

## Retail operation versus landlord: a new iteration in a familiar Irish dispute

Insights - 19/04/2018

Previously, Irish retail giant Dunnes Stores was reported to have lost a bitter planning dispute with the owners of The Square Shopping in Tallaght, Co. Dublin. This dispute finally came to a stop in October 2017.

Now it has been reported that Dunnes has begun a second planning dispute, this time involving Blanchardstown Shopping Centre, Dublin.

One of the Centre's several anchor tenants, Dunnes has forced the Centre's owner, Blackstone, to scale back its latest development plans which involved the creation of new kiosk zones in existing parts of the mall.

Planning permission was applied for in January of this year by the Landlord to create the areas including up to 54 commercial kiosks. The combined stalls would represent a gross floor area of nearly 1,000 sq m, more than doubling the 463 sq m currently taken up by existing kiosks in the Centre.

Dunnes Stores lodged an objection to the planning permission with Fingal County Council voicing its concerns that the kiosks would "clutter" the mall. They added that the new kiosks would obstruct and reduce consumers' ability to see the entrances to the Dunnes store on the first and second floors.

Following the objection, FCC requested additional information from the Centre. Blanchardstown Centre later responded with revisions to their application which reduced the maximum number of kiosks to be accommodated from 54 to 38, as had the individual size of the kiosks.

A final decision is expected from FCC in the coming months.

*For information on our landlord and tenant law services please feel free to email Sarah at*

## About Ogier

Ogier is a professional services firm with the knowledge and expertise to handle the most demanding and complex transactions and provide expert, efficient and cost-effective services to all our clients. We regularly win awards for the quality of our client service, our work and our people.

## Disclaimer

This client briefing has been prepared for clients and professional associates of Ogier. The information and expressions of opinion which it contains are not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific advice concerning individual situations.

Regulatory information can be found under [Legal Notice](#)

## Meet the Author



[Sarah Keenan](#)

Partner

[Ireland](#)

E: [sarah.keenan@ogier.com](mailto:sarah.keenan@ogier.com)

T: [+353 1 232 1077](tel:+35312321077)

## Related Services

[Property law](#)