



An
Coimisiún
Pleanála

Commission Order

ABP-321982-25

Planning and Development Acts 2000 to 2024

Planning Authority: Wexford County Council

Planning Register Reference Number: 2024/0993

Appeal by Antony and Anita Corfe of Tall Trees, Finchogue, Enniscorthy, County Wexford against the decision made on the 14th day of February, 2025 by Wexford County Council to grant subject to conditions a permission to Cyril Wheelock care of Ennis Martin Architecture of Main Street, Ferns, County Wexford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of opening time of café on Sundays and bank holidays at 9.15am in place of 12.00 noon as permitted under condition number 14 of the planning permission granted under planning register reference number 2017/0380 at The Village at Wheelocks, Tomnafunshoge, Enniscorthy, County Wexford.

Decision

GRANT permission for the above 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 nature and scale of the development proposed to be retained, and Objective ED105 of the Wexford County Development Plan 2022-2028, which aims to facilitate farm or rural resource related enterprises subject to normal planning and environmental criteria, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be in accordance with the provisions of the Wexford County Development Plan 2022-2028, would not be detrimental to the environment or to the area, would not impact negatively on the current levels of residential amenity enjoyed at the location, and would, therefore, be in accordance with the proper and sustainable development of the area.

The Commission noted the recommendation of the planning authority and the Inspector to grant permission for the retention of earlier opening hours on Sundays and bank holidays for a temporary period of three years; however, having regard to the limited additional hours being sought, the report of the roads section of the planning authority which noted that all traffic generated is now well established and is deemed not to have any significant impact on the local road network, and the separation distances to adjoining properties, the Commission did not consider it necessary to grant permission for retention of extended opening hours on Sundays and bank holidays for a three-year period only.

Conditions

1. The development shall be retained 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 20th day of August, 2024 and on the 20th day of January, 2025, 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The use of the development shall be confined to the following public opening hours:
 - (a) 0900 to 1800 hours Mondays to Fridays.
 - (b) 0900 to 1730 hours on Saturdays.
 - (c) 0915 to 1730 hours on Sundays and bank holidays.

Reason: In the interest of clarity.

3. During the operational phase of the development, the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2100, and (b) 42 dB(A) between the hours of 2100 to 0700, as measured at the nearest dwelling. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority.

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

Mary Gurrie

Mary Gurrie

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

Dated this *19* day of *June* 2025.