

**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date: 17 September 2019	
Application ID: LA04/2019/1663/F	
Proposal: Change of use from single dwelling to house in multiple occupancy.	Location: 440 Falls Road Belfast BT12 6EN.
Referral Route: House in Multiple Occupation outside a designated HMO Node / Policy Area	
Recommendation:	Approval
Applicant Name and Address: Mr T Donnelly 263 Falls Road Belfast	Agent Name and Address: Ivory Architects 15 Old Coach Avenue Belfast BT9 5PY
<p>Executive Summary: 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>In respect of principle of the proposal at this location, the application site is not located within a designated HMO Mode or HMO Policy Area within the Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015, and as such Policy HMO 5 applies.</p> <p>According to the LPS Pointer Address database (as at 07/08/19) there are 83 domestic properties on this section of the Falls Road. This would allow for 8 HMO properties on this section of the Falls Road before the 10% threshold would be exceeded. According to the Council's records there are currently 3 HMOs on this section of the Falls Road. Therefore, the principle of a HMO in this location is in line with policy and acceptable.</p> <p>No third party representations have been received.</p> <p>Consultees DFI Roads, Environmental Health and the Councils internal development plan team.</p> <p>Recommendation: Having regard to the development plan, regional planning policy and associated guidance, it is recommended that this application is approved.</p>	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Hydebank	Content
Advice and Guidance	Env Health Belfast City Council	

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

1.0	Description of Proposal
1.1	Planning Permission is sought for a change of use of the property from a single dwelling to a House in Multiple Occupancy.
2.0	Description of Site
2.1	The site is located at 440 Falls Road, Belfast. The property is a three storey terraced dwelling finished in red brick. The surrounding area is comprised of a mix of community based, commercial and residential uses.
Planning Assessment of Policy and Other Material Considerations	
3.0	Site History
3.1	No history
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015
4.3	The Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking
5.0	Statutory Consultees Responses
5.1	DFI Roads - no objections
6.0	Non Statutory Consultees Responses
6.1	Environmental Health - no objections
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No representations from neighbours have been received.
8.0	Assessment
8.1	The Key issues in the assessment of the proposed development include; <ul style="list-style-type: none"> • Principle of HMO use at this location; • Impact on residential amenity.
8.2	The Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 provides the relevant policy context. The proposed HMO is not within a HMO Policy Area or HMO Development Node as designated in the HMO Subject Plan therefore Policies HMO 5 and HMO 6 apply.
8.3	<ul style="list-style-type: none"> • Policy HMO 5 states that permission will be granted if the following criteria is met: <ul style="list-style-type: none"> - The number of HMOs does not exceed 10% of dwelling units on that road or street; - The Council's records indicate that this figure has not been exceeded. The portion of the Falls Road which is located within the Mid-Falls HMO Development Node (HMO 4/09) is not included in this assessment as a different policy (HMO 4) applies in this location. <p>According to the LPS Pointer Address database (as at 07/08/19) there are 83 domestic properties on this section of the Falls Road. This would allow for 8 HMO properties on this section of the Falls Road before the 10% threshold would be exceeded. According to The</p>

	<p>Council's records there are currently 3 HMOs on this section of the Falls Road. Therefore, the principle of a HMO in this location would be viewed as acceptable.</p> <ul style="list-style-type: none"> • Policy HMO 6 states permission will be granted for HMO development where all of the following criteria are met: <ul style="list-style-type: none"> - Any HMO unit within a Policy Area does not exceed 4 bedrooms; - <i>this is not applicable to the application, as the HMO will not be within a designated policy area</i> - Any HMO unit is not wholly in the rear of the property and without access to the public street; - <i>There will be access to the public street from the HMO, as is existing for the residential property, and the HMO unit will not be wholly to the rear of the property.</i> - The original property is greater than 150 sq metres gross internal floor space when any house is being converted to flats for HMO use; - <i>this is not applicable to the application, as the existing residential property will not be converted to flats.</i> - All flats for HMO use are self-contained; - <i>this is not applicable to the application, as the existing residential property will not be converted to flats.</i>
8.4	The proposal complies with policy HMO 6. The proposal meets the relevant criteria and therefore complies with the HMO Subject Plan
8.5	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. Environmental Health and DFI Roads had no objections to the proposal.
8.6	No operational development is proposed and therefore existing amenity space provision is unaffected.
8.7	There is no anticipated impact on the visual amenity and character of the area given that no external changes are proposed.
8.8	No objections to the proposal were received. It is therefore recommended that the application is approved subject to the following condition.
9.0	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions:</p> <p>1: The development hereby permitted shall be begun before the expiration of 5 years from the date of permission.</p> <p>Reason: As required by Section 61 of the Planning Act (N. Ireland) 2011.</p> <p>Informatives:</p> <p><u>HOUSE OF MULTIPLE OCCUPATION ACT (NORTHERN IRELAND) 2016</u></p> <p>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>

Neighbour Notification Checked	Yes
Conditions:	
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.	
Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.	

ANNEX	
Date Valid	8 th July 2019
Date First Advertised	2 nd August 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) 1 Hugo Street,Belfast,Antrim,BT12 6ET 442 Falls Road,Belfast,Antrim,BT12 6EN Flat 1,438 Falls Road,Belfast,Antrim,BT12 Flat 2,438 Falls Road,Belfast,Antrim,BT12 6EN Flat 3,438 Falls Road,Belfast,Antrim,BT12	
Date of Last Neighbour Notification	24th July 2019
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
Drawing No. 01 Site Location Plan	
Drawing No. 02 Proposed Site Plan	
Drawing No. 03 Existing Plans	
Drawing No. 04 Proposed Plans	