as a heritage asset is derived from its historic open plan form and attractive exterior reflecting its original commercial purpose.
16. Arundel Conservation Area comprises the historic centre of Arundel along with the castle and its grounds. The town has developed over a long period to form a dense urban area with a variety of forms and types of buildings constructed on the slope of the hill, dominated by the Catholic Cathedral and castle. Sparks Yard contributes to the character of the town and of the narrow Tarrant Street on which it sits. The significance of the conservation area is derived from the architecturally diverse historic character of dense development on the side of the hill, to which Sparks Yard contributes.
17. The proposal would divide the open plan areas of the main part of the building to provide two townhouses. This subdivision would affect how the building is understood. However, it would ensure a new and viable use for the building. Whilst it would result in more subdivision than the previously approved conversion to a single dwelling, on balance this means the subdivision would not affect the significance of the building as a heritage asset.
18. Townhouse C would result in a modest rear extension of the two storey lean-to at the side. Its design and appearance would reflect that of the listed building to which it is attached and the roof would be well below that of the main building. Its location to the largely blank side wall means that it would be subservient to the building. As a result, it would not affect the significance of Sparks Yard as a heritage asset, including its attractive historic commercial appearance.
19. Other than that extension, externally the proposed development would have limited effect on the appearance of the main part of the building. This is restricted largely to the replacement of windows with doors at first floor to the rear providing access to the yard and other minor repairs. Overall, this would not alter any features of special architectural or historic interest that the main part of the building possesses.

20. For these reasons, I conclude that the proposal would not harm the special architectural and historic interest of Sparks Yard or the character and appearance of the Arundel Conservation Area, or their significance as heritage assets.

Conclusion

21. I have found that the development to convert 18 Sparks Yard into 3 dwellings, including extension, would result in cramped and unsatisfactory living conditions for occupiers of Townhouse C and would result in overlooking of 18 A Tarrant Street such that it would harm the living conditions of occupiers. As a result, it would conflict with policies of the development plan. I accept that the development would not harm the special architectural or historic interest of the listed building or the character and appearance of the Arundel Conservation Area, or the significance of these heritage assets. Nevertheless, this results in conflict with the development plan as a whole. There are no material considerations, including lack of harm to the significance of heritage assets and taking account of the marketing of the building, that would outweigh that conflict.
22. For these reasons, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR