

Planning Application Report

**Proposed Change of Use at Permitted
Mixed Use Development (Ref. D20A/0037)**

**Lands at Main Street, Newcastle,
Co. Dublin, bordered by Main Street
to the north, Orchard Grove to the east,
residential properties to the south and
Graydon Road to the west**

**On behalf of
Cedarglade Limited**

November 2021

**Brock
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1 Introduction

We, Brock McClure Planning & Development Consultants, 63 York Road, Dun Laoghaire, Co. Dublin, are instructed to submit this application on behalf of **Cedarglade Limited** for a change of use from Café to pharmacy as part of a permitted mixed use development (Ref. D20A/0037) at **lands at Main**

Street, Newcastle, Co. Dublin, bordered by Main Street to the north, Orchard Grove to the east, residential development to the south and fronting Graydon Road to the west.

This application report is intended to specify the rationale behind the subject proposal; to identify compliance with relevant statutory documentation; and to provide a detailed description of the proposal for the benefit of the Planning Authority.

We wish to highlight from the outset, that our client is committed to working with the Planning Authority to deliver on a mixed use scheme that is appropriate to the site and the surrounding development at Newcastle, Co. Dublin.

The current application is an attempt to provide for an appropriate retail offer at this location and is one that is viable, has an identified occupier, and is ready for delivery. We trust that the Planning Authority will have due regard to this in their assessment of the scheme.

1.1 Applicant and Design Team

The scheme now before the Planning Authority has evolved following input from the following design team:

- Cedarglade Limited (Applicant)
- MCA Architects (Design Architects)
- Brock McClure Consultants (Town Planning Consultants)

The various inputs from the design team are referenced where relevant within this report. For clarity purposes, the full list of enclosures for this application is included in Section 11 of this Report.

We trust that the preparation and submission of these documents will assist the Planning Authority in reviewing the proposal.

1.2 Compliance with Planning Regulations

We confirm that prior to lodging this planning application, all relevant drawings were screened by this office with reference to the *Planning & Development Regulations, 2001 – 2019* and are consistent with the spirit and intent of same.

In accordance with article 22(2) (a) of S. I. No. 685 of 2006, a copy of the newspaper notice and the site notice accompanies this planning application.

In accordance with article 22(2)(b) and (d) of S. I. No. 685 of 2006 this planning application is accompanied by 6 no. copies of a location map of sufficient size, prepared by MCA Architects, and clearly identifies, at a scale of 1:1,000 the lands which are the subject of this application outlined in red.

In accordance with article 22(2)(b) of S. I. No. 685 of 2006 the approximate location of the Site Notice erected is identified on the Site Location Map.

In accordance with article 19(1)(b) of S. I. No. 685 of 2006 the Site Notice has been printed on indelible ink on a white background.

In accordance with article 22(2)(h) of S. I. No. 685 of 2006 the appropriate fee payable to the Planning Authority with respect to this planning application is calculated at the end of this Report.

In accordance with article 23(1)(a) of S. I. No. 685 of 2006 the lands which are the subject of this application are outlined in red on the enclosed Site Layout Plan at 1:500 scale by MCA Architects.

In accordance with article 23(1)(f) of S. I. No. 685 of 2006 plans and drawings of elevations and sections indicate in figures the principal dimensions (including overall height) of any proposed structure.

In accordance with article 23(1)(g) of S. I. No. 685 of 2006 all OS mapping is appropriately identified.
In accordance with article 23(1)(h) of S. I. No. 685 of 2006 the north point is indicated on all relevant maps and plans.

2 Site Context

The site and surrounding context is detailed within this section.

2.1 Subject Site

Newcastle Village is located on the western side of Dublin City and c.2km north of the N7 National Primary Route approximately 3 km north of Rathcoole and 3 km South of Celbridge, County Kildare. The subject site is an area of land addressing Main Street (R120), bounded by residential development on Orchard Grove to the east and the backyards of properties fronting Main Street on the west. The size of the overall site that includes the permitted supermarket is approximately 1.157 ha with this change of use application limited to the 316sqm parcel for the mixed use unit permitted at the front of the site.

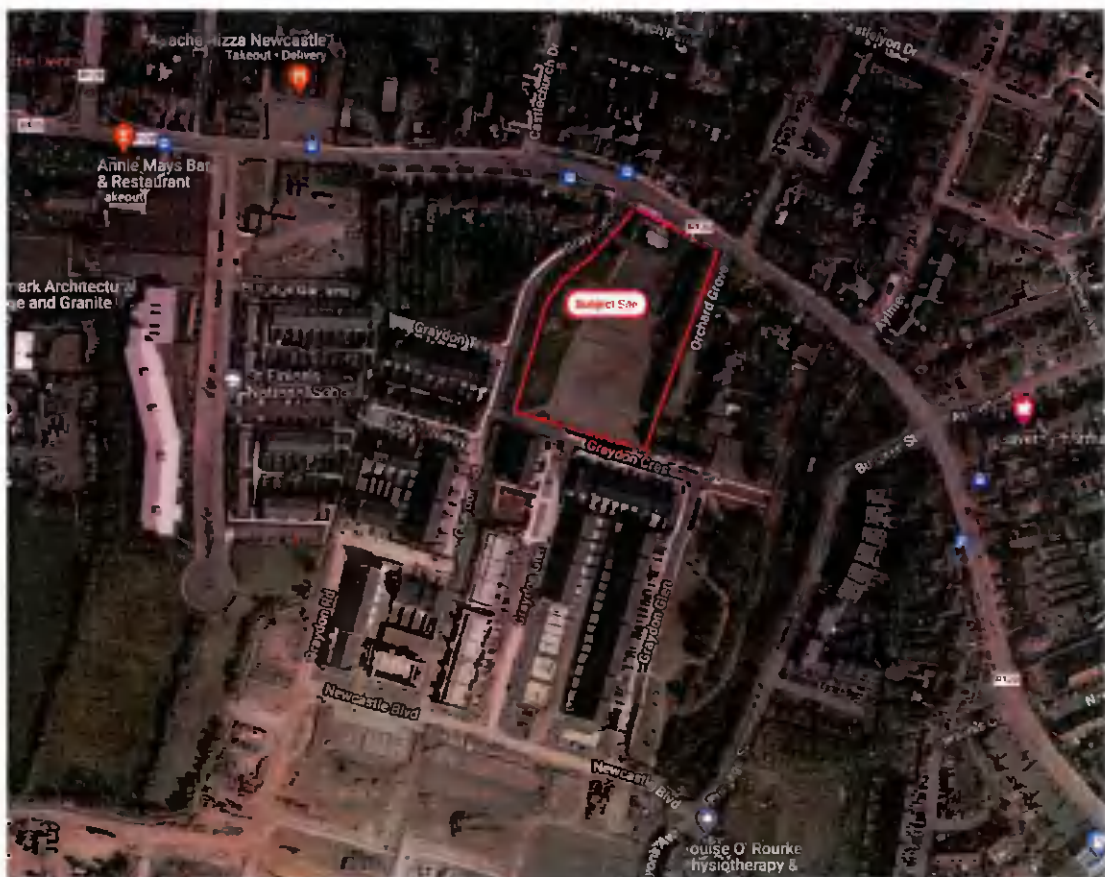


Figure 3 – Aerial Photo of Indicative Site outlined in Red



Figure 4 - Street View of the Site

The site is greenfield in nature and is a key development site located along Main Road (bounded generally by a right of way to Cornerpark, Orchard Grove and land currently being developed for residential purposes). The site is relatively level and is currently covered with hardcore in preparation for site development works for the substantial neighbourhood centre development. A Temporary Sales office is currently located to the front of the site as permitted under SHD3ABP-305343-19 as part of the overall residential development permitted.

For context purposes, we have included a street view of the site (Figure 4 above). We can confirm that enabling works have commenced for the primary development footprint on site and the concrete slab is now in place. The proposed pharmacy use is more suited to this location as commercial demand dictates and an occupier has already been agreed in principle subject to this change of use application.

2.2 Surrounding Context

The site is situated to the west of semi-detached dwellings on Orchard Grove and to the east of semi-detached dwelling 1 Main Street and the backyards of other semi-detached dwellings fronting Main Street. Surrounding development is generally characterised as 2 storey in nature with emerging 3 storey development to the south and west. The google street view photos below provide a visual of properties along Main Street directly opposite the subject site and on Orchard Grove.

Lands to the south of the site are currently being developed based on a granted Strategic Housing Development application for these lands (Ref. 305343-19).



Figure 5 – Adjacent properties along Main Street



Figure 6 – Orchard Grove

3 Planning History

The planning history associated with the subject site is considered herein in order to determine a planning precedent for the proposal now before the Planning Authority.

3.1 Subject Site

Having reviewed the public planning file, we can confirm that there are a number of applications of note pertaining to the subject site, which is summarised below for the purposes of this report.

Reg. Ref. SD05A/0344 (ABP Ref. PL 06S.217096)

A planning application was lodged on behalf of Tenbury Ltd on 04 May 2005 for development of 743 no. dwellings, including a neighbourhood centre of 1,859.2 sq m and a crèche of 846 sq m, at Ballynakelly and Newcastle South, Newcastle-Lyons, County Dublin. The neighbourhood centre comprises of 5 no. retail units measuring 69 sqm, 84 sqm, 90.5 sqm, 101 sqm and 134 sqm, public house measuring 935.4 sqm, off licence measuring 189 sqm and restaurant measuring 255 sqm. The proposed development also provides for roads infrastructure including 3 no. junctions with Newcastle-Lyons Main Street (R120 Rathcoole Road) and 1 no. junction with the Athgoe Road; and on and off street car parking.

On assessment of the case, the Planning Authority requested further information from the applicant in relation to: revise downward the density; review building height and design; internal separation distances; relocation of the proposed neighbourhood centre; preparation of a design statement; road design issues; archaeology; provision of childcare facilities; landscaping and environment; compliance with policy on unit mix; and attenuation and water supply.

The Planning Authority requested that the applicant submits a response from the Department of Environment, Heritage and Local Government, Archaeological Division clarifying the Departments requirements. We note that the submitted response stated that the Department had no objection to the proposal, and recommended that an Archaeological Schedule of Mitigation should be proposed to the authorities prior to making the final decision.

The applicant submitted further information including revised plans in December 2005. South Dublin County Council granted permission on 14 March 2006. First party appeal against the Planning Authority's decision in relation to the amount of the development contribution sought. An Bord Pleanála decided that the terms of the Development Contribution Scheme has not been properly applied and directed the Planning Authority to amend condition 43.

Permission was granted for the proposal subject to 44 conditions. Key conditions to note are as follows:

- Condition 5 omitted the entire neighbourhood centre and stated that this shall be subject to a separate application. It was considered the scale of this centre should be reduced and be redesigned.
- Condition 29 required that prior to any work on site test excavation and excavation work should be carried out by a suitably qualified archaeologist, an Archaeological Schedule of Mitigation and Full Archaeological Assessment submitted to the Planning Authority and to DEHLG for their review and further recommendations, and archaeological monitoring and recording of excavation work.

The extent of the overall masterplan proposed is detailed in Figure 7 below:

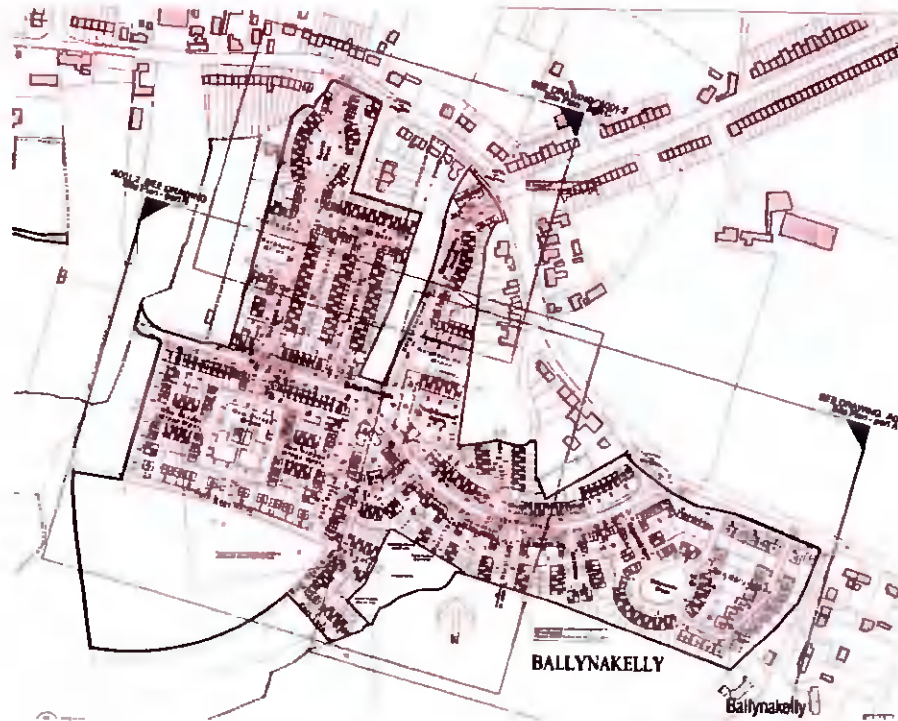


Figure 7 - Proposed Site Layout

On 10 September 2014, an extension of duration was granted on permission SD05A/0344. This extended the permission on the site until 03 November 2017.

We note that only part of this development was ever constructed, and the permission has since expired.

Parent Permission Reg. Ref. SD20A/0037

On the 17th of April 2020 South Dublin County Council granted permission for the following development on the subject site:

“The proposed development will consist of the demolition of 3 no. existing structures on site (total c.226 sqm), comprising 1 no. habitable house and 2 no. associated outbuildings/sheds (permitted under Ref. ABP-305343-19), and the construction of 1 no. double storey (c.9.2 m overall height) retail development in the form of a convenience supermarket (GFA c.1,759 sqm); 1 no. 2 storey mixed-use building (c.10.7 m overall height) comprising of a café (c.225 sqm) at ground floor and a community centre at the first floor (c.140 sqm) with associated ground floor access (total GFA c.468 sqm); and an ESB sub station (c.22 sqm).

The anchor supermarket unit will provide for a net retail sales area of c.1,222 sqm, a warehouse of c.200 sqm, welfare area of c.190 sqm 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 no. car parking spaces and 50 no. bicycle parking spaces; advertising structures and signage (totalling c.81 sqm); 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. ABP-305343-19); vehicular entrances to the surface car park and service yard; and all associated site development, site services and landscape works.”

A convenience retail unit of GFA c.1,759 sqm (Net sales area c.1,222 sqm inc. entrance lobby) and mixed use block (c. 468sqm GFA) were permitted within this scheme. The mixed use unit contained a permitted café and community centre use at ground and first floor respectively.

This subject application specifically relates to amendments to this mixed use unit. The amendments involve changes to the Café unit only, where it is proposed to change the use to pharmacy. The community centre use at first floor level is to remain in place. Some additional minor amendments

including provision of a roof top plant area and removal of internal stairs are also included. These amendments are described in detail in the following section.

For the convenience of the Planning Authority the permitted Site Layout Plan and Floor Plan of the Supermarket Unit as permitted, are shown below.



Figure 2 – Permitted Site Layout Plan (as permitted under Reg. Ref. SD20A/0037)

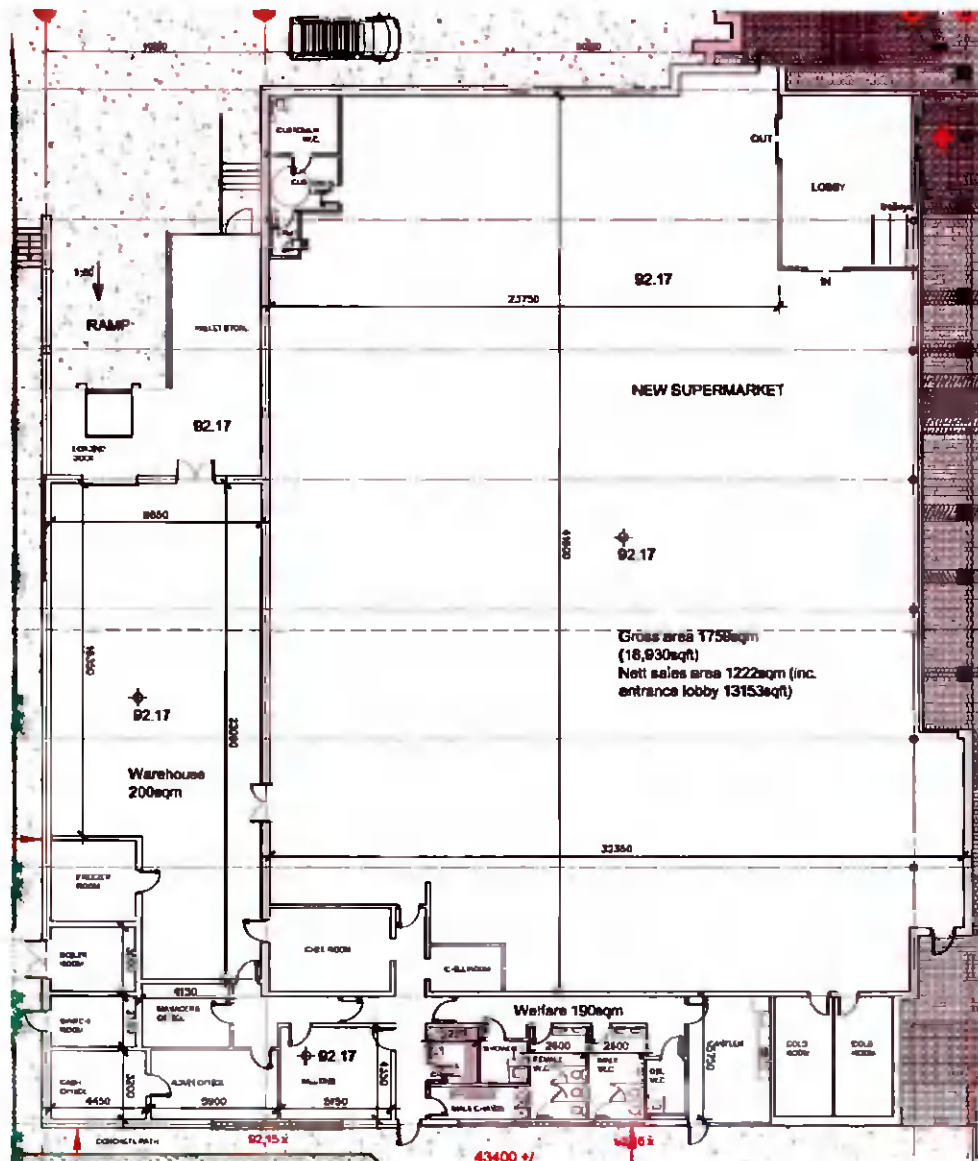


Figure 3 – Permitted Floor Plan of Anchor Supermarket Unit (as permitted under Reg. Ref. SD20A/0037)

Reg. Ref. SD20A/0343 (ABP Ref. PL 06S.217096)

In December 2020, Cedarglade Limited applied for the following development at the subject site:

“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.”

The proposed amendment was granted permission by South Dublin County Council in February 2021.

3.2 Surrounding Area

A Strategic Housing Development application has been granted for the lands to the west and south of the subject site. Details of this application are summarised below.

Reg. Ref. SHD ABP-305343-19

Cairn Homes Properties Ltd. applied to An Bord Pleanála on 04 September 2019 for permission for a Strategic Housing Development (SHD) on lands at Newcastle South and Ballynakelly, Newcastle, Co. Dublin. The site outlined in this application includes and is adjacent to lands that are the subject of this application.

A site layout plan of the SHD development is shown below.

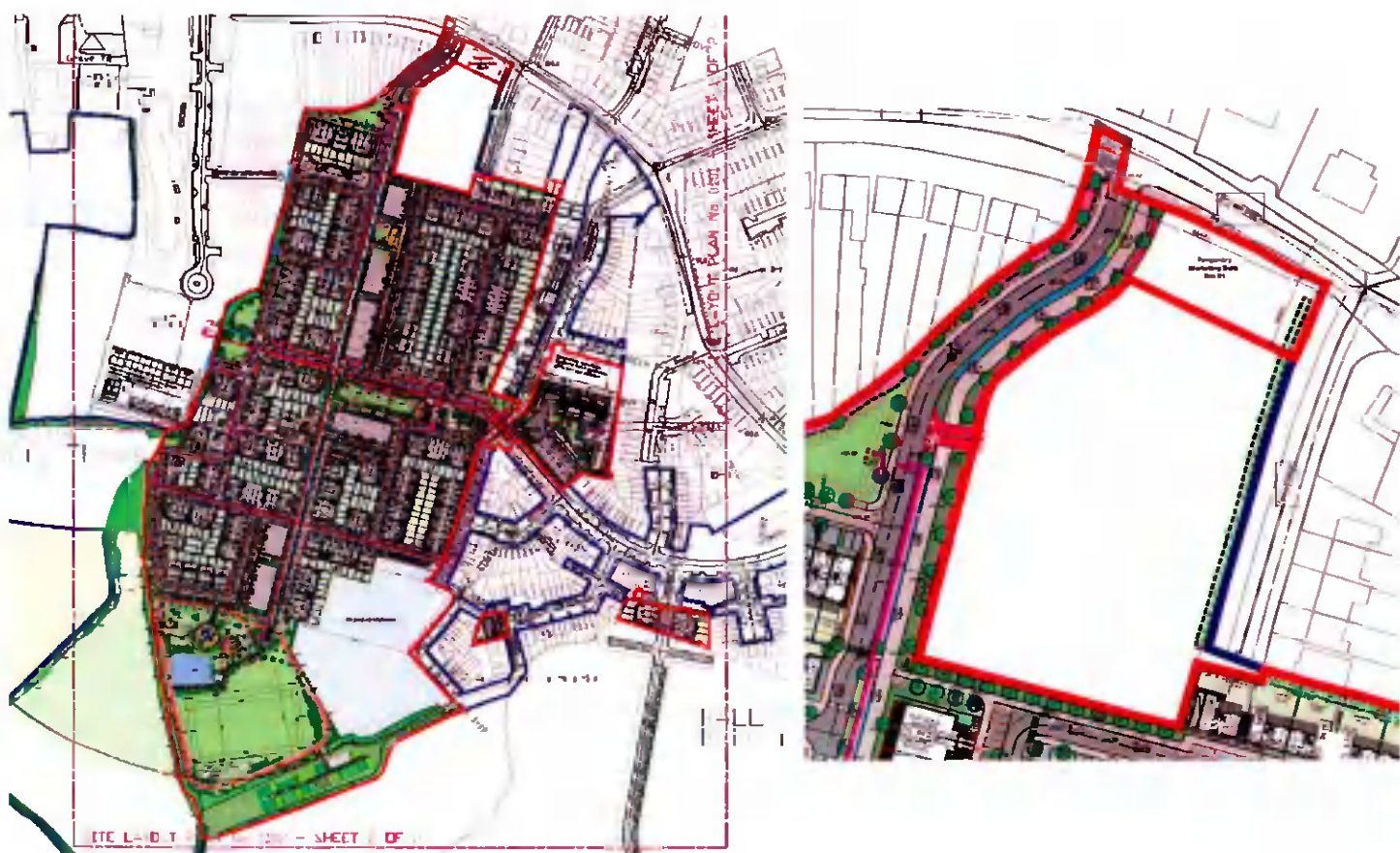


Figure 8 – Extracts from site layout plan showing overall site layout on the left and a close up of the subject site on the right.

The SHD will involve the demolition of 5 structures on site and the construction of 406 no. residential dwellings, a childcare facility, a retail/commercial unit (GFA 67.7 sqm), open space, associated parking, reservation of a site for a future primary school, new access and a temporary marketing suite. Building heights range from 2 to 4 storeys.

The proposal represents Phase 1 of a larger landholding. The subsequent phased delivery (Phase 2) of a further 291 units will be subject to a separate planning application.

A 7 year permission was granted on 23 December 2019 subject to 32 no. conditions. This includes permission for an access road from Main Street along the western boundary of the site:

“The proposed development also provides for a new east-west link street with dedicated cycle and pedestrian paths, the continuation of Newcastle Boulevard across the site and the provision of a new north-south link street with greenway to Main Street. The proposed development facilitates a number of future potential pedestrian, cycle and vehicular links to existing and proposed adjoining development and in particular has had regard to the

permitted layout of Reg. Ref. SD17A/0358 (ABP Ref. 301421). Access to the proposed development is via a new north-south link street, with a new entrance onto Main Street, and via the existing road network from Newcastle Boulevard to the east.”

We note that this new access road is now permitted and constructed as Graydon Road.

A temporary marketing suite will be located in the northern portion of the site, on the lands the subject of this application:

“The proposed development also provides for a temporary, single storey marketing suite and associated signage (including hoarding) during the construction phase of development only.

The proposed marketing suite will have a gross floor area of 81sqm and will be used for sales of properties associated with the proposed development only. The overall height of the proposed signage will be 4.55m from ground level comprising three panels in a triangular form of 1.5mx3.05m (total area of signage 13.73sqm).

Two temporary locations have been identified for the proposed marketing suite, one on the Main Development Site adjacent to Main Street, and the second on the Ballynakelly Site. It is envisaged that the proposed suite, and associated signage, will be moved from one location to the other as development progresses across the site. At no point will there be more than one marketing suite located on the application site.”

We note this suite is only to be located on site during the construction phase and the intention is to develop this area for mixed use (retail and community). Planning permission Ref. SD20A/0037 confirms this intention and this subject application seeks to amend the café use to pharmacy use.

3-3 Planning History Conclusion

We ask that the Planning Authority note the following as key planning history considerations:

- There is scope for the provision of community centre floor space at this location as granted permission and retained in this change of use application.
- The planning history of the subject and adjacent sites shows a history of approved development on the site and in the area.
- There continues to be a number of residential schemes granted or applied for in Newcastle. This supports the need for local amenities and shops to serve the growing population in the area.

4 Proposed Development

The lands the subject of this application, are outlined in red on the enclosed Site Location Map and enclosed Site Plan drawings prepared by MCA Architects. The extent of the site layout is detailed below with the overall land ownership outlined in blue. The subject application relates to the mixed use block to the front of the site.

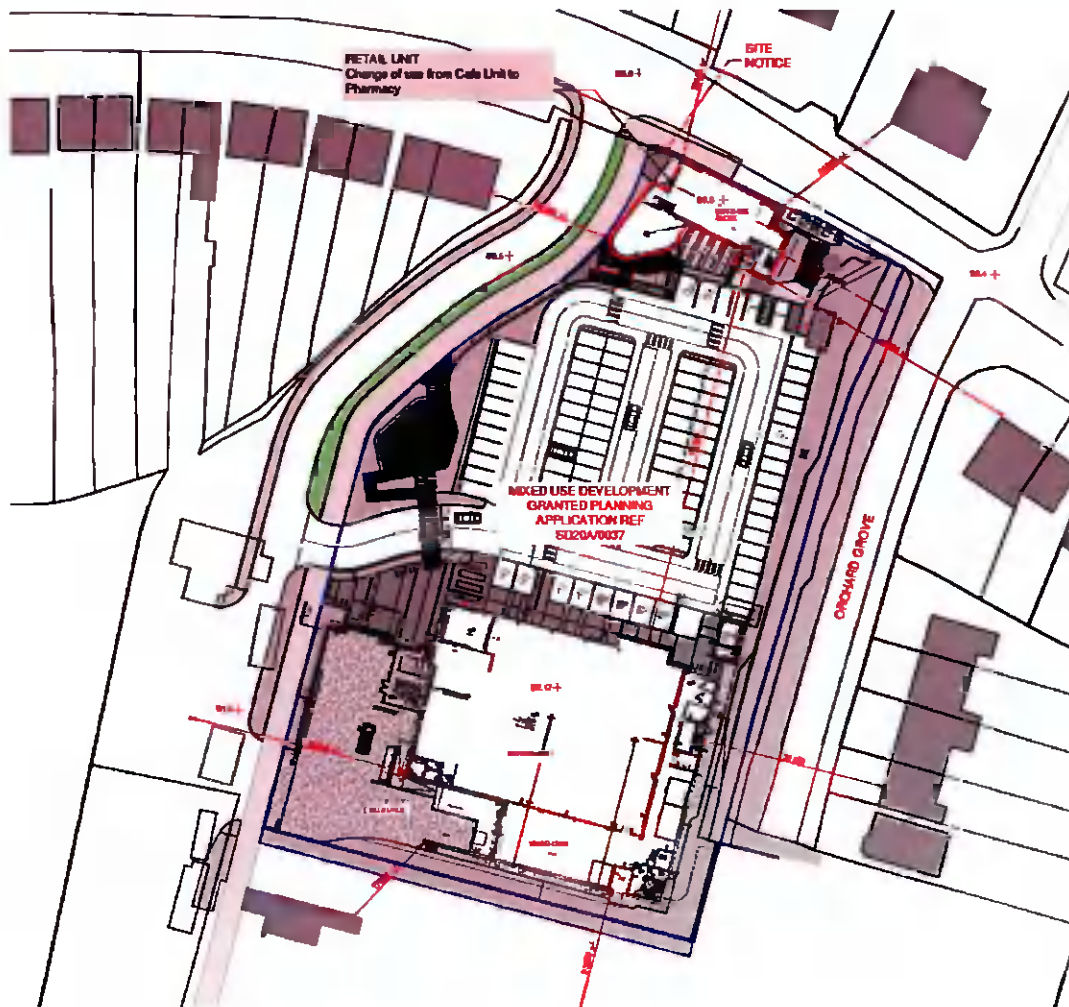


Figure 9 - Proposed Site Layout

The Planning Authority will note that the subject site is a key infill site for development.

4.1 Summary of Proposed Development

The subject proposal includes the change of use of the permitted Café unit (approx. 225sqm, net) as granted under Reg. Ref. SD20A/0037 to use as a pharmacy (approx. 251sqm 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, and inclusion of an accessible WC at first floor level within the permitted community use space. External alterations include amendments to the external elevation to replace permitted access doors with solid glazing (no alteration to external appearance) and the provision of an external plant space at first floor level with a 1200mm high louvre screen.

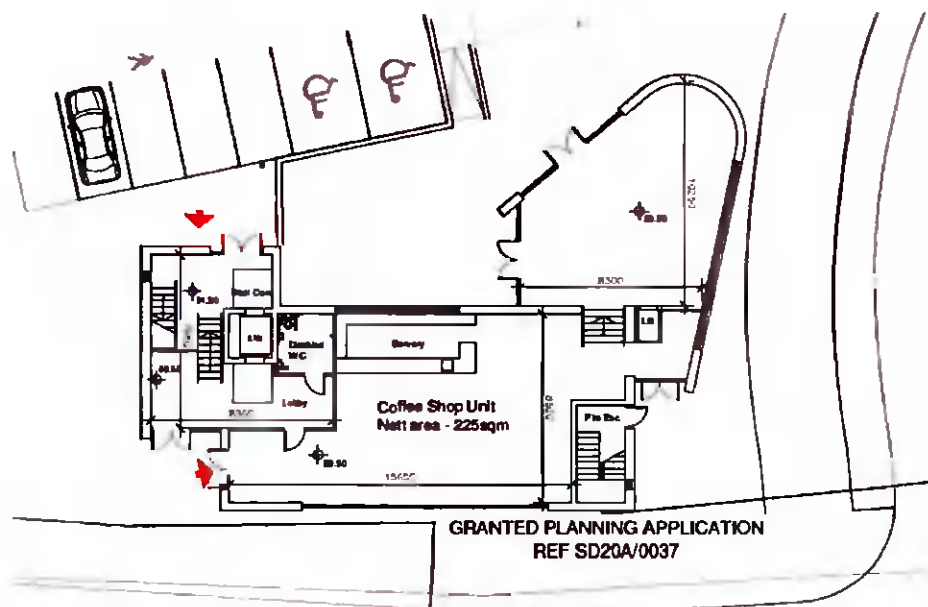
4.2 Detailed Description

The details of the development proposal are summarised within this section for the convenience of the Planning Authority.

4.2.1 Café Unit – Change to Pharmacy

A commercial unit of c. 225 sqm in size is permitted at the ground floor of a two storey mixed use building at the front of the site. It is proposed the ground floor of this unit will be converted to a pharmacy unit of c. 251 sqm. The removal of one internal stair core and proposed servery results in an increased available floor area of 26sqm.

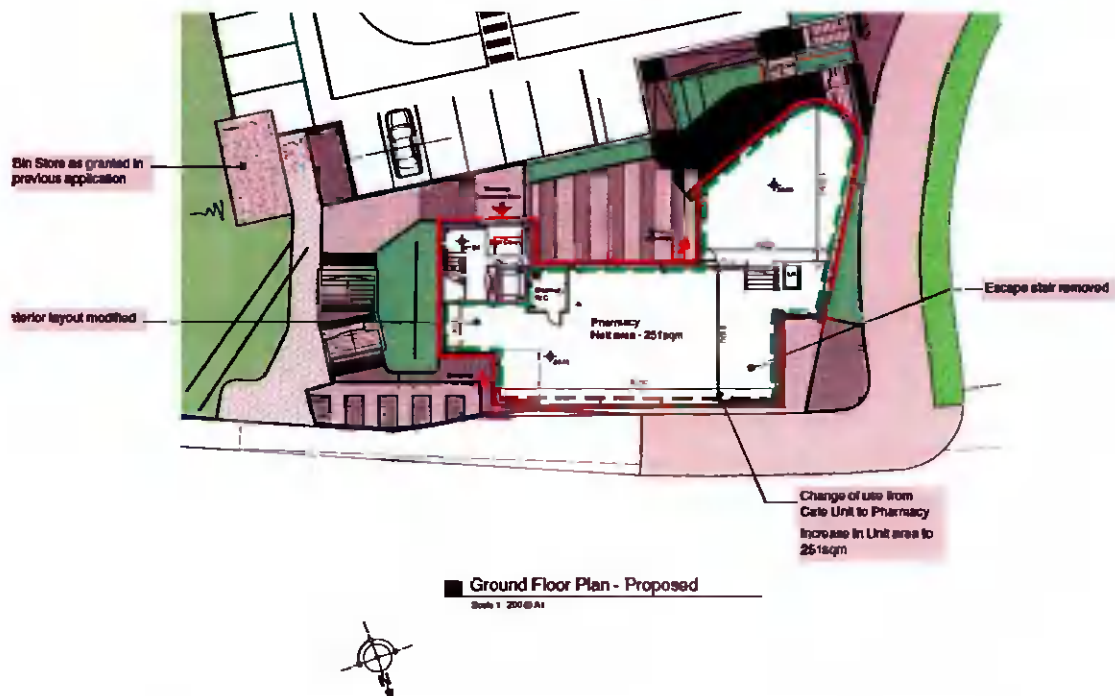
The ground floor of the building is located over two levels and can be accessed on the north, east and south elevations. The proposed change of use involves a reduction of access points from 3no. (2no. on east elevation and 1no. on south elevation) to 2no. (2no. on east elevation on opposite sides of the unit) as shown below.



Ground Floor Plan - Granted Reg. Ref. No SD20A/0037
Scale 1 : 200 @ A1

Permitted Ground Floor Layout – 3no. access points to Café unit

Access to the stairs and lift to the community use at first floor level is also reduced to one access point, from the south elevation in this revised proposal. The revised access points do not result in any alterations to the visual appearance of the glazed external elevation treatment and are simply a replacement of openable doors with a fixed glazing and frame treatment.



Proposed Ground Floor Layout – 2no. access points to Pharmacy Unit

Stairs and a lift will be provided for access over the two levels inside the building. Internal layout changes include removal of one stair case to increase the internal floor area.

Access to the community use at first floor level will be via a separate access point on the southern elevation with a separate stairs and lift access.

4.2.2 Community Centre

Located at the first floor of the mixed use building will be a community centre c.140 sqm in size. This permitted use will be maintained with the current proposal. This facility will be accessed from the ground floor via stairs and a lift in a separate part of the building to the proposed pharmacy.

The intended operator of the pharmacy unit will manage the use of the community centre, and intend on providing it for the exclusive use of wider community needs.

We understand that there is currently a limited amount of community floorspace in Newcastle with the only other centre being St Finians Community Centre. There have been a number of residential schemes permitted in Newcastle within the last few years and the need for community space is apparent. The Newcastle LAP outlines phases of development which includes additional community centre floorspace.

The operator, Musgraves, has a long tradition of being involved in community initiatives. Musgraves have supported local charities over a number of years. Through their partnership with FoodCloud, they have helped provide quality, fresh food to some of the most vulnerable people in the community.

5 Newcastle Local Area Plan 2012-2017 (extended to 2022)

South Dublin County Council South Dublin City Council extended the duration of the Newcastle Local Area Plan for a further period of 5 years, until November 2022.

The proposed development involves change of use from Café to Pharmacy with some associated internal works within the permitted structure of the mixed use building.

The proposed development will involve an increase of approx. 26 sqm in GFA of the ground floor unit. This does not represent a significant change to the available floor area of the building or any associated development standards. The proposed development is therefore still considered to be in compliance with the objectives, policies and standards of the Newcastle Local Area Plan 2012-2017 (extended to 2022).

6 South Dublin County Development Plan 2016-2022

Relevant to the planning context of the site and development proposal is the South Dublin County Development Plan 2016-2022.

The relevant provisions of this document as they relate to the subject site and proposed development are detailed below.

6.1 Zoning

The relevant zoning is detailed in Figure 17 below for context purposes.

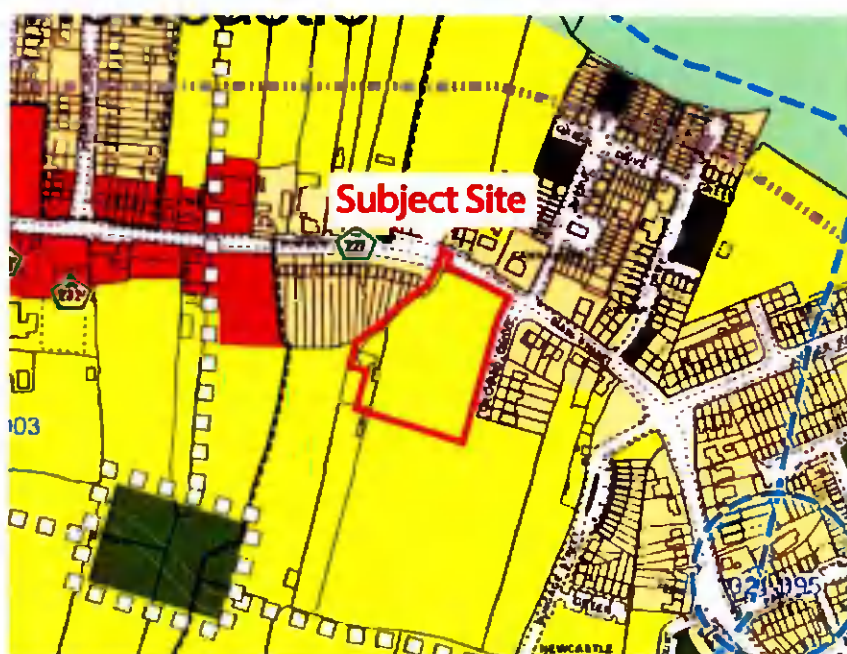


Figure 17 – Development Plan Zoning with site outlined in Red

The subject site is zoned **Objective RES-N** which has an objective: “To provide for new residential communities in accordance with approved area plans.”

In addition, the subject site (and wider village) is identified in the Development Plan maps as a **Recorded Monument** (Ref.020-003, Newcastle Village). The site is also located within an **Area of Archaeological Potential**.

The site is also located within an area designated as a **Geological Site for Protection**. Table 9.6 of the Development Plan refers to the Newcastle Buried Channel as a Geological Site for Protection. The site is described as “a deep buried channel in the Carboniferous Limestone bedrock, representing the site of a former Vauclusian Spring type cave (a large resurgence of groundwater from a cave)”

located at the townlands of Newcastle Farm, Newcastle Demesne, Glebe, Athgoe North, Newcastle South, Ballynakelly, Newcastle North, Cornerpark and Commons Little.

We confirm that a Shop –Neighbourhood and a Community Centre are all Permitted in Principle in the 'RES-N' zoning. A pharmacy is considered a small neighbourhood shop offering a localised service.

These uses are defined as:

Community Centre

A building or part thereof used for (community) activities organised primarily by the local community and to which the public may be admitted on payment of a charge or free of charge.

Shop – Neighbourhood

This category includes smaller shops giving a localised service in a range of retail trades or businesses such as butcher, grocer, newsagent, hairdresser, dry cleaning or launderette, and designed to cater for normal neighbourhood requirements. It also includes a small supermarket on a scale directly related to the role and function of the settlement and its catchment and not exceeding 2,500 sq.m. net retail floorspace.

Shopfront Design

Development proposals for new or amended shopfront(s) should address the following design criteria:

- Relate to the architecture of the building of which it forms part of and respect the scale and proportions of the streetscape.
- Maintain the existing grain of development along the street by respecting the appropriate plot width.
- The scale of windows and frequency of openings should seek to maximise activity and surveillance to the adjacent street.
- Utilise materials, colours and textures that complement the architectural character of the building and integrate with the overall visual unity of the streetscape.
- Architecturally integrate signage that is of a high standard of design, finish and installation.
- Take a balanced approach to the design of security measures to ensure that the need to secure the premises and avoid conflict with visual amenity. For this reason, the use of roller-shutters will be restricted.
- Ensure canopies, outdoor seating and displays add to the attractiveness and vibrancy of an area and do not disrupt movement along footpaths.

The proposed development will be of a similar scale and proportion to existing buildings along Main Street and is not altered from what has already been granted permission. The mixed use building sits at the front of the site, along Main Street with the only alteration being the proposed plant at roof level and replacement of permitted access doors with like for like glazing treatment. The proposed plant is considered to be appropriately screened from external view and will not have a major impact on the appearance of the building and is located to the rear, away from Main Street. This building has been designed to be in-keeping with the two storey development seen along Main Street in this area and is therefore considered acceptable.

7 Conclusion

We invite the Planning Authority to grant permission for the development as proposed having regard to the following:

- The subject site is c. 1.22 ha and located on lands zoned as Objective RES-N which has an objective: *“To provide for new residential communities in accordance with approved area plans.”*
- The proposed development will consist of a change of use at ground floor level of the mixed use block at the front of the site from permitted café to pharmacy.
- The proposal includes minor alterations to the interior of the building including the removal of a stair core and servery which will increase the available internal floor area from 225sqm to 251sqm.
- The proposed development is fully in accordance with all relevant planning policy including the South Dublin County Development Plan and Newcastle Local Area Plan. The proposed development is therefore considered to be plan-led and in accordance with the proposed planning and sustainable development of Newcastle Village.
- The proposed change of use is commercially driven and is a response to market demand for the proposed use. This will provide for the continuing development of Newcastle.
- There is a clear capacity within the area to provide for the current proposal.
- The community centre element of the block will be retained and provide for much needed community facilities within Newcastle.

We trust that the Planning Authority will look favourably on the proposed development and grant permission for the proposal as appropriate.

8 Enclosures

The following are included as part of this application:

1. Completed Application Form.
2. Newspaper Notice published in the Irish Daily Star on 16th November 2021
3. Copy of Site Notice erected as shown on Site Location Plan on 16th November 2021(1 copy of the relevant text).
4. 6 sets of Drawings prepared by MCA Architects (Schedule of Drawings Enclosed).

The sum of €93.60 as the planning fee applicable for an application of this nature and extent in accordance with the Planning & Development Regulations 2001-2019 (as amended).

Fee Calculated as follows:

Class 4 Other Buildings

Additional GFA of mixed-use unit = 26 sqm

Total GFA 26 sqm x €3.60 = €93.60

Total €93.60

