



Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB5403/25

Appeal by Shiva Foods Limited against the decision made on the 27th day of January, 2026 by Dublin City Council to grant subject to conditions permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of a permitted hot food outlet by an extension in its trading hours (currently limited to 1800 (6pm) to 2300 (11pm) by condition number 2 of the decision of the then An Bord Pleanála (now An Coimisiún Pleanála) under appeal reference number ABP-319898-24 (planning register reference number WEB2137/23) so as to allow for home deliveries (only) between the hours of 2300 (11pm) to 1230 (12.30 am) on Wednesdays through to Sundays, inclusive. The actual outlet itself would not be open to the public during this extended trading period, all at 5 Edenmore Shopping Centre, Raheny, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to ATTACH condition number 3 and the reason therefor.

Reasons and Considerations

While noting the location of the subject premises within a mixed-use commercial centre, there is a need to balance the competing demands of the various uses and the effects on residential uses, in particular consistent with the zoning objective and related policies for the centre, as set out in the Dublin City Development Plan 2022-2028. It is considered, therefore, that condition number 3 of the planning authority decision, permitting the extended hours for a limited period only in order to allow for monitoring and review, is reasonable.



Tom Rabbette

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

Dated this 14th day of MAY 2026.

