

David Campbell,
Riverside Projects
8, Herbert Place
Dublin 2

Date: 03-Oct-2024

**PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
REGULATIONS THEREUNDER**

Register Reference: SD22A/0342/C14

Development: Construction of a four-storey apartment block (4224 sq.m) consisting of 58 age friendly residential units comprising 20 one bedroom units and 38 two bedroom units with associated private balconies, associated lift and stair cores, entrance lobby, and circulation space; Provision of a community facility (99.3 sq.m) and ancillary accommodation including refuse store (26.9 sq.m), cycle store (36 sq.m), plant room (46.2 sq.m), sub-station (14 sq.m), switch room (16 sq.m), landscaped public open space (907.4 sq.m) and communal open space (1225.6 sq.m), and 30 car parking spaces and 80no. cycle parking spaces to serve the development; Vehicular access to the development will be provided via an upgraded entrance from Tay Lane with a minor pedestrian access provided from Eaton Drive to facilitate direct linkages to the town centre; Planning permission is also sought for all ancillary site and development works above and below ground to facilitate the development including the provision of internal access roads and pedestrian / cycle pathways and linkages, boundary treatment, public lighting, hard and soft landscaping, services, rooftop PV panels and associated signage.

Condition 14:

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 2022 - 2028.

Location: Lands located to the east of Tay Lane, Newcastle Road, Rathcoole, Dublin 24

Applicant: Riverside Projects Limited 8, Herbert Place, Dublin 2

Application Type: Compliance with Conditions

Dear Sir/Madam,

With reference to the above, I wish to acknowledge receipt of your submission in compliance with condition 14 of the above planning permission, received on 20-Sep-2024.

This submission will be considered in accordance with Section 34(5) of the Planning and Development Act 2000 (as amended).

Yours faithfully,

Michelle Buckley
for **Senior Planner**