



An  
Coimisiún  
Pleanála

## Inspector's Report

### ACP-323733-25

<b>Development</b>	Permission for change of use from retail use to use as an amusement and entertainment centre and associated works.
<b>Location</b>	98 North Main Street, Wexford, County Wexford.
<b>Planning Authority</b>	Wexford County Council
<b>Planning Authority Reg. Ref.</b>	20250840W
<b>Applicant(s)</b>	Coalquay Leisure Ltd.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party v Refusal
<b>Appellant(s)</b>	Coalquay Leisure Ltd.
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	17th December 2025
<b>Inspector</b>	Fergal Ó Bric

## **1.0 Site Location and Description**

- 1.1 The appeal site is located on North Main Street in Wexford town centre and within the main central business district area. The subject site comprises an existing vacant ground floor commercial unit which is part of a three-storey building. The upper two floors are not subject to this appeal. There are a number of other vacant ground floor commercial units immediately north of the subject site which fronts onto the North Main Street and Monck Street and another vacant commercial unit on the opposite side of the North Main Street. The subject site is stated to be 'For Auction'.
- 1.2 Access to the premises is from North Main Street. The ground floor unit has its own individual access door to the Main Street, and the upper floors have their own separate access door to the Main Street. The ground floor street elevation comprises a large single window with three Romanesque style vertical panes and the fourth pane, also with a Romanesque style door head acts as the access doorway to the ground floor unit. The subject site is located adjacent to other commercial uses, including café,s, public houses, fashion houses, pharmacies, beauticians, hairdressers/barbers, office and residential uses. North Main Street is semi-pedestrianised, with traffic allowed to traverse at certain designated times of the day, but there is no dedicated on-street parking along this part of the Main Street. There is on-street pay and display car parking on the adjoining streets in the vicinity of the appeal site.

## **2.0 Proposed Development**

- 2.1 Planning permission is sought for a change of use from retail use to use as an amusement and entertainment centre and associated works. The area for which the change of use permission is sought is stated to be 161m<sup>2</sup> and is all located at ground floor level within the existing building.
- 2.2 The appeal was referred by An Coimisiún Pleanála to the Arts Council, Fáilte Ireland and An Taisce. An Taisce issued a response which stated that they concurred with the grounds of refusal number three as set out in the Planning Authority decision with regard to adverse impact upon the Architectural Conservation Area.

### **3.0 Planning Authority Decision**

#### **3.1 Decision**

By Order dated 29<sup>th</sup> day of August 2025 Wexford County Council refused planning permission for the subject development for the following three reasons as follows:

1. The proposed arcade would contribute towards a proliferation of such uses in close proximity to the site. As such, the proposed development would be contrary to Section 5.10.7 of Volume 2 of the Wexford County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.
2. The proposed arcade use would not be in keeping with the over-riding character of uses on this part of North Main Street. As such, the proposed development would be contrary to Section 5.10.7 of Volume 2 of the Wexford County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.
3. Insufficient information has been submitted to demonstrate that the proposed arcade use and its shopfront would not have a detrimental impact on the visual amenities of the Wexford Architectural Conservation Area 2 in which the site is situated. As such, the proposed development would be contrary to objective ACA 01 of Volume 1 and Volume 6 Architectural Conservation Areas of the Wexford County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

#### **3.2 Planning Authority Reports**

##### **3.2.1 Planning Reports**

The planning report forms the basis of the assessment and the recommendation.

The following substantive points are noted:

- The Wexford County Development Plan 2022-2028 provides the policy context for the proposed development.
- The Planner noted that the appeal site is located outside of the designated core retail area.

- The Planner noted the existence of the three other amusement arcades within the Wexford town centre area.
- The Planner considered that permitting an additional amusement arcade within the town centre would contribute to the proliferation of such uses within the town centre.
- The appeal site is located within the Wexford Town Architectural Conservation Area (ACA) 2.
- It is considered that the proposed arcade use and its shopfront would adversely impact upon the visual amenities of the ACA.
- It was concluded that the proposed use would contravene Section 5.10.7 of the current Wexford County Development Plan (WCDP) 2022-2028 regarding a proliferation of amusement arcade uses and the protection of the character of the area.

### 3.2.2 Other Technical Reports

- Disability Access Officer: No objection raised but stated that a Disability Access Certificate (DAC) would be required to provide for the proposed use.

### 3.3 Prescribed Bodies

No comments received.

### 3.4 Third Party Observations

Non received.

## 4.0 Planning History

### Appeal Site

Planning reference number W0002234A-The Planning Authority state within their report that in 1979 planning permission was granted for a change of use from retail to a restaurant use on this site. It is unclear from the planning documentation if this permission was ever implemented.

### Enforcement

Planning reference DER2024-003– A derelict site notice was issued to the owner/occupier of the premises in November 2024. The Planning Authority state in their Planning Report that this particular case file remains open.

## **5.0 Policy Context**

### **5.1 Development Plan**

#### **5.1.1 Wexford County Development Plan 2022-2028:**

##### Volume 1-Written Statement:

Chapter 6: Economic Development Strategy

Section 6.7.2-Key towns and Large Towns

‘The primary location for commercial development will be Wexford Town, Enniscorthy Town, New Ross Town and Gorey Town’ The RSES identifies Wexford Town and Gorey Town as Key Towns. Key Towns have an economic function that provides employment for their surrounding areas and wider sub regional catchment’

Chapter 13 - Heritage and Conservation

Section 13.4 - Built Heritage

Section 13.4.9- Architectural Conservation Areas.

Objective ACA01: To protect and enhance the character of the designated Architectural Conservation Areas in Wexford, Enniscorthy, New Ross, Gorey and Bunclody, including the views and prospects to and from these areas.

##### Volume 2-Development Management Manual:

Chapter 5: Enterprise and employment developments

Section 5.10- Retail and Commercial Uses

5.10.3 Shop Fronts Shopfronts are one of the most important elements in determining the character, quality and image of retail streets. The Planning Authority will promote a dual approach to shopfront design: • Protecting traditional and original shop fronts;

- Encouraging good contemporary shop front design where appropriate. The following are the key guiding principles:
- Existing traditional shopfronts should be maintained or restored where possible

#### Section 5.10.4 -Restrictions on Uses

‘An over-concentration of certain uses will be discouraged in town and village centres due to an overriding need to maintain the integrity, quality and vibrancy of centres. In particular, the Planning Authority will seek to ensure that the quantum of amusement arcades, betting offices, public houses, off-licences, nightclubs and fast food/hot food takeaway outlets is not disproportionate to the overall size and character of the area’.

#### Section 5.10.7- Amusement Arcades

‘Proposals for amusement arcades will not be permitted in the primary retail areas of the four main towns or in residential areas and a proliferation of amusement arcades will not be permitted. The protection of the character of the area and the amenities of adjoining residential properties and businesses will be taken into consideration when assessing planning applications for this type of development’.

### Volume 6-Architectural Conservation Areas

#### The Management of Change

Wexford County Council will seek to protect the unique architectural character and strong sense of place, while at the same time allowing for change and reuse of structures and where possible or necessary encourage redevelopment in a sensitive and sustainable way. It is important that any new development does not detract from the visual impressiveness and setting of these historic places

### Volume 8-Retail Strategy

The appeal site is located outside of the designated Core Retail Area for Wexford town as defined in Figure 6.1 of the County Retail Strategy

#### Section 4.2 Wexford Town health check

The following Key Actions and recommendations are set out: 'Overall, Wexford Town appears to be performing well and fulfilling its role as the primary retail centre of the County. With its pedestrianised streets, the town has a pleasant shopping environment, and a relatively good choice of convenience and comparison retail outlets is on offer to consumers. However, improvements can be made to sustain the vitality and viability of the town centre, as set out below:

- Maintain the vitality and viability of Wexford town centre by consolidating the core retail area to ensure any future retail development is directed towards this area in the first instance
- Encourage and facilitate the reuse of vacant buildings or under-utilised sites throughout the town including the car parking opportunity sites (refer to Section 6).

Retail Planning Objective WX02: To focus on regenerating the traditional town centre and main street areas and how they relate to the expanded town, with a view to creating more attractive, desirable places that people want to live and spend time in, for work, shopping or recreational purposes.

Retail Planning Objective WX05: To encourage the reuse of vacant buildings or under-utilised sites throughout the town. The redevelopment of car parking sites in prime town centre locations are identified for appropriate retail and/or commercial town centre uses.

Retail Planning Objective WX07: In areas adjacent/contiguous to the retail core to support the diversity of non-retail uses at street level where such uses attract customers that complement the vitality, vibrancy and activity and bring linked trips to the town centre.

Retail Planning Objective WXC13 'The Council will seek to support the consolidation of other non-retail-based services within town centres, utilising existing vacant floorspace where necessary. This will aid in enhancing the vitality of town centres, encouraging them to maintain their role as employment locations in addition to reducing the proportion of vacant floorspace and recognising the value which non-retail uses can contribute to the local economy through the provision of employment and general economic benefit'.

## 5.2 Natural Heritage Designations

Slaney River Valley candidate SAC (Site Code 000781) is located approximately 128 metres east of the site to the west.

Wexford Harbour and Slobbs SPA is located approximately 6.2 kilometres south-east of the appeal site- Site Code 004076.

Wexford Harbour and Slobbs pNHA is located approximately 6.2 kilometres south-east of the appeal site- Site Code 000712.

## 5.2 EIA Screening

Please see Appendix 1 at the end of this report. Having regard to the limited nature and scale of the development which relates to a change of use of an existing ground floor commercial unit on a site that is fully serviced in terms of piped water services and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, there is no real likelihood of significant effects on the environment arising from the proposed development.

## 5.3 WFD Screening: The nearest water body to the appeal site is the River Slaney located approximately 128 metres east of the appeal site.

The development relates to a change of use within an existing vacant commercial unit. The detailed development description is set out within Section 2.0 of my report above.

Surface water discharge is stated to be to the existing public surface water sewer. No issue in this regard was raised within the appeal.

I have assessed the planning documentation and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the relatively minor nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there



is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Having regard to the relatively minor scale and nature of the development,
- The separation distance between the appeal site and the River Slaney,
- The existing on-site surface water management proposals.

## **Conclusion**

I conclude that on the basis of objective information, the proposed development will not result in a risk of deterioration on any water body (groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment

## **6.0 The Appeal**

### **6.1 Grounds of Appeal**

The main grounds of the First Party Appeal can be summarised as follows:

- Section 5.10.7 within Volume 2 in the current Wexford County Development Plan (WCDP) 2022-2028 provides the policy context for amusement arcades.
- Policy Objective WXC13 within Volume 8 of the current WCDP seeks to support the diversification of uses and to reduce the level of vacancy and provide for the consolidation of non-retail uses in town centres.
- The proposed development will not contribute towards a proliferation of amusement and entertainment centres in Wexford Town.
- There are currently only three other amusement arcades in Wexford Town with no other arcade establishment located on North Main Street.
- The most proximate existing amusement arcade is located on Crescent Quay, located approximately 400 metres removed from the appeal site. The other two

establishments on South Main Street are located approximately 650-750 metres walking distance from the appeal site.

- The proposed and existing arcades are well dispersed in the town centre and there is no concentration or proliferation of amusement arcade outlets in the town centre.
- There are no other bookmakers or similar type establishments in the immediate vicinity of the appeal site or elsewhere along North Main Street.
- The Planning Authority's (PA's) conclusion regarding a proliferation of such uses is an inaccurate representation of the context in this part of Wexford town.
- The PA received no third-party observations regarding the proposed development.
- The first reason for refusal is without basis.
- The proposed development is an appropriate town centre use and is compatible with the mix of town centre uses on North Main Street and the surrounding area.
- There are currently a broad range of uses within the commercial units along North Main Street. Uses including café,s, public houses, fashion houses, pharmacies, beauticians, hairdressers/barbers' office and residential uses amongst other uses.
- Gaming and amusement arcades represent an appropriate town centre use and there is strong precedent established by various Planning Authorities and An Coimisiún Pleanála who have consistently deemed that gaming and amusement arcades represent an appropriate town centre use.
- The proposed use and renovations to the existing shopfront will not result in any negative impacts on the visual amenities of the area or on the town centre ACA.
- Within the Planning Report an assessment of photographs of the other existing amusement arcades shopfronts is provided and these are included without basis and used in the assessment of the current proposals within the appeal site. Each proposal should be considered on its individual planning merits.

- The development does not propose any physical works to the street front elevation of the building within the subject site.
- The development would only comprise a change of use within the ground floor area of the building which is presently vacant and will have no adverse impacts on the amenities of the town centre ACA.
- There are a number of Retail Planning Objectives within the current WCDP namely WX02.WX05, WX07 and WXC13 which the current proposal would contribute towards achieving.
- The proposed development will result in the re-introduction of an active commercial use within a long term vacant commercial property and would positively contribute to the vibrancy of the street and the wider town centre.

## **6.2 Planning Authority Response**

None received.

## **7.0 Assessment**

Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Refusal Reason Number 1
- Refusals Reason Number 2
- Refusal Reason number 3.
- Other Matters
- Appropriate Assessment

## **7.1 Principle of Development**

- 7.1.1 Under the current proposals the applicants are seeking to change the use of a vacant retail unit to use as an amusement and entertainment centre at ground floor level within a three-storey building at Number 98 North Main Street in Wexford town.
- 7.1.2 The Planning Authority assessed this application and decided to refuse planning permission for three stated reasons. The first two reasons relate to the proposal being contrary to Section 5.10.7 within Volume 2 of the current Wexford Development Plan which seeks to discourage proposals which would contribute to a proliferation of uses within the town centre, including amusement arcades and that proposals would respect the character of uses within this part of North Main Street. The third refusal reason sets out that the proposals would adversely impact the visual amenities of the Wexford Town centre Architectural Conservation Area 2 and be contrary to specific objective ACA01 within the Plan.
- 7.1.3 There is presently no land use plan relating to development within Wexford Town. The last land use plan that was prepared for the town was the Wexford Town and Environs Development Plan 2009-2015. Having regard to the foregoing, it is my consideration that the Wexford Town and Environs Plan 2009-2015 and all of its policies and objectives no longer remain in force. The Wexford County Development Plan 2022-2028 (WCDP) has been adopted and is the operative plan which has had regard to current national and regional policies. It is, therefore, a requirement to have regard to the policies and objectives as set out in the current WCDP.
- 7.1.4 In relation to same, I note that the Planning Authority within their report state that the appeal site is located adjacent to, but outside of the designated 'Core Retail Area' for the town centre, as identified within the Retail Strategy as per Volume 8 within the current WCDP. The policy of the Council in relation to non-retail uses in town centres and in particular, designated Core Retail Areas and Other Main Streets, is 'An overconcentration of certain uses will be discouraged in town and village centres ...In particular, the Planning Authority will seek to ensure that the quantum of amusement arcades, betting offices, public houses, off-licences, nightclubs and fast food/hot food take-away outlets is not disproportionate to the size and character of the area'. This is set out in Section 5.10.4 of the WCDP. Section 5.10.7 specifically relates to amusement arcades where the following is set out: 'Proposals for amusement arcades

will not be permitted in the primary retail areas of the four main towns or in residential areas and a proliferation of amusement arcades will not be permitted. The protection of the character of the area and the amenities of adjoining residential properties and businesses will be taken into consideration when assessing planning applications for this type of development’.

- 7.1.5 I also note that within Volume 8-Retail strategy within the current Wexford Development Plan there are a number of specific retail objectives set out, specifically Objectives WX02, WX05 and WX07 which are relevant to the current appeal. These objectives seek to ‘regenerate the traditional town centre’, ‘encourage the reuse of vacant buildings’ ‘support the diversity of uses that complement the vitality, and activity and bring linked trips to the town centre’. I consider that the current proposals would assist in the achievement of these specific retail planning objectives as set out within the current Plan.
- 7.1.6 In relation to the appeal site, the proposed amusement and entertainment centre would be located at ground floor level within the existing commercial premises at number 98 North Main Street and is presently vacant. It would comprise of a stated area of 160 m<sup>2</sup>. I note that the premises fronts onto North Main Street and forms part of a terrace of buildings. The subject site adjoins a ground floor café business immediately to the south and a ground floor vacant commercial unit immediately to its north.
- 7.1.7 The WCDP does not provide specific zoning objectives for Wexford town and does not include a zoning matrix whereby specific uses that are permitted, not permitted, or open for consideration are outlined. Notwithstanding the lack of such guidance under the Development Plan, the Development Plan does not preclude specific uses from the town centre.
- 7.1.8 In conclusion, having regard to the sites’ existing established commercial nature and the commercial nature of the existing adjacent premises along North Main street, given that the site is presently vacant and does not contribute to the vitality and viability of the town centre in its current vacant state as encouraged within Section 4.2 , Volume 8 of the current WCDP in relation to the Wexford town retail health check, I consider that the existing premises would represent an appropriate location for an amusement and entertainment centre use and that it would not be contrary to the overall town

centre policy statements, objectives which are set out in Sections 5.10.4 and 5.10.7 within Volume 2 and Section 4.2 within Volume 8 of the current Wexford County Development Plan. The use would be contained within an existing vacant commercial unit and would not result in the establishment of a new commercial unit on North Main Street and in this regard, I would consider the principle of the development to be acceptable at this location along North Main street within the town centre

## **7.2 Refusal Reason Number 1:**

- 7.2.1 The first reason for refusal as set out within the Planning Authority decision set out that the proposed amusement arcade and entertainment centre would contribute to a proliferation of such uses in close proximity to the site and that the proposed development would be contrary to Section 5.10.7 of the current Wexford County Development Plan 2022-2028. In relation to the issue of proliferation of arcade and entertainment centre uses, I note that the appellants have set out within their appeal statement that the closest amusement arcade premises to the appeal site is that on the Quays approximately 400 metres east of the appeal site, at Crescent Quay. They also state that there are two other amusement arcade premises located on South Main Street approximately 650 metres and 700 metres south of the appeal site. From my site inspection conducted within the town centre, I noted that there are currently no existing amusement arcade or entertainment centres located along the North Main Street. I would concur with the appellants that the closest such facility to the appeal site is the amusement arcade premises on Crescent Quay, located approximately 400 metres south-east of the appeal site. Therefore, I am satisfied that the current proposals would not result in a proliferation of such uses in close proximity to the appeal site or along North Main Street and, therefore, the principle of the amusement arcade and entertainment centre use would be acceptable at this location in this particular instance.
- 7.2.2 Sections 5.10.4 and 5.10.7 within Volume 2 of the current WCDP sets out that that proposals for an overconcentration of certain uses, including amusement arcades will not be permitted in the primary retail areas of the four main towns (including Wexford Town) and a proliferation of amusement arcades will not be permitted. The protection of the character of the area and the amenities of adjoining residential properties and businesses will be taken into consideration when assessing such proposals'. The

Planners Report states that the appeal site is located outside of the 'Core Retail Area' for Wexford town centre as set out within the Retail Strategy Map included within Volume 8 of the current WCDP. Therefore, I am satisfied that given the Planning Authority have acknowledged that the site is located outside out the designated 'Core Retail Area' for Wexford town and, therefore, the first consideration within Section 5.10.7 is not applicable. The issue of proliferation of amusement arcades was addressed in detail within the paragraph (7.2.1) above, and I consider that the current proposals would not represent an overconcentration of such uses, along North Main Street or in this part of the town centre.

- 7.2.3 From my site inspection, I observed the dilapidated nature of the appeal site and the upper floors above the subject site. I did not note the existence of residential uses above the ground floor unit of the appeal site nor in the immediate vicinity of the appeal site. There are other existing commercial premises along North Main Street a number of them being vacant, including the subject site. Therefore, I consider that the introduction of a commercial use within a vacant unit on a prominent Main Street within the town centre would assist in improving and sustaining the vitality and viability within this part of North Main Street in accordance with Section 4.2 and specific objectives WX05 and WXC13 within Volume 8 within the current WCDP. Therefore, on balance, I do not consider that the proposal would be contrary to Section 5.10.7 within Volume 2 of the current WCDP as permitting the proposed change of use would not result in an overconcentration of amusement arcade uses within the town centre and specifically within this part of the town centre along North Main Street. I consider that the proposed change of use would contribute positively to the vitality and vibrancy of this part of the North Main Street whereby an existing vacant unit would be occupied and would accord with the proper planning and sustainable development of the area.
- 7.2.4 Having regard to the foregoing, while it is my consideration that the subject development can be assessed on its own planning merits. I consider that the first reason for refusal as set out by the Planning Authority should be set aside.

### **7.3 Refusal Reason Number 2**

- 7.3.1 The second reason for refusal sets out that the proposed amusement arcade and entertainment use would not be in keeping with the overriding character of uses on

this part of the North Main Street and that the proposal would be contrary to Section 5.10.7 of Volume 2 within the current WCDP 2022-2028. I note that the character of this part of North Main Street comprises a multitude of commercial uses at ground floor level facing onto North Main Street. These uses include cafés, public houses, fashion hoses, pharmacies, beauticians, hairdressers/barbers, newsagents and light grocery shops, take-aways, e-cigarette shops, office and residential uses and a number of vacant commercial units and, therefore, the character of the area is considered to be commercial. As set out within Section 7.2 above, I have already concluded that the principle of the use is acceptable, having regard to the sites' context and the location of the use within a vacant commercial unit on North Main Street within the town centre. I further consider the amusement arcade and entertainment centre use to be appropriate in this instance and would complement the range of commercial uses that exist along North Main Street and within the overall town centre.

7.3.2 In relation to the proposals being contrary to Section 5.10.7 of the WCDP, I consider that the amusement arcade and entertainment centre proposals are acceptable and would contribute positively towards the vibrancy and vitality of North Main Street and with the overall town centre and with the proper planning and sustainable development of the area. I do not consider that the proposed change of use would adversely impact the character of amenities of other existing commercial businesses within the town centre and in fact would complement the range of other existing commercial premises in this vicinity. Therefore, I consider that the second reason for refusal as set out by the Planning Authority should be set aside.

7.3.3 The subject development relates to the creation of a business operation within a vacant commercial unit which should be considered on its individual planning merits and not precluded on the basis that it may be viewed as an undesirable use in the town centre. I note that the Planning Authority considered the nature of the amusement arcade and entertainment centre use would be a concern in the context of a proliferation of such uses within a town centre location. I do not consider this to be the case and would note that the principle is acceptable subject to the proposal being satisfactory with regard to the need to maintain the integrity, vibrancy and quality of town centres as required within retail planning objectives WX02, WX05 and WX07 within Volume 8 of the current WCDP. Therefore, I consider that the second reason for refusal as set out by the Planning Authority should be set aside.



## **7.4 Refusal Reason Number 3**

- 7.4.1 The third refusal reason set out by the Planning Authority sets out that the proposed arcade and entertainment use and its shopfront would have a detrimental impact on the visual amenities of the Wexford Town Architectural Conservation Area 2 and be contrary to objective ACA 01 of Volume 1 and Volume 6 (ACA's) within the WCDP. The existing shopfront comprises three Romanesque style timber painted windows with a strong vertical emphasis that are painted in a purple colour and a Romanesque style door immediately adjoining the window which acts as the access to the commercial unit from North Main Street. There is another door on the front elevation of the property which is used to access the upper floor areas of the building, which are outside the scope of this appeal. There is no signage at present on the front elevation. From the planning documentation submitted and specifically the elevation plans, there are no proposals to alter or modify the existing shop front. The public notices do not specify that there are proposals to alter or modify the shopfront and the applicants have stated within their appeal submission that the front elevation of the existing premises would remain the same. Therefore, on the basis of the information submitted, I am satisfied that there are no changes proposed to the street elevation of the subject site onto North Main Street within the Town Architectural Conservation Area 2.
- 7.4.2 I acknowledge that it is important to protect the character of Wexford Town centre ACA,s as set out within objective ACA01 within the Development Plan which seeks to 'Protect and enhance the character of the designated ACA's in Wexford town ...including the views and prospects to and from these areas'. On the basis of the information submitted, I am satisfied that the current proposals relate to a change of use only at ground floor level within the building and that no alterations are proposed to the North Main Street elevation. Therefore, I am satisfied that the applicants have demonstrated that the proposals would not adversely impact the character of the Wexford Town ACA 2 nor views and prospects to and from the ACA and, therefore, would not be contrary to specific objective ACA01 within the current WCDP.
- 7.4.3. I acknowledge that the erection of inappropriate signage on the street elevation onto North Main Street could potentially adversely impact the integrity of the Town ACA 2. Therefore, it would be important that advertising signage relating to the amusement arcade and entertainment use is addressed by condition and I would recommend

inclusion of such a condition, in the event that the Coimisiún are minded to grant planning permission for the proposals.

- 7.4.4 Therefore, on balance and on the basis of the information submitted, I consider that the proposed change of use would not adversely impact the integrity or character of the Wexford Town ACA number 2. I am satisfied that once the issue of signage can be addressed by means of an appropriate planning condition and that the elevation onto North Main Street would remain as existing (as stated by the applicants within their planning appeal statement). Therefore, I am satisfied the proposals would not be contrary to objective ACA01 nor be contrary to the proper planning and sustainable development of the area. Therefore, I consider that the third reason for refusal as set out by the Planning Authority should be set aside.

## 7.5 Other Matters

### Adjoining Amenities

- 7.5.1 As noted earlier, the area to which the change of use is sought is located at ground floor level within an existing corner building and immediately adjoins other commercial buildings within the town centre. North Main Street is characterised by commercial businesses at ground floor some with traditional shop fronts and others with more contemporary shop front styles, with some vacancy/office and residential uses at first floor, but no residential uses apparent in the immediate vicinity of the subject site. I am, therefore, satisfied that, given the town centre location and the uses present within the vicinity of the appeal site, that residential amenity would not be significantly affected by the subject development. I am satisfied that the proposed change of use would not generate nuisances or disturbances so as to warrant a refusal of planning permission. I consider it appropriate to include a condition managing the hours of operation of the subject development and accordingly recommend same, should the Coimisiún be minded to grant planning permission.

### Visual Amenity

- 7.5.2 The front elevation of the existing premises remains the same. No changes arise as a result of the subject change of use proposals. I consider that advertising signage relating to the use can be addressed by condition and recommend inclusion of such a condition, in the event of a grant of planning permission.

## 8.0 AA Screening

8.1 I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 (as amended).

- The subject site is not located within or adjacent to any European Site.
- The closest European Sites are the Slaney River Valley SAC (Site Code 000781), is located approximately 128 metres east of the site and the Wexford Harbour and Slobbs SPA (Site Code 004076) is located approximately 6.2 kilometres south-east of the appeal site.
- The subject site comprises an existing vacant retail unit within Wexford town centre, at North Main Street. The subject development seeks to change the use of the ground floor unit from a retail use to use as an amusement arcade and entertainment centre. No significant construction or ancillary works are proposed as part of the application. The subject site is presently connected to the public foul sewer and water mains.
- No nature conservation concerns were raised at planning application stage or in the planning appeal.

8.2 Having considered the nature, scale and location of the subject development, I am satisfied that it can be eliminated from further assessment as it is highly unlikely that it could not have any appreciable effect on a European Site, given the absence of direct hydrological or ecological connectivity to any European site.

The reason for this conclusion is as follows:

- The nature of the development which proposes a change of use of a ground floor within an existing commercial premises.
- The location of the development in a serviced urban area, that has the benefit of piped water and wastewater services, distance from European Sites and urban nature of intervening habitats, absence of ecological pathways to any European Site.

8.3 I conclude that on the basis of objective information, the proposed development would not have a significant effect on any European site either alone or in

combination with other plans or projects. Likely significant effects are excluded and, therefore, Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is not required.

## 9.0 Recommendation

I recommend that planning permission be granted subject to the conditions as set out within Section 10.0 below.

## 10.0 Reasons and Considerations

Having regard to the provisions of the Wexford County Development 2022-2028, specifically retail objectives WX02, WX05, WX07 and WXC13 in relation to the regeneration of the traditional town centre, the encouragement of the reuse of vacant buildings and supporting the diversity of uses that complement the vitality, and activity and bring linked trips to the town centre, the current vacant status of the ground floor unit, the established commercial use of the site, the nature and limited scale of the subject development, and the existing pattern of commercial development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not contribute to a proliferation of amusement arcade and entertainment uses in the town centre, would not detract from the character or mix of uses in the vicinity, would not seriously injure the amenities of the area or of property in the vicinity, and would not detract from the retail function of the town centre or impede the future development of a high quality vibrant town centre. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

1.	The development shall be carried out and retained in accordance with the plans and particulars lodged with the planning application on the 7 <sup>th</sup> day of July 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 prior to commencement of development, and
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	<p>the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001 (as amended), shall be displayed or erected on the building exterior onto North Main Street without a prior grant of planning permission.</p> <p><b>Reason:</b> To allow further assessment of the impact of the permitted advertisement on the amenities of the area.</p>
3.	<p>The amusement arcade and entertainment centre hereby permitted shall only be open for use between the hours of 12:00 hours and 23:00 Monday to Sunday, unless otherwise agreed in writing with the Planning Authority.</p> <p><b>Reason:</b> In the interest clarity.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Fergal Ó Bric

Planning Inspectorate

30<sup>th</sup> day of December 2025.

## Appendix 1 - Form 1

### EIA Pre-Screening

<b>An Bord Pleanála Case Reference</b>	323733-25		
<b>Proposed Development Summary</b>	Permission for change of use from retail to amusement and entertainment centre and Associated works.		
<b>Development Address</b>	98 North Main Street, Wexford, Co. Wexford		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>	x	
	<b>No</b>		
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>	Tick/or leave blank		
<b>No</b>	Tick or leave blank	A change of use from one commercial use to another within a town centre does not fall within a class of development as per the P & D Regulations.	x
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>	Tick/or leave blank		

<b>No</b>	Tick/or leave blank		X
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>	Tick/or leave blank	Proposals relate to for change of use from retail to amusement and entertainment centre and Associated works.	X

<b>5. Has Schedule 7A information been submitted?</b>		
<b>No</b>	Tick/or leave blank	X
<b>Yes</b>		

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_