

# Comhairle Chontae Atha Cliath Theas

**PR/0396/22**

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

**Reg. Reference:** SD21A/0184

**Application Date:** 05-Jul-2021

**Submission Type:** Additional  
Information

**Registration Date:** 02-Mar-2022

**Correspondence Name and Address:**

Lizzie Donnelly, Tom Phillips & Associates 80,  
Harcourt Street, Dublin 2

**Proposed 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 exiting 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 Name:**

Tom Staunton

**Application Type:**

Permission

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

Site Visit: 02/08/2021

Site Area: 1.4 Hectares.

#### **Site Description:**

The subject site is located on the southern side of the N4 National Primary Route, to the west of Liffey Valley Shopping Centre, to the north of the existing Liffey Valley Motor Mall and adjacent to the Clarion Hotel, Dublin 22. The site is accessed via an Estate Road off Fonthill Road. The site slopes gradually from south to north.

#### **Proposal:**

The proposed development comprises

- 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.

#### **Zoning:**

The subject site is subject to zoning objective 'MRC' - *'To protect, improve and provide for the future development of a Major Retail Centre'* under the South Dublin County Council Development Plan 2016-2022.

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### **Consultations:**

*HSE Environmental Health Officer*; No response

*Roads Section*; No objection subject to conditions

*Parks & Landscaping Services Section*; Further Information requested

*Water Services*; No objection subject to standard conditions

*Irish Water* – Additional Information requested

*NTA*; No response

### **Submissions/Observations/Representations**

Final date for submissions 09/8/21. No objections received.

### **Relevant Planning History**

*Application Site:*

SD15A/0396. Construction of a two-storey Motor Sales Outlet with servicing area (gross floor area of 2,939sq.m) comprising of a motor showroom, service workshop, parts store and customer facilities at ground floor with, office, staff canteen and toilet at first floor. The development also comprises illuminated building signage, 52 staff and customer parking spaces (including 2 electric vehicle charging bays), c.129 car bays for the purposes of display, parts collection, service and demonstration (including covered car parking bays) and cycle parking under a canopy structure, bin storage compound, car wash facility, gated compound, hard and soft landscaping, 1 free-standing illuminated sign, 1 free-standing illuminated directional sign, 2 display vehicle podiums, plant, ESB sub-station and all associated site development works.  
Grant Permission

*Adjacent sites:*

None of relevance

### **Relevant Enforcement History**

None recorded for subject site

### **Pre-Planning Consultation**

None recorded for subject site.

### **Relevant Policy in South Dublin County Council Development Plan 2016-2022**

#### **5 Retail**

Policy 4 Liffey Valley Major Retail Centre

Policy 9 Retail Warehousing

#### **11 Implementation**

Section 11.2.1 Design Statements

Section 11.2.7 Building Height

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Section 11.2.8 Signage – Advertising, Corporate and Public Information  
Section 11.3.6 Retail Development  
(v) Retail Warehousing

Section 11.4.1 Bicycle Parking Standards  
Table 11.22: Minimum Bicycle Parking Rates  
Section 11.4.2 Car Parking Standards  
Table 11.23: Maximum Parking Rates (Non-Residential)  
Section 11.4.4 Car Parking Design and Layout  
Section 11.4.6 Travel Plans

Section 11.6.1 (i) Flood Risk Assessment  
Section 11.6.1 (ii) Surface Water  
Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)  
Section 11.6.1 (iv) Groundwater  
Section 11.6.1 (v) Rainwater Harvesting  
Section 11.6.1 (vi) Water Services  
Section 11.6.3 Environmental Hazard Management  
Section 11.6.3 (i) Air Quality  
Section 11.6.3 (ii) Noise  
Section 11.6.3 (iii) Lighting  
Section 11.6.5 Waste Management

Section 11.7.1 Energy Performance Existing New Buildings

Section 11.8.1 Environmental Impact Assessment  
Section 11.8.2 Appropriate Assessment

### **Relevant Government Guidelines**

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

*Eastern and Midland Regional Assembly - Regional Spatial and Economic Strategy (RSES) 2019-2031*

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

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

*Retail Strategy for the Greater Dublin Area 2008-2016*, Dublin Regional Authority and Mid-East Regional Authority, (2008)

*The Planning System and Flood Risk Management Guidelines for Planning Authorities*  
Department of the Environment, Heritage and Local Government and OPW (November 2009)

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*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, Department of the Environment, Heritage and Local Government, (2009)  
*National Cycle Manual* – National Transport Authority (June 2011).

### **Assessment**

The main issues for assessment are:

- Zoning
- Visual Impact and Layout
- Roads and Transport
- Water Services
- Parks
- Screening for Appropriate Assessment
- Environmental Impact Assessment

### ***Zoning***

The subject site is subject to zoning objective 'MRC' - '*To protect, improve and provide for the future development of a Major Retail Centre*'. 'Motor Sales Outlet' is '*Permitted in Principle*'. The principle of the proposed development is therefore accepted.

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 within 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 should be requested to demonstrate how the proposed development complies with County Development Plan policies and submit revised proposals to achieve same.

### ***Visual Impact and Layout***

#### **Extension to Sales Outlet**

- The extension is on the western side of the existing showroom. This is c568sq.m and extends 14.52m to the west of the existing showroom, and 21.57m to the north of the existing building line.
- It includes a number of internal valet and working bays.
- The new extension will be accessed by a western rear sliding gate, and the western façade is offset from the property boundary line by 8.5m. The offset to the adjacent Hotel is 15.47m. The Planning Authority has concerns regarding odour emissions from the proposed body shop and its proximity to the Hotel. The applicant is requested by way of additional information to complete an appropriate assessment by a qualified consultant which examines the potential odours omitted from the workshop, the permitted

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substances to be used in the workshop, and the potential odour impact on adjacent properties.

- The height of the flat roof extension is 7.2m which slopes gently to the east for drainage. It is below the height of the existing and adjacent 9.24m show room building.
- 3m high vehicle entrance doors and pedestrian doors are included on the eastern and western elevations.
- Windows 1m in height are positioned 2.1m from the ground are also proposed on the eastern, northern and southern elevations.

Notwithstanding that the proposed design of the extension to the existing structure is deemed generally to be in keeping with the character of the buildings on site, the Planning Authority considers that the proposed extension having regard to its location 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. Proposals for the mitigation of the visual impact of the proposed development should be sought.

### Remote Sales office

- It is a flat roof single storey building 3m in height, and c20sq.m.
- Glazing surrounds the majority of the facades, with a pedestrian door located on the southern elevation.
- It is located adjacent to the bin store and c13.36m east from the main sales building.
- The design is deemed suitable and complements the existing development on site. Materials are complementary to the existing development.

Notwithstanding that the proposed design of the remote sales office is deemed generally to be in keeping with the character of the buildings on site, the Planning Authority considers that the proposed extension having regard to its location 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. Proposals for the mitigation of the visual impact of the proposed development should be sought.

### Car Parking

The table below is from the Planning Statement submitted with this application.

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Parking Description	Permitted/ Existing No. of Spaces	Proposed No. of Spaces
Staff	20	25 (5 no. additional)
Defined Display	20	79 (59 no. additional)
Customer	19 (includes 1 no. charging bay)	19
Demonstration	11 (includes 1 no. charging bay)	11
Service	26	23 (3 no. removed)
Indicative Display	Capacity for c.82 no. vehicles	Capacity for c. 72 vehicles
<b>Total</b>	<b>178</b>	<b>229</b>

**Table 3.1: Comparison of existing and proposed car parking and display spaces.**

This includes 5 additional customer parking spaces and 59 display spaces. Three service spaces are removed. The 5 additional spaces for 588sq.m additional floor space is approximately 1 per 100sq.m and is deemed acceptable. The vehicle display bays are proposed as permeable paving with the remainder of the site area to be tarmac. This is deemed appropriate.

Notwithstanding the above, the applicant has not demonstrated compliance with Section 11.4.4 Car Parking Design and Layout, in particular policy for 'Parking Courts'. Furthermore, the applicant has not demonstrated compliance with Chapters 7 'Infrastructure and Environmental Quality' and 8 'Green Infrastructure' of the County Development Plan. Proposals for the mitigation of the visual impact of the proposed development should be sought.

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 should submit proposals to retain the existing roadside berm 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). Revised proposals should be requested by way of Additional Information.

### Signage

A sign is proposed on the southern elevation of the extension, with another on the western elevation. A sign is also proposed on the remote sales hut. This comprises acrylic text and none are illuminated. Existing signage is also noted. The applicant is requested to submit a rationale for the increase in proposed signage and demonstrate that it will not result in visual clutter.

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### Other

- A proposed petrol pump for use by Toyota cars is proposed at north eastern corner of the site and is not for public use. This is accessed by an internal gate. This is acceptable as an ancillary use to the car sales facility. The applicant is however 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. **The use of this pump for private use only will be a condition of permission.**
- 16 proposed bicycle parking spaces are included in the south western corner of the site. These are contained within a covered stand 3.3m in height. This is deemed appropriate.
- An additional vehicle display podium is located to the front of the site on sloped ground (0-0.3m). This includes permeable paving and lighting. Bollards are proposed in front of the display (to be modified by additional information). The lighting is included in the outdoor lighting report to be reviewed by roads. The lux levels are deemed generally to be satisfactory.
- A pedestrian access is located east of the existing vehicle access which connects to the internal pedestrian route. This is noted and welcomed.
- The 2m high paladin fencing has been extended around the perimeter of the new site area to the east. This also results in the removal of a section of existing fence. Proposals for the planting around the boundaries will help to lessen the negative impact the proposed development will have on this greenfield site.

### Landscaping and Green Infrastructure

- Boundary hedging and tree planting are also proposed as per the landscape plan. The existing hedge also provides a buffer between the new parking area to the east, with access by a sliding gate. Further information is requested regarding the protection of existing landscape features.
- A storm water retention tank has been included in the north eastern corner of the site. SUDs features are included such as permeable paving and filter drains. The applicant however shall review the design to incorporate an above ground attenuation pond in line with the requirements of the CDP. The applicant should note that surface water attenuation should be provided for above ground in accordance with county development plan policy. Additional Information. More details are also requested regarding the other complementary SUDs features in addition to a pond.

Additional information is requested regarding SUDS and site safety.

### ***Roads and Transport***

The Roads Department has recommended a grant with conditions. This includes standard parking and taking in charge conditions, and the following *'All items and areas for taking in charge including areas currently in SDCC's charge shall be undertaken to a taking in charge standard'*. The Planning Authority notes the Roads Department Report.



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### ***Water Services***

Irish Water has requested additional information which includes the applicant obtaining a Confirmation of Feasibility for both water and foul water connections. This information will be requested as additional information.

The Water Services Department has requested standard conditions.

### ***Parks***

A report from Parks requested further information regarding concerns in relation to the retention of trees and hedgerows, more details on SUDS, and the removal of the underground tank. The above will be addressed through additional information.

### ***Screening for Environmental Impact Assessment***

Having regard to the modest 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.

### ***Screening for Appropriate Assessment***

An Appropriate Assessment was completed by Whitehill Environmental. It concludes that a Stage 2 Appropriate Assessment is not required and that there will be no impacts on European sites.

### ***Other considerations***

#### **Development Contributions**

Permission for car sales floorspace:  
Increase in floor space of 588sq.m

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Car sales – additional floor space	588sq.m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	1.4ha

### **Conclusion**

Additional information is requested. Having regard to the information submitted to the Planning Authority and the provisions of the South Dublin County Development Plan 2016 - 2022, it is considered that, subject to appropriate additional information being submitted that the proposed development would not seriously injure the amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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### **Recommendation**

Request Further Information.

### **Further Information**

Further Information was requested on 30/08/21

Further Information time period extended on 17/01/22

Further Information was received on 02/03/22

### **Consultations**

Roads Section – No objection, **conditions** recommended

Public Realm – No objection, **conditions** recommended

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

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

### **Submissions/Observations**

No further submissions/observations received.

### **Assessment of Further Information**

The Further Information requested was as follows:

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).

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(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

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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.

### Assessment

The applicant has submitted drawings and reports as requested and a response letter from the agent date stamped 2 March 2022.

### Item 1 – Policy, Site Layout, Car Parking, Green Infrastructure and Signage

#### *(i) – Compliance with Development Plan Policy*

The applicant's response reiterates that the expansion of the existing motor sales outlet is compliant with the sites MRC land use zoning objective. Furthermore, while concerns were stated about compliance with R4 Objective 5, the applicant states that significant changes have been made to the site layout to make it more attractive, including as follows '*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.*'

On review, it is considered that these changes assist in ensuring compliance with R4 Objective 5, while other objectives of the Retail (R) Policy 4 are complied with, specifically R4 Objectives 1 and 2. Additional areas of landscaping and other measures proposed to incorporate SuDS measures into the scheme are considered to be compliant with Chapters 7 and 8. On this basis, the revised scheme is considered to comply with Council policy contained within the Development Plan.

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### *(i) Site Layout Revisions*

The site layout has been revised, setting back the car parking spaces that were initially proposed up to the site boundary and instead placing 4 vehicle podiums and additional planting along the site boundary to create a buffer between the public realm and the new car parking area. As per SDCC's request, car parking is now located a minimum of 10m from the roadside edge.

These revisions are considered acceptable and would assist in creating a more attractive boundary to the site at this location, enhancing the public realm and improving the visual amenity of the proposed development.

### *(ii) Car Parking Design and Layout*

Section 11.4.4 of the Development Plan provides detail on the design and layout of car parks. In their response to the F.I request, the applicant states they do not believe that the current proposal comes under the remit of Section 11.4.4 as it is not providing car parking, but a display area for cars as well as service and demonstration bays associated with the retail and service use of the site. This point is considered acceptable.

The Roads Department has reviewed the additional information and state in their report that, *'The car park layout allows vehicles to move safely. The increase in staff parking by 5no. is adequate. Roads are satisfied with the submission.'* The Report recommends the following **conditions**:

- 1. The applicant shall provide 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points, REASON: In the interest of sustainable transport.*
- 2. All items and areas for taking in charge including areas currently in SDCC's charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.*
- 3. Prior to commencement a Public Lighting Design for the development must be submitted and agreed by the Public Lighting team of SDCC.*

These **conditions** are considered appropriate.

It is noted that over 450sq.m of additional landscaped areas has been provided and measures have been proposed to lessen the impact of the display court when viewed from the public road and increase green infrastructure at the site. Furthermore, car parking spaces have been reduced from 232 to 219 spaces. These amendments are considered acceptable and assist in achieving the overarching objectives of Chapters 7 and 8 of the Development Plan.

### *(iii) Green Infrastructure*

The previously proposed underground stormwater retention tank has been removed and a combination of wet swales and filter drains are now proposed. Water Services have reviewed the

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additional information and have stated no objection to the proposals, recommending standard **conditions** in the event of a grant. It is considered that the use of green infrastructure now complies with the Council's Policy on the use of above ground SuDS measures rather than underground attenuation and storage tanks.

### *(iv) Signage*

2 signs have been removed from the proposal as follows:

- 'Body & Paint' sign omitted from the south elevation of the building extension
- 'New & Used Vehicles' signage omitted from east elevation of building extension

In addition, the 'Sales' sign on the remote sales hub has been reduced in size. These alterations are considered acceptable. No details on illumination for this sign have been provided and a **condition** should be attached stating that illumination of the sign would be subject to a separate planning application.

### Item 2 – Pump

Correspondence has been included in the applicant's response from JA Gorman, Consulting Engineers. In their letter they state, '*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.*'

This response is considered acceptable. The use of this pump shall be for private use only will be a **condition** of permission.

### Item 3 – SuDS

Water Services have reviewed the additional information submitted and have stated no objection to the revised development, recommending standard **conditions** in the event of a grant.

The Public Realm department have reviewed the additional information and recommend the following **condition** in the event of a grant:

#### *1. Landscaping and SUDS*

*Prior to the commencement of the development, the applicant shall submit and agree with the Public Realm Section the following plans and details:*

- Permeable paving that extends to the staff parking area.*
- Trees adjacent to hardstanding shall have SuDS bioretention tree pits or linear trenches that attenuate water.*
- SuDS strategy to show direction of flow (including clarification of pervious pipes within the permeable paving base course discharging to the swale as part of the treatment train rather than to the existing piped network).*

*The applicant is referred to the recently published new 'Sustainable Drainage Explanatory, Design and Evaluation Guide 2022.*

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This **condition** is considered appropriate.

### Item 4 – Tree Protection

The Public Realm department have reviewed the additional information and an extract from their report states *'The Public Realm Section is requesting that the applicant provide and Tree and hedgerows protection measures for existing boundary trees/hedgerow and further SuDS measures and detail as a **condition** of any grant of planning permission.'*

The recommended **conditions** are:

#### 1. *Protection of Existing Trees*

*There are concerns with the absence of information submitted in relation to protection of existing trees and hedgerows on /adjacent to the subject site particularly those along the western boundary adjacent to the proposed extension to the existing motor sales outlet.*

- i. Prior to the commencement of development construction, a tree and hedgerow survey of trees/hedgerow along the western site boundary to be submitted.*
- ii. Tree and hedgerow protection measures to be proposed, in accordance with BS 5837: 2012: Trees in Relation to Design, Demolition and Construction, to ensure tress/hedgerows are not disturbed during construction.*
- iii. The report shall be carried out by an independent, qualified Arborist.*
- iv. A bond payment will be required to ensure existing trees are protected, based on the results of the tree and hedgerow survey.*

This **condition** is considered appropriate and should be attached in the event of a grant of permission.

### Item 5 – Irish Water Pre-Connection Enquiry / Confirmation of Feasibility

Irish Water have reviewed the additional information provided and have stated no objection to the development. Their report recommends **conditions** are attached in the event of a grant requiring the applicant to enter into water and wastewater connection agreements with Irish Water prior to the commencement of development.

### Item 6 – Workshop Odour Assessment

The applicant has submitted an Odour Risk Assessment, prepared by RSK Environment Ltd. (RSK). The Report 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 to be necessary.'*

The RSK Report details a desk-based assessment that was undertaken based on a methodology specified by the IAQM and was based on a review of o the site surroundings, local wind data and data from the Casement aerodrome meteorological station. This assessment was based on the assumption that the proposed spray painting booth represents a small source odour potential with

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a 'high' sensitivity for local receptors. The assessment findings were that this source is likely to have a 'negligible effect' on existing nearby receptors.

The findings of this report are considered acceptable.

### **Conclusion**

The development subject to conditions, is considered to be consistent with the zoning objective 'MRC – *To protect, improve and provide for the future development of a Major Retail Centre*', and the relevant provisions in the County Development Plan 2016-2022 and is considered acceptable.

### **Other Considerations**

#### **Development Contributions**

Vehicle display spaces: 41 additional spaces  
Extensions: 588sq.m

#### **SEA Monitoring Information**

Building Use Type Proposed: Extension to existing motor sales outlet  
Floor Area: 588sq.m  
Land Type: Urban Consolidation.  
Site Area: 1.4 Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

## **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 -



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2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 02/03/2022, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Taking In Charge  
All items and areas for taking in charge including areas currently in SDCC's charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit to the Planning Authority for written agreement construction details of all items to be taken in charge. No development shall take place until these items have been agreed.  
REASON: In the interest of the proper planning and sustainable development of the area and to provide clarity on the nature and extent of areas intended to be offered for Taking-in-Charge to the Planning Authority.
3. Public Lighting.  
Prior to commencement of development a Public Lighting Design for the development shall be submitted to the Planning Authority for written agreement.  
REASON: In the interests of public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.
4. Irish Water Connection Agreement.  
Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.  
REASON: In the interest of public health and to ensure adequate water/wastewater facilities.
5. Drainage - Surface Water.  
The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:  
(a) Fully detailed foul and surface water drainage plans for the proposed development as approved showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the

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requirements Council's Water Services Section and or Irish Water,

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(c) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

(d) The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance and shall include documented evidence of infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365.

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:

(i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.

(ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.

(iii) a minimum of 10m from any sewage treatment percolation area.

(iv) at least 10m from any stream / river / flood plain.

In addition only rainwater shall be discharged to soakaways.

**REASON:** In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

### **6. Parking**

The applicant shall provide 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points

**REASON:** In the interest of sustainable transport.

### **7. Petrol Pump**

The use of the petrol pump shall be for private use only and shall not be available to the public.

**REASON:** In the interests of the proper planning and sustainability of the area.

### **8. Landscaping and SUDS**

Prior to the commencement of the development, the applicant shall submit the following to the Planning Authority for written agreement:

(i) Permeable paving that extends to the staff parking area.

(ii) Trees adjacent to hardstanding shall have SuDS bioretention tree pits or linear trenches that attenuate water.

(iii) SuDS strategy to show direction of flow (including clarification of pervious pipes within the permeable paving base course discharging to the swale as part of the treatment train rather than to the existing piped network).

**REASON:** To ensure adequate provision of SuDS.

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### 9. Protection of Existing Trees

Prior to the commencement of development the following shall be submitted to the Planning Authority for written agreement:

- (i) A tree and hedgerow survey of trees/hedgerow along the western site boundary
- (ii) Tree and hedgerow protection measures to be proposed, in accordance with BS 5837: 2012: Trees in Relation to Design, Demolition and Construction, to ensure trees/hedgerows are not disturbed during construction.
- (iii) The report shall be carried out by an independent, qualified Arborist.
- (iv) A bond payment will be required to ensure existing trees are protected, based on the results of the tree and hedgerow survey.

REASON: To ensure the protection of existing trees.

### 10. Restrictions on Signage.

Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a grant of planning permission.

REASON: To protect the visual amenities of the area and in the interest of the proper planning and sustainable development of the area.

### 11. Signage Not Internally Lit.

The proposed signage shall not be internally illuminated.

REASON: In the interest of residential amenity, and the proper planning and sustainable development of the area.

### 12. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €58,475.96 (fifty eight thousand four hundred and seventy five euros and ninety six cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority

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and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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**REG. REF: SD21A/0184**

**LOCATION: Toyota Liffey Valley, Liffey Valley Motor Mall, Dublin 22**

*jjohnston*  
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**Jim Johnston,**  
**Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:** 29/3/22

  
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**Eoin Burke, Senior Planner**