

# **Comhairle Chontae Atha Cliath Theas**

**PR/1599/22**

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

**Re: Amendment under Section 146A of the Planning and Development Act 2000 (as amended) – Register Reference SDZ22A/0005.**

Planning permission was applied for under Register Reference **SDZ22A/0005** for the following:

Phase Three of the Adamstown District Centre and consists of 37,402sq.m (gross floor area including car parking and storage) of residential development to be constructed in 3 blocks ranging in height from 2 to 9 storeys; There is a total of 436 apartments, comprising 9 studio apartments, 204 one bedroom apartments, 213 two bedroom apartments and 10 three bedroom apartment; An ancillary resident's pavilion building (2 storey) is linked to Block D, ancillary resident's amenity rooms and facilities are also provided at ground floor level of Block A; All apartments are provided with private open space in the form of balconies or gardens; The proposed block description is as follows: Block A (c. 11,821sq.m gross floor area): 4 - 5 storeys in height, with a total of 143 apartments (70 one bedroom apartments, 67 two bedroom 4 person apartments and 6 no. 3-bedroom apartments); A resident's only podium level, courtyard is provided within Block A; Ancillary plant, storage, waste, and internal bicycle parking rooms provided at ground floor level; Block C (c. 9,680sq.m gross floor area): 4 - 9 storeys in height, with a total of 124 apartments {60 one bedroom apartments, 5 two bedroom 3 person apartments, 55 two bedroom 4 person apartments and 4 three bedroom apartments). Communal open space is provided within 2 parcels of land to the east of Block C between Block C and Block D. Ancillary plant, waste and internal bicycle parking rooms provided at ground floor level; Block D (c.12,757sq.m gross floor area): 2 - 5 storeys in height, together with linked ancillary resident's pavilion building (2 storey). Block D comprises a total of 169 apartments (9 studio apartments, 74 one bedroom apartments, 11 two bedroom 3 person apartments, and 75 two bedroom 4 person apartments); Communal open space is provided within 2 parcels of land within Block D; Ancillary plant, amenity rooms and internal bicycle parking rooms provided at ground floor level. Ancillary plant, waste and internal bicycle parking rooms provided at ground floor level; on lands generally bounded by Adamstown Avenue to the north, to the east by undeveloped lands which benefit from planning permission Reg. Ref. SDZ20A/0008 (as amended by SDZ20A/0016, SDZ20A/0018 and SDZ21A/0017), to the south by Station Road, the railway line and train station and to the west by the railway overpass and its approach road, known locally as the farmer's bridge.

Permission was granted for this development.

The condition relating to the Bond was omitted from decision order PR/1271/22 in error. The purpose of the bond is to facilitate the operation of the planning permission by ensuring the satisfactory completion and maintenance, to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), of roads, open spaces,

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car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development.

The bond calculation is as follows:

<b>ASSESSMENT OF SECURITY BONDS 2022</b>			
<b>Dwellings</b>	<b>NO OF UNIT</b>	<b>CASH</b>	<b>BOND</b>
1-20	0	€6,994	€8,043
21-50	0	€4,896	€5,630
51+	0	€2,798	€3,217
<b>TOTAL DWELLING</b>	<b>0</b>	<b>€0.00</b>	<b>€0.00</b>
<b>Apartments</b>	<b>NO OF UNIT</b>	<b>CASH</b>	<b>BOND</b>
1-20	20	€4,969	€5,715
21-50	30	€3,478	€4,000
51+	386	€1,988	€2,286
<b>TOTAL DWELLING</b>	<b>436</b>	<b>€971,088.00</b>	<b>€1,116,696.00</b>
<b>TOTAL SECURITY CALCULATION</b>		<b>€971,088.00</b>	<b>€1,116,696.00</b>

Under Section 146A of the Planning & Development Act, 2000 (as amended), a planning authority may amend a planning permission granted by it for the purposes of –

- (i) Correcting any clerical error therein,
- (ii) facilitating the doing of anything pursuant to the permission or decision where the doing of that thing may reasonably be regarded as having been contemplated by a particular provision of the permission or decision or the terms of the permission or decision taken as a whole but which was not expressly provided for in the permission or decision, or

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(iii) otherwise facilitating the operation of the permission or decision.'

It is recommended that no development shall be commenced until (A) Lodgement of a cash deposit of **€971,088.00** (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or (B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of **€1,116,696.00** (nine hundred and seventy four thousand one hundred and forty nine euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Council's Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development. This is to ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

And that the subject permission be amended accordingly pursuant to s. 146A(1)(iii) to facilitate the operation of the permission and without any material alterations to how the development will be expressed on-site.

  
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**Gormla O'Corrain,**  
**Senior Planner**

**ORDER:** That that no development shall be commenced until (A) Lodgement of a cash deposit of **€971,088.00** (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided,

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completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or  
(B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of **€1,116,696.00** (nine hundred and seventy four thousand one hundred and forty nine euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Council's Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development. This is to ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

And that the subject permission be amended accordingly pursuant to s. 146A(1)(iii) to facilitate the operation of the permission and without any material alterations to how the development will be expressed on-site.

Date: 15 Dec 2022



**Mick Mulhern**  
**Director of Planning, Land Use and**  
**Transportation**