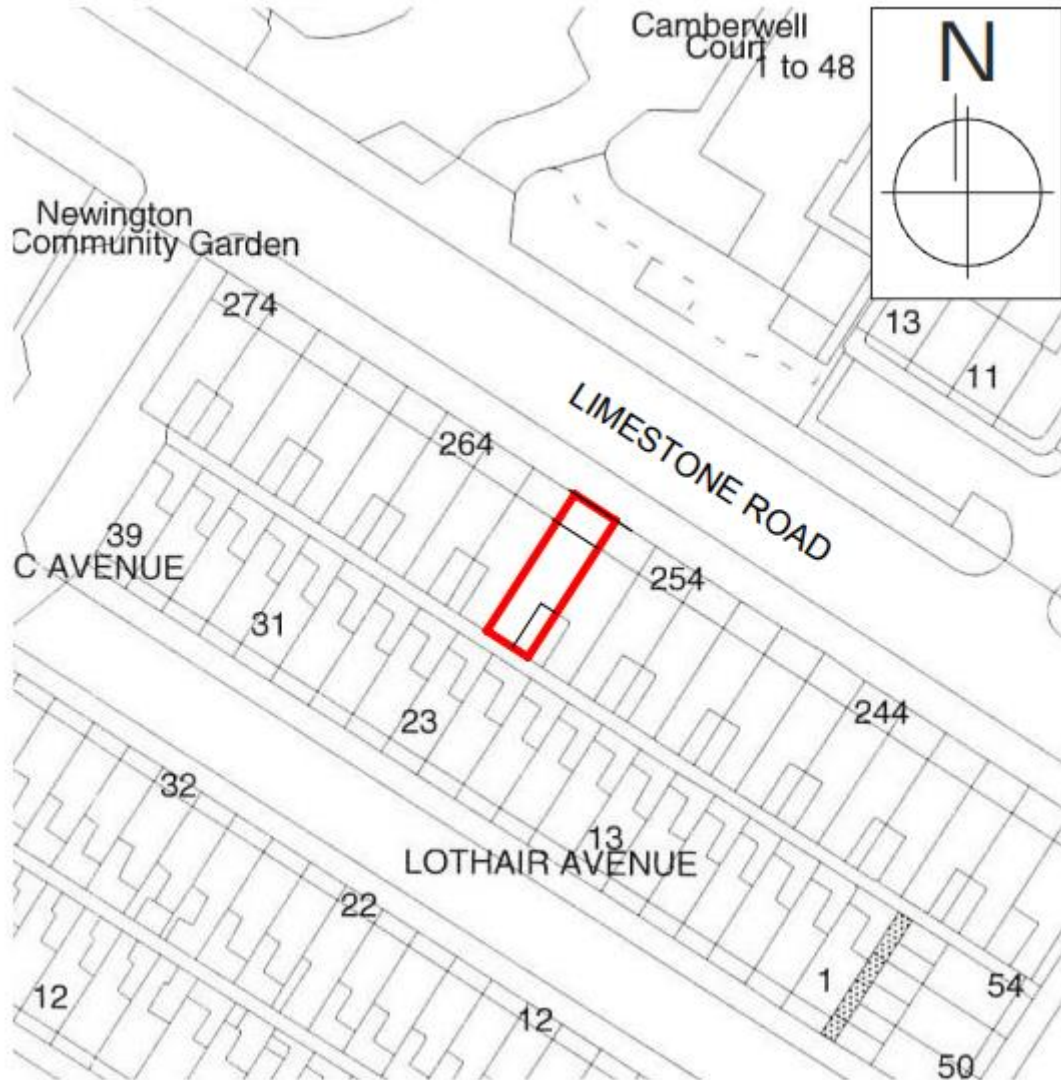


Committee Report

Development Management Report	
Application ID: LA04/2022/1831/F	Date of Committee: 18 th April 2023
Proposal: Change of use from residential to short term stay accommodation.	Location: 258 Limestone Road Belfast BT15 3AR.
Referral Route: Requested by councillor Carl Whyte as per para 3.8.1 in the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Mr John Young 1 Riverside Magherafelt BT45 6GZ	Agent Name and Address: Tim Doyle Total Architecture + Design Limited 140 Lisburn Road Belfast BT9 6AJ
Executive Summary: <p>The application seeks planning permission for change of use from a residential dwelling to short term stay accommodation.</p> <p>The site is located at 258 Limestone Road. The property is a 2.5 storey residential terrace with a two storey rear return. There is a small enclosed amenity space to the rear of the building, accessed by a gate from a rear service alley located on Oceanic Avenue. The immediate area predominantly consists of residential use.</p> <p>The site is situated on white-land within the Belfast Urban Area Plan 2001. In the draft Belfast Metropolitan Area Plan 2015, the site is within an Area of Townscape Character, Alexandra Park.</p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none">• Principle of a holiday let at this location• Impact on the character and appearance of the area• Access/Parking• Impact on residential amenity <p>There have been no objections from consultees.</p> <p>Nineteen objections have been received and are addressed within the main report.</p> <p>The application has been referred to the Committee at the request of Councillor Whyte on grounds of amenity and compatibility with the character and environmental quality of the area.</p> <p>Recommendation Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved.</p> <p>It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0	Description of Proposed Development
1.1	The application seeks planning permission for change of use from a residential dwelling to short term stay accommodation. The property would provide five bedrooms, each of which could be let separately to different persons.
2.0	Description of Site
2.1	The site is located at 258 Limestone Road. The property is a 2.5 storey residential terrace with a two storey rear return. There is a small enclosed amenity space to the rear of the building, accessed by a gate from a rear service alley located on Oceanic Avenue. The immediate area predominantly consists of residential use.

2.2	The site is situated on white-land within the Belfast Urban Area Plan 2001 (BUAP). In the draft Belfast Metropolitan Area Plan 2015 (dBMAP), the site is within as an Area of Townscape Character, Alexandra Park.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	None relevant
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) (dBMAP) Following the Court of Appeal decision on dBMAP (2014), the extant development plan is the BUAP. DBMAP (both v2004 and v2014 versions) are material considerations. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.
4.3	Belfast Local Development Plan Draft Plan Strategy The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning Policy Statement 3: Access, Movement and Parking
4.6	Planning Policy Statement 6 Addendum: Areas of Townscape Character
4.7	Planning Policy Statement 16: Tourism
5.0	Statutory Consultees Responses DFI Roads – No objections
6.0	Non Statutory Consultees Responses Environmental Health – No objections NI Water – No objections

<p>7.0</p> <p>7.1</p> <p>7.2</p>	<p>Representations</p> <p>The application was advertised on the 14th October 2022 and neighbour notified on the 12th October 2022.</p> <p>Nineteen objections have been received from surrounding residents, these are summarised below:</p> <ul style="list-style-type: none"> • Anti-social behaviour – Case officer response: there is no evidence that the proposal would raise a significant issue in this regard; this would be a police matter. • Lack of privacy/overlooking – Case officer response: There are no external changes to windows or boundaries. Therefore, privacy/overlooking would not be impacted over and above the existing situation. • Noise disturbance – Case officer response: there is no evidence to indicate that the proposal would give rise to significant impacts over and above the existing situation. Environmental Health has raised no objection to the application. • Amount of traffic – Case officer response: the proposal could give rise to an increase in traffic. However, DFI Roads offers no objection to the proposal and there is no technical evidence of harm. • Lack of car parking space – Case officer response: the proposal could give rise to additional parking pressures. However, the site is a sustainable location in close proximity to the Antrim Road, an arterial route, with good access to public transport. DFI Roads has offered no objection and has not raised concerns about parking availability. • Who will be the occupants – Case officer response: this is not a material planning consideration. • Management of rubbish/bins – Case officer response: this is not considered a planning matter for a proposal of this nature.
<p>9.0</p> <p>9.1</p> <p>9.2</p> <p>9.3</p> <p>9.4</p>	<p>Assessment</p> <p>It is considered that the proposal is in compliance with SPPS in that the proposed development would not cause demonstrable harm to interests of acknowledged importance which are considered below.</p> <p>Principle of short term lets in this location</p> <p>The application site proposes a change of use from a residential dwelling to short term stay accommodation. The property is located on white-land in BUAP.</p> <p>Policy TCM 1 of PPS 16: Tourism applies. It states:</p> <p><i>‘Tourism Development in Settlements</i></p> <p><i>Planning permission will be granted for a proposal for tourism development (including a tourist amenity or tourist accommodation) within a settlement; provided it is of a nature appropriate to the settlement, respects the site context in terms of scale, size and design, and has regard to the specified provisions of a development plan.’</i></p> <p>The proposal complies with Policy TSM 1 of PPS 16. The proposal is for a short term let which is appropriate to the settlement of Belfast and will support tourism in the city. The location is considered highly accessible on an arterial route. The proposal is considered to respect the context of the site in terms of scale, size and design.</p>

<p>9.5</p> <p>9.6</p> <p>9.7</p> <p>9.8</p> <p>9.9</p>	<p>Impact on the character and appearance of the area</p> <p>The proposal is considered to comply with Policy TSM 1 of PPS 16. The proposal is introducing no new external alterations. It is considered that the character and appearance of the draft Area of Townscape Character would be preserved.</p> <p>Impact on amenity</p> <p>The proposal does not require any external changes to the building and there would be no additional impacts over and above the existing use on the neighbouring properties in terms of loss of light, overshadowing, overlooking etc.</p> <p>Each of the five bedrooms in the property could be occupied by separate persons which could give rise to additional comings and goings of people and activity. However, the nature of the proposal is residential (albeit intensified) and there is no evidence that the proposal would give rise to significant noise or other amenity impacts. Environmental Health offers no objection to the proposal. Whilst it has recommended a condition to require a management plan to manage tenant behaviour, this would go beyond reasonable planning control and would also not be enforceable.</p> <p>Parking/Traffic</p> <p>Each of the five bedrooms in the property could be occupied by separate persons which could give rise to additional traffic and parking pressures. The site is a sustainable location, close to the Antrim Road, with good access to public transport. DfI Roads were consulted and advises no objection to the proposal. The parking and traffic impacts are considered acceptable.</p> <p>Others matters</p> <p>The request to refer the application to Committee makes reference to Policies LC1 and LC2 of Planning Policy Statement 7 Addendum: Safeguarding the Character of Established Residential Areas. However, these are not relevant to the proposal as they relate to proposals for new housing.</p>
<p>10.0</p> <p>10.1</p> <p>10.2</p>	<p>Summary of Recommendation:</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved.</p> <p>It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions</p>
<p>11.0</p>	<p>DRAFT CONDITIONS:</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>Informatives</p> <p>This decision relates to the following approved drawing number: 02</p>

ANNEX

Date Valid	29 th September 2022
Date First Advertised	14 th October 2022
Date Last Advertised	14 th October 2022
Date of Last Neighbour Notification	12 th October 2022
Date of EIA Determination	N/A
ES Requested	No