

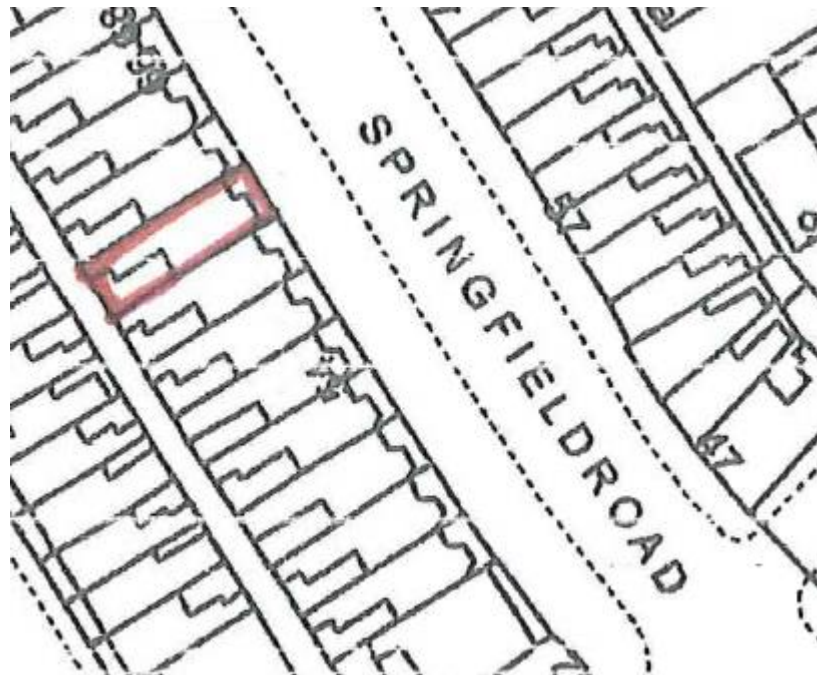
**Development Management Officer Report
Committee Application**

| Addendum Report | |
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| Committee Meeting Date: Tuesday 16th March 2021 | |
| Application ID: LA04/2020/1803/F | |
| Proposal: Change of use from dwelling to HMO | Location: 60 Springfield Road Belfast BT12 7AB |
| Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation by Cllr Canavan for reasons relating to the local residents' concerns on anti-social behaviour and parking. | |
| Recommendation: Approval | |
| Applicant Name and Address: T Donnelly 263 Falls Road Belfast | Agent Name and Address: Ivory Architects 15 Old Coach Avenue Belfast BT9 5PY |
| <p><u>Addendum Report</u></p> <p>This full application was presented to Planning Committee on Tuesday 15th December. The item was agreed to be deferred by members to request DfI Roads carry out a site visit to observe traffic and attend the next Committee Meeting.</p> <p>DfI Roads further commented on the proposal and stated the following with regards to the assessment of the application:</p> <ul style="list-style-type: none"> - In assessing development applications proposing Houses in Multiple Occupancy (HMO), the Department for Infrastructure is informed by the HMO Subject Plan for Belfast City Council Area 2015. Whilst the various policy requirements of the Subject Plan seek to encourage regeneration, address need and demand, and also protect against residential amenity it is noted that the provision of car parking is not a requirement of the assessment process. - Existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development. <p>In light of the above, DfI Roads position is unchanged and they raise no objection to the proposal. They have confirmed they do not intend to carry out a site visit.</p> <p>Summary</p> <p>DfI Roads has responded to the Committee Request as set out above.</p> <p>No further issues have been identified following the publication of the case officer report for the December 2020 Planning Committee.</p> <p>In conclusion, the recommendation remains as set out in the case officer's report and this update.</p> <p>Recommendation</p> <p>The proposal is recommended for approval subject to conditions.</p> | |

| Development Management Report | |
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| Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation by Cllr Canavan for reasons relating to the local residents' concerns on anti-social behaviour and parking. | |
| Recommendation: Approval | |
| Applicant Name and Address: 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, • Impact on surrounding residential amenity; and • Impact on draft Area of Townscape Character <p>Five representations and a signed petition have been received in relation to the application, raising issues including: antisocial behaviour, lack of parking, dirt & smell, not informed as direct neighbours and lack of family housing provision.</p> <p>Consultees: DFI Roads, Environmental Health and the Councils internal development plan team.</p> <p>In respect of the principle of the proposal at this location, the application site falls within a HMO Development Node HM 4/07 Falls Road/Springfield Road as designated within the HMO Subject Plan for Belfast (2015). Policy HMO 3 states that planning permission will only be granted along the frontages of designated HMO Development Nodes, providing it does not include HMO development at ground floor level within a designated commercial node or shopping area. The site is not within a designated commercial node or shopping area therefore the ground floor is not required to be commercial or shopping. The proposal is situated within the frontage of a designated HMO Development Node and is also in line with Policy HMO 6 as the criteria within this policy are either met or are not relevant.</p> <p>Recommendation- approval subject to conditions 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

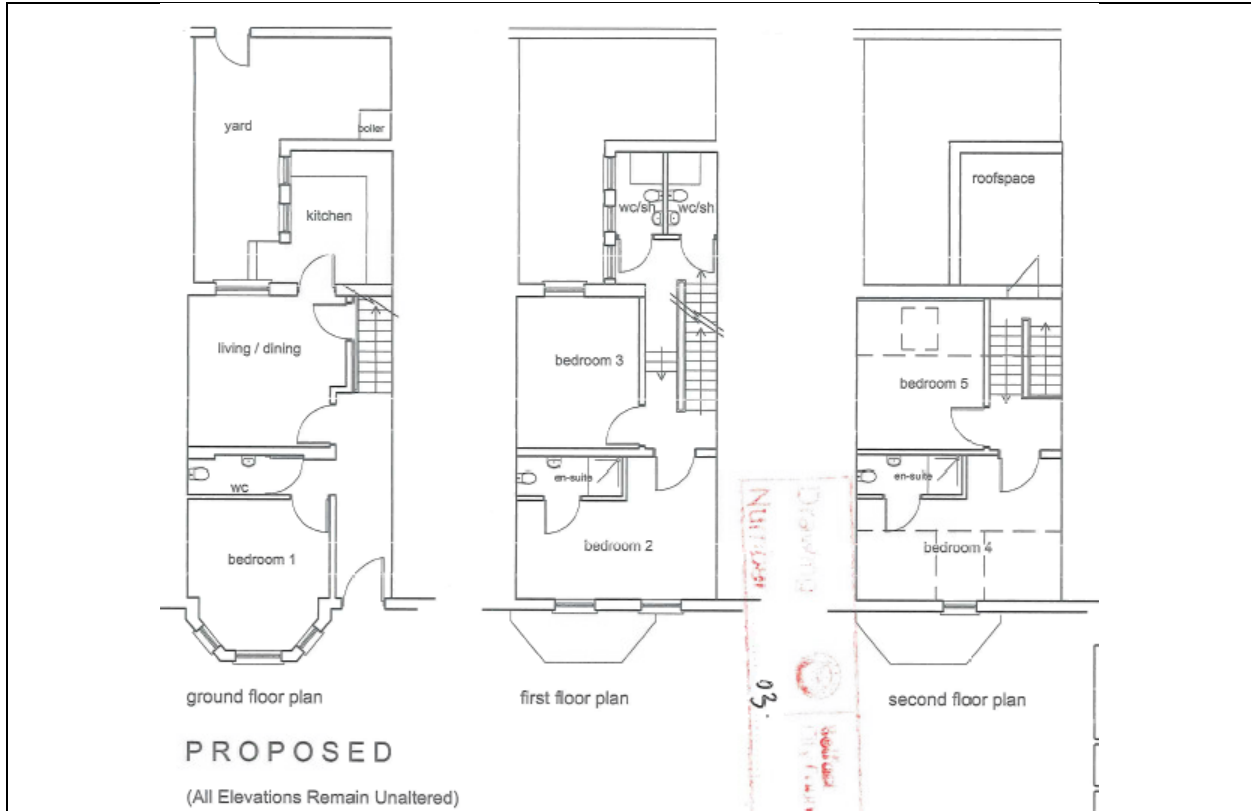
Site Location Plan:



Existing floor plans:



Proposed floor plans:



Committee Application

| Characteristics of the Site and Area | |
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| 1.0 | <p>Description of Proposed Development Planning Permission is sought for a change of use from dwelling house to a five bed House in Multiple Occupation (HMO).</p> |
| 2.0 | <p>Description of Site The site is located at 60 Springfield Road. The dwelling is a 2.5 storey, terrace property with a pitched roof finished in white render and red brick. The property has a small amenity area to the front, a small amenity area and shared alleyway to the rear.</p> <p>The site falls within the draft Falls Road Area of Townscape Character</p> |
| Planning Assessment of Policy and other Material Considerations | |
| 3.0 | <p>Site History None</p> |
| 4.0 | <p>Policy Framework</p> |
| 4.1 | Belfast Urban Area Plan |
| 4.2 | Draft Belfast Metropolitan Area Plan 2015 |

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| | Following the recent Court of Appeal decision on BMAP, 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 | Strategic Planning Policy Statement for Northern Ireland (SPPS) |
| 4.4 | The Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 |
| 4.4.1 | Policy HMO 3 |
| 4.4.2 | Policy HMO 6 |
| 4.5 | Addendum to Planning Policy Statement 6: Areas of Townscape Character |
| 5.0 | Statutory Consultees Responses DFI Roads- No Objections |
| 6.0 | Non Statutory Consultees Responses Environmental Health- No Objections |
| 7.0 | <p>Representations</p> <p>The application was neighbour notified on the 22nd September 2020 and advertised in the local press on the 25th September 2020. Five representations and a signed petition of 17 signatures have been received in relation to the application, raising issues including: antisocial behaviour, lack of parking, dirt & smell, not informed in direct neighbours and lack of family housing provision. The signed petition has been taken into account in relation to all of the areas addressed below.</p> <ul style="list-style-type: none"> - Anti-social behaviour and house parties: <i>Case Officer's response</i>- This falls outside the remit of planning and Environmental Health were consulted regarding the potential for noise and disturbance and offered no objections to the proposal. The onus is on the HMO landlords to ensure they are good neighbours, take the behaviour of their tenants seriously and work to resolve any anti-social behaviour that occurs linked to their properties. - Issues surrounding lack of parking and traffic concern: <i>Case Officer's response</i>- DFI roads were consulted with regards to parking and traffic concerns and offered no objections to the proposal. - Dirt and smell: <i>Case Officer's Response</i>- Environmental Health were consulted and offer no objections to the proposal with regards to smell. Under the NI Houses in Multiple Occupation Act, landlords or agents must have good management policies and procedures in place to make sure physical standards are maintained, occupiers' rights are respected, and any problems which arise during the period of the license are effectively addressed. They must also be able to manage issues which may concern neighbours effectively (such as building maintenance, cleaning, noise or disturbance and suitability of the applicant or agent). - Neighbour notification: <i>Case Officer's response</i>- Nine neighbouring properties were notified. As set out in Article 8 of The Planning (General Development |

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| | <p>Procedure) Order (Northern Ireland) 2015, In respect of Neighbour Notification planning applications are advertised in the local press and notice is served on occupiers of neighbouring land. This is defined as meaning land which directly adjoins the application site or which would adjoin it but for an entry or road less than 20 metres in width.</p> <p>- Lack of family housing provision: <i>Case Officer's response</i>: The application is for a house of multiple occupation at this site and therefore must be processed and assessed as this.</p> |
| 8.0 | Other Material Considerations None |
| 8.1 | Any other supplementary guidance None |
| 9.0 | Assessment |
| 9.1 | <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of an HMO in this Location • Residential Amenity • Impact on the draft Area of Townscape Character <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.</p> <p>Principle of an HMO in this location</p> <p>The site is located within the HMO Development Node HM 4/07 Falls Road/Springfield Road as designated within the Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015, as such policy HMO 3 applies. Policy HMO 3 states that planning permission will only be granted along the frontages of designated HMO Development Nodes, providing it does not include HMO development at ground floor level within a designated commercial node or shopping area. The proposal is considered to be situated within the frontage of the designated HMO Development Node.</p> <p>Policy HMO 3 is designed to accommodate the need and demand for HMO accommodation and direct it to areas where it can contribute to regeneration. Policy HMO 3 has only one criteria which is that planning permission for HMOs will be granted, providing it does not include HMO development at ground floor level within a designated commercial node or shopping area. The proposal is not within a designated commercial node or shopping area and therefore the ground floor does not have to be in commercial use and therefore planning permission for the HMO should be granted.</p> <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>Impact on Amenity</p> |

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| | <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>DFI Roads had no objections to the proposal</p> <p>In terms of noise and disturbance Environmental Health were consulted with the proposal and advised that they had no objection.</p> <p>No operational development is proposed and therefore existing amenity space provision is unaffected.</p> <p>There is no impact on the visual amenity and character of the area given that no external changes are proposed.</p> <p>Impact on the draft Area of Townscape Character Whilst the Addendum to PPS 6 ATCs does not apply to draft ATCs it provides a useful guide and in this case, the proposal would be in compliance with the Addendum to PPS 6 in that the proposed HMO will maintain the character of the surrounding area. There are no proposed alterations to the front elevation of the property.</p> |
| 9.3 | <p>Having regard for the policy context and the considerations above, the proposal is deemed acceptable.</p> <p>Summary of Recommendation: Approval</p> |
| 10.0 | Summary of Recommendation: Approval |
| 11.0 | <p><u>Conditions</u></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><u>Informative</u></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> |

Notification to Department (if relevant)

Representations from Elected members:

Request for application to be brought before Planning Committee made by Cllr Claire Canavan.

| ANNEX | |
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| Valid | 20.08.2020 |
| Date First Advertised | 25.09.2020 |
| Date Last Advertised | N/A |
| Details of Neighbour Notification (all addresses) | |
| 22.09.2020 | |
| 56 Springfield Road, BT12 7AH 58 Springfield Road, BT12 7AH 62 Springfield Road, BT12 7AH 63 Springfield Road, BT12 7AD 64 Springfield Road, BT12 7AH 57 Hawthorn Street, BT12 7AQ 59 Hawthorn Street, BT12 7AQ 63 Hawthorn Street, BT12 7AQ 65 Hawthorn Street, BT12 7AQ | |
| Date of Last Neighbour Notification | 22.09.2020 |
| Date of EIA Determination | N/A |
| ES Requested | No |
| Drawing Numbers and Title | |
| 01 Location Plan 02 Existing and Proposed Floor Plans 03 Proposed Site Plan | |
| Notification to Department (if relevant) – N/A | |
| Date of Notification to Department: n/a Response of Department: n/a | |
| Elected Representatives: Councillor Claire Canavan- Sinn Fein | |