



An
Coimisiún
Pleanála

**Commission Order
PL-500259-DS**

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: 3357/25

Appeal by Robert O'Leary against the decision made on the 15th day of October, 2025 by Dublin City Council to grant, subject to conditions, a permission to Tesco Ireland Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of: (i) the amalgamation of the ground floor retail units to provide for a single retail unit (circa 575 square metres gross floor area) including an ancillary alcohol sales area (circa 32 square metres) ; (ii) minor external alterations to the elevations to include automatic sliding entrance door, signage, vinyl window coverings and louvered screens to the internal plant room on the Reuben Street (front) elevation; signage to the James's Walk (side) elevation; and louvered screens to the internal plant room on the Herberton Street (side) elevation; and (iii) all ancillary site services and site development works. The development will also consist of the provision of a loading bay on James's Walk all at the ground floor retail units, Block B, Reuben Street, Herberton Street and James's Walk Rialto, 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.

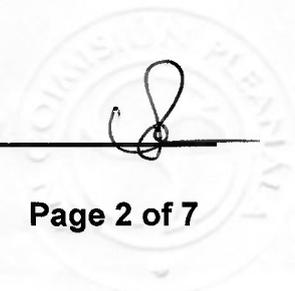
Reasons and Considerations

Having regard to the existing specific permitted retail use of the subject floor space within this designated neighbourhood centre with a Z3 zoning objective, the Retail Planning Guidelines 2012, policy objectives SC9, CCUV23, CCUV25, and CCUV27, and section 15.14.8 of the Dublin City Development Plan 2022-2028, and having regard to the pattern of existing and permitted development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development, to bring back into use, existing vacant retail ground floor units for a neighbourhood use in a sustainable location, would be acceptable in terms of traffic safety and convenience, and would not seriously injure the amenities of the area. 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 on 21st day of August 2025 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.



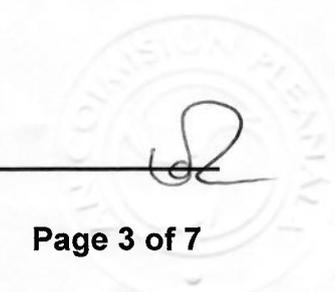
2. Prior to commencement of development, the developer shall provide, for the written agreement of the planning authority, details of:
 - (a) A reduced signage plan, including the materials, colour, lettering, depth and dimensions of the proposed signage, and the developer is advised that such proposals should have regard to Appendix 17 of the Dublin City Development Plan 2022 2028.
 - (b) The omission in their entirety of all proposed vinyl window coverings.
 - (c) Details of the high quality and durable material for the louvres proposed, including revised elevation drawings.

Reason: In the interests of clarity, visual and residential amenity and the proper planning and to ensure the proposed development positively contributes to the streetscape.

3. Unless otherwise agreed in writing with the planning authority, the hours of operation of the retail unit shall be 0700 to 2200 hours on Mondays to Fridays, 0800 to 2200 hours on Saturdays, and 0900 to 2200 hours on Sundays and Public Holidays.

Reason: In the interests of clarity, residential amenity and the proper planning.

4. (a) No planning permission is hereby granted for the application of any vinyl manifestations to the north and west elevations. The glazing to all windows on the elevations shall be kept free of all stickers, posters and advertisements.



- (b) The internal configuration and fit out of the subject unit shall be arranged in such a manner so as to keep all internal shop fittings, including shelving etc away from windows along the northern and western elevations.

Reason: In the interests of visual amenity and to ensure active frontage.

5. The following shall apply in respect of the part of the off-licence:

- (a) There shall be no advertising of the sale of alcohol products on the façade or frontage of the premises.
- (b) There shall be no display of alcohol products or advertising of the sale of alcohol products on or near the entrance or the windows.
- (c) It shall operate only during the opening hours and operational lifetime of the retail shop unit.
- (d) The area for the display of alcohol products shall not make up more than 10% of the shop floor area.

Reason: In the interests of the proper planning and sustainable development of the area.

6. Any roller shutter and its casing shall be recessed behind glazing and shall be factory finished in a single colour to match the colour scheme of the building prior to their erection. Any roller shutters shall be of the open lattice type and shall not be painted on site or left unpainted or used for any form of advertising.

Reason: In the interests of visual amenity.

7. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority, details of
- (a) The reduction in width of the proposed loading bay,
 - (b) measures to ensure that Tesco delivery vehicles do not mount the footpath, and
 - (e) a minimum two metre wide footpath to be maintained in line with the existing footpath on the south side of James Walk, extending to the existing balconies.

Reason: In the interests of road safety and orderly development.

8. The developer shall meet the cost of
- (i) the relocation of existing lamp post(s), and
 - (ii) all costs incurred by Dublin City Council, including any repairs to the public road and services, arising from the development.

Reason: In the interest of orderly development.

9. Site Development and building works shall be carried out between the hours of 0700 to 1800 hours on Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenities of adjoining residential occupiers.

10. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority, an Operational Management Plan, which shall include arrangements to address operational issues including waste management, litter management, deliveries (including hours of deliveries and the use of the subject loading bay), general storage, and the management and storage of delivery cages and trolleys.

Reason: In the interests of residential amenity.

11. During the operational phase of the proposed development the noise level shall not exceed
- (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and
 - (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times ,
(corrected for a tonal or impulsive component) as measured at the nearest dwelling.

Reason: To protect the residential amenities of property in the vicinity of the site.

12. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services and no surface water from the proposed development shall be allowed to discharge onto adjoining properties or the public road.

Reason: In the interest of public health.



MaryRose McGovern

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 5th day of March 2026