

Ref: EIR / 5992

Environmental Information Regulations Request Planning - Breaches and Enforcements for HMOs

I refer to your email dated 10th September 2025 requesting information under the Freedom of Information regulations. As your information request relates to environmental information it has been dealt with under the Environmental Information Regulations 2004, as below.

Council does hold this information. In answer to each question I can advise as follows:

1. How many breaches of planning control relating to HMO were found in the period specified above.

Council does hold this information. Seven alleged breaches of planning control were identified and investigated during the period specified.

2. How many enforcement actions against a breach of planning control relating to HMO were taken in the period specified above.

Council does hold this information. No formal enforcement action has taken place to date. Investigations remain ongoing for 3 properties.

3. What enforcement actions against a breach of planning control relating to HMO were taken in the period specified above

Council does hold this information. Warning letters were issued requiring that the use of the property cease until the alleged breach has been remedied

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4. If no action was taken on discovery of a breach, what was the basis on which decisions were taken not to proceed in the period specified above.

Council does hold this information. Retrospective planning applications were submitted in an attempt to regularize the alleged breaches in 2 of the cases. In respect of a further two cases, planning applications had already been submitted at the time the alleged breaches were notified to council. The remaining three cases are ongoing.

If you are dissatisfied with our response, you have rights of review and appeal; these rights consist of two review processes.

Firstly, our internal review procedure is available by contacting:

John Kelpie
Chief Executive
Derry City and Strabane District Council
98 Strand Road
Derry BT48 7NN
Tel: 028 71253253 or email: john.kelpie@derrystrabane.com

Secondly, you can appeal directly by contacting the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
CHESHIRE SK9 5AF
Tel: 0303 123 1113 (local rate) or email: casework@ico.org.uk

I would however advise that the Information Commissioner has indicated that a review will not be undertaken unless the Council has first had an opportunity to re-consider its decision.

Yours sincerely

Rosemarie McMenamin
Principal Planning Officer