# **Committee Application**

Development Management Report		
Application ID: LA04/2019/1438/F	Date of Committee: Tuesday 15th October 2019	
Proposal: Change of use from existing residential apartment to HMO	Location: 73 Castlereagh Road, Belfast BT5 5FD	
Referral Route: House in Multiple Occupation application outside HMO Policy Area or Development Node		
Recommendation:	Approval	
Applicant Name and Address: David McCauley 55 Drumgooland Road Castlewellan BT31 9QG	Agent Name and Address: David McMaster Architect 12A Mahon Industrial Estate Mahon Road Portadown BT62 3EH	

## **Executive Summary:**

Planning permission is sought for a change of use from a dwelling house to a House in Multiple occupancy (HMO).

The key issues in the assessment of the proposed development include: principle of a HMO in this location; impact on parking; and impact on residential amenity.

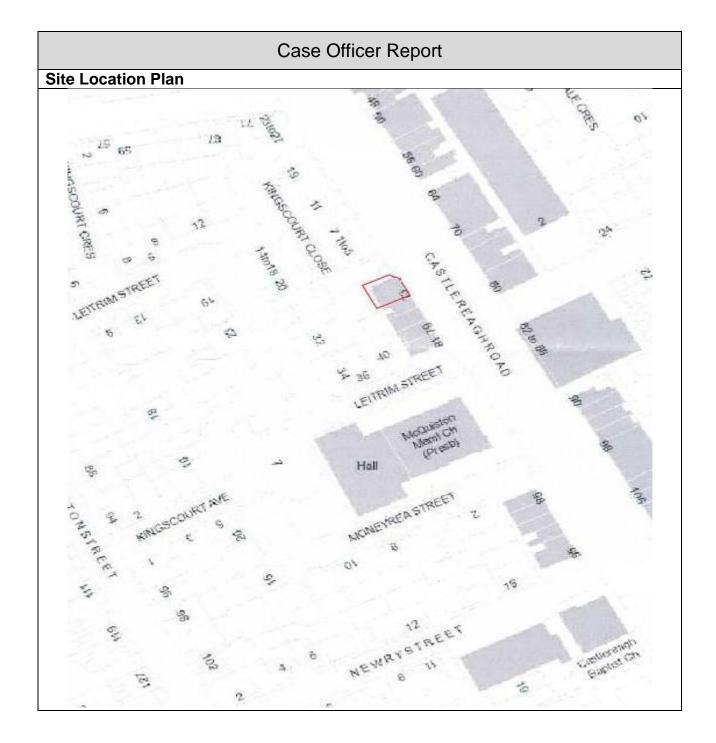
In respect of the principle of the proposal at this location, the proposed site is not located within a HMO Policy Area or HMO Node in the Subject Plan for Belfast City Council Area, policy HMO 5 is therefore applicable. The policy permits the change of use to HMO use of up to 10% of any street. As Castlereagh Road is in excess of 600m in length this assessment is based on the number of dwelling units converted up to 300m on either side of 73 Castlereagh Road.

The Land and Property Pointer Address database indicates that there are 67 domestic properties in this section of Castlereagh Road. This would allow 6 HMO properties on Castlereagh Road before the 10% threshold would be exceeded. Records show that there are currently two properties in HMO use within this section of Castlereagh Road. This proposal would result in 3 HMOs on this stretch of the Castlereagh Road and therefore within the 10% threshold.

The application has been neighbour notified and advertised in the local press. No letters of representation have been received.

#### **Recommendation – Approval**

Having regard to the policy context the proposal is considered to comply with Policy and is acceptable and the application is recommended for approval.



Chara	Characteristics of the Site and Area			
1.0	Description of Proposed Development Planning permission is sought for a change of use from an existing residential apartment to a HMO. The proposal will have 4 bedrooms which will occupy the first and second floors of the property.			
2.0	Description of Site  The application site is located at 73 Castlereagh Road. This section of the street is mixed use with a number of retail units and hot food bars located at ground floor, with residential units located above. Large apartment block is located adjacent to the site with a Presbyterian Church also located in close proximity. The site is a two and half storey end terrace unit finished with cream render and black fascia at ground floor level and the red brick at first floor. The surrounding area consists of 2.5 storey properties with a number having pitched dormers on the front elevation, as well as 3 storey apartment block adjacent to the site.			
Planning Assessment of Policy and other Material Considerations				
3.0	Site History One previous change of use application exists for the site, this was submitted in 1984 under reference Z/1984/2095 for a change of use to Building Society Offices. Permission was granted.			
4.0	Policy Framework			
4.1	Belfast Urban Area Plan 2001 (BUAP)			
4.2	(Draft) Belfast Metropolitan Area Plan 2015 The extant development plan is now the BUAP and the policies within the Draft BMAP 2004 and 2015 carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.			
4.3	HMO Subject Plan 2015			
4.4	Strategic Planning Policy Statement (SPPS)			
4.5	Planning Policy Statement 3: Access, Movement and Parking			
5.0	Statutory Consultees Responses			
5.1	DFI Roads – No objection			
6.0	Non Statutory Consultees Responses			
6.1	Environmental Health – No objection Local Development Plan Team – No objection			
7.0	Representations			
7.1	The application has been neighbour notified and advertised in the local press. No letters of representation have been received.			
8.0	Assessment			
8.1	The key issues to be considered are:     Principle of a HMO in this location;     Impact on Parking; and     Impact on Residential Amenity			

## 8.2 Principle of an HMO in this location The site is located in a shopping/commercial area zoned land within the settlement development limit for Belfast as designated draft BMAP 2015 and is located on an Arterial Route, Policy AR 05 'Shopping/Commercial Areas on Arterial Routes' within draft BMAP does not state that proposals other than retail or office development will not be acceptable within shopping or commercial zoned area. The existing retail unit on the ground floor will remain therefore the proposal will not cause a loss of retail or office use within the shopping/commercial zoned area. As such the principle of the proposal is deemed acceptable 8.3 at this location subject to planning and other environmental matters. The application site is not within a HMO Policy Area or Development Node as designated 8.4 in the HMO Subject Plan 2015. Therefore, HMO 5 is applicable in this instance. Policy HMO 5 permits for 10% of any street outside a HMO Policy Area or Development Node to be changed to HMO use. As Castlereagh Road is in excess of 600m in length this

Planning history records and the register for HMO's demonstrate that the proposal is compliant with Policy HMO 5 in that it would not exceed the 10% rule.

assessment is based on the number of dwelling units up to 300m on either side of no.73

According to the LPS pointer address database there are 67 domestic properties on this section of Castlereagh Road. This would allow 6 HMO properties on this section of Castlereagh Road before the 10% threshold would be exceeded. According to the records held by the Local Development Plan Team there are currently two properties in HMO use on this section of Castlereagh Road

The proposal complies with Policy HMO 6 in that the criteria are either met or are not relevant: the first bullet point is not relevant as the property is not within a Policy Area; the second bullet point is met in that the HMO is not wholly in the rear of the property and without access to the public street; and the third and fourth bullet points are not relevant as the proposal is not being converted into HMO flats.

#### Impact on Parking

Castlereagh Road.

8.5

8.6

8.7

- 8.8 The SPPS is relevant given the perceived impact of HMO development on amenity and parking within the locality. This is concerned with impact on amenity such as noise, nuisance and disturbance and impact on road safety and traffic circulation.
- 8.9 DFI Roads were consulted and offered no objection to the proposal.
- 8.10 The proposal will use existing available on-street parking.

## Impact on Residential Amenity

- 8.11 In terms of noise and disturbance Environmental Health were consulted with the proposal and advised that they had no objection to the proposal.
- 8.12 No operational development is proposed and therefore existing amenity space provision is unaffected.
- 8.13 There will be no impact on the character of the area given that no external changes are proposed to the property.

## 9.0 Summary of Recommendation: Approval

Having regard to the policy context and consideration of the objections received, on balance, the proposal is considered acceptable and planning permission is recommended for approval.

### 10.0 Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

#### Informatives:

1. For detailed requirements relating to HMO Standards and relevant documentation you should visit NIHMO. Please see also the HMO (NI) Act 2016 which contains the definition of a House in Multiple Occupation for Northern Ireland. This also contains the minimum space standard for rooms in a HMO that are occupied as sleeping accommodation. Please also see the Houses in Multiple Occupation (Space Standards) Regulation (NI) 2019 which contains the method of measurement for determining useable floor space within sleeping accommodation.

ANNEX		
Date Valid	14th June 2019	
Date First Advertised	5 <sup>th</sup> July 2019	
Date Last Advertised	5th July 2019	
Details of Neighbour Notification (all addresses)		
1 – 5 Kingscourt Close,Belfast,Down,BT6 9AP 24 – 40 Leitrim Street,Belfast,Down,BT6 9BJ		
5 Kingscourt Close,Belfast,Down	,	
72 & 74 Castlereagh Road,Belfa		
72 & 74 Castiereagn Road, Deliast, Down, D13		
Date of Last Neighbour Notification	27/06/2019	
Date of EIA Determination		
ES Requested	No	
Drawing Numbers and Title		
01- Site Location Map,		
02- Existing Floor Plans and Elevations		
03- Proposed Floor Plans and Elevations	3	
Notification to Department (if relevant)		
Date of Notification to Department:		
Response of Department:		