

# Comhairle Chontae Atha Cliath Theas

**PR/1196/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0317      **Application Date:** 29-Jul-2022  
**Submission Type:** New Application      **Registration Date:** 29-Jul-2022

**Correspondence Name and Address:** Stephen Little & Associates 26/27, Upper Pembroke Street, Dublin 2

**Proposed Development:** Use of existing warehouse unit for a cloud kitchen comprising remote commissary kitchen pods and ancillary customer delivery service with associated site works including internal subdivision and fit out new ventilation, new external dry store (c.22.3 sq.m), refuse compound (c.28.4 sq.m) and 1 new illuminated aluminium sign (c.2m x 1m); all associated and ancillary site development works.

**Location:** Unit 55, Broomhill Drive, Broomhill Industrial Estate, Tallaght, Dublin 24

**Applicant Name:** Hostosix Limited

**Application Type:** Permission

(AOCM)

### **Description of Site and Surroundings:**

Site Area: stated as 0.13 hectares.

Site Visited: 06/09/2022

### **Site Description:**

The application site comprises a two-storey, semi-detached warehouse unit on Broomhill Drive. The road is comprised of similar industrial units, in an area that is predominantly characterised by commercial and industrial uses.

### **Proposal:**

**Permission** is sought for the following:

- Change of use of existing warehouse to 'Cloud Kitchen' comprising remote commissary kitchen pods and ancillary customer delivery service
- Associated site works including internal subdivision and fit out, new ventilation, new external dry store and refuse compound
- 1 no. illuminated sign

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### Zoning:

The site is subject to zoning objective 'REGEN' - *'To facilitate enterprise and/or residential-led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery'*.

### Consultations:

#### Internal Consultees

Public Realm – No specific observations or comments to make

Roads – **Additional information** recommended

Water Services – **Additional information** recommended

#### External Consultees

Irish Water – No objection, **conditions** recommended

Environmental Health Officer (EHO) – No objection, **conditions** recommended

### SEA Sensitivity Screening

SEA monitoring indicates no overlap with relevant sensitive layers.

### Submissions/Observations /Representations

Submission expiry date – 1 September 2022

No submissions or observations received.

### Relevant Planning History

None recorded for subject site.

### Relevant Enforcement History

None recorded for subject site.

### Pre-Planning Consultation

None recorded for subject site.

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### Relevant Policy in South Dublin County Council Development Plan 2022-2028

*Chapter 4 Green Infrastructure*

*Section 4.1 Methodology*

*G11 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*

*Section 4.2.1 Biodiversity*

*GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*

*Section 4.2.2 Sustainable Water Management*

*GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

*SECTION 5.2.3 Healthy Placemaking*

*QDP4 Objective 2:*

*To promote a high standard of building and urban design, creating public spaces that are distinctive, safe, universally accessible and facilitate social and cultural diversity and interaction.*

*5.2.6 High Quality and Inclusive Development*

*QDP7 Objective 6:*

*To ensure that development provides an integrated and balanced approach to movement, healthy placemaking and streetscape design in accordance with the requirements of the Design Manual for Urban Roads and Streets, DTTAS and DEHLG (2019).*

*5.2.9 Materials, Colours and Textures*

*Policy QDP11: Materials, Colours and Textures*

*Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.*

*QDP11 Objective 1:*

*To require the use of high quality and durable materials and finishes that make a positive contribution to placemaking.*

*QDP11 Objective 2:*

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*To promote the use of structural materials that have low to zero embodied energy and CO2 emissions and ensure a wood-first policy on public buildings funded or part-funded by the Council.*

*QDP11 Objective 3:*

*To promote the reuse and recycling of materials to promote the circular economy and reduce construction and demolition waste.*

### *Chapter 9 Economic Development and Employment*

#### *Policy EDE1: Overarching*

*Support sustainable enterprise and employment growth in South Dublin County recognising the County's role in the Dublin region as a driver of economic growth.*

*EDE1 Objective 6:*

*To ensure that economic and enterprise related development is provided in a manner which facilitates a reduction in greenhouse gas emissions by supporting and promoting the following measures:*

- An increase in employment densities within walkable distances of communities and on public transport routes;*
- Promotion of walking and cycling and use of public transport through increased permeability and mobility management measures within and outside employment areas;*
- The sourcing of power from district heating and renewables including wind, hydro and solar;*
- Additional native tree planting and landscaping on existing and proposed enterprise zones and development sites to aid with carbon sequestration, contribute to the green infrastructure network of the County and promote quality placemaking.*

#### *Section 9.2.1 Green and Innovative Economy*

*EDE3 Objective 5:*

*To promote, through good placemaking, the delivery of places and communities which encourage employers and workers alike to live in the County, closer to their workplaces, promoting more sustainable travel and a good quality of life.*

#### *9.2.2 Urban Growth, Regeneration and Placemaking*

*Policy EDE4:*

*Urban Growth, Regeneration and Placemaking Support urban growth and regeneration through the promotion of good placemaking to attract employees and employers and to provide a competitive advantage to the County and diverse investment opportunity.*

*EDE4 Objective 1:*

*To ensure that economic and employment development is located to optimise existing infrastructure and to support development and investment in the County's urban centres supporting orderly growth and placemaking.*

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*EDE4 Objective 8:*

*To support the provision of a broad diversity of employment opportunities in the County that can attract a wide range of skills, training, and educational qualifications for a resilient and inclusive economy*

*EDE4 Objective 9:*

*To consider proposals and initiatives that seek to re-purpose redundant or declining uses in important urban locations and ensure that proposals for the reuse of buildings demonstrate that new uses support a more sustainable use of the urban centre, having particular regard to its location and accessibility.*

*EDE4 Objective 11:*

*To support the regeneration of the Tallaght LAP lands in a co-ordinated and sustainable manner in accordance with the Tallaght Town Centre LAP 2020 or any superseding plan whilst ensuring the lands particularly Cookstown, remain a sustainable employment area to ensure environmentally short journeys to places of employment and to ensure the residential impact of the REGEN zoning does not instigate the decline in the employment capacity and sustainability of the area.*

*Section 9.2.3 Building on Clusters*

*Policy EDE5: Building on Clusters*

*Support clustering, by creating, maintaining, or upgrading economic strongholds in a favourable business ecosystem.*

*Policy EDE16: Retail - Fast Food Outlets / Takeaways*

*Manage the provision of fast-food outlets and takeaways in our urban areas.*

*EDE16 Objective 1:*

*To prevent an over proliferation of fast-food outlets / takeaways and ensure that the intensity of any proposed use is in keeping with both the scale of the relevant building and the pattern of development in the area.*

*Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)*

*Policy IE3: Surface Water and Groundwater*

*Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.*

*Chapter 12 Implementation and Monitoring*

*12.4.2 Green Infrastructure and Development Management*

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### **Relevant Government Guidelines**

*Project Ireland 2040 National Planning Framework*, Government of Ireland (2018).

*Regional, Spatial & Economic Strategy 2020-2032 (RSES)*, Eastern & Midlands Regional Assembly (2019)

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

*OPR Practice Note PN01 Appropriate Assessment Screening for Development Management* (March 2021)

### **Assessment**

The main issues for assessment concern the following:

- Zoning and Council Policy
- Use and Visual Amenity
- Signage
- Roads
- Green Infrastructure
- Water Supply and Wastewater
- Infrastructure and Environmental Services
- Appropriate Assessment
- Environmental Impact Assessment

### **Zoning and Policy**

#### **South Dublin County Development Plan 2022 - 2028**

The site is subject to zoning objective 'REGEN' - *'To facilitate enterprise and/or residential-led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery'*.

The proposed use, cloud kitchen, is not explicitly listed in the table of uses for the 'REGEN' zoning objective. In relation to 'Other Uses,' the Development Plan states the following:

*Uses that have not been listed under the land use zoning tables will be considered on a case-by-case basis in relation to conformity with the relevant policies, objectives and standards contained within the Plan, particularly in relation to the zoning objective of the subject site and its impact on the development of the County at a strategic and local level.*

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It is considered that the following definitions, as per Appendix 6 of the Development Plan are most applicable to the 'cloud kitchen' use of the site:

- Light Industry - The use of a building or part thereof or land for industry in which the processes carried on or the plant or machinery installed are such as could be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit and so on.
- Restaurant/Café - A building or part thereof where the primary function is the sale of meals and refreshments for consumption on the premises.
- Takeaway - A premises used for the sale of hot food for consumption off the premises.

Advertisements and Advertising Structures, Restaurant / Café, and Industry – Light and all permitted in principle under the 'REGEN' zoning objective. Takeaway is not listed under any zoning objective and is therefore considered on a case-by-case basis. Based on the zoning matrix, definitions in Appendix 6 of the Plan and the description of the proposed use, it is considered that the 'cloud kitchen' would be acceptable in principle at this location, subject to compliance with other relevant policies and objectives.

### Tallaght Town Centre Local Area Plan 2020

The site is located within the Broomhill Neighbourhood, as per Section 3.5 of the LAP. Section 3.5 states the vision for the Broomhill neighbourhood as '*An attractive consolidated, diversified, and intensified place for business and employment that is better connected to surrounding places. Emerging residential uses along the southern side of Airtown Road.*' Of particular relevance is Objective BH1: '*Transition to mixed use area primarily focussed on higher value commercial use*'.

Figure 3.13 provides the vision for the overall urban structure of the neighbourhood, providing for target building heights between 3-4 storeys for commercial or residential development at the location of the subject site.

It is noted that the development proposes a change of use and alterations to an existing warehouse building, within a cul-de-sac of similar development. It is considered beneficial to regenerate this area in unison, in line with the vision of the Tallaght LAP. This will likely require time and in the interim, the use of the existing buildings is desirable, to avoid vacancy and prevent any antisocial issues that arise as a result of this. It is considered that, in this instance, a temporary permission would be appropriate, to ensure the use of the warehouse prior to the regeneration of the Broomhill Neighbourhood. Given the use proposed, it is considered that a **5-year permission** should be considered in this instance, in the interests of delivering the vision of the LAP.

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### Use and Visual Amenity

The development would provide 11 no. kitchens and ancillary staff facilities in an existing warehouse building, located in an established area of similar development on Broomhill Drive.

There would be minimal alterations to the front elevation, with the only noticeable change being the provision of new signage. Metal ventilation ducts would be located along the north and west elevations, serving the kitchens. In addition, a modular storage unit and waste compound would be located to the rear of the building. These alterations are considered minimal and would not be detrimental to the amenity of the existing area, given the industrial nature of Broomhill Drive. Existing elevations indicate the unit has an asbestos roof. This isn't clearly addressed in the submitted material. It is noted however that the safe treatment and handling of the asbestos is dealt with view building regulations. Should the application be approved, it is recommended that a **note be added** to any permission issued in this regard.

Internal alterations are proposed to facilitate 11 no. commercial kitchens and ancillary staff facilities including toilets, changing facilities and a staff room. A 9.7 sq.m office would also be provided, ancillary to the main use of the building. These works are considered acceptable.

In respect of operation, it is recommended that a **condition be imposed**, should the application be granted, requiring the applicant to agree in writing the hours of operation of the subject site.

The development would retain the existing 5 no. car parking spaces, though the site plan indicates a 6<sup>th</sup> space could be accommodated. The documentation submitted states that users of the building would be encouraged to use sustainable modes, with 15 no. Sheffield stands to be provided however, it is not clear from the site layout plan what facilities would be provided for bicycle parking. This should be addressed by **additional information**.

### Signage

An illuminated aluminum sign (2m x 1m) would be placed on the front elevation, replacing existing signage of a previous tenant. The applicant has only provided an elevation of this sign and has provided no details of the illumination or other design aspects. The applicant has stated that *'the signage will be discreetly illuminated and done in a manner that light spillage and pollution in the surrounding environment and has due regard to the amenity of the surrounding area.'* Details of how this would be achieved have not been provided and therefore, a full assessment of the impact of the sign has not been possible.

The applicant should be requested to submit **additional information**, including detailed plans, sections and elevations of the sign, details of the materials and finishes and the illumination of the site.



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#### Roads

The Roads department have reviewed the application and have recommended the following **additional information** is sought:

1. *The applicant is requested to submit a revised layout not less than 1:100 scale showing bicycle parking within the development. Please refer to Table 12.23 Minimum Bicycle Parking Rates– SDCC County Development Plan 2022-2028.*
2. *A traffic survey showing the current and predicted delivery/collection frequencies throughout the day particularly during peak hours.*
3. *A report on the proposed staff numbers working at the development.*
4. *Details of how the proposed signage shall meet the criteria for signage as outlined in SDCC CDP.*
5. *A layout plan of no less than 1:200 scale showing EV charging comprising a minimum of 20% of the total parking spaces provided. The remainder of the parking spaces shall be constructed to be capable of accommodating future charging points as outlined in SDCC CDP section 12.7.5*
6. *A layout plan of no less than 1:200 scale showing the provision for 5% of vehicular parking spaces for mobility impaired users.*

Given the nature of the development and the likely high traffic movements as a result, it is considered appropriate to request the recommended **additional information**. The applicant has not provided much detail on deliveries *from* the development, only stating that tenants would be encouraged to source local materials. The applicant should consider how the flow of delivery traffic would be accommodated at the site and the potential impact of this on the surrounding area.

The car parking arrangement at the site is established and the applicant is not seeking to make any alterations to this existing provision. It is considered onerous on the applicant to provide 20% electric vehicular car parking spaces and therefore this item of additional information should be omitted. The same consideration is relevant for omission of the requirement for 5% mobility impaired users.

#### Green Infrastructure

The subject site is not located within a Core Area, Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028). The applicant is only seeking to marginally increase the floorplate of the existing warehouse and given the existing site circumstances, it is not considered that there would be any significant impacts on green infrastructure.

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The Public Realm section have reviewed the application and have stated that they have '*no specific observations or comments to make*'.

Water Services have reviewed the application and have recommended the following **additional information** is sought:

- 1.1 *There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*
- 1.2 *The applicant is required to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*
  - i) *At least 5m from any building, public sewer, road boundary or structure.*
  - ii) *Generally, not within 3m of the boundary of the adjoining property.*
  - iii) *Not in such a position that the ground below foundations is likely to be adversely affected.*
  - iv) *10m from any sewage treatment percolation area and from any watercourse / floodplain.*
  - v) *Soakaways must include an overflow connection to the surface water drainage network.*

As this isn't the only item of concern with the application, it is considered appropriate to request the **additional information** recommended by Water Services.

### Water Supply and Wastewater

Irish Water have reviewed the application and have stated no objection to the development. They recommend the following **conditions** in the event of a grant:

#### 1. **Water**

*All development shall be carried out in compliance with Irish Water Standards codes and practices.*

#### 2. **Foul**

*All development shall be carried out in compliance with Irish Water Standards codes and practices.*

These **conditions** are considered appropriate to ensure public health and the provision of adequate water facilities

### Infrastructure and Environmental Services

The Environmental Health Officer has reviewed the application and has stated no objection to the development. Their report recommends the following **conditions** in the event of a grant:

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### *Operational Phase*

#### 1. *Kitchen: Fumes and Noise*

- a. *The ventilation system shall be adequately filtered and externally vented so as not to cause a nuisance to neighbouring properties.*
- b. *Any fumes emitted from the premises shall be minimised and if necessary, treated using the Best Available Technology and emitted to the outer air.*
- c. *The noise from the operation of the ventilation system shall be attenuated so as not to cause a noise nuisance to nearby residential properties.*
- d. *Details to demonstrate compliance with above shall be submitted for the written agreement of the Planning Authority prior to the commencement of any development.*

#### 2. *Grease traps*

*All wastewater from kitchens shall be routed via an appropriate grease trap or grease removal system before being discharged to the public sewer. Full details of this system shall be submitted for the written approval of the Planning Authority prior to the commencement of any development.*

### *Construction Phase*

#### 3. *Noise*

*To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that, the use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours:*

- *Before 07.00 hours on weekdays, Monday to Friday*
- *Before 09.00 hours on Saturdays.*
- *After 19.00 hours on weekdays, Monday to Friday.*
- *After 13.00 hours on Saturdays.*
- *Not permitted at any time on Sundays, Bank Holidays or Public Holidays.*

#### 4. *Air Quality*

*During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.*

These **conditions** are considered appropriate to ensure the safe use of the site for food preparation, and in the interests of public health.

Their report also notes that *'the requirements of the HSE Environmental Health Officer in relation to food premises should be ascertained prior to the commencement of development.'*

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### Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established regeneration area and comprises of the change of use of an existing light industrial warehouse to provide a cloud kitchen, and associated works.

Having regard to:

- the scale and nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### Environmental Impact Assessment

Having regard to the nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real 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.

### Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the assessment of relevant consultees, it is considered appropriate to request **additional information** in relation to the following items prior to reaching a final decision on the development:

- *Details regarding the existing asbestos roof*
- *Revised layout showing bicycle parking within the development.*
- *A traffic survey showing the current and predicted delivery/collection frequencies throughout the day particularly during peak hours.*
- *A report on the proposed staff numbers working at the development.*
- *Details of how the proposed signage shall meet the criteria for signage as outlined in SDCC CDP.*
- *Soil percolation test results, design calculations or dimensions submitted for the proposed soakaway.*
- *Revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway.*

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### **Recommendation**

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

1. The applicant is requested to submit a revised layout not less than 1:100 scale showing covered bicycle parking within the development. Plans and elevations of the covered bicycle parking should also be provided. Please refer to Table 12.23 Minimum Bicycle Parking Rates– SDCC County Development Plan 2022-2028.
2. A traffic survey showing the current and predicted delivery/collection frequencies throughout the day particularly during peak hours.
3. A report on the proposed staff numbers working at the development.
4. The applicant has only provided an elevation of the proposed signage. Details of how the proposed signage shall meet the criteria for signage as outlined in SDCC CDP are required, as well as plans, elevations and sections, clearly stating materials, finishes and the proposed illumination.
5. There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
6. The applicant is required to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
  - i) At least 5m from any building, public sewer, road boundary or structure.
  - ii) Generally, not within 3m of the boundary of the adjoining property.
  - iii) Not in such a position that the ground below foundations is likely to be adversely affected.
  - iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
  - v) Soakaways must include an overflow connection to the surface water drainage network.

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REG. REF. SD22A/0317

LOCATION: Unit 55, Broomhill Drive, Broomhill Industrial Estate, Tallaght, Dublin 24



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**Deirdre Kirwan,**  
**Senior 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:** 22/09/2022



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**Colm Harte,**  
**Senior Exexecutive Planner**