

# **Comhairle Chontae Atha Cliath Theas**

**PR/1598/22**

## **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/0006.**

Planning permission was applied for under Register Reference SDZ22A/0006 for the following:

Construction of 352 residential units (terraced, semi-detached and detached) comprising 253 two storey houses (15 two bed units and 238 three bed units ranging in size from c. 86sq.m to c. 118sq.m) and 99 three storey houses (18 three bed units and 81 four bed units and ranging in size from c. 147sq.m to c. 189sq.m); The total gross floor area of the development is c. 43,272sq.m; The development will also comprise the provision of 2 vehicular accesses from Adamstown Boulevard, 1 vehicular access from Adamstown Drive (L1030), 2 vehicular accesses from Adamstown Park Road and 2 vehicular accesses from Tandy's Lane; vehicular connections will also be provided to permitted roads in Tandy's Lane Phase 1; internal routes; 535 car parking spaces including on-curtilage and off-curtilage spaces; bicycle parking; bin storage; plant; ESB Substations; boundary treatments; lighting; hard and soft landscaping; and all other associated site works; on 2 No. sites separated by the permitted Tandy's Lane Phase 1 Development (SDCC Reg. Ref. SDZ19A/0011) with a total site area of c. 10.24 hectares at Tandy's Lane, in the townlands of Doddsborough and Finnstown, Adamstown, Lucan, Co. Dublin. The western site (8.06 hectares) is generally bounded to the west by Adamstown Boulevard, to the north by Adamstown Drive (L1030), to the east by the Tandy's Lane Phase 1 Development which is currently under construction (SDCC Reg. Ref. SDZ19A/0011) and undeveloped lands, and to the south by Tandy's Lane which links Adamstown Boulevard with Adamstown Park Road. The eastern site (2.18 hectares) is generally bounded to the west / north-west by the permitted Tandy's Lane Phase 1 Development, to the east by Adamstown Park Road and to the south by Tandy's Lane; This application is being made in accordance with the Adamstown Planning Scheme 20141 (as amended) and relates to a proposed development within the Adamstown Strategic Development Zone Planning Scheme. The lands are located within the Tandy's Lane Village Development Area.

Permission was granted for 348 no. units.

Both a Development Contribution Levy and a Bond apply in relation to this development.

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The condition relating to the Bond was omitted from decision order **PR/1221/22** 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, 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>
<b>1-20</b>	<b>20</b>	<b>€6,994</b>	<b>€8,043</b>
<b>21-50</b>	<b>30</b>	<b>€4,896</b>	<b>€5,630</b>
<b>51+</b>	<b>298</b>	<b>€2,798</b>	<b>€3,217</b>
<b>TOTAL DWELLING</b>	<b>348</b>	<b>€1,120,564.00</b>	<b>€1,288,426.00</b>
<b>Apartments</b>	<b>NO OF UNIT</b>	<b>CASH</b>	<b>BOND</b>
<b>1-20</b>	<b>0</b>	<b>€4,969</b>	<b>€5,715</b>
<b>21-50</b>	<b>0</b>	<b>€3,478</b>	<b>€4,000</b>
<b>51+</b>	<b>0</b>	<b>€1,988</b>	<b>€2,286</b>
<b>TOTAL DWELLING</b>	<b>0</b>	<b>€0.00</b>	<b>€0.00</b>
<b>TOTAL SECURITY CALCULATION</b>		<b>€1,120,564.00</b>	<b>€1,288,426.00</b>

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There was also an error in the calculation of the development contribution levy, where the commercial rate was charged on the residential aspects of the development in error. The corrected calculation is as follows:

### Development Contributions

Planning Reference Number	SDZ22A/0006
Summary of permission granted & relevant notes:	348 dwellings
Are any exemptions applicable?	No
If yes, please specify:	
Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	42055.1
Amount of Floor area, if any, exempt (m2)	4016.5
Total area to which development contribution applies (m2)	38038.6
Total development contribution due	€3,974,653.31

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

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decision taken as a whole but which was not expressly provided for in the permission or decision, or  
(iii) otherwise facilitating the operation of the permission or decision.'

It is recommended that

(i) No development shall be commenced until (A) Lodgement of a cash deposit of **€1,120,564.00** (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 **€1,288,426.00** (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.

(ii) total development contribution levied be amended to €3,974,653.31.

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

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**ORDER:** (i) No development shall be commenced until (A) Lodgement of a cash deposit of **€1,120,564.00** (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 **€1,288,426.00** (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.

(i) total development contribution levied be amended to €3,974,653.31.

Date: 15 Dec 2022



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