

Title of Report:	Planning Committee Report – LA01/2025/0030/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	26th August 2026
For Decision or For Information	For Decision – Objection Item
To be discussed In Committee YES/NO	No

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Development Management Manager

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

No: LA01/2025/0030/F

Ward: Waterside

App Type: Full

Address: 6 Captain Street Lower, Coleraine

Proposal: Change of Use of 1st and second floor flat to 4-room HMO.

Con Area: N/A

Valid Date: 17/01/2025

Listed Building Grade: N/A

Agent: Valley Architects, 8 Wood Road, Ballykelly, Limavady,
BT49 9PJ

Applicant: Fiona McCormick & Fahd Ahmed, 1 Greenhill Court, Coleraine,
BT51 3FD

Objections: 39 **Petitions of Objection:** 0

Support: 0 **Petitions of Support:** 0

Executive Summary

- This is a full application seeking a change of use from a flat above a cafe to property in Multiple Occupancy (HMO).
- The site is located within the settlement development limit of Coleraine as identified on Map 03/01a of the Northern Area Plan 2016. The site is within the designated town centre. It is also within an area of archaeological interest.
- There are 39 different objections from 38 different postal addresses received in relation to this application.
- The principle of development is acceptable, and the proposal will not result in unacceptable damage to the character of the surrounding area or neighbouring amenity.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS Edition 2 (2025) and PPS 3.
- Consultation was carried out with DFI Roads, Environmental Health and NI HMO Unit. No objections were raised.
- The application is recommended for **APPROVAL**.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningsystemni.gov.uk/>

1.0 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The site is located at 6 Lower Captain Street, Coleraine.
- 2.2 The application property is a flat on the first and attic floors of a mid-terrace building. The site consists of a ground floor café and flat above. The property is within the town centre and has a footpath at the front. There is a flat roof return to the rear. There is a front and rear access to the flat. There is a pitched roof with sky light windows. There is a rear yard area accessed via a side main road by a secure gate. The yard is currently stoned and appears unused.
- 2.3 The property is within a row of commercial properties, some with residential above. There is a car park close by in Castle Lane. The Old Courthouse Bar is opposite the site.

3.0 RELEVANT HISTORY

- 3.1 Application Number: C/2013/0344/F
Decision: Permission Granted / Decision Date: 03/08/2013
Proposal: Proposed Change of use from café/sandwich bar to restaurant.

4.0 THE APPLICATION

- 4.1 The application proposes the change of use of 6 Captain Street Lower Coleraine from a 1st and 2nd floor flat to a 4-bedroom HMO with a communal lounge and separate communal kitchen /dining room.

- 4.2 The proposed 1st floor layout will include 3 bedrooms, a communal lounge and separate communal kitchen/ dining room. Each bedroom has an ensuite. The proposed second floor layout will include one bedroom with an ensuite. This is the original attic area of the building. All proposed bedrooms have an ensuite. There will be no change to the ground floor café.
- 4.3 The immediate yard space to the rear will have secure communal private amenity.
- 4.4 The application was initially submitted as a proposal for the change of use of rear portion of existing Cafe to ground floor apartment and the change of use of two-storey flat over to 6 room HMO. During the processing of the application, the proposal was amended to remove the proposed ground floor flat, and to reduce the number of rooms to the HMO.

5.0 PUBLICITY & CONSULTATIONS

5.1 External:

Advertising: Initially Advertised on 17/1/25, readvertised on 28/11/25 and readvertised 12/2/2026.

Neighbours: 10 neighbours were notified.

Representations: 39 objections have been received in relation to the proposal.

The issues raised include the following:

- Waste and rubbish concerns
- Health and safety; and HMO size requirements
- Increased traffic and parking issues
- Noise and disturbance
- Overcrowding problems
- Anti-social behaviour
- Impact on schools and services
- Loss of family housing
- Over provision of HMO properties
- Impact on water and sewage utilities

- Impact on property values
- Impact on character of area

Concerns regarding the above issues are addressed in paragraphs 8.1 to 8.36.

5.2 Internal:

Four (4) consultations were issued in relation to this application.

- DfI Roads were consulted on two (2) occasions during the processing of this application.
 - o DfI Roads responded on 17/02/2025 to state that the proposal does not comply with published standards and it is an amenity issue for council to discuss.
 - o DfI Roads were consulted for a second time to comment on the reduced scheme from 6 bedrooms to 4, and for comment on the objections and responded on 10/12/2025 to state that they have no issues of concern.
- Environmental Health did not raise any objection to the proposal and provided informatives.
- NI HMO Unit were consulted on the proposal and replied with no comment. HMO were consulted again and replied giving advice on the legislation and room sizes. They did not raise any objection to the proposal.
- NI Water were consulted and have replied with refusal based on network capacity issues. The proposal was subsequently amended to remove the proposed ground floor flat. No further consultation was initiated as the proposal as presented to change the use of the existing flat to an HMO does not result in a substantial intensification of the existing use. The existing plans for the flat show 5 bedrooms, the proposed arrangement reduces this to 4 bedrooms (for 4 persons).

6.0 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
- Northern Area Plan 2016 (NAP)
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland Edition 2 (2025) (SPPS) is a material consideration. As set out in the SPPS Ed. 2 until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7.0 RELEVANT POLICIES & GUIDANCE

- 7.1 The application has been assessed against the following planning policy and guidance:
- [Regional Development Strategy 2035 \(RDS\)](#)
 - [The Northern Area Plan 2016 \(NAP\)](#)
 - [The Strategic Planning Policy Statement Edition 2 \(SPPS Ed. 2\) \(2025\)](#)
 - [Planning policy Statement \(PPS\) 3: Access, Movement, and Parking](#)

8.0 CONSIDERATIONS & ASSESSMENT

The main considerations in the determination of this application relate to the principle of development, access, movement and parking, and consideration of representations.

Principle of Development

- 8.1 This application seeks the change of use from a first and second floor flat to property of Multiple Occupancy (HMO) including 4 bedrooms, a lounge and kitchen/dining area.
- 8.2 The application must be considered having regard to the RDS, NAP, SPPS Ed. 2 and PPS policy documents.
- 8.3 The RDS seeks to promote sustainable patterns of development and recognises the development of balanced communities should be encouraged by promoting a mix of housing tenures and types. In addition, the creation of quality-built environments can contribute to the achievement of safe, complete and balanced communities.
- 8.4 SPPS Ed. 2 states the policy approach for housing must be to facilitate an adequate and available supply of quality housing to meet the needs for everyone; promote more sustainable housing development within existing urban areas; and the provision of mixed housing development with homes in a range of sizes and tenures. This approach to housing will support the need to maximise the use of existing infrastructure and services and the creation of more balanced sustainable communities. Paragraph 2.3 states that the basic question to be addressed is whether the development would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest. Section 4 sets out the planning principles when making decisions. Paragraph 4.12 relates to safeguarding residential and work environments. This application complies with the general planning principles outlined within the SPPS Ed. 2.
- 8.5 The application site is located within the Coleraine settlement development limit as identified on Map 3/01a of NAP. It lies within the defined town centre boundary, and within the Coleraine Area of Archaeological Potential.

8.6 The NAP notes the provision of HMO properties need to be controlled 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. This would include issues such as increased density, overlooking, increased traffic congestion and the loss of family sized housing. The proposal relates to a proposed change of use to a House in Multiple Occupation therefore Policy HOU 4 'use of dwellings for Multiple Occupation' applies. Policy HOU4 supports HMO development where 5 criteria are met.

8.7 Criteria 1: The premises are suitable to accommodate the proposed number of occupants;

HMO regulations in Northern Ireland, under the [Houses in Multiple Occupation Act \(Northern Ireland\) 2016](#) and 2019 Regulations, enforce strict minimum bedroom sizes and amenity standards to ensure safety and comfort. Key requirements include a minimum of 6.5m² for single rooms, proper heating, adequate washing facilities, and specific kitchen requirements. Licenses are required from local councils.

8.8 The total number of proposed residents stated by the agent is four (4) and the bedroom sizes have been considered under the HMO guidance. The application is compliant with criteria 1 of Policy HOU 4 of NAP as the premises is suitable in terms of room sizes for the bedrooms and the ensembles provided for each room. There are also communal lounge and kitchen dining areas which are above the recommended sizes. There are a number of internal alterations proposed. The proposed first floor layout will include bedroom 2, 3 and 4, a kitchen/ dining space, and a lounge. The proposed second floor layout will include bedroom 1. Each proposed bedroom has an ensuite. In total, there will be four (4) bedrooms.

8.9 The bedrooms have been measured and evaluated under HMO guidance. All of the bedrooms exceed the minimum space standard of 6.5m² (for a single bedroom) as set out in the Houses in Multiple Occupation Act (NI) 2016. NI HMO unit were consulted and made no objection. NI HMO provided guidance and advice on legislation. Objections have been received about overcrowding

and room sizes. The space requirements are adequate in line with the legislation therefore it has been demonstrated that the premises are suitable to accommodate the proposed number of occupants. The application complies with criteria 1 of HOU4 of NAP.

- 8.10 Criteria 2: There is no adverse impact on amenity of neighbouring properties and the character of the surrounding area;
- 8.11 The application is compliant with criteria 2 of Policy HOU 4 of NAP as the proposed change of use will not result in an adverse impact on amenity of neighbouring properties and the character of the surrounding area.
- 8.12 The proposed change of use will have limited impact on the amenity of neighbouring properties as it will be converted from an existing first and second floor flat into a four (4) bedroom HMO. The general nature of a residential use remains. Objections regarding detrimental change to the character and amenity of the area were received. It is considered that there would be minimal adverse impact from this change of the use as it would not be unusual for the similar numbers of residents to occupy the existing flat and that of the proposed HMO. This is a town centre location with ground floor commercial properties and residential accommodation above. As such, a change of use to HMO is not considered substantially detrimental to the character of the surrounding area.
- 8.13 There is only one other HMO recorded for Lower Captain St. on the HMO Licence Register. Despite the low number recorded, the property is considered suitable for an HMO given the existing use of the property, the town centre location and the variety of uses within the immediate surrounding area. Sufficient internal floor space is available and amenity space is available at the rear for bin and cycle storage. Taking into account the above, the proposed HMO is not considered detrimental to this particular area and would not demonstrably change the character of this locality.
- 8.14 There have been no issues raised by Environmental Health Department or NI HMO Unit in relation to adverse impact on the amenity of neighbouring properties or the character of the area. The proposal complies with criteria 2 of HOU4 of NAP.

- 8.15 Criteria 3: The external spaces are of a safe and secure design, providing easy and convenient access to yards, gardens, bin storage and parking;
- 8.16 The application is compliant with criteria 3 of Policy HOU 4 of NAP as the external spaces are of a safe and secure design, providing easy and convenient access to a rear yard, bin storage and parking on street and nearby. There is currently a rear yard area located immediately to the rear of the application property. This space is secure with a high gate. The yard is currently an unused stoned area. The amenity area measures approximately 42 sqm which is adequate for a property of this size within the town centre boundary. Objections were received regarding the management of waste and rubbish. The proposed plans show a suitable private secure communal amenity space with bin storage, an area for bike storage and porous paved amenity area. The bin storage area is suitable for the property residents and should be managed to a satisfactory standard. This will be easily accessible from the application property by an existing rear stairway. The objections do not hold sufficient weight to warrant refusal. The proposal complies with criteria 3 of HOU4.
- 8.17 Criteria 4: Parking and service requirements will not result in adverse traffic impact or detract from amenity of local residents;
- 8.18 As discussed in detail in paragraphs 8.21 to 8.27 the parking and service requirements for the proposed HMO will not result in adverse traffic impact or detract from the amenity of local residents and criteria 4 is considered to be complied with.
- 8.19 Criteria 5: Landscaping reflects the character of the property and neighbourhood, avoiding the excessive use of hard landscaping, and where relevant, making provision for future maintenance.
- 8.20 The application proposes an improvement to the rear landscaping of the application property. It is currently unused and overgrowing with weeds through rough gravel stone. The new landscaping will provide a better solution with paving, designated bin storage and space for cycle storage. As such, this application is compliant with criteria 5 of Policy HOU 4 of NAP. This application complies with all the criteria of Policy HOU 4 of NAP.

Access, Movement and Parking

- 8.21 PPS 3 sets out planning policies for vehicular and pedestrian access, transport assessment, the protection of transport routes and parking. Policy AMP 7 states that proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics. Proposals should not prejudice road safety or significantly inconvenience the flow of traffic.
- 8.22 There are no parking standards for HMO uses within Departmental Parking Standards. DfI Roads were consulted on two (2) occasions during the processing of this application to comment on the proposal and had no issues of concern. Parking arrangements are an amenity issue to be considered by the planning department.
- 8.23 There is currently no in-curtilage parking provision within the site to serve the existing development. The parking statement submitted states that there is not a large demand on the parking immediately in front of the development. The commercial properties along this stretch of road avail of free on street – unassigned parking on Lower Captain Street, and Waterside car park is within 100m. The development is located within the defined town centre boundary and within walking distance of public transport.
- 8.24 Increased traffic and parking issues were noted as points of objection within representations. Objections stated that the proposed HMO would result in greater demand for parking which according to objectors is already facing parking constraints. It is considered that there is sufficient capacity in the area to accommodate any additional demand generated by the proposed development, without adversely impacting existing parking provision. There are available on street parking spaces and a large public car park close by to sufficiently accommodate the small number of future residents.
- 8.25 Considering a mix of factors including the modest size of the HMO, the existing use of the property which relies on on-street parking for the existing flat, the level of on street parking and parking areas in the area, and its town centre location, the availability of parking

as demonstrated in this instance would be adequate for the property as an HMO. The proposal is consistent with Paragraph 5.40 of the justification and amplification to Policy AMP 7 of PPS 3 and the parking arrangements are considered acceptable.

8.26 Paragraph 6.137 of The SPPS Ed.2 states that within town centres, residential use above shops and other business premises should be facilitated, where appropriate, as this can promote sustainability through utilising underused space, maintaining the fabric of buildings and contributing to the vitality and viability of town centres. The proposal is consistent with this objective to facilitate a residential use above a business premises within a town centre.

8.27 This application complies with Policy AMP 7 of PPS 3 and criteria 4 of Policy HOU 4 of NAP as the proposal will not result in adverse traffic impact or detract from amenity of local residents.

Representations

8.28 The number and content of objections have been detailed at paragraph 5.1. Paragraph 8.24 discusses the consideration of parking and access objection points.

8.29 Noise and disturbance were noted as points of objection within representations. Objections stated the increased number of residents would increase noise levels which would detrimentally impact neighbours' quality of life. The proposed change of use will have limited impact on noise and overall disturbance of neighbouring residents as it will be converted from a residential flat into a four (4) bedroom HMO. It is considered that there would be minimal adverse impact from this change as noted above. As such, a change of use to HMO is not considered substantially detrimental. Environmental Health was consulted and made no comment in relation to noise. Further, late night activity and noise disturbance are matters that would be regulated under environmental health and could be addressed through the management of the property.

- 8.30 Anti- social problems were noted as a point of objection within representations. The planning system operates in the public interest of local communities and the region as a whole in terms of good design and layout, and it cannot control the behaviour of future residents and anti social issues. This is a town centre location with a variety of uses within proximity of the application site. Management of the property is also a requirement of the HMO Licence process.
- 8.31 Health and safety monitoring were noted as another point of objection within representations. Objections stated that HMO properties could potentially lead to overcrowding, inadequate property maintenance, poor waste management which would negatively impact neighbouring residents. There were also queries as to whether the rooms are of sufficient size. This has largely been addressed under the previous subsections of section 8. Furthermore, HMOs are one of the most heavily regulated forms of housing and are subject to continuous compliance. NI HMO Unit and Environmental Health were both consulted on this application and raised no objection to the proposal. If planning approval is granted, then the proposed development will require to be licensed under the HMO Act (NI) 2016.
- 8.32 Over provision of HMOs was noted as a point of objection within representations. Each application is assessed on its on merit and in accordance with policy. Each planning decision takes account of the potentially damaging effect of cumulative changes in a neighbourhood when considered alongside other recently approved development. Lower Captain Street currently holds one (1) HMO property according to the HMO register. As such, this additional single HMO property will not detrimentally impact the character of the area nor has it been demonstrated that there is an over provision of HMOs in this immediate area.
- 8.33 Impact on property values was also raised in objections. No evidence has been submitted to demonstrate this. The perceived impact is not a planning consideration to which significant weight can be attached. It should be noted that both the existing and proposed uses are residential in nature and the property is located within the town centre where a variety of uses are present.
- 8.34 Loss of family home was stated as a concern. The existing property is a flat above a café. There is no evidence to detail any

previous occupants. Planning has no control over the selection of any previous or future residents. Both the existing and proposed use of the accommodation would be residential in nature.

- 8.35 Water supply and sewage concerns. NI water were consulted on receipt of this application which originally included a change of use to the rear portion of the ground floor café to apartment. NI Water recommend refusal based on network capacity concerns. The scheme was subsequently amended to remove this element, and now solely relates to the change of use of the flat on the upper floors. As the amended proposal is considered not to result in a significant intensification of the existing use on these upper floors no further consultation was carried out and no conditions would be necessary in this instance given the existing use.
- 8.36 Impact on services and utilities was noted as another point of objection within representations. Objections stated that if approved, there would be less appointments at health care facilities and the potential for schools to be shut down due to lack of children. No demonstrable evidence of any impact on services and utilities was submitted. The proposal would not result in a significant intensification of the residential use of the property.
- 8.37 References in some objections to the HOU 3 direction/directive would appear to be misplaced. Under the NAP HOU 3 relates to the Social Housing Allocation. Policy HOU 4 of the NAP is the appropriate policy for this type of application.

9.0 CONCLUSION

- 9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and other material considerations including the SPPS Edition 2 and PPS 3. Given the existing use of the property, its location within the defined town centre boundary, and the existing character of the site and surrounding area, the proposal will not detrimentally impact the amenity, environment, or character of Captain Street Lower. All representations have been fully considered and there are no objections from consultees.
- 9.2 This application is recommended for **APPROVAL**.

10.0 PROPOSED CONDITIONS

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. All hard and/or soft landscaping works shall be carried out in accordance with the approved details on Block Plan Drawing 01/2. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

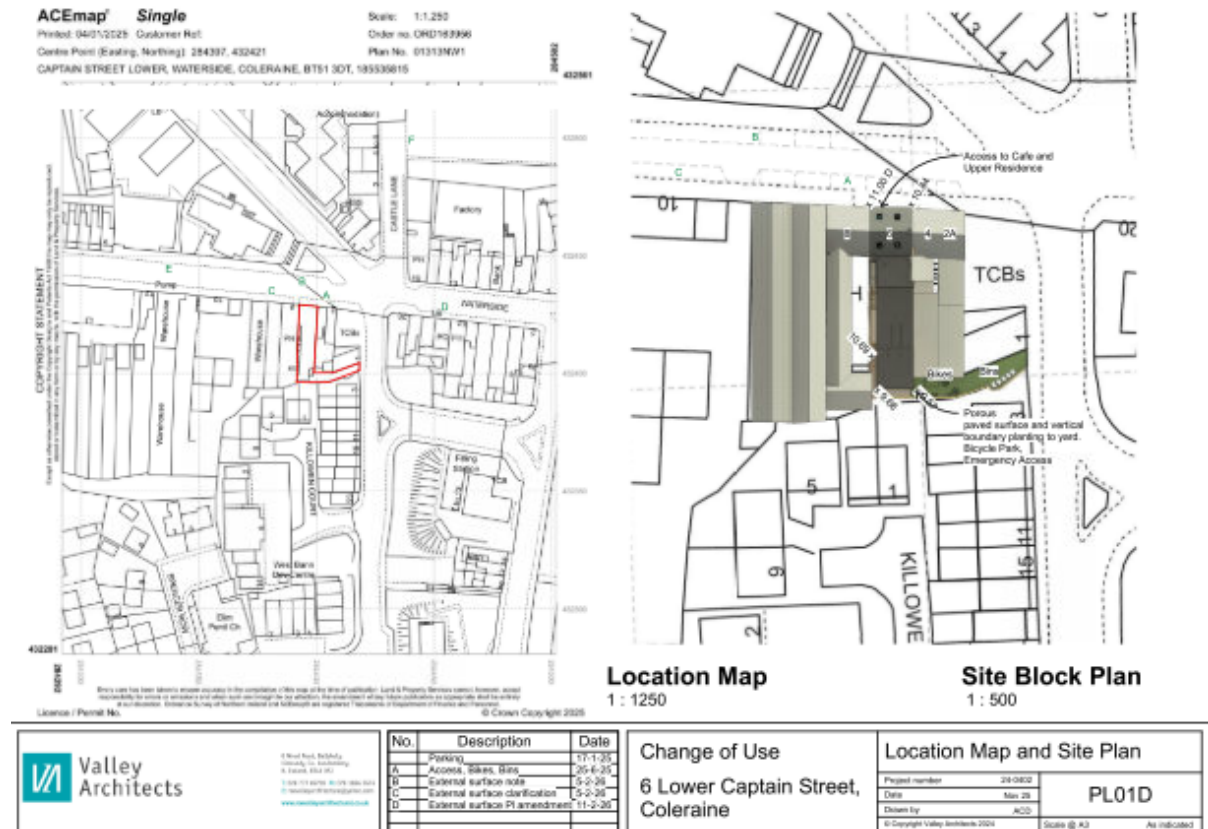
Reason: In the interests of the character and appearance of the area.

INFORMATIVES

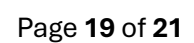
1. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
3. This approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.

4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.
5. You should refer to any other general advice and guidance provided by consultees in the process of this planning application by reviewing all responses on the Planning Portal at <https://planningregister.planningssystemni.gov.uk/simple-search>

Site Location Plan and Proposed Block Plan



260826



Proposed Rear and Elevations



 Valley Architects 11 Wood Road, Ballyduffy County Wick, Ireland T: 087 114 6476 E: info@valley.ie www.valley.ie	<table><tr><th>No.</th><th>Description</th><th>Date</th></tr><tr><td>A</td><td>NO ADDITIONAL WINDOWS</td><td>25.11.20</td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table>	No.	Description	Date	A	NO ADDITIONAL WINDOWS	25.11.20																Change of Use 6 Lower Captain Street, Coleraine	Proposed Elevations		
	No.	Description	Date																							
	A	NO ADDITIONAL WINDOWS	25.11.20																							
Project number	24-0602	PL05A																								
Date	24.06.25																									
Drawn by	ACD																									
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Existing Elevations



North Elevation- Unchanged
1 : 100



Existing South Elevation
1 : 100



Existing West Elevation
1 : 100



East Elevation- Unchanged
1 : 100



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No.	Description	Date

Change of Use
6 Lower Captain Street,
Coleraine

Elevations- Existing

Project number	20-0802	PL03	
Date	03/24		
Drawn by	ACD		
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