



An
Coimisiún
Pleanála

Commission Order
ACP-324320-26

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: SF27-2024

Appeal by Butlers Chocolates Café against the decision made on the 28th day of July 2025 by Dublin City Council to refuse permission for the proposed development.

Licence Application: Extension to a previous Street furniture licence for five number tables and 10 number chairs on the public footpath outside of premises at Butlers Chocolates Café, 268 Rathmines Road, Dublin.

Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Coimisiún Pleanála, directs the planning authority to (i) **GRANT** a licence for one number external bench seat in an area 0.4 metres by 2.3 metres on the public footpath directly in front of the café, based on the reasons and considerations (1) under and subject to the condition set out below, and (ii) **REFUSE** a licence for 10 number external chairs and five number external tables in an area 2.1 metres by 5.5 metres and two number planters 1.6 metres by 0.4 metres on the road carriageway within the loading bay, based on the reasons and considerations (2) under.

Reasons and Considerations (1)

The proposed one number bench would not obstruct pedestrians on the public footpath and, subject to compliance with the condition set out below, would be in accordance with the proper planning and sustainable development of the area.

Condition

1. The street furniture licence is subject to the Dublin City Council General Conditions for the Placing of Tables and Chairs Outside a Hotel, Restaurant, Public House or Other Establishment Where Food is Sold for Consumption on the Premises (as attached to the Dublin City Council Street Furniture Licensing Unit application form version 01/2026).

Reason: In the interest of clarity.

Reasons and Considerations (2)

Noting that the previous grant of a licence was for a temporary period only to address the exceptional conditions resulting from the Covid -19 pandemic, it is considered that the proposed 10 number chairs and five number tables and associated planters would not be in the interests of the convenience and safety of road users and having regard to the need to reinstate the loading bay at this busy location in the commercial centre of Rathmines, its inherent unsuitability for use as a seating area, being at road carriageway level and not safely accessible for persons with impaired mobility, and safety concerns arising from its close proximity to a heavily trafficked road, including a busy cycle lane, the granting of a licence for this element of the development would, therefore, be contrary to the proper planning and sustainable development of the area.



Marie O'Connor

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 28th day of September 2026.