



Board Direction

Ref: PL28.245315

The submissions on this file and the Inspector's report were considered at a Board meeting held on January 26th 2016.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, subject to the amendments shown in the reasons and considerations set out below.

REASONS & CONSIDERATIONS

1. Having regard to the provisions of the current Cork City Development Plan, 2015 – 2021, the pattern of existing and permitted development in the vicinity and area and having regard to the information submitted as part of the planning application, together with the information submitted with the appeal, and notwithstanding the zoning afforded to the site, the Board is not satisfied that the development is acceptable by reason of non compliance with a number of policy objectives of the City Development Plan.
 - It is considered that the development, if permitted, would contravene Objective 11.7 of the CDP which deals with Public Open Space and where it is the stated objective of the Plan, amongst others, to protect, retain, improve and provide for areas of public open space for recreation and amenity purposes. The objective further provides that there will be presumption against development on all open space in residential estates in the city, including any green area/public amenity area that formed part of an executed planning permission for development and was identified for the purposes of recreation/ amenity open space, and also including land which has been habitually used as public open space. Such lands shall be protected for recreation, open space and amenity purposes. Given the historical use of the subject site as the primary open space area serving the overall Brookfield

Village development, it is considered that the development, if permitted would be contrary to this Development Plan Objective and would be contrary to the proper planning and sustainable development of the area

- It is further considered that the development as presented, contravenes Objective 10.9 of the Plan which deals with River and Waterway Corridors and seeks to protect and maintain the integrity and maximise the potential of the natural heritage and biodiversity value of the River Lee and its associated watercourses. Developments in river corridors are required to dedicate a minimum of 10m from the waters edge in channelized rivers for amenity, biodiversity and walkway purposes. Having regard to the proposed layout of the site, together with the proposed provision of 28 new car parking spaces along the boundary with the river, the development, if permitted, would contravene this Development Plan objective and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the backland location of the proposed student accommodation building, together with the differing ground levels, the Board is not satisfied that development, if permitted, would result in appropriate levels of residential or general amenity for the future residents of the building. It is further considered that if permitted, the development would negatively impact on existing residential amenities for existing residents of Brookfield Village by reason of the loss of public open space and the residents of the wider area, by reason of proximity to private homes, noise and impacts on the general amenities of the area. The development therefore, would seriously injure the residential and general amenities of the area and would therefore, be contrary to the proper planning and sustainable development of the area.

Board Member: _____ Date: 27.01.16
Paul Hyde