

Stephen Little & Associates
26/27, Upper Pembroke Street
Dublin 2

Date : 17-May-2024

Reg. Ref. : SDZ22A/0007/C28
Proposal : Comprising Phase 1 of the Adamstown Boulevard Development Area and consists of 38, 768.21sq.m. of residential development to be constructed in a mix of housing and apartment units, with 423 residential units proposed in total (of which 166 units are subject to the application for outline permission); The housing units for which permission is being sought are on a site of 9.22Ha shall comprise 75 two bedroom units, 113 three bedroom units and 69 four bedroom units, ranging from 2 to 3 storeys in height; Outline permission is sought on a site of 0.54Ha for the apartment block, which shall range from 5 to 9 storeys in height and comprises 11 studio units, 76 one bedroom units and 79 two bedroom units; All residential units are provided with private open space, in the form of private rear gardens or balconies; The proposed development includes approximately 0.95 Ha of public open space in the form of a linear open space located on the east of the site stretching between Adamstown Way and Station Road and a pocket park located in the north-west of the site. 488 car parking spaces are proposed in total. 433 of these are allocated to the housing element of the development, and 55 are allocated to the apartments. A total of 52 visitor spaces are provided across the site; A total of 6 disabled spaces and 6 EV spaces are proposed. 40 secure bicycle parking spaces are provided in 4 locations throughout the site. 3 ESB Substations are also provided; Vehicular access to serve the development is provided from the existing Adamstown Avenue and Adamstown Way from the west and north, Station Road to the south and Stream Road, which bisects the Boulevard Development Area. A new bus turning circle, along with bus lay-bys are proposed on the south of the site on Station Road; The development includes the provision of ancillary site development works, boundary treatments and landscape works; This development amends aspects at the interface between the proposed development and the development at The Crossings currently under construction and permitted

under Reg. Ref. SDZ20A/0017 (as amended by SDZ21A/0021) on lands bounded generally to the north by Adamstown Way and the Aderrig Development Area, currently under development subject to planning permissions Reg. Ref. SDZ20A/0017 (as amended by SDZ21A/0021) and Reg. Ref. SDZ21A/0014; to the east by currently undeveloped lands within the Adamstown Station Development Area as well as the railway overpass and its approach road known locally as 'the farmer's bridge'; to the south by the existing railway line and to the west by undeveloped agricultural lands; This application is being made in accordance with the Adamstown Planning Scheme 2014, as amended, and relates to a proposed development within the Adamstown Strategic Development Zone Planning Scheme Area, as defined by Statutory Instrument No. 272 of 2001.

Condition 28:

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 townlands of Gollierstown & Aderrig, Adamstown, Lucan, Co. Dublin
Applicant : Adamstown Station & Boulevard Ltd.
Application Type: Compliance with Conditions

Dear Sir/Madam,

I refer to your submission received on 27-Mar-2024 to comply with Condition No 28 of Grant of Permission No. SDZ22A/0007, in connection with the above.

In this regard I wish to inform you that the submission received is deemed **partially** compliant.

Comments:

“Compliance submission:

The applicant/agent has submitted a cover letter prepared by Stephen Little & Associates that provides the following response:

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.*

Planner’s response:

The items of the condition for written agreement are items A and C. These are assessed as follows:

Item A

(i) The applicant/agent has submitted a plan that identifies the areas to be taken in charge, maintained by the management company or for outline permission. The Roads Department and the Public Realm Section have both reviewed this drawing.

The Roads Department state that the areas of road and footpath that will be offered for taking in charge are to its satisfaction.

The Public Realm Section state that ‘*Accepting the tree planting areas between the front gardens would set an unhelpful precedent for SDCC. The map should be changed to take these areas out of the TIC area. The trees should still be planted in these locations*’.



It is therefore considered that A(i) has not been fully addressed.

(ii) It is noted that since the permission does not provide for apartment development, a building lifecycle report is not required in this instance.

Item C

No copy of the Certificate of Incorporation has been submitted with the application. It is therefore considered that this item has not been satisfactorily addressed.

Having regard to above, the compliance submission is deemed to be in compliance with Item A(ii) but not in compliance with Item A (i) and Item C. It is therefore considered that the submission is **partially** in compliance with Condition 28.

Conclusion

The submission is **partially** in compliance with Condition 28. “

Yours faithfully,

M.C.

for Senior Planner