

Ref: EIR / 5980

29th September 2025

Freedom of Information Act 2000 Request – HMO Opportunities in DCSDC

I refer to your FOI request and respond as follows. As your request relates to environmental information it has been considered under the Environmental Information Regulations 2004.

Request

Could you please provide information regarding Article 4 Directions and Planning area currently in place within your council area that affect the conversion of residential properties from C3 (dwelling houses) to C4 (small HMOs)?

Specifically, we would appreciate:

1. Details of any current Article 4 Directions that remove permitted development rights for C3 to C4 conversions
2. Maps or documentation showing the geographical boundaries of these restrictions
3. Information on any planned or proposed Article 4 Directions that may affect HMO development
4. Guidance on areas where planning permission would be required for HMO conversions

Derry

C/o Council Offices
98 Strand Road
Derry
BT48 7NN

Strabane

C/o Council Offices
47 Derry Road
Strabane
BT82 8DY

+44 (0) 2871 253 253
info@derrystrabane.com
www.derrystrabane.com

 Derry City & Strabane District Council
 @dcsdcouncil

Response

The use classes and Article 4 Directions that you refer-to appear to be that of the English or other legislation rather than that which is applicable in Northern Ireland and therefore your information request is not directly relevant. Please refer to the Planning (Use Classes) Order (NI) 2015 the Planning (General Permitted Development) Order (NI) 2015.

In summary, planning permission is required for any material change of use from a dwelling to a HMO, in any location. Use Class C4 (Small HMOs) does not exist in Northern Ireland and hence there is no corresponding permitted development rights for such conversions here. Therefore, there cannot be any Article 4 Directions that restrict those permitted development rights.

Therefore, in response to your information request, this Council does not hold the information that you have directly requested in request points 1, 2 or 3. With regard to your request point 4, the relevant policies in relation to planning applications for HMO conversions, applicable across all of this District, are set out in the Council's recently adopted Local Development Plan (LDP 2032) Plan Strategy, particularly Policies HOU 13 and HOU 14. This information is already publicly available and can be accessed at the following link: <https://www.derrystrabane.com/subsites/ldp>

This Council has also prepared a Draft HMO Supplementary Planning Guidance document that will be issued for public consultation in the coming days; details will be placed on the above webpage.

I trust that this provides you with the information you requested.

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

P. Mc Caughey

Principal Planning Officer