



An  
Coimisiún  
Pleanála

**Direction**  
**CD-021126-25**  
**ABP-321515-24**

The submissions on this file and the Inspector's report were considered at a meeting held on 03/11/2025.

The Commission decided this point of detail in accordance with the following draft Order.

**Planning**

**Commissioner:**

*Eamonn James Kelly*

**Date:** 03/11/2025

Eamonn James Kelly

## **DRAFT WORDING FOR ORDER**

**WHEREAS** by order dated the 1<sup>st</sup> day of September 2020 An Bord Pleanála, under appeal reference number ABP-307092-20, granted, subject to conditions, a permission to Randelswood Holdings Limited care of Downey Planning of 29 Merrion Square, Dublin for development comprising demolition of existing structures, construction of 250 no. Build to Rent apartments and associated site works on lands at Palmerstown Retail Park, Kennelsfort Road Lower, Palmerstown, Dublin:

**AND WHEREAS** condition number 8 attached to the said permission requires that, in the interests of proper planning and sustainable development of the area, prior to the commencement of development, the owner shall submit to and agree in writing with the planning authority, details of a proposed covenant or legal agreement which confirms that the development hereby permitted shall remain owned and operated by an institutional entity for a minimum period of not less than 15 years and where no individual residential units shall be let or sold separately for that period.

**AND WHEREAS** the developer and the planning authority failed to agree on the terms of the Section 47 covenant, in compliance with the terms of the said condition and the matter was referred by the developer to An Bord Pleanála on the 18<sup>th</sup> day of December 2024 for determination:

**NOW THEREFORE** An Coimisiún Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, hereby determines that the sale of all of Block E and apartments numbers 1-30 comprised within Block D to Co-operative Housing Ireland (CHI) is acceptable in relation to conditions for ABP-307092-20, in particular Condition number 8. This is based on the following reasons and considerations.

### **Reasons and Considerations**

The Commission had regard to:

- (a) Section 34(5) of the Planning and development Act 2000 as amended,



- (b) the nature and extent of works covered by a range of conditions under ABP307092-20, which relate to the whole site, specifically Condition number 8 and Condition number 9,
- (c) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, and
- (d) Condition number 8 prohibits the sale or letting of individual residential units in line with the national guidelines for Build to Rent developments; however, a block is not the same as an individual residential unit so the sale of Blocks containing several residential units is not precluded.

**Reason:** In the interests of proper planning and sustainable development of the area