



**The Chairman and Members of  
Department  
North West Area Committee.**

Planning & Property Development

10<sup>th</sup> January 2024

**Meeting 16<sup>th</sup> January 2024**

**Item No. 8**

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**Disposal of Site 1, Parkview, Parkview Road, Ballymun, Dublin 11 to Ó Cualann Cohousing Alliance CLG.**

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Housing and Community Services has requested the disposal of Site 1, Parkview, Parkview Road, Ballymun, Dublin 11, as shown delineated in red on Map Index No. SM-2023-0300, to Ó Cualann Cohousing Alliance CLG, an approved housing body and registered charity, who propose to develop the site. A previous planning permission was granted under Reg. Ref. 1582/05 for 266 units and a crèche but this development was not completed.

The Ballymun LAP, which was adopted by the Elected Members in 2017 and extended in 2022 until 2027, identified residential and potential crèche uses at the Parkview site, the Elected Members will be aware of the need for additional crèche facilities in Ballymun and the proposed crèche would help meet this need. The community crèche model would see the operator identify statutory funding to address issues such as affordability and assisted learning. This would allow a mix of fee-paying and supported families accessing its services.

Ó Cualann Cohousing Alliance CLG is funding this development through construction finance debt to Ó Cualann Cohousing Alliance CLG from either Home Building Finance Ireland (HBFI) or Allied Irish Banks (AIB).

The property comprises an area of approximately 1.26 hectares and is shown delineated in red on Map Index No. SM-2023-0300.

The Chief Valuer has reported that agreement has been reached with Ó Cualann Cohousing Alliance CLG to dispose of the City Council's freehold interest in Site 1, Parkview, Parkview Road, Ballymun, Dublin 11 for the development of Affordable Houses and a Community Crèche subject to the following terms and conditions:

1. That the subject site is located at Parkview, Parkview Road, Ballymun, Dublin 11 and it is shown outlined in red on attached map SM-2023-0300. The site extends to approximately 1.26 hectares or thereabouts.
2. Planning permission (ref 5252/22) for the development of a community crèche and 34 affordable houses granted by the Council on 24<sup>th</sup> July 2023 was appealed to An Bord Pleanála and this disposal is subject to the decision of the Bord case ref PL29N.317818.
3. That the Council shall dispose of the Freehold title in the subject site under the terms of the Low Cost Sites Scheme, to the purchaser, following the receipt of the requisite approvals.

4. That the disposal price shall be €127 (one hundred and twenty seven euro) per residential site and crèche unit i.e. 35 units in total. In the event whereby planning permission is subsequently granted for more units on the site, the disposal price shall be adjusted on a pro-rata basis to reflect this.
5. That the site shall be disposed of in its current condition and title transfer shall be subject to a building covenant that the affordable houses and crèche development, on the subject site shall be completed in compliance with planning permissions granted and all other statutory approvals and consents including, inter alia, fire regulations, buildings regulations etc.
6. That should the construction of the affordable housing units and crèche, on the subject site not be practically complete within 22 months following the transfer of title, or, in the event of the purchaser's bankruptcy or insolvency, Dublin City Council reserves the right to take possession of the site and all of the housing units and crèche, (partially completed or otherwise), at no cost to the Council, save in the case of a financial institution which has entered into a mortgage with the purchaser for the purpose of financing the development of the site.
7. That the development of the site will be subject to an Affordable Housing Fund Application to be submitted by Dublin City Council.
8. That the benefit of the planning permissions and design of the scheme shall transfer to Dublin City Council free of charge in the event that the purchaser does not proceed or complete the development.
9. That prior to the transfer of title if necessary, the purchaser and its contractor and professional team shall be permitted to enter onto the site and connect to any drainage or other services as required, subject to the prior written consent of the relevant Dublin City Council Department, under a Building Licence agreement, on standard terms to be agreed, for the purposes of commencing the approved development.
10. That the purchaser shall be responsible for all costs in relation to the planning process and the development of the site as approved, including any relocation of services and boundary works.
11. That the development of the site shall be completed via one continuous building contract, with all infrastructural elements completed as a priority. All new roads and footpaths serving the development shall be completed to taking in charge standard and to the written satisfaction of the Council's Environment and Transportation Department. A suitable bond shall be lodged with Dublin City Council prior to the commencement of the development in accordance with the conditions of a grant of planning permission for the site.
12. That there is an inhibition on the title that the subject site can only be used for affordable housing and community crèche purposes.
13. The purchaser will be responsible for completing all development works including all snagging works, landscaping etc. The purchaser will provide the completed units in full compliance with all statutory consents and in Turnkey Condition (see term 14 below).
14. That the completed units are deemed to be in the 'Turnkey Condition' referred to in 13 above when they reach an accepted level of 'Practical Completion. This means they are completed in accordance with the Planning Permission granted and that: (i) the Housing Units in the development are capable of beneficial use and occupation and (ii) that any items of work outstanding or any other defects are of a minor and trivial nature only and are such that their completion or rectification would not interfere with or interrupt such use and (iii) where the Building Control (Amendment) Regulations 2014 require that a completion certificate be included on the Statutory Register before the Housing Units can be opened, occupied or used. Practical Completion shall not be deemed to be reached until the Certificate of Compliance or Completion has been

submitted to the building control authority and relevant particulars thereof have been included in the Register maintained under Part IV of the Building Control (Amendment) Regulations 2014.

15. That the Affordable Purchase dwellings shall be made available and sold under the terms of the Dublin City Council Scheme of Priority for Affordable Dwelling Purchase Arrangements, as provided for under the Affordable Housing Act 2021 and Affordable Housing Regulations 2022, and to be agreed by the Elected Members of Dublin City Council.
16. That each party shall be responsible for their own legal fees.
17. That the purchaser shall be liable for the payment of VAT or Stamp Duty should any payments arise from this disposal.
18. That the legal agreement shall include any amendments and / or conditions deemed appropriate by Dublin City Council's Law Agent.
19. That the above proposal is subject to the necessary approvals and consents being obtained.

The dates for the performance of any of the requirements of the proposed agreement may be amended at the absolute discretion of the Executive Manager.

No agreement enforceable at law is created or is intended to be created until an exchange of contracts has taken place.

Máire Igoe

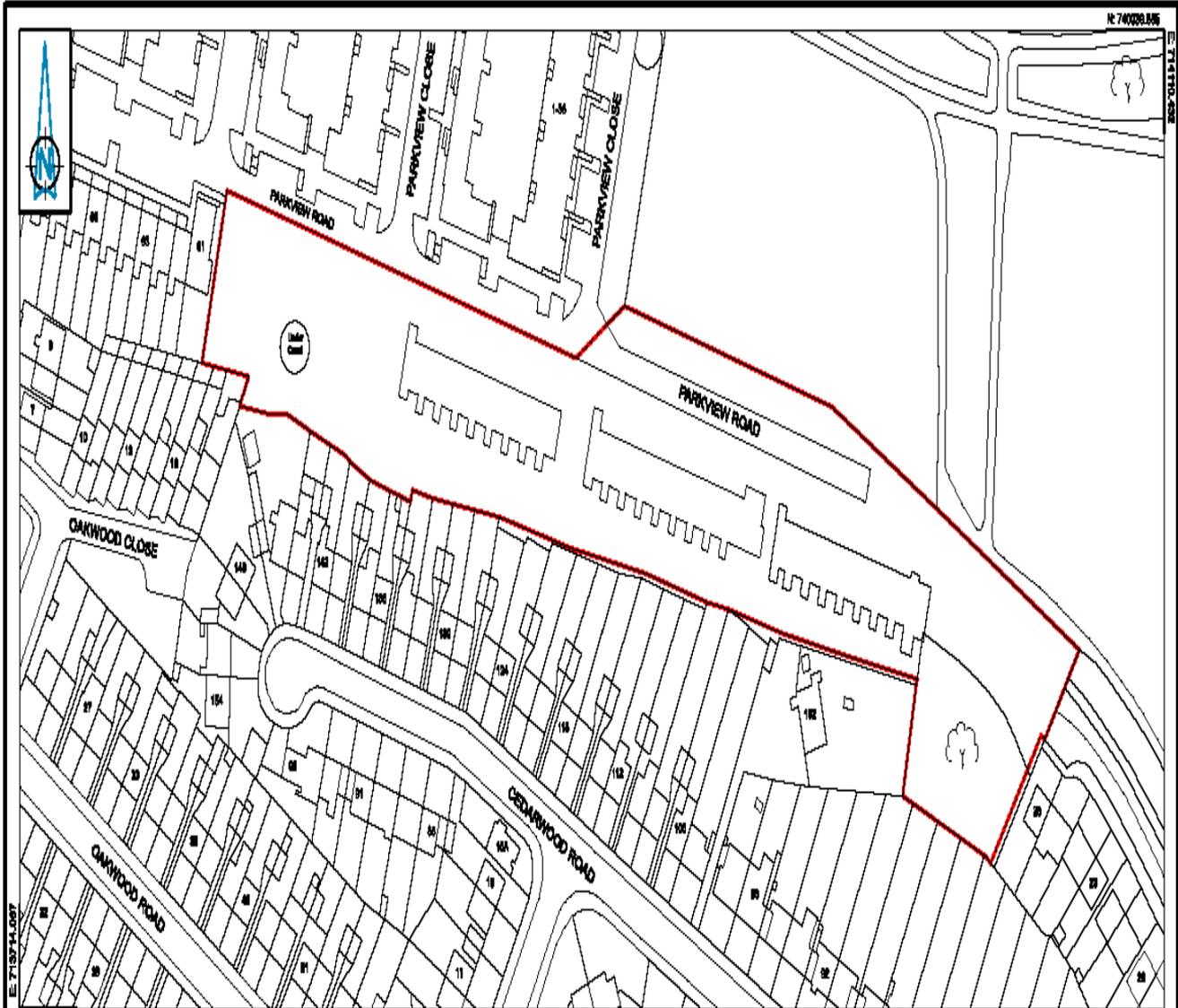
11.1.2024

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**Máire Igoe**  
**Acting Executive Manager**

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**Date**



**PARKVIEW ROAD - LAP Site No. 25**

**Ballymun, D11**

**Site 1**

**Dublin City Council to Ó'Cuallann Cohousing Alliance CLG**

**Map for Disposal**


 Comhairle Cathrach  
 Bhaile Átha Cliath  
 Dublin City Council

An Roinn Comhshaoil agus Iompair  
 Rannán Suirbhéireachta agus Léarscáilithe  
 Environment and Transportation Department  
 Survey and Mapping Division

<b>O.S. REF</b> 3191-00	<b>SCALE</b> 1:1000 @A3	<b>INDEX No.</b> F:\SM-2023-0300 - 001 - A.dgn
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<b>DATE</b> 16-09-2023	<b>SURVEYED/ PRODUCED BY</b> D.White	<b>INDEX No.</b> SM-2023-0300
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**Dr JOHN W. FLANAGAN**  
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 CITY ENGINEER

APPROVED  
**THOMAS CURRAN**  
 ACTING MANAGER LAND SURVEYING & MAPPING  
 DUBLIN CITY COUNCIL

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