

## **Board Order PL 03.249148**

Planning and Development Acts 2000 to 2017

**Planning Authority: Clare County Council** 

Planning Register Reference Number: P17/463.

**Appeal** by Brendan Garrihy care of Stephen Dowds Associates of 5 Mary Street, Galway against the decision made on the 3<sup>rd</sup> day of August, 2017 by Clare County Council to grant subject to conditions a permission to Aldi Stores (Ireland) Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Amendment of the opening hours of the Aldi Store permitted under planning register reference number P15/20 (An Bord Pleanála reference number PL 03.245262); specifically condition number 14 of the An Bord Pleanála order setting opening hours of 10 hours to 1900 hours on Sundays and public holidays. It is proposed to extend the opening hours to 0900 hours to 2100 hours on Sundays and public holidays; all at the existing Aldi Store, Circular Road, Ennistymon, County Clare. Circular Road is to the east of the application site and Church Hill to the south of the application site.

## **Decision**

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the condition set out below. **Matters Considered** 

In making its decision, the Board had regard to those matters to which, by virtue of

the Planning and Development Acts and Regulations made thereunder, it was

required to have regard. Such matters included any submissions and observations

received by it in accordance with statutory provisions.

Reasons and Considerations

It is considered that the proposed extension of opening times at the subject site,

subject to compliance with the conditions set out below, would not seriously injure

the amenities of the area or of property in the vicinity and would generally be

acceptable in terms of traffic safety and convenience. The proposed development

would, therefore, be in accordance with the proper planning and sustainable

development of the area.

Condition

The proposed unit shall not be open to the public outside the hours of 0900 to 2200

Monday to Saturday inclusive nor outside the hours of 0900 to 2100 on Sundays or

Public Holidays. Deliveries shall not take place before the hour of 0700 Monday to

Saturday inclusive or before the hour of 0800 on Sundays and public holidays nor

after 2200 hours on any day.

**Reason:** To protect the residential amenities of the area.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2017