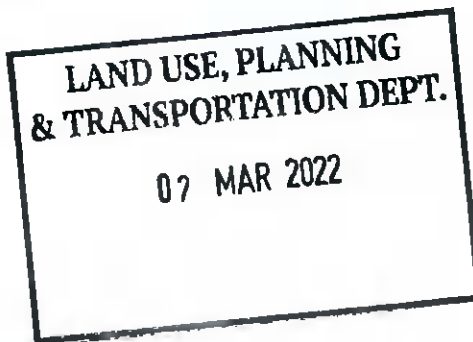


Planning Department
South Dublin County Council
County Hall Tallaght
Dublin 24
D24 A3XC



Wednesday, 2nd March 2022
[By Hand]

Dear Sir/Madam,

RE: RESPONSE TO FURTHER INFORMATION REQUEST IN RELATION TO PROPOSED DEVELOPMENT ON A SITE OF C. 1.4 HA, LOCATED AT TOYOTA LIFFEY VALLEY, LIFFEY VALLEY MOTOR MALL, DUBLIN 22, TO PROVIDE FOR THE EXTENSION TO THE EXISTING MOTOR SALES OUTLET.

SDCC REG. REF. SD21A/0184

1.0 INTRODUCTION

Tom Phillips + Associates has been instructed by our Client, Tom Staunton, to respond to the *Request for Further Information* (RFI) issued by South Dublin County Council (SDCC), on 30th August 2021, which is enclosed as Appendix A.

We note that the period for submitting a response to the RFI was extended 'up to and including 08/06/2022', in accordance with the provisions of Article 33(3) of the *Planning and Development Regulations, 2001 (as amended)*. Refer to Appendix B for letter of extension from South Dublin County Council (SDCC), received on 18th January 2022.

The RFI outlines 6 no. points which have been addressed in detail below. At the outset, we confirm that the amended scheme complies in full with the requirements of the *South Dublin County Development Plan 2016-2022* (the 'Development Plan'), including the relevant policies contained within Chapter 7 'Infrastructure and Environmental Quality' and Chapter 8 'Green Infrastructure'.

In our opinion, the resulting amended scheme provides significant enhancements to the proposal with respect to, *inter alia*, design and appearance, urban greening, landscaping and SuDS, resulting in a positive relationship with the surrounding public realm and surrounding Major Retail Centre.

TOWN PLANNING CONSULTANTS



The enhancements in respect of green infrastructure and SuDS are considered to provide an acceptable (and proportionate) response to the requirements of Chapters 7 and 8 of the Development Plan in the context of the scale and nature of the proposed development which seeks an extension to an established motor sales facility on appropriately zoned lands.

1.1 Documents Enclosed

The following documents have been submitted in support of this RFI Response:

Architectural inputs prepared by NODE Architecture:

- Dwg No. FI_1-03 'Proposed Site Plan'
- Dwg. No. FI_1-04 'Proposed Landscaping Plan'
- Dwg. No. FI_3-01 'Proposed Ground Floor Plan'
- Dwg. No. FI_3-03 'Proposed Elevations (1)'
- Dwg. No. FI_3-04 'Proposed Elevations (2)'
- Dwg. No. FI_3-06 'Proposed Remote Sales Hut'
- Dwg. No. FI_3-07 'Signage'
- Architectural Response to RFI (enclosed as Appendix C of this RFI Response)

Engineering Inputs prepared by OCSC Consulting Engineers:

- Dwg. No. 0500 S4 Rev. P06 'Proposed Drainage Design Layout'
- Dwg. No. 0114 S2 Rev. P01 'Swept Path Analysis – Oil Tanker'
- Engineering Services Report, dated 11th February 2022.
- Engineering Response to RFI (enclosed as Appendix D of this RFI Response)
- Letter from Irish Water (Pre-Connection enquiry Response), dated 31st January 2022 (enclosed as Appendix E of this RFI Response)

Arborist inputs prepared by Noel Lane, Doirin Tree Care Services

- *Arboricultural Assessment*, dated 10th November 2021

Odour related inputs prepared by RSK Environment Limited

- *Odour Risk Assessment*, dated 22nd November 2021

Fuel pump related inputs prepared by J A Gorman Consulting Engineers

- Letter from J A Gorman Consulting Engineers, dated 14th February 2022 (enclosed as Appendix F)



2.0 APPLICANT'S RESPONSE TO RFI

2.1 RFI Item No. 1

Item No. 1 of the RFI outlines:

"(i) Notwithstanding that the use is permitted in principle, the Planning Authority is concerned with the scale of the proposed development and the expansion of this use on lands zoned for Major Retail Centre, where it is policy to 'support the Level 2 retail function of the Liffey Valley Shopping Centre' and to 'promote a high standard of urban design...that contributes to the creation of safe and attractive spaces and creates desirable places within which to work and visit' (R4 Objective 5). The applicant is requested to demonstrate how the proposed development complies with County Development Plan policies and is requested to submit revised proposals to create desirable and attractive places within which to work and visit. A suite of proposals for the mitigation of the visual impact of the proposed development should be submitted (including the requirements of items (ii) and (iii) below.

(ii) The Planning Authority considers that the proposed extension to the existing operations, in close proximity to an existing hotel and the Liffey Valley Shopping Centre would not positively enhance the area, which is zoned for Major Retail Centre. With specific regard to the extension of the car parking area and the road/street frontage, the applicant is requested to submit revised proposals to retain the existing roadside berm (at the extension end of the site) and submit proposals to augment same with significant planting proposals, that will enhance the visual amenity of the area. Car parking should be located away from the roadside edge by at least 10m (including footpath and grass verge).

(iii) The proposed development has not demonstrated compliance with Section 11.4.4 Car Parking Design and Layout, in particular policy for 'Parking Courts' as laid out in the County Development Plan. Furthermore, the applicant has not demonstrated compliance with Chapters 7 'Infrastructure and Environmental Quality' and 8 'Green Infrastructure' of the County Development Plan. The applicant is requested to submit proposals that are compliant with the above sections of the plan and submit revised planting proposals and design that will mitigate the visual impact of the proposed development.

(iv) A storm water retention tank has been proposed in the north eastern corner of the site. It is County policy to achieve above-ground attenuation through natural solutions (i.e. non-heavy engineering solutions) to manage surface water run-off (Chapters 7 'Infrastructure and Environmental Quality' and 8 'Green Infrastructure' of the County Development Plan). The applicant is requested to submit revised proposals to incorporate an above ground attenuation pond in line with the requirements of the County Development Plan. The applicant is requested to submit revised proposals (to be included in a single report) demonstrating the inclusion of significant Green Infrastructure throughout the development.

(v) Signage is proposed on the southern elevation of the extension, on the western elevation and on the remote sales hut. Taken in conjunction with existing signage on site the Planning Authority has concerns that the proliferation of such signage may be seen as visual clutter. The applicant is requested to submit a rationale for the increase in proposed signage at this location and demonstrate that it will not result in visual clutter. The Planning Authority request a reduction in the number of signs proposed on this site."



Applicant's Response to Item No. 1(i)

As outlined in the *Planning Report* that was enclosed with the planning application submission, the subject site is subject to zoning objective 'MRC': "To protect, improve and provide for the future development of a Major Retail Centre".

Firstly, we reiterate the compliance of the proposed development with the land zoning objective whereby a motor sales outlet is permitted in principle. Secondly, it is important to note that the proposed development is an extension of an existing motor sales outlet which is located on 'Liffey Valley Motor Mall', surrounded by a notable number of other motor sales outlets selling different brands of car, inclusive of large areas of hardstanding and vehicles on display. From a land use perspective, the proposed development is considered to be entirely appropriate in both policy and contextual terms, having regard to surrounding precedents.

In line with the zoning objective, regard is given to 'RETAIL (R) Policy 4 Liffey Valley Retail Centre' contained at Section 5.6.2 and the associated policy objectives. We provide an extract of the relevant policy objectives below:

RETAIL (R) Policy 4 Liffey Valley Major Retail Centre

It is the policy of the Council to support the Level 2 retail function of Liffey Valley Shopping Centre.

R4 Objective 1:
To support Liffey Valley as a Major Retail Centre and allow for the growth of the existing shopping centre and complementary leisure, retail warehouse and commercial land uses.

R4 Objective 2:
To support and facilitate consolidation of the quantum and quality of the retail offering at the Liffey Valley Major Retail Centre.

R4 Objective 3:
To support the development of retail warehousing within the Liffey Valley Major Retail Centre.

R4 Objective 4:
To prepare a Local Area Plan for the Liffey Valley Major Retail Centre with reference to the retail warehousing zone at the adjoining Fonthill Industrial Estate.

R4 Objective 5:
To promote a high standard of urban design in the Major Retail Centre that contributes to the creation of safe and attractive spaces and creates desirable places within which to work and visit.

Figure 2.1 : Extract from Policy R4 of the Development Plan.

We confirm that the proposed development, which provides an extension to an existing outlet, complies with the above objectives. From a land use perspective, the development continues to complement the shopping centre and the other surrounding uses. It would not encroach upon or adversely impact the shopping centre, leisure uses or other retail units. In the *Engineering Services Report*, submitted with this planning application, OCSC Engineers had regard to any potential traffic impact associated with the proposed development and concluded that it would result in negligible increases in traffic. As further demonstrated in relation to Item No. 6, the proposed development will also not give rise to an unacceptable adverse impact upon the neighbouring hotel.

We note that in the RFI, SDCC placed particular emphasis on R4 Objective 5 which states:



"To promote a high standard of urban design in the Major Retail Centre that contributes to the creation of safe and attractive spaces and creates desirable places within which to work and visit."

As part of this, SDCC requested the submission of revised proposals in order to comply with the above policy objective, including proposals for the mitigation of the visual impact of the proposed development.

We confirm that significant amendments have been made to the site layout plan and landscaping proposals to ensure compliance with the above objective. This is discussed in greater detail in relation to our response to (ii) and (iii) and the enclosed *Design Statement* prepared by NODE Architecture. In summary, the following amendments have been incorporated into the design to further enhance the attractiveness of the sales environment, including: extensive areas of additional tree, shrub and hedge planting, increased areas of permeable paving in lieu of tarmac vehicle bays, reduced building signage and a soft landscaped area that includes for a swale which provides above ground attenuation.

Applicant's Response to Item No. 1(ii)

As noted above, the site layout plan has been revised to take account of SDCC's concerns in relation to the relationship of the proposal and the surrounding context, from a visual amenity perspective.

As part of this, SDCC have requested the retention of the existing roadside berm at the extension end of the site. In this regard, we refer to the retail nature of the proposed development and draw attention to the importance of the forecourt from a sales perspective. For a motor sales outlet, the forecourt is an extension of the shop window and is central to the vitality and viability of the outlet. The retention of the berm would provide a visual barrier between the passers-by and the product (the display vehicles).

Nevertheless, in order to respond to Issue No.1(ii), the proposal has been amended and the defined vehicle display bays are now set back from the roadside by over 10 metres. The proposed additional tree and shrub planting is considered to diffuse any potential visual impact associated with vehicle display bays in close proximity to the public realm. In the area between the display bays and the footpath, a number of vehicle podiums have been introduced on the basis that clear visibility of the product from the surrounding area is integral to the viability of the sales outlet. Whilst these cars will sit in closer proximity to the roadside, this part of the site has been augmented with significant planting proposals to strike an effective balance between displaying the product and enabling the outlet to function as intended and the creation of an attractive space which maintains a positive relationship with the surrounding public realm.

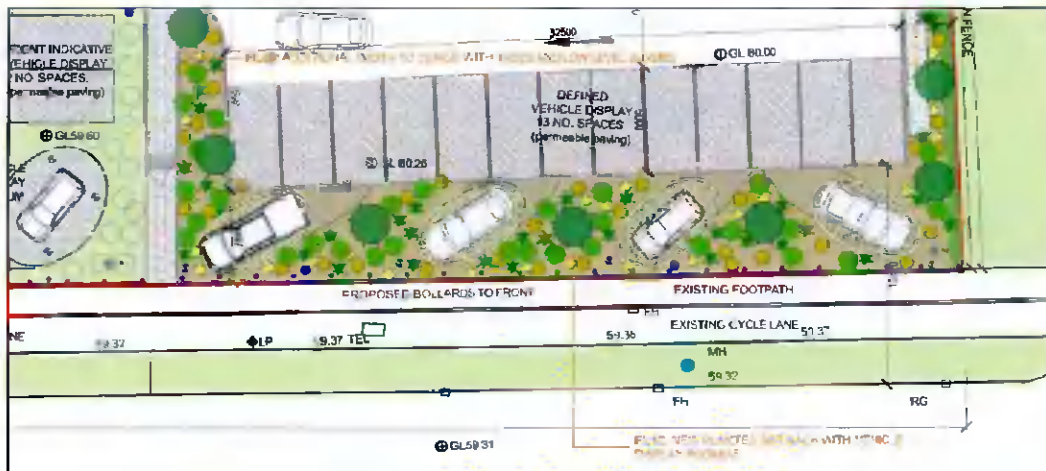


Figure 2.2: Extract from NODE Architecture's Dwg. No. FI_1-03

Further to the above, we note that the overall quantum of vehicle accommodation located at the subject site has been reduced from the originally proposed 232 no. spaces to 219 no. spaces. The table below shows a breakdown of the vehicle accommodation; as part of this, we highlight that a minority of the vehicle accommodation is for conventional car parking (staff parking and customer parking). The vast majority of the spaces are to facilitate the operation of the outlet as a sales and servicing facility (i.e. display spaces, service bays, demonstration bays) and are more akin to vehicle storage than vehicle parking (as supported by OSCS's conclusions in respect of traffic impact). As noted previously, due to the nature of the product, the forecourt is an extension of the shop window and paramount to the functioning of the outlet. This is reflected by the surrounding motor sales outlets which are also characterised by extensive vehicle accommodation.

In our planning application submission, a larger amount of indicative vehicle display provision was proposed. In response to the RFI, as well as enhanced landscaping proposals, the overall vehicle accommodation strategy has been revisited to facilitate a greater number of defined vehicle display places (opposed to indicative) to improve the overall appearance of the site.

VEHICLE ACCOMMODATION			
Vehicle Bay Description	Existing/Permitted Provision	Planning Submission	FI Provision
Staff Parking	20	25	23
Customer Parking	19	19	19
Defined Display	20	79 (includes 4 new charging bays)	120 (includes 4 new charging bays)
Indicative Display	83	72	20
Demonstration	11	11	11
Service Bays	26	23	20
Podium Display	2	3	6
Total:	162	232	219

Figure 2.3: Extract from NODE Architecture's RFI Response.

Applicant's Response to Item No. 1(iii)

In the RFI, SDCC draw attention to the 'parking courts' policy contained at section 11.4.4 of the *South Dublin County Council Development Plan 2016-2022*. This policy states:

“To ensure surface parking does not dominate the urban landscape parking courts, that are highly visible from the public domain, should be restricted in size (with no more than 40 spaces per court) and well landscaped. Where larger areas of surface parking are proposed they should be located behind buildings, and/or in the centre of blocks, so that they are obscured from view.”

In our opinion, due to the nature of the land use, the above policy is not directly applicable to the proposed development and relates more appropriately to conventional car parking proposals in non-major retail settings such as Liffey Valley. This view is supported by the large surface car parking provision that serves the Liffey Valley Shopping Centre and surrounding retail parks.

In addition to this and as stated above, the presence and visibility of a large number of cars at the subject site is integral to the function and operation of the retail outlet.

Despite this, the revised proposals include significant ‘greening’ to break up the potential visual impact of large areas of vehicle accommodation. As part of this, the display spaces are segregated into banks of cars, broken up by planting and internal roads. With the revised landscaping proposals in place, there will be 737 sq m of soft landscaped area at the extended part of the site, compared to the 273 sq m proposed with the original planning submission, resulting in significantly enhanced proposals in this regard.

In this regard, we consider that the revised proposals comply with Chapter 8 ‘Green Infrastructure’ of the Development Plan which sets out Council policy in respect of the commitment to:

“...proactively promoting and developing Green Infrastructure and ecological connectivity in the County by requiring the retention and enhancement of substantial networks of biodiversity in urban and rural areas.”

We note that Chapter 8 therefore contains a number of policy objectives which promote ‘greener’ and more attractive cities, improved habitats for wildlife and improved surface water management. Whilst not all policies within this chapter are directly applicable to the proposed development, given the scale and nature of the subject site, we confirm compliance with the overarching principles of the Chapter and the relevant policy objectives referred to below.

Considering the scale and nature of the proposed development, *Green Infrastructure – Policy 2 Green Infrastructure Network – Objective 11* is considered to be particularly applicable to the assessment of the proposal. It states:

“To incorporate appropriate elements of Green Infrastructure e.g. new tree planting, grass verges, planters etc. into existing areas of hard infrastructure wherever possible, therefore integrated these areas of existing urban environment into the overall Green Infrastructure network.”

Further to this, we note compliance with *Green Infrastructure – Policy 6 New Development in Urban Areas* which has the following overarching objective:

“It is the policy of the Council to support the protection and enhancement of Green Infrastructure in all new development in urban areas, to strengthen Green



Infrastructure linkage across the wider urban network and to achieve the highest standards of living and working environment."

Having regard to the above policy requirements, we confirm that the revised proposals optimise the urban greening of the site, including significant landscaping proposals which enhance the site from a visual amenity perspective, but also fulfil the objectives of the Development Plan from a green infrastructure perspective. As illustrated on Dwg. No. FI_1-04, the revised proposal strikes an appropriate balance between increased green infrastructure (in line with the Development Plan objectives contained in Chapter 8) and a functioning motor sales outlet.

Chapter 7 'Infrastructure and Environmental Quality' and parts of Chapter 8 'Green Infrastructure' will be addressed in response to RFI Item No.1(iv) below which addresses the revised proposals from an engineering perspective.

Lastly, we confirm that the proposed alterations to the site continue to facilitate the safe movement of the vehicles required to service the proposed fuel pump at the rear of the site. See OCSC's Dwg. No. 0114 S2 Rev P01 'Swept Path Analysis – Oil Tanker'.

Applicant's Response to Item No. 1(iv)

In line with Item No. 1(iv), the proposed drainage strategy has been amended to adhere to SDCC's request and comply with Chapters 7 'Infrastructure and Environmental Quality' and Chapter 8 'Green Infrastructure' of the Development Plan. This response should be read in conjunction with OCSC Dwg No. 0500 S4 Rev P06 'Proposed Drainage Design Layout' and the revised *Engineering Services Report*, dated 11th February 2022.

Our original submission comprises an underground attenuation strategy, including an underground storm water retention tank. The amended scheme, in line with SDCC's request, provides a combination of a wet swale and filter drains. We confirm that these have been designed in accordance with CIRIA C753 SuDS Manual. Refer to the above referenced drawing and report for technical details.

Having regard to the amended proposal in the context of Chapter 7 'Infrastructure and Environmental Quality' of the Development Plan, we confirm that the proposed development complies with the overarching policy requirements of *Infrastructure and Environmental Quality - Policy 2 Surface Water and Groundwater*. We further confirm compliance with *IE2 Objective 5* which states the following:

"To limit surface water run-off from new developments through the use of Sustainable Urban Drainage Systems (SUDS) and avoid the use of underground attenuation and storage tanks."

Further to above, we confirm compliance with Chapter 8 'Green Infrastructure' of the Development Plan which contain Sections 8.4.0 'Sustainable Urban Drainage Systems' and corresponding policy *Green Infrastructure – Policy 5 Sustainable Urban drainage Systems*. The overarching objective of this policy is set out below:

"It is the policy of the Council to promote and support the development of Sustainable Urban Drainage Systems (SUDS) in the County and to maximise the amenity and biodiversity value of these systems."

We confirm that the proposed development, which forms an extension to an existing motor sales outlet maximises its contribution to the delivery of SuDS infrastructure. This is further addressed in respect of Item No. 3 below.

Applicant's Response to Item No. 1(v)

In line with SDCC's request for the reduction of signs, we confirm that that the extent of proposed signage has been reduced.

This includes the following revisions to the scheme:

- 'Body & Paint' sign omitted from south elevation of building extension;
- 'New & Used Vehicles' signage omitted from east elevation of building extension;
- 'Sales' sign on remote sales hub reduced in size.

Refer to NODE Architecture Dwg. No. FI_3-07 for details of proposed amendments in this regard.

2.2 RFI Item No. 2

Item No. 2 of the RFI outlines that;

"The applicant is requested to submit evidence that the pump is positioned at the correct distance from a habitable building and that all safety issues are addressed/confirmed by a qualified consultant."

Applicant's Response to Item No. 2

In response to Item No.2, J A Gorman, Consulting Engineers, who specialise in the design and construction of service stations and are as a result, familiar with the Dangerous Substances Regulations, were appointed to review the siting of the proposed fuel pump.

They confirm that *"the fuelling area design and the revised layouts submitted with this further information response...do comply with Dangerous Substance Regulations, in our opinion"*.

Refer to Appendix F for the letter dated 14th February 2022 from J A Gorman.

2.3 RFI Item No. 3

Item No. 3 of the RFI outlines that;

"There is a lack of SuDS (Sustainable Drainage System) shown for the proposed development, limited to permeable paving. The proposal introduces large areas of hardstanding involving soil sealing. SDCC do not approve of using underground tanks as part of SuDS schemes where the full potential for natural drainage features has not been explored. SUDS should be an integrated multi-disciplinary approach which locally addresses amenity and biodiversity enhancement, water quality as well as attenuation and meets the objectives of South Dublin County Council Development Plan 2016-2022 (Refer also to Item 1). The applicant shall consider removing the proposed underground



tank and provide above ground SuDS. Green roofs shall be considered as well as other SuDS features such as swales, channel rills, integrated SuDS tree pits, bioretention. A SuDS strategy is required detailing how the SuDS work as a treatment train and what attenuation capacity is provided by such SuDS. The SuDS features should be integrated into the landscape proposal.”

Applicant’s Response to Item No. 3

In response to Item No. 3 and the requirements associated with Item No. 1, as addressed above, the proposed drainage strategy and landscaping scheme have been amended to incorporate additional SuDS and comply with the relevant policy objectives contained in chapters 7 and 8 of the Development Plan.

As contained within the Engineering Response to the RFI (Appendix D), the following amendments have been made:

- The initially proposed underground attenuation tank has been omitted from the proposal;
- The revised drainage design provides for temporary storage in the form of a west swale, pervious paving and filter drains;
- The storage has been designed to temporarily store run-off from events up to and including the 1% AEP event with an increase of 20% due to climate change allowance;
- A total of 185 cu m of temporary storage is to be provided on site.

Refer to Section 3.4 of the enclosed revised *Engineering Services Report* for further details surrounding the SuDS measures proposal. See Appendix c of this same report for revised surface water design and attenuation calculations.

In conclusion, as set out in relation to the earlier items, the proposed site layout design, landscaping scheme and drainage strategy have been amended to respond in full to SDCC’s RFI and the green infrastructure and infrastructure and environmental quality policies of the Development Plan.

2.4 RFI Item No. 4

Item No. 4 of the RFI outlines that;

“There are concerns regarding the absence of information submitted in relation to the protection of existing trees and hedgerows on /adjacent to the subject site. Further information is requested to outline tree and hedgerow protection measures proposed in accordance with BS 5837: 2012: Trees in Relation to Design, Demolition and Construction.”

Applicant’s Response to Item No. 3

In response to Item No. 3, the Applicant appointed an Arborist to conduct a survey of the site and undertake an arboricultural assessment.

The assessment reached the following conclusion:



“there are no trees or hedgerows of any significance within or adjoining this backfilled quarry site. A few poor quality whitebeam and thorn trees are growing in rocky ground and are of no amenity or landscape value to the area. Its basically sterile ground...”

Refer to the *Arboricultural Assessment*, prepared by Doinn Tree Care Co Ltd for full details. Having regard to the conclusions of this Assessment, we conclude that this item has been responded to in full. We can further conclude that the proposal is acceptable in this regard and not give rise to any adverse impact upon trees or hedgerows.

2.5 RFI Item No. 5

Item No. 5 of the RFI outlines that;

“In order to assess whether or not the existing public water infrastructure has sufficient capacity to cater for the proposed development further information is requested as follows: the applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure for both water and foul drainage. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/getconnected/>.”

Applicant’s Response to Item No. 5

In response to Item No. 5, OCSC Consulting Engineers, on behalf of the Applicant, submitted a pre-connection enquiry to Irish Water. Irish Water subsequently confirmed that the proposed connection to the Irish Water network(s) can be facilitated at this time. Refer to Appendix E for the letter dated 31st January 2022, from Irish Water.

2.6 RFI Item No. 6

Item No. 6 of the RFI outlines that;

“The Planning Authority has concerns regarding odour emissions from the proposed body shop and its proximity to the Clarion Hotel. The applicant is requested by way of additional information to complete an assessment by a qualified consultant which examines the potential odours omitted from the workshop, the permitted substances to be used in the workshop, and the potential odour impact on adjacent properties.”

Applicant’s Response to Item No. 6

In response to this item, RSK were appointed to undertake an *Odour Risk Assessment* which has regard to the potential impacts of the proposed spray painting booth at the existing moto outlet on existing receptors. The Assessment concludes:

“The assessment outcome suggests that the possibility of significant odour being experienced by the existing surrounding receptors of the proposed development is unlikely. Therefore, odour mitigation is not considered necessary.”



Refer to the *Odour Risk Assessment*, prepared by RSK for full details. Having regard to the conclusions of this Assessment, we conclude that this item has been responded to in full. We can further conclude that the proposal is acceptable in relation to odour risk.



3.0 CONCLUSION

We have endeavoured to provide the necessary information required to fully address the issues raised by the RFI.

In our opinion, the resulting amended scheme provides significant enhancements to the proposal with respect to, *inter alia*, design and appearance, urban greening, landscaping and SuDS, resulting in a positive relationship with the surrounding public realm and surrounding Major Retail Centre.

The information provided within our Response further demonstrates the compliance of the proposed development with *South County Council Development Plan 2016-2022* and the proper planning and sustainable development of the area.

Please revert to us should clarification be required on any matters arising in this Response.

Yours faithfully

Lizzie Donnelly
Associate
Tom Phillips + Associates

Encl.



Appendix A

Request for Further Information (RFI) issued by South Dublin County Council, on 30th August 2021 in respect of SD21A/0184.

An Rannóg Talamhúsaide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sducouncil.ie

Tom Phillips & Associates
80, Harcourt Street
Dublin 2

PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING REGULATIONS THEREUNDER

Decision Order Number: 1162	Date of Decision: 30-Aug-2021
Register Reference: SD21A/0184	Registration Date: 05-Jul-2021

Applicant: Tom Staunton

Development: Extension to the existing motor sales outlet with servicing area and associated development consisting of the construction of a single storey (double height) extension (c.568sq.m) to the existing motor sales outlet with servicing area which will comprise of a car body shop and valet area; single storey remote sales office (c.20sq.m); a covered bike shelter; ancillary petrol fill area; alterations to vehicle storage area; alterations and relocation of the existing vehicle display provision (resulting in total of 79 defined display spaces (59 additional) together with indicative display areas with capacity for c.72 vehicles); a reduction in service spaces (resulting in total of 23 service spaces (3 less)) and relocation and additions to the existing staff car parking provision (resulting in total of 25 staff spaces (5 additional)); provision of a new pedestrian site entrance; signage (3 signs (4.45sq.m; 2.71sq.m; 0.58sq.m)); alterations and additions to the soft and hard landscaping, including the removal of existing fence; new boundary treatment and internal vehicle access gate; pedestrian paths and access; paving; tarmac and planting; relocation of vehicle sliding gate; an additional vehicle display podium; additional electric charging bays; new lighting; elevational changes to the existing building to facilitate the extension; an additional attenuation tank; all piped infrastructure and ducting; plant; all associated site development and excavation works above and below ground.

Location: Toyota Liffey Valley, Liffey Valley Motor Mall, Dublin 22

Application Type: Permission

Dear Sir /Madam,

With reference to your planning application, received on 05-Jul-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. (i) Notwithstanding that the use is permitted in principle, the Planning Authority is concerned with the scale of the proposed development and the expansion of this use on lands zoned for Major Retail Centre, where it is policy to 'support the Level 2 retail function of the Liffey Valley Shopping Centre' and to 'promote a high standard of urban design...that contributes to the creation of safe and attractive spaces and creates desirable places within which to work and visit' (R4 Objective 5). The applicant is requested to demonstrate how the proposed development complies with County Development Plan policies and is requested to submit revised proposals to create desirable and attractive places within which to work and visit. A suite of proposals for the mitigation of the visual impact of the proposed development should be submitted (including the requirements of items (ii) and (iii) below).
 - (ii) The Planning Authority considers that the proposed extension to the existing operations, in close proximity to an existing hotel and the Liffey Valley Shopping Centre would not positively enhance the area, which is zoned for Major Retail Centre. With specific regard to the extension of the car parking area and the road/street frontage, the applicant is requested to submit revised proposals to retain the existing roadside berm (at the extension end of the site) and submit proposals to augment same with significant planting proposals, that will enhance the visual amenity of the area. Car parking should be located away from the roadside edge by at least 10m (including footpath and grass verge).
 - (iii) The proposed development has not demonstrated compliance with Section 11.4.4 Car Parking Design and Layout, in particular policy for 'Parking Courts' as laid out in the County Development Plan. Furthermore, the applicant has not demonstrated compliance with Chapters 7 'Infrastructure and Environmental Quality' and 8 'Green Infrastructure' of the County Development Plan. The applicant is requested to submit proposals that are compliant with the above sections of the plan and submit revised planting proposals and design that will mitigate the visual impact of the proposed development.
 - (iv) A storm water retention tank has been proposed in the north eastern corner of the site. It is County policy to achieve above-ground attenuation through natural solutions (i.e. non-heavy engineering solutions) to manage surface water run-off (Chapters 7 'Infrastructure and Environmental Quality' and 8 'Green Infrastructure' of the County Development Plan). The applicant is requested to submit revised proposals to incorporate an above ground attenuation pond in line with the requirements of the County Development Plan. The applicant is requested to submit revised proposals (to be included in a single report) demonstrating the inclusion of significant Green Infrastructure throughout the development.
 - (v) Signage is proposed on the southern elevation of the extension, on the western elevation and on the remote sales hut. Taken in conjunction with existing signage on site the Planning Authority has concerns that the proliferation of such signage may be seen as visual clutter. The applicant is requested to submit a rationale for the increase in proposed signage at this location and demonstrate that it will not result in visual clutter. The Planning Authority request a reduction in the number of signs



proposed on this site

2. The applicant is requested to submit evidence that the pump is positioned at the correct distance from a habitable building and that all safety issues are addressed/confirmed by a qualified consultant.
3. There is a lack of SuDS (Sustainable Drainage System) shown for the proposed development, limited to permeable paving. The proposal introduces large areas of hardstanding involving soil sealing. SDCC do not approve of using underground tanks as part of SuDS schemes where the full potential for natural drainage features has not been explored. SuDS should be an integrated multi-disciplinary approach which locally addresses amenity and biodiversity enhancement, water quality as well as attenuation and meets the objectives of South Dublin County Council Development Plan 2016-2022. (Refer also to Item 1)
The applicant shall consider removing the proposed underground tank and provide above ground SuDS. Green roofs shall be considered as well as other SuDS features such as swales, channel rills, integrated SuDS tree pits, bioretention. A SuDS strategy is required detailing how the SuDS work as a treatment train and what attenuation capacity is provided by such SuDS. The SuDS features should be integrated into the landscape proposal.
4. There are concerns regarding the absence of information submitted in relation to the protection of existing trees and hedgerows on adjacent to the subject site. Further information is requested to outline tree and hedgerow protection measures proposed in accordance with BS 5837: 2012: Trees in Relation to Design, Demolition and Construction.
5. In order to assess whether or not the existing public water infrastructure has sufficient capacity to cater for the proposed development further information is requested as follows:
the applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure for both water and foul drainage. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.
6. The Planning Authority has concerns regarding odour emissions from the proposed body shop and its proximity to the Clarion Hotel. The applicant is requested by way of additional information to complete an assessment by a qualified consultant which examines the potential odours omitted from the workshop, the permitted substances to be used in the workshop, and the potential odour impact on adjacent properties.

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/0184

Date: 30-Aug-2021

Yours faithfully,


for Senior Planner



Appendix B

Letter of Extension from South Dublin County Council, received on 18th January 2022.

An Rannóg Talamhúsaíde, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdublincoco.ie

Tom Phillips & Associates
80, Harcourt Street
Dublin 2

Date: 18-Jan-2022

PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING REGULATIONS THEREUNDER

Register Reference: SD21A/0184
Development: Extension to the existing motor sales outlet with servicing area and associated development consisting of the construction of a single storey (double height) extension (c.568sq.m) to the existing motor sales outlet with servicing area which will comprise of a car body shop and valet area; single storey remote sales office (c.20sq.m); a covered bike shelter; ancillary petrol fill area; alterations to vehicle storage area; alterations and relocation of the existing vehicle display provision (resulting in total of 79 defined display spaces (59 additional) together with indicative display areas with capacity for c.72 vehicles); a reduction in service spaces (resulting in total of 23 service spaces (3 less)) and relocation and additions to the existing staff car parking provision (resulting in total of 25 staff spaces (5 additional)); provision of a new pedestrian site entrance; signage (3 signs (4.45sq.m; 2.71sq.m, 0.58sq.m)); alterations and additions to the soft and hard landscaping, including the removal of existing fence; new boundary treatment and internal vehicle access gate; pedestrian paths and access; paving; tarmac and planting; relocation of vehicle sliding gate; an additional vehicle display podium; additional electric charging bays; new lighting; elevational changes to the existing building to facilitate the extension; an additional attenuation tank; all piped infrastructure and ducting; plant; all associated site development and excavation works above and below ground

Location: Toyota Liffey Valley, Liffey Valley Motor Mall, Dublin 22
Applicant: Tom Staunton

Dear Sir/Madam,

Further to a request dated 14/01/22 regarding the above mentioned planning application, I wish to inform you that, by Order dated 17/01/22, the period for submitting a response to the request for Further Information has been extended up to and including 08/06/2022 in accordance with the provisions of Article 33 (3) of the Planning and Development Regulations, 2001 (as amended).

Yours faithfully,

Brian Connolly
for Senior Planner



Appendix C
Architectural Response to RFI

Further Information: Vehicle Accommodation Comparison



VEHICLE ACCOMMODATION			
Vehicle Bay Description	Existing/Permitted Provision	Planning Submission	FI Provision
Staff Parking	20	25	23
Customer Parking	19	19	19
Defined Display	20	79 (includes 4 new charging bays)	120 (includes 4 new charging bays)
Indicative Display	83	72	20
Demonstration	11	11	11
Service Bays	26	23	20
Podium Display	2	3	6
Total:	162	232	219

SOFT LANDSCAPED AREA ON EXTENSION OF SITE

Planning Permission Submission	Further Information Provision
273 SQ.M.	737 SQ.M.

PERMIABLE PAVING AREA ON EXTENSION OF SITE

Planning Permission Submission	Further Information Provision
738 SQ.M.	1,224 SQ.M.

Further Information: List of Amendments

- FIL01:** New low level shrub planter to northeast of new extension
- FIL02:** Additional planting of trees & shrubs at north boundary of site extension
- FIL03:** New swale and associated planting on east boundary at North of site extension
- FIL04:** Additional tree, hedge and shrub planter screening off staff parking area
- FIL05:** Additional tree & shrub planters at angled display bays on existing east boundary
- FIL06:** New permeable paving to 45 display spaces on site extension
- FIL07:** New low level shrub planter to south facade of new extension
- FIL08:** Additional tree, hedge and shrub planter to break up display spaces on site extension
- FIL09:** Additional tree & shrub planter along existing east boundary
- FIL10:** Additional tree & shrub planter along new east boundary
- FIL11:** Additional tree & shrub planters to bookend vehicle display bays
- FIL12:** New planted set back to public road accommodating podium vehicle display
- FIL13:** New rainwater harvesting tank at high level in new workshop space

FIF: FUEL & FLUE

- FIF01:** Fuelling area hardstanding area extended. Refuelling area and underground tank indicated
- FIF02:** Paint shop flue brought up behind existing building parapet

FIS: SIGNAGE

- FIS01:** "Body & paint" sign omitted from south elevation of building extension
- FIS02:** "New & Used Vehicles" signage omitted from east elevation of building extension
- FIS03:** "Sales" sign on remote sales hub reduced in size

Further Information: Design Statement

Objective 5 of Retail Policy 4 for the Liffey Valley Shopping Centre is "To promote a high standard of urban design in the Major Retail Centre that contributes to the creation of safe and attractive spaces and creates desirable places within which to work and visit.

The site in question is a motor sales and service facility, in the geographical context of several other similar facilities, whose purpose is to provide employment by way of selling and servicing motor vehicles. The existing building received permission in 2016 on this basis and since then it has proven its desirability as a place to visit for customers and as a place to work for staff by selling more vehicles than any other single Toyota dealership in the country.

Since its completion it has received several Toyota "Dealership of the Year" awards and, as demonstrated by the fact that the operator sought planning permission to extend it a mere four years after its completion, it has proven highly successful in attracting customers and staff. The building itself comprises high quality materials and boasts excellent facilities for customers and staff and, in 2017, it was awarded the Best Car Showroom Design Project of the Year at the Build Architectural Awards.

As originally submitted, the subject application was for an extension to the facility in the same design style, material and ethos as the original, highly successful, development and, as such, the applicant and his agents are of the view that, as submitted, the proposal would prove to be equally attractive to both customers and staff, and that, as a safe and attractive place to work and shop, the proposal, like the existing building, offers a high standard of design.

Notwithstanding this, in the light of the concerns raised by the planning department, significant amendments have now been incorporated in the design to further enhance the attractiveness of the work and sales environment. These include extensive areas of additional tree, shrub and hedge planting, increased areas of permeable paving in lieu of tarmac to vehicle bays, reduced building signage and a soft landscaped area that includes a swale for above ground attenuation.

As illustrated in *Figure 1* below, new species of planting include low level shrubs of the *Potentilla*, *Verbena*, *Cornus* and *Berberis* varieties, grasses including *Typha latifolia* and *Carex comosa* and a mix of *Quercus robur* 'Fastigiata' and *Corylus colurna* trees.



The request for further information refers to Section 11.4.4: Car Parking Design and Layout, of the County Development Plan, however, other than for the staff parking area to the rear of the site extension, the subject application does not include any car parking. The areas to the south of this are vehicle display areas and, in order for the development to function as intended, it is essential that the product, (i.e. the vehicles displayed in these areas) remains visible to those passing and traversing the site. Whereas visual screening of vehicles as outlined in Section 11.4.4 is important in car park design, it is unacceptable in the context of a vehicle sales facility.

For this reason, this area of vehicle display has been broken up with low level planting rather than hedging and vehicle screening has been restricted to the area surrounding the staff car park. The retention of the berm at the south boundary of the site extension, as suggested by Item 1(ii) of the RFI, is considered inappropriate and directly contrary to Objective 5 of Retail Policy 4 in that it would make the development less attractive to customers.

In conclusion we submit that, in comparison with other car sales & service facilities in the Liffey Valley context and beyond, the quality of the design, particularly with regard to the landscaping, at Toyota Liffey Valley as proposed in this further information submission is exceptional and we believe that the proposal sets a new standard for vehicle sales and service facilities in South Dublin.



Proposed Potentilla - low level shrub planting



Proposed Verbena - low level shrub planting



Proposed Cornus shrub planting



Proposed Berberis shrub planting



Proposed Quercus robur 'Fastigiata'



Proposed Corylus columna



Typha latifolia 'Bulrush'



Carex comosa 'Bristly Sedge'

Figure : Proposed planting



Appendix D

Engineering Response to RFI

South Dublin County Council – Planning
County Hall, Belgard Square North,
Tallaght, Co. Dublin,

16.02.2022
T-MKo
T260



SD21A/0184 – RESPONSE TO FURTHER INFORMATION REQUEST

Dear Sir/Madam

This forms part of a Further information request to the planning application Ref. SD21A/0184, regarding the proposed development at Toyota Liffey Valley, Liffey Valley Motor Mall, Dublin 22.

O'Connor Sutton Cronin (OCSC) have addressed items pertaining to SuDS (Sustainable Drainage System). other items have been addressed by various other members of the design team.

Further information request 1. (iv)

A storm water retention tank has been proposed in the north eastern corner of the site. It is County policy to achieve above-ground attenuation through natural solutions (i.e. non-heavy engineering solutions) to manage surface water run-off (Chapters 7 'Infrastructure and Environmental Quality' and 8 'Green Infrastructure' of the County Development Plan). The applicant is requested to submit revised proposals to incorporate an above ground attenuation pond in line with the requirements of the County Development Plan. The applicant is requested to submit revised proposal (to be included in a single report) demonstrating the inclusion of significant Green Infrastructure throughout the development

Response

The initial proposal has been revised to achieve above-ground attenuation in accordance with South Dublin County Development Plan. The proposed underground storm water retention tank has been removed and replaced with a combination of a Wet Swale and Filter Drains designed in accordance with CIRIA C753 SuDS Manual. Refer to the revised drainage design layout (Ref. Doc: T260-OCSC-XX-XX-DR-C-0500-S4-P06) that is part of the Further information request.

Further information request 3.

There is a lack of SuDS (Sustainable Drainage System) shown for the proposed development, limited to permeable paving. The proposal introduces large areas of hardstanding involving soil sealing. SDCC do not approve of using underground tanks as part of SuDS schemes where the full potential for natural drainage features has not been explored. SuDS should be an integrated multi-disciplinary approach which locally addresses amenity and biodiversity enhancements, water quality as well as attenuation and meets the objective of South Dublin County Council Development Plan 2016-2022. (Refer also to Item 1).

The applicant shall consider removing the proposed underground tank and provide above ground SuDS. Green roofs shall be considered as well as other SuDS features such as swales, channel rills, integrated SuDS tree pits, bioretention. A SuDS strategy is required detailing how the SuDS work as a treatment train and what attenuation capacity is provided by such SuDS. The SuDS features should be integrated into the landscape proposal.

Response

The initially proposed underground attenuation has been removed. The revised drainage design (Ref. Doc: T260-OCSC-XX-XX-DR-C-0500-S4-P06) is proposing to provide temporary storage in the form of a wet swale, pervious paving and filter drains, in order to restrict the run-off to the greenfield equivalent rate by providing a flow control device. This storage has been designed to temporarily store run-off from events up to and including the 1%AEP event with an increase of 20% due to climate change allowance. A total of 185m³ temporary storage is to be provided on the site. Refer to Sections 3.3.7 'Proposed surface water attenuation' and Section 3.4 'Specific SuDS measures proposed' of the revised Engineering services report (Ref. Doc: T260-OCSC-XX-XX-RP-C-0001-S4-P06), as well as Appendix C for revised Surface water design & attenuation calculations.

A rainwater harvesting tank is included in the new proposal reducing the overall volume of runoff from site as well as additional soft landscaping features. Also, a Class 1 bypass fuel separator is to be provided as an additional and final mitigation measure, prior to surface water discharge to the network.

Yours sincerely

MARKO KOMSO
For O'Connor Sutton Cronin

**General Notes:**

- 1) The initial assessment referred to above is carried out taking into account water demand and wastewater discharge volumes and infrastructure details on the date of the assessment. **The availability of capacity may change at any date after this assessment.**
- 2) This feedback does not constitute a contract in whole or in part to provide a connection to any Irish Water infrastructure. All feasibility assessments are subject to the constraints of the Irish Water Capital Investment Plan.
- 3) The feedback provided is subject to a Connection Agreement/contract being signed at a later date.
- 4) A Connection Agreement will be required to commencing the connection works associated with the enquiry this can be applied for at <https://www.water.ie/connections/get-connected/>
- 5) A Connection Agreement cannot be issued until all statutory approvals are successfully in place.
- 6) Irish Water Connection Policy/ Charges can be found at <https://www.water.ie/connections/information/connection-charges/>
- 7) Please note the Confirmation of Feasibility does not extend to your fire flow requirements.
- 8) Irish Water is not responsible for the management or disposal of storm water or ground waters. You are advised to contact the relevant Local Authority to discuss the management or disposal of proposed storm water or ground water discharges.
- 9) To access Irish Water Maps email datarequests@water.ie
- 10) All works to the Irish Water Infrastructure, including works in the Public Space shall have to be carried out by Irish Water.

If you have any further questions, please contact Kevin McManmon from the design team at kmcmanmon@water.ie. For further information visit www.water.ie/connections.

Yours sincerely,

Yvonne Harris
Head of Customer Operations



Appendix F

Letter from J A Gorman Consulting Engineers, dated 14th February 2022.



Forest Park,
Mullingar, Co. Westmeath
Tel: 044 9347338 / 9347341
Fax: 044 9347400
Email: info@jagorman.ie
Web: www.jagorman.ie

Planning Department
South Dublin County Council
County Hall
Tallaght
Dublin 24

14th February 2022

Re: **Further Information Response**
File Ref.: **SD21A/0184**

Dear Sir/Madam,

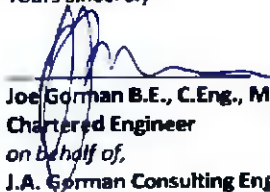
We have been asked by Node Architects to reply to Point 2 of the above referenced FI request.

J.A. Gorman are Consulting Engineers who specialise in design and construction of service stations and are very familiar with the Dangerous Substances Regulations which govern the safety requirements for such installations

We can confirm that we have reviewed the fuelling area design and the revised layouts submitted with this further information response and these do comply with Dangerous Substance Regulations, in our opinion.

If you have any queries, please do not hesitate to contact this office.

Yours sincerely


Joe Gorman B.E., C.Eng., M.I.E.I.,
Chartered Engineer
on behalf of,
J.A. Gorman Consulting Engineers Ltd.