

Appendix 4 – Managers response to the notice of proposed decision.

From: James McCoy <james.mccoy@cps-property.com>
Sent: 24 May 2021 01:17
To: Kevin Bloomfield <BloomfieldK@BelfastCity.gov.uk>
Subject: 26 Lawrence Street

Hello Kevin,

Please find attached pictures of the CLUD for 26 Lawrence Street. I can send the pictures in a different format if required.

We would like to dispute the decision on the basis that the apartment has a certificate of lawful use & development and therefore has a lawful right to continue to use the property as a HMO.

Kind Regards,

James

CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT

Planning Act (Northern Ireland) 2011: Section 169

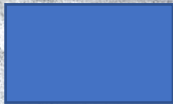
Application No: **LA04/2019/0636/LDE**

Date of Application: **21st March 2019**

Site of Proposed Development: **26 Lawrence Street
Belfast
BT7 1LF**

Description of Proposal: **HMO (Flat 2 only)**

Applicant: **Michael Homes**

Address: 

Drawing Ref: **01, 02**

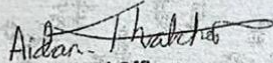
Belfast City Council hereby

CERTIFIES

that on **21 March 2019** the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate, would have been lawful within the meaning of Section 169 of the Planning (Northern Ireland) 2011, for the following reason:

The Council, having considered the information provided, is satisfied that sufficient evidence has been submitted to show that the land outlined in red on the attached Drawing No.1, received on 21 March 2019, has been used for the purpose stated in the First Schedule for more than five years up to and including the date of application and the time for enforcement action has expired.

Dated: **15th April 2019**


Aidan Phelan
Authorised Officer

Dated: 15th April 2019

The First and Second Schedule are attached hereto together with a plan. Please read the footnotes including your rights of appeal.

Schedules and Notes attached to:

CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT

Application No: LA04/2019/0636/LDE

Applicant: Michael Homes

Location: 26 Lawrence Street
Belfast
BT7 1LF

FIRST SCHEDULE

Description of use certified:

HMO (Flat 2 only)

SECOND SCHEDULE

Land specified in the Certificate:

26 Lawrence Street
Belfast
BT7 1LF



NOTES:

1. This certificate is issued solely for the purpose of Section 169 of the Planning Act (Northern Ireland) 2011.
2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under Section 138 or 139 of the Planning Act (Northern Ireland) 2011.
3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. If this Certificate has been granted in a form which the Council has modified the description of the use, operations or other matter in your application or has substituted an alternative description for that description and if you do not accept the Council's decision you may appeal by giving notice to the Planning Appeals Commission (PAC). Under Section 173 (appeals against refusal or failure to give decision on application) of the Planning Act (Northern Ireland) 2011 and Article 11(6) of the Planning (General Development Procedure) Order (Northern Ireland) 2015.

Statutory Registration Scheme for Houses in Multiple Occupation in Northern Ireland

Housing (Northern Ireland) Order 2003

Part 1 - Registration Certificate

The Northern Ireland Housing Executive hereby approves the Registration of the HMO property specified below in accordance with the above named scheme. This registration is granted subject to the provisions contained within the document "Statutory Registration Scheme for Houses in Multiple Occupation in Northern Ireland, May 2004 as amended September 2008".

HMO Premises: 26 Lawrence Street, Belfast, Antrim, BT7 1LF

Issue Date: 4 July 2016

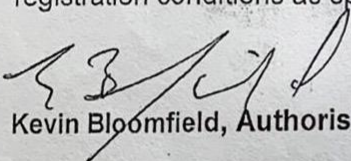
Expiry Date: 4 July 2021

Permitted Occupancy Per Unit

Unit	Permitted Occupancy
Flat 1	2
Flat 2	5

Registration Conditions:

The property shall be managed and maintained in accordance with the imposed registration conditions as specified in Part 2 of this document.



Kevin Bloomfield, Authorising Officer:

Date: 31 May 2016

Registration Number: 000631