



An  
Bord  
Pleanála

## Board Order ABP-316914-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: SF 686**

**Appeal** by Ahmad Fakhry of Note, 26 Fenian Street, Dublin against the decision made on the 3<sup>rd</sup> day of April, 2023 by Dublin City Council to refuse a licence.

**Licence Application:** Retention of outdoor seating area measuring 24 square metres consisting of four large tables for eating and drinking at the front of the building at Note Bar, 26 Fenian Street, Dublin.

### 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 and subject to the conditions set out below.

## REASONS AND CONSIDERATIONS

Having regard to consideration of the development, under section 254(5) of the Planning and Development Act 2000, as amended, it is considered that the proposal, to place street furniture in the centre of the carriageway to the front of 'Note' Bar and Bistro at 26 Fenian Street as per the layout in the submitted 'Outdoor Seating Area', would compromise the convenience and safety of road users including pedestrians, vehicles, cyclists, and patrons using the street furniture. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.



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Mary Gregg

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

Dated this 7<sup>th</sup> day of March 2024