



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: SF 552.

Appeal by Jimmy Stafford care of Kevin J. Hamell and Associates of D5 Swords Enterprise Park, Feltrim Road, Swords, County Dublin against the decision made on the 21st day of November, 2018 by Dublin City Council to refuse to grant a licence.

Application: Licence to place street furniture on the public footpath in front of the premises consisting of four number tables of 800 millimetres by 800 millimetres, 16 number chairs and 1,400 millimetres high screens consisting of 700 millimetres high timber plant box and 700 millimetres high laminated glass over in an area of 16.5 square metres at The Merry Cobbler, 78-82 Irishtown Road, Dublin (a protected structure).

Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, An Bord Pleanála hereby DISALLOWS the appeal based on 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

Having regard to the location of the gastro pub directly adjacent to residential properties, the Z2 zoning "To protect and/or improve the amenities of residential conservation areas", the planning history (An Bord Pleanála reference number 29A.LC.2067, planning register reference number SF 552) and the guidance in Section 9.5.8 of the Dublin City Development Plan 2016-2022 for the appropriate location of development in noise sensitive locations, it is considered that the proposed development, consisting of an outdoor seating area for 16 people, would seriously injure the residential amenities of the adjoining properties. To grant a licence would, therefore, be contrary to the proper planning and sustainable development of the area.

Terry Ó Niadh

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

Dated this day of 2019.