

Planning Department
South Dublin County Council
County Hall
Tallaght
Dublin 24

Tuesday, 23rd July 2024

Dear Sir/Madam,

Re: COMPLIANCE SUBMISSION IN RESPECT OF A PLANNING PERMISSION FOR THE CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT AT ADERRIG (PHASE 3) IN THE ADAMSTOWN SDZ

SDCC Reg. Ref. SDZ22A/0014

Compliance Submission – Condition No. 19

1.0 INTRODUCTION

This compliance submission is being made by Thornton O'Connor Town Planning¹ (TOC) on behalf of Quintain Developments Ireland Limited² (Quintain) in respect of a permitted residential development at Aderrig (Phase 3) in the Adamstown SDZ.

The submission relates to a decision to Grant Planning Permission made by South Dublin County Council on 19th April 2023.

The submission is in relation to **Condition No. 19**.

Please note the following enclosures are submitted alongside this letter:

- *Taking In Charge Drawing*, prepared by BKD Architects.
- *Building Life Cycle Report*, prepared by SCD Consulting.
- *Certificate of Incorporation*.
- *Form of Constitution of Company Limited by Guarantee*.

2.0 CONDITION NO. 19

Condition No. 19 required:

¹ No. 1 Kilmacud Road Upper, Dundrum, Dublin 14

² Fitzwilliam Court, Lesson Close, Dublin 2

"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."

2.1 Compliance Submission for Condition No. 19

2.1.1 Condition No. 19A

In response to 19A(i), we direct the Council to the enclosed *Taking In Charge Drawing* prepared by BKD Architects. This details the areas to be retained / taken in charge by the management company, as well as those to be taken in charge by the Council. Uncoloured areas are to remain 'private'.

Additionally, the Council is directed to the updated *Building Life Cycle Report* (prepared by SCD Consulting) in response to 19A(ii).

2.1.2 Condition No. 19B

The detail of 19B is noted.

2.1.3 Condition No. 19C

In response to 19C, we direct the Council to the enclosed *Certificate of Incorporation and Form of Constitution of Company Limited by Guarantee*.

2.1.4 Condition No. 19D

The detail of 19D is noted.

2.1.5 Condition No. 19E

The detail of 19B is noted.

3.0 CONCLUSION

We trust that the above and enclosed are adequate for compliance with Condition No. 19.

We would appreciate a confirmation of receipt of this letter and subsequent confirmation that the information outlined above is in compliance with the permission at your earliest convenience. Thank you for your assistance with this matter.

Yours faithfully,

A handwritten signature in black ink that reads 'Daniel Moody'.

Daniel Moody
Associate
Thornton O'Connor Town Planning