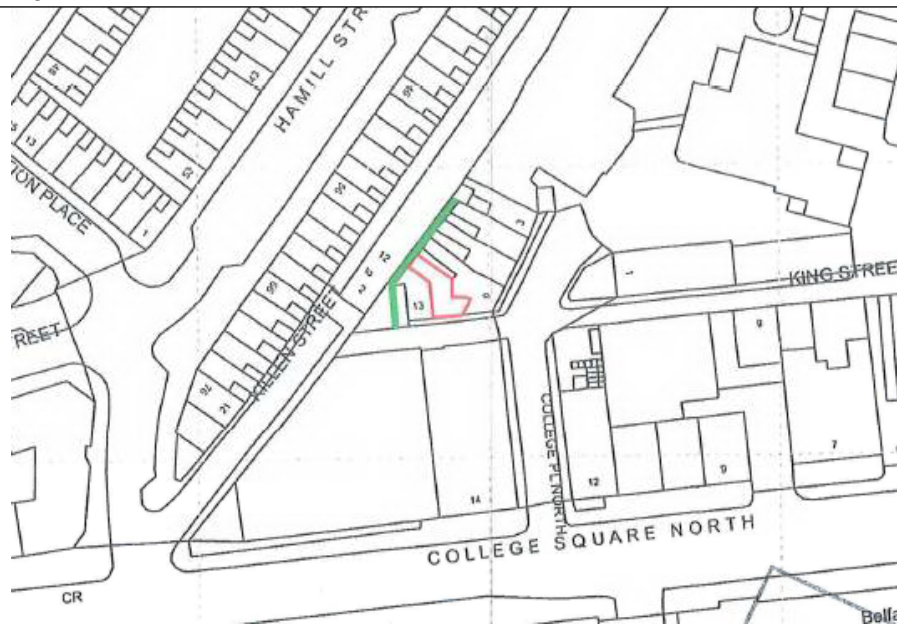


**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date: 12 December 2017	
Application ID: LA04/2017/2494/F	
Proposal: Change of use from dwelling to HMO	Location: 11 College Place North Belfast BT1 6BE
Referral Route: HMO	
Recommendation:	Refusal
Applicant Name and Address: 4 Collisdon Court Road Collisdon Surrey CR5 2LL	Agent Name and Address: APS Architects LLP Unit 4 Mid Ulster Business Park Derrylorn Industrial Estate Sandholes Road Cookstown BT80 9LU
Executive Summary: Full planning permission is sought for the conversion of dwelling to a HMO The key issues in assessment of the proposed development include: <ul style="list-style-type: none">• The principle of a HMO at this location;• Impact on traffic flow; The site is located within the city development limits for Belfast as designated within the Draft Belfast Metropolitan Area Plan 2004 and falls within the Linen Conservation Area, as was designated in the draft BMAP. Transport NI was consulted and had no objection to the proposal. No representations were received. Recommendation It is recommended that the application is refused.	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0 Description of Proposed Development

The proposal is for the change of use from a dwelling to a House of Multiple Occupancy (HMO).

2.0 Description of Site

The site is located at 11 College Place North, off College Square North in Belfast City Centre. It consists of a 2-storey mid terrace dwelling. The dwelling is a listed building and forms part of a row of 6 no. listed terraces. College Place North is a part cobbled street and with the character of the area defined by the rears of premises along College Square North and Neill's flour mill to the North East of the site.

Planning Assessment of Policy and other Material Considerations

3.0 Relevant Planning History

Z/1993/2454 - LAND OPPOSITE ROSE COTTAGE AND THE FORMER BACON FACTORY SUFFOLK ROAD - Erection of shop, office and light industrial units - PERMISSION GRANTED

Z/1993/2491 - 3-13 COLLEGE PLACE NORTH - Demolition of Listed Buildings (Listed Building Consent) PERMISSION REFUSED

Z/1993/2492 - 3-13 COLLEGE PLACE NORTH - Erection of storage building ancillary to existing flour mill - PERMISSION REFUSED

Z/1995/3031 - 3 & 5 COLLEGE PLACE NORTH - Change of use of existing office accommodation to 2 No dwellings including 2 storey extension to the rear of each dwelling - PERMISSION GRANTED

	LA04/2015/1455/LBC - 11 College Place North - Internal and external alterations to existing dwelling including replacement roof, windows and door and a new window to the rear - PERMISSION GRANTED - 12.04.2016
4.0	<p>Policy Framework</p> <p>BUAP 2001 Draft Belfast Metropolitan Area Plan 2004 Version of Belfast Metropolitan Area Plan published 03.09.14 Strategic Planning Policy Statement (SPPS) Belfast HMO Subject Plan 2015 Planning Policy Statement 6: Planning, Archaeology and the Built Heritage</p>
5.0	<p>Other Material Considerations</p> <p>None</p>
6.0	<p>Statutory Consultees</p> <p>Transport NI – No objection</p>
7.0	<p>Non-Statutory Consultee Responses</p> <p>None</p>
8.0	<p>Representations</p> <p>None</p>
9.0	<p>Assessment</p>
9.1	<p><u>Site</u></p> <p>The site is located at 11 College Place North, off College Square North in Belfast City Centre. It consists of a 2-storey mid terrace dwelling. The dwelling is a listed building and forms part of a row of 6no. listed terraces. College Place North is a part-cobbled street and the character of the area is defined by the rears of premises along College Square North and Neill's flour mill.</p>
9.2	<p><u>Proposal</u></p> <p>The proposal is for the change of use from a dwelling to a House of Multiple Occupancy (HMO).</p>
9.3	<p><u>Consideration</u></p> <p>The main issues in this proposal are:</p> <ul style="list-style-type: none"> • The principle of a HMO at this location • Impact on traffic flow

9.4	<p><u>Site History</u></p> <p>In April 2016 the site was granted listed building consent for internal and external alterations including a replacement roof, windows and door and a new window to the rear. Internal reconfiguration included alterations to form an open plan kitchen/living area on the ground floor and a bathroom with separate w.c on the first floor (LA04/2015/1455/LBC – Granted 12th April 2016).</p>
9.5	<p><u>Houses in Multiple Occupation Subject Plan</u></p> <p>The Houses in Multiple Occupation Subject Plan for Belfast City Council Area 2015 provides the relevant guidance and policy for this proposal.</p> <p><i>The HMO Subject Plan Strategy aims to adopt a balanced approach to HMO development, by seeking to positively influence and shape the market for HMOs, while controlling and curtailing further development in areas where such accommodation is currently concentrated. The Belfast HMO Strategy is to:</i></p> <ul style="list-style-type: none"> • <i>Protect the amenity of areas where multiple occupation is, or is likely to become, concentrated;</i> • <i>Accommodate the need and demand for multiple occupation, while maintaining a community balance;</i> • <i>Focus HMO development in areas where it can contribute to regeneration; and</i> • <i>Promote appropriate development of purpose built student accommodation.</i>
9.6	<p>The site does not fall within any of the HMO Policy Areas (where multiple occupation is currently, or is likely to become, concentrated) nor any of the HMO Development Nodes (designed to accommodate HMO demand/need), as designated in the Subject Plan. The relevant Policy is therefore HMO 5: HMO Development outside designated HMO Policy Areas and designated HMO Development Nodes.</p>
9.7	<p><u>Policy HMO 5</u></p> <p>HMO 5 states:</p> <p><i>Outside designated HMO Policy Areas and designated HMO Development Nodes, 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. Where such a street or road is in excess of 600 metres in length, 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 within 300 metres either side of the proposal on that road or street.</i></p>
9.8	<p>The residential area along College Place North is a small stretch of 6no. terraces (the office building opposite the site is 14 College Square North, currently in use by Youth Action). The only relevant planning history for the street is for the change of use of two of the premises (nos.3 and 5) from office use to dwellings in 1995. There are no other HMO approvals. The proposal for HMO use at this address would result in 16% (1 out of the 6 dwellings) of the properties as being in HMO use. As the street is well under 300m the remainder of the policy is not applicable.</p> <p>Additionally, Nos. 3 and 7 appear on the current NIHE HMO Public Register (09/11/2017),</p>

9.9	<p>and are long established houses of multiple occupancy. These two properties are now lawful HMOs. On the basis that at there are currently 2 properties in HMO use the 10% threshold is already being exceeded on College Place North and as such the application for a change of use to HMO for no. 11 should not be granted permission subject to Policy HMO 5 of the Subject Plan.</p> <p><u>Policy HMO 6</u></p>
9.10	<p>Also relevant is Policy HMO 6 of the Subject Plan which includes the change of use of a house to a HMO. Planning permission will only be granted for HMO development where all of the following criteria are met:</p> <ul style="list-style-type: none"> - Any HMO unit within a Policy Area does not exceed 4 bedrooms; - Any HMO unit is not wholly in the rear of the property and without access to the public street; - The original property is greater than 150 square metres gross internal floor space when any house is being converted to flats for HMO use; - All flats for HMO use are self-contained (i.e. having separate bathroom, w.c and kitchen available for use only by the occupiers); - Any approval for HMO development within a Policy Area will be subject to a condition restricting the number of occupants to 4.
9.11	<p>The proposed site is not in a Policy Area. The proposed unit is not wholly in the rear of the property and has access to the public street. The property is not being converted into a flat. In this regard the proposal is considered compliant with HMO 6.</p> <p><u>Impact on Traffic Flow</u></p>
9.12	<p>Dfl Roads was consulted about the proposal and its potential impact on traffic flow. It responded:</p> <p><i>In assessing development applications proposing Houses in Multiple Occupation, Dfl Roads is informed by the HMO Subject Plan for Belfast City Council Area 2015 which was adopted in December 2008. While the various policy requirements of 'Subject Plan' seek to encourage regeneration, address need and demand, and also protect residential amenity, it is noted that the provision of car parking is not a requirement of the assessment process. Equally, existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development.' This being the case Dfl Roads offers no objection to this development proposal.</i></p> <p>As above, Roads have no objection to the proposal.</p> <p><u>Conclusion</u></p>
9.13	<p>Based upon the above assessment, despite no objection from Dfl Roads and compliance with HMO 6, the proposed change of use is considered unacceptable due to its taking the HMO use above the 10% threshold for the street, contrary to Policy HMO 5. The HMO use of known lawful HMOs is at 33.3%. Including the other two current HMOs it would be 66.6% and including the current proposal a total percentage of 83.3%. Irrespective of how the numbers are calculated, all exceed the threshold. I therefore recommend refusal.</p>
Neighbour Notification Checked: Yes	

Summary of Recommendation: Refusal

Refusal Reason

1. The proposed change of use to a HMO is considered to be unacceptable as proposal would result in breaching the 10% threshold of the street becoming HMO use, contrary to Policy HMO 5 of the House in Multiple Occupation Subject Plan 2015.

ANNEX	
Date Valid	02 November 2017
Date First Advertised	17 November 2017
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 13 College Place North,Belfast,Antrim,BT1 6BE, The Owner/Occupier, 14 College Square North,Belfast,Antrim,BT1 6AS, The Owner/Occupier, 58 Hamill Street,Belfast,Antrim,BT12 4AA, The Owner/Occupier, 9 College Place North,Belfast,Antrim,BT1 6BE,The Owner/Occupier, 7</p>	
Date of Last Neighbour Notification	14 November 2017
Date of EIA Determination	N/A
ES Requested	No
Representations for Elected Representatives: None	
Notification to Department (if relevant): N/A	