

Planning Committee Report	
Planning Ref:	PL/2026/0000901/HHA
Site:	169 Butt Lane, Coventry, CV5 9FD
Ward:	Bablake
Proposal:	Use of outbuilding for use as annexe for family member (retrospective) (re-submission of application reference PL/2025/0002250/HHA)
Case Officer:	Jessica Mantle

INTRODUCTION

This application relates to the retrospective application for retention of a detached outbuilding within the rear garden of No. 169 Butt Lane for use as ancillary annexe accommodation. The application is a slightly amended resubmission of a previously refused scheme. This report assesses the proposal in relation to the principle of the development, its design and impact on the character of the area, neighbouring amenity, highway and parking matters, flood risk, ecology and biodiversity.

RECOMMENDATION

Planning Committee are recommended to grant planning permission subject to conditions.

REASON FOR DECISION

The proposed development is considered to be acceptable in principle and will not result in any significant adverse impact upon design, neighbouring amenity, highway and parking, flood risk, ecology and biodiversity. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, H5, GE3, DE1, AC3 and EM4 of the Coventry Local Plan 2017 and the emerging Local Plan Policies DS3, H5, GE3, DE1, AC3, EM4 and EM15, together with the aims of the NPPF.

SITE DESCRIPTION

The application site comprises an end-of-terrace residential dwelling with a generous front driveway and rear garden, located within an established residential area characterised primarily by two-storey semi-detached and terraced housing. An outbuilding is situated at the bottom of the rear garden, which was approved under a previous householder permission for purposes incidental to the residential use of the dwelling.

APPLICATION PROPOSAL

The application seeks retrospective planning permission for a detached outbuilding within the rear garden of No. 169 Butt Lane for use as ancillary annexe accommodation by a family member. The outbuilding provides a bedroom, shower room, living/dining space and limited “kitchenette” and laundry facilities.

This application is a resubmission of a previously refused application PL/2025/0002250/HHA. The revised proposal removes the conventional oven and hob previously provided and replaces them with more limited facilities, including a fridge/freezer, microwave, air fryer, washing machine and tumble dryer. The amendments seek to ensure that the accommodation remains functionally reliant upon, and ancillary to, the main dwelling.

RELEVANT PLANNING HISTORY

Application Number	Description of Development	Decision and Date
PL/2024/0000727/LDCP	Lawful Development Certificate for proposed loft conversion with dormer to rear and 3no. velux to front.	Granted 23/05/2024
PL/2024/0000726/HHA	Application for single storey rear extension, detached outbuilding and render to existing dwelling.	Granted 23/05/2024
PL/2025/0002084/RVC	Variation of condition No. 4 to allow outbuilding to offer gym training classes; imposed on planning permission reference PL/2024/0000726/HHA granted on 23/05/2024 for single storey rear extension, detached outbuilding and render to existing dwelling.	Refused 22/12/2025
PL/2025/0002250/HHA	Retention of outbuilding for annex for family member	Refused 22/01/2026

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 DS3: Sustainable Development Policy

Policy H5: Managing Existing Housing Stock

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy DE1: Ensuring High Quality Design

Policy AC3: Demand Management

Policy EM4: Flood Risk Management

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

Policy DS3: Sustainable Development Policy

Policy H5: Managing Existing Housing Stock

Policy GE3: Biodiversity, Geological, and Landscape Conservation

Policy DE1: Ensuring High Quality Design

Policy AC3: Demand Management

Policy EM4: Flood Risk Management

Policy EM15: Noise

Supplementary Planning Guidance/ Documents (SPG/SPD/DPD):

Householder Design Guide SPD

CONSULTATION

Neighbour consultation

Immediate neighbours and local councillors have been notified.

6 letters of objection have been received, raising the following material planning considerations:

- a) Loss of privacy and overlooking.
- b) Overbearing impact due to height, scale and elevated siting.
- c) Harm to character and appearance of the area.
- d) Incongruous rear garden development.
- e) Noise and disturbance.
- f) Potential for independent occupation as a separate dwelling.
- g) Concern over maintaining ancillary/family-only occupation.
- h) Increased parking and vehicle movements.
- i) Highway and pedestrian safety concerns.

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

- j) Property values.
- k) Light pollution.
- l) Insurance matters.
- m) Development having been carried out without permission.
- n) Emergency vehicle access.
- o) Impact on local water pressure.
- p) Future Airbnb/business use.
- q) Previous application and appeal procedures.
- r) Concerns regarding the gym outbuilding, its commercial use, customers, noise, parking and alleged breaches of planning control are subject to a separate enforcement matter and are not relevant to the determination of this application.

With regards to these representations, all were received from addresses within Butts Lane.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are the principle of development (including whether the use is ancillary), the impact upon the character of the area, the impact upon neighbouring amenity (including noise), highway and parking considerations, flood risk, ecology and biodiversity. The relevant policy text for each issue is included in the Policy Appendix at the end of the report.

Principle of development

The application site is located in a residential area where, according to Policy H5, it is considered sustainable, acceptable, and common to extend homes. However, it is important to ensure that proposals are in keeping with the design and character of the existing house and of the surrounding area. From a use perspective, annexe accommodation would harmonise with the existing use of the site and be acceptable in principle, provided that the use is genuinely ancillary in nature. In order to be considered ancillary, the accommodation and facilities would need to be subordinate to the main dwelling and demonstrate a clear physical connection and/or functional reliance on the main dwelling.

The application seeks the retrospective retention of a detached outbuilding located within the rear garden of No. 169 Butt Lane. A key consideration is whether the outbuilding constitutes accommodation ancillary to the main dwellinghouse or represents a self-contained residential unit amounting to a separate dwellinghouse. The previously refused proposal included a bedroom, shower room, living/dining area and a kitchen fitted with full cooking facilities, including an oven and hob, together with laundry provision. It was therefore considered that the outbuilding provided all of the facilities necessary for independent residential occupation.

The current revised application seeks to address this concern through the removal of the oven and hob and their replacement with more limited facilities comprising a washing machine, fridge/freezer, microwave, air fryer and tumble dryer. Whilst the microwave and air fryer would allow a degree of food preparation, they do not amount to the same level of primary cooking provision as a conventional oven and hob, typical of a separate dwelling. Their removal materially reduces the ability of the accommodation to operate independently and establishes a functional reliance upon the main dwelling for primary cooking facilities.

The outbuilding would remain physically separate from the main dwelling and can be accessed independently via the side access. It also retains bedroom, shower, living and laundry facilities and associated external patio areas. These factors indicate a degree of separation but are not in and of themselves determinative of a separate dwelling use. The assessment must consider the accommodation as a whole and whether it contains the full range of facilities necessary to function as a separate dwelling. The outbuilding remains clearly subordinate to the main dwelling both in terms of its scale and function,

providing secondary accommodation that is ancillary to the residential use of the host property.

It was held in *Uttlesford District Council v Secretary of State for the Environment and White* [1992] that the use of an outbuilding within the curtilage of an existing dwellinghouse for primary residential purposes does not involve a material change of use where it is used in conjunction with the dwelling. The Uttlesford case and later appeal decisions suggest that use by family members does not constitute a sufficient degree of "separateness", even where such a person lives independently from those occupying the main dwelling. It would be wholly inappropriate for an annexe to form a separate planning unit either by physical sub-division of the plot or by occupation by someone unconnected with the main dwelling, as the building would form a substandard unit contrary to Policy H3.

The applicant has stated that the intended use of the outbuilding is for occupation by a family member. Whilst this may be the current stated intention, the Council would need to consider the impact of the use over the lifetime of the development. It is considered that the ancillary use can be controlled and enforced through an appropriately worded condition requiring the outbuilding to remain ancillary to and occupied in association with No. 169 Butt Lane, and preventing its subdivision or subletting as an independent dwelling or its use for the purposes of business or trade.

Having regard to the removal of the oven and hob, the provision of more limited facilities and the resulting reliance upon the main dwelling for primary cooking facilities, it is considered, on balance, that the outbuilding would not function as a wholly self-contained residential unit. The accommodation would retain a functional link with the host dwelling and is therefore considered capable of operating as ancillary annexe accommodation.

The proposal is considered acceptable in principle, subject to the consideration of its impact on the character of the area, neighbouring amenity (including noise), highway and parking considerations, flood risk, ecology and biodiversity. The relevant policy texts for each issue are included in the Policy Appendix at the end of the report.

Impact on visual amenity

Whilst the proposed outbuilding is of a flat roof design, it is located within the rear garden of the property, where it is largely screened from public views. As such, it has a limited impact on the character and appearance of the street scene.

The outbuilding is considered proportionate to the scale of the main dwelling and the overall size of the plot. The application site has a generously sized rear garden and the proposal would not unduly restrict the amount of private outdoor amenity space available to the property, nor does the outbuilding appear cramped or represent an overdevelopment of the site.

There are several neighbouring properties along this stretch of Butt Lane which have detached outbuildings of a similar scale and massing within their rear gardens. In this context, the proposal would be in keeping with the character and pattern of development in the area.

Its siting towards the rear of the plot, size, scale and limited visibility from public views, ensures that the building remains visually subordinate to the main dwelling and does not appear prominent or visually intrusive and would not harm the character and appearance of the street scene. Furthermore, the outbuilding is constructed from high-quality materials, including facing brick walls, which harmonise with the materials and appearance of the surrounding area.

The proposal is considered acceptable in design terms and would not result in harm to the character or appearance of the host property or the wider street scene. The proposal complies with Policy DE1 of the Coventry Local Plan 2017, the Emerging Local Plan and the Householder Design Guide SPD 2023.

Impact on residential amenity

The outbuilding is positioned within the rear garden and away from neighbouring habitable room windows. Having regard to its siting, height and overall scale, it is sufficiently separated from neighbouring properties so as not to result in an unacceptable loss of light or outlook, or an overbearing impact.

The ground levels rise towards the rear of the application site and, as a result, the patio area associated with the outbuilding is positioned at a slightly elevated level. However, by virtue of the existing changes in ground level, the patio would afford views broadly similar to those already possible when standing within this part of the rear garden. It would therefore not materially increase opportunities for overlooking or result in a worsening of the existing levels of privacy experienced by neighbouring occupiers.

The proposed use is ancillary accommodation, which would harmonise with the existing use of the site as a dwellinghouse and surrounding residential context. The proposal is not considered likely to generate a level of activity, noise or disturbance that would be incompatible with the surrounding residential environment.

Accordingly, the proposal would not result in unacceptable harm to the living conditions of neighbouring occupiers through loss of light, outlook, privacy, overlooking, noise or disturbance. The proposal is considered to comply with Policy DE1 of the Coventry Local Plan 2017, the Emerging Local Plan and the Householder Design Guide SPD 2023.

Highway and parking considerations

The dwellinghouse benefits from existing off-road car parking provision as well as on-road parking in the vicinity. The site has sufficient space on the driveway to meet the minimum requirement of 2 off-street parking spaces in the Council's parking standards. Given its location at the rear and proposed ancillary use, the proposed outbuilding would not reduce the provision of off-street parking and would not increase the demand for on-street parking. Similarly, the proposal itself would not alter existing access arrangements or give rise to any significant highway safety concerns.

The proposal would not adversely impact parking or the highway network in accordance with Policy AC3 and Appendix 5 of the Coventry Local Plan 2017, the Emerging Local Plan and the Householder Design Guide SPD 2023.

Flood Risk

The proposal is located within Flood Zone 1 and is therefore at low risk for flooding. The Council's mapping does not indicate any significant risk of surface water flooding within the site. The proposal is therefore considered acceptable in flood risk and drainage terms and accords with Policy EM4 of the Coventry Local Plan 2017 and the Emerging Local Plan.

Ecology and Biodiversity

The application relates to householder development and is therefore exempt from the mandatory Biodiversity Net Gain requirements. The proposal is not considered likely to adversely impact upon protected species. The proposal is therefore considered to accord with Policy GE3 of the Coventry Local Plan 2017 and the Emerging Local Plan.

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 acceptable in principle as ancillary annexe accommodation and, subject to appropriate conditions, would remain functionally linked and subordinate to the main dwelling. The development would not result in any significant adverse impact upon design, neighbouring amenity, highway and parking matters, flood risk, ecology or biodiversity. The proposal is therefore in accordance with Policies DS3, H5, GE3, DE1, AC3 and EM4 of the Coventry Local Plan 2017 and emerging Local Plan Policies DS3, H5, GE3, DE1, AC3, EM4 and EM15, together with the aims of the NPPF.

POLICY APPENDIX

National Planning Policy Framework (NPPF) August 2026.
Coventry Local Plan 2017 & Emerging Local Plan 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.

Coventry Local Plan Policy H5 states that, “where appropriate, the existing housing stock will be renovated and improved, in association with the enhancement of the surrounding residential environment and to meet local housing needs”.

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 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 H4 requires proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the city.

Impact on residential amenity

Principle 7 of the Householder Design Guide 2023 SPD sets out the following design principles for residential outbuildings intending to protect neighbouring amenity:

- Garden buildings/ sheds should be proportional to the scale of the associated dwellinghouse and plot.

- Garden buildings/ sheds should be sited so they do not result in visual intrusion, overshadowing, overlooking or loss of privacy to neighbouring properties.
- 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.

Coventry Local Plan Policies H5 and DE1 seek to ensure that development proposals do not result in a detrimental impact to existing/neighbouring residential occupiers, and the NPPF reaffirms the importance of quality design.

Highway considerations

Coventry Local Plan Policy AC3 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.

The Householder Design Guide SPD 2023 states that front extensions should not reduce the parking provision available for the dwellinghouse. Where off-street parking is provided to the front of a dwellinghouse, this should meet the requirements of the Council's parking standards set out in Appendix 5.

Appendix 5 of the Coventry Local Plan requires a minimum of 2 parking spaces for a 2 or more-bedroom house located in an 'outer city' location.

Flood Risk

NPPF Policies F4-F8 seek to ensure that development is directed away from areas at risk of flooding, is safe for its lifetime, and does not increase flood risk elsewhere. Development proposals should be supported by appropriate flood risk information where necessary, apply the sequential approach to site selection, incorporate suitable mitigation measures, and provide sustainable drainage systems to manage surface water runoff and minimise flood risk.

Coventry Local Plan Policy EM4 seeks to ensure that development proposals appropriately manage flood risk and drainage impacts.

Ecology and Biodiversity

NPPF Policy N2: Improving the Natural Environment seeks to conserve and enhance the natural environment and support nature recovery. Development proposals should take opportunities to protect and enhance biodiversity, habitats, ecological networks and landscape features, whilst ensuring that any adverse impacts on biodiversity are avoided, adequately mitigated or, where necessary, compensated for. Development that would result in significant harm to biodiversity should be refused where that harm cannot be appropriately addressed.

Coventry Local Plan Policy GE3 states that Sites of Special Scientific Interest (SSSIs), Local Nature Reserves (LNRs), Ancient Woodlands, Local Wildlife and Geological Sites will be protected and enhanced. Proposals for development on other sites, having biodiversity or geological conservation value, will be permitted provided that they protect, enhance and/or restore habitat biodiversity. Development proposals will be expected to ensure that they:

- a) lead to a net gain of biodiversity, where appropriate, by means of an approved ecological assessment of existing site features and development impacts;
- b) protect or enhance biodiversity assets and secure their long term management and maintenance;
- c) avoid negative impacts on existing biodiversity; and
- d) preserve species which are legally protected, in decline, are rare within Coventry or which are covered by national, regional or local Biodiversity Action Plans.

CONDITIONS/REASONS

1.	The development hereby permitted shall be carried out in accordance with the following approved plans: 09/10/25-OUT 01 Rev G
Reason.	<i>For the avoidance of doubt and in the interests of proper planning.</i>
2.	The residential annexe hereby permitted shall be occupied solely in connection with, and ancillary to the main dwellinghouse at 169 Butt Lane, CV5 9FD, and shall not be sub-divided, sub-let or occupied as an independent unit of residential accommodation or used for the purposes of business or trade.
Reason.	<i>The creation of an independent unit of residential accommodation in this location would not provide a satisfactory residential environment for future occupiers and to ensure that the outbuilding is not used in a manner prejudicial to or likely to cause nuisance to occupiers of nearby properties in accordance with Policies in accordance with Policies DE1, and H5 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>