



## Board Direction

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**Ref: 28.245912**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11<sup>th</sup>, August 2016.

The Board decided to grant permission in accordance with the following reasons, considerations and conditions.

### REASONS AND CONSIDERATIONS

Having regard to,

- the zoning of the site for '*Residential, Local Services and Institutional Uses*' in the Cork City Development Plan, 2015 – 2021
- the nature and scale of the proposed development, the existing character and pattern of development in the vicinity of the site,
- the location of the proposed development within an existing student accommodation complex,
- the proximity of the site to existing third level education facilities,
- the planning history of the site including the planning permission granted under Appeal No, PL. 28.240044 (Reg, Ref, 11/35072) which permitted the construction of a development of a similar scale and similar footprint to the current proposal,
- the proximity of the site to areas suitable for both passive and active recreational amenity and
- the proposals for improvement to and enhancement of riverside amenity in the vicinity of the site

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of houses in the vicinity of the site, would not seriously injure the overall amenities of the area, would be acceptable in terms of flood risk management, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the revised proposal submitted in response to the request for further information issued by the planning authority had merit insofar as it provides for a reduction in the area of surface car parking (deemed to be appropriate in the context of student accommodation) and corresponding improvements to the landscaping of the site including the upgrading and improvement to the riverside amenity adjoining the site. Furthermore, the Board considered that the loss of open space from the site as a consequence of the proposed development was not so detrimental to the overall Brookfield Student Village in light of the extent of open space and recreational amenities available to the general student body in close proximity to the site. Accordingly, given the historic use of the site and the particular circumstances of this case, including these mitigating factors, the Board did not share the Inspector's conclusion that the proposed development would contravene Objective 11.7 of the Development Plan.

In not accepting the Inspector's recommendation in relation to his recommended second reason for refusal, the Board considered that on the basis of the documentation submitted with the planning application and appeal there was no evidence to suggest that the existing Brookfield Student Village was not properly managed and well run. Furthermore, it was considered that the detailed design of the proposed converted building had paid sufficient attention to the need to protect the residential amenities of adjacent houses. In these circumstances, the Board was satisfied that subject to the attachment of appropriate conditions to a grant of planning permission (including the requirements of condition number 2 above) the proposed extension to the student accommodation facility would not diminish the standard of residential amenity provided in the existing student accommodation or provide for a poor standard of residential amenity in the proposed student accommodation and would not seriously injure the residential amenities of neighbouring houses.

The Board also had regard to the contents of the government initiative as set out in the 'Action Plan for Housing and Homelessness – Rebuilding Ireland' published in July 2016 which recognises the importance of providing well designed and located student accommodation in order to avoid additional pressures on the private rental sector.

## CONDITIONS

(1) Std. P and P and Reason

(2) (a) per p.a. condition number 2 (b)

(b) per p.a. condition number 2 (c)

(c) per p.a. condition number 2 (d)

Revised drawings indicating the modifications required under (a) (b) and (c) above shall be submitted and agreed to in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of residential amenity of occupiers of the proposed accommodation and in the interest of residential amenity of neighbouring dwellings.

(3) Details of the materials, colour and texture of all external finishes shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

(4) Std. WaterDrain and Reason

(5) Per p.a. condition number 4 and reason

(6) Std. Landscaping and Boundary treatment and Reason (*insert* ..'which shall include proposals for suitable screen planting of piled foundations for the proposed new student accommodation block')

- (7) A riverside amenity corridor which shall be a minimum width of 10m shall be provided along the riverside boundary of the site in accordance with a scheme details of which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. This corridor shall be reserved for future use as a public amenity walkway and cycleway. No development shall take place within this area to be reserved.

**Reason:** In order to comply with Objective 10.9 of the Cork City Development Plan 2015 – 2021 in the interests of amenity.

- (8) Std. Public/External Lighting and Reason

- (9) Std. CMP and Reason (incl. hours of construction)

- (10) All mitigation measures proposed in the Floor Risk Assessment received by the planning authority on 13<sup>th</sup>, January 2016 shall be carried out in full in accordance with the proposals contained within the report.

**Reason:** In order to minimise the risk of flooding of the proposed development.

- (11) Per p.a. condition number 12(a)

- (12) Prior to the commencement of development full details of all necessary noise attenuation measures including details of selected mitigation measures and on site methodology for the implementation of agreed measures together with details of the visual appearance of the proposed noise attenuation screen shall be submitted to and agreed to in writing with the planning authority.

**Reason:** In the interest of residential amenity

- (13) Std. S. 48 and Reason (unspecified)

Board Member: \_\_\_\_\_ Date: 26<sup>th</sup>, August 2016  
Paddy Keogh