



Planning and Development Acts 2000 to 2018

Planning Authority: Clare County Council

Planning Register Reference Number: P18/273

Appeal by Damien Ryan care of Connellan and Associates of “Sonas”, Cahercalla Wood, Cahercalla, Ennis, County Clare against the decision made on the 21st day of June, 2018 by Clare County Council to grant subject to conditions a permission to OBSF (1) Limited care of Brendan McGrath and Associates of Riverstown Cottage, Corrofin, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use from retail to restaurant with sit down dining area, ancillary takeaway facility, signage and all associated works above and below ground. All at ground floor units numbers A1 and A2 Sky Court Shopping Centre, Shannon, 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 conditions 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 the policies and objectives of the Clare Country Development Plan 2017-2023 and the Shannon Town Centre and Environs Local Area Plan 2012-2018, and having regard to the location and nature of the proposed use, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an appropriate form of development at this location, would not seriously injure the amenities of the area or of property in the vicinity and 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, as amended by the further plans and particulars submitted on the 19th day of June, 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 opening hours of the restaurant and takeaway facility shall be between 0900 hours and 2300 hours each day except as follows:
 - Friday 0900 hours until 0100 hours Saturday,
 - Saturdays 0900 hours until 0100 hours Sunday, and
 - Sundays of bank holiday weekends only: Sundays 0900 hours until 0100 hours Monday.

Reason: To protect the amenities of the surrounding area.

3. Other than two name signs, one over the existing glazing and frame and one over the door frame, no other signage shall be erected externally on the premises without a further grant of planning permission. Details of the proposed name signs shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the visual amenities of the area.

4. Adequately sized grease traps shall be provided within the curtilage of the premises.

Reason: In the interests of public health and development control.

Dave Walsh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.