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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P18/129**

**Appeal** by Isobel MacDonald care of P. Coleman and Associates of Bank Place, Ennis, County Clare against the decision made on the 17<sup>th</sup> day of April, 2018 by Clare County Council to grant subject to conditions a permission to Randaddy's care of McKenna Consulting Engineers, Bank Place, Miltown Malbay, County Clare in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of the following: (a) the external ramp serving the entrance to Seaworld, (b) the existing outdoor seating area serving Randaddy's Restaurant, and (c) minor alterations made to the external façade of Randaddy's Restaurant previously granted permission under planning register reference number P17-545, development all at The Promenade, Dough, Lahinch, County Clare

**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 condition(s) 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 planning history and established use of the site, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the visual and other amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained 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 within three months from the date of this order and the development shall be retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The development proposed for retention shall be amended as follows:

Within one month of the grant of permission, all timber windbreak structures and timber cladding to the outdoor seating area shall be removed.

**Reason:** In the interest of visual amenity.

3. Notwithstanding the provisions of the Planning and Development Regulations 2001 or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within three months of the date of this order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in

default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme.

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**Terry Ó Niadh**

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

**Dated this            day of            2018.**