

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

Our Ref. 21080

27 March 2024

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. 28 – MANAGEMENT COMPANY

Dear Sir/Madam,

We are instructed by our client, (the Developer), Quintain Ireland., 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 28 of Planning Reg. Ref. SDZ22A/0007.

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

Niamh Robinson

STEPHEN LITTLE & ASSOCIATES

COMPLIANCE - PLANNING REG REF. SDZ22A/0007- CONDITION 28

For the convenience of the Planning Authority, this compliance submission sets out below the text of Condition 28 followed by the Applicant's compliance response.

CONDITION 28: Management Company.

For the convenience of the Planning Authority, this compliance submission sets out the text of Condition 28 followed by the Applicant's compliance response.

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:

We refer the Planning Authority to the following materials, which accompany this submission: -

- A. (i) We refer the Planning Authority to the enclosed Taking in Charge Layout Plan, prepared by McCauley Daye O'Connell Architects.
- (ii) The residential units subject of this Permission are individual houses, intended to be sold to the private market. We note that Outline Permission has also been granted in respect of 166no. apartment units and that a Building Lifecycle Report is required for same under the Apartment Guidelines. We confirm that a Building Lifecycle Report will be submitted in respect of those units

once a Permission Consequent is sought at which time the design of the apartment building will be complete allowing for the Building Lifecycle Report to be prepared.

- B. Part B of Condition 28 is noted.
- C. (i) A Certificate of Incorporation is currently being obtained by the Developer, please see enclosed Application Form submitted to the Companies Registration Office. Once the Certificate is obtained, a copy of same will be submitted to South Dublin County Council.
- D. Part D of Condition 28 is noted.
- E. Part E of Condition 28 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

27 March 2024

ENCLOSURES

- 1. Application Form submitted to the Companies Registration Office
- 2. Drawing No. 1238-MDO-ZZ-XX-DR-A-05003, prepared by McCauley Daye O’Connell Architects

Document Control: -

Author	Approved by	Purpose	Date
CMcG	<i>Niamh Robinson</i>	Draft	27.03.2024
	<i>Niamh Robinson</i>	Final for Submission	27.03.2024