



# Houses in Multiple Occupation (HMOs)

Subject Plan for  
Belfast City Council Area 2015



Draft Plan 2006



An Agency within the Department of the  
**Environment**  
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## **Preamble**

The Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 is being prepared under the provisions of Part III of the Planning (Northern Ireland) Order 1991 by the Planning Service, an Agency within the Department of the Environment (DOE).

A Notice of Intention to prepare the Plan was published in the regional and local press on 30 June 2005. The notice invited individuals and interested parties to submit initial comments on key issues, which the Department should consider in preparing the Plan.

The Department published the Issues Paper “Houses in Multiple Occupation (HMOs)” on 15 August 2005 in order to assist and inform the consultation process. Notices advising that the Department had published the Issues Paper were placed in the regional and local press and in the Belfast Gazette on 10 August 2005. The Issues Paper sought to stimulate debate and discussion focused on those issues of significance that would shape the preparation of the Plan. Comments were invited in response to matters raised in the Issues Paper, or any other issues relevant to the Plan, during a 14-week period ending on 21 November 2005 (see Appendix 1).

The public consultation process has been fundamental to the formulation of the Plan. It has been designed to encourage the involvement and ownership by local communities wishing to influence the future development of their neighbourhoods. The consultation was led by PricewaterhouseCoopers to engage the views of the public and community groups (including Section 75 Equality Groups under the Northern Ireland Act 1998). A summary of the public consultation exercise is set out in Appendix 2 of the Plan.

The Department in the preparation of the Plan has considered all comments received since publication of the initial press notices in June 2005.

The Plan has been prepared by an in-house planning team within the DOE Planning Service and the process has been informed by the Inter-Agency Strategic Group set up by Belfast City Council. Input was received from the various Departments within the City Council (Environmental Health, Cleansing Services, Pollution and Noise Control, Building Control and Waste Management) and other Agencies/Government Departments including the Police Service for Northern Ireland (PSNI), NIO Community Safety Unit and Universities. The Plan also takes account of the Housing Market Analysis undertaken by the Northern Ireland Housing Executive (NIHE) for the Subject Plan (refer to Supplementary Document 1).

The Department is now publishing the Draft “Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015” (hereafter referred to as the Plan) consisting of a Written Statement and accompanying maps. The Plan Strategy, designations and policies, hereafter referred to collectively as the Plan Proposals, are detailed in Part 3 of the Plan.

**Representations either supporting or objecting to any of the Plan Proposals must be submitted in writing and must be received not later than 5.00pm on 22 August 2006. Representations should, where appropriate, be accompanied by an up to date map clearly identifying any lands to which they relate. Late representations cannot be considered.**

**Representations should be addressed to:**

**Belfast HMO Subject Plan Team  
Belfast Metropolitan Area Plan 2015  
2<sup>nd</sup> Floor Bedford House  
16-22 Bedford Street  
Belfast  
BT2 7FD  
Tel: (028) 9025 2920  
Fax: (028) 9025 2967  
e-mail: belfast.ma.plan@doeni.gov.uk**

The Department will consider any representations including objections relating to the Plan that it receives within the prescribed period. The Department may request the Planning Appeals Commission to hold a public inquiry for the purpose of considering objections. If a public inquiry is held the Department will consider the recommendations of the Planning Appeals Commission and decide whether to adopt the Plan in whole or in part, with or without modification. A final version of the Plan incorporating any amendments or revisions will then be published.

The Department is publishing a number of Supplementary Documents to accompany the Plan. These do not form part of the Plan but provide supporting information that has informed the Plan. The Supplementary Documents are:

1. A Report on the Housing Market Analysis by the Northern Ireland Housing Executive.
2. Strategic Environmental Assessment comprising an assessment of probable environmental impacts of the Plan.
3. Equality Impact Assessment comprising an assessment of probable equality impacts of the Plan.

The Plan Proposals should not be read as the only tests of acceptability for HMO development proposals. They sit alongside but do not supersede prevailing regional policy as set out in the Planning Development Strategy (RDS) and Planning Policy Statements (PPSs) and Statutory Development Plans. In making its decisions, the Department will assess proposals against all planning policies and other material considerations that are relevant to it. The contents of the Plan must therefore be read in conjunction with the relevant contents of regional planning policy publications, supplementary planning guidance documents and with the policy publications of other Government Departments.

Nothing in the Plan should be read as a commitment that public resources will be provided for any specific project. All proposals for public expenditure are subject to economic appraisal and will also have to be considered having regard to the overall availability of resources.

Unless otherwise stated, all references in the Plan to the “Department” refer to the Department of the Environment.

### **Strategic Environmental Assessment (SEA)**

European Directive 2001/42/EC (EC, 2001) requires SEA of a wide range of plans and programmes, including development plans. The objective of the ‘SEA Directive’ is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans with a view to promoting sustainable development.

The SEA comprises:

- Preparing an Environmental Report on the likely significant effects of the Draft Plan;
- Consulting on the Draft Plan and the accompanying Environmental Report;
- Taking into account the Environmental Report and the results of consultation in the decision making; and
- Providing information when the Plan is adopted and showing how the results of the environmental assessment have been taken into account.

The SEA in respect of this Plan is published as a supplementary document to the Plan and constitutes the Environmental Report. (Refer to Supplementary Document 2).

### **Equality of Opportunity**

The Northern Ireland Act 1998 has placed the following statutory requirement on each public authority:

1. To carry out their functions with due regard to the need to promote equality of opportunity:
  - (a) Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
  - (b) Between men and women generally;
  - (c) Between persons with a disability and persons without; and
  - (d) Between persons with dependants and persons without.
2. Without prejudice to its obligations under subsection (1) a public authority shall, in carrying out its functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

The Department has sought to ensure that the Plan does not have the effect of discriminating against individuals or groups of people who fall within these categories. The Draft Equality Impact Assessment (EQIA) of the Plan has considered any potentially adverse effects on these groups. The EQIA is published as one of the supporting documents to the Plan (refer to Supplementary Document 3).

### **New Targeting Social Need**

The Department is committed to implementing the Northern Ireland Executive's New Targeting Social Need (New TSN) policy, which involves tackling social need and social exclusion by targeting efforts and available resources towards people, groups and areas objectively defined as being in social need.

This requires the application of objective measures to identify where deprivation occurs and then targeting existing and new spending to more effectively address the needs of the most deprived peoples and areas.

Planning Service is not a major spending Agency. However one of the main functions of a Plan is to facilitate development and create a framework that will allow investment to take place. The Plan seeks to apply New TSN through specific Plan Proposals that support urban regeneration and assist in meeting housing need.

### **Review of Public Administration**

The Review of Public Administration, which was launched by the Northern Ireland Executive in June 2002, was a far-reaching review of the arrangements for the delivery of public services in Northern Ireland. Its objective was to encompass the services delivered by local government, public bodies and the functions of Government Departments.

On 22 November 2005 the Secretary of State for Northern Ireland announced the outcome of the Review which included revisions to central and local government arrangements. The number of local authorities in Northern Ireland is to be reduced from twenty-six to seven by May 2009, each with an independent boundary and transferring many planning functions from central to local government.

Development Plans, including Subject Plans and responsibility for development control and enforcement will fall under responsibility of the new local government arrangements.

## **Part 1 Introduction**

### **1.1 Definition**

A House in Multiple Occupation or HMO is defined in The Housing Order (Northern Ireland) 2003 as;

*“A house occupied by more than 2 qualifying persons, being persons who are not all members of the same family”.*

For the purpose of this document the term HMO refers to all types of accommodation whereby this definition can be applied, including dwellinghouse(s) and flat(s)/apartment(s).

### **1.2 Plan Area**

The Plan covers the council area of Belfast City Council.

### **1.3 Plan Purpose**

The purpose of the Plan is to inform the general public, statutory authorities, developers, and other interested bodies of the policy framework that will be used to guide planning decisions in relation to HMOs within Belfast City Council Area over the Plan period.

### **1.4 Plan Aim**

The overall aim of the Plan is to provide a planning framework for HMO Development which is in general conformity with the RDS in facilitating sustainable growth and a high quality of development in the Plan area throughout the Plan period, whilst protecting and where appropriate, enhancing the natural and man-made environment.

### **1.5 Policy Context**

#### **Regional Development Strategy (RDS)**

The RDS for Northern Ireland 2025 “Shaping Our Future” provides a strategic planning context for planning policy and the preparation of development plans. It sets new directions to achieve a more sustainable pattern of development in the interests of future generations.

The RDS contains a Spatial Development Strategy and related Strategic Planning Guidelines that aim to provide a strategic focus that will guide future

development in order to provide a balanced and equitable pattern of sustainable development across the Region. Within this context the RDS recognises the need to create a thriving Metropolitan Area centred on a revitalised city of Belfast (SPG-BMA1). The RDS also promotes urban renaissance in the cities and towns through the use of previously developed, undeveloped and underused lands within the 'urban footprint' for housing development and encourages the re-use of existing buildings. (HOU 4.2)

The RDS recognises that in meeting housing needs, the development of balanced communities is encouraged by promoting a mix of housing tenures and types and creation of quality built environments which contribute to the achievement of safe, complete and balanced communities for people to live in. (SPG-HOU 6).

The RDS also promotes imaginative and innovative forms of housing development within urban areas (SPG-HOU 5), by encouraging an increase in the density of urban housing appropriate in scale and design to the cities and towns of Northern Ireland. It states that achieving an overall increase in town densities must not be interpreted as a mandate to force over-developed and unsympathetic housing schemes into established residential areas and concludes that the overriding objective has to be to avoid any significant erosion of the environmental quality, amenity and privacy enjoyed by existing residents.

### **Planning Policy Statements (PPSs)**

Planning Policy Statements (PPSs) set out the policies of the Department on particular aspects of land use planning and apply to the whole of Northern Ireland. Their contents have informed the Plan preparation and the Plan Proposals and they are material to decisions on individual planning applications and appeals within the Plan area. Details of PPSs are contained in Appendix 3.

The Department has a rolling programme for preparation of new PPSs and review of existing PPSs. In addition a number of PPSs are currently being prepared by the Department for Regional Development and these will also apply throughout Northern Ireland.

PPSs may from time to time be revised to take account of changing circumstances, including experience gained through the development planning and development control processes. Good practice guides may also be issued to illustrate how concepts contained in PPSs can best be implemented.

Of particular relevance to this Plan are:

#### **Planning Policy Statement 1 – General Principles**

This PPS sets out the key themes and guiding principles that underlie the Department's overall approach to planning and the preparation of development plans and this Subject Plan.

#### **Joint Ministerial Statement**

This statement supersedes paragraphs 46 to 48 of Planning Policy Statement 1 – General Principles. In the event that there is a contradiction between the

contents of this Statement and any other planning policy document including PPS1 the policy contained in this Statement will take precedence.

### **Addendum to Planning Policy Statement 6 – Areas of Townscape Character**

This document is an addendum to PPS6, 'Planning, Archaeology and the Built Heritage' and provides additional planning policies relating to Areas of Townscape Character, for demolition of buildings, new development and the control of advertisements.

In Conservation Areas and Areas of Townscape Character, the Addendum to PPS6 requires that housing proposals will maintain or enhance their distinctive character and appearance. Proposals involving intensification of site usage or coverage in the primarily residential parts of these designated areas will only be permitted in exceptional circumstances.

### **Planning Policy Statement 7 – Quality Residential Environments**

This PPS complements the RDS and other PPSs mentioned in this section, and is aimed at achieving attractive and sustainable places through better design. It highlights the need for residential development in urban areas to respect its immediate setting, in order to avoid a level of intensification which can adversely affect local townscape character and identity.

### **Planning Policy Statement 12 – Housing in Settlements**

This PPS provides planning policies for housing within the context of the Strategic Planning Guidelines contained in the RDS. The objectives are:

- to manage housing growth in relation to housing need;
- to direct and manage future housing growth to achieve more sustainable patterns of residential development;
- to promote a drive to provide more housing within existing urban areas;
- to encourage an increase in the density of urban housing appropriate to the scale and design to the cities and towns of Northern Ireland; and
- to encourage the development of balanced local communities.

### **Development Plan**

The extant plan for the Belfast City Council area is The Belfast Urban Area Plan 2001 (BUAP) which was published in June 1990. BUAP is silent in relation to HMOs.

The Draft Belfast Metropolitan Area Plan 2015 (hereafter referred to as BMAP) was published on 30<sup>th</sup> November 2004 outlining the Plan Strategy and Proposals for 6 City and District Council areas including Belfast. BMAP includes a policy for the Conversion of Buildings to HMOs (HOU6). (See Appendix 4).

### **Regional Supplementary Planning Guidance**

The Department's publication 'Creating Places – Achieving Quality in Residential Developments', 2000 is intended to improve the quality of new housing developments, provides guidance on design, character and layout of new housing areas in Northern Ireland. The guide describes the contributions to

quality and sustainability that developers in Northern Ireland will be expected to make through the design of new residential developments. The context for the advice given is provided by wider Government policy and initiatives aimed at achieving attractive and sustainable places through better design.

The Department also publishes and updates as necessary a set of Development Control Advice Notes (DCANs), which explain the planning criteria, and technical standards which the Department considers when dealing with specific categories or particular aspects of development in Northern Ireland. DCAN 8 – Housing in Existing Urban Areas 2002, provides planning guidance which aims to ensure that urban and environmental quality is maintained, amenity preserved and privacy respected, when proposals are being considered for new housing development within existing urban areas. The guidance sets out a design-led approach to such housing proposals and provides practical advice on how matters of detailed design are best handled.

It should be noted that the Department is continuously reviewing its regional policies and advice. It is therefore advisable to contact a Divisional Planning Office to ascertain the prevailing relevant policies and supplementary guidance that apply.

## **1.6 Legislative Context**

The Planning (Use Classes) Order (Northern Ireland) 2004 states that a change of use to an HMO (defined as a “house occupied by more than 2 qualifying persons, being persons who are not all members of the same family”) requires planning permission in all instances.

### **NIHE Registration Scheme**

In May 2004 the NIHE introduced a Statutory Registration Scheme for HMOs both existing and new. Registration is being introduced throughout Northern Ireland on the basis of a rolling programme. The programme commenced with properties located in HMO Action Areas.

To be eligible for registration the property must comply with HMO accommodation standards, HMO management regulations and certain safety certifications as required.

## **1.7 Relationship with Other Public Sector Strategies**

The Plan takes into account public sector strategies for the future development of the Plan area with particular respect to transportation, urban regeneration and Council initiatives.

### **Regional Transportation Strategy**

The RDS set new directions for transportation in Northern Ireland to be taken forward by the production of a Regional Transportation Strategy

The 'Regional Transportation Strategy for Northern Ireland 2002-2012' (RTS) was agreed by the Northern Ireland Assembly in July 2002.

The development of a modern, integrated and inclusive transport system, and the integration of transportation and landuse, are important components in achieving sustainable development in the Plan area.

### **Urban Regeneration**

The Department for Social Development (DSD) plays a central role in developing and co-ordinating the implementation of urban regeneration programmes throughout Northern Ireland.

DSD's approach to regeneration, in pursuance of its statutory authority, is to promote and implement a comprehensive, integrated and sustainable approach to tackling social, economic and physical regeneration and redressing disadvantage in cities and towns.

DSD's role and its regeneration responsibilities have been taken into account in preparing the Plan.

### **Council Initiatives**

Belfast City Council has developed a strategy for developing the vision for future development in the City Council Area. The vision contains a number of themes for economic, social, environmental and developmental change. The Plan takes account of the themes flowing from the vision processes where these have implications for future HMO development.

The Inter-Agency Strategic Group is initiative set up by Belfast City Council to specifically address issues related to HMO Development. The Plan has been informed by the Inter-Agency Strategic Group. Part 4 of the Plan contains additional issues for consideration that are beyond the remit of the Plan and that are to be referred to the Inter-Agency Strategic Group.

## Part 2 Housing Need Context

Housing need and housing demand are fundamental considerations when developing planning policies in respect of HMOs.

The Housing Need Assessment (HNA) prepared by the NIHE in 2004 (published as a Technical Supplement to BMAP) and the subsequent Housing Market Analysis (HMA) which accompanies this Plan (Supplementary Document 1), provide a valuable insight into the drivers which have shaped and continue to influence local housing markets.

### 2.1 Factors influencing the HMO Market

The HMO market, particularly in South Belfast, has been driven by a number of factors:

- 1) **Student growth:** The Government's higher education policy has seen the number of students in higher education rise significantly over the last decade. Student housing requirements have put additional pressures on a number of local housing markets throughout the UK, particularly those in close proximity to University campuses.

Queen's University and the University of Ulster are of the view that the number of students in higher education has reached the government target and has now peaked. The impact of top up fees may see more students living at home. However, the long-term impact of top up fees on the local housing market is yet to be seen.

- 2) **Single Persons:** The population in the 18 – 29 year old age group may be declining but their lifestyle choices are having a greater impact on the housing market. The postponement of family and traditional longer-term households has led to a significant rise in the number of single person households. Furthermore, the 30 – 44 year old age group, which is characterised by a relatively high and growing incidence of relationship breakdown, has also given rise to a net increase in the number of households, many of whom are single.

Single person households tend to gravitate towards urban areas. This is a pattern across the UK. Northern Ireland trends in single person household formation have tended to lag behind trends in GB. Between 1998 and 2001 the proportion of single person households in GB, compared to all households, increased from 27% to 30%. This was 3% above the proportion of single person households in Northern Ireland and suggests there is still potential for further growth in such households here.<sup>1</sup>

- 3) **Migrant Workers:** It is difficult to accurately measure the number of migrant workers in Northern Ireland as most agencies record ethnic origin rather than nationality. The NIHE Housing Market Analysis provides information in

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<sup>1</sup> 2001 Northern Ireland Census of Population

respect of migrant workers in recent years by reviewing the research undertaken using National Insurance Numbers. The research suggests the number of migrant workers is higher than originally estimated. However, significant portions of these workers live and work outside Belfast (71%).<sup>2</sup> Many are drawn to jobs in the agricultural and food processing sectors. Belfast tends to attract those involved in health care and the service sector.

It is difficult to predict if these trends will be sustained. Future economic growth may be a determining factor. However, it is highly likely that healthcare and service sectors will continue to be dependent upon such workers. Even with an economic down turn, it is expected that a significant proportion of migrant workers will remain in Northern Ireland.

The NIHE Housing Need Assessment highlights a growing and sustained need for social housing throughout most of Belfast. Significantly, single person households are generating a growing and substantial part of this need (refer to Supplementary Document 1).

## **2.2 Geographic Distribution**

The Queen's University Campus attracts many students to live in the Inner South Belfast area. Students at the University of Ulster also find this area attractive given the concentration of facilities, entertainment and services. Employment opportunities in the entertainment sector, Belfast City Hospital and to an extent the Royal Hospitals also draws migrant workers to the South Belfast area.

South Belfast, more than any other part of Belfast, is perceived as being relatively neutral in terms of the city's segregated geography. It is therefore attractive to many groups, including those unfamiliar with the city. The greater availability of privately rented accommodation and shared housing also makes it attractive to many of the groups identified above.

It is not clear whether a housing need or a housing demand drives the housing market in South Belfast. Undoubtedly students, single person households and migrant workers have housing needs. However, it is possible that part of this need could be accommodated in other parts of the city if accommodation was available.

## **2.3 Housing Choice**

Students, young singles and migrant workers tend to be more transient than other groups. The private rented sector best meets their requirements by providing furnished accommodation with minimal initial capital outlay.

Increases in house prices have put owner occupation beyond the means of many new households, despite relatively low interest rates. One means of securing a first stake in the property market is to share the cost of purchase with others or to sub-let and charge rent to help fund the mortgage repayments. This trend is more common among young professionals however it has the potential

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<sup>2</sup> Housing Needs Assessment, NIHE, 2006

to give rise to intensification in streets and neighbourhoods comprised of traditional terraced housing.

The opportunity to rent social housing from either the NIHE or a Housing Association is limited given the reduction in stock as a consequence of house sales and the cost of acquiring new sites. Housing Associations are the principle providers of new social housing. Many of the Associations are experiencing greater difficulty in identifying suitable sites for development. Competition for site acquisitions has increased and Housing Associations frequently find themselves priced out of the market.

Private renting of former NIHE stock purchased under the “right to buy scheme” is making a valuable contribution to the low cost affordable market.

## **Summary**

Belfast is likely to have ongoing need for low cost affordable housing. The demand for HMO accommodation is likely to be sustained as a consequence of changing patterns of household formation. However, the signs are that the market for student accommodation may have peaked.

## Part 3 Plan Strategy and Policy Framework

### 3.1 The Issues

The Issues Paper for HMOs in Belfast City Council area, published in August 2005, raised seven main issues relating to HMOs.

- Housing Need and HMOs;
- Spatial Policy;
- Balanced Communities;
- Area Amenity;
- Physical Infrastructure;
- Anti-Social Behaviour;and
- Area Management.

Generally the response to the Issues Paper acknowledged that these were the principal issues that should be considered during preparation of the Plan. Further details in respect of the issues raised are summarised in Appendix 1 of the Plan.

### 3.2 Plan Strategy

The HMO Plan Strategy will seek to positively influence and shape the market for HMOs, rather than simply controlling and curtailing further development in areas where such accommodation is currently concentrated.

#### **Belfast HMO Strategy**

**The Belfast HMO Strategy is to:**

- **Protect the amenity of areas where multiple occupation is, or is likely to become, concentrated;**
- **Accommodate the need and demand for multiple occupation;**
- **Focus HMO development in areas where it can contribute to regeneration; and**
- **Promote appropriate development of purpose built student accommodation.**

It is anticipated that Belfast City Council area will have an ongoing requirement to accommodate students, migrant workers and single person households. Currently the housing needs of many in these groups manifest themselves as a demand for HMO accommodation in South Belfast. However, all these needs do not necessarily have to be met in that part of the City.

The HMO Strategy seeks to balance the protection of residential amenity with the need and demand for multiple occupation. It is intended that the strategy will

see a wider distribution of HMO accommodation across the City over time. This approach is consistent with the concept of balanced communities and will also consolidate regeneration at key locations.

### 3.3 Policy Framework

The Strategy will be achieved through the Plan Proposals consisting of a combination of policies and designations.

Four spatial policies with associated designations identify the extent to which further HMO development will be permitted in different locations. These are as follows:

HMO 1	HMO Policy Areas	(Designation HMO 2)
HMO 3	HMO Development Nodes	(Designation HMO 4)
HMO 5	University HMO Policy Area	(Designation HMO 6)
HMO 7	HMO Development outside designated HMO Policy Areas, designated HMO Nodes and the University HMO Policy Area	

In addition, a further two policies which relate to individual HMO proposals, will set out development criteria. The two policies are as follows:

HMO 8: HMO Development

HMO 9: Purpose Built Student Accommodation

Future development of HMOs will be curtailed in areas where there are currently significant concentrations of such accommodation, particularly in South Belfast. Opportunities to meet the ongoing requirement for HMO accommodation will be met through:

- a) Purpose built student housing; and
- b) Designation of areas where HMO development will be permitted.

<b>Policy HMO 1</b>	<b>HMO Policy Areas (Excluding the University HMO Policy Area)</b>
<p><b>Within designated HMO Policy Areas, planning permission will not be granted where:</b></p> <ul style="list-style-type: none"> <li>- <b>The proposed development is in conflict with any other development plan statutory zoning, designation, policy or proposal; and</b></li> <li>- <b>The number of HMO dwelling units, as measured on a street by street basis, exceeds 30%.</b></li> </ul> <p><b>Within designated HMO Policy Areas planning permission will only be granted for HMO development where all the development criteria set out in Policy HMO 8 are met.</b></p>	

Policy HMO 1 is designed to protect the amenity of areas where multiple occupation is currently, or is likely to become, concentrated.

During the public consultation process, many local residents voiced concern at the concentration of HMOs in certain locations and the impact that such properties were having on these areas. However, many also acknowledged the positive impact HMOs could bring to an area in terms of regeneration, not only for the physical housing stock but also in consolidating the viability of local businesses and services such as shopping.

All agreed there was a need for a balance between HMOs and traditional residential accommodation. The general consensus was that the upper limit for conversion to multiple occupation should be 30%. This level of multiple occupation could potentially assist regeneration but at the same time would not necessarily result in the local community becoming imbalanced. In situations where Local Planning Authorities in Great Britain have introduced capping, 30% would generally appear to be the upper limit.

The Department has identified 21 areas in Belfast City Council area, excluding the University Policy Area, where HMOs are concentrated. These areas are designated as HMO Policy Areas. The HMO Policy Areas are outlined on Map Nos. 1 - 9. For the University HMO Policy area see Policy HMO 5 and Designation HMO 6 and Map No. 9.

In each of the 21 HMO Policy Areas the number of HMOs exceeds 30% of all the dwelling units. Consequently, no further HMO development will be permitted in many of the streets within the HMO Policy Areas until such times as the proportion of HMOs falls below 30% of all dwelling units in that street.

The onus will be on the developer to demonstrate that the 30% threshold has not been exceeded. In circumstances where planning permission is dependant upon a change of use of another property away from HMO, then a legally binding agreement may be necessary. The number of HMOs within each Policy Area is contained in Appendix 5.

The level of multiple occupation within an area whether designated or not, will be measured by :

- the number of HMOs recorded by the NIHE at November 2004, plus
- the number of HMO development units subsequently approved by the Department, plus
- the number of extant permissions for HMO development units

The total residential properties in a street will be measured by Ordnance Survey's Pointer database. This assessment will be undertaken on a street by street basis.

A breach of the 30% limit on further HMO development for existing HMOs may be acceptable providing it does not give rise to intensification including an increase in the number of bedrooms. For example a proposal to convert an existing eight bedroom HMO to two four bedroom HMO flats may be acceptable, providing there is no intensification in the number of occupants.

<b>Designation HMO 2</b>	<b>HMO Policy Areas (Excluding the University HMO Policy Area)</b>
<b>The following HMO Policy Areas are designated as identified on Map Nos 3, 4 and 7:</b>	
<b>HMO 2/01</b>	<b>Adelaide</b>
<b>HMO 2/02</b>	<b>Atlantic</b>
<b>HMO 2/03</b>	<b>Ballynafeigh</b>
<b>HMO 2/04</b>	<b>Castleton</b>
<b>HMO 2/05</b>	<b>Cavehill</b>
<b>HMO 2/06</b>	<b>Cliftonville</b>
<b>HMO 2/07</b>	<b>Donegall Road</b>
<b>HMO 2/08</b>	<b>Edinburgh St</b>
<b>HMO 2/09</b>	<b>Eglinton</b>
<b>HMO 2/10</b>	<b>Elmwood</b>
<b>HMO 2/11</b>	<b>Harleston</b>
<b>HMO 2/12</b>	<b>Jameson</b>
<b>HMO 2/13</b>	<b>Lower Ormeau</b>
<b>HMO 2/14</b>	<b>Malone</b>
<b>HMO 2/15</b>	<b>Meadowbank</b>
<b>HMO 2/16</b>	<b>Mount Charles</b>
<b>HMO 2/17</b>	<b>Sandymount</b>
<b>HMO 2/18</b>	<b>South Parade</b>
<b>HMO 2/19</b>	<b>Stranmillis</b>
<b>HMO 2/20</b>	<b>Thorndale</b>
<b>HMO 2/21</b>	<b>Ulsterville</b>

The process for the identification of HMO Policy Area designations is based on mapping the NIHE's HMO data. This has provided a visual highlight of areas where HMOs are concentrated. Subsequently, plotting all dwellings in Belfast,

using Ordnance Survey's Pointer data, and overlaying it with the NIHE's HMO database has allowed HMO density to be calculated on a street by street basis.

The largest single concentration of HMOs is in the University area, which is not included under Designation HMO 2 and has a separate policy (HMO 5) and designation (HMO 6).

<b>Policy HMO 3</b>	<b>HMO Development Nodes</b>
<b>Along the frontages of designated HMO Development Nodes planning permission for HMO development will only be granted where all the following criteria are met:</b>	
<ul style="list-style-type: none"><li>- <b>The proposed development is not in conflict with any other statutory development plan zoning, designation, policy or proposal; and</b></li><li>- <b>The proposed development does not include HMO development at ground floor level within a designated commercial node or shopping area; and</b></li><li>- <b>The proposed development meets all the criteria as set out in Policy HMO 8.</b></li></ul>	

Policy HMO 3 is designed to accommodate the need and demand for HMO accommodation and focus this in areas where it can contribute to regeneration.

Apart from students, much of the demand for HMOs comes from the growing numbers of single person households and migrant workers. South Belfast is attractive to such groups for many reasons including the local social life and ease of access to facilities and services and the availability of privately rented housing, including affordable HMO accommodation.

Private renting is more common in South Belfast but it is relatively expensive compared to other parts of the City. Many of those currently renting in South Belfast may be prepared to live in other parts of the City if suitable accommodation were available in well-serviced areas.

A more geographically dispersed and less concentrated HMO market could be considered a more sustainable approach. Consequently, HMO Development Nodes, which meet certain criteria in terms of good public transport, availability of services and access to facilities, are identified for the development of HMOs in other areas.

This approach has a number of advantages:

- By easing housing market pressures in South Belfast;
- By promoting regeneration in other areas; and

- By potentially reducing the impact of intensification in areas where HMOs are already over concentrated.

The higher density residential development resulting from HMOs is encouraged along these nodes.

Designation HMO 4	HMO Development Nodes
<b>The following HMO Development Nodes are designated as identified on Map Nos. 1, 2, 4, 5, 6, 7 &amp; 8:</b>	
<b>HMO 4/01</b>	<b>Andersonstown Road</b>
<b>HMO 4/02</b>	<b>Antrim Road</b>
<b>HMO 4/03</b>	<b>Antrim Road / Cliftonville Road</b>
<b>HMO 4/04</b>	<b>Ballyhackamore</b>
<b>HMO 4/05</b>	<b>Castlereagh Street / Templemore Avenue</b>
<b>HMO 4/06</b>	<b>Donegall Road</b>
<b>HMO 4/07</b>	<b>Falls Road / Springfield Road</b>
<b>HMO 4/08</b>	<b>Hollywood Arches</b>
<b>HMO 4/09</b>	<b>Mid Falls</b>
<b>HMO 4/10</b>	<b>Upper Newtownards Road</b>
<b>HMO 4/11</b>	<b>Woodstock Road</b>
<b>HMO 4/12</b>	<b>Oxford Street / Ann Street</b>
<b>HMO 4/13</b>	<b>Cromac Street / Ormeau Avenue</b>
<b>HMO 4/14</b>	<b>Dublin Road / Gt Victoria Street</b>
<b>HMO 4/15</b>	<b>College Avenue / Kings Street</b>
<b>HMO 4/16</b>	<b>Millfield</b>
<b>HMO 4/17</b>	<b>Scotch Quarter</b>
<b>HMO 4/18</b>	<b>Great Patrick Street / Dunbar Link</b>

BMAP includes an Arterial Routes Strategy. This is intended to reflect the drive in the RDS to enhance the City and reduce the need to travel by car. It is also intended to assist in the promotion of urban renewal throughout the City. Furthermore, the Department wishes to encourage restoration of the built frontage along the Arterial Routes through the development of vacant gap sites and development opportunity sites.

Many of the HMO Development Nodes are designated along sections of, or in close proximity to, the City's Arterial Routes. These routes provide an opportunity for higher density development, have good public transport provision and serve as the main transport corridors into and out of the City Centre. Generally they also have good access to facilities and services.

The designation of HMO Development Nodes along these routes is less likely to have a direct impact on traditional residential areas. HMO development can also consolidate frontages and give greater vitality to these routes through the Living over the Shops (LOTS) concept.

Other HMO Development Nodes are located along or adjacent to the Orbital Boulevard, as identified in BMAP. The Orbital Boulevard surrounds much of the

City Centre. HMO development in these locations would be consistent with the objectives of the design concept for the orbital Boulevard in BMAP.

Those sections of the Orbital Boulevard designated as HMO Development Nodes are considered to meet a number of criteria including regeneration potential, capacity for development, access to services and facilities and proximity to shopping.

<b>Policy HMO 5</b>	<b>University HMO Policy Area</b>
<b>Within Sector A of the designated University HMO Policy Area, planning permission will not be granted for further HMO Development.</b>	
<b>Within Sector B of the designated University HMO Policy Area, planning permission will only be granted where all the following criteria are met:</b>	
<ul style="list-style-type: none"><li>- <b>The proposed development is not in conflict with any other development plan statutory zoning, designation, policy or proposal; and</b></li><li>- <b>It is demonstrated that development will not cause a net increase in the total number of HMOs in the whole University Policy Area; and</b></li><li>- <b>It is demonstrated that the proposal enhances the physical appearance, amenity and management of the area.</b></li></ul>	
<b>Within the designated University HMO Policy Area planning permission will only be granted for HMO development where all the development criteria set out in Policy HMO 8 are met.</b>	

Policy HMO 5 is designed to protect and improve the amenity of the University area, meet wider housing needs and where appropriate, facilitate and encourage regeneration.

The University HMO Policy Area as identified on Map No. 9 has the highest concentration of HMOs in the city. The area is in close proximity to Queen's University and has proved to be an attractive location for students from both Queen's University and the University of Ulster. Approximately 70% of all residential properties within the University HMO Policy Area are recorded as being in multiple occupation.

The southern section of the University HMO Policy Area (Sector A) is comprised of small, traditional two storey three bedroom houses. The loss of this housing from the traditional housing market has helped fuel affordability issues, particularly in South Belfast.

Parts of the northern section of the area (Sector B) are comprised of larger older terraces, many of which are in poor condition. Some of these properties are so large that it is unlikely that a single family would occupy this type of

accommodation. Also the cost of purchasing these properties and the expense of refurbishment would support the view that single family occupation is an unlikely proposition. Simply preventing any further multiple occupation development may give rise to deteriorating housing conditions and blight.

Further HMO development is confined to the northern part of the University Policy Area (Sector B). Any proposals for further HMO development will have to demonstrate how they will improve the physical character, appearance, amenity and management of the area. In order to demonstrate that a proposal enhances the physical appearance, amenity and management of the area it is advisable that it should be accompanied by documentation outlining support and agreements reached in respect of the proposal from the Belfast City Council, the NIHE, DRD Roads Service and the PSNI Crime Prevention Unit.

A net increase in the number of HMOs in the overall area (Sector A and Sector B) will not be permitted. No further planning approvals for multiple occupation will be granted in the southern part of the University HMO Policy Area (Sector A) as identified on Map No. 9. The Department would wish to see the number of HMOs reduced in Sector A and properties revert to single dwellings.

In circumstances, where planning permission is dependant upon a change of use of another property away from HMO, then a legally binding agreement may be necessary.

A breach of the 30% limit on further HMO development for existing HMOs may be acceptable providing it does not give rise to intensification including an increase in the number of bedrooms. For example a proposal to convert an existing eight bedroom HMO to two four bedroom HMO flats may be acceptable, providing there is no intensification in the number of occupants.

The issues surrounding HMOs, including their detrimental impacts, have been greater in the university area than in any other part of the City. This area presents a significant challenge not only to Planning Service but also to developers, landlords, students, local residents, the academic institutions and all the various agencies that provide services in the area. This Plan will not, by itself, resolve all these issues. Continuing joint working with other parties will be imperative if the issues are to be fully addressed.

A pilot scheme in the University HMO Policy Area aimed at regeneration, enhancing physical appearance, improving service delivery and area management are referred to under Additional Recommendations in Part 4.

<b>Designation HMO 6</b>	<b>University HMO Policy Area</b>
<b>The University HMO Policy Area is designated as identified on Map No. 9 and comprises the following Sectors:</b>	
<ul style="list-style-type: none"><li><b>- Sector A</b></li><li><b>- Sector B</b></li></ul>	

<b>Policy HMO 7</b>	<b>HMO Development outside designated HMO Policy Areas, designated HMO Development Nodes and the University HMO Policy Area</b>
<p><b>Outside designated HMO Policy Areas and designated HMO Development Nodes, planning permission will not be granted for further HMO development where the number of HMOs exceeds 10% of all dwelling units as measured on a street by street basis.</b></p>	
<p><b>Outside designated HMO Policy Areas and designated HMO Development Nodes planning permission will only be granted for HMO development where:</b></p> <ul style="list-style-type: none"> <li>- <b>The proposed development is not in conflict with any other statutory zoning, designation, policy or proposal; and</b></li> <li>- <b>All the development criteria set out in Policy HMO 8 are met.</b></li> </ul>	

Policy HMO 7 is designed to protect the amenity of residential areas and promote balanced communities.

Approximately 7%<sup>3</sup> of dwellings in Belfast are HMOs. Setting a limit of 10% will allow a degree of managed and controlled growth in this market. The 10% limit is considered to be sufficient to accommodate approximately 50% of single persons under the age of 60 in Belfast City Council Area.<sup>4</sup>

The onus will be on the developer to demonstrate that the 10% threshold has not been exceeded. In circumstances, which are dependant upon a change of use of another property away from HMO, then a legally binding agreement may be necessary.

The number of HMOs within each Policy Area is contained in Appendix 5. The level of multiple occupation within an area whether designated or not, will be measured by :

- the number of HMOs recorded by the NIHE at November 2004, plus
- the number of HMO development units subsequently approved by the Department, plus
- the number of extant permissions for HMO development units

A breach of the 10% limit on further HMO development for existing HMOs may be acceptable providing it does not give rise to intensification including an increase in the number of bedrooms or the number of occupants. For example a proposal to convert an existing eight bedroom HMO to two four bedroom HMO flats may be acceptable, providing there is no increase in the number of occupants.

<sup>3</sup> NIHE Registration Scheme

<sup>4</sup> 2001 Northern Ireland Census of Population

**Policy HMO 8****HMO Development**

(includes change of use of house(s) and flat(s) to HMO(s), extension / alteration to house(s) and flat(s) used as HMO(s) or new build as HMO(s) and excludes purpose built student accommodation.)

Planning permission will only be granted for HMO development where all of the following criteria are met:

- Any HMO unit does not exceed 4 bedrooms;
- The scale, design, external materials and layout does not create conflict with adjacent land uses or properties or have adverse effect on existing or proposed properties in terms of overlooking, over-dominance, reasonable outlook, loss of light, overshadowing, noise or other disturbance;
- There is no adverse impact on the amenity of neighbouring properties and the character of the surrounding area;
- Any HMO unit is not wholly in the rear of the property and without access to the public street;
- Extensions/alterations to a house or flat for HMO use do not exceed:
  - 20% of the gross floor space of the original property;
  - 3 storeys in height in any case;
- The relative eaves height of the extension/alteration do not exceed the eaves height or the external wall height of the existing building;
- Any extension /alteration does not encroach on more than 50% of the overall rear yard/garden/amenity area of the original property;
- The original property is greater than 90 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);
- There is no reduction in the space available for in-curtilage car parking;
- Adequate and appropriate provision is made for storage of bins as specified by the Council, to the rear and within the curtilage of the property;
- Internal fire escapes are provided in accordance with the Health

**and Safety requirements of Belfast City Council's Building Control Department. In exceptional circumstances an external fire escape may be acceptable providing it is located on rear or side elevations away from public view and does not encroach on amenity space.**

**Any approval for HMO development will be subject to a condition restricting the number of occupants to 4.**

Policy HMO 8 is designed to protect the amenity of residential areas.

The number of bedrooms or occupants is restricted to 4 within any HMO in order to promote the concept of smaller unit housing which can be more readily managed and controlled. It also protects the scale and character of some properties from over-development whereby the character of the area suffers detrimental change. If a change in the market should take place in future years, houses converted to HMO use could be adapted or returned to family usage if this limit is set.

Extending over a rear yard/garden/amenity area can often result in over-development and reduce useable private space to a point where it is unacceptable in terms of the number of residents in the property. It is essential that provision for bin storage is met and can be provided at the rear of the property to prevent areas at the front of properties being used for refuse storage which can lead to an erosion of the amenity value of the area.

In primarily residential areas it is necessary to ensure that the amenity of nearby residents is protected, visual intrusion minimised and the character, appearance and quality of the area maintained. The design of any HMO, including any proposal for an extension to an HMO, should not be disproportionate in size to the existing property, should seek to reinforce the design of the existing property, its setting and the local character and protect the amenity of nearby residents. Therefore a 20% threshold in terms of the extension size is set to restrict over-development of these properties and to protect the amenity of neighbouring properties.

A large percentage of HMO accommodation is found within flats. This has also resulted from the conversion of houses to flats in primarily residential areas. Whilst there is a need to meet the continuing demand for HMO accommodation there is also a need to control the spread of flat conversions for HMO use in the interests of protecting orderly land use, the amenity of an area and preventing traffic/parking congestion.

In order to protect existing housing stock which is still considered suitable for family occupation, a minimum size limit is placed on houses which will be permitted for conversion to flats for HMO development. This will be particularly relevant in streets of traditional two-storey 2 or 3 bedroom properties, which do not lend themselves to conversion due to the scale and nature of the existing property.

Extensions to existing flats for HMOs will require a sensitive approach in terms of the impact on adjacent properties to minimise overlooking and to provide adequate provision of refuse storage within the rear amenity area.

<b>Policy HMO 9</b>	<b>Purpose Built Student Accommodation</b>
<p><b>Planning permission will only be granted for purpose built student accommodation where all of the following criteria are met:</b></p> <ul style="list-style-type: none"><li>• <b>Development of any complex consists of a minimum of 50 units;</b></li><li>• <b>Any unit/flat does not exceed 4 bedrooms;</b></li><li>• <b>All units are self-contained (i.e. having a bathroom, w.c. and kitchen available for the sole use of the occupiers);</b></li><li>• <b>The location is not within a primarily residential area;</b></li><li>• <b>Provision is made for management of all accommodation. This may require an Article 40 agreement with Planning Service;</b></li><li>• <b>The scale, design, external materials and layout of the building including details regarding height, density and massing is in keeping with the character and quality of the local area and respect the setting of any adjoining or nearby residential properties;</b></li><li>• <b>The design and layout of any proposal does not create conflict with adjacent land uses or properties or have unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance or create an adverse impact on the character of the surrounding area;</b></li><li>• <b>Landscaping and amenity space is provided in accordance with a landscaping plan indicating all landscaping proposals for the scheme and where relevant making provision for future maintenance;</b></li><li>• <b>Access arrangements are agreed with DRD Roads Service. Detailed consultation with DRD Roads Service will be required to identify any necessary improvements to the road network/public transport/transportation measures in the area to facilitate development of the site. A Transport Assessment (TA) may be required to identify such improvements;</b></li><li>• <b>Adequate and appropriate provision is made for storage of bins and;</b></li><li>• <b>Internal fire escapes are provided in line with the Health and Safety requirements of Belfast City Council’s Building Control Department.</b></li></ul>	

**In exceptional circumstances an external fire escape may be acceptable providing it is located on rear or side elevations away from public view and does not encroach on amenity space.**

**Any approval for HMO development will be subject to a condition restricting the number of occupants to 4.**

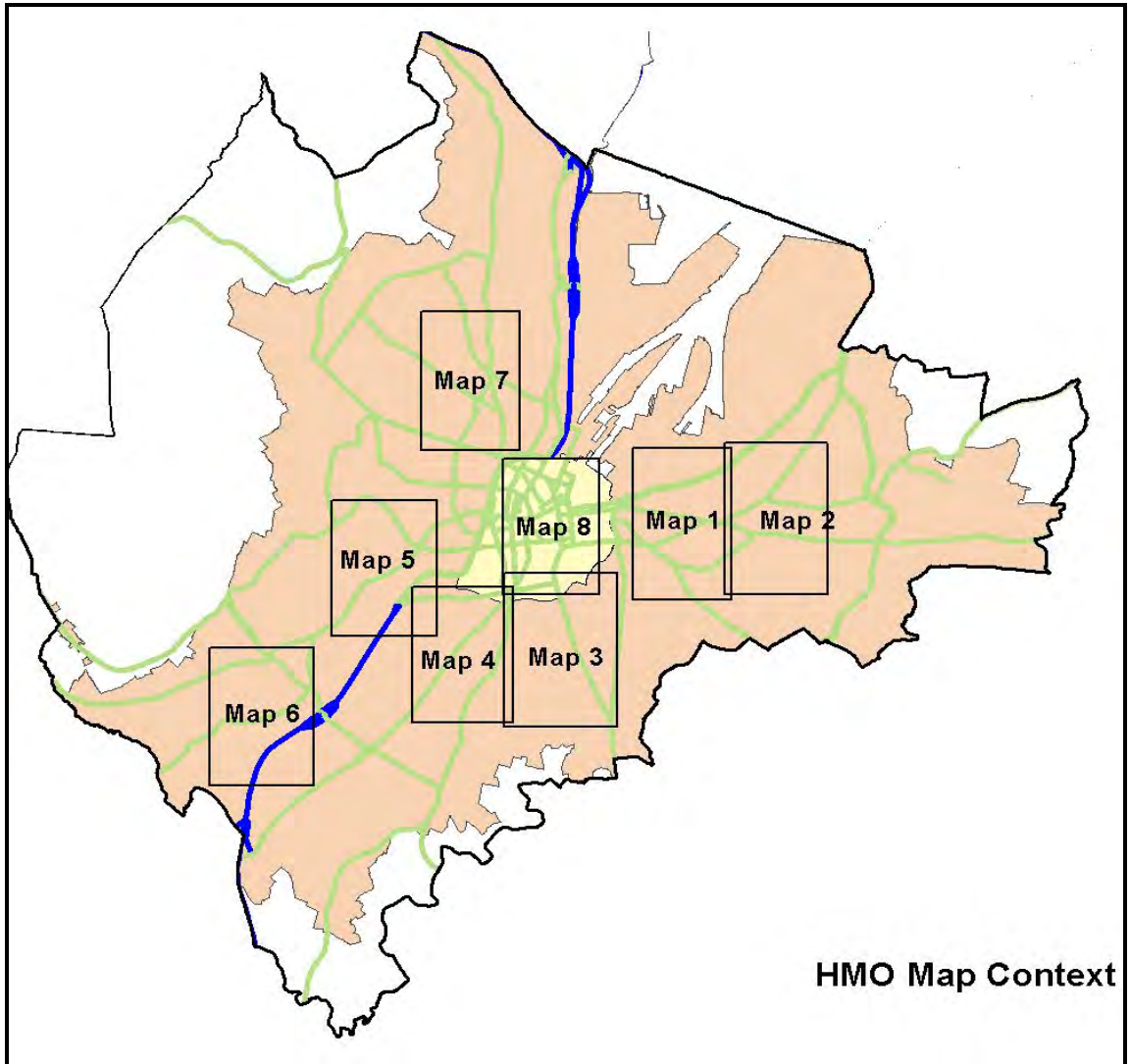
Policy HMO 9 is designed to facilitate the need and demand for multiple occupation, protect the amenity of other residential areas and promote appropriate development of student accommodation.

Purpose built accommodation for students is considered a more suitable form of accommodation rather than the conversion of terraced dwellings. Currently Belfast has a lower level of purpose built student housing than most other major university cities in the UK when the number of such units available is compared to student enrolment (12% against a national average of 25%). The Plan therefore anticipates that a significantly higher proportion of student accommodation will be provided by purpose built developments.

Planning Service considers that a number of sites exist which are currently outside residential areas. Therefore the impact of such purpose built accommodation on the physical infrastructure, amenity and character of such areas will be minimal. Development of such sites for purpose built student accommodation has the potential to ease the pressure on local housing markets, particularly in South Belfast, and thereby increase the availability of traditional housing.

The scale and form of development should be in keeping with buildings in the surrounding area and the context of the site should therefore be taken into consideration with any development proposal. The standard of design and quality of student accommodation should be a major consideration as this will be a key factor in the successful regeneration of the site(s).

### 3.4 HMO Map Index



## **Part 4 Additional Issues**

### **4.1 Joint Working**

During the preparation of the Plan, representations were received from the public and various representatives about issues surrounding HMOs that are outside the remit of Planning Service and the Department's legislative framework. These issues, which include area management, service delivery and anti-social behaviour, are considered of relevance to other agencies and bodies. The following is a list which it is recommended that the Inter-Agency Strategic Group consider.

### **4.2 Design Guide**

The concept of good design is now inherent in Government Policy and aims to achieve attractive and sustainable places to promote:

- More sustainable patterns of living, working and travelling;
- More effective integration between landuse planning and transport; and
- The creation of attractive places in which people are happy to live, work and take their leisure.

HMOs should respect the principles of good design, particularly in relation to conversion and extensions to HMOs and conversion to flats used for HMO accommodation (see DCAN 8 - Housing in Existing Urban Areas, Parts 5.8 to 5.18 and 'Creating Places – Achieving Quality in Residential Developments').

The Department would support the development of a Design Guide for HMOs by a joint working group, which will include Planning Service, Belfast City Council (Cleaving, Environmental Health, Building Regulations), NIHE, Fire Service, PSNI and Community Safety Unit NIO.

It is recommended that the Inter-Agency Strategic Group give consideration to the preparation of a best design practice in relation to management of refuse disposal, rear alleyways, fire safety, crime prevention (including the "Safer by Design" concept), utilities, space standards, external areas, noise insulation etc. The Design Guide would form the basis of good practice and elements may be included as conditions on planning approvals.

### **4.3 Parking Initiatives**

On-street car parking poses a major issue within the inner city. The issue is most significant in Inner South Belfast, which also has the greatest concentration of private renting and HMOs. In many instances, residents compete for parking space with commuters during the day and with those experiencing the area's social life in the evenings.

Frequently the level of parking exceeds the parking capacity. This is not only an inconvenience for local residents but can detract from the amenity of an area.

Illegal parking also poses a constraint to those providing local services, particularly those who require access to alleyways, e.g. refuse collection and pest control.

It is recommended that consideration is given to the introduction of Resident's Parking Permit schemes in the HMO Policy Areas located in South Belfast.

#### **4.4 Public Transport Improvements**

Those living in multiple occupation tend to have low car ownership and are more likely to be dependent on public transport. The HMO Development Nodes, particularly those located on, or in close proximity to, arterial routes are ideally placed to take advantage of the improved public transport services which Translink's new Metro system has to offer.

Translink currently provide a bus service from the Queen's University to the University of Ulster Campus at Jordanstown. The service is well used by students. It is recommended that Translink monitor and review such services, in the light of any changes in the student housing market, particularly in respect of the development of purpose built student housing schemes. Policy HMO 09 requires developers of purpose built student accommodation to undertake a Transport Assessment. Such an assessment should consider how the development links with public transport services.

Translink are actively considering proposals to enhance the flow of public transport through the city centre and also the extension of the Metro Service to Jordanstown. Such initiatives have the potential to complement the HMO Strategy.

#### **4.5 Noise Control**

The issue of excessive noise in properties that have been converted for HMO use remains an area of concern for residents.

Any applications for HMO Development should incorporate appropriate sound insulation measures in accordance with the requirements of the Environmental Health Department of Belfast City Council and conditions imposed on any planning applications as appropriate.

#### **4.6 Building Control - Definition of HMO**

Under the Building Control Regulations (NI) 2000, Building Control approval is needed on any newly built HMO. However defining whether a property is an HMO is based on an interpretation of "dwelling" within the Building Control Regulations as:

"A unit of accommodation occupied by not more than six people living together as a single household."

By virtue of this definition for dwellings only when this number exceeds 6 people who do not form a single household would it be deemed an HMO.

It is recommended that the definition of an HMO under the Building Control Regulations should be aligned to that under the Housing (Northern Ireland) Order 2003 and the Planning (Use Classes) Order (Northern Ireland) 2004.

An additional recommendation is that Building Control is consulted on all planning applications for HMOs for the purpose of consistency and recording of HMOs.

#### **4.7 “To-Let” Signage**

To-let boards on properties for rental accommodation can create an unsightly appearance and damage to general area amenity. Mechanisms to control to-let boards should be considered within the designated HMO Policy Areas in order to improve the visual appearance and area amenity within these largely residential areas. This would involve agreement and participation by landlords, estate agents and local residents in the affected areas.

#### **4.8 Area Amenity and Management**

The Cleansing Services and Environmental Health Departments of Belfast City Council are continually seeking to tackle illegal dumping, littering and refuse storage and collection. A new scheme for refuse storage and bin collection, specifically for the Holyland area in South Belfast, is being initiated by Belfast City Council. Joint working with landlords and resident’s groups is essential to the success if such initiatives are to be successful.

#### **4.9 Community Safety**

Community safety is being addressed in the Holyland area of South Belfast through the Warden Scheme. This is a joint initiative undertaken by those bodies represented on the Inter-Agency Strategic Group of Belfast City Council. The purpose of the scheme is to improve community safety within these areas and includes Police liaison to address issues relating to anti-social behaviour. It is recommended that consideration be given to extending this scheme in other areas of Belfast which are experiencing similar community issues.

#### **4.10 Gating of Alleyways**

The problems associated with refuse disposal and illegal dumping in alleyways is a serious issue in many where HMOs are concentrated. A possible solution is to gate alleyways so that only the residents and those providing services to that particular street or section of street have access.

A pilot scheme, initiated by Crime Prevention Unit and funded by the Northern Ireland Office, is to be undertaken in the Lower Windsor area of South Belfast. This scheme, which is due to commence in September 2006, if successful, could be extended to other areas of Belfast which are experiencing similar problems.

#### **4.11 HMO Registration**

It is recommended that the NIHE Registration Scheme for HMOs should be extended to cover all of the Belfast City Council Area.

#### **4.12 University Area Pilot Scheme**

The Warden Scheme in the University area co-funded and managed by Belfast City Council has made a very positive contribution and demonstrates the potential advantages of joint working and establishing new approaches in tackling community issues.

It is recommended that a small part of the university area, for example one side of a single street, be identified for a pilot scheme whereby all the relevant agencies, local tenants, landlords and the residents associations focus their efforts to develop a more comprehensive approach. The scheme would allow the development of best practice which could then be extended as appropriate to a wider area.

The scheme could consider refuse disposal, refuse collection, maintenance of alleyways, treatment and maintenance of front and rear curtilages, parking control, street cleaning, community safety initiatives, good neighbour initiatives, and encourage broader community understanding.

## APPENDIX 1

### The Issues

The Plan is being prepared to supplement BMAP and in particular Policy HOU 6 for Conversion of Buildings for Multiple Occupation. This policy states that Planning Permission will only be granted for the conversion of buildings for multiple occupation where all of the following criteria are met:

- The premises are suitable, in terms of size for full or part conversion to accommodate the proposed number of households or occupants;
- There is no adverse impact on the amenity of neighbouring properties and the character of the surrounding area;
- The external spaces are of a safe and secure design, providing easy and convenient access to yards, gardens, bin storage and parking;
- Parking and service requirements will not result in adverse traffic impact or detract from the amenity of local residents;
- Landscaping reflects the character of the property and neighbourhood, avoiding the excessive use of hard landscaping, and where relevant, making provision for future maintenance; and
- With respect to the conversion of shops, all materials used in ground floor windows and door openings should reflect the design dimensions and character of the upper storeys.

The policy also highlights that provision of this type of housing needs to be controlled in order to ensure that the accommodation provided for residents is of a satisfactory standard, and that the impact on neighbouring properties is not detrimental to their amenity, or to the environment or character of the area.

There were seven main issues outlined in the HMO Issues Paper which were as follows:

#### **1 Housing Need and HMOs:**

- What is the likely future need for HMO accommodation and what factors will influence this?
- What other housing needs are there in areas where HMOs are currently concentrated?
- How do the different categories of Housing Need relate to one another?
- Could the student village concept help meet student needs and what opportunities are there for such developments?
- What impacts will the housing need from migrant workers have?
- What role can HMO development play in regeneration?

#### **2 Spatial Policy:**

- Should future HMO development be concentrated or dispersed?
- What criteria should be applied in identifying areas where further HMO development may be restricted?

- Should the HMO Subject Plan include policies to control HMO development outside those areas where HMOs are concentrated?
- Should a percentage limit be introduced on the proportion of HMOs in certain areas?
- Are there any other means by which the Plan could address spatial policy issues?
- Should planning policy seek to control flat or apartment development in those areas where there is a high concentration of HMOs?

### **3 Balanced Communities:**

- In what ways can the plan promote more balanced communities in areas where HMOs are concentrated?

### **4 Area Amenity:**

- How can the negative impact of HMOs on the physical appearance of an area be reduced?
- What can planning policies do to encourage owners, landlords, agents and short term residents to address the issues that can damage a residential area's amenity?

### **5 Physical Infrastructure:**

- What measures should be taken to upgrade utilities in areas where HMOs are concentrated?
- What alternatives are there to the provision of parking in HMO areas?
- Should consideration be given to "Residents Only" parking schemes in certain HMO areas?

### **6 Anti-Social Behaviour:**

- Are there any particular ways in which the built environment contributes to anti-social behaviour in HMO areas?
- Are there any ways in which the planning system can help reduce anti-social behaviour in areas where HMOs are concentrated?

### **7 Area Management:**

- What scope is there for further Inter-Agency Strategic Group initiatives?
- How can management be improved in areas where HMOs are concentrated?
- Are there any additional measures that could be implemented for the control of anti-social behaviour, crime, environmental damage and deterioration in public order within HMO areas, other than the Warden scheme being introduced in the Holylands?

**Opportunity to comment on other issues which may be of relevance to the Subject Plan was invited.**

## APPENDIX 2

### Response from Consultation

The 4 strands to the HMO Consultation were as follows:

- 1 Public consultation carried out by BMAP Consultants focussing on the community sector, interest groups and the general public.
- 2 Consultation with Government Departments and Agencies.
- 3 Consultation with the Landlords Association for Northern Ireland (LANI).
- 4 Representations received during the statutory 14 week post-Issues Paper stage.

### 1 Public Consultation

PricewaterhouseCoopers were appointed as consultants to carry out an extensive public consultation exercise to engage the community and gain feedback on issues relating to HMOs including those identified in the HMO Issues Paper. This involved conducting focus groups with residents, paired depth interviews with Section 75 Groups, telephone interviews with student bodies, workshops with a Partnership Board and a stakeholder group consisting of representatives from residents' associations, universities and statutory representatives. A survey was also conducted with a number of businesses located within areas of high HMO concentration.

The key findings of this report highlighted the following:

#### A Current Housing Situation:

- Evidence of higher concentrations of HMOs in South Belfast, namely the Holyland Area, Stranmillis and Lisburn Road.
- Students, ethnic minority groups, migrant workers and young professionals identified as main users.
- Recognised benefits of HMOs in lesser concentrated areas included developing vacant properties and provision of additional local amenities.
- Local businesses regarded HMOs positively.
- Detrimental effects of HMOs evidenced in areas of high HMO concentration.
- Majority of respondents recognised the need for this type of accommodation, but with stricter controls and management.

#### B Impact on Local Community:

- Research identified negative impacts on daily lives of local residents including late night street noise, litter, illegal dumping, higher incidence of crime and lack of car-parking for residents.
- The high concentration of student housing in South Belfast was attributed to greater impact on local community.
- Student housing was regarded as more problematic for local residents than other groups such as young professionals or migrant workers.

#### C Reducing the Negative Effects of HMO Concentration:

- Measures such as capping of HMO housing in certain areas, gates on alleyways, banning "To-Let" boards and extension of the Warden Scheme for the Holylands were identified to reduce negative impacts.

- Suggested that there should be one point of contact for dealing with HMOs as opposed to the fragmented Local/Central Government roles and responsibilities.
- Research identified the key role of landlords, education providers, local entertainment businesses, Planning Service and Building Control in reducing negative effects.

#### **D Future Control of HMO Accommodation:**

- Extension of the Statutory Registration scheme for HMOs to all parts of Belfast.
- Dispersal of HMO Housing was considered to be a means of spreading the increased population across Belfast. There was also support for small pockets of HMO concentration.
- Capping of HMOs was proposed to control future development of HMOs outside concentrated areas, ranging from 10% to 30% within a residential area.
- Support of purpose-built accommodation for students was recommended.
- Support of no further HMO development within concentrated areas such as the Holylands, Stranmillis and Lisburn Road. Such areas should be regenerated to reduce negative impacts.

## **2 Consultation with Government Departments/Agencies**

Extensive consultation was held with the following Government Departments, Agencies and representatives from the Inter-Agency Strategic Group which was set up by Belfast City Council (hereafter referred to as BCC) to deal with the issues surrounding the spread and growth of HMOs. In response to the Issues Paper they highlighted the following concerns in areas where there are existing high concentrations of HMOs:

#### **A BCC Cleansing Services Department:**

- Major resource implications in trying to maintain street cleansing levels, particularly in the Holyland and Stranmillis areas.
- Illegal dumping is a considerable problem in these areas and large resources spent on enforcement of this.
- Existing infrastructure in some areas is not capable of accommodating the excess in population numbers and surplus of waste disposal.
- Highlighted illegal parking as being a concern in maintaining areas as they often blocked/covered drains and alleyways.

#### **B BCC Public Health:**

- Substantial problems in terms of dealing with complaints primarily in relation to rubbish levels and defective drains which can lead to an egress of rats.
- This can be partially attributed to a sewerage system in some areas which cannot cope with the intensification of numbers in certain areas. A sewerage system in an HMO area must be capable of accommodating a significant increase in usage.

### **C BCC Building Control:**

- A concern for HMOs and flat conversions would be the need to provide a rear access staircase where occupants on the upper floors do not have direct access to the rear yard, to ensure refuse can be properly be left at the rear of the property or within its rear boundary.
- Raised concern at practice of leaving bins at front of properties as this leads not only to the neglected appearance of properties but potential spillage onto pavements/roads which can lead to the reduction in the amenity of an area.
- Problem of service pipes extending into entries and presenting dangers to people using it, and interfering with the ability of vehicles such as those used by the Council to access the entry because of potential damage to pipes or services. Damaged pipes may also be responsible for the release of sewerage effluent or gaseous fumes.
- Greater control measures required for HMOs (eg % capping); the need for clarity on planning application forms for conversion of houses to HMOs and the greater role of the NIHE in enforcing standards.

### **D Education Providers:**

Queen's University Belfast (QUB) which includes St Mary's University College and Stranmillis University College, the University of Ulster at Jordanstown (UUJ) and Belfast Institute of Further and Higher Education (BIFHE) are all represented on the Inter-Agency Strategic Group and the following collective comments were made:

- Concerned by lack of regulation and welfare of students by developers/landlords.
- Over-development, cramming and saturation where communities cannot cope with impact on services, infrastructure and associated building works.
- Anti-social behaviour associated with lack of regulation of HMO Areas and the lack of balanced communities.
- Terraces in particular within ATC's should be protected.
- Population density and Residential Development should be on a quantified needs assessment.
- The Student Village concept should be encouraged.
- Intensification of HMOs should be prevented.
- A renewal of planning permission for vacant HMOs should not be granted.
- Encourage concept of Warden Scheme Initiative.
- A specific body should coordinate inspection and enforcement across the range of planning, building and HMO regulations.
- Decisions regarding HMOs should be on a quantified needs assessment.
- More provision for purpose-built accommodation.
- % limits to be placed in all areas.
- Additional transportation initiatives should be provided.

### **E PSNI:**

- University Sector covers surrounding areas of Queen's University Belfast, Stranmillis, Lower Lisburn Road, the Holyland and the Lower Ormeau Road. Main area of concern is the Holyland.

- Problems affecting quality of life of long-term residents include drinking in the street, shouting/noise problems in the street, damage to parked cars and noisy house parties.
- Problems affecting quality of life of students include burglary eg personal laptops, theft of vehicles.
- PSNI target resources into this area in order to take assertive/positive action against anti-social behaviour.
- PSNI can only achieve a long term solution through partnership with other bodies/agencies involved.
- South Belfast deploys greater resources to this area than any other comparably sized Sectors within Belfast or Northern Ireland.
- With regards to the NIHE registration scheme for HMOs, there are Special Control Provisions to impose conditions either by reason of their existence or behaviour of its residents from adversely affecting the amenity or character of the area in which the house is situated or to reduce any such adverse affect.
- PSNI can consider grounds/ability to make an application of “relevant management failure” whereby Landlords could have their registration revoked.
- PSNI are working with the Universities to discipline students responsible for late night noise disturbances, through education, discipline and partnership initiatives.

**F NIO Community Safety Unit:** The Northern Ireland Office Community Safety Unit in conjunction with the PSNI Community Safety Unit and the Policing Board are supporting the development of Community Safety Partnerships and Neighbourhood Watch Schemes across Northern Ireland. The Scheme, which is to be affiliated with the UK National Neighbourhood Watch Scheme, will provide training and advice to local people, and signs will mark the visible presence of it locally. The Community Safety Unit contributes financially to the Community Safety Wardens Scheme in the Holylands Area.

**G Northern Ireland Housing Executive:** Refer to **Supplementary Document 3** for the NIHE Housing Market Analysis.

### **3 Consultation with the Landlords Association for Northern Ireland (LANI)**

In response to the Issues Paper the following points were made:

- **Housing Need:** Considered that smaller units of better quality accommodation will form a large part in meeting housing need. HMOs together with flat conversions have a positive role to play in regeneration of older properties.
- **Spatial Policy:** Highlighted that different types of HMO accommodation and tenants exist in different sectors of the city. Spatial policy should seek to concentrate HMOs, and in areas where single family homes are the majority HMOs should not become the dominant form of accommodation.

- **Balanced Communities:** In the areas around the academic institutions the communities are already out of balance and Government and its associated agencies should examine a way to assist relocation on a voluntary basis.
- **Area Amenity:** Belfast City Council should deploy more resources to ensure that local amenity is retained.
- **Physical Infrastructure:** Public utilities should be provided on the basis of the needs of the local population especially waste disposal. Parking is a more complex issue and changes in transport policy including giving priority to resident parking is only a partial response to the wider parking problems of the City.
- **Anti-Social Behaviour:** A reduction in the size of units of accommodation would go some way to improving anti-social behaviour.
- **Area Management:** The NIHE which is the key organisation in relation to HMOs and Planning Service should liaise more closely with the Landlords in relation to this policy.

#### **4 Representations received during the statutory 14 week post-Issues Paper Stage**

A total of 64 representations were received during public consultation on the HMO Issues Paper and a number of representations received after the 14 week end date. The following matrix identifies the groups or individuals responsible for submitting representations and highlights the issues raise

## APPENDIX 3

### Planning Policy Statements

#### Published

PPS 1	General Principles	March 1998
PPS 2	Planning and Nature Conservation	June 1997
PPS 3	Development Control:- Roads Considerations	May 1997
PPS 4	Industrial Development	March 1997
PPS 5	Retailing and Town Centres	June 1996
PPS 6	Planning, Archaeology and the Built Heritage	March 1999
PPS 6 (Addendum)	Areas of Townscape Character	August 2005
PPS 7	Quality Residential Environments	June 2001
PPS 8	Open Space, Sport and Outdoor Recreation	March 2004
PPS 10	Telecommunications	April 2002
PPS 11	Planning and Waste Management	December 2002

#### Issued for Consultation

PPS 3 (Revised)	Access, Movement and Parking	
PPS 4 (Revised)	Industry, Business and Distribution	
PPS 12	Housing in Settlements	
PPS 13	Transportation and Land Use	

## **APPENDIX 4**

### **Policy HOU 6      Conversion of Buildings for Multiple Occupation**

Planning permission will only be granted for the conversion of buildings for multiple occupation where all the following criteria are met:

- The premises are suitable, in terms of size for full or part conversion to accommodate the proposed number of households or occupants;
- There is no adverse impact on the amenity of neighbouring properties and the character of the surrounding area;
- The external spaces are of a safe and secure design, providing easy and convenient access to yards, gardens, bin storage and parking;
- Parking and service requirements will not result in adverse traffic impact or detract from the amenity of local residents;
- Landscaping reflects the character of the property and neighbourhood, avoiding the excessive use of hard landscaping, and where relevant, making provision for future maintenance; and
- With respect to the conversion of shops, all materials used in ground floor windows and door openings should reflect the design dimensions and character of the upper storeys.

## APPENDIX 5

### HMOs by Policy Area \*

HMO Policy Area	Total Dwelling Units	NON HMO	HMO	% HMO
Adelaide	378	240	138	37
Atlantic	154	86	68	44
Ballynafeigh	1,655	1,141	514	31
Castleton	118	53	65	55
Cavehill	277	171	106	38
Cliftonville	441	166	275	62
Donegall Road	410	259	151	37
Edinburgh	690	309	381	55
Eglinton	1,343	420	923	69
Elmwood	627	364	263	42
Harleston	126	82	44	35
Jameson	136	99	37	27
Lower Ormeau	389	276	113	29
Malone	331	192	139	42
Meadowbank	722	444	278	39
Mount Charles	222	158	64	29
Sandymount	202	142	60	30
South Parade	265	164	101	38
Stranmillis	790	291	499	63
Thorndale	108	60	48	44
Ulsterville	1,089	583	506	46
University	2,491	830	1,661	67
<b>Total</b>	<b>12,964</b>	<b>6,530</b>	<b>6,434</b>	<b>50</b>

\*These figures are taken from the NIHE Database November 2004

## APPENDIX 6

### **List of Agencies/Bodies jointly responsible for management/control of HMOs**

The following bodies/agencies are represented on the Inter-Agency Strategic Group set up by Belfast City Council for the purpose of focussing on issues regarding HMOs. A summary of responsibilities is provided including contact details.

**Belfast City Council: The Cecil Ward Building, 4-10 Linenhall Street, Belfast BT2 8BP. Tel: (028) 90270428**

Pollution Control (Noise) – deals only with noise originating from premises and not from streets. BCC is the only council in Northern Ireland to adopt the Noise Act 1996 and provide a night time response to noise complaints.

Building Control – powers to make safe dangerous buildings and structures. Building Regulations relate to technical work such as structure, thermal and fire safety.

Environmental Health Department – control over public health nuisances such as pest control and defective drains.

Cleansing Services – control over refuse collection, illegal dumping and littering.

**Northern Ireland Housing Executive: The Housing Centre, 2 Adelaide Street, Belfast, BT2 8PB. Tel: (028) 90240588**

Statutory Registration Scheme for Houses in Multiple Occupation in Northern Ireland May 2004 requires registration of HMOs in areas identified through the HMO Action Areas. The Housing Executive is also responsible for social housing lists, designation and management of HMO Action Areas and enforcement where breach of the conditions relating to registration has occurred.

**Belfast Institute of Higher and Further Education BIFHE: Gerald Moag Campus, 125-153 Millfield, Belfast BT1 1HS. Tel: (028) 90265000**

Students managed by code of conduct, disciplinary procedures and internet complaints system (shared jointly by QUB and UU).

**Queen's University Belfast QUB: Communication Office QUB, University Road, Belfast, BT7 1NN. Tel: (028) 90975190**

Students managed by strategy in relation to student behaviour and community relations, disciplinary procedures and internet complaints system (shared jointly by UU and BIFHE). Engaged in community and partnership activity.

**University of Ulster UU: Community Relations Team UU, Jordanstown Campus, Shore Road, Newtownabbey, Co Antrim, BT37 0QB. Tel: 08700 400 700**

Students managed by University Charter, Statutes and Ordinances; disciplinary procedures, complaints procedures (shared jointly by QUB and BIFHE), joining instructions, student inductions, staff briefings and information sharing.

Engaged extensively in community and partnership activity.

**Police Service for Northern Ireland PSNI: University Sector Police, Donegal Pass, Belfast. Tel: (028) 90 259756. For other areas contact relevant District Section.**

Responsibilities include maintaining public order; working in partnership with other Agencies to reduce the incidence of crime; promoting public safety and reducing disorder; reducing crime and the fear of crime; building and maintaining confidence in the Police Service.

**Community Safety Unit (NIO): Stormont Castle, Stormont Estate, Belfast, BT4 3TT. Tel: (028) 90 520700**

Responsible for introduction of criminal justice legislation eg ASBOs and funding of Community Safety Strategies.

## APPENDIX 7

### List of Areas of Townscape Character and Conservation Areas (BMAP) affected by HMO policies and designations

#### Areas of Townscape Character

BT 057	Lower Cavehill Road,	Part 4 Volume 2, page 249
BT 046	Glandore Gardens,	Part 4 Volume 2, page 240
BT 058	Lower Cliftonville,	Part 4 Voume 2, page 250
BT 030	Alexandra Park,	Part 4 Volume 2, page 226
BT 043	Falls / St. Mary's	Part 4 Volume 2, page 237
BT 040	Donegall Road East	Part 4 Volume 2, page 235
BT 041	Donegall Road (Village)	Part 4 Volume 2, page 236
BT 056	Lisburn Road	Part 4 Volume 2, page 246
BT 079	Woodstock Road	Part 4 Volume 2, page 270
BT 066	Rosetta	Part 4 Volume 2, page 257
BT 061	North / South Parade	Part 4 Volume 2, page 253
BT 062	Ormeau	Part 4 Volume 2, page 254
BT 064	Ravenhill Triangle	Part 4 Volume 2, page 256
BT 071	Stranmillis Riverside	Part 4 Volume 2, page 262
BT 074	Templemore Avenue	Part 4 Volume 2, page 265
BT 059	Lower Lisburn Road	Part 4 Volume 2, page 251
BT 077	Wellesley Avenue / Keir	Part 4 Volume 2, page 268
BT 072	Stranmillis Village	Part 4 Volume 2, page 263
BT 033	Botanic Avenue	Part 4 Volume 2, page 229
BT 060	Lower Ormeau	Part 4 Volume 2, page 253
BT 050	Holyland	Part 4 Volume 2, page 243
BT 067	Rugby Road	Part 4 Volume 2, page 258
BT 051	Holywood Arches	Part 4 Volume 2, page 244

#### Conservation Areas

BT 028	Somerton Road / Chichester Pk	Part 4 Volume 2, page 225
BT 020	Adelaide Park	Part 4 Volume 2, page 219
BT 025	Malone Park	Part 4 Volume 2, page 223
BT 024	Malone	Part 4 Volume 2, page 222
BT 029	Stranmillis	Part 4 Volume 2, page 226
BT 027	Queen's	Part 4 Volume 2, page 224
BT 021	Cyprus Avenue	Part 4 Volume 2, page 219

## APPENDIX 8

### Glossary of Terms

#### House in Multiple Occupation (HMO):

*“A house occupied by more than two qualifying persons, being persons who are not all members of the same family.”*

Source: The Housing (NI) Order 2003

Notes: Term used in Planning (Use Classes) Order (Northern Ireland) 2004 which states HMOs as a “sui generis” use ie one which is separate from Class C1 Dwellinghouses. A change of use from a dwelling to a HMO requires planning permission in all instances and permitted development rights do not apply.

#### Flat:

*“A separate and self-contained set of premises constructed for use for the purpose of a dwelling and forming part of a building from some other part of which is divided horizontally.”*

Source: Planning (General Development) Order (Northern Ireland)(GDO) 1993

Notes: For the purpose of this Plan, the term “flat” also applies to the term “apartment” regardless of whether a property is being converted into a flat/apartment, or is new build.

A flat or apartment qualifies as an HMO if occupied by more than two qualifying persons, being persons who are not all members of the same family.

#### Dwellinghouse:

*“Use as a dwellinghouse (whether or not as sole or main residence) –  
(a) by a single person or by people living together as a family; or  
(b) by not more than 6 residents living together as a single household where care is provided for residents.”*

Source: The Planning (Use Classes) Order (Northern Ireland) 2004.

Notes: A dwellinghouse is defined in the Planning (General Development) Order (Northern Ireland) (GDO) 1993 as follows:

“Does not include a building containing one or more flats, or a flat contained within such a building.”

For the purpose of this Plan, the term “dwellinghouse” is referred to as “house”.

#### Terrace House:

*“Means a dwellinghouse situated in a row of three or more dwellinghouses used or designed for use as single dwellings, where –*

*(a) it shares a party wall with, or has a main wall adjoining the main wall of the dwellinghouse on either side; or*

*(b) if it is at the end of a row it shares a party wall with or has a main wall adjoining the main wall of a dwellinghouse which fulfils the requirements of (a) above.*

Source: Planning (General Development) Order (Northern Ireland)(GDO) 1993

## APPENDIX 9

### The Planning Team

The officers chiefly involved in the production of the Houses in Multiple Occupation (HMOs) Plan for Belfast City Council Area 2015 at the time of publication are listed as follows:-

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### **Departments / Others**

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