



Ref: TC67, TC73, TC83, TC128, TC142, TC157

10th September 2018

TO: An Cathaoirleach
& Each Member of Kilkenny County Council

RE: Taking in Charge

Section 11 of the Roads Act, 1993
Section 180 of the Planning & Development Act, 2000
As amended by Section 59 of the Planning & Development Act 2010

Developments: TC67 - Lios na Si, Johnstown, Co. Kilkenny
TC73 - The Weir View, Castlecomer Road, Kilkenny
TC83 - Bradóg Way, Gowran, Co. Kilkenny
TC128 - Nore Terrace, Units 3a to 12a, Maudlin Street, Kilkenny
TC142 - Cois na Bearú, Graiguenamanagh, Co. Kilkenny
TC157 - Baronscourt, Bennettsbridge, Co. Kilkenny

I attach herewith reports in relation to the taking in charge of the above residential developments comprising of:

- 14 housing units at Johnstown, Co. Kilkenny
- 179 housing units at Castlecomer Road, Kilkenny
- 39 housing units at Gowran, Co. Kilkenny
- 10 housing units at Maudlin Street, Kilkenny
- 42 housing units at Graiguenamanagh, Co. Kilkenny
- 7 housing units at Bennettsbridge, Co. Kilkenny

I recommend that the procedure required in accordance with Section 11 of the Roads Act, 1993 in order to facilitate the taking in charge of the roads in the above development and in accordance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010, be commenced;

SIGNED:


AP Sean McKeown
Director of Services
Planning

Planning & Development Acts, 2000 - 2018
Planning & Development Regulations, 2001 - 2018

REPORT ON TAKING IN CHARGE:

Planning Reference:	TC67
Development:	Lios na Si, Johnstown, Co. Kilkenny
Developer:	Coole Construction
Planning Permission Reference:	P05/58

Site Location & Description

Lios na Si is a residential development consisting of 14 dwellings located at the northern extent of Johnstown Village. The dwellings are a mixture of semi-detached and terraced units. The development is accessed via the R639 (old Dublin Road).

Planning History

Planning permission (P05/58) was granted to Pat Norton on 21st June 2005 for the construction of 14 dwellings. Permission to retain a timber panel fence in lieu of a plastered block wall site boundary (P13/314) was refused on 22nd August 2013.

TIC Request:

The formal application to have this development taken in charge was made by the developer on 15th June 2011. The application was referred to the various internal service areas, and a schedule of necessary works was prepared. Following the developer's entry into liquidation, Kilkenny County Council sought to draw down the necessary funding from the development bond in order to complete all necessary works prior to taking in charge. With the exception of landscaping works, all necessary works have now been substantially completed. The landscaping works will be undertaken towards the end of 2018 or into 2019 but it is considered prudent at this time to bring the development under the formal maintenance regime of Kilkenny County Council and Irish Water.

Recommendation:

Having regard to the completion of the development in accordance with the conditions attached to the grant of permission and the substantial completion of all works as identified by the various internal service areas, I recommend that Kilkenny County Council initiate proceedings for the formal taking in charge of Lios na Si, as outlined on the attached map.

SIGNED:

Brendan Sheahan

Brendan Sheahan
Executive Engineer

Date:

3/9/18

A. Fitzpatrick

Annette Fitzpatrick
Administrative Officer

Date:

3/9/18

THIS IS A COMPUTER GENERATED MAP WITH ITM COORDINATES

OS MAP REF: 4521-C, 4521-D

E630624 N667446

Foulscount Td

BASED ON ORDNANCE SURVEY OF IRELAND MAP LICENCE NO. KILKENNY CMA 08/12



Foulscount Td.

E629959 N666996

Lands at Johnstown, Co. Kilkenny
 AREA OF SITE OUTLINED IN RED = 0.52 Ha
 FOLIO - KK20628F (part of), KK23107F (part of)

NOTES:

FOR INFORMATION PURPOSES ONLY

Scale: 1:2500 @ A4

Plot Date: 09/07/2018

Drn: BLS

Comhairle Chionnaí Chathair
 Kilkenny County Council
 Courts Hill, Jose Street, Kilkenny
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 Web: www.kilkennycc.ie



Planning & Development Acts, 2000 - 2018
Planning & Development Regulations, 2001 - 2018

REPORT ON TAKING IN CHARGE:

Planning Reference:	TC73
Development:	The Weir View
Developer:	G & H Homes Ltd.
Planning Permission Reference:	P00/1617, P04/1974, P05/1925, P07/1463

Site Location & Description

The Weir View is a residential development of 179 units located in the townland of Dunmore (Kilkenny Environs) on the northern boundary of Kilkenny City. It is accessed from the R712 (Castlecomer Road) and shares its access with the adjoining Weir development which has already been taken in charge. Housing units consists of detached houses, semi-detached houses, terraced houses, apartments and duplexes.

Planning History

Planning permission reference number P00/1617 was granted to Liselton Limited for the construction of 151 housing units on 11th October 2002. The number of units was reduced to 141 upon appeal to An Bord Pleanála which also inserted a requirement to include for the provision of a crèche. Permission was subsequently granted to G&H Homes Ltd. to amend the number and type of dwellings on 8th November 2005. 2 further amendment applications, P05/1925 and P07/1463, were granted to G&H Homes Ltd. on 14th August 2006 and 12th May 2008 respectively.

The overall development as authorised has been substantially completed. Two notable exceptions are the construction of the crèche on the open space close to the entrance and the construction / completion of 7 dwellings at the northern extent of the site. Neither the unfinished section to the north nor the lands upon which the crèche was to be constructed are included as part of this taking in charge. Whilst planning has now lapsed on these 2 parcels of land, it is noted that the lands are currently being sold and any future development on these lands will be subject to a new planning application.

TIC Request:

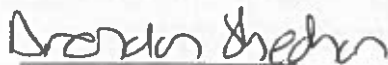
The formal application to have this development taken in charge was made by a majority of the home owners on 30th August 2011. The application was referred to the various internal service areas as outlined above and based on the responses a schedule of necessary works was prepared and issued to the developer. There was limited engagement from the developer but Kilkenny County Council secured funding for completion of necessary works by drawing down the development bond.

Kilkenny County Council has now completed these works to bring the development to a standard suitable for taking in charge - with the exception of landscaping / parks works. Landscaping / parks work will be undertaken towards the end of 2018 but it is considered prudent at this time to bring the development under the formal maintenance regime of Kilkenny County Council and Irish Water.

Recommendation:

Having regard to the completion of the development in substantial accordance with the conditions attached to the grant of permission and the completion of all works as identified by the various internal service areas, I recommend that Kilkenny County Council initiate proceedings for the taking in charge of The Weir View, Castlecomer Road, Kilkenny as outlined on the attached map.

SIGNED:



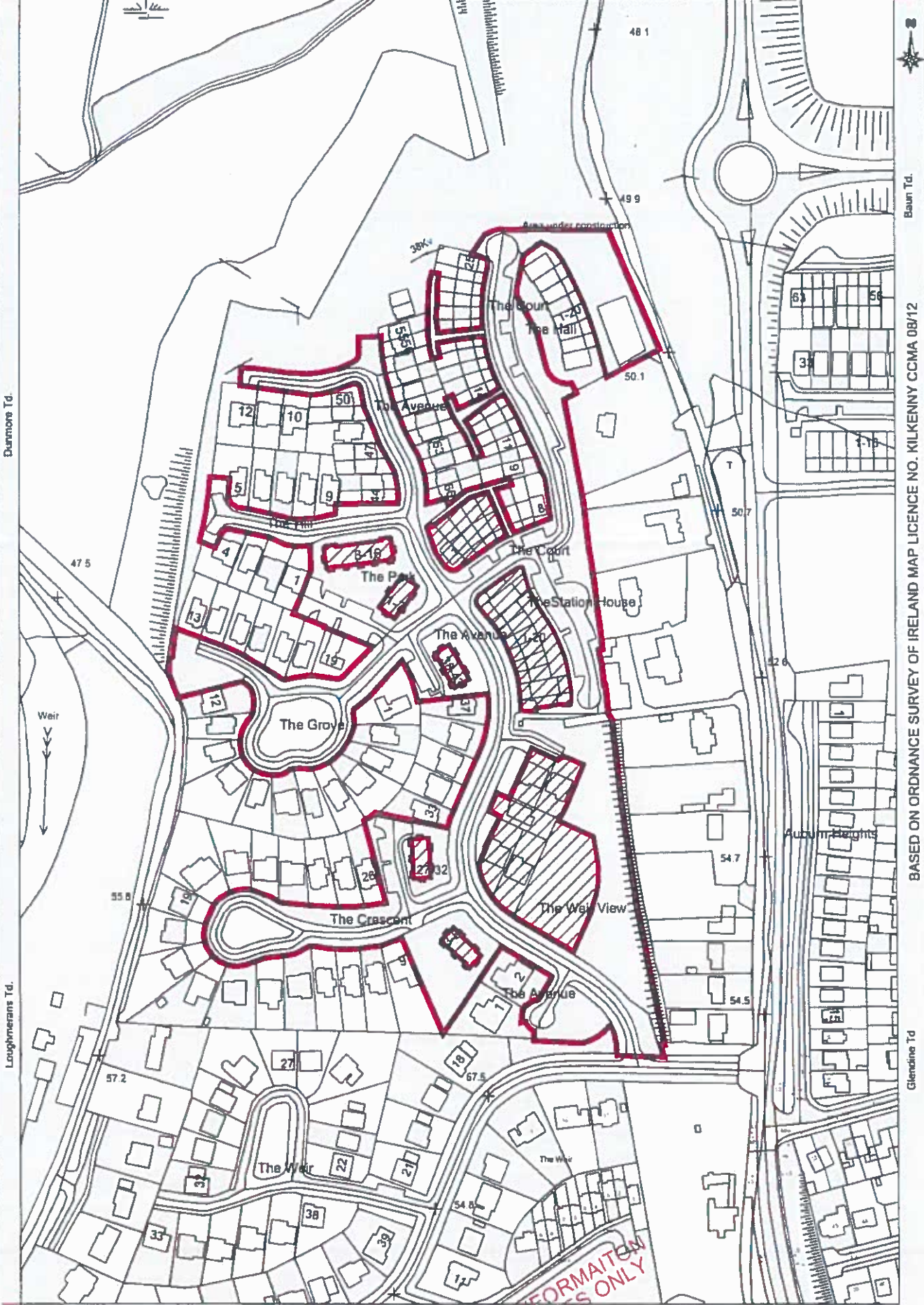
Brendan Sheahan
Executive Engineer

Date: 7/9/18



Annette Fitzpatrick
Administrative Officer

Date: 7/9/18



Baun Td.

BASED ON ORDNANCE SURVEY OF IRELAND MAP LICENCE NO. KILKENNY CCMA 08/12

Glendine Td.

E650157 N658056

Lands at Castlecomer Road, Kilkenny
 AREA OF SITE OUTLINED IN RED = 3.35 Ha
 FOLIO - KK23684F (part of)

Notes
 Hatched Areas Excluded

FOR INFORMATION PURPOSES ONLY

Scale: 1:2500 @ A4
 Plot Date: 23/08/2016
 Dm: BLS

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Planning & Development Acts, 2000 - 2018
Planning & Development Regulations, 2001 - 2018

REPORT ON TAKING IN CHARGE:

Planning Reference:	TC83
Development:	Bradóg Way, Gowran, Co. Kilkenny
Developer:	Ballylehaun Group (Walsh Brothers)
Planning Permission Reference:	P03/1523, P04/1730

Site Location & Description

Bradóg Way is a residential development of 40 dwellings located in the village of Gowran. It is accessed from Drover's Row and is sited along the banks of the Gowran River. The housing is a mix of one-and-a-half and two-and-a-half storey terrace dwellings.

Planning History

Planning permission reference number P03/1523 was granted to the Ballylehaun Group for the construction of 39 housing units on 31st July 2004. A minor amendment to this permission was authorised under P04/1730 with construction commencing in February 2005.

TIC Request:

The formal application to have this development taken in charge was made by the residents on 5th February 2014. As the developer had gone into liquidation, Kilkenny County Council dealt directly with the bond holder to ensure that all necessary works were completed. The bond money was paid out in full and Kilkenny County Council has now completed all necessary works to bring the development to a standard suitable for taking in charge – with the exception of landscaping / parks works. That work will be undertaken towards the end of 2018 or into 2019 but it is considered prudent at this time to bring the development under the formal maintenance regime of Kilkenny County Council and Irish Water.

Recommendation:

Having regard to the completion of the development in substantial accordance with the conditions attached to the grant of permission and the completion of all works as

identified by the various internal service areas, I recommend that Kilkenny County Council initiate proceedings for the taking in charge of Bradóg Way, Gowran, Co. Kilkenny, as outlined on the attached map.

SIGNED: Brendan Sheahan
Brendan Sheahan
Executive Engineer

Date: 7/9/18

Annette Fitzpatrick
Annette Fitzpatrick
Administrative Office

Date: 7/9/18

Planning & Development Acts, 2000 - 2018
Planning & Development Regulations, 2001 - 2018

REPORT ON TAKING IN CHARGE:

Planning Reference:	TC128
Development:	Nore Terrace, Units 3a to 12a
Developer:	Denis Treacy and Sons
Planning Permission Reference:	P.90/11

Site Location & Description

Units 3a to 12a form part of Nore Terrace in Kilkenny City and are accessed via Maudlin Street and the remaining portion of Nore Terrace. Nore Terrace, historically known as Kelly's Lane, is a residential cul-de-sac development and is listed on Kilkenny Borough Council's Road Schedule of 1994 - indicating that it was in charge at that time. These 10 units are located around a common court yard and parking area to the north-west of Nore Terrace but having been constructed in the early 1990's are a more recent addition to Nore Terrace.

Planning History

Planning permission reference number P90/11 was granted to Denis Treacy and Sons by the former Kilkenny Borough Council on 14th April 1990 for 12 dwellings. 2 dwellings were semi-detached and accessed directly from Maudlin Street and the remaining 10, the subject of this taking in charge report, were terraced dwellings.

TIC Request:

Members of the former Kilkenny Borough Council approved a proposal to commence the taking in charge of this development at the meeting held on 10th February 2014. No application from the developer or the residents had at that time been received however. Following the dissolution of the Borough Council later in 2014, the file was transferred to the Planning Department in Kilkenny County Council. On 9th December 2016, a majority of the residents of Nore Terrace Units 3a to 12a formally requested Kilkenny County Council to take the development in charge.

The application was assessed on the basis of a historic / legacy development. There are no objections to the taking in charge of this development and subject to the completion of

minor works to the fire hydrant, it is considered appropriate that Kilkenny County Council initiate proceedings for taking in charge.

Recommendation:

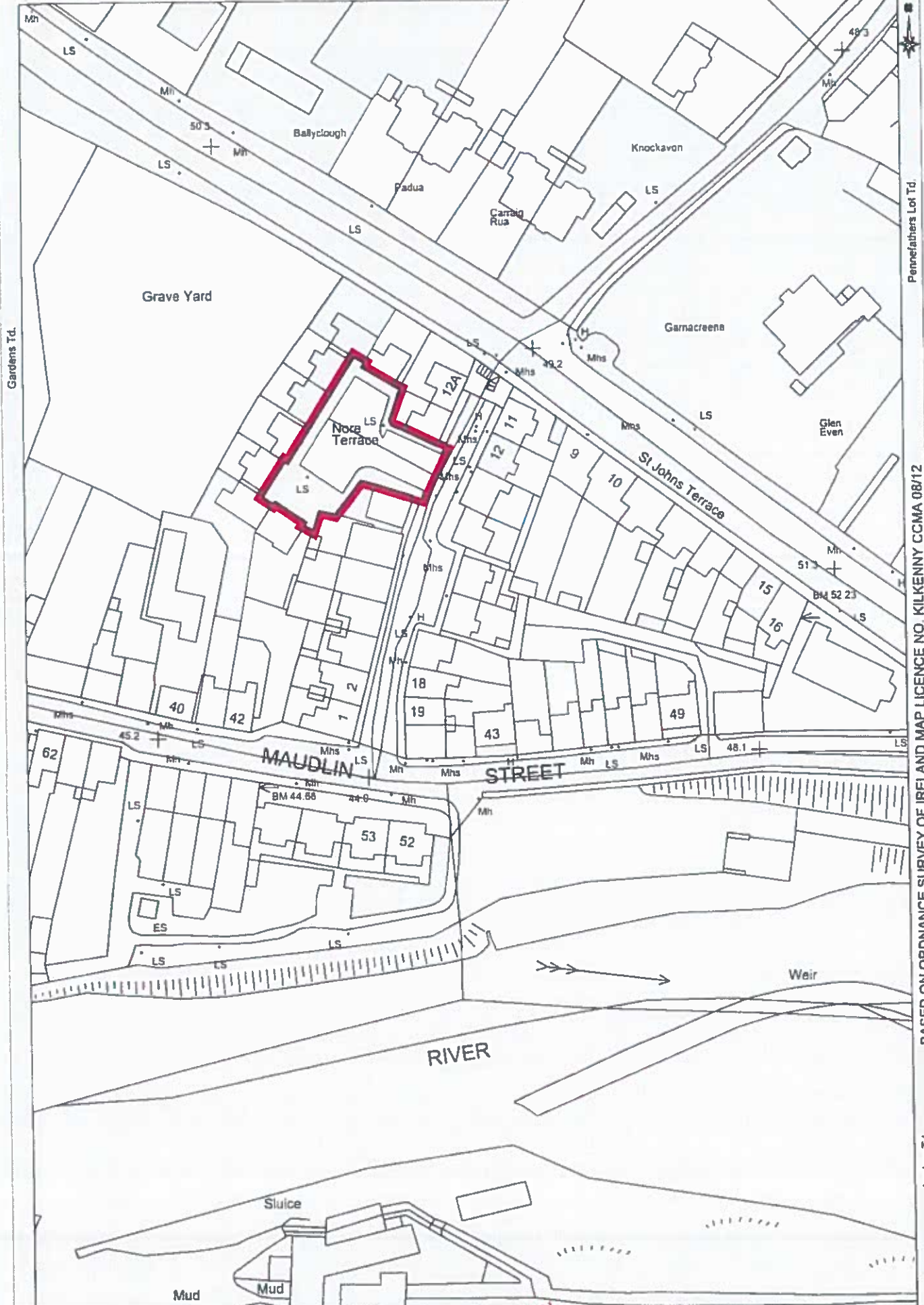
Having regard to the completion of the development in substantial accordance with the conditions attached to the grant of permission, I recommend that Kilkenny County Council initiate proceedings for taking in charge of Nore Terrace, Units 3a - 12a, as outlined on the attached map.

SIGNED: Brendan Sheahan
Brendan Sheahan
Executive Engineer

Date: 7/9/18

A. Fitzpatrick
Annette Fitzpatrick
Administrative Officer

Date: 7/9/18



Gardens Td.

Penrefathers Lof Td.

BASED ON ORDNANCE SURVEY OF IRELAND MAP LICENCE NO. KILKENNY CCMA 08/12

Lacken Td.

E651211 N655800

Dukesmeadows Td

Lands at Maudlin Street Kilkenny City
 AREA OF SITE OUTLINED IN RED = 0.058 Ha
 FOLIO - KK6283F

**FOR INFORMATION
 PURPOSES ONLY**

Scale	1 1000 @ A4
Plot Date	06/07/2018
Dtm	BLS

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Planning & Development Acts, 2000 - 2018

Planning & Development Regulations, 2001 - 2018

REPORT ON TAKING IN CHARGE:

Planning Reference:	TC142
Development:	Cois na Bearú
Developer:	Walsh Brothers
Planning Permission Reference:	P04/1823, P08/596

Site Location & Description

Cois na Bearú is a residential development of 42 dwellings located in the town of Graiguenamanagh. It is an unfinished development in the sense that not all housing units as were granted permission have been constructed. 15 dwellings within the main development have not been built. Neither has the access road or services for an additional 9 serviced sites originally authorised. The development as completed however can be considered as a stand-alone development and is viewed as such for the purposes of taking in charge. The housing is a mix of two-storey semi-detached dwellings and terrace dwellings.

Planning History

Planning permission reference number P04/1823 was granted to Jack Lennon for the construction of 57 housing units along with 9 serviced sites on 18th October 2005. Construction commenced in 2006 with minor amendments to the parent permission authorised under P08/596, granted in February 2009 – relating primarily to building types and additional parking.

TIC Request:

The formal application to have this development taken in charge was made by a majority of the home owners on 12th May 2015. As the developer had gone into liquidation, Kilkenny County Council dealt directly with the bond holder to ensure that all necessary works were completed. The bond holder paid out money to cover the cost of the necessary works and Kilkenny County Council has now completed these works to bring the development to a standard suitable for taking in charge – with the exception of landscaping / parks works. Landscaping / parks work will be undertaken towards the

end of 2018 or into 2019 but it is considered prudent at this time to bring the development under the formal maintenance regime of Kilkenny County Council and Irish Water.

Recommendation:

Having regard to the completion of the development in substantial accordance with the conditions attached to the grant of permission and the completion of all works as identified by the various internal service areas, I recommend that Kilkenny County Council initiate proceedings for the taking in charge of Cois na Bearú, Graiguenamanagh, as outlined on the attached map.

SIGNED: Brendan Sheahan
Brendan Sheahan
Executive Engineer

Date: 7/9/18

A Fitzpatrick
Annette Fitzpatrick
Administrative Office

Date: 7/9/18

THIS IS A COMPUTER GENERATED MAP WITH ITM COORDINATES

Newtown Td

OS MAP REF 4829-B

E670728 N644638

Bohermore Td

Cemetery

Sports Field

Sports Field

Harristown

Well

Tinapark Td

Graigueunanagh Td

Coolhammanagh Td

BASED ON ORDNANCE SURVEY OF IRELAND MAP LICENCE NO. KILKENNY CCMA 08/12

E670663 N644188

Lands at Bohermore, Graigueunanagh, Co. Kilkenny

AREA OF SITE OUTLINED IN RED = 0.89 Ha

FOLIO - KK15387 (part of), KK24984 (part of), KK29194F (part of)

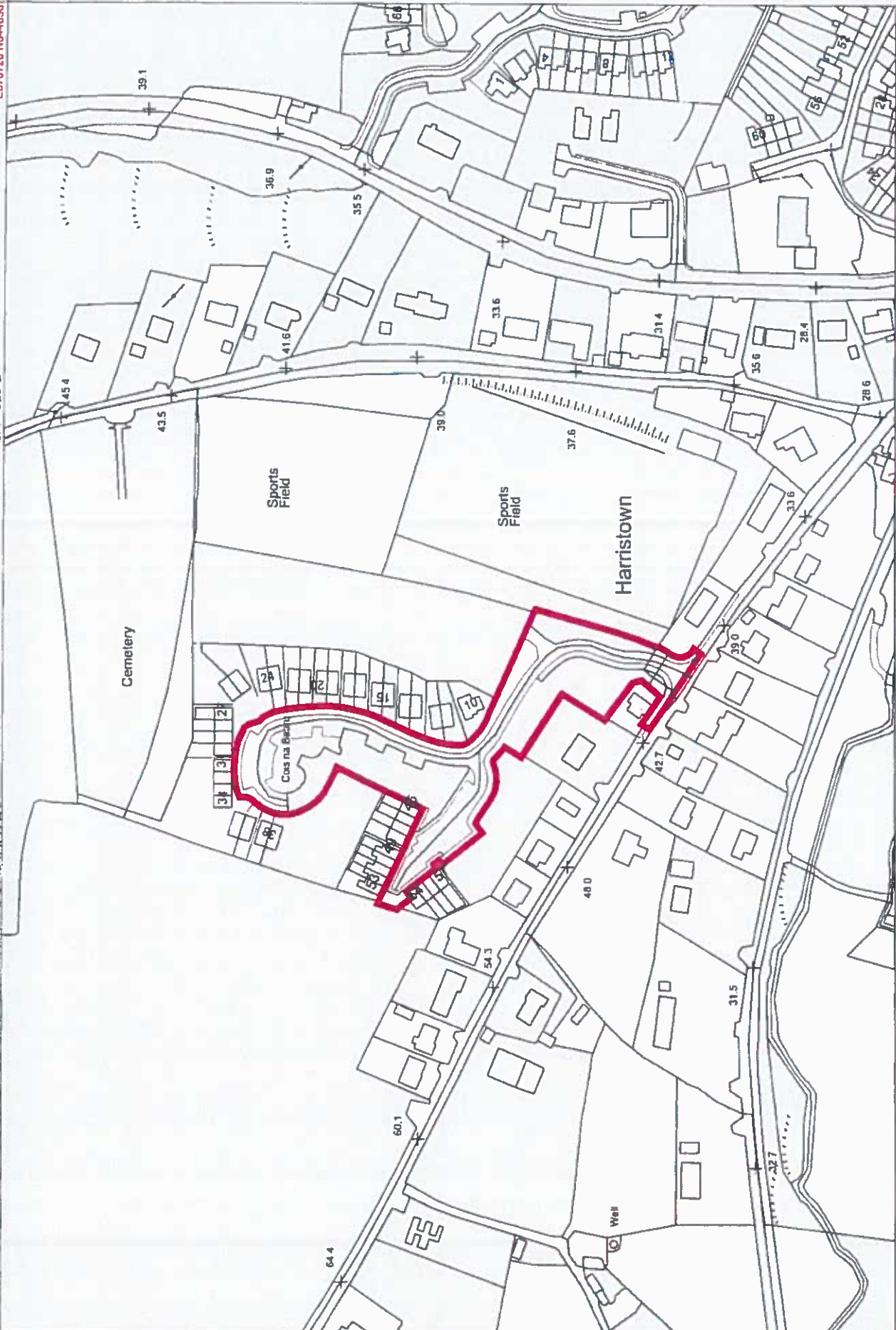
FOR INFORMATION ONLY

Scale: 1:2500 @ A4

Plot Date 09/07/2018

Dwn: BLS

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Planning & Development Acts, 2000 - 2018

Planning & Development Regulations, 2001 - 2018

REPORT ON TAKING IN CHARGE:

Planning Reference: TC157

Development: Baronscourt, Bennettsbridge, Co. Kilkenny

Developer: Matthew Bolger

Planning Permission Reference: P.1/1/8134

Site Location & Description

Baronscourt is a small cul-de-sac residential development of 7 detached dwellings in the townland of Bennettsbridge just to the south of Bennettsbridge Village. Access and egress is directly onto the R700 Kilkenny to Thomastown regional road.

Planning History

Planning permission reference number P.1/1/8134 was granted to Matthew Bolger for site development works on the 2nd February 1979. The individual houses on each site were subsequently constructed on foot of individual planning applications during the 1980's.

TIC Request:

The formal application to have this development taken in charge was made by the residents on 29th March 2018. The application was assessed on the basis of a historic / legacy development. There are no objections to the taking in charge of this development and subject to minor signage and road marking works which have been scheduled for this autumn, it is considered appropriate that Kilkenny County Council initiate proceedings for taking in charge.

Recommendation:

Having regard to the completion of the development in substantial accordance with the conditions attached to the grant of permission and considering the additional minor works

which will be completed shortly, I recommend that Kilkenny County Council initiate proceedings for the taking in charge of Baronscourt, Bennettsbridge, Co. Kilkenny, as outlined on the attached map.

SIGNED: Brendan Sheahan
Brendan Sheahan
Executive Engineer

Date: 7/9/18

A. Fitzpatrick
Annette Fitzpatrick
Administrative Office

Date: 7/9/18

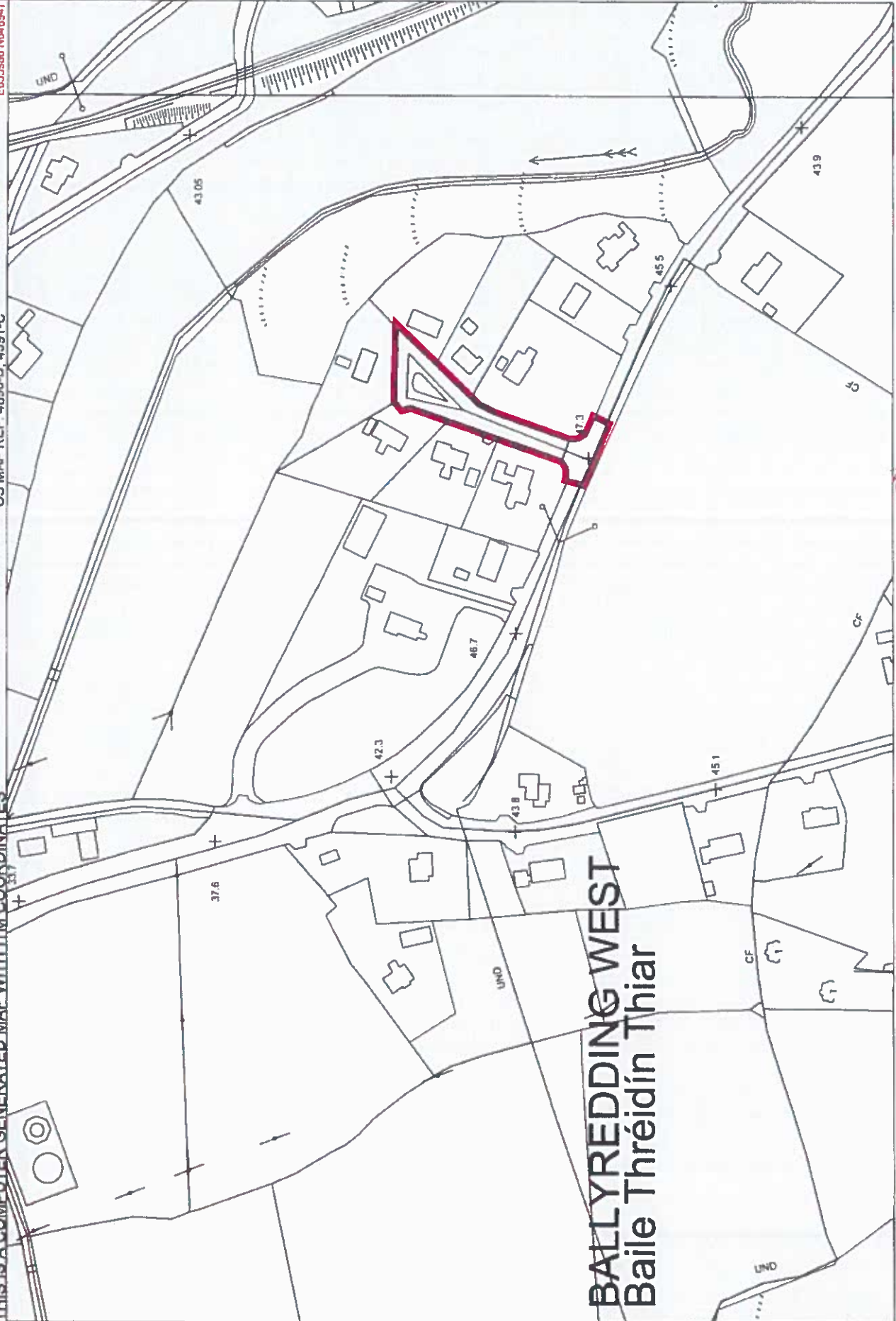
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OS MAP REF. 4890-D. 4591-C

E655988 N648947

Bennettsbridge Td

BASED ON ORDNANCE SURVEY OF IRELAND MAP LICENCE NO. KILKENNY GCMA 08/12



BALLYREDDING WEST
Baile Threidín Thiar

Andraugh Td

Ballyredding West Td

E655321 N648497

Lands at Bennettsbridge, Co. Kilkenny

AREA OF SITE OUTLINED IN RED = 0.18 Ha
FOLIO - KK3269F

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Scale:	1:2500 @ A4
Plot Date:	06/04/2018
Drn:	BLS

NOTATION
 FOR INFORMATION
 PURPOSES ONLY



