



An
Bord
Pleanála

Board Direction
PL29N.249317

The submissions on this file and the Inspector's report were considered at a Board meeting held on March 6th 2018.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the 'Z5 – City Centre' zoning objective and to Policy RD11 of the Dublin City Development Plan 2016-2022, which seeks to promote and facilitate quality convenience shopping particularly in the inner city and Section 16.28, which sets out guidance for development involving off-license use, and having regard to the city centre core retail location of the site, the existing pattern of development in the area, the existing established supermarket and the limited nature and extent of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with planning policy and guidance contained in the Dublin City Development Plan 2016-2022 and would not seriously injure the character and amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) A plan containing details of the location and extent of the part off-license area within the supermarket, resulting from the proposed development, shall be submitted to, and agreed in writing, with the Planning Authority prior to commencement of the development.
- (b) Any increase in the area for the sale or display of alcohol products shall be subject to a separate application for planning permission.

Reason: In the interest of clarity, having regard to the stated nature and extent of the proposed development, and in order to comply with Development Plan guidelines.

3. No advertising of the sale of alcohol products shall occur on the front elevation of the supermarket and no advertising or display of alcohol products shall occur in the supermarket window or adjacent to the public entrance to the supermarket.

Reason: In order to comply with Development Plan guidelines.

4. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400

hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

Note: The Board noted the request by the applicant to dismiss the appeal under Section 138 of the Act, but decided not to exercise its discretion to do so in this instance, for the reasons outlined by the Inspector in his report, with which the Board concurred.

[Please issue a copy of this Direction with the Board Order.]

Board Member

Date: 7th March 2018

Philip Jones