

An
Bord
Pleanála

Board Order
ABP-313965-22

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: 028/22

Appeal by William Reidy of South Mall, Westport, County Mayo against the decision made on the 10th day of June, 2022 by Mayo County Council to grant, subject to conditions, a licence to Lofty's Bar of North Mall, Westport, County Mayo.

Licence Application: 254 licence to place tables and chairs at front of Lofty's Bar, North Mall, Westport, County Mayo.

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.

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 on a wide area of footpath at a corner junction, it is considered that subject to compliance with the conditions set out below, the temporary use of the street as an outdoor seating area would not seriously injure the amenities of the area, including the amenity of residential properties, would not have an adverse effect on the character and setting of the designated Architectural Conservation Area 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.

Conditions

1. The exact location and shape of the licensed area must be agreed in writing with the planning authority. The area allocated and design must leave at least two metres of footpath so as not to obstruct the free flow of pedestrian traffic and ensure that wheelchairs can circulate in the vicinity.
Reason: In the interest of public safety.
2. Details of all street furniture to be used shall be agreed with the planning authority and be maintained in a safe, clean and tidy condition.
Reason: In the interest of the visual amenities of the area.
3. Street furniture shall only be placed at the above location between 1200 to 2100 hours. All items covered under this licence shall be removed after 2100 hours each night.
Reason: In the interest of the amenity of the area.



4. No outside amplification/speakers/live entertainment is permitted without prior written consent from the planning authority, and no speaker or amplified music within these premises shall be configured in such a manner as to project sound 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. The licence expires on the 31st day of October, 2022.

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

In deciding not to accept the Inspector's recommendation, the Board considered 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 temporary period for which the licence was sought and having regard also to the conditions set out in this decision, that sufficient information was available to the Board to consider the appeal.

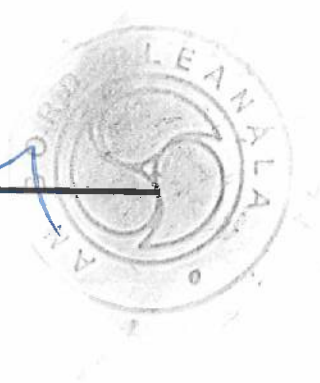


Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 31st day of August 2023.