

**Development Management Report
Addendum Report**

Summary	
Committee Meeting Date: Tuesday 10 December 2019	
Application ID: LA04/2019/2051/F	
Proposal: Retrospective change of use from residential dwelling to House of Multiple Occupancy	Location: 4 Easton Crescent Belfast BT14 6LJ
Referral Route: House in Multiple Occupation application outside HMO Policy Area or Development Node	
Recommendation:	Approval
Applicant Name and Address: Ciaran Best 4 Easton Crescent Cliftonville Road Belfast	Agent Name and Address: Patrick McVarnock 16 Finaghy Road North Belfast BT10 0JA
<p>Addendum Report</p> <p>The application was presented to November 2019 Planning Committee, the application was deferred to allow further consideration for other properties on the street which are registered as HMO's.</p> <p>The HMO License Team confirmed on 13th November that there are a total of 4 properties on Easton Crescent which have HMO licenses.</p> <ul style="list-style-type: none"> • No.22 Easton Crescent has planning permission as a HMO and currently has a HMO license. • No.16 Easton Crescent has a License as a HMO. The property is currently subject to an enforcement case to investigate whether it is operating as a HMO without planning approval. The investigation is ongoing. • No.2 Easton Crescent has a License as a HMO. The property is currently subject to an enforcement case to investigate whether it is operating as a HMO without planning approval. The investigation is ongoing. • No.4 Easton Crescent which is subject to this application currently has a HMO license. <p>The opinion remains that the application be approved for the reasons set out in the original report below. There are 22 properties in the street and therefore 2 HMO properties on Easton Crescent could be converted before the 10% threshold would be met. Records show that there is currently one property at no.22 Easton Crescent has HMO approval.</p> <p>Planning permission is recommended and It is requested that delegated authority is given to the Director of Planning and Building Control to finalise conditions.</p>	

Committee Application

Development Management Report	
Application ID: LA04/2019/2051/F	Date of Committee: Tuesday 12 th November 2019
Proposal: Retrospective change of use from residential dwelling to House of Multiple Occupancy	Location: 4 Easton Crescent Belfast BT14 6LJ
Referral Route: House in Multiple Occupation application outside HMO Policy Area or Development Node	
Recommendation:	Approval
Applicant Name and Address: Ciaran Best 4 Easton Crescent Cliftonville Road Belfast	Agent Name and Address: Patrick McVarnock 16 Finaghy Road North Belfast BT10 0JA
<p>Executive Summary:</p> <p>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:</p> <ul style="list-style-type: none"> • principle of a HMO in this location; • impact on the character and appearance of the area of townscape character; • impact on parking; • and impact on residential amenity. <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 at a threshold of up to 10% of any street.</p> <p>The Land and Property Pointer Address database indicates that there are 22 domestic properties on Easton Crescent. This would allow 2 HMO properties on Easton Crescent before the 10% threshold would be met. Records show that there is currently one property at no.22 Easton Crescent in HMO use on the Street approved under reference Z/2012/0265/F. This property also has planning approval under reference LA04/2015/1325/F for a change of use from HMO to three self-contained flats, however according to the Pointer Address Database this approval has not been implemented yet. Even with no.22 Easton Crescent still operating as a HMO there is still capacity for one further HMO property on the street before the 10% threshold would be met.</p> <p>The application has been neighbour notified and advertised in the local press. One letter of objection has been received. The issues raised include the availability of parking in the area. Matters are dealt with in the case officer report attached.</p> <p>The property is currently subject to an enforcement case, relating to the unauthorised use as an HMO, this application seeks retrospectively to remedy the breach.</p> <p>DFI Roads, Environmental Health and the Council's internal Development Plan Team were consulted, and all offer no objection to the proposal.</p>	

Recommendation – Approval

Having regard to the policy context the proposal is considered, to be acceptable and planning approval is recommended.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development Planning permission is sought for the retention of HMO use at the address.
2.0	Description of Site The application site is located at 4 Easton Crescent. The street is residential, and is characterised by a mixture of semi-detached dwellings and terrace dwellings finished in red brick. The site is a two and half storey semi-detached dwelling finished in red brick with a small amenity area located to the rear of 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 4 Easton Crescent
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan The extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, 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
4.6	Addendum to Planning Policy Statement 6: Areas of Townscape Character
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. One letter of objection has been received.
7.2	The objection related to the property operating as HMO for a number of years, as well as a coach business also operating from the premises. Issues regarding parking were also raised in the objection.
7.3	The property is currently subject to enforcement action, with the retrospective application being submitted to rectify the unauthorised change of use. The issue of an unauthorised Coach

7.4	<p>Company operating from the premises has been passed to the enforcement team to be investigated.</p> <p>The issue of parking has been addressed in the main body of the report. DFI Roads have been consulted and are content with the proposal.</p>
8.0	Assessment
8.1	<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of a HMO in this location; • Impact on the character and appearance of the area of townscape character • Impact on Parking; and • Impact on Residential Amenity
8.2	<p><u>Principle of an HMO in this location</u></p> <p>The site is located within Lower Cliftonville ATC within the settlement development limit for Belfast as designated in BUAP 2001 and draft BMAP 2015. The proposal is not in conflict with any zonings in the development plan.</p>
8.3	<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>
8.4	<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>
8.5	<p>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% threshold.</p>
8.6	<p>According to the LPS pointer address database there are 22 domestic properties on Easton Crescent. This would allow 2 HMO properties on Easton Crescent before the 10% threshold would be exceeded. According to the records held by the Local Development Plan Team there is currently one property in HMO use on Easton Crescent. This benefits from planning permission under reference Z/2012/0265/F. This property also has planning approval for change of use from HMO to three self-contained flats under reference LA04/2015/1325/F, however according to the Pointer Address Database this approval has not been implemented yet. Even with no.22 Easton Crescent still operating as a HMO there is still capacity for one further HMO property on the street before the 10% threshold would be exceeded.</p>
8.7	<p>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.</p>
	<p><u>Impact on Parking</u></p>
8.8	<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>
8.9	<p>DFI Roads were consulted and offered no objection to the proposal.</p>
8.10	<p>The proposal will use existing available on-street parking.</p>
	<p><u>Impact on Residential Amenity</u></p>

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	<p><u>Impact on the Character and Appearance of the Area of Townscape Character</u></p> <p>There are no external alterations proposed to the property therefore the proposed change of use is not considered to impact on the character and appearance of the ATC.</p>
9.0	<p>Summary of Recommendation: Approval</p> <p>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.</p>
10.0	<p>Conditions</p> <p>1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.</p> <p>Reason: This is a retrospective application.</p> <p>Informatives:</p> <p>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.</p> <p>2. <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>

ANNEX	
Date Valid	29th August 2019
Date First Advertised	20 th September 2019
Date Last Advertised	11th October 2019
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 2 Easton Crescent,Belfast,Antrim,BT14 6LJ</p> <p>The Owner/Occupier, 3 Easton Avenue,Belfast,Antrim,BT14 6LL</p> <p>The Owner/Occupier, 5 Easton Crescent,Belfast,Antrim,BT14 6LJ</p> <p>The Owner/Occupier, 6 Easton Crescent,Belfast,Antrim,BT14 6LJ</p> <p>The Owner/Occupier, 7 Easton Crescent,Belfast,Antrim,BT14 6LJ</p> <p>P Magee 7, Easton Crescent, Belfast, Antrim, Northern Ireland, BT14 6LJ</p> <p>The Owner/Occupier, 81 Cliftonville Road,Belfast,Antrim,BT14 6JP</p> <p>The Owner/Occupier, 9 Easton Crescent,Belfast,Antrim,BT14 6LJ</p>	
Date of Last Neighbour Notification	11/09/2019
Date of EIA Determination	n/a
ES Requested	No
Drawing Numbers and Title	
<p>01- Site Location Map,</p> <p>02- Existing and Proposed Floor Plans, Sections, Block Plan and Elevations</p>	
Notification to Department (if relevant)	
<p>Date of Notification to Department:</p> <p>Response of Department:</p>	