

An
Bord
Pleanála

Board Order
ABP-311116-21

Planning and Development Acts 2000 to 2021

Planning Authority: Limerick City and County Council

Planning Register Reference Number: L21.70

Appeal by Tom Lewis of 3 Shannonview Terrace, Clancy Strand, Limerick against the decision made on the 5th day of August, 2021 by Limerick City and County Council to grant, subject to conditions, a licence to Clancy Strand Taverns Limited, Curragower Bar, Clancy Strand, Limerick.

Licence Application: To place street furniture (five to six picnic benches, a chained perimeter and parasols) in the car park at the junction of Reidy Park and Clancy Strand, Limerick.

Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Bord Pleanála, directs the planning authority to grant a licence, based on the reasons and considerations under and subject to the conditions set out below.

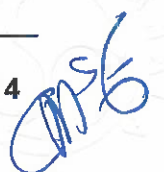
Matters Considered

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 nature and extent of the development for which a street licence is sought, to the temporary period of time for which the licence is sought, and to the location of the area within a public car park, it is considered that, subject to compliance with the conditions set out below, the temporary use of the car parking area as an outdoor seating/serving area across the street from the associated Curragower Bar would not seriously injure the amenities of the area, including the amenity of residential properties, and would not be prejudicial to public safety by reason of traffic hazard. The proposed development would, therefore, 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 the totality of the documentation submitted on file and considered that, having regard to the modest scale of the area proposed to be utilised under the licence, the short period for which the licence was sought and having regard also to the conditions set out in this decision, that no serious injury to the amenity of the area including residential properties in the vicinity would arise.



A handwritten signature in blue ink, appearing to be 'MSB', is located in the bottom right corner of the page. It is written over a faint circular stamp that contains the text 'CORK COUNTY COUNCIL'.

Conditions

1. Street furniture may be placed on the public car park at the junction of Clancy Strand and Reidy Park, Limerick. The street furniture and barrier shall be arranged and maintained in the car park so as not to obstruct the free flow of pedestrian traffic.

Reason: In the interest of public safety.

2. Street furniture shall only be placed at the above locations between 1000 to 2200 hours. All items covered under this licence shall be removed before 2200 hours each night. The hatched area of the car park, which is not covered by the licence, shall be kept free of patrons of the Curragower Bar. The Curragower Bar Management shall provide sufficient supervision of the outdoor area to ensure that they comply with these conditions.

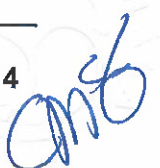
Reason: In the interest of the amenity of the area.

3. Street furniture shall be maintained in a safe, clean and tidy condition. Adequate waste management facilities shall be maintained at the site by the Curragower Bar.

Reason: In the interest of the visual amenities of the area.

4. No outside amplification/speakers/live entertainment is permitted without prior written consent from the planning authority, and no speaker or amplifier within these premises shall be configured in such a manner as to project sound out onto the public footway.

Reason: In the interest of the amenity of the area.

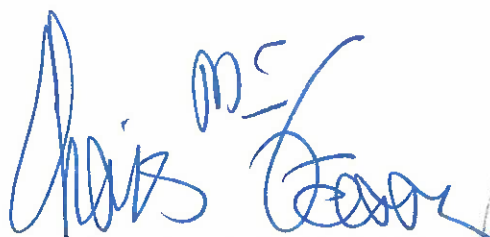


5. All appropriate public liability insurances shall be in place for the duration of this licence.

Reason: In the interest of public safety.

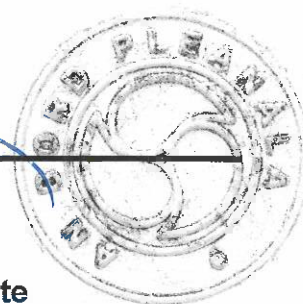
6. This licence expires on the 30th day of September 2021.

Reason: In the interest of clarity.



Chris McGarry

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



Dated this 4th day of March 2022