

An  
Bord  
Pleanála

## Board Order ABP-318480-23

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 2023/1082**

**Appeal** by Grace Watters care of Roger Hofler of 17 Gleann Na Smol, Blackrock, County Dublin against the decision made on the 3<sup>rd</sup> day of November, 2023 by Wexford County Council to refuse permission.

**Proposed Development:** Change of use of existing vacant ground floor premises for an amusement and entertainment centre with associated works of vacant protected structure (reference number E055, NIAH reference number 15603081). Proposed works also include for the widening of existing rear door and reinstatement of W.C. previously granted to be removed under planning register reference number 2023/0558, proposed signage and all associated works, all at 13 Castle Street, Enniscorthy, County Wexford (a protected structure).

### Decision

**GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact the character of the protected structure or the area, would not seriously injure the visual or residential amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out and completed 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 prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and façade's structure and/or fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the planning application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that must be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic reinstatement.
- (c) Prior to commencement of development, details of the procedures to be followed in respect of the above, including proposals with respect to work, methodologies, services installation, doors, floors, ceilings and windows, shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** To ensure that the integrity of the protected structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.

3. The following shall be agreed in writing with the planning authority prior to commencement of development:

- (a) Final details of the external signage indicated on drawing number 04 (by Kavanagh Design Services), including any lighting of this signage.
- (b) Proposals for appropriate internal animation/treatment of ground floor windows to provide visual interest and avoid blank/opaque glazing. No advertisements shall be provided in these windows.

**Reason:** To ensure that the integrity of the protected structure is maintained.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

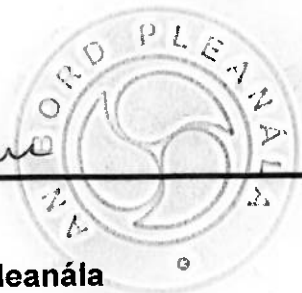
5. The hours of opening of the proposed development shall be limited to the hours between 1000 and 2200 hours.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. 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 prior to commencement of development 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 made under section 48 of the Act be applied to the permission.

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



Dated this 21<sup>st</sup> day of June 2024.