



An
Bord
Pleanála

Board Order ABP-313561-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 14/2022

Appeal by Carol and Sarah O'Brien, OHK Café, The Glen, Kinsale, County Cork against the decision made on the 11th day of April, 2022 by Cork County Council to refuse a licence.

Licence Application: Street furniture licence under Section 254 of the Planning and Development Act, 2002, as amended, at OHK Café, The Glen, Kinsale, County Cork.

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 **REFUSE TO GRANT** a licence, based on the reasons and considerations under.

pm

REASONS AND CONSIDERATIONS

Having regard to the provisions of Section 254 of the Planning and Development Act 2000 as amended, to the existing poor pedestrian environment and restricted road width in the vicinity of the site, and to the nature and extent of the development, it is considered that the proposed development would obstruct the public footpath and force pedestrians onto the public road, thereby causing a potential conflict between pedestrians and vehicular traffic close to a sharp bend in the road. The Board is not satisfied, therefore, that the proposed placement of street furniture and associated structures at this location would not endanger pedestrian safety and interfere with the free movement of pedestrians in the vicinity of the site, which would give rise to a traffic hazard, and would not be in accordance with policy objective KS-GO-07 of the Cork County Development Plan 2022-2028 which seeks to enhance walking and cycling facilities in the town. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Peter Mullan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *4th* day of *August*, 2023.