

Comhairle Chontae Atha Cliath Theas

PR/0078/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0311 **Application Date:** 17-Nov-2021
Submission Type: New Application **Registration Date:** 17-Nov-2021

Correspondence Name and Address: Brock McClure Planning and Development
Consultants 63, York Road, Dun Laoghaire, Co.
Dublin

Proposed Development: Change of use of the permitted cafe unit (approx. 225sq.m net) as granted under ref. S020A/0037 to use as a pharmacy (approx. 251sq.m net) and all associated internal and external layout alterations to facilitate this change of use; internal layout changes at ground floor include the removal of the internal escape stair and internal lobby from the permitted layout; inclusion of an accessible WC at first floor level within the permitted community use space (area not affected by subject application); external alterations include amendments to the external glazing to replace permitted access doors with solid glazing (no alteration to appearance) and the provision of an external plant space at first floor level with a 1200mm high louvre screen.

Location: Lands at Main Steet, Newcastle, Co. Dublin

Applicant Name: Cedarglade Limited

Application Type: Permission

Description of Site and Surroundings

Site Area: Stated as 0.0316 Hectares

Site Description:

The application site is a greenfield area of land fronting Main Street, Newcastle. The level of the site is slightly above road level and the entire site outlined in blue rises in a southerly direction. There are no permanent structures on the site at present, with site clearance works having taken place and hardcore installed in preparation for the development permitted under ABP Reg. Ref. 3054343-19. A temporary marketing suite relating to ABP Reg. Ref. 3054343-19 has been installed on the subject site of this Planning Application. Residential development lies to the north, east and west. The lands to the south are subject to future development (ABP Reg. Ref. 3054343-19).

*The site, as outlined in red, relates only to the building and does not incorporate lands that will be within the curtilage of the overall structure.

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Proposal:

Amendments to previously permitted development Reg Ref SD20A/0037.

- The Change of Use of the permitted Café unit (225sq.m) to a pharmacy unit (251sq.m).
- Amendments to the permitted layout (SD20A/0037) to facilitate the proposed Change of Use as follows:
 - Removal of a servery area associated with the permitted café use.
 - Removal of the internal fire escape stair and lobby at ground and first floor levels.
 - Provision of an accessible toilet at first floor level.
- Elevational amendments comprised of:
 - Removal of 1 access point in the southern elevation and its replacement with glazing.
 - Removal of 1 access point in the northern elevation and its replacement with glazing.
 - Removal of 1 access point and 1 fire exit in the eastern elevation.
 - Plant with a louvre screen partially concealed by the parapet at first floor level of the southern elevation.
- The Applicant states that no amendments are proposed to the permitted community use at first floor level.

Zoning:

The site is subject to zoning objective 'RES-N'– 'To provide for new residential communities in accordance with approved area plans'.

SEA Sensitivity Screening

Indicates overlap with areas of archaeological potential, Record of Monuments and Places and Sites of Geological Interest.

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Consultations:

Parks and Public Realm Department:	No report received at time of writing
Roads Department:	No objection.
Water and Drainage Operations:	No objection, subject to conditions.
Irish Water:	No objection, subject to conditions
Heritage Officer:	No report received at time of writing.
Architectural Conservation Officer:	No report received at time of writing.
Arts Officer:	No report received at time of writing.
Environmental Health Officer:	No objection, subject to conditions.

Submissions

Deadline for submissions/observations – 21st December 2021.

None received.

Planning History

Subject Site

SD20A/0343: Amendments to a previously permitted development (Reg SD20A/0037); relocation of the staff welfare and ancillary office accommodation to a new approx. 192sq.m first floor mezzanine level within the permitted anchor supermarket unit; relocation of the staff welfare and office accommodation to mezzanine level will allow for additional warehouse floor space at the ground floor level (approx. 150sq.m increase; there is no proposed increase to the net retail floor space; external amendments to the permitted elevations including glazing and material changes; 2 roof lights will also be provided at roof level; no other changes are proposed to the anchor supermarket unit or the remainder of the development permitted under Reg. SD20A/0037. **Permission Granted, subject to conditions.**

SD20A/0037: Planning permission granted to demolish 3 existing structures on site (total c.226sq.m) comprising of 1 habitable house and 2 associated outbuildings/sheds (permitted under Ref. ABP-305343-19), and the construction of 1 double storey (c.9.2m overall height) retail development in the form of a convenience supermarket (GFA c.1,759sq.m); 1 two storey mixed-use building (c.10.7m overall height) comprising of a café (c.225sq.m) at ground floor and a community centre at the first floor (c.140sq.m) with associated ground floor access (total GFA c.468sq.m); an ESB sub-station (c.22sq.m); the anchor supermarket unit will provide for a net retail sales area of c.1,222sq.m; a warehouse of c.200sq.m; welfare area of c.190sq.m including ancillary office accommodation; a delivery and loading dock; service yard; customer lobby and wc and entrance lobby; the development shall also provide for 98 car parking spaces and 50 bicycle parking spaces; advertising structures and signage (totalling c.81sq.m); new pedestrian and cyclist connections; public realm areas; refuse storage; a trolley shelter; new priority controlled junction at Main Street; a new access road and shared pedestrian/cyclist greenlink from Main Street (permitted under Ref.

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ABP-305343-19); vehicular entrances to the surface car park and service yard; all associated site development, site services and landscape works at Lands at Main Street, Newcastle, Co. Dublin, bordered by Main Street to the north, Orchard Grove to the east, greenfield land to the south and residential properties fronting Main Street to the west (new road will be adjacent to 1 Main Street, Newcastle, Co. Dublin.) **Permission Granted, subject to conditions.**

SD05A/0344/EP: A residential development of 743 no. dwellings including a neighbourhood centre of 1,859.2sq.m. and a creche of 846sq.m., at Ballynakelly and Newcastle South, Newcastle-Lyons, County Dublin. An eight year planning permission is sought. The development comprises of the following: 78 no. 2 bedroom houses; 209 no. 3 bedroom houses; 27 no. 4 bedroom houses; 10 no. 5 bedroom houses; 5 no. apartment blocks containing 7 no. 1 bed apartments, 20 no. 2 bed apartments, 12 no. 3 bed apartment, 4 no. 2 bed duplex units and 2 no. 3 bed duplex units; 57 no. duplex blocks containing 48 no. 2 bedroom duplex units, 151 no. 3 bed duplex units, 52 no. 1 bedroom apartments and 123 no. 2 bedroom apartments. The neighbourhood centre comprises of 5 no. retail units from 69sq.m., 84sq.m., 90.5sq.m., 101sq.m. and 134sq.m.; public house measuring 935.4sq.m., off licence measuring 189sq.m. and restaurant measuring 255sq.m.; the proposed development also provides for 4.155ha of public open space including the provision of a landscaped area adjoining the Tower House on the Athgoe Road; roads infrastructure including 3 no. junctions with Newcastle-Lyons Main Street (R120 Rathcoole Road) and 1 no. junction with Athgoe Road; on and off street car parking; and provision of lands for a traveller accommodation site measuring 0.5 ha; on an overall site of 22.789 hectares; planning permission is also sought for the demolition of 2 no. habitable dwellings. This planning application is accompanied by an Environmental Impact Statement (EIS). **Extension of Duration Granted**

SD05A/0344: A residential development of 743 no. dwellings including a neighbourhood centre of 1,859.2sq.m. and a creche of 846sq.m., at Ballynakelly and Newcastle South, Newcastle-Lyons, County Dublin. An eight year planning permission is sought. The development comprises of the following: 78 no. 2 bedroom houses; 209 no. 3 bedroom houses; 27 no. 4 bedroom houses; 10 no. 5 bedroom houses; 5 no. apartment blocks containing 7 no. 1 bed apartments, 20 no. 2 bed apartments, 12 no. 3 bed apartment, 4 no. 2 bed duplex units and 2 no. 3 bed duplex units; 57 no. duplex blocks containing 48 no. 2 bedroom duplex units, 151 no. 3 bed duplex units, 52 no. 1 bedroom apartments and 123 no. 2 bedroom apartments. The neighbourhood centre comprises of 5 no. retail units from 69sq.m., 84sq.m., 90.5sq.m., 101sq.m. and 134sq.m.; public house measuring 935.4sq.m., off licence measuring 189sq.m. and restaurant measuring 255sq.m.; the proposed development also provides for 4.155ha of public open space including the provision of a landscaped area adjoining the Tower House on the Athgoe Road; roads infrastructure including 3 no. junctions with Newcastle-Lyons Main Street (R120 Rathcoole Road) and 1 no. junction with Athgoe Road; on and off street car parking; and provision of lands for a traveller accommodation site measuring 0.5 ha; on an overall site of 22.789 hectares; planning permission is also sought for the demolition of 2 no. habitable dwellings. This planning application is accompanied by an Environmental Impact Statement (EIS). **Permission Granted, subject to conditions.**

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Adjacent Sites

SHD3ABP-305343-19 (Lands to the west and south): (1) The demolition of 5 structures on site, total area measuring 359sq.m, comprising 2 habitable dwellings and 3 associated outbuildings/sheds located to the northwest of the site; (2) development of 406 residential homes; (3) a childcare facility (518sq.m GFA); (4) 1 commercial unit (67.7sq.m GFA); (5) reservation of a school site (1.5ha); (6) new vehicular, cycle and pedestrian access from Main Street; (7) continuation of Newcastle Boulevard forming part of a new east-west link street; (8) a new Public Park (2ha); (9) pocket parks and greenway together with associated internal access roads, pedestrian and cycle paths and linkages; (10) 1 single storey marketing suite (81sqm) and signage (including hoarding) during the construction phase of development only and (11) all associated site and development works. The overall site comprises lands to the south of Main Street (c.15ha) together with 3 additional infill sites at the corner of Burgage Street and Newcastle Boulevard (c. 0.8ha); No. 32 Ballynakelly Edge (c.0.05ha); and Ballynakelly Rise (c.0.18ha). **Permission Granted, subject to conditions.**

Recent Relevant Enforcement History

None recorded

Pre-Planning Consultation

None

Relevant Policy in South Dublin County Council Development Plan (2016-2022)

Section 1.13.0 Retail Strategy
Section 4.2.0 Strategic Policy for Employment
Section 5.2.0 Retailing
Policy R7 Village Centres
Section 11.2.9 Shopfront Design
Section 11.4.6 Travel Plans
Section 11.6.3 (ii) Noise
Section 11.6.3 (iii) Lighting
Section 11.8.2 Appropriate Assessment

Newcastle Local Area Plan

Vison: *“A village with a strong sense of identity that offers a good quality of life building upon its past. Where there is integration between existing and new developments through the creation of an intricate network of walkable streets that connect pedestrian and cyclist paths with important destinations, a beautiful village with quality useful spaces that realise and enhance the full potential of Newcastle’s rich natural and built heritage through the sensitive and considered incorporation of hedgerows, water features, burgage plots, townland and parish boundaries, archaeology, protected structures and recorded monument’s, a developing village that sensitively addresses the contrast*

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between existing and new elements and retains much of its existing character, whilst being a showcase for the sensitive expansion of an historic and nationally important settlement”.

Objective G17: Protect the historic burgage plot boundary and townland delineations (including townland boundaries to the Glebe, Ballynakelly Newcastle South and Commons Little) around Newcastle Village including their associated hedgerows and ditches.

Objective G18: Require all planning applications for development on lands that include or are bound by burgage plot and/or townland hedgerow boundaries and ditches to clearly detail how these boundaries will be enhanced or reinstated and incorporated. All such applications shall include a comprehensive hedgerow survey and method statement (compiled by a suitably qualified person) for protection, incorporation and reinstatement of the historic boundaries before, during and after construction. This shall include for details on protecting any section(s) of hedgerow outside the application site that directly adjoin the application site.

Objective G19: Require that burgage and townland field boundaries and ditches are utilised wherever possible as SUDS elements such as swales for conveying water; landscape features; and biodiversity-protecting elements.

Objectives GI12, GI14 and GI15: SuDS and Flood Risk

Objective GI21: Archaeology

Objectives GI27, GI28, GI29 and GI30: Ecology

Objective AM7: Accessibility and Movement

Objectives LUD1, LUD2, LUD7, LUD13: Land Use and Urban Design

Objectives BF1, BF8: Built Form

Relevant Government Policy

Retail Planning Guidelines for Planning Authorities, Department of the Environment, Community and Local Government (April 2012).

Retail Design Manual - A Good Practice Guide, Department of Arts, Heritage and the Gaeltacht (2012).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

Assessment

The main issues for assessment are:

- Zoning
- Council Policy

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- Design
- Visual and Residential Amenity
- Roads Layout and Parking
- Drainage and Water Services
- Environmental Health Officer
- Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning

The site is zoned 'RES-N'– 'To provide for new residential communities in accordance with approved area plans'.

The proposal is for amendments to the previously permitted retail development SD20A/0037. The principle of the proposal is considered acceptable, subject to compliance with the relevant policies, standards and requirements of the South Dublin County Development Plan 2016-2022.

Council Policy

Policy R1 states: "It is the policy of the Council to seek to ensure adequate retail provision at suitable locations in the County and to protect the vitality and viability of existing centres in accordance with the retail framework".

It is the policy of the Council under Policy R1 Objective 3 to support new retail provision in the County to meet the needs of the County's population and to direct new retail floor space into designated retail centres in accordance with the County Retail Hierarchy, so that centres can maintain and expand their retail offer.

In addition, it is the policy of the Council to promote appropriate sustainable development of existing built-up areas in order to retain population levels and delivery of local services.

The proposed amendments relate to the Change of Use of a café unit within the permitted development (SD20A/0037) to a pharmacy unit, and this use is ancillary to the aforementioned application and is consistent with the policies and objectives of the current South Dublin County Council Development Plan.

Design & Visual Impact

The proposal is for the Change of Use of a café unit within the permitted development (SD20A/0037) to a pharmacy unit.

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Notwithstanding that the proposal largely comprises of internal re-configuration of the layout permitted under SD20A/0037, including the removal of a servery area associated with the café use and the removal of internal fire escape stair and lobby at ground and first floor levels, which will result in an increase in the floor area of the unit from 225sq.m (Café) to 251sq.m (Pharmacy), the Planning Authority is concerned that the proposed development has not taken enough cognisance of the curtilage in which the structure will now sit and how the pharmacy use will significantly change the dynamic of the use of this space. It is not clear how the space that immediately abuts the entirety of the structure will now function and it is unclear how the pharmacy will successfully operate on this site (discussed later in this report). The permitted café would complement the community use at this location; it is not clear how the two uses in the current design layout and structure are complementary.

In addition to the above concerns, the Planning Authority is concerned with the changes in the levels in proximity to the site, especially in relation to the finished floor levels of the structure and accessibility to the lands to the rear/south of the structure and to the east. The level differences are noted as follows (Levels below are taken from the original drawings permitted under SD20A/0037):

- (i) The level of the permitted car parking is approximately 91.5. The level of the permitted 'café external seating area' is approximately 90.6, which represents a level difference of 0.9m. This level difference is even greater (a level difference of 2m) when using the finished floor level of the originally permitted café, 89.5).
- (ii) The original ground floor access to the community centre is approximately 89.5 and the now proposed sole access to the community centre is 91.3m. The level difference is approximately 1.8m.
- (iii) The level of the permitted car parking is approximately 91.5. The level of the entrance to the community space is 91.3, a difference of 0.2. It is unclear from the drawings whether or not this difference will represent a step or a slope in the pathway. If it is a slope in the pathway this should be clearly notated on drawings similar to notation of the pathway from the car parking area to the originally granted 'café external seating area'.

Proposed Use

The permitted Café unit was a complementary use to the Community use at first floor level. The Café use naturally lends itself to the unusual shape of the mixed-use building, particularly the curved pocket of space in the southwestern corner of the unit. The omission of the Café and replacement with a Pharmacy unit will impact on the usability of the pockets of space created by the unusual shape of the permitted structure. The Applicant should demonstrate how all spaces within the proposed Pharmacy unit will be successfully utilised. The drawings submitted by the Applicant are challenging to read, especially having regard to the unorthodox shape of the mixed-use building permitted under SD20A/0037. In this regard, more detailed floor plans are required to allay the concerns of the Planning Authority regarding the usability and functionality of the proposed Pharmacy unit. In particular, the Applicant should clarify the use of the irregular shaped space

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created by the curved wall in the southwestern corner of the ground floor unit. The Planning Authority is satisfied that the concerns regarding the layout of the Pharmacy unit can be addressed by way of ADDITIONAL INFORMATION.

The Applicant states that there will be no amendment to the permitted Community use at first floor level. However, it is noted that the Planning Report provided with the Application states that the Community use is 140sq.m and the Proposed Floor Plans indicate that it is 130sq.m. The Planning Authority is satisfied that this slight anomaly can be addressed by way of ADDITIONAL INFORMATION.

Access Points

It is noted that the proposed development includes elevational amendments which will result in the reduction of the total number of access points to the building. The drawings provided by the Applicant indicate the removal of 4 access points, including 1 fire exit. Having regard to the proposed Pharmacy use, the Planning Authority accepts that the removal of the access points in the southwest and northwest of the unit may not have a significant impact on the functionality of the ground floor unit. However, significant concerns arise regarding the removal of the access point in the north-eastern corner of the building, which was previously granted for ground floor access to the lift to the first-floor community space. The Planning Authority notes that permission was previously granted (SD20A/0037) for development:

“comprising of a café (c.225sq.m) at ground floor and a community centre at the first floor (c.140sq.m) with associated ground floor access (total GFA c.468sq.m)”

It is noted that changes in the north-eastern access will reduce the access to the first-floor community centre to 1 access point, which is located 1.8m above street level. The access to the community centre therefore appears to be orientated towards the permitted car park to the rear of the building and is car-centric. This could potentially lead to the disenfranchisement of other members of community from fully accessing the site such as children, older people, non-car users and mobility impaired. Furthermore, it is unclear how mobility impaired access to the community space will be achieved, particularly from street level. This should be clarified by way of ADDITIONAL INFORMATION. In this regard, the access point at street level should be reinstated to facilitate universal access to the first-floor community centre from the Main Street to ensure the provision of a comfortable and secure entrance to encourage use of the centre by all members of the Community. In addition, the access from the car park to the community space entrance should be clearly demonstrated in plan form showing all level changes and how these changes are addressed to provide for universal access. The Planning Authority is satisfied that these issues can be addressed by way of ADDITIONAL INFORMATION.

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The Planning Authority notes that the Applicant has not provided a rationale or justification for the removal of the internal fire escape stair and lobby at ground and first floor levels and associated fire exit in the western elevation of the building. The Applicant should demonstrate that the removal of this fire escape route and exit point would be acceptable from a fire safety perspective.

Universal Accessibility

The Planning Authority has concerns regarding usability and functionality of the lands to the south, east and west of the structure with specific regard to the pharmacy use. The Applicant should be requested to demonstrate in a clear and concise way how the proposed layout would be universally accessible, particularly from the Main Street, the new estate road to the west, the access to the south-east and the car park to the rear of the building. If the space is not to be universally accessible the applicant should clearly indicate uses of these spaces and their functionality.

The drawings provided by the Applicant appear to indicate retaining walls which dissect the entrance plaza to the rear of the mixed-use building with no clear access from the sloping footpath from the car parking ramp nor the estate road to the community space entrance to the east. Notwithstanding the previous grants of permission on this site, the previous uses of community and café were complementary and would have ensured that the space surrounded the structure was active. The Planning Authority is not convinced that the proposed pharmacy use will activate each of these spaces in a successful way. In this regard the provision of cross sections through the car parking area, entrance plaza and mixed-use building (including on a north-western to south-eastern axis) would aid the understanding of this area, particularly the changes in levels and access arrangements. Either 3D or CGI drawings of:

- (1) the area at the proposed sole entrance to the Community Centre and
- (2) The access point to the rear of the Pharmacy unit previously notated as 'café external seating area'

would also facilitate a complete assessment of the proposal. The applicant should be requested, on reviewing the accessibility and functionality of the incidental spaces created by the unusual shaped structure, to modify the design to ensure usability of each of the spaces can be achieved, that the design will not result in dark and unusable spaces which may give rise to anti-social behaviour and ensure safe and functional use of the entire area created by the structure. The applicant should be requested to confirm if the access from the estate road will be closed at certain times of the day/night and how this closure of the space will appear (drawings to be submitted, if a gate is to be proposed). The Planning Authority is satisfied that these items can be provided by way of ADDITIONAL INFORMATION.

Landscape and Planting Plan

The Planning Authority welcomes the retention of the extensive glazing along the western elevation of the building. The Planning Authority recommends the inclusion of defensible planting to the strip

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of green space along the western elevation beneath this glazing. Furthermore, clarification is required regarding the proposed planting along the southern elevation adjacent to the curved wall of the south-western corner of then unit. It is understood that this area was originally intended to be for outdoor seating for the Café unit. However, given the proposed Change of Use, clarification is required as to proposed treatment of this area. Notwithstanding that these areas lie outside the redline boundary of this Planning Application, they are considered vital to the security, accessibility and functionality of the mixed-use building. As such, the proposed landscaping, planting and treatment of these areas will have a direct impact on the subject site of this Planning Application. In this regard, the Planning Authority considers the provision of a Landscape Plan and Planting Plan by way of ADDITIONAL INFORMATION would be appropriate.

Roads Layout and Parking

The Report of the Roads Department noted that the proposed development will not result in any amendments to the roads layout or parking facilities permitted at the subject site. As such, the Roads Department has no objection to the proposed development of this Planning Application.

Notwithstanding the Roads Report, the Planning Authority has concerns that the use will generate additional deliveries and will generate 'quick-stop' journeys to collect medication. Having regard to proposed change of use and the nature of the use, the applicant should submit revised proposals that demonstrate that considerations has been given to loading of deliveries and providing ease of access for quick collections. ADDITIONAL INFORMATION.

Drainage and Water Services

The Report of the Drainage and Water Services Department indicated no objection to the proposed development, subject to the following conditions:

- All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.
- The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

The Report of Irish Water indicated no objection to the proposed development, subject to the following conditions:

- All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure.

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- All works shall comply with the Irish Water Standard Details & Code of Practice for Wastewater Infrastructure.

Environmental Health Officer

The Report received from the HSE Environmental Health Officer indicated no objection to the proposed development, subject to the following conditions:

- Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.
- The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.
- A suitable location for the storage of refuse shall be provided during the operation phase of the proposed development so as to prevent a public health nuisance.
- Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.
- The water supply to the premises shall be taken directly from the rising mains.
- Signage or lighting to be used on site during the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

Screening for Appropriate Assessment

The applicant has not provided information in relation to Appropriate Assessment. With regard to the nature and scale of the proposal, it is not likely that the proposed development would have a significant impact on any Natura 2000 sites, either individually or in combination with any other plan or project, and therefore a Stage 2 Appropriate Assessment would not be required.

Screening for Environmental Impact Assessment

A mandatory EIAR is not required by Schedule 5 of the Planning and Development Regulations 2000 (as amended) for this development. Having regard to the nature and scale of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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Planning Note:

At this point it should be noted that the Applicant has not provided Existing (Permitted) Elevations to allow a full comparison of the existing (permitted) and proposed scenarios. The Planning Authority is satisfied that these can be provided by way of ADDITIONAL INFORMATION.

Conclusion

The Planning Authority is not opposed to the proposed Change of Use of the permitted café unit to a pharmacy unit. Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, it is considered that the proposed development may be generally acceptable in principle. However, the Planning Authority has significant concerns regarding the design and layout of the proposed development, having particular regard to the universal accessibility of both the Pharmacy unit and the community use at first floor level. In this regard, ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. (A) Notwithstanding that the proposal largely comprises of internal re-configuration of the layout permitted under SD20A/0037, the Planning Authority is concerned that the proposed development has not taken enough cognisance of the curtilage in which the structure will now sit and how the pharmacy use will significantly change the dynamic of the use of this space, specifically to the rear/south of the site. It is not clear how the space that immediately abuts the entirety of the structure will now function and it is unclear how the pharmacy will successfully operate on this site.
 - (i) The Planning Authority request that a usability and functionality study of all the lands surrounding the entire subject structure be carried out and submitted. This study should include proposals for the usability and functionality of each of the spaces and any nooks and crannies created by the structure.
 - (ii) The usability and functionality study should demonstrate in a clear and concise way how the proposed layout would be universally accessible, particularly from the Main Street, the new estate road to the west, the access to the south-east and the car park to the rear of the building.
 - (iii) If the spaces are not to be universally accessible the applicant should clearly indicate uses of these spaces and their functionality and provide design solutions for their protection and success.
- (B) The drawings provided by the Applicant appear to indicant retaining walls which dissects the entrance plaza to the rear of the mixed-use building with no clear access from the sloping footpath from the car parking ramp nor from the estate road to the community space entrance to the east. Notwithstanding the previous grants of permission on this site, the previous uses of community and café were complementary and would have ensured

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that the space surrounding the structure was active. The Planning Authority is not convinced that the proposed pharmacy use will activate each of these spaces in a successful way. In this regard:

(i) the provision of cross sections through the car parking area, entrance plaza and mixed-use building (including on a north-western to south-eastern axis) should be submitted to aid the understanding of this area, particularly the changes in levels and access arrangements.

(ii) 3D or CGI drawings of:

(a) the area at the proposed sole entrance to the Community Centre and

(b) the access point to the rear of the Pharmacy unit previously notated as 'café external seating area'

are requested to be submitted.

(C) The applicant should note that if the findings of the usability and functionality study require significant modifications to be made to the overall design revised proposals to include drawing should be submitted to address all findings and concerns that the Planning Authority may have. At a minimum, it should be demonstrated that each of the spaces will not result in dark and unusable spaces which may give rise to anti-social behaviour a

(D) The applicant is requested to confirm if the access from the estate road will be closed at certain times of the day/night and how this closure of the space will appear (drawings to be submitted, if a gate is to be proposed).

2. The Planning Authority is concerned with the changes in the levels in proximity to the site, especially in relation to the finished floor levels of the structure and accessibility to the lands to the rear/south of the structure and to the east. The level differences are noted as follows (Levels below are taken from the original drawings permitted under SD20A/0037):

- The level of the permitted car parking is approximately 91.5. The level of the permitted 'café external seating area' is approximately 90.6, which represents a level difference of 0.9m. This level difference is even greater (a level difference of 2m) when using the finished floor level of the originally permitted café, 89.5).

- The original ground floor access to the community centre is approximately 89.5 and the now proposed sole access to the community centre is 91.3m. The level difference is approximately 1.8m.

- The level of the permitted car parking is approximately 91.5. The level of the entrance to the community space is 91.3, a difference of 0.2.

(i) Having regard to the above, the applicant is requested to demonstrate how the level changes will be addressed to ensure adequate functionality of both the pharmacy and the community space.

(ii) With regard to the slight level change from the permitted car parking to the level of the entrance to the community space the applicant is requested to confirm that this will be

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a sloped pathway and will not be provided with a step. If it is a slope in the pathway this should be clearly notated on drawings similar to notation of the pathway from the car parking area to the originally granted 'café external seating area'.

3. The Planning Authority has concerns regarding the universal accessibility of the mixed-use building.

It is noted that the proposed development includes elevational amendments which will result in the reduction of the total number of access points to the building. The drawings provided by the Applicant indicate the removal of 4 No. access points, including 1 fire exit. The Planning Authority has significant concerns regarding the removal of the access point in the north-eastern corner of the building, which was previously granted for ground floor access to the lift to the first-floor community space. The Planning Authority notes that permission was previously granted (SD20A/0037) for development:

'comprising of a café (c.225sq.m) at ground floor and a community centre at the first floor (c.140sq.m) with associated ground floor access (total GFA c.468sq.m).'

It is noted that changes in the north-eastern access will reduce the access to the first-floor community centre to 1 access point, which is located 1.8m above street level. The access to the community centre therefore appears to be orientated towards the permitted car park to the rear of the building and away from the front and street level (potentially making the community space car-centric). This could potentially lead to the disenfranchisement of other members of the community from fully accessing the site, such as children, older people and non-car users. Furthermore, it is unclear how mobility impaired access to the community space will be achieved, particularly from street level.

(i) The applicant is requested to confirm the above and modify the proposed development as follows:

(a) the access point at street level should be re-instated to facilitate universal access to the first-floor community centre from the Main Street.

(b) the access from the car park to the community space entrance should be clearly demonstrated in plan form to provide a pathway to the community centre void of steps and obstacles for the mobility impaired.

(ii) The Planning Authority notes that the Applicant has not provided a rationale or justification for the removal of the internal fire escape stair and lobby at ground and first floor levels and associated fire exit in the western elevation of the building. The applicant should demonstrate that the removal of this fire escape route and exit point would be acceptable from a fire safety perspective.

4. The Applicant is requested to provide the following additional drawings to facilitate the complete assessment of the proposed development:

(i) Elevations and Sections of the Existing mixed-use building permitted under SD20A/0037.

(ii) More detailed floor plans demonstrating the proposed layout of the Pharmacy unit at ground floor level and confirming that no amendments are proposed to the Community

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Centre at First Floor Level.

(iii) Cross Sections through car park, entrance plaza and mixed-use building.

5. (i) A full landscape masterplan for all the lands that immediately about the subject structure is requested to be submitted.
(ii) The Planning Authority welcomes the retention of the extensive glazing along the western elevation of the building. To protect and strengthen this element of the design, the Planning Authority seeks the inclusion of defensible planting along the strip of green space along the western elevation beneath this glazing. This element should form part of the landscape masterplan requested under item i. above.
(iii) Clarification is required regarding the proposed planting along the southern elevation adjacent to the curved wall of the south-western corner of the unit. It is understood that this area was originally intended to be for outdoor seating for the Café unit. However, given the proposed Change of Use, clarification is required as to proposed treatment of this area.

Note: Notwithstanding that these areas lie outside the redline boundary of this Planning Application, they are within the land ownership blue line, and are considered vital to the security, accessibility and functionality of the mixed-use building.

6. The Planning Authority has concerns that the proposed pharmacy use will result in a different dynamic than that created by a café/community centre, which was initially assessed in previous planning permission. The pharmacy is likely to generate additional deliveries and will generate 'quick-stop' journeys to collect medication. Having regard to the proposed change of use and the nature of the use, the applicant is requested to explore both these issues and submit revised proposals that demonstrate that considerations has been given to loading of deliveries and providing ease of access for quick collections from Main Street and confirm if on-street car parking can be provided. In this regard, the applicant should liaise with the Roads Department.

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REG. REF. SD21A/0311

LOCATION: Lands at Main Steet, Newcastle, Co. Dublin

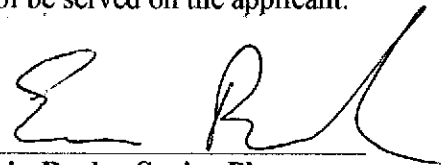


**Sarah Watson,
Executive Planner**

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date:

20/1/22



Eoin Burke, Senior Planner