



An
Bord
Pleanála

Board Order ABP-317097-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: SF722

Appeal by David Smith care of The Space Between of 28 Fenian Street, Dublin against the decision made on the 3rd day of April, 2023 by Dublin City Council to refuse a licence.

Licence Application: Street Furniture Licence application for outdoor seating on the carriageway at 28 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 within the carriageway to the front of The Space Between at 28 Fenian Street as per the layout in the submitted documentation, would compromise the convenience and safety of road users including pedestrians, vehicles, cyclists and patrons/users of the street furniture. The proposed development would not, therefore, be in accordance with the proper planning and sustainable development of the area.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *12th* day of *March*, 2024.

