



# QUINTAIN

Senior Administrative Officer,  
Land Use Planning & Transportation,  
County Hall,  
Tallaght,  
Dublin 24.

26 January 2023

## **SUBJECT TO AGREEMENT / WITHOUT PREJUDICE**

**RE: COMPLIANCE WITH S.96 (PART V) PLANNING AND DEVELOPMENT ACT, 2000 AS AMENDED (“THE ACT”) AND THE STATUTORY REGULATIONS MADE THEREUNDER. PLANNING APPLICATION BY CLEAR REAL ESTATE HOLDINGS LIMITED FOR PLANNING PERMISSION FOR 385NO. UNITS AT SITE LOCATED IN THE TOWNLAND OF ADAMSTOWN, WITHIN THE CLONBURRIS STRATEGIC DEVELOPMENT ZONE (ADAMSTOWN EXTENSION), CO. DUBLIN.**

Dear Sir / Madam,

We, Clear Real Estate Holdings Limited, Fitzwilliam Court, Leeson Close, Dublin 2 write to the Planning Authority regarding the above.

We refer to the above-mentioned proposed planning application and set out herewith details of the proposal to satisfy and comply with the requirements of s. 96 (Part V) of the Act, as amended. We have also had regard to Circular Letter 28/2021 arising from the Affordable Housing Act 2021.

Please note that the contents of this letter are purely indicative and is intended to provide a reasonable estimate of the costs and values of the units based on construction costs and values prevailing at the time of the application. Please also note that the information set out herewith is purely for the purposes of facilitating the making of a valid planning application and will ultimately be subject to possible amendment and formal agreement with South Dublin County Council prior to submission of the Commencement Notice in relation to the development of the site on foot of a Condition of Permission. The financial data contained herein is provided to the level of detail commensurate with this stage of the Part V process having regard to Circular Letter 10/2015 and should be read as being indicative as a result.

We note under the recent Amendment to the Act and its accompanying Regulations that the ultimate agreement with regard to Part V is dependent a) upon receipt of a final grant of permission and b) upon a site value at the time the Permission is granted; neither of which can be available at this time.

### **Preferred Option to Comply with Part V**

We confirm that the Applicant purchased the application site within the period 1 September 2015 and 31 July 2021. This Application is one that will be determined by An Bord Pleanála, in the period before 31 July 2026. As a result of the above, in line with Section 96(3)(j) of the Planning & Development Act 2000, as amended, the appropriate Part V requirement is 10%.

It is also acknowledged that the default Part V compliance is 10% of the application site. In this case the proposal is to provide units on site equivalent to the net monetary value of the Part V default provision in line with the provisions of the Act.

It is proposed that the Applicant will provide 39no. units to comply with the 10% requirement under Part V.



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## Estimated Cost to the Local Authority

The overall estimated cost to the Local Authority at this time is €14,354,768.91 on the basis of the Council acquiring 39no. units being identified for Part V.

## Identification of Units

In the context of the proposed development as shown in this planning application it is therefore proposed to provide up to 39no. units on site in total to comply with Part V of the Act. It is proposed to provide 30no. Apartments in one block (15no. 1-bed apartments and 15no. 2-bed apartments), 4no. Duplex units in one block (2no. 2-bed apartments and 2no. x 3-bed Duplex units) and 5no. 3-bed houses on one terrace, with an estimated total cost of €14,354,768.91.

The above is subject to change depending upon the nature of any final grant of permission, including Conditions and the assessment by the Housing Authority of the ultimate proposal. The location of the 39no. units are identified on Part V Proposal within the Architectural Design Rationale, prepared by Burke Kennedy Doyle Architects which accompanies the planning application.

## Methodology of Calculation of Costs

We confirm that the methodology for estimating the costs set out above follows that set out in Table 2 of Circular Letter 10/2015. The breakdown of costs are set out below:

- Fixed Land Costs,
- Market rates for Construction and Development Costs,
- Builders Profit & Attendance at 7.5% (inc. with Development Costs),
- Vat at 13.5%

House Type	1-Bed Apt.	2-Bed Apt.	3 Bed House	2 Bed Duplex Apt.	3 Bed Duplex
Size (m <sup>2</sup> )	48.9 sqm & 53.9 sqm	81.5 sqm	109.5 sqm (Gable & Terrace Unit)	85.6 sqm	117.9 sqm
Number of Units	15no. Units (5no. & 10no. respectively)	15no. Units	5no. Units (2no. & 3no. Respectively)	2no. Units	2no. Units
Construction Cost	€205,043 & €218,659	€293,821	€268,414 & €281,969	€283,795	€305,383
Development Cost	€34,119 & €36,385	€52,392	€44,664 & €46,920	€47,223	€50,816
Profit on Cost	€15,378 & €16,399	€22,037	€20,131 & €21,148	€21,285	€22,904
Land Cost	€1,500	€1,500	€1,500	€1,500	€1,500
VAT @ 13.5%	€3,565 & €36,847	€49,916	€45,189 & €47,457	€47,763	€51,381
<b>Total Unit Estimated Cost</b>	<b>€290,605 &amp; €309,791</b>	<b>€419,666</b>	<b>€379,895 &amp; €398,993</b>	<b>€401,566</b>	<b>€431,983</b>



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Finally, we would wish to emphasise that the above information is being provided on a wholly without-prejudice basis in order to comply with the Planning & Development Regulations in force at this time. The final details of any agreement with the Council regarding compliance with Part V, including agreements on costs will not be arrived at until after planning permission has been secured, current site value and construction costs are known as provided for under the Planning & Development Act 2000, as amended.

We trust the above is in order.

Yours faithfully,

Jonathan Walsh  
Clonburris Development Manager

26<sup>th</sup> January 2023

Mr Jonathan Walsh,  
Clonburris Development Manager  
Clear Real Estate Holdings Limited  
6<sup>th</sup> Floor Fitzwilliam Court  
Leeson Close  
Dublin 2.

**Subject to Contract/Contract Denied**

Dear Mr Walsh,

It is noted that Clear Real Estate Holdings Limited intend to lodge a planning application to develop a site located within the Townland of Adamstown, Clonburris, Co Dublin known as Adamstown Extension, comprising of 385 residential units.

In respect of the lodging of the planning application I can confirm that Clear Real Estate Holdings Limited have engaged with the Housing Department, South Dublin County Council regarding a Part V proposal.

The applicant has proposed the provision of the following units to fulfil part V:

5 x houses (5 x 3 bed)  
30 x apartments (15 x 1 bed & 15 x 2 bed)  
4 x duplexes (2 x 2 bed & 2 x 3 bed)

It is the Council's preference to acquire a mix of units in line with the ratio of units proposed. The Housing Department has requested that 3 x 4 bed houses are provided in the earlier phases of the development in lieu of 3 x 3 bed duplexes. The Housing Department requests that 1 unit be identified on the ground floor which would be suitable for allocation to persons on the Council's medical priority housing list.

It is South Dublin County Council's preference to acquire units on site. Further proposals are subject to review and consideration by the Housing Department & planning approval. Proof of date of ownership of the site was provided and confirms the part V liability is 10%.

South Dublin County Council can only agree Part V in respect of the permitted development subject to costing approval from the Department of Housing, Local Government & Heritage. Please note that the Council would require a fully completed Part V submission prior to commenting on costs.

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

Yours Sincerely,



**Katie Gibney**  
**Clerical Officer**  
**Part V**  
**South Dublin County Council**