



## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> 23 April 2015	<b>Item Number:</b> 7 iv
<b>Application ID:</b> Z/2013/0247/F	<b>Target Date:</b>
<b>Proposal:</b> Retrospective Change of use of Dwelling to House in Multiple Occupancy	<b>Location:</b> 22 College Drive Belfast BT7 3LF
<b>Referral Route:</b>  Committee	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Liam Fegan 24 Newry Road Mayobridge Newry BT34 2ET	<b>Agent Name and Address:</b> J Lynam RIBA 11 Newry Road Mayobridge Newry BT34 2ET
<b>Executive Summary:</b> <p>This application seeks retrospective planning permission for the change of use from a 3 bedroom house to a 3 bedroom HMO. The main issues to be considered in this case are</p> <ul style="list-style-type: none"><li>• The principle of an HMO unit at this location;</li><li>• Impact upon amenity</li></ul> <p>The site lies outside any defined HMO policy area or development node. The proposal is assessed against planning policy HMO 5 which sets a 10% maximum threshold for HMOs within any street outside a defined HMO area.</p> <p>Within the street 'College Drive' there are 42 dwellings /apartments, therefore up to 4 conversions to HMO may be approved within Policy. There has been one other approval on this street and this property would be the second within the 10% cap.</p> <p>The application does not propose an increase in the number of bedrooms that exist within the dwelling and no other changes are proposed to the building.</p> <p>One objection to this proposal was received regarding a covenant for family housing and road safety.</p> <p>There is no specific HMO policy requirement in relation to parking provision. Therefore the parking requirement remains the same for HMO's as a single domestic property and this</p>	

application proposes no alteration to the existing parking provision. It is considered that as the change of use from a three bedroom house to a four bedroom HMO is within policy and is limited this will result in no detrimental impact upon the character of the area or on the amenity of neighbouring residents.

Consultees - Transport NI and Environmental Health (EPU Belfast City Council) were consulted and offer no objections.

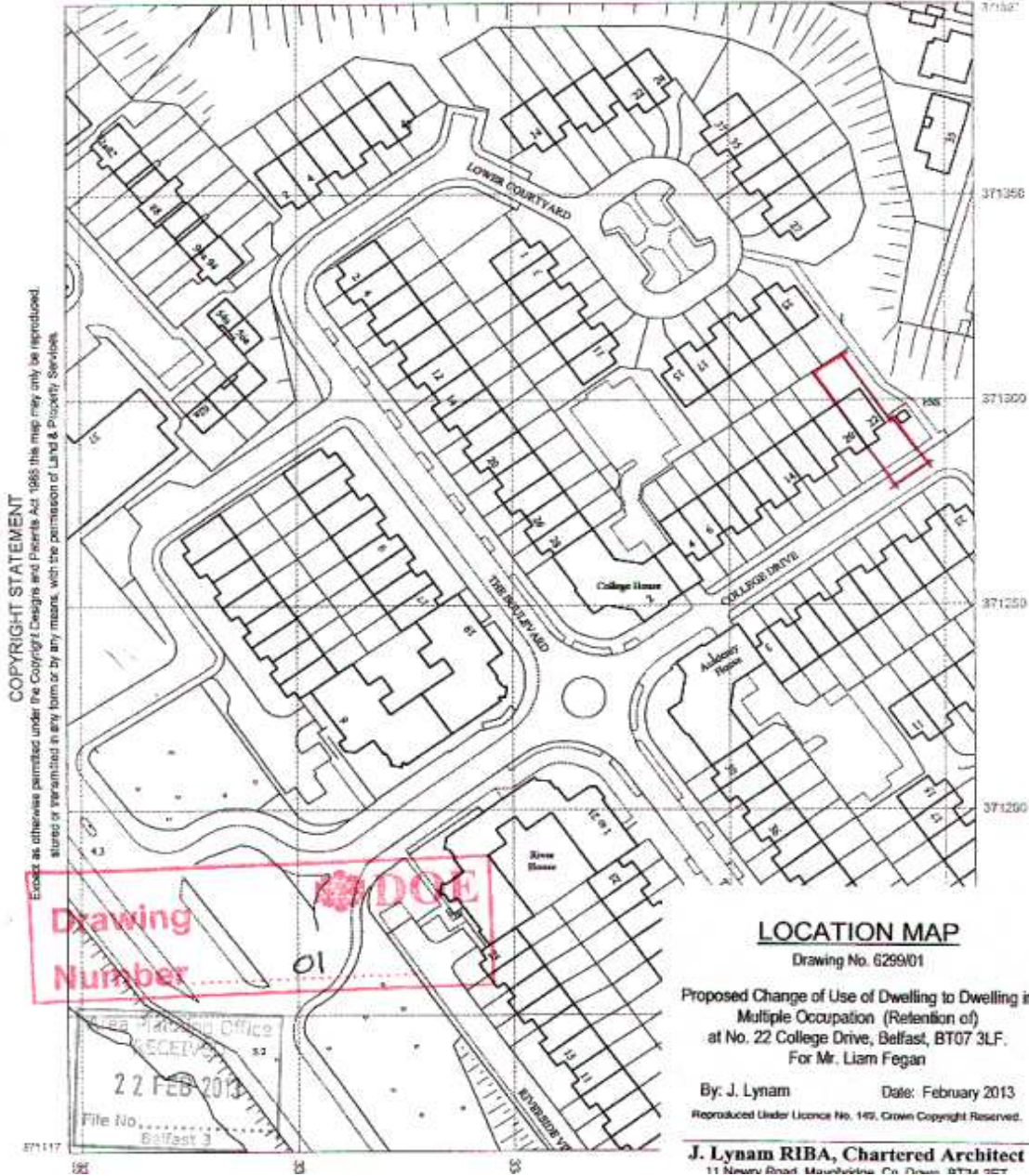
It is recommended that the application is Approved.

**Signature(s):**

# Case Officer Report

## Site Location Plan

**ACEmap<sup>®</sup> Online** Scale 1:1250 Plan No. 14705NE4  
 Printed: 20/02/2013 Customer Ref. 6299 Fegan Plot I.D. 87980-1  
 This map relates to the following address or grid reference  
 22, COLLEGE DRIVE, BALLYNAFOY, BELFAST, BT07 3LF.



### Consultations:

Consultation Type	Consultee	Response
Statutory	Roads - Hydebank	No Objection

Non Statutory	Env Health Belfast City Council	Acceptable in Policy terms
<b>Representations:</b>		
Letters of Support	None Received	
Letters of Objection	1	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
<u>Summary of Issues raised in Objection</u>		
Civil Covenant matter Parking arrangements.		
<u>Characteristics of the Site and Area</u>		
<p>The proposed site is located at 22 College Drive in South Belfast. Part of the Wellington Square housing development which sits north of the River Lagan. The site is located within a large development which has a mix of three storey and two storey terraced town houses as well as a number of apartments. The site in question is at the end of a terrace. There is car parking to the front of the dwelling and a small garden area to the rear.</p>		
<u>Planning Assessment of Policy and Other Material Considerations</u>		
<p>The proposal was assessed against the following policy and guidance:</p> <p>Regional Development Strategy  Belfast Urban Area Plan (2001)  Belfast Metropolitan Area Plan (2015)  PPS 1 - General Principles  PPS 3 - Access, Movement and Parking  Belfast HMO Subject Plan</p> <p>Consultations  Road Service - No objection  Belfast Metropolitan Area Plan - No objection  Environmental Health Office- no objection</p>		
<u>Objections</u>		
<p>There was one objection letter received by the Department in relation to this planning application relating to the additional cars required for HMO use and existing parking restrictions and covenant as use for family homes.</p>		
<u>Consideration</u>		
<p>The site is located within the development limits as stated in the Belfast Urban Area Plan 2015. In the BMAP the site is identified as Zoning SB 02/36 COMMITTED HOUSING SITE and is located well within the development limit.</p>		

PPS1 makes it clear that the Department's guiding principle in determining planning applications is that development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

#### HMO Subject Plan HMO 5 and HMO 6

The proposal is for the retention of the change of use from a dwelling to a HMO. The main policy to be considered in the assessment of this planning application is the HMO Subject Plan 2015. The site is not located within a designated HMO Policy Area or a HMO Node and is therefore subject to HMO 5 of the HMO Subject Plan for Belfast City Council Area. Policy HMO 5 of the Subject Plan permits HMO development in a specific street or road providing the number of HMOs in that street or road does not exceed 10% of the total number of property addresses. Land Property Services have advised that as the total number of property address points within College Drive is 42 therefore up to four conversions to HMO may be allowed. They have highlighted that there are no other applications for HMO development at College Drive therefore this proposal would fall within the 10% cap.

In College Drive the percentage falls under the 10% threshold and therefore within HMO Policy and the application can now be recommended for approval. There are no outstanding enforcement investigations for any further addresses on these streets.

Policy HMO 6 of the Subject Plan deals with the design criteria for HMO development and restricts the number of bedrooms in an HMO to four. This is a 3 bedroom house, and from information submitted with the application, there are no proposals to increase the number of bedrooms. The proposal therefore also complies with Policy HMO 6.

Road Service were consulted with the application and offered no objection.

As stated above there was one letter of objection and the following issues were raised:

Clause in the deeds that development for family homes only  
road safety

The issue around a covenant on land is a civil matter and does not preclude the Department from granting planning permission. Roads Service were consulted with the application and raised no issue with regards to parking or road safety.

The Department has considered the comments raised by objectors and notes points raised but on balance and in consideration of the policy allowance the proposal is considered to be acceptable.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Having considered all relevant Policy and material considerations including comments

from consultees and objectors, it is recommended that the application be approved

Conditions:

1. This decision is issued under Article 28A of the Planning (Northern Ireland) Order 1991 and is effective from the date that this permission is issued.

Reason: This is a retrospective application.

Signature(s)

Date: