

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17 October 2017	Item Number:
Application ID: LA04/2017/1522/F	
Proposal: Conversion of dwelling to HMO	Location: 3 Pembroke Street Belfast BT12 6NY
Referral Route: Non-delegated application – Outside HMO Node.	
Recommendation:	Approval
Applicant Name and Address: Stephen Knox 4 Crevenagh View Omagh BT79 0JH	Agent Name and Address:
<p>Executive Summary:</p> <p>Planning permission is sought for the conversion of dwelling to House in Multiple Occupation (HMO).</p> <p>The site is within an Area of Townscape Character, but located outside designated HMO Policy Areas and designated HMO development nodes, as identified by Designations HMO 2 and HMO 4 of the HMO Subject Plan for Belfast City Council Area 2015, and also by the draft Belfast Metropolitan Area Plan 2015.</p> <p>One respondent has submitted a representations of objection.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • The effect on character and appearance of the Area of Townscape Character • Design of the proposal • Impact on amenity <p>The proposal is considered to be in compliance with good design principles, as contained within the SPPS, and with Policy ATC 2 of APPS 6. It has been assessed against Policies HMO 5 and HMO 6 of the HMO Subject Plan for Belfast City Council Area (BCCA) 2015 and has been found to be in compliance with this policy.</p> <p>Recommendation</p> <p>Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0 Description of Proposed Development
The proposal is for the conversion of dwelling to House in Multiple Occupation (HMO).

2.0 Description of Site
The site, identified as 3 Pembroke Street, Belfast, is a two-storey red brick dwelling with grey roof tiles within an Area of Townscape Character. The front-facing elevation has concrete lintels above window openings finished in smooth render painted white. To the rear is an enclosed yard which provides access to the alley way which runs between Pembroke Street and Donegall Road.

Planning Assessment of Policy and other Material Considerations

3.0 Site History and Surrounding Site History

3.1 Site History

- Z/1998/0431 - Rear extension to dwelling (Permission Granted)

3.2 Surrounding Site History

- None

4.0 Policy Framework

4.1	Regional Development Strategy (RDS) 2035 Belfast Urban Area Plan (BUAP) 2001 Draft Belfast Metropolitan Area Plan (dBMAP) 2015
4.2	Strategic Planning Policy Statement for Northern Ireland (SPPS) <ul style="list-style-type: none"> • Good Design Paras. 4.23-4.30 • Areas of Townscape Character. 6.21-6.23 Addendum to Planning Policy Statement 6 (APPS 6): Areas of Townscape Character <ul style="list-style-type: none"> • Policy ATC 2: New Development in an Area of Townscape Character Houses in Multiple Occupation Subject Plan for Belfast City Council Area 2015 <ul style="list-style-type: none"> • Policy HMO 5: HMO Development outside designated HMO Policy Areas and designated HMO Development Nodes • Policy HMO 6: HMO Development
5.0	Assessment
5.1	The proposal is considered to be in compliance with good design principles, as contained within the SPPS, and with Policy ATC 2 of APPS 6. It has been assessed against Policies HMO 5 and HMO 6 of the HMO Subject Plan for Belfast City Council Area (BCCA) 2015 and has been found to be in compliance with this policy.
5.2	Statutory Consultees Responses <ul style="list-style-type: none"> • None
5.3	Non Statutory Consultees Responses <ul style="list-style-type: none"> • Transport NI • Council's Environmental Health Service • Council's Conservation Officer
5.4	Representations The application has been neighbour notified and advertised in the local press. One representation of objection has been received. The main point raised by the objection is that the area is not suitable for HMOs. In explicating this point the objector raises concerns in relation to problems with: landlord management of properties and tenants; parking; anti-social behaviour, noise, fire and other risks; access for emergency vehicles; safety of children playing in streets; and issues in relation to transient populations that leave the area at weekends.
5.5	Other Material Considerations <ul style="list-style-type: none"> • None
5.6	Transport NI Consideration Transport NI has been consulted and has offered no objection to the proposal.
5.7	Environmental Health Service Consideration The Council's Environmental Health Service has been consulted and offered no objection to the proposal.
5.8	Conservation Area Consideration The Council's Conservation Officer has been consulted and has offered no objection to the proposal.
5.9	HMO Dwelling Units – 10% Rule

<p>5.10</p> <p>5.11</p> <p>5.12</p> <p>5.13</p>	<p>The proposal for the conversion of dwelling to HMO is outside designated HMO Policy Areas and designated HMO development nodes, as identified by Designations HMO 2 and HMO 4 of the HMO Subject Plan for BCCA 2015, and also by the draft BMAP 2015. Policy HMO 5 of the HMO Subject Plan for BCCA 2015 states that outside designated HMO Policy Areas and designated HMO Development Notes, planning permission will only be granted for further HMO development where as a result the number of HMOs does not exceed 10% of dwelling units on that road or street. There are 13 properties on Pembroke Street. Land and Property Services Domestic Capital Values list shows that the street comprises 11 dwelling units at No's. 4-6 and 3-19. Its Non-Domestic Net Annual Values list shows that there are two non-domestic units at No's. 1 and 2. Planning records and the Northern Ireland Housing Executive's Public Register of HMOs show no record of any HMOs on Pembroke Street. Therefore, the proposal is compliant with Policy HMO 5 in that it would not exceed the 10% rule.</p> <p>Amenity Policy HMO 6 of the HMO Subject Plan for BCCA 2015 is designed to protect the amenity of residential areas, and applies to the change of use of dwellings to HMOs. It sets four criteria which must be met in respect of HMO development. Only one criterion is relevant to the proposal; that being, that the HMO unit must not be wholly in the rear of the property and without access to the public street. The proposal satisfies this criterion and is therefore in compliance with Policy HMO 6.</p> <p>Built form, appearance and character In terms of alterations, the proposal will result in the addition of a ground floor bathroom within the existing footprint of the property and the loss of one living area to provide an additional fourth bedroom. The alterations will not impact on the external appearance of the property which will remain unchanged, and existing amenity spaces unaffected. The Council's Conservation Officer raised no objection to the proposal which is considered to be compliant with Policy ATC 2 of APPS 6 in that the development will maintain the overall character and built form of the area.</p> <p>Noise Issues The proposal may have four persons sharing. This has potential to generate some level of noise disturbance, which is a concern raised in the objection. However, the Council's Environmental Service raised no objection to the proposal, and any noise issues would be a matter for investigation by that Service.</p> <p>Car parking and traffic arrangements In terms of car parking and impact on existing traffic arrangements, Transport NI has been consulted and has offered no objection to the proposal.</p>
6.0	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable. Planning permission is recommended subject to conditions.</p>
6.1	<p>Summary of Recommendation: Approval</p>
7.0	<p>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>2. The House in Multiple Occupation hereby approved shall be limited to 4</p>

	<p>bedrooms.</p> <p>Reason: To protect the residential amenity of nearby residents and prevent intensification of the use of the property as a House in Multiple Occupation.</p> <p>3. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order, the ground floor bathroom window, as stipulated on Drawing No. 02, date stamped 04 July 2017, shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.</p> <p>Reason: To safeguard the privacy of adjacent properties.</p>
8.0	<p>Notification to Department (if relevant) Not applicable</p>
9.0	<p>Representations from Elected members: None</p>

ANNEX	
Date Valid	11th July 2017
Date First Advertised	28 th July 2017
Details of Neighbour Notification (all addresses) 278 Donegall Road, Malone Lower, Belfast, Antrim, BT12 6FW 1 Pembroke Street, Malone Lower, Belfast, Antrim, BT12 6NY 5 Pembroke Street, Malone Lower, Belfast, Antrim, BT12 6NY 280 Donegall Road, Malone Lower, Belfast, Antrim, BT12 6FW 276 Donegall Road, Malone Lower, Belfast, Antrim, BT12 6FW Richview Presbyterian Church, 2 Pembroke Street, Malone Lower, Belfast, Antrim, BT12 6NY 177, Tates Avenue, Belfast, Antrim, Northern Ireland, BT12 6NA	
Date of Last Neighbour Notification	27 July 2017
Drawing Numbers: 01, 02, 03	