

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

Our Ref. 20025

13 December 2023

RE: **PLANNING PERMISSION REG. REF. SDZ22A/0005**

**COMPLIANCE SUBMISSION - CONDITION NO. 16 OF REG. REF. SDZ22A/0005 – MANAGEMENT  
COMPANY**

Dear Sir/Madam,

We are instructed by our client, (the Developer), Quintain Developments Ireland Limited, 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 16 of Planning Reg. Ref SDZ22A/0005.

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,



Niamh Robinson

**STEPHEN LITTLE & ASSOCIATES**

## **COMPLIANCE - PLANNING REG REF. SDZ22A/0005- CONDITION 16 – MANAGEMENT COMPANY**

For the convenience of the Planning Authority, this compliance submission sets out below the text of Condition 16 followed by the Applicant's compliance response.

### **CONDITION 16 – MANAGEMENT COMPANY**

**(A) Prior to the commencement of development the applicant/owner shall submit the following for the written agreement of the Planning Authority.**

**(i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and,**

**(ii) A detailed building lifecycle report which shall include an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of approval of the development, as well as demonstrating what measures have been specifically considered by the developer to effectively manage and minimise costs for the benefit of all potential residents.**

**The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.**

**(B) Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.**

**(C) No development shall take place under this permission until the applicant, owner or developer has lodged for the written agreement of the Planning Authority.**

**(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above.**

**(D) Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.**

**(E) The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.**

**REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan.**

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

*The Developer has agreed to sell the freehold of Blocks A, C & D to an individual purchaser, therefore, there is no requirement for an Owner's Management Company. The existing EMC will be expanded to incorporate the external common areas.*

- (A) (i) We refer the Planning Authority to attached Drawing No. ADC3-HJL-A-9210 'Taken in Charge-ADC', prepared by Henry J Lyons Architects.  
(ii) We refer the Planning Authority to the enclosed Building Lifecycle Report, prepared by O'Connor Sutton Cronin Multidisciplinary Consulting Engineers
- (B) Part B of this Condition is noted.
- (C) (i) No Certificate of Incorporation required in this instance, see above note.
- (D) Part D of this Condition is noted.
- (E) Part E 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

13 December 2023

## ENCLOSURES

The following documentation is enclosed with this submission, in compliance with Condition 16:

1. Drawing No. ADC3-HJL-A-9210 'Taken in Charge-ADC', prepared by Henry J Lyons Architects.
2. Building Lifecycle Report, prepared by O'Connor Sutton Cronin Multidisciplinary Consulting Engineers