

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1

Date: 9th June 2022
JSA Ref. 20196

Dear Sir / Madam,

**RE: PROPOSED STRATEGIC HOUSING DEVELOPMENT APPLICATION IN
RELATION TO A PROPOSED MIXED-USE DEVELOPMENT AT BELGARD
SQUARE EAST, BELGARD ROAD & BLESSINGTON ROAD, TALLAGHT,
DUBLIN 24**

**PLANNING & DEVELOPMENT (AMENDMENT) (NO.3) REGULATIONS 2015
PART V**

The proposal is for planning permission for a mixed-use development including 310 no. Build to Rent residential apartments of 99 no. 1-bed, 203 no. 2-bed units and 8 no. 3-bed units and c. 2,289 sqm of retail and commercial development and ancillary residential amenity, open space, landscaping and all associated infrastructure on a vacant site extending to c. 1.26 hectares at Belgard Square East, Belgard Road and Blessington Road, Tallaght, Dublin 24.

This Part V proposal letter accompanies a planning application submitted under Section 4 of the Planning & Development (Housing) & Residential Tenancies Act 2016, as amended.

In order to meet the 10% Part V requirement, the applicant has identified the possible provision of 31 no. units comprising of the following:

- 15 no. 1 bedroom apartments
- 16 no. 2 bedroom apartments

These proposals are based on initial costings prepared by the applicant and submitted alongside this letter at Appendix 1. Following consultation with South Dublin Council Housing Department, a Validation Letter is now attached at Appendix 2.

In accordance with the Planning and Development (Amendment) (No.3) Regulations 2015 and the guidance provided in Circular PL10/2015, please find the following information enclosed on behalf of the applicant:

Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPI
Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPI Rory Kunz BA (MOD) MScERM MAT&CP Dip EIA Mgmt. MIPI
Stephen Blair BA (Mod) MRUP MIPI MRTPI Blaine Cregan B Eng BSc MSc

Senior Associate Directors: Luke Wymer BA MRUP Dip Plg & Env Law Dip PM Prof Cert Env Mgmt MIPI
Meadhbh Nolan BA MRUP MRTPI Kate Kerrigan BA MSc MRTPI

Associate Director: Ian Livingstone MA (Hons) Town & Regional Planning, MSc. Spatial Regeneration. MRTPI

John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.
Registered in Ireland No. 396306. Registered Office: 39, Fitzwilliam Place, Dublin 2. VAT No. IE 6416306U

- (i) *Part V Reference Plan (no. BR-HJL-00-00-DR-A-1051 - 1055) prepared by Henry J Lyons Architects illustrating the location within the scheme of the proposed Part V units, schedule of accommodation and housing quality assessment;*
- (ii) *Applicant's Estimated Table of Costs, including Estimated Total Cost to the Planning Authority and Estimated Cost Per Unit prepared by KMCS Chartered Quantity Surveyors.*

The exact details of the Part V agreement will be required to be agreed as a condition of planning permission. The applicant has engaged with South Dublin Council Housing Department during the formal Pre-Application Consultation stage and a Validation Letter is enclosed at Appendix 2.

It is noted that the Affordable Housing Bill came into effect on 3rd September 2021 and reflected in Section 96 of the Planning & Development Act 2000, as amended. This requires the provision of 10% of any residential development to be provided for the purposes of affordable housing, in addition to social housing requirements under Part V. An exemption to this is in place when the applicant and owner of the site purchased the site between 1st September 2015 and 31st July 2021.

The relevant part of the Act is as follows:

Section 96(3)(j) of the Planning and Development Act, 2000 provides that:

"Where—

i) the permission is granted before 1 August 2021, or

(ii) the permission is granted during the period beginning on 1 August 2021 and ending on 31 July 2026 and the land to which the application for permission relates was purchased by the applicant, or the person on whose behalf the application is made, during the period beginning on 1 September 2015 and ending on 31 July 2021,

the reference to "20 per cent of the land" in paragraph (a) shall be read as "10 per cent of the land" and the reference in paragraph (bb) to "at least half of the aggregate of the net monetary value" shall be read as "all of the aggregate of the net monetary value."

The applicant Ravensbrook Ltd is the registered owner of the site and acquired this on 19th February 2021. This is confirmed by the accompanying A&L Goodbody letter included at Appendix 3 of this letter. In this respect, the provisions of section 96(3)(j) of the Planning and Development Act, 2000 will apply in the event that permission is granted to Ravensbrook Ltd before 31st July 2026.

The result of section 96(3)(j) applying is that an agreement under section 96 of the Planning and Development Act, 2000 shall provide for the transfer to the planning authority of the ownership of 10 per cent of the land that is subject to the application for permission for the provision of housing referred to in section 94(4)(a) of the Planning and Development Act 2000, as amended.

In preparing this information we have had regard to Circular PL 10/2015 and Housing Circular 36/2015 issued by the Department of Environment, Community and Local Government.

Please note that the details submitted in respect to compliance with Part V are indicative and are subject to future discussions and agreement with the Planning Authority.

We trust that this is satisfactory in the context of this application to An Bord Pleanála. We would be happy to provide further clarification on any aspects of this application if required.

Yours faithfully,



John Spain Associates

Appendix 1 - Proposed Costings

APPENDIX 1 - PROPOSED COSTINGS		
Part V - Belgard Road, Dublin 24		31 Units
	<i>GIFA Area</i>	2,083
1.00	Construction Costs	€ 11,672,261
2.00	Other Development Costs	€ 1,750,839
	<i>Subtotal - Construction & Development Costs</i>	€ 13,423,100
3.00	Existing use value land	€ 658,000
	<i>Subtotal- Construction, Development Costs and Use Value Land</i>	€ 14,081,100
4.00	Profits on Costs 15%	€ 2,112,165
5.00	VAT on Construction 13.5%	€ 1,575,755
5.01	VAT on Fees 23%	€ 339,604
TOTAL ESTIMATED COST		€ 18,108,624
TOTAL ESTIMATED COST PER UNIT (Average)		€ 584,149
TOTAL ESTIMATED COST PER SQM		€ 8,694
Estimated Average Rent (Market Value)		
<i>Type</i>	<i>No.Part V</i>	<i>Est. Market Monthly Rent Per Apartment</i>
1 Bed Apt	15	€ 1,550
2 Bed Apt Two Bath	16	€ 1,775

Appendix 2 – South Dublin County Council Validation Letter

02nd June 2022

Mr Eoin P Conway MSCSI MRICS ACI Arb
Eoin Conway and Associates
8 Fitzwilliam Square
Dublin 2

Dear Mr. Conway,

It is noted that Ravensbrook Ltd intend to lodge a planning application to develop a site located at the Former Woodies Site, Belgard Square East, Tallaght, Dublin 24 consisting of a mixed-use development to include 310 residential units.

In respect of lodging the proposed planning application I can confirm that Eoin Conway and Associates has, on behalf of the applicant, engaged with the Housing Department, South Dublin County Council regarding a Part V proposal to satisfy Part V. It is noted that the proposed Part V units include 31 no. apartment units (15 no. 1 beds and 16 no. 2 beds).

South Dublin County Council's preference in respect of Part V is to acquire units on site and is bound by the planning permissions granted. In the event of the granting of planning permission the unit nos., types, location and costings in respect of Part V requirement are to be agreed with Housing Department subject to approval of the Department of Housing, Local Government and Heritage. The Part V percentage liability is dependent on the date the applicant purchased the subject site and the applicant is required to provide proof of same to the Housing Department.

Should you have any queries regarding this letter please do not hesitate to contact me.

Yours sincerely,

Rachel Jackson
Administrative Officer
Part V Housing Department
South Dublin County Council

Appendix 3 – A&L Goodbody Letter

Date | 2 June 2022
Our ref | 01434537
Your ref |

An Bord Pleanála
64 Marlborough St
Rotunda
Dublin 1
D01 V902

Ravensbrook Limited - Belgard Road, Tallaght, Dublin.
Section 96(3)(j) of the Planning and Development Act 2000 (as amended)

To whom it may concern,

The purpose of this letter is to evidence the applicability of section 96(3)(j) of the Planning and Development Act 2000 (as amended) (the **PDA 2000**) in respect of lands at Belgard Road, comprised in Folio DN91353L, DN92077F and DN216605F of the Register County Dublin.

Sections 96(3)(a) and 96(3)(j) of the PDA 2000 provide that where planning permission is granted between 1 August 2021 and 31 July 2026, a 10% Part V requirement for the provision of social housing will apply, where land to which the application relates was purchased between 1 September 2015 and 31 July 2021 (the **Applicable Time Period**).

We acted for Ravensbrook Limited (company number 668182) (the **Company**) in the acquisition of the Property during the Applicable Time Period.

The Property was acquired by the Company by way of deed of transfer (hereby appended to this letter) dated 19 February 2021. Registration of this transfer is currently pending registration with the Property Registration Authority, under dealing D2021LR118350G.

Accordingly, we certify that ownership of the Property was transferred to the Company during the Applicable Time Period.

Yours sincerely

A&L Goodbody LLP

A&L Goodbody LLP

Enc M-65003138-2

A&L Goodbody

Dated the 19th day of February 2021

SDI (Tallaght) Limited

Ravensbrook Limited

TRANSFER



Stamp Certificate

Document ID: 210027895G

Date Issued: 12/03/2021

Stamp Certificate ID: 21-1134086-23E4-190221-D

Notice Number: 38097850-14860T

Duty: [REDACTED]
[REDACTED]

Date of Execution of Instrument: 19/02/2021

Parties From: SDI (TALLAGHT) LIMITED

Parties To: RAVENSBROOK LIMITED

Property Site at Belgard Road, Tallaght, Dublin 24, Dublin
Folio Number(s): DN91353L, DN92077F, 216605F
Non Residential: Chargeable Consideration: [REDACTED]

Revenue 

LAND REGISTRY

County Dublin

Folios DN91353L,
DN92077F and DN216605F

Transfer dated the 19th day of FEBRUARY 2021

SDI (Tallaght) Limited having its registered address at Unit A, Brook Park East, Shirebrook, England, NG20 8RY (Companies House Number 10915203) the registered owner (the **Transferor**),

acknowledged), hereby transfers all of the lands and property described in Folios DN91353L, DN92077F and DN216605F together with all appurtenant rights thereto to **Ravensbrook Limited** (the **Transferee**).

The Transferee declares that the unexpired residue of the term of the Lease dated 24 September 1992 between (1) The Right Honourable The Lord Mayor Alderman and Burgesses of Dublin and (2) Hainault Properties Limited comprised in Folio DN91353L shall merge in the freehold reversion comprised in Folio DN216605F and become extinguished to the intent that the Transferee shall henceforth stand seised of the lands comprised in DN216605F free from DN91353L.

The address of the Transferee in the State for service of notices and its description are:
Dixon Quinlan Solicitors,
8 Parnell Square East,
Dublin 1
Private company limited by shares.

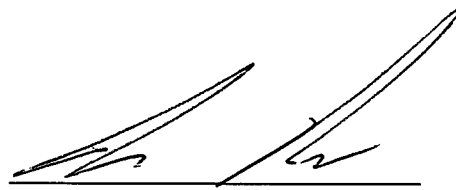
IT IS HEREBY CERTIFIED as follows-

That Section 29 (Conveyance on Sale Combined with Building Agreement for Dwellinghouse/Apartment) of the Stamp Duties Consolidation Act, 1999, does not apply to this Instrument.

For the purposes of Section 238 of the Companies Act 2014 that the Transferor and Transferee are not bodies corporate connected with one another in a manner which would require the transaction hereby effected to be approved by resolutions of the members of either or the members of any holding company of either.

This Deed may be executed in any number of counterparts and by the parties hereto on separate counterparts each of which, when so executed and delivered, shall constitute an original but all of which together shall constitute one and the same instrument.

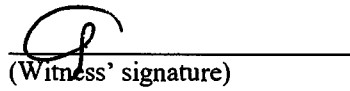
SIGNED AND DELIVERED as a deed
for and on behalf of
SDI (Tallaght) Limited
by its lawfully appointed attorney



(Signature of Attorney)
Attorney for and on behalf of
SDI (Tallaght) Limited

THOMAS PIPER
(Name of Attorney)

In the presence of:-


(Witness' signature)

CLAIRE GEORGIN
(Witness' name)

30-31 MINORIC, LONDON, EC2M 1PD.
(Witness' address)

COMMERCIAL MANAGER.
(Witness' occupation)

SIGNED AND DELIVERED as a deed
for and on behalf of
Ravensbrook Limited
by its lawfully appointed attorney



(Signature of Attorney)
Attorney for and on behalf of
Ravensbrook Limited

Michael Quirk
(Name of Attorney)

In the presence of:-

Marion Honerawera
(Witness' signature)

MARION HONERAWERA
(Witness' name)

8 Parnell Square, Dublin 1
(Witness' address)

Legal Centre
(Witness' occupation)