

An
Coimisiún
Pleanála

Commission Order
ABP-320629-24

Planning and Development Act 2000, as amended

Planning Authority: Wexford County Council

Planning Register Reference Number: 20240349

Appeal by Catherine Jordan of 10 The Courtyard, Rocklands, County Wexford and by Rebecca Kehoe of Garryvarren, Ballymurn, County Wexford against the decision made on the 26th day of July 2024 by Wexford County Council to grant, subject to conditions, a permission to Lantern Event Limited care of Ian Doyle Planning Consultant of Woodleigh, Cornwall, Killurin, Enniscorthy, County Wexford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use from retail to concert hall, associated ancillary uses and the sale of alcohol for consumption on the premises with associated site works, including alterations to maintain existing delivery access to adjacent retail unit all at Mallin Street, Wexford Town, County Wexford.

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.

Reasons and Considerations

Having regard to the provisions of the Wexford County Development Plan 2022-2028, to the relevant National Guidelines, to the location of the site within Wexford town centre in an established commercial area and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide night time use on a secondary street in the town centre and would therefore be in accordance with objective TV55 of Wexford County Development Plan 2022-2028. Notwithstanding the determination that the use is appropriate at this location, having regard to the existing residential use in the building, the Commission decided limiting the duration of this permission to three years and requiring the developer to cease the use in three years unless permission has been granted to retain/continue the use on site, would ensure the operation of the facility can be reviewed at that time to confirm that there is no significant impacts on the residential amenity of adjoining properties. The Commission determined that the proposed development subject to compliance with the conditions below would accord with the provisions of the Wexford Development Plan 2022-2028, 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 received by the planning authority on the 1st day of July 2024, 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. This permission shall be for three years from the date of this Order. The use of the structure as a concert hall shall cease on that date, unless permission has been granted for its retention, on or before that date.

Reason: To provide an opportunity to review the impacts of the operation of the concert hall on the occupants of this mixed-use structure.

3. The development shall be carried out in accordance with the following requirements, unless otherwise agreed in writing with the planning authority:
- (a) the venue shall operate generally in accordance with the Programme of Events document received by the planning authority on the 1st day of July 2024,
 - (b) no more than 50 shows per year or more than three events on consecutive days shall take place,
 - (c) no members of the public shall remain on the premises after 2300 hours,
 - (d) the programme of events shall not include any amplified bands/groups,
 - (e) the venue shall not operate as a public house/café where performances are not taking place and
 - (f) the nature of the use of the side access shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of the residential amenity of the area.

4. (a) The noise reduction measures contained in the Acoustic Assessment document received by the planning authority on the 2nd day of April 2024, shall be completed in full prior to the first use of the concert hall and undertaken/retained in working conditions.
- (b) The south-eastern internal wall of the bar area shall be acoustically lined, details of which shall be submitted to the planning authority for written agreement prior to the commencement of development.
- (c) Any alterations to the noise reduction measures shall be agreed in writing with the planning authority.
- (d) Prior to the first use of the building as a concert hall, the developer shall submit confirmation and certification that these works have been completed.

Reason: In the interest of the residential amenity of the area.

5. (a) Noise resulting from operations affecting nearby noise sensitive locations shall not exceed the background level by 10 dB(A) or more or exceed EPAs NG4 (Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities) limits whichever is lesser (as measured from the facade of the nearest noise sensitive locations). a) Daytime (0700-1900 hours) 55 dB LAr, 1 hr, b) Evening (1900- 2300 hours)- 50 dB LAr, 1 hr, c) Night-time (2300- 0700 hours)- 45 dB LAr, 15 min. As measured from the facade of the nearest noise sensitive location. Clearly audible and impulsive tones at noise sensitive locations during the evening and night shall be avoided irrespective of the noise level.

- (b) There shall be no outbreak of amplified music from any activities, at nearby noise sensitive locations.

Reason: To protect the residential amenities of property in the vicinity of the site.

6. All external shopfront and signage shall be in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to the provision of such shopfronts and signage. Where agreement cannot be reached between the applicant/developer and the local authority the matter shall be referred to An Coimisiún Pleanála for determination. The signage shall be lit by external illumination only.

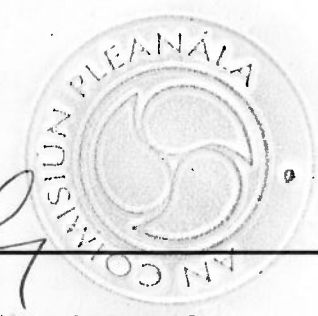
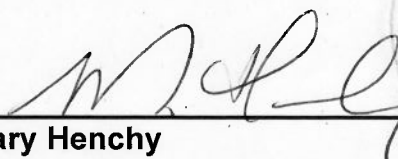
Reason: In the interest of visual amenity.

7. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

8. If, during the course of site works any archaeological material is discovered, the County Archaeologist/planning authority shall be notified immediately. The developer is further advised that in this event, under the National Monuments Act, the National Monuments Service, Department of Housing, Heritage and Local Government and the National Museum of Ireland require notification.

Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.



Mary Henchy

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 30th day of October 2025.