



Appeal Decision

Site visit made on 2 July 2025

by **C Billings BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 July 2025

Appeal Ref: APP/U4610/W/25/3362700

16 Chester Street, Coventry CV1 4DJ

- 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 Leonald Kinyanjui against the decision of Coventry City Council.
- The application Ref is PL/2024/0001987/FUL.
- The development proposed is change of use from C3 (Dwelling House) to C4 (5 Bedroom HMO).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development has been amended from that given on the original application form, to omit matters that are not acts of development.
3. Even if the appeal property was in operation as a HMO prior to the Article 4 Direction coming into force to manage the conversion of family homes into HMOs, I have determined the appeal proposal on the basis of the description of development, which seeks the change of use from a dwelling house falling within Class C3 to a House in Multiple Occupation (HMO).

Main Issues

4. The main issues are the effect of the proposed development on:
 - the Council's housing strategy for the area; and,
 - the living conditions of nearby residents and highway safety, in particular regard to parking provision.

Reasons

Housing strategy

5. The appeal site is in an area where an Article 4 Direction is in place, which removes permitted development rights to change the use of a building from a use falling within Class C3 (dwellinghouse) to a use falling within Class C4 (HMO). The Coventry City HMO Development Plan Document (DPD) (August 2023) sets out that there are a number of harmful issues arising in certain areas of the City where there are high proportions of HMOs. This includes the ward of Sherbourne, where the appeal site is located.
6. While the appeal site is in an attractive area for students and those on low income, due to its close proximity to the city centre and availability of sustainable means of travel, it is also an area identified as already having an excessive number of HMOs, which exceeds the thresholds for HMOs set out in Policy HMO2 of the

Coventry City Local Plan (2017) (CCLP). Consequently, the appeal proposal would harmfully add to the existing over concentration of HMOs in the area, in conflict with Policy HMO2 and contrary to the guidance contained in the DPD for HMOs.

7. In view of the above, the proposed development would harmfully affect the housing strategy for the local area, in conflict with Policies HMO2 and HM11 of the CCLP, which amongst other matters, restrict the concentration of HMOs and sets out that large HMOs will not be permitted where it would materially harm the amenities of nearby occupiers, the appearance or character of an area, local services and amenity value and living standards of future occupants of the properties.

Parking provision

8. The proposed HMO would likely be occupied by students or people on low income, who typically do not have their own vehicle. Various studies carried out by the local universities demonstrate low car ownership and that only a low percentage of students travel to campus by car. Additionally, the appeal site is in a sustainable location, relatively close to the city centre with nearby public transport services and it is proposed to provide cycle parking within the appeal site. Therefore, the proposal will promote sustainable means of travel in line with some policies of the CCLP. However, this would not guarantee that the occupiers of the proposed HMO will not own or have visitors who use private vehicles.
9. While the existing dwelling house does not have any on-site parking and yet requires a maximum of 2 parking spaces, in accordance with the local parking standards, the appeal proposal would require 4 parking spaces, resulting in a further shortfall of on-site parking provision. Also, even though the parking survey demonstrates there is some capacity for on-street parking nearby, this is not significant. Furthermore, while only a snapshot in time, I observed during my site visit there was limited on street parking availability near to the appeal site.
10. Therefore, even with the lack of only approximately 2 on-street parking spaces, this would likely exacerbate on-street parking problems in the surrounding area, harmful to the free flow of traffic and so, would be detrimental to highway safety. Additionally, the proposal would likely have a harmful effect on the living conditions of nearby existing local residents, due to increased parking congestion in the surrounding area and reduced availability of nearby parking spaces for the occupiers of existing properties, even if resident permit parking only is allowed.
11. In view of the above, the proposed development would have a harmful effect on the living conditions of nearby residents and highway safety, in particular regard to parking provision. As a result, the proposal would conflict with Policies AC3 and H11 of the CCLP, which amongst other matters, respectively require car parking for new development to be assessed on the basis of parking standards set out in Appendix 5 of the CCLP and that HMOs do not materially harm the amenities of occupiers of nearby properties (including the provision of suitable parking provisions).

Other Matters

12. The actions of the Council, lack of objections from residents in the neighbourhood, that the internal layout of the HMO would provide high-quality living accommodation and, that the proposal would help support certain housing needs

in the city, are neutral matters in respect of my findings on the main issues.
Therefore, such matters do not weigh against the policy conflict I have found.

Conclusion

13. For the reasons given above, the proposal would conflict with the development plan as a whole and material considerations do not indicate a decision should be made other than in accordance with it.
14. Accordingly, I conclude the appeal should be dismissed.

C Billings

INSPECTOR