



Planning and Development Acts 2000 to 2018

Planning Authority: Clare County Council

Planning Register Reference Number: P17/388

Appeal by Lough Derg Management Company Limited care of Conor Glenden and Company Solicitors of Ard na Greine, Ennis, County Clare against the decision made on the 7th day of February, 2018 by Clare County Council to grant permission to Jeremy and Jana Mannion care of EKO Integrated Services of Suite 3, Áras Smith O'Brien, Bank Place, Ennis, County Clare for development comprising the construction of a 275 square metre temporary extension to existing 435 square metre temporary events marquee (granted under Planning Register Reference Numbers P11/90 and P14/678) for a period of five years and all associated site works at Lough Derg Holiday Village, Carrownakilly Townland, Killaloe, County Clare in accordance with the plans and particulars lodged with the said Council. The proposed development was amended by the revised newspaper notice received by the planning authority on the 12th day of January, 2018

Decision

GRANT permission for the proposed extension to the north in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for the proposed extension to the west of the marquee based on the reasons and considerations marked (2) under

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 (1)

Having regard to the limited scale of the proposed extension of the marquee to the north and its purpose which is to improve existing facilities available to patrons, for the limited duration of the parent permission, it is considered that, subject to compliance with the conditions set out below, this element of the proposed development would not unduly impact on the amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This element of the development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 22nd day of December 2017, and the 12th day of January 2018, 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. The period during which the temporary development hereby permitted may be used is for a limited period, to the 6th day of May 2019, the expiry date of Planning Register Reference Numbers P11/90 and P14/678 upon which this development is reliant. Upon expiry of this period, the extension and all associated site works shall be removed from the site permanently.

Reason: Having regard to the nature of the development as proposed and in the interest of orderly development, the Board considers it appropriate to specify a period of validity of this permission in accordance with the existing permissions for this development.

3. Except for the erection of the marquee extension hereby permitted no other groundworks shall be carried out on site as part of the proposed development.

Reason: In the interest of orderly development.

4. All effluent arising from both the existing development and the proposed development shall be disposed of, off-site by a licensed waste contractor.

Reason: In the interest of public health.

5. The temporary toilet block and the two existing containers shall be removed off-site within three months of the date of this order.

Reason: In the interest of orderly development.

Reasons and Considerations (2)

On the basis of the information provided with the application and appeal, the Board is not satisfied that the proposed development of the western extension to the marquee, individually, or in combination with other plans or projects would not adversely affect the integrity of the Lough Derg (Shannon) Special Protection Area, (Site Code: 004058), in view of the site's Conservation Objectives. In such circumstances, the Board is precluded from granting permission for this element of the proposed development.

Terry Ó Niadh

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

Dated this day of 2018.