

Planning Committee Report	
Planning Ref:	PL/2026/0000674/FUL
Site:	249 Farren Road
Ward:	Wyken
Proposal:	Erection of ancillary single storey outbuilding (retrospective) and proposed change of use of an existing 6-bed House in Multiple Occupation (HMO) (Use Class C4) to a larger 8-bed HMO (Sui Generis).
Case Officer:	Andrew Tew

INTRODUCTION

This report is for the erection of a single storey outbuilding and the change of use from a 6-bedroom HMO (Use Class C4) into a large, 8-bedroom HMO (Sui Generis).

The property has previously been extended, with a 6-metre rear extension (Ref: PA/2018/1964) that was converted into two additional bedrooms. This internal reconfiguration established a 6-bedroom HMO, which has been operational since 19 February 2021 and is deemed lawful under permitted development rights as the property sits outside of the area of the Article 4 Direction on HMOs.

A subsequent application (Ref: LDCP/2021/2487) for an incidental garden outbuilding has not been built in accordance with the approved plans. The structure exceeds approved dimensions—measuring 15cm taller than permitted—and it is also 20cm longer, and 26cm wider than the approved plans with additional window alterations. The current application under consideration seeks approval for these physical changes and to secure a change of use to utilize the outbuilding as two additional bedrooms, formally converting the site into an 8-bedroom large HMO (Sui Generis).

The application is before Committee due to 7 no. emails of support for the proposal.

RECOMMENDATION

Planning Committee are recommended to refuse the application for the reasons set out in the report.

REASON FOR DECISION

The proposed development is considered to be unacceptable in principle and will result in significant impact upon the amenities of existing and future occupiers of the HMO, neighbouring amenities and highway safety.

SITE DESCRIPTION

The application site is a semi-detached dwelling set within a residential area. The application site has been subject to a single-storey rear extension under a prior approval submission. The property is lawfully in use as a 6-bed HMO.

The dwelling has off-street car parking to the front of the dwelling and rear amenity space. It should also be noted that the dwelling retains its permitted development rights.

APPLICATION PROPOSAL

The application seeks retrospective permission for an ancillary single storey outbuilding, which would be used as 2 no. additional bedrooms for an existing HMO.

The application also seeks planning permission for a proposed change of use from an existing 6 bed HMO (Use Class C4) to a larger 8 bed HMO (Sui Generis).

RELEVANT PLANNING HISTORY

Application Number	Description of Development	Decision and Date
LDCP/2021/2487	Lawful development certificate for proposed rendered blockwork ancillary annexe in rear garden.	Granted 16.11.2021
PA/2018/1964	Application under Prior Approval for rear extension. The extension will be 6.0 metres away from the original rear wall of the building with a height of 3.27 metres at the highest point and 2.98 metres to the eaves.	Prior Approval Not Required 07.08.2018
PA/2018/1158	Application under Prior Approval for rear extension. The extension will be 6.0 metres away from the original rear wall of the building with a height of 3.27 metres at the highest point and 2.98 metres to the eaves.	Prior Approval Refused 01.06.2018

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF) August 2026.

The National Planning Practice Guidance (NPPG) adds further context to the NPPF and it is intended that the two documents are read together.

Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2017, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

Policy DS1: Overall Development Needs
Policy DS3: Sustainable Development Policy
Policy H3: Provision of New Housing
Policy H5: Managing Existing Housing Stock
Policy H9: Residential Density
Policy H11: Homes in Multiple Occupation (HiMOs)

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
Policy DE1: Ensuring High Quality Design
Policy AC1: Accessible Transport Network
Policy AC2: Road Network
Policy AC3: Demand Management
Policy AC4: Walking and Cycling
Policy EM2: Building Standards

Emerging Local Policy Guidance – Local Plan Review submitted to Planning Inspectorate for examination on 9th September 2025.

The Local Plan review is currently at Examination. Relevant emerging policy relating to this application is:

Policy DS1: Overall Development Needs
Policy DS3: Sustainable Development Policy
Policy H3: Provision of New Housing
Policy H5: Managing Existing Housing Stock
Policy H6: Affordable Housing
Policy H9: Residential Density
Policy H11: Homes in Multiple Occupation (HMOs)
Policy GE3: Biodiversity, Geological, and Landscape Conservation
Policy DE1: Ensuring High Quality Design
Policy AC1: Accessible Transport Network
Policy AC2: Road Network
Policy AC3: Demand Management
Policy AC4: Active Transport Provision including Walking, Cycling and Micro Mobility

Houses in Multiple Occupation DPD Policy HMO4 – Amenity and Design

Supplementary Planning Guidance/ Documents (SPG/SPD):

Coventry Connected SPD
Householder Design Guide SPD
New Residential Development Design Guide SPD

CONSULTATION

No objections have been received from:

Environmental Protection

Objections have been received from:

Highways

Neighbour consultation

Immediate neighbours and local councillors have been notified.

1 letter of objection has been received, raising the following material planning considerations:

- a. The outbuilding overlooks neighbouring properties

- b. Additional residents constitute overdevelopment and impacts on residential amenity
- c. Introduces a commercial business into a family neighbourhood
- d. Existing comings and goings create disturbance at all hours

7 emails of support have been received, raising the following material planning considerations:

- e. Parking issues have not been experienced by current/former tenants

Within 7 the emails received the following non-material planning considerations were raised, these cannot be given due consideration in the planning process:

- f. The property is affordable, well managed and well suited to hospital staff

1 further email has been received from a neighbouring property stating they do not object as the property has been well managed.

The applicant has twice submitted a support comment.

With regards to these representations of support, it is unclear as to where the representors are based, as all were received by email and none had an address point on.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are principle of development, the impact upon the character of the area, the impact upon neighbouring amenity and highway considerations. The relevant policy text(s) for each issue are included in the Policy Appendix at the end of the report.

Principle of development

The use of a substantial structure as an 'annexe' may be considered acceptable, provided that it is subordinate to the main residential dwelling and its function is clearly ancillary. The outbuilding will provide sleeping accommodation of 2 no. en-suite bedrooms and an ancillary kitchenette.

Whilst there are instances where the use of an outbuilding within the curtilage of an existing dwellinghouse for primary residential purposes does not involve a material change of use, it should be used in conjunction with the dwelling. It was held in *Uttlesford District Council v Secretary of State for the Environment and White* [1992] and suggested in later appeal decisions that use of an annexe by *family members* does not constitute a sufficient degree of "separateness", even where such a person lives independently from those occupying the main dwelling. As this application relates to a HMO where unrelated individuals are living together an independent annexe with all the facilities needed for day-to-day living independent of the main dwellinghouse would be unacceptable, as this would be tantamount to erecting a separate dwellinghouse that would be contrary to Policy H3.

The change of use of the dwelling from an existing 6 bed HMO (Use Class C4) to a larger 8 bed HMO (Sui Generis) is a material intensification. The ramifications of this intensification of use are considered further below. Therefore, the principle of the change of use element of the scheme is considered unacceptable.

Design and visual issues

The proposed annexe is located within the rear garden of the dwellinghouse and will not therefore be visually prominent within the street scene.

The annexe building is considered proportional to the scale of the associated dwellinghouse and plot and in design terms the simple flat roof single storey design is acceptable. The building has a suitable render finish above several courses of facing brick.

The scheme accords with Policy DE1.

Impact upon Existing and Future Occupiers of the HMO

The proposal is for the outbuilding to be used as living accommodation, creating 2 no. additional bedrooms within an existing HMO and increasing the total size of the HMO to 8 no. bedrooms.

The windows on the eastern elevation look directly onto a boundary fence at a substandard distance of 2.65m. A third window serving bedroom 8 looks onto a fence to the North at a substandard distance of 3.5m. The SPD advises that residents should be able to enjoy good quality outlook to the external environment from habitable rooms, without adjacent buildings, walls, parked vehicles etc. being overbearing or visually intrusive. Outlook from the home to exterior spaces keep people in touch with their wider surroundings, the prevailing weather and the rhythm of the day and seasons. Given the narrow buffer of space provided around the annexe, the outlook from habitable windows is very poor. Such an arrangement does not create a good quality outlook to the external environment, to the detriment of proposed residents.

The bedrooms within the annexe are 20.5sqm, there is a shared, recessed area by the front door for a kitchenette. The supporting statement states that the residents of the annexe will rely on the main dwelling to do washing and cooking and the kitchenette is therefore likely to only provide facilities to make hot drinks or perhaps heat food in a microwave. As such, residents of the annexe, remote from the main dwelling, will be required to walk outside in all weathers, to access the shared facilities.

The bedrooms within the existing dwelling are between 7 and 11sqm. The kitchen/diner – the only communal space within the dwelling – measures 17.5sqm. The L shaped kitchen diner has washing facilities, cooking facilities and a circular table with 4 chairs.

From what was originally a modest, 3-bedroom family dwellinghouse to occupation by 8 no. individuals is a significant intensification of use, especially as residents are reliant on a relatively small 17.5sqm area of shared space for cooking, eating, washing clothes and relaxing. The addition of further residents within a garden annexe, living outside but dependent upon the main dwelling, is considered to form a contrived

development that will put further demands upon the small communal living area and thus create a substandard, poor-quality accommodation to the detriment of all residents of the HMO.

Impact on neighbouring amenity

Policy H5 requires new development to be designed and positioned so it does not adversely affect the amenities of the occupiers of neighbouring properties. Policy HMO4 of the HMO DPD also sets the requirements for amenity and design of extended HMO properties.

Due to the changes in levels within the garden, with the annexe sitting on a raised area circa 0.6m higher the rear of the existing rear building line, the windows of bedroom 7 are separated from the bedroom windows of no 247 Farren Road at a distance of 18m. This creates a back-to-back relationship less than the minimum distance of 20m of the Council's guidance.

The impact of windows and the potential for overlooking is not part of the assessment under Class E, Part 1 of Schedule 2 of the General Permitted Development Order 2015 (as amended). However, privacy does need to be considered as part of the assessment for planning permission. Due to the raised levels, the annexe building is sited in a prominent position. Additional fenestration has been added to all elevations. The proposal to use this as living accommodation creates a situation of overlooking of 4 no. bedroom windows looking into the garden of the neighbouring property at a distance of less than 3m. This arrangement undermines the residential amenities of occupiers of neighbouring properties.

The intensification of use of the property, with two additional residents coming and going into the garden area and the associated light and noise created is outside what might be normally expected in a residential environment and will adversely impact the neighbours use of their gardens for quiet private amenity.

Highways

According to the current parking standards in Appendix 5 of the Coventry Local Plan, the proposed change from a 6-bed HMO to an 8-bed HMO would require up to 2 additional parking spaces; from 4 to 6. The property has an existing driveway, and the site plan shows 4 off-street parking spaces, 3 of which are in tandem.

The Local Highways Authority (LHA) objects to this layout as it does not allow independent vehicle access for all occupants of the HMO. The parking space marked number 2 would also be inaccessible if space 1 is occupied as the driveway offers limited manoeuvring space.

The property is located in the F residents' parking zone which operates 24 hours, 7 days per week. The LHA notes that HMO occupants are not eligible to apply for a parking permit therefore they would be unable to park on street inside the permit zone. Based on the proposed parking layout and the lack of additional parking capacity to accommodate the increase in demand, the LHA considers that the proposals do not sufficiently meet the parking standards in Appendix 5 of the Coventry Local Plan and therefore objects to the proposal for a larger 8-bed HMO.

The proposed bike and bin storage is located in the garden area, behind the existing fence. This is accessed via a gate. The drive area is 2.4m in width. Should these spaces be used for parking, access for bikes and bins is rendered unusable. Similarly, the access for 2 no. further residents into the annexe outbuilding would be blocked, meaning they need to through the house to gain access to their rooms.

The supporting parking assessment strongly argues that the property does not need parking, as all the residents work at the nearby hospital. While the tenants' current personal circumstances and lack of vehicle ownership are noted, planning permission attaches to the land and not the individual. The development must be assessed against long-term operational impacts. Therefore, the assessment needs to adhere to adopted local parking standards to ensure the development remains sustainable for all future occupants.

Equality Implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

Conclusion

The proposed development is considered to be unacceptable in principle and will result in significant impact upon the amenities of existing and future occupiers of the HMO, neighbouring amenities and highway safety. The reason for Coventry City Council refusing planning permission is because the development is in contrary to: Policies DE1, H3, H5, H11, AC1, AC2 and AC3 of the Coventry Local Plan 2017, Policy HMO4 of the HMO DPD, and the emerging Local Plan Policies DE1, H3, H5, H11, AC1, AC2 and AC3, together with the aims of the NPPF.

POLICY APPENDIX

National Planning Policy Framework (NPPF) August 2026.
Coventry Local Plan 2017 & Emerging Local Policy
Supplementary Planning Guidance/ Documents (SPG/ SPD):

The National Planning Policy Framework (NPPF) August 2026 sets out the Government's planning policies for England and provides the framework for both plan-making and decision-making on planning applications. Its overarching objective is to

achieve sustainable development through a genuinely plan-led system, supporting the delivery of homes, jobs, infrastructure and investment while protecting and enhancing the natural, built and historic environment. The Framework seeks to promote economic growth, create healthy and well-designed places, increase housing delivery, address climate change, improve accessibility and sustainable transport choices, support nature recovery, and ensure that development is directed to sustainable locations where it can contribute positively to communities and the long-term public interest.

Principle of development

NPPF Policy S3: Presumption in Favour of Sustainable Development states that decisions on development proposals should apply a presumption in favour of sustainable development. Development proposals that accord with both an up-to-date development plan and the national decision-making policies in the NPPF should be approved without delay. Within settlements, Policy S4 applies and development should be approved unless the benefits are substantially outweighed by adverse effects when assessed against the NPPF.

Design and impact on visual amenity

NPPF Policy DP3: Key Principles for Well-Designed Places states that development proposals should respond to their context and integrate with and enhance their surroundings. Development proposals should create well-designed places by reflecting relevant aspects of the principles relating to liveability, climate, nature, movement, built form, public space and identity. Development proposals that conflict with these principles or relevant design standards without clear justification should be refused and substantial weight should be given to compliance with relevant development plan policies when assessing the design of proposals.

Coventry Local Plan Policy DE1 of the Local Plan seeks to ensure high-quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Coventry Local Plan Policy H3 of the Local Plan requires proposals for new residential development to provide a high quality residential environment.

Coventry Local Plan Policy H5 of the Local Plan requires proposals for the existing housing stock to enhance the surrounding residential environment.

Principle 7 of the Householder Design Guide SPD states “Garden buildings/sheds/outbuildings should only be used for purposes incidental to the use of the dwellinghouse and should not be used for commercial purposes or living accommodation”.

Principle 24 of the Householder Design Guide SPD states “All habitable rooms should maintain at least one main window with an adequate outlook to external spaces where nearby man-made and natural features do not appear overbearing or visually intrusive.”

Para. 8.2 of the New Residential Development Design Guide SPD states “New residential developments should provide future occupiers with high quality amenities

and do not undermine the residential amenities of occupiers of neighbouring properties.”

Para 8.5 of the New Residential Development Design Guide SPD states “Although there is no right to a view, residents should be able to enjoy good quality outlook to the external environment from habitable rooms, without adjacent buildings, walls, parked vehicles or storage materials being overbearing or visually intrusive.”

Impact on residential amenity (HMOs)

Coventry Local Plan Policy H11 of the Local Plan states that the development of purpose built HMOs or the conversion of existing homes or non-residential properties to large HMOs will not be permitted in areas where the proposals would materially harm:

- a. The amenities of occupiers of nearby properties (including the provision of suitable parking provisions);
- b. The appearance or character of an area; and
- c. Local services.

HMO DPD Policy HMO4 - Amenity and Design states all proposals for the conversion to or construction of HMO accommodation or the intensification of an existing HMO above its permitted occupancy threshold must meet the following criteria:

- a) The premises are suitable for a full or part conversion in terms of location and size for the number of households to be accommodated;
- b) There would be no demonstrably adverse impact on the amenity of the occupants of neighbouring properties and the character of the surrounding area in particular through increased activity, noise or disturbance arising from the proposal;
- c) the proposal does not affect a designated or non-designated heritage asset or its setting in a manner which would represent unjustified harm to its significance;
- d) The configuration of internal sleeping accommodation space satisfactorily takes into account minimum room size requirements* and light and ventilation;
- e) The use of acoustic insulation to protect neighbouring and adjacent properties through appropriate party wall insulation;
- f) The design of external space is safe and secure, and includes provision for washing facilities and adequate vehicular parking where required, and cycle parking, and ensures access to useable outdoor amenity space; and
- g) Sufficient refuse bin storage is provided externally within the curtilage of the property, within a suitably located and designed structure so that the refuse bin is not visible from the public realm.

Highway considerations

NPPF Policy TR3: Locating Development in Sustainable Locations seeks to ensure that development is located in sustainable locations that support sustainable patterns of movement, reduce the need to travel by private car and provide genuine transport choices. Development proposals should make effective use of existing and proposed transport infrastructure, promote walking, wheeling, cycling and public transport, and mitigate any significant adverse impacts on the transport network or highway safety.

NPPF Policy TR4: Street Design, Access and Parking requires transport considerations to be integral to the design of development. Proposals should prioritise walking, wheeling and cycling, facilitate access to high-quality public transport, and create safe, inclusive and accessible environments for all users. Development should provide appropriate parking and servicing arrangements, support sustainable travel choices, and ensure that transport infrastructure contributes positively to the quality and functionality of places.

Coventry Local Plan Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high-quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Coventry Local Plan Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

Parking provision should accord with the maximum standard expressed in Appendix 5 unless it has been clearly demonstrated that the site is in a highly accessible location where transport, by means other than the private car is a realistic alternative. In that respect lower levels of provision may be considered acceptable where the site is in close proximity to the City Centre, a train station, a high-quality rapid transport route or other public transport interchange and where there is a package of measures (proportionate to the scale of development) to enable sustainable means of transport. Any variation from the maximum standard must be fully justified by proportionate evidence.

CONDITIONS / REASON FOR REFUSAL

1.	The use of the outbuilding as permanent habitable accommodation would result in the provision of a contrived and poor standard of living accommodation due to: (i)The annexe having no direct access to shared communal and kitchen facilities without residents having to walk through the garden area; and (ii)The outlook from habitable rooms within the annexe is substandard to the detriment of the amenities of future occupiers.
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Reason	<i>The scheme is therefore contrary to Policies DE1, H3 and H11 of the Coventry Local Plan 2017, the emerging Local Plan, Policy HMO4 of the HMO DPD and the aims and objectives of the NPPF 2026.</i>
2.	The proposed change of use of the outbuilding as habitable accommodation and increase in occupiers on site would result in: (i) insufficient car parking provision to serve the development; (ii) a poor quality living environment to the detriment of all occupiers of the site, by virtue of the increased number of individuals to be accommodated without provision of sufficient communal facilities; (iii) adverse impact on the amenities of the occupants of neighbouring properties and the character of the surrounding area due to increased activities and disturbance arising from comings and goings associated with the detached garden accommodation and associated overlooking potential; and iv) Insufficiently designed access to bin storage and cycle storage.
Reason	<i>The proposal would therefore not accord with Policies DE1, AC3, AC4, H3, H5 and H11 of the Coventry Local Plan 2017, the emerging Local Plan, Policy HMO4 of the HMO DPD and the aims and objectives of the National Planning Policy Framework 2026.</i>