

## Committee Application

<b>Development Management Report</b>	
<b>Application ID:</b> LA04/2019/2232/F	<b>Date of Committee:</b> Tuesday 12 <sup>th</sup> November 2019
<b>Proposal:</b> Change of use to house in multiple occupation	<b>Location:</b> 99 Alexandra Park Avenue Belfast BT15 3ES
<b>Referral Route:</b> House in Multiple Occupation outside a designated HMO Node / Policy Area	
<b>Recommendation:</b>	Approval subject to conditions
<b>Applicant Name and Address:</b> Bowden Properties Ltd 209 Upper Newtownards Road Belfast BT4 3JD	<b>Agent Name and Address:</b> Tony McCoey 3 Thirlmere Gardens Belfast BT15 5EF
<p><b>Executive Summary:</b></p> <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"> <li>• Principle of a HMO at this location;</li> <li>• Impact on Parking; and,</li> <li>• Impact on Residential Amenity.</li> </ul> <p>The application site is not within a designated HMO Node or Policy Area as designated in the HMO Subject Plan for Belfast City Council Area 2015. Therefore Policy HMO 5 applies.</p> <p>The Land and Property Services Pointer Address database indicates that there are 115 domestic properties on this section of Alexandra Park Avenue which would allow for 11No. HMOs before the 10% threshold would be exceeded. According to records held by the Local Development Team there are currently 3No HMO properties on this section of Alexandra Park Avenue.</p> <p>No representations have been received in relation to this application.</p> <p>DfI Roads, BCC Environmental Health and the Council's Development Plan and Policy Team were consulted, and all offered no objection to the proposal.</p> <p><b><u>Recommendation – Approval Subject to Conditions</u></b></p> <p>Having regard to the policy context and other material considerations, the proposal is considered to comply with policy and the application is recommended for approval.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	Full planning permission is sought for a change of use from residential dwelling to a House in Multiple Occupation (HMO).
<b>2.0</b>	<b>Description of Site</b>
2.1	The dwelling on site is a three storey red brick terraced dwelling measuring 84.82 sqm with a small amenity area to the front and a larger garden area (71.83 sqm) to the rear of the property. This is a mainly residential area. The side of the road in which the site is located is a no parking area, however parking is available on the opposite side of the street and in surrounding streets. There is a bus stop located beside the property.

Planning Assessment of Policy and other Material Considerations

<b>3.0</b>	<b>Site History</b> None
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 (BUAP) (Draft) Belfast Metropolitan Area Plan 2015 HMO Subject Plan 2015
4.2	SPPS, Planning Policy Statements:  Strategic Planning Policy Statement for Northern Ireland (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	Belfast City Council Environmental Health
6.2	Belfast City Council Development Planning & Policy (Housing and GIS Team(
<b>7.0</b>	<b>Representations</b>
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received regarding the application.
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	None
<b>9.0</b>	<b>Assessment</b>
9.1	<p><b>The key issues to be considered are:</b></p> <ul style="list-style-type: none"> <li>• The principle of a HMO at this location;</li> <li>• Impact on Parking; and</li> <li>• Impact on Residential Amenity.</li> </ul> <p><u>Principle of a HMO in this location</u></p>
9.2	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.
9.3	The application site is not located within a HMO Policy Area or Development Node as designated in the HMO Subject Plan 2015. Therefore Policy HMO 5 is applicable in this instance.
9.4	Policy HMO 5 permits for 10 percent of any street outside a HMO Policy Area or Development Node to be changed to HMO use. Policy HMO 5 is designed to protect the amenity of residential areas and promote balanced communities.
9.5	Land and Property Services Pointer Address database (as at 01/10/2019) indicates that there are 115 properties on this section of Alexandra Park Avenue, which would allow for 11No HMO properties on this section of Alexandra Park Avenue before the 10% threshold would be exceeded. According to the records held by Development Planning and Policy there are 2No HMOs (no's 44 and 87) on this section of Alexandra Park Avenue, however number 44 has since been demolished. There have also been two recent approvals for HMO use on this section of Alexandra Park Avenue at no.67 (approved under LA04/2018/2606/F) and no.141 (approved under LA04/2018/2605/F). This gives a current total of three HMOs on this section of Alexandra Park Avenue.
9.6	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; the second criteria is

	<p>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> <p><u>Impact on Parking</u></p> <p>9.7 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>9.8 The conversion is for 5 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>9.9 DfI Roads were consulted and offered no objection to the proposal.</p> <p>9.10 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><u>Impact on Residential Amenity</u></p> <p>9.11 In terms of noise and disturbance Environmental Health were consulted with the proposal and advised that they had no objection to the proposal. On balance, it is considered that the proposal will not result in demonstrable harm to the residential amenity of neighbours.</p> <p>9.12 No operational development is proposed and therefore existing amenity space provision is unaffected. There is no specific planning guidance on space or amenity standards for HMOs set out in the Subject Plan. However, there is approx. 72 sqm of private amenity space to the rear which is above the recommended 40- 70sqm in line with Creating Places Guidance for residential developments.</p> <p>9.13 In addition, the 5 bedrooms meet the HMO space standards set by Northern Ireland Housing Executive. They range in size from 8 sqm to 13 sqm and therefore meet the 6.5sqm requirement set by NIHE. The kitchen area of 9.9 sqm is just below the 10sqm, as per the NIHE standard.</p> <p>9.14 There will be no impact on the visual amenity and character of the area given that no external changes are proposed.</p>
<b>10.0</b>	<b>Summary of Recommendation: Approval</b>
10.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions and informatives.
<b>11.0</b>	<b>Conditions</b> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</li> </ol> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>

Informative

1. **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

<b>ANNEX</b>	
<b>Date Valid</b>	18th September 2019
<b>Date First Advertised</b>	11th October 2019
<b>Date Last Advertised</b>	11th October 2019
<b>Details of Neighbour Notification</b> (all addresses)	
<p>The Owner/Occupier, 101 Alexandra Park Avenue, Skegoneill, Belfast, Antrim, BT15 3ES</p> <p>The Owner/Occupier, 94 Alexandra Park Avenue, Skegoneill, Belfast, Antrim, BT15 3ES</p> <p>The Owner/Occupier, 96 Alexandra Park Avenue, Skegoneill, Belfast, Antrim, BT15 3ES</p> <p>The Owner/Occupier, 97 Alexandra Park Avenue, Skegoneill, Belfast, Antrim, BT15 3ES</p> <p>The Owner/Occupier, 98 Alexandra Park Avenue, Skegoneill, Belfast, Antrim, BT15 3ES</p>	
<b>Date of Last Neighbour Notification</b>	15th October 2019
<b>Date of EIA Determination</b>	n/a
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01- Plans and Elevations	
<b>Notification to Department (if relevant)</b>	
<p>Date of Notification to Department: n/a</p> <p>Response of Department:</p>	
<b>Representations from Elected members:</b> No representation has been received from elected members.	