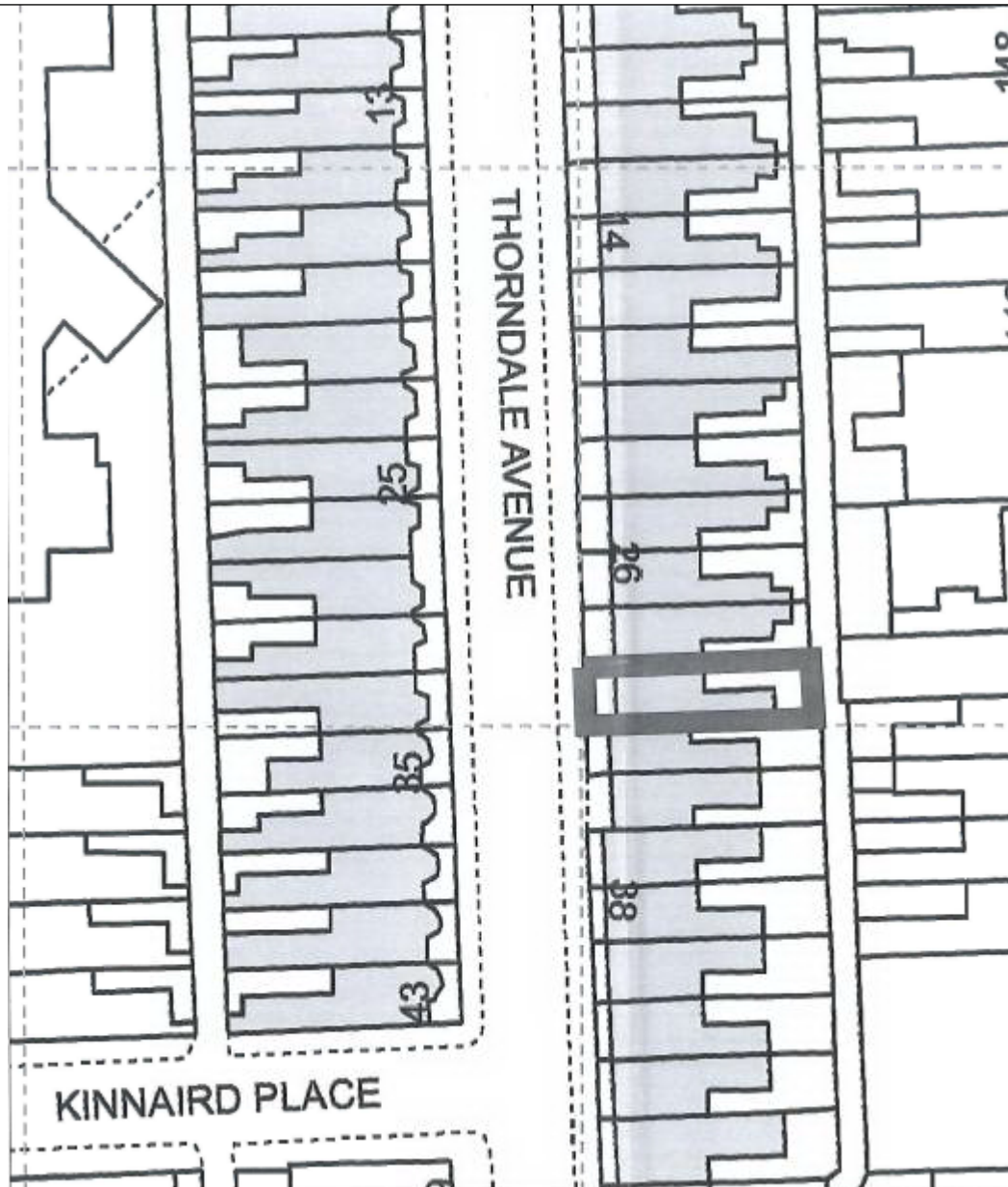


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 October 2018	
Application ID: LA04/2018/1912/F	
Proposal: Conversion of single dwelling house into HMO	Location: 30 Thorndale Avenue Belfast BT14 6BL
Referral Route: Change of Use to House in Multiple Occupation outside a HMO Node	
Recommendation:	Refusal
Applicant Name and Address: Ms Regina Ogunyaanwo c/o Agent 1A Belmont Avenue Belfast BT4 3DD	Agent Name and Address: McDowell+Bostock Architects 1A Belmont Aveune Belfast BT4 3DD
Executive Summary:	
<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"> • The principle of a HMO at this location; and • Impact on surrounding residential amenity. <p>One third party representation has been received, objecting to the proposal.</p> <p>Consultees DfI Roads, Environmental Health and the Councils 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 2/20) as designated within the HMO Subject Plan for Belfast. Policy states that planning permission will only be granted where the number of HMO dwellings 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: -</p> <ul style="list-style-type: none"> - The proposal is contrary to Policy HMO 1 of the HMO Subject Plan for Belfast City Council Area 2015 in that the 30% limit for HMOs within the Thorndale HMO Policy Area (Designation HMO 2/20) 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 - Contrary to 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 	

Case Officer Report

Site Location Plan



1.0 Description of Proposed Development

Conversion of the single dwelling house into HMO.

2.0 Description of Site

The application site is located at 30 Thorndale Avenue and is occupied by a three storey terrace dwelling with rear return. The dwelling is located mid terrace with the ground floor finished in pebble dash and the upper two floors finished in red brick. The front of the site contains a paved amenity area and is separated from the adjoining properties via two low level walls. The rear of the site contains a paved amenity area with gated pedestrian access to a rear alleyway. The immediate context is residential.

Planning Assessment of Policy and Other Material Considerations	
3.0	Site History None relevant.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 Draft 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 Belfast Urban Area Plan 2001 and the draft Belfast Metropolitan Area Plan (BMAP) 2015
4.2	Strategic Planning Policy Statement for NI (SPPS)
5.0	Consultees
5.1	BCC Environmental Health - no objection
5.2	DfI Roads Service - no objection
6.0	Representations
6.1	<p>One letter of objection has been received in respect of this application. This is from an adjoining resident. The following concerns have been raised: -</p> <ol style="list-style-type: none"> 1. Concerns with increase in number of tenants and associated nuisance 2. Similar developments in area have resulted in difficulty in parking, bin/refuge issues and general disturbance 3. Already a number of HMOs, Air B&Bs and apartments in area and believe a limit should be placed on such development in the interests of the community <p>All of the above points are material planning considerations and will be addressed in the assessment below.</p>
7.0	Assessment
7.1	The site is located within the existing development limits for Belfast as identified in both the adopted BUAP 2001 and draft BMAP 2015.
7.2	<p><u>Principle of Development</u> In respect of principle of the proposal at this location, the application site falls within a HMO Policy Area (HMO 2/20) as designated within the HMO Subject Plan for Belfast. Policy HMO 1 is therefore applicable.</p> <p>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% of all dwelling units within the Policy Area.</p> <p>The Council's records indicate that this figure has been exceeded. The records compiled by DoE in 2004 when the Subject Plan was being compiled indicate that the total number of HMO's in the Thorndale Policy Area stood at 44%. The Housing Executives records are kept up to date and these indicate that this figure is now 33%. This decrease is mainly the result of additional residential units built at Kinnaird Terrace resulting in 142 units in the Thorndale HMO Policy Area as opposed to the 108 dwellings as recorded in the HMO Subject Plan. Regardless of the reduction the 30% figure allowed by Policy HMO 1 remains exceeded.</p> <p>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>
7.3	<u>Amenity</u>

7.4	<p>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>Environmental Health were consulted and have no concerns regarding the 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 was to be granted a condition would be recommended that the house is limited to 4 occupants sharing at any one time. This would limit potential for noise and intensification.</p> <p>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. DfI Roads has been consulted and have no objections to this proposal.</p> <p>No operational development is proposed and therefore existing amenity space provision is unaffected.</p> <p>There is no anticipated impact on the visual amenity and character of the area given that no external changes are proposed.</p> <p><u>Representation</u></p> <p>The Objectors concerns with respect to general nuisance and impacts on amenity and parking have been assessed under Para 7.3 above. With respect to concerns about the number of HMOs in the area and the need for a limit Policy HMO 1 of the Subject Plan aims to protect the amenity of areas where multiple occupation is currently concentrated. Thorndale is listed within the Subject Plan as one of these areas. HMO Policy 1 is designed to protect such areas where a precedent has already been set from further proliferation.</p> <p>Applications for apartments are assessed against Planning Policy Statement 7: Quality Residential Environments and associated addendums; impacts on adjacent land uses are fully assessed when considering such proposals.</p>
8.0	Summary of Recommendation
	<p>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>
9.0	Refusal Reasons
9.1	<p>The proposal is contrary to Policy HMO 1 of the HMO Subject Plan for Belfast City Council Area 2015 in that the 30% limit for HMO's within the Thorndale HMO Policy Area (Designation HMO 2/20) 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>
9.2	<p>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>

ANNEX	
Date Valid	3rd August 2018
Date First Advertised	24th August 2018
Date Last Advertised	As above
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 128 Antrim Road,Belfast,Antrim,BT15 2AH, The Owner/Occupier, 128a ,Antrim Road,Belfast,Antrim,BT15 2AH, The Owner/Occupier, 128b ,Antrim Road,Belfast,Antrim,BT15 2AH, The Owner/Occupier, 128c ,Antrim Road,Belfast,Antrim,BT15 2AH, The Owner/Occupier, 152a ,Antrim Road,Belfast,Antrim,BT15 2AH, The Owner/Occupier, 152b ,Antrim Road,Belfast,Antrim,BT15 2AH, The Owner/Occupier, 28 Thorndale Avenue,Belfast,Antrim,BT14 6BL, The Owner/Occupier, 31 Thorndale Avenue,Belfast,Antrim,BT14 6BJ, The Owner/Occupier, 32 Thorndale Avenue,Belfast,Antrim,BT14 6BL, T Moore 32, Thorndale Avenue, Belfast, Antrim, Northern Ireland, BT14 6BL The Owner/Occupier, 33 Thorndale Avenue,Belfast,Antrim,BT14 6BJ, The Owner/Occupier, Flat 1,128 Antrim Road,Belfast,Antrim,BT15 2AH,</p>	
Date of Last Neighbour Notification	20th August 2018
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	

Drawing No. 01
Type: Site Location Plan

Drawing No. 02
Type: Site Block Plan

Drawing No. 03
Type: Existing Floor Plans

Drawing No. 04
Type: Existing Section and Elevations

Drawing No. 05
Type: Proposed Floor Plans

Drawing No. 06
Type: Proposed Section and Elevations