



An
Bord
Pleanála

**Board Order
PL 28.247698**

Planning and Development Acts 2000 to 2016

Planning Authority: Cork City Council

Planning Register Reference Number: 16/37078

Appeal by Robert and Maura White of 15 The Grove, Orchard Road, Cork and by Variety Holdings Limited care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 17th day of November, 2016 by Cork City Council to refuse permission to the said Variety Holdings Limited.

Proposed Development: Modifications to the student accommodation development (comprising 17 number apartments) permitted under An Bord Pleanála appeal reference number PL 28.245912 (Cork City Council planning register reference number 15/36530), comprising an additional (third) storey to the southern block to provide four number additional student apartments and all associated parking, plan and elevational changes at Brookfield Village Student Accommodation and Leisure Centre Complex, College Road, Cork.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

1. Having regard to the existing and permitted density of development on the subject site, and the character and pattern of development in the vicinity, and having regard to the nature and intensity of the proposed additional quantum of development, and the relocation of the permitted development partly onto existing amenity areas, it is considered that the proposed development would seriously injure the residential amenities of property in the vicinity, by reason of noise and general disturbance likely to arise from the proposed increase in density on the site, and would be injurious to the amenities of future occupants of the permitted development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the design and form of the proposed development, including the fenestration changes and the flat-roofed nature of the additional floor to the permitted development, it is considered that the proposed development would represent a poor quality of design, which would be inconsistent with the existing pattern of development on the overall site and out of character with the pattern of development in the vicinity, and would be visually unacceptable. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree with the Inspector's analysis regarding the visual appearance and design of the proposed development, for the reasons and considerations outlined in its order, and did not consider that the addition of a brick finish, as suggested by the Inspector, would be sufficient to successfully integrate the new building into its surroundings. Furthermore, the Board concurred with the views of the planning authority in relation to the level and intensity of development proposed and the impacts of this intensification of development, over and above the permitted level of development, on the residential amenities both of the adjoining properties and of the future occupants of the permitted development.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017