



15<sup>th</sup> June 2023

Land Use, Planning & Transportation Department,  
South Dublin City Council,  
County Hall,  
Tallaght,  
Dublin 24,  
D24 A3XC

**Re:**

**Compliance with Planning Condition No. 29 of  
Grant of Permission Ref. SDZ22A/0010.  
Permitted development in the  
Clonburris Urban Centre (CUC-S4)  
and Clonburris South East (CSE-S1 & CSE-S2)  
of the Clonburris Strategic Development Zone (SDZ).**

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Dear Sir/ Madam,

#### **1.0. Introduction**

- 1.1.** On behalf of our client, Kelland Homes Ltd., we, Armstrong Fenton Associates, of 13 The Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin 3, D03 A0H3, wish to submit the following and enclosed details of compliance with the planning condition no. 29 attached to the grant of permission under Ref. SDZ22A/0010
- 1.2.** An order to grant permission under Ref. SDZ22A/0010 was issued by South Dublin County Council on 3<sup>rd</sup> April 2023. The permitted development is located west of the Ninth Lock Road, south of the Dublin-Cork railway line, north of Cappaghmore housing estate and Whitton Avenue, and east of an existing carpark / park & ride facility at the Clondalkin Fonthill train station and the R113 (Fonthill Road)
- 1.3.** The development, as applied for, consisted of, *inter alia*, 294 no. dwellings, creche and retail / commercial unit. It should be noted that the grant of permission received includes for 32 no. conditions which have appropriately amended the development as applied for. These amendments are detailed in the various individual compliance submissions being issued to the Planning Authority for agreement.
- 1.4.** The subject compliance submission relates to **Condition No. 29** of the grant of permission received i.e., the submitted financial contribution for the permitted development. The details of our compliance submission in relation to **Condition No. 29** can be found in section 2 below. Appendix A of this compliance letter details the full list of enclosures which accompany this compliance submission – please refer to same in conjunction with the reminder of this compliance letter.



## 2.0. Compliance Submission

### Subject Condition (Condition No. 29)

2.1. Condition No. 29 of the grant of permission received relates to submitted financial contribution for the permitted development. Condition No. 29 reads as follows:

*“The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting in 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 Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.”*

### Compliance Submission for Condition No. 29

In compliance with Condition No. 29 of the grant of permission received, Appendix A at the end of this compliance letter provides for a full list of enclosures submitted as part of the subject compliance submission - please refer to the submitted drawings for full details - however, for convenience, the following sub-subsections refer the reader to the relevant drawings for each part of the condition of the grant of permission received.

Regarding the payment of the financial contribution in respect of public infrastructure and facilities for the permitted development, we wish to place on record that the developer, Kelland Homes Ltd, has previously been in contact with the Bonds and Contributions Section of South Dublin County Council (SDCC), namely **Conor Tiernan** of SDCC, and is currently liaising with the Bonds and Contributions Section over a phasing plan for the payment of the financial contribution. The Planning Authority can be assured that payment of the financial contribution is currently subject to ongoing negotiations with the Bonds and Contributions Section of SDCC.

## 3.0. Conclusions & Enclosures

- 3.1. We fully consider the submitted financial contribution showing compliance for the permitted development to be appropriate and in compliance with the grant of permission received. For clarity we confirm that, once agreed, all units will be provided in accordance with the agreed scheme, as per condition of the grant of permission.
- 3.2. We respectfully request that the Planning Authority assess the submitted financial contribution for the permitted development in a judicious manner so development can progress as soon as possible, and much needed housing be provided on the subject site.
- 3.3. This compliance submission has been sent electronically via email to the Planning Authority as requested by the compliance section of South Dublin County Council. Should circumstances have changed and printed hard copies of this compliance submission now be required please do not hesitate to contact us at [alison@armstrongfenton.com](mailto:alison@armstrongfenton.com) or by telephone number on (01) 47 93 140. Appendix A below provides for a full list of enclosures forming part of the subject compliance submission – please refer to same for details.
- 3.4. We trust all the above and submitted are in order and we look forward to hearing back from the Planning Authority confirming that the submitted financial contribution is acceptable and in compliance with **Condition No. 29** of the grant of permission received.



Yours Sincerely,

**Alison Nash**  
**Planner**  
**Armstrong Fenton Associates**

**Appendix A: Full List of Enclosures**

**Prepared by Armstrong Fenton Associates:**

Drawing no.	Title	Scale
N/A	Compliance <b>Condition No. 29</b> Cover Letter	A4 Letter

