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Dublin 2

Date : 14-Feb-2024

**Reg. Ref. :** SDZ22A/0005/C16  
**Proposal :** Phase Three of the Adamstown District Centre and consists of 37, 402sq.m (gross floor area including car parking and storage) of residential development to be constructed in 3 blocks ranging in height from 2 to 9 storeys; There is a total of 436 apartments, comprising 9 studio apartments, 204 one bedroom apartments, 213 two bedroom apartments and 10 three bedroom apartment; An ancillary resident's pavilion building (2 storey) is linked to Block D, ancillary resident's amenity rooms and facilities are also provided at ground floor level of Block A; All apartments are provided with private open space in the form of balconies or gardens; The proposed block description is as follows: Block A (c. 11, 821sq.m gross floor area): 4 - 5 storeys in height, with a total of 143 apartments (70 one bedroom apartments, 67 two bedroom 4 person apartments and 6 no. 3-bedroom apartments); A resident's only podium level, courtyard is provided within Block A; Ancillary plant, storage, waste, and internal bicycle parking rooms provided at ground floor level; Block C (c. 9, 680sq.m gross floor area): 4 - 9 storeys in height, with a total of 124 apartments {60 one bedroom apartments, 5 two bedroom 3 person apartments, 55 two bedroom 4 person apartments and 4 three bedroom apartments). Communal open space is provided within 2 parcels of land to the east of Block C between Block C and Block D. Ancillary plant, waste and internal bicycle parking rooms provided at ground floor level; Block D (c.12, 757sq.m gross floor area): 2 - 5 storeys in height, together with linked ancillary resident's pavilion building (2 storey). Block D comprises a total of 169 apartments (9 studio apartments, 74 one bedroom apartments, 11 two bedroom 3 person apartments, and 75 two bedroom 4 person apartments); Communal open space is provided within 2 parcels of land within Block D; Ancillary plant, amenity rooms and internal bicycle parking rooms provided at ground floor level. Ancillary plant, waste and internal bicycle parking rooms provided at ground floor level; on lands generally bounded

by Adamstown Avenue to the north, to the east by undeveloped lands which benefit from planning permission Reg. Ref. SDZ20A/0008 (as amended by SDZ20A/0016, SDZ20A/0018 and SDZ21A/0017), to the south by Station Road, the railway line and train station and to the west by the railway overpass and its approach road, known locally as the farmer's bridge.

**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.**

**Location :** In the townland of Gollierstown, Adamstown, Lucan, Co. Dublin  
**Applicant :** Quintain Developments Ireland Limited  
**Application Type:** Compliance with Conditions

Dear Sir/Madam,

I refer to your submission received on 13-Dec-2023 to comply with Condition No 16 of Grant of Permission No. SDZ22A/0005, in connection with the above.

In this regard I wish to inform you that the submission received is deemed **not** complaint. .

“Compliance submission:

The applicant/agent has submitted a cover letter, Drawing No. ADC3-HJL-A-9210 ‘Taken in Charge-ADC’, prepared by Henry J Lyons Architects and Building Lifecycle Report, prepared by O’Connor Sutton Cronin Multidisciplinary Consulting Engineer.

The cover letter provides the following response to the condition:

*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*

Planner’s response:

The applicant/agent has advised that there is no requirement for an Owner’s Management Company and that the Estate Management Company will be expanded to incorporate the external common areas.

Further information should be provided in relation to the proposed arrangement to ensure it would be a satisfactory management alternative to an Owner's Management Company (i.e. operation).

The applicant/agent has submitted a Taken in Charge drawing showing the areas that will be taken in charge, the areas that will be managed by the estate and the areas that will be private (e.g. private amenity space). The Roads Department have reviewed this and state in their report that it is satisfactory.

It is noted that the submitted Building Lifecycle Report refers to a Owner's Management Company. This report should be updated to reflect the proposed management arrangement.

**Conclusion**

The submission is **not** in compliance with Condition 16.”

Yours faithfully,

M.C.

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*for* **Senior Planner**