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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Authority Reference Number: SF/351**

**APPEAL** by Pat Coyne of 7 Arran Street East, Mary's Abbey, Dublin against the decision made on the 8<sup>th</sup> day of July, 2019 by Dublin City Council to grant, subject to conditions, a licence to Sandra Enebe of Carluccio's Limited of 35 Rose Street, London in relation to the following application.

**APPLICATION:** Licence to place street furniture on the public footpath outside of premises consisting of eight tables and 18 chairs within three screened areas at Carluccio's, Duke Street/Dawson Street, Dublin.

**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, and directs the planning authority to grant a licence subject to the conditions set out under.**

## **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 provisions of the Dublin City Development Plan 2016-2022, to the nature, scale and layout of the proposed seating for which a street furniture licence has been sought, the Board considered that, subject to compliance with the conditions set out below, the proposed issuance of a licence would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to allow the appeal, the Board concurred with the decision of the planning authority and considered that the proposed tables, chairs and windbreakers would not constitute an obstruction or clutter on the footpath and would be acceptable in terms of the proper planning and sustainable development of the area.

## **Conditions**

1. The licence shall be in accordance with the details lodged with the planning authority on the 14<sup>th</sup> day of June, 2019, except as may otherwise be required in order to comply with the following conditions.

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

2. Screening shall be of a plain colour or neutral canvas type, shall be not more than one metre high, and no advertising shall be used on the screens without the prior agreement of the planning authority in accordance with the proper planning and sustainable development of the area.
3. The proposed street furniture shall be stored indoors during the times the furniture is not permitted to be on the street, that is, from 2200 hours to 0700 hours.

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**Paul Hyde**

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

**Dated this            day of            2019.**