



21st June 2023

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

Re:

**Compliance with Planning Condition No. 30 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).**

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. 30 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 3rd 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. 30** of the grant of permission received i.e., the submitted Kildare Route Financial Contribution for the permitted development. The details of our compliance submission in relation to **Condition No. 30** 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. 30)

2.1. Condition No. 30 of the grant of permission received relates to submitted Kildare Route Financial Contribution for the permitted development. Condition No. 30 reads as follows:

“The developer shall pay to the Planning Authority a supplementary development contribution pursuant to the provisions of Section 49 Planning & Development Act 2000, as amended, towards the expenditure incurred in the provision of the Kildare Route Project which facilitates this development. 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 Pleanala to determine the proper application of the terms of the Scheme.”

Compliance Submission for Condition No. 30

In compliance with Condition No. 30 of the grant of permission received, the following sub-subsections refer the reader to the relevant drawings for each part of the condition of the grant of permission received.

2.2. In compliance with **Condition No. 30** of the grant of permission received, we wish to place on record that the developer, Kelland Homes, has previously been in contact with the council regarding the Kildare Route Financial Contribution and is currently liaising with South Dublin County Council for the payment of financial contribution. The Planning Authority can be assured that payment of the financial contribution is currently subject to ongoing negotiations with South Dublin County Council.

3.0. Conclusions & Enclosures

- 3.1. We fully consider the submitted Kildare Route 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 Kildare Route 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 or by telephone number on (01) 47 93 140.
- 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 Kildare Route Financial Contribution is acceptable and in compliance with **Condition No. 30** 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 Condition No. 30 Cover Letter	A4 Letter

