

Senior Administrative Officer,  
South Dublin County Council,  
County Hall,  
Tallaght,  
Dublin 24,  
D24 YNN5

Our Ref. 21080

04 September 2023

**RE: PLANNING PERMISSION REG. REF. SDZ22A/0007**

**CONSTRUCTION OF PHASE ONE OF THE ADAMSTOWN BOULEVARD DEVELOPMENT AREA; A  
RESIDENTIAL DEVELOPMENT CONSISTING OF 423 RESIDENTIAL UNITS.**

**COMPLIANCE SUBMISSION - CONDITION NO. 23 – REGULATION OF INSTITUTIONAL  
INVESTMENT IN HOUSING**

Dear Sir/Madam,

We are instructed by our client, (the Developer), Adamstown Boulevard Residential Developments DAC, Fitzwilliam Court, Leeson Close, Dublin 2, D02 YW24 to lodge this compliance submission in relation to the development outlined above.

This compliance submission refers to Condition 23 of Planning Reg. Ref. SDZ22A/0007.

**2no. copies** of the compliance material are attached herewith for the Planning Authority's attention.

We would be grateful for written confirmation of the Planning Authority's acceptance of the content of this submission as soon as possible.

Should you have any queries in relation to this compliance submission, please do not hesitate to contact this office. We would be happy to discuss same or meet with you to clarify any issues arising.

Yours sincerely,

*Kilian Dunbar*

Kilian Dunbar

**STEPHEN LITTLE & ASSOCIATES**

## COMPLIANCE - PLANNING REG REF. SDZ22A/0007- CONDITION 23

For the convenience of the Planning Authority, this compliance submission sets out below the text of Condition 23 followed by the Applicant's compliance response.

### **CONDITION 23: REGULATION OF INSTITUTIONAL INVESTMENT IN HOUSING – HOUSES AND/OR DUPLEX UNIT-TYPE DEVELOPMENT.**

- A. *Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each housing unit), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all residential units permitted to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.*
- B. *An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.*
- C. *The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land, that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.*

**REASON:** *To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.*

### **Applicant's Response:**

- A. We can confirm that Adamstown Boulevard Residential Developments DAC, the Developer, have reached out to the Planning Authority regarding entering into an agreement pursuant to Section 47 of the Planning and Development Act 2000 (as amended) required by this Condition, relating to the restriction of all applicable residential units permitted to first occupation by individual purchasers. Specifically, a template Section 47 Agreement has been sought and obtained from the Council.

We refer the Planning Authority to the Draft Section 47 Agreement for the permitted development in this case, signed on our clients' behalf, which accompanies this submission. Our clients' have been advised by South Dublin County Council to formally submit the Draft Agreement by way of planning compliance, as that will trigger the internal approval process in the Council. As a result, we now invite South Dublin County Council to formally approve the details set out in the Draft Section 47 Agreement and to counter-sign same and return a copy to our clients for their records.

- B. Part B of this condition is noted.
- C. Part C of this condition is noted.

## CONCLUSION

We would be grateful for written acknowledgement by the Planning Authority of compliance material submitted at its earliest possible convenience.

**STEPHEN LITTLE & ASSOCIATES**

04 September 2023

**ENCLOSURES**

The following documentation is enclosed with this submission, in compliance with Condition 23:

- Draft Section 47 Agreement, prepared by Adamstown Boulevard Residential Developments DAC.

**Document Control: -**

Author	Checked by	Purpose	Date
<i>Kilian Dunbar</i>	NR	Draft	04.09.2023
NR	SL	Final Draft	04.09.2023
NR	-	Final for Submission	04.09.2023