

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

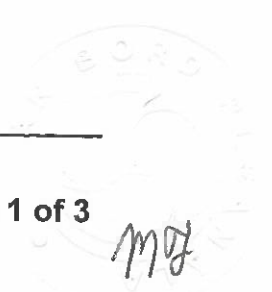
Planning Register Reference Number: S254L/000661

Appeal by Sharon Nolan and Others care of Nolan Properties Sales and Rentals of Canal View, Sallins, County Kildare against the decision made on the 15th day of July, 2021 by Kildare County Council to grant, subject to conditions, a licence to Nicola Zammit care of Two Cooks Restaurant, 5 Canal View, Sallins, County Kildare.

Licence Application: Erection of outdoor seating at Two Cooks Restaurant, 19 Ferns Way, Ferns bridge, Monasterevin, County Kildare.

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.



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 compliance with the conditions set out below, it would not compromise the safety or movement of pedestrians, or other road users, or seriously injure the visual or residential amenities of the area, or of properties in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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 shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The outdoor seating space shall not be greater than 10 metres in length, shall not extend more than 2 metres in depth from the edge of the footpath and shall be limited to 6 number tables and 18 number chairs.
- (b) No items shall be permitted to be placed outside of this area.

Reason: In the interest of clarity.

3. The license shall be valid until the last day of November, 2022. The outdoor seating and related ancillary structures shall then be removed and the site lands reinstated to their original condition unless, prior to the end of the period, continuance has been granted for their retention for a further period.

Reason: To enable the impact of the development to be reassessed and in the interest of clarity.

4. All street furniture comprising planters, tables, chairs, and all ancillary structures shall be stored indoors during times outside of the operational hours of the subject restaurant.

Reason: In the interest of traffic safety and to protect the amenities of the area.

- 5 (a) The proposed planters, tables, chairs, and ancillary structures shall be temporary in nature and easily removed.
- (b) The applicant shall ensure that a minimum of two metres clear footpath space remains for pedestrians and cyclists.
- (c) Planters shall be included on the site to provide separation and demarcate the seating area from vehicles.

Reason: In the interest of clarity.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 6th day of July 2022.

