

An  
Bord  
Pleanála

## Board Order ABP-314829-22

**Planning and Development Acts 2000 to 2022**

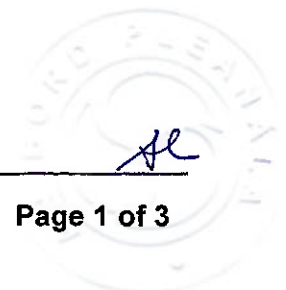
**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: OSS 22/06**

**Appeal** by Tracey Thompson of The Fiddler's Bar, 3 O'Connell Street, Athlone, County Westmeath in relation to the granting, on the 14<sup>th</sup> day of January, 2022 by Westmeath County Council, of a license under Section 254 of the Planning and Development Act, 2000, as amended, for street furniture at The Fiddler's Bar, 3 O'Connell Street, Athlone, County Westmeath

### **Decision**

**In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Bord Pleanála, based on the Reasons and Considerations set out below, hereby refuses the said appeal and directs the said licensing authority to grant the said license in accordance with the following conditions attached to it:**



## 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 site on the southern side of O'Connell Street, it is considered that, subject to compliance with the conditions set out below, the temporary use of the street as an outdoor seating/serving area for The Fiddler's Bar would not seriously injure the amenities of the area, including the amenity of adjoining properties and would not endanger 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 development shall be carried out in accordance with the plans and particulars lodged with the planning authority, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity

2. The hours of operation shall be limited to between 1100 and 2200 hours after which all street furniture shall be removed from the street

**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 applicant.

**Reason:** In the interest of public safety.

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 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 shall expire on the 30<sup>th</sup> day of September, 2022.

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

7. The street furniture shall be arranged and maintained so as to be clear of the public footpath and not to obstruct the free flow of pedestrian traffic.

**Reason:** In the interest of public safety.



*Stewart Logan*

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**Stewart Logan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this 16 day of November 2023.**

