



An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP-324039-26**

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<b>Development</b>	Permission to place 6 tables and 12 chairs in a screened area of public footpath measuring 5.5m X 2.2m (12.1m <sup>2</sup> ).
<b>Location</b>	Queen Stop, 286 Rathmines Road Lower, Dublin 6
<b>Planning Authority</b>	Dublin City Council South
<b>Planning Authority Reg. Ref.</b>	SF102/2023
<b>Applicant(s)</b>	Zhisheng Zhu
<b>Type of Application</b>	Street Furniture Licence Section 254(5) of the Planning and Development Act 2000 as amended
<b>Planning Authority Decision</b>	Dublin City Council
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Lorna Mauney-Brodek
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	14 <sup>th</sup> March 2026
<b>Inspector</b>	Rachel Gleave O'Connor

## Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	3
3.1. Decision .....	3
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies .....	4
3.4. Third Party Observations .....	4
4.0 Planning History.....	5
5.0 Policy and Legislation Context.....	5
5.2. Development Plan.....	5
5.3. Natural Heritage Designations .....	6
6.0 EIA Screening.....	6
7.0 The Appeal .....	7
7.1. Grounds of Appeal .....	7
7.2. Applicant Response .....	8
7.3. Planning Authority Response.....	11
7.4. Observations.....	11
8.0 Assessment.....	11
9.0 AA Screening.....	16
10.0 Water Framework Directive .....	17
11.0 Recommendation .....	17
12.0 Reasons and Considerations.....	18
13.0 Form 1 - EIA Pre-Screening .....	19

## 1.0 Site Location and Description

- 1.1. The appeal relates to Queen Stop, at 286 Rathmines Road Lower in Rathmines Town Centre.
- 1.2. The site is located on the east side of Rathmines Road Lower, on the R114 regional road, in a parade of commercial premises onto the street. At ground floor, a mix of uses is established, with retail units, services, cafes, restaurants and supermarkets. Buildings range in scale along the street, the subject site itself is single storey.
- 1.3. The footpath accommodates a range of street furniture including cycle stands, bins, lampposts and bollards. Outdoor seating does not feature in the immediate area surrounding the site. The outdoor seating and screen enclosure to which this appeal relates is already in place. There were 2 tables and 4 chairs in place during my visit to the site.

## 2.0 Proposed Development

- 2.1. The licence application form states the seating consists of the following:
  - Street space for the licence area is 5.5m in length and 2.2m in width;
  - 6 no. tables (700mm x 760mm);
  - 12 no. chairs;
  - Bolero Canvas Barrier around seating area.
- 2.2. The seating area is directly in front of the unit, either side of the main entrance.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. Dublin City Council Street Furniture Unit, Licence for tables and chairs on an area of public footpath measuring 12.1sqm (5.5m x 2.2m), at Queen Stop, 286 Rathmines Road Lower, Dublin 6, for a period of 1<sup>st</sup> January 2026 to 31<sup>st</sup> December 2026, operating time 11.30am to 10pm. Subject to a minimum footpath clearance of 1.8m and general licence conditions (including fire regulations).

### **3.2. Planning Authority Reports**

#### 3.2.1. Planning Reports

- None on file.

#### 3.2.2. Other Technical Reports

- Transportation Planning Division: No objection, subject to the following conditions
  - 1. The applicant shall reconfigure the positioning of the street furniture such that the pinch points of 1.80m is removed to ensure a 2.0m clear space within the public footpath is maintained at all times; 2. The public footpath between the outdoor seating area and the road must be kept free at all times to facilitate pedestrian movement and be a minimum of 2.0m.
- Dublin Fire Brigade: No objection in principle, subject to conditions. 18 no. conditions recommended relating to exists, no extension beyond footpath, clear available roadway width of 3.5m, access to fire hydrants, compliance with Dept. of Environment code of practice for fire safety, provisions concerning use of heaters, walkway of 1m to be maintained between every section of street furniture exceeding 10m in length, set back from street corner, provisions concerning planting, no smoking to be permitted, no use of artificial grass, materials of limited combustibility and premises to be managed in accordance with the Code of practice for Fire Safety in Places of Assembly & Recreation.

### **3.3. Prescribed Bodies**

#### 3.3.1. None.

### **3.4. Third Party Observations**

- #### 3.4.1. Submission received by Dublin City Council Street Furniture Unit, with respect to the clearance between the seating area and the public footway. This was measured by the member of the public as being 1.22m between the large utility pole and the base plate of the screen, which is under the 1.8m required as per general license provisions, with the body of the barrier giving a clearance of 1.5m.

## 4.0 Planning History

- 4.1. No relevant planning history available. No records of previous s254 licences granted at the location are available, however a previous licence is referenced in the third-party submission which expired in 2024.

## 5.0 Policy and Legislation Context

- 5.1. Section 254(5) of the Planning and Development Act 2000 as amended states that 'in considering a licence under this section a planning authority or the Board on appeal shall have regard to:

- a) The proper planning and sustainable development of the area,
- b) Any relevant provisions of the development plan or a local area plan,
- c) The number and location of existing appliances, apparatuses or structures on, under, or along a public road and,
- d) The convenience and safety of road users including pedestrians'.

### 5.2. Development Plan

- 5.2.1. The applicable local planning policy is set out in the Dublin City Development Plan 2022-2028. The site is designated Zone Z4 'Key Urban Villages / Urban Village', with the objective 'To provide for and improve mixed-services facilities'.
- 5.2.2. Relevant policies and objectives are highlighted below:
- 5.2.3. Rathmines is identified as a key urban village (KUV – 7) in the Development Plan.
- 5.2.4. Policy CCUV32 Outdoor Dining, "Proposals for outdoor dining / trading from premises extending into the street will be supported where they would not harm local amenity or compromise pedestrian movement, accessibility needs or traffic conditions".
- 5.2.5. Chapter 15 sets out the Development Standards. Section 15.17.4 concerns 'Outdoor Seating and Street Furniture' and states the following:
- 5.2.6. "Certain uses in the public realm, including elements of street furniture, can lead to problems of visual clutter and to obstruction of public footpaths for pedestrians, in

particular people with disabilities... It is an objective of Dublin City Council to control the location and quality of these structures in the interests of creating a high-quality public domain. All street furniture provided by private operators including retailers, publicans and restaurateurs, etc., and utility companies should be to the highest quality, preferably of good contemporary design avoiding poor historic imitation and respect the overall character of the area and quality of the public realm and be so located to prevent any obstruction or clutter of all footpaths and paved areas including landings... Street furniture should be designed to be accessible to disabled persons where possible.”

5.2.7. In considering applications for outdoor furniture, the planning authority shall have regard to the following:

- Size and location of the facility.
- Concentration of existing street furniture in the area.
- The visual impact of the structure, particularly in relation to the colour, nature and extent of advertising on all ancillary screens.
- Impact on the character of the streetscape.
- The effects on the amenities of adjoining premises, particularly in relation to hours of operation, noise and general disturbance.
- Impact on access and visibility.

### 5.3. **Natural Heritage Designations**

5.3.1. The subject site is located c.4 km to the South Dublin Bay and River Tolka Estuary SPA (site code: 004024). There is no connection to any European (Natura 2000) sites and no pathways.

## 6.0 **EIA Screening**

6.1.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory

requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

7.1.1. The main points of the grounds of appeal are as follows:

- Summary
  - The appellant submits that the licenced street furniture for this business is inappropriate for this location as it compromises pedestrian safety and accessibility. It conflicts with adopted planning and public realm policy and it cannot be relied upon to be operated in compliance with conditions.
  - The location performs a primary pedestrian movement function at a busy junction and directly adjacent to an active cycle lane.
  - The footpath on the opposite side of Rathmines road is undersized and constrained by bollards, resulting in a concentration of pedestrian movement on the footpath outside Queen Stop.
  - The original licence was granted on the basis of drawings that provide unworkable in practice.
  - Revised drawings achieve compliance marginally, relying on an angled, non-linear pedestrian path, that is neither continuous or visually legible.
  - When combined with operational requirements such as refuse storage, the enclosure creates a visual barrier, leading to pedestrian bottlenecks, with people stepping into the carriageway and cycle lane at times.
  - The operator has repeatedly failed to comply with licence conditions, with the need for enforcement action.
- Ground 1 – Inherent Unsuitability of the site:

- The characteristics of the site mean the footpath has limited capacity to absorb private use without compromising public function. The enclosure is unsuitable.
- Ground 2 – Pedestrian Safety, Accessibility, and Visual Legibility:
  - Pedestrians step into the carriageway at times. Lack of visual legibility causes bottlenecks. Particularly problematic for visually impaired, older pedestrians, parents with buggies, people in wheelchairs and those unfamiliar with the area.
- Ground 3 – Conflict with Planning and Public-Realm Policy:
  - Conflicts with objectives of the Rathmines Local Action Plan and Rathmines Road Street Development vision, which seek to prioritise pedestrian movement, widen pavements, improve accessibility and safety, and create people-friendly streets.
- Ground 4 – Precedent and Cumulative Impact
  - No other premises along this stretch of the road has appropriate public footpath space in this manner. Creates an undesirable precedent and risks cumulative erosion of pedestrian space.
- Ground 5 – Misrepresentation and Repeated Non-Compliance
  - Original submission could not achieve clearance required. Revised layout achieves compliance through angled and indirect pedestrian route. Drawings specify lightweight canvas barriers (Bolero-type), whereas larger and more visually intrusive solid barriers have been installed on site. Licence prohibits advertising, yet barriers display alcoholic branding and were only removed following enforcement. There is a pattern of non-compliance.

Enclosures: Photographic and mapping evidence, appendix figures A1-A11.

## 7.2. Applicant Response

- 7.2.1. By letter dated 19<sup>th</sup> February 2026 the applicant provided a response to the appeal and this is summarised below:

- The development is fundamental to the financial sustainability of the business which offers local employment and contributes to commercial rates.
- The appellant is not personally affected by the street furniture. The appellant does not represent others who have not appealed against the DCC decision.
- No expert evidence is offered by the appellant in the current case despite challenge to the applicant's experienced and qualified architects and DCC's expert opinion. There is no legal errors in the DCC assessment.
- With respect to the previous DCC licence decision, the appellant had the opportunity to object previously and a decision was made by DCC to grant permission. It is not appropriate to use the current case to revisit matters already decided.
- The appellant writes in the third person and is not qualified to make the judgements made. No basis is offered for questioning DCC's decision.
- The argument that because the footpath is a primary pedestrian route it should not accommodate street furniture, is not accepted.
- The point regarding the footpath on the opposite side of the road being undersized is irrelevant. It is not believed that any person walking on the other side of the road would choose to cross over to walk on the other side because of any difference in widths. Pedestrians follow their own desire lines and fastest routes. A professional pedestrian surveys and analysis would be required to demonstrate the point.
- Research on street furniture on pedestrian footpaths shows it generally slows down pedestrians rather than speeding them up, primarily by encouraging stopping, lingering, or more deliberate movement in attractive or functional urban settings. It also has an often positive net impact on pedestrian safety. This aligns with goals in urban design.
- Reference to 'The impact of street elements on pedestrian stopping behaviour in commercial pedestrian streets from the perspective of commercial vitality' 2024 published in Sustainability by MDPI, which found broader urban trends show pedestrian walking faster overall in moder cities. A 2023 study, 'Pedestrian behaviour in integrated street designs: A mesoscopic analysis' published in

Transportation Research Part F: Traffic Psychology and Behaviour (ScienceDirect) found redevelopment with more space and friendlier layouts including street furniture, leads to less hasty walking and speeds closer to desired paces.

- The proposals comply with DMURS. Reference to Irish research demonstrating the benefits of street furniture.
- The appellant raises concerns over minor issues with the applicants understanding and compliance with conditions. These matters have been resolved and are of no relevance to the current appeal.
- The Dublin City Development Plan supports appropriate street furniture with reference to Sections 7.5.8 and 15.17 Public Realm.
- Evidence is referenced in the appeal but not presented.
- The LAP supports people friendly streets including by way of this being achieved with street furniture.
- DCC's own public realm strategies and projects promote the use of street furniture to enhance public realm.
- The statement that the applicant has 'appropriated' the footpath should be disregarded as it is not appropriate language.
- It is not logical to link the applicant being the only business with street furniture with a statement that the footpath is constrained. Many of the other businesses do not sell food or drink to seated customers. The closest restaurant is Eddie Rockets which do not have seating outside in general. There is no proliferation or concentration of street furniture. The precedent has already been set and is positive.
- The submitted photos do not support the appellants case.
- The proposal is compliant with planning policy and the location has proven suitable for street furniture over the previous licence period.
- Assert that the appellants actual disagreement is with DCC's approach to street furniture licensing.

- The applicant has addressed a long list of regulatory requirements, engaging a team of professionals and engaging with DCC's professional team.
- The appellant has offered no material basis on which the Commission could reasonably alter the decision of DCC to grant permission for the street furniture.
- Confirmation that all conditions have been, and are, complied with.
- The appellant has not demonstrated any error in the DCC assessment, there is no adverse impact upon the appellant or their property, the appellant's position is unjustified and unreasonable, and not supported by any other party.

### 7.3. **Planning Authority Response**

- No response.

### 7.4. **Observations**

- None.

## 8.0 **Assessment**

8.1. Having considered the documentation submitted with the licence application and the appeal, the local policies and guidance, the provisions of s254 of the Planning and Development Act, as amended, and having inspected the site, I consider the substantive matters pertaining to this appeal can be assessed under the following headings:

- Principle of development including planning policy;
- Impact upon the established context;
- Pedestrian safety and movement;
- Consideration of the creation of precedent; and
- Issues of non-compliance.

### 8.2. Principle of development

8.2.1. This matter relates to appeal ground 3, with respect to the assertion that the seating area conflicts with planning and public-realm policy.

- 8.2.2. The Dublin City Council Development Plan 2022-2028 policy CCUV32, supports proposals for outdoor dining where they would not hard local amenity, compromise pedestrian movement, accessibility needs or traffic conditions. Section 15.17.4 of the Development Plan goes on to clarify the considerations in the assessment of proposals for outdoor seating and street furniture, and I address these elements throughout this section of my report.
- 8.2.3. I note that the appellant refers to the Rathmines Local Area Plan and Street Development Vision, however the LAP dates back to 2009 and there are no current adopted local planning provisions for Rathmines beyond that set out in the City Development Plan 2022-2028.
- 8.2.4. With reference to the City Development Plan as highlighted above, I am satisfied that the principle of the outdoor seating area is acceptable, subject to the consideration of matters outlined under the headings below.
- 8.2.5. I note that the applicant's response to the appeal is critical of the appellants standing to make the appeal and questions motivation in this regard. I am satisfied that the appellant is exercising their entitlement to appeal this street licencing decision to An Coimisiún Pleanála, and I do not accept the applicant's criticism in this regard.

### 8.3. Impact upon the established context

- 8.3.1. I note that the appeal statement refers to the lack of outdoor seating to other premises on this part of the street, and the primary function of this part of the street to facilitate high pedestrian movements at a busy junction.
- 8.3.2. I also note the considerations relevant to the assessment of proposals for outdoor seating / furniture, as outlined in Section 15.17.4 of the Development Plan. This includes impact on the character of the streetscape; visual impact of the structure (particularly in relation to the colour, nature and extent of advertising on all ancillary screens); and the effects on the amenities of adjoining premises (particularly in relation to hours of operation, noise and general disturbance).
- 8.3.3. With respect to the lack of outdoor seating to other premises in the area, this does not in itself indicate that the seating on the subject site is unacceptable. There are many reasons why outdoor seating might not be pursued by a premises, including

the nature of the offering, and other business considerations, that do not relate to the characteristics of the area. I therefore will continue with other considerations below.

- 8.3.4. In relation to the function of this part of the street at the junction, I agree with the appellant that the location supports high pedestrian and traffic flows at a busy intersection. This is a key urban village for the City and supports a range of retail and service offerings that attract large numbers of visitors as well as through traffic. However, this does not prohibit the provision of outdoor dining and street furniture, and the provision of outdoor dining has the potential to support this key urban village and businesses located here. Whether outdoor dining / street furniture is compatible with the location is subject to the considerations outlined in section 15.17.4 of the Development Plan as addressed in this section of my report.
- 8.3.5. In terms of impact on the character of the streetscape, this section of the Rathmines Road Lower exhibits buildings with a range of appearance, with no consistent architectural period or design dominating the character. It is therefore able to absorb new features without harm to street character, where these features are suitably scaled and designed. The outdoor seating and enclosure are a minor addition visually to the street, and in my view, acceptable in this regard. I consider the design in more detail below.
- 8.3.6. In relation to visual impact of the structure (particularly in relation to the colour, nature and extent of advertising on all ancillary screens), the enclosure has a material finish that matches the frontage of the unit it serves, giving continuity to the design. I note that the appellant highlights the application form refers to a Bolero Canvas Barrier, rather than the metal and timber enclosure on the site. However, I am satisfied that the materials are better suited to weather exposure and are robust, ensuring better longevity, and therefore quality, in appearance. I also note that there are no advertisements on the structure.
- 8.3.7. In consideration of the effects on the amenities of adjoining premises (particularly in relation to hours of operation, noise and general disturbance); I note that the seating is already in place on the site and has been established for an extended period, with only one appeal to the street licence granted by the Council. In addition, during my visit to the site, I did not note any conflict with the outdoor seating arrangement and the arrangement of adjacent premises. The outdoor seating is directly related to the

nature of the operations carried out in the attached unit, and does not alter or intensify any impacts upon adjacent businesses in my view, which are compatible with the arrangement in place.

#### 8.4. Pedestrian safety and movement

- 8.4.1. This matter directly relates to appeal grounds 1, suitability of the site, and 2, pedestrian safety, accessibility and legibility.
- 8.4.2. With respect to the considerations relevant to the assessment of proposals for outdoor seating / furniture, as outlined Section 15.17.4 of the Development Plan, this includes impact on access and visibility, and size and location.
- 8.4.3. I have already addressed the appeal grounds with respect to the character of the site above. While the location supports heavy pedestrian flows, I am satisfied that this in itself does not render the seating enclosure unacceptable. I note the appellant concerns with respect to the adjacency to other street furniture including lamppost and bins, as well as the compatibility with wheelie bins on street for collection. During my visit to the site, I noted the proximity to of the enclosure to the bin and lamppost, and that clearance was observed to allow pedestrian through flow between. The Council decision specifies this clearance as 1.8m in conditions on the street licence consent. I did not observe any conflict with wheelie bins that were positioned on street for collection at the time of my visit.
- 8.4.4. With respect to pedestrian safety, access and visibility, I visited the site during a busy Saturday afternoon when peak pedestrian flows would be supported. I am satisfied that the clearance between the enclosure and the lamppost / road edge, allowed for suitable pedestrian flows. In my view, there is nothing inherent in the arrangement that would jeopardise pedestrian safety. I don't doubt the appellant observations of pedestrians stepping into the highway at times, however this might be observed on any section of a busy street regardless of street furniture, when pedestrians seek to avoid other pedestrians while walking fast to a destination. The clearance between the enclosure and the lamppost responds to the licence condition and allows pedestrian through flow. There is also clear visibility through the enclosure which is set well below the canopy and transparent to the top half.

8.4.5. I am satisfied that the size and location of the seating enclosure is acceptable and does not impede pedestrian movements unduly or jeopardise safety, including in consideration of the needs of disabled people, the elderly and those using buggies.

#### 8.5. Consideration of the creation of precedent

8.5.1. This matter relates to appeal ground 4, precedent and cumulative impact.

8.5.2. With respect to Section 15.17.4 of the Development Plan, this includes consideration of the concentration of existing street furniture in the area.

8.5.3. As noted in my assessment above, there are no other examples of outdoor dining in this part of the street, and therefore no concentration in this regard. I have also given detailed consideration of the location of the seating enclosure proximate to other street furniture (lamppost / bin) above, and I am satisfied with functionality in this regard and that a proliferation does not occur.

8.5.4. In relation to the appellant concern regarding precedent, the outdoor seating enclosure has been situated on the site for an extended period and has not triggered adjacent businesses to include similar structures. As stated above, in my view, there are other business considerations that determine whether a retail unit would want an outdoor arrangement, and thus far the seating associated with this appeal would not appear to be generating any influence in this regard. Should other businesses elected to pursue an outdoor arrangement, then such proposals would require assessment and consideration by the Council under a street licence application.

8.5.5. There are no cumulative impacts from the outdoor enclosure, as it is compatible with the established context of the site and there are no other similar structures proximate, as outlined in this report.

#### 8.6. Issues of non-compliance

8.6.1. This relates to appeal ground 5, misrepresentation and repeated non-compliance. I note the appellant concerns in this regard which are legitimately raised. However, I also note the applicant's assertions in this regard, and that when I visited the site previous non-compliance matters had been addressed. I am satisfied that the seating enclosure reflects the related street licence consent. Historical non-compliance was resolved by the applicant in discussion with the Council and would not in the current circumstances, be a reason to reject this appeal.

## 8.7. Conclusion

- 8.7.1. Further to the assessment set out above, I am satisfied that the seating enclosure for Queen Stop at 286 Rathmines Road Lower, accords with the proper planning and sustainable development of the area; including relevant provisions of the development plan as highlighted in this report; does not generate concern with consideration of the number and location of existing appliances, apparatuses or structures on the street; and would not unduly harm the convenience and safety of road users including pedestrians’.
- 8.7.2. Overall, I am satisfied that the City Development Plan supports appropriate outdoor dining and street furniture, and that the seating enclosure at the subject site conforms with the considerations set out in section 15.17.4 of the Development Plan.

## 9.0 **AA Screening**

- 9.1. I have considered the proposed development in light of the requirements of s177U of the Planning and Development Act 2000 (as amended).
- 9.2. The subject site is located on Rathmines Road Lower in Dublin City. The site is not on nor adjacent to any designated European Site. The closest site is South Dublin Bay and River Tolka Estuary SPA c.4km to the east. Dublin Bay is designated as a SPA and pNHA. This is a licence application made under section 254 of the Planning and Development Act 2000, as amended, for the placement of street furniture on the public domain to the front of 286 Rathmines Road Lower, occupied by Queen Stop. No nature conservation concerns were raised in the appeal.
- 9.3. Having considered the nature, scale and location of the project. I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:
- The nature, scale and location of the works.
  - The planning history and established use of the site.
  - The distance to the nearest European site, intervening land uses and the lack of connections.

- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plan or projects.
- 9.5. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## 10.0 **Water Framework Directive**

- 10.1. The site is located in a mature city location, with no watercourses on the site or immediately proximate. The proposed development concerns the extension of an existing residential building. No water deterioration concerns were raised in the planning appeal.
- 10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater bodies either qualitatively or quantitatively.
- 10.3. The reason for this conclusion is the small scale and nature of the development.
- 10.4. I conclude based on objective information, the proposed development will not result in a risk of deterioration of any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise the water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 11.0 **Recommendation**

- 11.1. Having regard to the above, I recommend that the Section 254 Street Furniture Licence be granted.

## 12.0 Reasons and Considerations

Having regard to the nature and extent of the proposed development for which a street licence is sought, to the location of the site on Rathmines Road Lower, in the commercial centre of Rathmines in Dublin City, and the objective for the area as set out in the Dublin City Development Plan 2022-2028, 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 Queen Stop would not seriously injure the amenities of the area, including the amenities of residential properties and would not have an adverse effect on the character of the area, would not be prejudicial to 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.	This street furniture licence is granted subject to the '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 outlined under Dublin City Councils application ref. SF102/2023.  <b>Reason:</b> In the interests of public safety and the amenities of the area.
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Rachel Gleave O'Connor  
Senior Planning Inspector

18<sup>th</sup> March 2026

## 13.0 Form 1 - EIA Pre-Screening

<b>Case Reference</b>	324039
<b>Proposed Development Summary</b>	External seating area with enclosure.
<b>Development Address</b>	Queen Stop 286 Rathmines Road Lower, Dublin 6.
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	

<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_