

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 15 January 2019	
<b>Application ID:</b> LA04/2018/2605/F	
<b>Proposal:</b> Conversion of existing dwelling to an HMO, including internal alterations to layout to create additional bathroom on the upper floors.	<b>Location:</b> 141 Alexandra Park Avenue Belfast BT15 3GB.
<b>Referral Route:</b> House in Multiple Occupation application outside HMO Policy Area or Development Node.	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> WB Rankin Ltd 39 Bishopton Road Smethwick B67 5DU	<b>Agent Name and Address:</b> E McCrea 29 Ardpatrick Gardens Belfast BT69GF
<p><b>Executive Summary:</b></p> <p>The proposal is for full planning permission for a change of use from a dwelling house to a House of Multiple Occupation (HMO).</p> <p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> <li>• Principle of a HMO use at this location;</li> <li>• Impact on Parking Provision;</li> <li>• Impact on Residential Amenity;</li> </ul> <p>DFI Roads, Environmental Health and Council's internal Development Plan Team were consulted with no objection.</p> <p>Thirty objections were received raising issues in relation to the site not being in a designated HMO area, family housing and five bedrooms having a negative impact on the area.</p> <p>The property is not located within a HMO Policy Area or Development Node therefore in terms of the threshold Policy HMO 5 of the Subject Plan applies (10%). Land and Property Services Pointer Address database (as of 1st April 2018) indicates that there are 122 domestic properties on this 600m section of Alexandra Park Avenue which would allow for 12 No. HMOs before the 10% threshold would be exceeded. Records show there is currently 1 No. HMO on this section and therefore an additional HMO at no.141 Alexandra Park Avenue is acceptable in terms of the 10% threshold and complies with Policy HMO 5. If the concurrent application at no. 67 Alexandra Park Avenue (LA04/2018/2606/F) is approved the 10% threshold would still not be exceeded.</p> <p><b>Recommendation:</b></p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval.</p>	

## Case Officer Report

### Site Location Plan



### Characteristics of the Site and Area

#### 1.0 Description of Proposed Development

- 1.1 The application proposes the conversion of the application property to a five-bedroom HMO dwelling.

#### 2.0 Description of Site

- 2.1 The application site is located at 141 Alexandra Park Avenue, a residential street between the Antrim Road and York Road. The site contains a mid-terrace 2.5-story residential dwelling unit with front dormer, finished in red brick and grey slate.

The immediate surrounding area consists of 2.5-story dwellings of similar design and finishes to the application dwelling, with the broader local area being predominantly residential in character

<b>Planning Assessment of Policy and Other Material Considerations</b>	
<b>3.0</b>	<p><b>Site History</b> Z/2005/0341/F Proposal: External refurbishment to include replacement / renewal of chimney stacks, windows, doors, roof coverings, fascia, replace flat roofs with pitch roofs, repaint external rendering, upgrading front walls and railings. Address: 123 - 201(odds only) Alexandra Park Avenue, Skegoneill, Belfast, Northern Ireland, BT15 3GB Decision: Granted 14.04.2005</p> <p>Z/1994/2073 Proposal: Alterations and two storey extension Address: 141 ALEXANDRA PARK AVENUE BELFAST BT15 Decision: Granted</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2015 HMO Subject Plan 2015
4.1.1	The site is within the development limit on unzoned land.
4.2	SPPS, Planning Policy Statement:  Strategic Planning Policy Statement for NI (SPPS) Planning Policy Statement 3: Access, Movement and Parking (Revised Feb 2005)
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	Dfl Roads – No Objection
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>
6.1	BCC Environmental Health – No Objection
<b>7.0</b>	<b>Representations</b>
7.1	<p>The application has been neighbour notified and advertised in the local press, with 30 representations received from residents of the street in the form of a standardised letter objecting to this application and a similar application at 67 Alexandra Park Avenue reference number LA04/2018/2606/F.</p> <p>The letter asserts the following:</p> <ul style="list-style-type: none"> <li>• Permission should be refused as Alexandra Park Avenue is not a HMO designated area.</li> <li>• Alexandra Park Avenue is family housing and a 5 bedroom HMO will 'bring the area down'.</li> <li>• Previously planned NIHE development only left waste ground where new housing was supposed to be.</li> <li>• The developer is seeking to buy cheap houses to maximise profit with no interest in the area or who lives in the houses.</li> </ul> <p>In terms of points 1, 2 and 5, although the street is outside a HMO policy area or development node, this does not preclude any HMO development from taking place. A 10% threshold exists outside of such areas in order to control development, and scrutiny of the NIHE public register of HMOs has demonstrated that allowing both HMO proposals will not result in this threshold being exceeded.</p> <p>Point three regarding the planned NIHE redevelopment is not relevant to this determination as the applicant in this case is not the Housing Executive and the site is not the waste ground in question.</p>

8.0	<b>Assessment</b>
8.1	<p><u>Principle of Development</u></p> <p>The proposal is within the development limits for Belfast as identified in the draft development plan (dBMAP 2015). As such, the principle of the proposal is deemed acceptable at this location subject to planning and other environmental matters.</p>
8.2	<p>The application site is not within a HMO Policy Area or Development Node as designated in the HMO Subject Plan 2015. Therefore HMO 5 is applicable in this instance.</p>
8.3	<p>Policy HMO 5 permits for 10% of any street outside a HMO Policy Area or Development Node to be changed to HMO use.</p>
8.4	<p>Planning history records and the Northern Ireland Housing Executive's Public Register of HMOs demonstrate that the proposal is compliant with Policy HMO 5 in that it would not exceed the 10% rule.</p>
8.5	<p>Pointer Address database (as of 1st April 2018) indicates that there are 122 domestic properties on this 600m section of Alexandra Park Avenue which would allow for 12 No. HMOs before the 10% threshold would be exceeded. Records show there is currently 1 No. HMO on this section and therefore an additional HMO at no.141 Alexandra Park Avenue is acceptable in terms of the 10% threshold and complies with Policy HMO 5. If the concurrent application at no. 67 Alexandra Park Avenue (LA04/2018/2606/F) is approved the 10% threshold would still not be exceeded.</p>
8.6	<p>The proposal complies with Policy HMO 6 in that the criteria are either met or are not relevant as the property is not in a HMO Policy Area.</p>
8.7	<p><u>Impact on Car Parking</u></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>
8.8	<p><u>Impact on Residential Amenity</u></p> <p>The proposal may have up to five persons sharing which has potential to generate some level of noise disturbance. However, the Council Environmental Health raised no objection to the proposal, and any noise issues would be a matter for investigation by that Service.</p> <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>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>

<b>9.0</b>	<b>Summary of Recommendation: Approval subject to Conditions</b>
9.1	Having regard to the policy context and other considerations above, the proposal is considered acceptable.
<b>Neighbour Notification Checked</b> <span style="float: right;"><b>Yes</b></span>	
<b>Summary of Recommendation:</b> Taking into account policy and all other material considerations, approval is recommended.	
<p><b>Conditions</b></p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p><b>Informatives</b></p> <p><b>1. <u>CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NI) 2011</u></b></p> <p>Should any unforeseen ground contamination be encountered during the development, and in order to protect human health, all works on the site should immediately cease. Belfast City Council should be informed and a full written risk assessment in line with current government guidance (<i>Model Procedures for the Management of Land Contamination - CLR11</i>) that details the nature of the risks and any necessary mitigation measures (and Verification Report if required) should be prepared and submitted for appraisal.</p>	

<b>ANNEX</b>	
<b>Date Valid</b>	29th October 2018
<b>Date First Advertised</b>	16th November 2018
<b>Date Last Advertised</b>	
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 130 Alexandra Park Avenue,Skegoneill,Belfast,Antrim,BT15 3GJ The Owner/Occupier, 132 Alexandra Park Avenue,Skegoneill,Belfast,Antrim,BT15 3GJ The Owner/Occupier, 139 Alexandra Park Avenue,Skegoneill,Belfast,Antrim,BT15 3GB The Owner/Occupier, 143 Alexandra Park Avenue,Skegoneill,Belfast,Antrim,BT15 3GB	
<b>Date of Last Neighbour Notification</b>	22nd November 2018
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>	
<p>Drawing No. 01 Type: Site location map Status: Submitted</p> <p>Drawing No. 02 Type: Existing &amp; proposed plans and elevations Status: Submitted</p>	
<b>Notification to Department (if relevant)</b>	
Date of Notification to Department:	
Response of Department:	