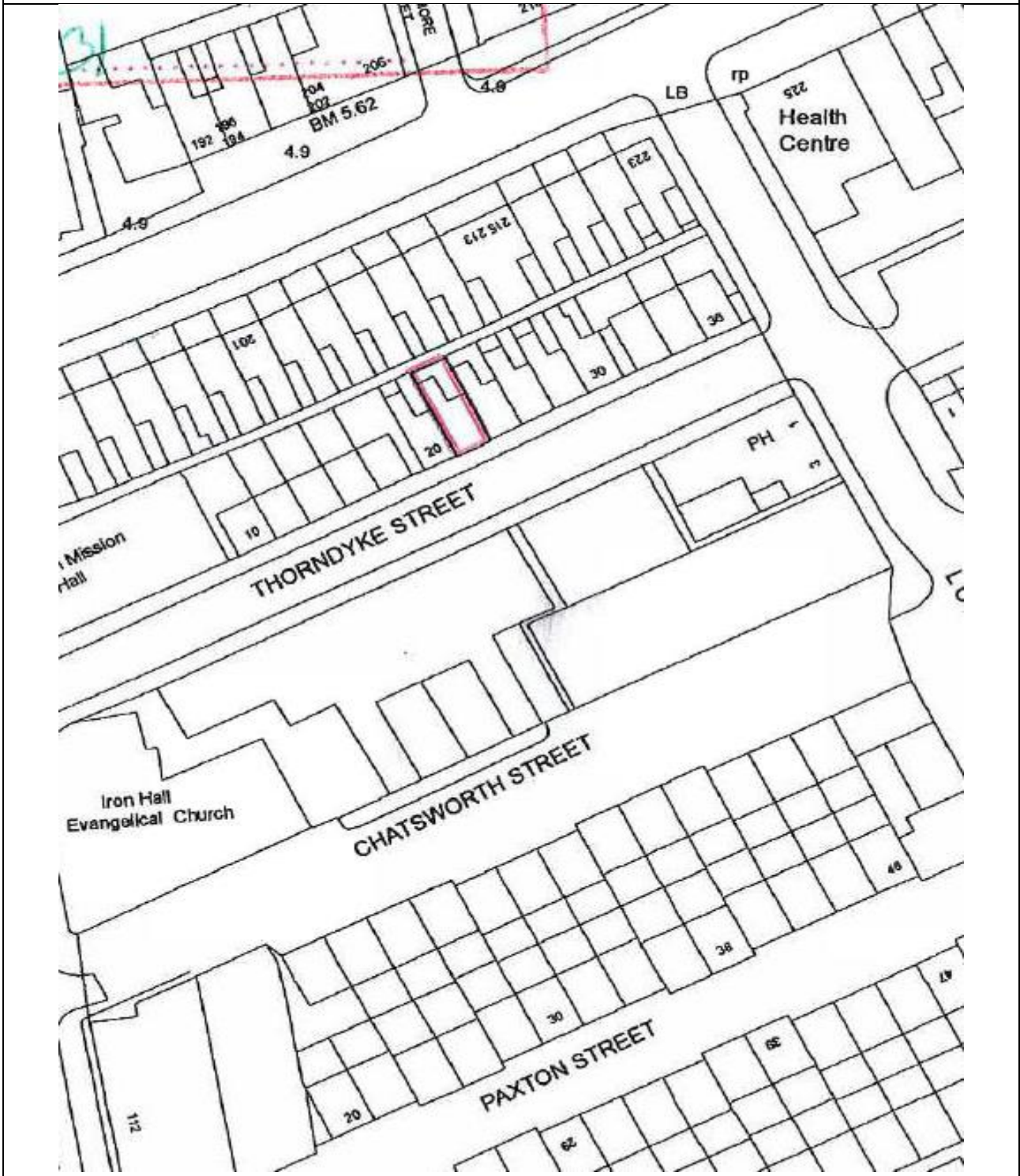


Committee Application

Development Management Report	
Application ID: LA04/2019/1735/F	Date of Committee: Tuesday 15 th October 2019
Proposal: Conversion of existing dwelling to an HMO, including alterations to the internal layout and minor changes to the rear elevations	Location: 22 Thorndyke Street, Belfast BT5 4QB
Referral Route: House in Multiple Occupation application outside HMO Policy Area or Development Node	
Recommendation:	Approval
Applicant Name and Address: Eden Property Services Ltd 20 Ardpatrick Gardens Belfast BT6 9GR	Agent Name and Address: 6030 Survey and Design 10 Cicero Gardens Belfast BT6 9FZ
<p>Executive Summary: Planning permission is sought for a change of use from a dwelling house to a House in Multiple occupancy (HMO) with minor changes to the rear elevation.</p> <p>The key issues in the assessment of the proposed development include: principle of a HMO in this location; impact on the character and appearance of the area; impact on parking; and impact on residential amenity.</p> <p>In respect of the principle of the proposal at this location, the proposed site is not located within a HMO Policy Area or HMO Node in the Subject Plan for Belfast City Council Area. Policy HMO 5 is therefore applicable, the policy permits for development outside of a HMO Policy Area or HMO Node or the change to HMO use up to 10% of any street.</p> <p>The Land and Property Pointer Address database indicates that there are 20 domestic properties on Thorndyke Street. This would allow 2 HMO properties on Thorndyke Street before the 10% threshold would be exceeded. Records show that there are currently no properties in HMO use on Thorndyke Street. Therefore, this would be the first.</p> <p>The application has been neighbour notified and advertised in the local press. No letters of representation have been received.</p> <p><u>Recommendation – Approval</u> Having regard to the policy context the proposal is considered to be acceptable as it complies with policy. The Planning application is recommended for approval subject to conditions. Delegated authority is requested to the Director of Planning and Building Control to finalise the wording of conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development Planning permission is sought for the conversion of an existing dwelling to an HMO, including alterations to the internal layout and minor changes to the rear elevations
2.0	Description of Site The application site is located at 22 Thorndyke Street. The street is predominantly residential, with an Evangelical Church and community hall located at one end of the street, with a pub located at the other end of the street with the junction with Lord Street. The site is a two and half storey terraced unit finished in red brick with a single storey rear return. The surrounding area consists of 2.5 storey properties with a number having single storey rear returns, as well as 3 storey apartment block opposite to the site.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History No previous planning applications have been made for the site at 22 Thorndyke Street
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan 2015 The extant development plan is now the BUAP and the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	HMO Subject Plan 2015
4.4	Strategic Planning Policy Statement (SPPS)
4.5	Planning Policy Statement 3: Access, Movement and Parking
5.0	Statutory Consultees Responses
5.1	DFI Roads – No objection
6.0	Non Statutory Consultees Responses
6.1	Environmental Health – No objection Local Development Plan Team – No objection
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No letters of representation have been received.
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 the character and appearance of the area • Impact on Parking; and • Impact on Residential Amenity
	<u>Principle of an HMO in this location</u>

8.2	The site is located on unzoned land within the settlement development limit for Belfast as designated in BUAP 2001 and draft BMAP 2015. As such the principle of the proposal is deemed acceptable at this location subject to planning and other environmental matters.
8.3	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.
8.4	Policy HMO 5 permits for 10% of any street outside a HMO Policy Area or Development Node to be changed to HMO use.
8.5	Planning history records and the register for HMO's demonstrate that the proposal is compliant with Policy HMO 5 in that it would not exceed the 10% rule.
8.6	According to the LPS pointer address database there are 20 domestic properties on Thorndyke Street. This would allow 2 HMO properties on Thorndyke Street before the 10% threshold would be exceeded. According to the records held by the Local Development Plan Team there are currently no properties in HMO use on Thorndyke Street
8.7	The proposal complies with Policy HMO 6 in that the criteria are either met or are not relevant: the first bullet point is not relevant as the property is not within a Policy Area; the second bullet point 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.
	<u>Impact on Parking</u>
8.8	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.
8.9	DFI Roads were consulted and offered no objection to the proposal.
8.10	The proposal will use existing available on-street parking.
	<u>Impact on Residential Amenity</u>
8.11	In terms of noise and disturbance Environmental Health were consulted with the proposal and advised that they had no objection to the proposal.
8.12	The proposed elevation changes to the rear of the property are to take place at ground floor therefore is not considered to impact on neighbouring amenity. Double doors will replace an existing window at ground floor, as well as a window replacing an existing door which accesses the rear yard. The boundary wall to the rear of the site will ensure there will be no overlooking on neighbouring properties.
8.13	The proposed changes are considered minor and will not impact the character and appearance of the area.
9.0	Summary of Recommendation: Approval Having regard to the policy context and consideration of the objections received, on balance, the proposal is considered acceptable and planning permission is recommended for approval.
10.0	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.

2. In the event that unexpected contamination is encountered during the approved development of this site, the development shall cease until a written report detailing the nature of this contamination and its management has been submitted to and agreed in writing by the Planning Service. The investigation, risk assessment and if necessary remediation work, must be undertaken and verified in accordance with current best practice.

Reason: Protection of human health

Informatives:

1. 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. Please also see the Houses in Multiple Occupation (Space Standards) Regulation (NI) 2019 which contains the method of measurement for determining useable floor space within sleeping accommodation.

ANNEX	
Date Valid	19th July 2019
Date First Advertised	9 th August 2019
Date Last Advertised	9th August 2019
Details of Neighbour Notification (all addresses) 20 - 32Thorndyke Street,Belfast,Down,BT5 Apartment 1 - 6,39 Thorndyke Street,Belfast,Down,BT5 4QB Flat 1,207 & 209 Albertbridge Road,Ballymacarret,Belfast,Down,BT5 4PU	
Date of Last Neighbour Notification	06/09/2019
Date of EIA Determination	
ES Requested	No
Drawing Numbers and Title 01- Site Location Map, 02- Existing and Proposed Floor Plans and Elevations	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	