



An
Bord
Pleanála

Board Order
PL 29N.249332

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 3387/17

Appeal by Micheál MacDonnchadha of 2 Richmond Lodge, Convent Avenue, Dublin against the decision made on the 5th day of September, 2017 by Dublin City Council to grant subject to conditions a permission to Lidl Ireland GmbH care of The Planning Partnership of McHale Retail Park, Castlebar, County Mayo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Alterations to existing ancillary off-licence use including relocation of display area in association with the permitted reconfiguration of the store layout (planning register reference number 2513/17 refers) at Lidl, Moore 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 zoning objective applicable to the site, to the existing pattern of development in the area, the planning history of the site (which includes an off-licence area) and to the limited scale of the relocated part off-licence within the overall footprint of the retail unit, it is considered that, subject to compliance with the conditions set out below, the proposed development would not conflict with the provisions of the Dublin City Development Plan 2016-2022, would not seriously injure the residential amenities of the area, and would not lead to an over-concentration of off-licence uses. 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) The display area for alcohol products shall be limited to the area indicated on the submitted drawings.
- (b) Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 and any statutory provision replacing or amending them, there shall be no advertising of the sale of alcohol products on the façade/frontage of the premises.
- (c) There shall be no display of alcohol products or advertising of the sale of alcohol products on or near both the entrance and/or windows.

Reason: In the interest of visual amenity.

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

Dated this day of 2018