



An  
Bord  
Pleanála

## Board Order PL 29N.249317

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### Planning and Development Acts 2000 to 2017

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3355/17**

**Appeal** by Pat Coyne of 7 Arran Street East, Mary's Abbey, Dublin against the decision made on the 31<sup>st</sup> day of August, 2017 by Dublin City Council to grant subject to conditions a permission to Aldi Stores (Ireland) Limited care of O'Connor Whelan of 222-224 Harold's Cross Road, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Change of use of 67 square metres (gross) of the existing storage area to provide for an extended retail floor area (50 square metres net) and a bakery reheat area (24 square metres net) at Aldi Store, 38-41 Parnell Street, Dublin.

### 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 conditions 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**

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-licence 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-licence 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.

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

**Dated this      day of                      2018**