

**An Rannóg Talamhúsáide, Pleanála agus Iompair**  
**Land Use, Planning & Transportation Department**  
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**PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING  
REGULATIONS THEREUNDER**

<b>Decision Order Number: 0078</b>	<b>Date of Decision: 20-Jan-2022</b>
<b>Register Reference: SD21A/0311</b>	<b>Registration Date: 17-Nov-2021</b>

**Applicant:** Cedarglade Limited

**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

**Application Type:** Permission

Dear Sir /Madam,

With reference to your planning application, received on 17-Nov-2021 in connection with the above, I wish to inform you that before the application can be considered under Section 33 of the Planning & Development Act 2000, six copies of the following ADDITIONAL INFORMATION must be submitted.

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 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 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 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 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 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.

**NOTE:** The applicant should note that any submission made in response to the above will be examined and MAY be deemed to be SIGNIFICANT ADDITIONAL INFORMATION by the Planning Authority. In this event the applicant(s) will be subsequently notified and requested to publish a notice in an approved newspaper and erect or fix a site notice on the land or structure to which the further information relates and to submit copies of the both the newspaper and site notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended).

**Note:** The applicant must submit the Further Information within **6 months** of the **date of decision**. If the information is not received within this period the planning authority shall declare the application to be withdrawn.

**Please ensure that your reply to this Request for Additional Information is accompanied by a covering letter marked "ADDITIONAL INFORMATION" and that the Planning Register Reference Number given above is quoted on the covering letter.**

Signed on behalf of South Dublin County Council

**Register Reference:** SD21A/0311

**Date:** 24-Jan-2022

Yours faithfully,

*Brian Connolly*  
for **Senior Planner**