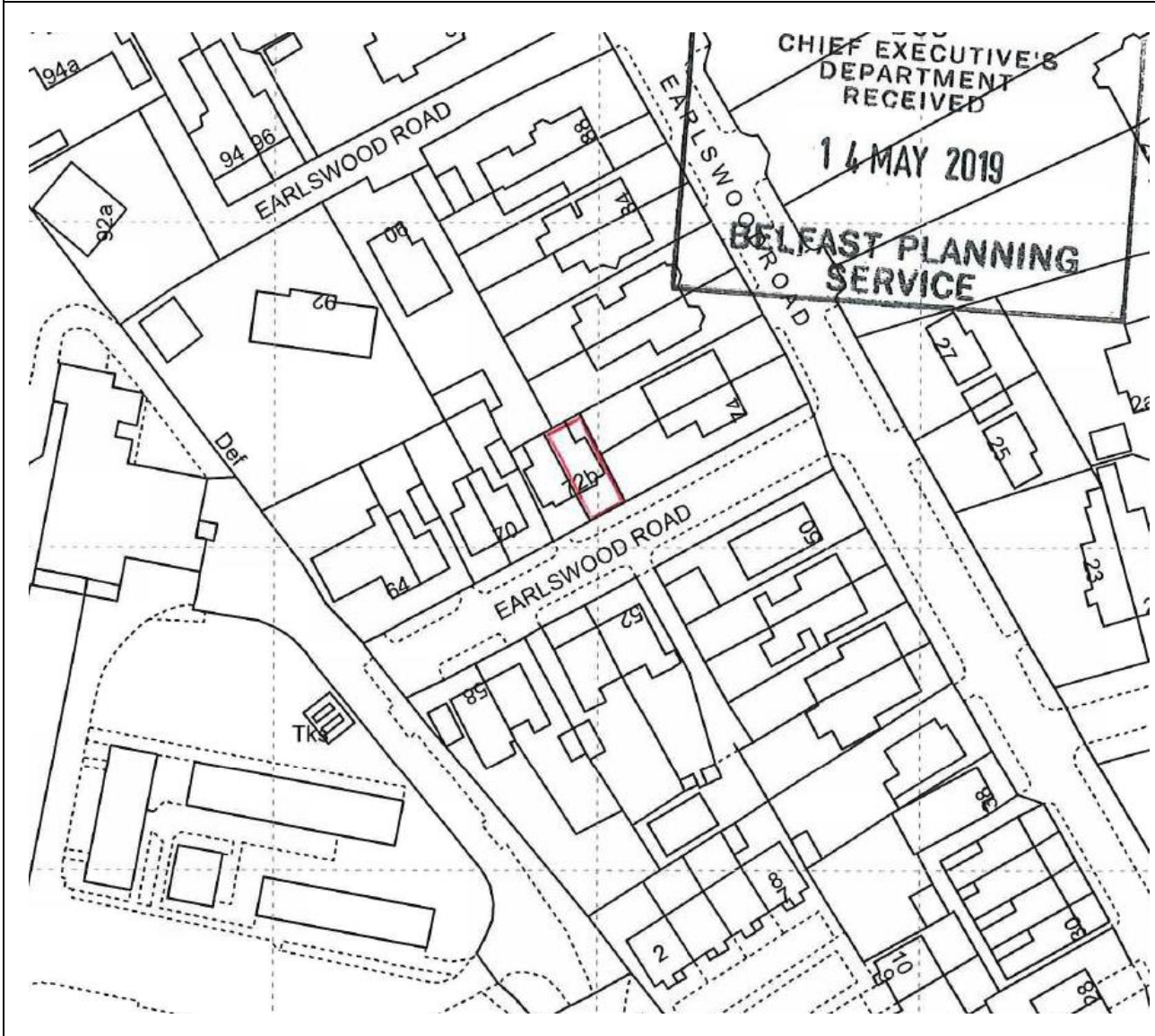


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 17 September 2019	
Application ID: LA04/2019/1159/F	
Proposal: Change of use from dwelling to a house in multiple occupancy.	Location: 72B Earlswood Road Ballyhackamore Belfast BT4 3DZ
Referral Route: House in Multiple Occupation outside a designated HMO Node / Policy Area	
Recommendation: Approval Subject to Conditions	
Applicant Name and Address: Methodist Church in Ireland 9 Lennoxvale Avenue Belfast BT9 5BY	Agent Name and Address: Simon King Estates Manager 9 Lennoxvale Avenue Belfast BT9 5BY
<p>Executive Summary: This application seeks full planning permission for conversion of a single dwelling to a House In Multiple Occupation (HMO).</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of a HMO in this location; • Impact on Parking; and, • Impact on Residential Amenity. <p>The application site is not within an HMO Policy Area or Development Node as designated in the HMO Subject Plan 2015. Therefore Policy HMO 5 is applicable in this instance.</p> <p>The Land and Property Services Pointer Address database indicates that there are 79 domestic properties on this section of Earlswood Road which would allow for 7 No. HMOs before the 10% threshold would be exceeded. According to the records held by the Local Development Plan Team there is currently 1 No. HMO on this section.</p> <p>3 letters of objection have been received raising the following: traffic and parking impact; potential for anti-social behaviour, out of character development, noise and disturbance, and general lack of management of HMOs.</p> <p>DfI Roads, BCC Environmental Health and the Council's internal development plan team were consulted, and all offered no objection to the proposal.</p> <p><u>Recommendation – Approval Subject to Conditions</u> Having regard to the policy context and third party objection, the proposal is considered, on balance, to be 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	Full planning permission is sought to convert a single occupancy dwelling to a House of Multiple Occupation (HMO).
2.0	Description of Site
2.1	The application site is a 3 storey semi-detached townhouse dwelling with an 'A-frame' dormer to the front and a rear extension. The 4 bedroom semi-detached dwelling has a floorspace of approx. 150m ² and is part of a pair of semis in a cul de sac.
2.2	There is a small amenity space to the rear of the site. A hard landscaped area to the front provides in curtilage parking with vehicular access and is partly bounded by a low wall to the footpath. A fence runs alongside the boundary of the site with nos. 74 & 76.
2.3	The site falls within the draft Belmont Area of Townscape Character. This part of the Earlswood Road is characterised by semi-detached houses. Most have in-curtilage

	<p>parking and boundary treatments. This section of Earlswood Road is approximately 80m in length.</p> <p>The listed Strandtown Primary School at the end of the cul de sac.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
	Z/2003/0673/F - 72 Earlswood Road. Demolition of existing vacant 3 storey dwelling and construction of 2 No. 3-storey semi-detached dwellings. Permission Granted.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2015 HMO Subject Plan 2015
4.1.1	The site is falls within the draft Belmont Area of Townscape Character.
4.2	SPPS, Planning Policy Statements: Strategic Planning Policy Statements for NI (SPPS) Planning Policy Statement 3: Access, Movement and Parking (Revised Feb 2005) Addendum to Planning Policy Statement 6: Areas of Townscape Character
5.0	Statutory Consultees Responses
5.1	Dfl Roads – No objection.
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health – No objection, with informatives. Local Development Plan Team – No objection
7.0	Representations
7.1	9 neighbouring properties were notified and the proposal was advertised in the local press. 3 representations were received raising a number of issues.
7.2	The proposal will exacerbate existing problems with traffic management in the area due to the Primary School at the end of the cul de sac, and the problematic and compressed access to the school. Concern is also raised about potential consequences for drivers and pedestrians in the area. In response to traffic concerns, Dfl Roads offered no objection to the proposal.
7.3	Issue was also raised regarding the management and appearance of HMOs – they do not enhance the amenity of an area. It is the responsibility of the owner of the property to manage the HMO and maintain its external upkeep.
7.4	Concern was also raised that the proposal would have a serious impact on their standard of living. The conversion to a HMO will significantly increase parking demand and will result in a reduction in on-road parking and the loss of residential amenity. The

7.5	development is out of character for the area and it carries an increased risk of noise pollution and anti-social behaviour. In response to traffic concerns, as detailed above DfI Roads offered no objection to the proposal. Regarding the potential for noise and disturbance, Environmental Health has offered no objection to the proposal.
7.6	Issues regarding anti-social behaviour and standard of living fall outside the remit of planning.
8.0	Assessment
8.1	The key issues to be considered are:
	<ul style="list-style-type: none"> • Principle of a HMO in this location; • Impact on Parking; and, • Impact on Residential Amenity.
8.2	<p><u>Principle of a HMO in this location</u></p> <p>The proposal is within the development limits for Belfast as identified in the BUAP 2001 and 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> <p>The application site is not within an HMO Policy Area or Development Node as designated in the HMO Subject Plan 2015. Therefore Policy HMO 5 is applicable in this instance.</p> <p>Policy HMO 5 permits for 10 percent of any street outside a HMO Policy Area or Development Node to be changed to HMO use. As Earlswood Road is in excess of 600 metres in length the assessment is based on the number of dwelling units up to 300 metres either side of No. 72b on Earlswood Road.</p> <p>Land and Property Services Pointer Address database (as of 7th August 2019) indicates that there are 79 domestic properties on this section of Earlswood Road which would allow for 7 No. HMOs before the 10% threshold would be exceeded. According to the records held by the Local Development Plan Team there is currently 1 No. HMO on this section and therefore an additional HMO at no. 72b Earlswood Road is considered to be acceptable in terms of the 10% threshold, and complies with Policy HMO 5.</p> <p>According to Council records this property was not deemed to be in HMO use. A planning history search of this section of Earlswood Road indicates no recent approvals/decisions relating to HMO development have been issued.</p> <p>The proposal complies with Policy HMO 6 in that the criteria are either met or are not relevant: the first criteria is not relevant as the property is not within a Policy Area, nor does it have more than 4 bedrooms; the second criteria is met in that the HMO is not wholly in the rear of the property and without access to the public street; and the third and fourth bullet points are not relevant as the proposal is not being converted into HMO flats.</p>
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8.3	
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<p>8.7</p> <p>8.8</p> <p>8.9</p> <p>8.10</p>	<p><u>Impact on Parking</u></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>The proposed conversion will result in 4 HMO bedrooms. In terms of car parking/impact on existing traffic arrangements, the various policy requirements of the 'Subject Plan' seek to encourage regeneration, address need and demand, and also protect residential amenity.</p> <p>DFI Roads were consulted and offered no objection to the proposal.</p> <p>The proposal will use existing available on-street parking. The site is also considered to be a sustainable location due to its proximity to the city centre with nearby public transport links.</p>
<p>8.11</p> <p>8.12</p> <p>8.13</p>	<p><u>Impact on Residential Amenity</u></p> <p>In terms of noise and disturbance Environmental Health were consulted with the proposal and advised that they had no objection to the proposal.</p> <p>No operational development is proposed and therefore existing amenity space provision is unaffected.</p> <p>There will be no impact on the visual amenity and character of the area given that no external changes are proposed to the property. The proposal is considered to comply with the Addendum to PPS6.</p>
<p>9.0</p>	<p>Summary of Recommendation: Approval</p>
<p>9.1</p>	<p>Having regard to the policy context and consideration of the objections received, the proposal is considered, on balance, to be acceptable and planning permission is recommended for approval subject to conditions and informatives.</p>
<p>10.0</p>	<p>Conditions</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>Informatives:</p> <p>HOUSE OF MULTIPLE OCCUPATION ACT (NORTHERN IRELAND) 2016 For detailed requirements relating to HMO Standards and relevant documentation you should visit NIHMO. Please see also the HMO (NI) Act 2016 which contains the definition of a House in Multiple Occupation for Northern Ireland. This also contains the minimum space standard for rooms in a HMO that are occupied as sleeping accommodation</p>

CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NORTHERN IRELAND) 2011

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 (Model Procedures for the Management of Land Contamination-CLR11) that details the nature of the risks and any necessary mitigation measures and verification (if required) should be prepared and submitted for appraisal.

ANNEX	
Date Valid	14th May 2019
Date First Advertised	7th June 2019
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 25 Earlswood Road,Belfast,Down,BT4 3DZ</p> <p>The Owner/Occupier, 50 Earlswood Road,Belfast,Down,BT4 3DZ</p> <p>The Owner/Occupier, 52 Earlswood Road,Belfast,Down,BT4 3DZ</p> <p>The Owner/Occupier, 72a Earlswood Road,Belfast,Down,BT4 3DZ</p> <p>The Owner/Occupier, 74 Earlswood Road,Belfast,Down,BT4 3DZ</p> <p>The Owner/Occupier, 76 Earlswood Road,Belfast,Down,BT4 3DZ</p> <p>The Owner/Occupier, 78 Earlswood Road,Belfast,Down,BT4 3DZ</p> <p>The Owner/Occupier, 80 Earlswood Road,Belfast,Down,BT4 3DZ</p> <p>The Owner/Occupier, 90 Earlswood Road,Belfast,Down,BT4 3DZ</p>	
Date of Last Neighbour Notification	30th May 2019
Date of EIA Determination	
ES Requested	No

Planning History

Ref ID: Z/2003/0673/F

Proposal: Demolition of existing vacant 3 storey dwelling and construction of 2 No. 3-storey semi-detached dwellings.

Address: 72 Earlswood Road Belfast

Decision: PERMISSION GRANTED

Decision Date: 3 September 2003

Summary of Consultee Responses

DfI Roads – no objection

BCC Environmental Health – no objection

Drawing Numbers and Title

Drawing No. 01

Type: Site Location Plan

Status: Submitted

Drawing No. 02

Type: Ground and First Floor Plans

Status: Submitted

Drawing No. 03

Type: Second Floor Plan and Site Layout

Status: Submitted

Drawing No. 04

Type: Elevations

Status: Submitted

Drawing No. 05

Type: Side Elevations

Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department: