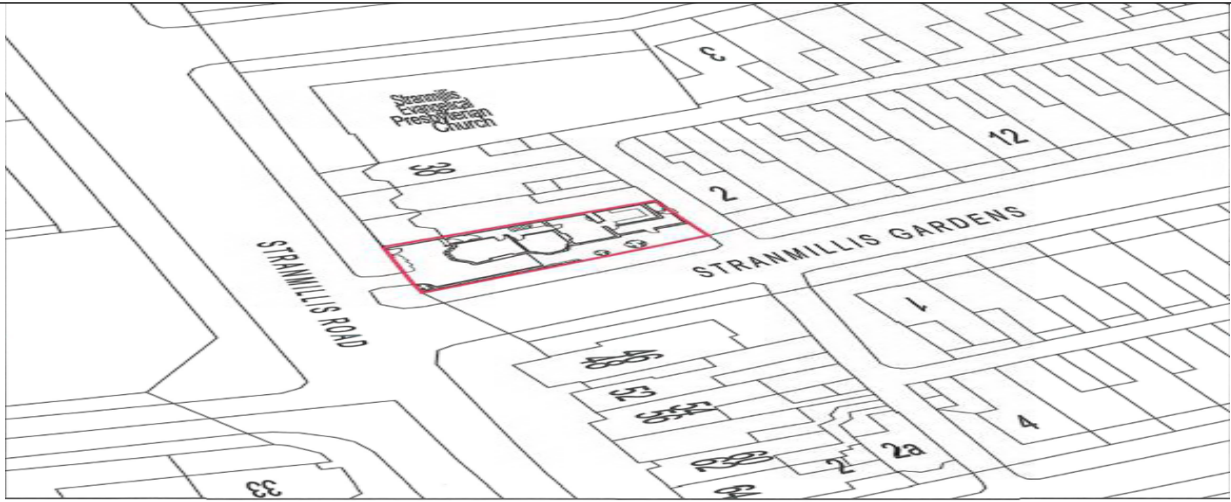


## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 12 December 2017	
<b>Application ID:</b> LA04/2017/1752/F	
<b>Proposal:</b> Change of use from class C1 dwelling house to a HMO (house in multiple occupation).	<b>Location:</b> 44 Stranmillis Road Belfast BT9 5AA
<b>Referral Route:</b> Change of Use to House in Multiple Occupation outside a HMO Node.	
<b>Recommendation:</b>	<b>Refusal</b>
<b>Applicant Name and Address:</b> Eugene Carson The Windmill Battery Road Coagh BT80 0HG	<b>Agent Name and Address:</b> McGurk Architects 33 King Street Magherafelt BT45 6AR
<b>Executive Summary:</b>	
<p>The application seeks full planning permission for a change of use from a single dwelling to a House In Multiple Occupation (HMO). The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• The principle of a HMO at this location; and</li> <li>• Impact on surrounding residential amenity.</li> </ul> <p>One third party representation has been received, objecting to the proposal.</p> <p>Consultees TransportNI; Environmental Health; NIWater; and the council's internal development plan team.</p> <p>In respect of principle of the proposal at this location, the application site falls within a HMO Policy Area (HMO 2/19) as designated within the HMO Subject Plan for Belfast. Policy states that planning permission will only be granted where the number of HMO dwelling units does not as a result exceed 30 percent of all dwelling units within the Policy Area. The council's records indicates that this figure has been exceeded.</p> <p>Recommendation: Having regard to the development plan, regional planning policy and associated guidance, it is recommended that this application is refused on the grounds that the:</p> <ul style="list-style-type: none"> <li>- The proposal is contrary to Policy HMO 1 and HMO 2 of the HMO Subject Plan for Belfast City Council Area 2015 in that it the 30% limit for HMO's within the Stranmillis HMO Policy Area (Designation HMO 2/19) has already been exceeded. Approval of this proposal would therefore be contrary to policy as it would contribute to an unacceptable concentration and proliferation of HMO use in the area, and</li> <li>- contrary to Policy HMO 6 of the HMO Subject Plan for Belfast City Council Area 2015 in that it is within a HMO Policy Area and will exceed 4 bedrooms.</li> </ul>	

## Case Officer Report

### Site Location Plan



#### 1.0 Description of Proposed Development

Proposal is for a change of use from a single dwelling to a House In Multiple Occupation (HMO).

#### 2.0 Description of Site

The application site is occupied by a late Victorian end-of-terrace dwelling. This has a two storey rear return and an additional two storey rear extension and single storey lean-to. There is a garden and a driveway to the side. This is located on a corner site. The adjoining building is in use as an office.

The surrounding area is mixed use, with residential, education, ecclesiastical and commercial uses within in close proximity of the application site.

### Planning Assessment of Policy and other Material Considerations

#### 3.0 Site History

None relevant.

#### 4.0 Policy Framework

Belfast Metropolitan Area Plan 2015  
HMO Subject Plan for Belfast City Council Area 2015

4.1.1 The site is on unzoned whiteland in the draft Belfast Metropolitan Area Plan (BMAP) 2015

#### 4.2 SPPS, Planning Policy Statements:

4.2.1 SPPS, Planning Policy Statements 1-24 specify  
4.2.2 Strategic Planning Policy Statement for NI (SPPS)  
4.2.3 Planning Policy Statement 6: Planning, Archaeology and the Built Heritage  
4.2.4 Houses in Multiple Occupation Subject Plan for Belfast City Council Area 2015

#### 5.0 Representations

	<p>5.0.1 One letter of objection has been received in respect of this application. This is from the Stranmillis Residents Association. The following concerns and points have been raised:</p> <ol style="list-style-type: none"> <li>1. Site is within an HMO Policy Area in which the recommended percentage of HMO's has been exceeded;</li> <li>2. HMO development creates a 'floating population';</li> <li>3. HMO's making the area a slum;</li> <li>4. Loss of family homes in the area; and</li> <li>5. Approval will set a precedent for further HMOs in the area.</li> </ol> <p>All of the above points are material planning considerations and will be addressed in the assessment below.</p>
5.1	<b>Assessment</b>
5.2	<p>The proposal is within the development limits for Belfast as identified in the draft development plan (dBMAP 2015).</p>
5.3	<p>5.3.1 In respect of principle of the proposal at this location, the application site falls within a HMO Policy Area (HMO 2/19) as designated within the HMO Subject Plan for Belfast.</p> <p>5.3.2 Therefore Policy HMO 1 is applicable in this instance.</p> <p>5.3.3 HMO Policy 1 states that planning permission will only be granted where the number of HMO dwelling units does not as a result exceed 30 percent of all dwelling units within the Policy Area. The council's records indicates that this figure has been exceeded. The records compiled by DoE in 2004 when the Subject Plan was being made indicate that the total number of HMO's in the Stranmillis Policy Area stood at 64%. The Housing Executive's records are kept up-to-date and these indicate that this figure is 49% for this area. Either way, the 30% figure allowed by Policy HMO 1 has been exceeded.</p> <p>5.3.4 In relation to Policy HMO 6, the first criteria has not been met. This states that any HMO unit within a Policy Area shall not exceed 4 bedrooms. The proposal is for 5 bedrooms.</p> <p>5.3.5 The SPPS is relevant given the perceived impact of HMO development on amenity and parking within the locality. This is concerned with impact on amenity such as noise, nuisance and disturbance; and impact on road safety and traffic circulation.</p> <p>5.3.6 Environmental Health was consulted and has no concerns regarding potential for noise. If persistent noise does occur then Belfast City Council's Environmental Health Services Department is the statutory authority and has mechanisms that can be put in place to prevent further disturbance. However, if planning approval is granted it is recommended that this is subject of a condition that the house is limited to a maximum of 4 persons sharing at any one time. This will limit potential for noise and intensification.</p> <p>5.3.7 The proposed conversion will result in 5 persons sharing the house together. In terms of car parking/impact on existing traffic arrangements, the various policy requirements of the ' HMO Subject Plan' seek to encourage regeneration, address need and demand, and also protect residential amenity, but it is noted that the provision of car parking is not a requirement of the assessment process. Equally, existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development. TransportNI has been consulted and have no objections to this proposal.</p>

	<p>5.3.8 No operational development is proposed and therefore existing amenity space provision is unaffected.</p> <p>5.3.9 There is no anticipated impact on the visual amenity and character of the area given that no external changes are proposed.</p>
5.4	<b>Precedent</b>
	<p>5.4.1 Neighbours have raised concerns regarding the impact of the proposal on the character of the area by further loss of family residential accommodation. Policy HMO 1 of the Subject Plan aims to protect the amenity of areas where multiple occupation is currently concentrated. Stranmillis is listed within the Subject Plan as one of such areas. HMO Policy 1 is designed to protect such areas where a precedent has already been set from further proliferation.</p>
6.0	<b>Summary of Recommendation</b>
	<p>6.0.1 Having regard to the policy context and other material considerations above, the proposal is considered contrary to HMO Policy 1 and therefore refusal of planning permission is recommended.</p>
7.0	<b>Refusal Reason:</b>
	<p><b>7.0.1</b> The proposal is contrary to Policy HMO 1 and HMO 2 of the HMO Subject Plan for Belfast City Council Area 2015 in that it the 30% limit for HMO's within the Stranmillis HMO Policy Area (Designation HMO 2/19) has already been exceeded. Approval of this proposal would therefore be contrary to policy as it would contribute to an unacceptable concentration and proliferation of HMO use in the area.</p> <p><b>7.0.2</b> The proposal is contrary to Policy HMO 6 of the HMO Subject Plan for Belfast City Council Area 2015 in that it is within a HMO Policy Area and will exceed 4 bedrooms.</p>

<b>ANNEX</b>	
<b>Date Valid</b>	27th July 2017
<b>Date First Advertised</b>	18th August 2017
<b>Date Last Advertised</b>	As above.
<b>Date of Last Neighbour Notification</b>	16th August 2017
<b>Date of EIA Determination</b>	<b>N/A</b>
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>	
<p>Drawing No. 01 Type: Site Location Plan</p> <p>Drawing No. 02 Type: Proposed Block Plan</p> <p>Drawing No. 03 Type: Existing Floor Plans</p> <p>Drawing No. 04 Type: Proposed Floor Plans</p>	