



An
Bord
Pleanála

Board Order ABP-318201-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: SF 569

Appeal by Devitts of Camden Street care of BMA Planning of Taney Hall, Eglinton Terrace, Dundrum, Dublin against the decision made on the 27th day of July, 2023 by Dublin City Council to refuse a licence for the proposed development.

Licence Application: To place street furniture on the old loading bay on Pleasants Street, Dublin. The street furniture will consist of five barrels and 20 seats outside Devitt's Public House, 74 Lower Camden Street and Pleasants 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.

REASONS AND CONSIDERATIONS

1. Having regard to the provisions of Section 254 of the Planning and Development Act, 2000, as amended, and the location of the subject premises within the 'Z4' Key Urban Village zoning, and to the nature and extent of the proposed 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 at a heavily traffic corner location at the junction of Camden Street Lower and Pleasants Street. The Board is not satisfied, therefore, that the proposed placement of street furniture and associated structures at this location would not endanger pedestrian safety as well as interfere with the free movements of users of the public domain in the vicinity of the site.
2. Having regard to the size and scale of the area for the proposed development, the Board is not satisfied that the proposed development would not diminish the amenities of residential properties in its vicinity by way of nuisances and disturbance.
3. The proposed development would result in a reduced loading bay provision for local business and an adverse privatisation of the public domain to the detriment of its users including those who require kerbside loading bay in the vicinity of Camden Street Lower and Pleasants Street.

For these reasons it is considered that the proposed development would not accord with the adjoining 'Z4' land use zoning, Sections 4.5.6, Section 7.5.8, Section 15.17.4, Policies CCUV32, CCUV38, CCUV43 and CCUV44 of the Dublin City Development Plan, 2022-2028 which, together, seek to provide high quality accessible public realm alongside protect the character of this key urban village and sensitive to change setting whilst at the same time preventing any obstruction or undue clutter of footpaths and paved areas. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Mick Long

Member of An Bord Pleanála

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

Dated this *2nd* day of *July* 2024.