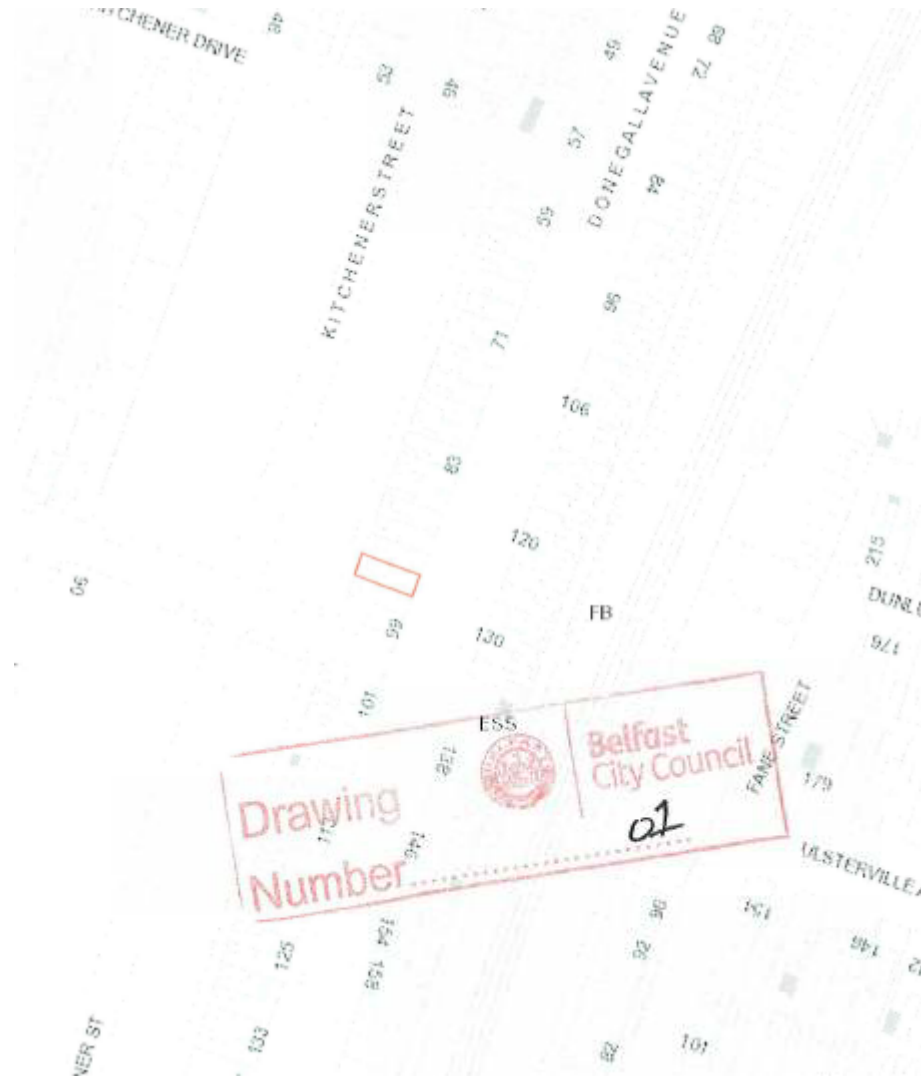


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 9 April 2019	
Application ID: LA04/2019/0273/F	
Proposal: Change of use from dwelling to House for multiple occupation.	Location: 95 Donegall Avenue Belfast.
Referral Route: HMO – Scheme of Delegation	
Recommendation:	Refusal
Applicant Name and Address: Richard Lawson 115 Redrock Road Armagh BT60 2BN	Agent Name and Address: Lenaghan Design 30 Moss Park Richhill BT61 9PT
<p>Executive Summary:</p> <p>Full planning permission is sought for conversion of 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; and • Impact on surrounding residential amenity. <p>Two letters of objection have been received from: Blackstaff Residents and the Alliance Party of NI. Issues of concern included:</p> <ul style="list-style-type: none"> • The use of traditional terrace housing for HMO • Parking issues associated with HMO use • Failure to comply with policy, number of existing HMOs exceeds policy restriction <p>Consultees DfI Roads Service – no objection BCC Environmental Health – no objection</p> <p>The proposed site is not located within an HMO Policy Area or HMO Node in the Subject Plan for Belfast City Council Area. Policy HMO 5 is therefore applicable, the policy permits for development outside of a HMO Policy Area or HMO Node the change to HMO use at a value of up to 10% of any street or in specifically long streets 300m either side of the site.</p> <p>The retained information/records indicate that the 10% figure has been exceeded within a distance of 300m to either side of the site.</p> <p>Recommendation</p> <p>Having had regard to the development plan, relevant planning policy and guidance, it is recommended that planning permission is refused. The proposal is contrary to Policy HMO 5 of the HMO Subject Plan in that 10% HMO's use within 300m either side of the site has been achieved.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

<p>1.0</p>	<p>Description of Proposed Development Planning permission is sought for the change of use from domestic dwelling to HMO</p>
<p>2.0</p>	<p>Description of Site. The site is a mid-terrace two storey dwelling with flat roof dormer providing additional attic space accommodation and no private amenity to the front. The property is finished in a rough cast render to the ground floor and a smooth painted render above. The character of the surrounding area is dominated by similar two storey terrace dwellings typical of their period with no front amenity space and an enclosed yard to the rear leading onto a service alleyway. The area to the rear of the site is currently being redeveloped with new domestic dwellings in the process of being erected.</p>

Planning Assessment of Policy and other Material Considerations	
3.0	Planning History No previous planning applications on site
4.0	Policy Framework
4.1	BUAP; dBMAP
4.2	aPPS 6; HMO Subject Plan for Belfast City Council Area
5.0	Statutory Consultee Responses
	DfI Roads Service – no objection
6.0	Non Statutory Consultees Responses
	BCC Environmental Health – no objection
7.0	Representations
7.1	Two letters of objection have been received from: Blackstaff Residents. Issues of concern included: <ul style="list-style-type: none"> • The use of traditional terrace housing for HMO • Parking issues associated with HMO use
7.2	The Alliance Party of NI. Issue: <ul style="list-style-type: none"> • Failure to comply with policy, number of existing HMOs exceeds policy restriction
8.0	Other Material Considerations
	None
9.0	Assessment
9.1	Policy Context: The proposal is within the development limits for Belfast as identified in the BUAP and the dBMAP 2015. The site is also designated within the Donegall Road (Village) Area of Townscape Character (ATC). The SPPS is a relevant material consideration and echoes the addendum to PPS 6 for management of development within a proposed ATC. The SPPS also refers to the creation of balanced communities and good design for achieving quality residential development. The policies within the aPPS 6 and the HMO Subject Plan therefore are the primary policy considerations.
9.2	Consideration: The application site is not within a HMO Policy Area or HMO Node as designated in the HMO Subject Plan for Belfast City Council Area. Policy HMO 5 as stated in the subject plan is applicable. Policy HMO 5 permits 10 percent of any street outside a HMO Policy Area or HMO Node to change to a HMO use. Donegall Avenue extends more than 600m in length, the threshold assessment is therefore based on the number of HMOs within 300 metres to either side of the site. Records contained within the LPS pointer address database indicate there to be a total of 187 dwellings along the 600m section of street. This figure limits the potential number of dwellings to be used for HMO use to 18/19 dwellings. The current figure on record indicates 29 dwellings operate as HMOs within 300m to either side of the site. This figure is disputed by the applicant, information submitted by the applicant in support of the application indicates there are 5 dwellings operating as HMOs in Donegall Avenue (this figure being derived from the NIHE HMO database). Policy HMO 5 however, requires, in the first instance, that the figures published within the HMO Subject Plan for Belfast City Council Area be used to assess the level of HMO use within the area. This figure indicates that the 10% allowance for HMO use has been exceeded to the level of 15.5%. Therefore, any further HMO use within the street would exacerbate the ongoing over use of HMOs within the street and fail to meet the policy test.

	The change of use of the dwelling within the proposed ATC requires no external changes to the dwelling any impact therefore on the surrounding character is minimal. The proposal will have no significant impact on the ATC setting therefore complies with policy as stated within aPPS 6.
10.0	Summary of Recommendation: Refusal
10.1	Refusal
11.0	Refusal Reason
11.1	The proposal is contrary to Policy HMO5 of the Houses in Multiple Occupation (HMO) Subject Plan for Belfast City Council Area 2015, in that the number of HMO dwelling units already exceeds the 10% threshold within 300m either side of no. 95 Donegall Avenue and no further HMO development is permitted.

Notification to Department (if relevant): N/A

Details of Neighbour Notification (all addresses)

126 Donegall Avenue, Belfast, Antrim, BT12 6LX
128 Donegall Avenue, Belfast, Antrim, BT12 6LX
130 Donegall Avenue, Belfast, Antrim, BT12 6LX
82 Kitchener Street, Belfast, Antrim, BT12 6LF
84 Kitchener Street, Belfast, Antrim, BT12 6LF
93 Donegall Avenue, Belfast, Antrim, BT12 6LS
97 Donegall Avenue, Belfast, Antrim, BT12 6LS