

Planning Compliance
Land Use, Planning & Transportation Department
South Dublin County Council
County Hall
Tallaght
Dublin 24

By email

15th August 2024

Dear Sir/Madam,

**RE: CONDITION 13 – DEVELOPMENT COMPRISING OF 594 APARTMENTS, OFFICE FLOORSPACE, 4 RETAIL UNITS, A CRECHE AND URBAN SQUARE WITHIN THE CLONBURRIS DEVELOPMENT AREAS CUCS3 & CSWS3 OF THE CLONBURRIS SDZ AT TOWNLANDS OF CAPPAGH AND CLONBURRIS, CO. DUBLIN.
REG REF: SDZ22A/0018**

I write on behalf of Cairn Homes Properties Ltd. in respect of Reg Ref: SDZ22A/0018. It is our intention to commence the development permitted under Reg Ref: SDZ22A/0018 and to discharge the following condition as required prior to commencement.

Condition 13A:

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.

Response:

Please see enclosed in respect of the permitted development site and condition 13A:

- Building Lifecycle Report including Budgets prepared by Cairn Homes, and
- 'Site Layout Plan - SDCC Taking in Charge' drawing prepared by ALTU Architects.

An OMC is in the process of being set up and a compliance submission will be made shortly in response to 13 b – e.

Yours Sincerely,



Nicky Casey
Planning Project Manager