

An  
Bord  
Pleanála

**Board Direction**  
**BD-011862-23**  
**ABP-313437-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/03/2023.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

It is considered that the location of the proposed street furniture would be consistent with the land use zoning for the area, and that, subject to the conditions below, it would not compromise the safety or movement of pedestrians, or other road users, or be visually intrusive or seriously injurious to the visual or residential amenity of the area, or of properties in the vicinity. It would therefore be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

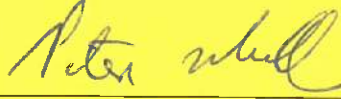
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| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority, prior to commencement of development, and the development |
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|    | <p>shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>  |
| 2. | <p>a) The outdoor seating space shall not be greater than 5m in width and not extend more than 4.25m in depth from the edge of the footpath</p> <p>b) No items are permitted to be placed outside of these areas.</p> <p>c) The facility shall not be occupied after 5pm daily and shall be secured after close of business.</p> <p><b>Reason:</b> In the interest of clarity.</p>  |
| 3. | <p>The Licensee shall be required to have a Public Liability &amp; Employers Insurance cover to a minimum value of €6.5 million indemnifying Cork County Council against third party claims. The name of the insurance company providing this cover together with the policy number and date of expiry shall be stated on the licence. The insurance policy shall be submitted to Cork County Council for inspection before the licence will be issued.</p> <p><b>Reason:</b> In the interest of clarity.</p> |
| 4. | <p>The licence shall be valid until the last day of December 2022. The outdoor seating and related ancillary structures shall then be removed, and the sites lands reinstated to their original condition unless, prior to the end of the period, continuance has been granted for a further period.</p> <p><b>Reason:</b> In the interest of clarity.</p>  |
| 5. | <p>The tables, chairs, and all ancillary structures shall be stored indoors during times outside of the operational hours of the subject cafe.</p> <p><b>Reason:</b> In the interest of traffic convenience and to protect the amenities of the area.</p>   |
| 6. | <p>a) The proposed tables, chairs, and ancillary structures must be temporary in nature and easily removed.</p>   |

b) The Applicant must ensure that a minimum of 2m clear footpath space remains for pedestrians and cyclists.

**Reason:** In the interest of clarity.

Board Member



Date: 07/03/2023

Peter Mullan

