



**Comhairle Chontae Chill Chainnigh**

Halla an Chontae Sraid Eoin Cill Chainnigh  
R95 A39T

Pobail agus Áiteanna Inbhuánaithe a Chruthú

**Kilkenny County Council**

County Hall John Street Kilkenny  
R95 A39T

Creating Sustainable Communities and Places



Ref: TC59

10th October 2022

**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

**Development: TC59 - The Greens, Jerpoint West, Thomastown, Co. Kilkenny**

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

51 houses at The Greens, Jerpoint West, Thomastown, 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:

  
\_\_\_\_\_  
Denis Malone  
A/Director of Services  
Planning

Comhairle Chontae Chill Chainnigh  
Kilkenny County Council  
Planning Report



Planning and Development Act 2000, as amended.

Planning and Development Regulations, 2001.

**TAKING IN CHARGE REPORT FOR  
ELECTED MEMBERS**

Planning Reference:	TC59
Development:	The Greens, Jerpoint West, Thomastown, Co. Kilkenny
Developer:	Emo Estates Limited
Planning Permission Reference:	P.03/960, P.07/859, & P.09/193

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**Site Location & Description:**

The Greens is residential development of 51 semi-detached and terraced houses located at Jerpoint West, Thomastown, Co. Kilkenny. The site is served by mains water and sewerage, and is accessed via a single entrance from realigned local road L8203. The area to be taken in charge is outlined in red on the attached map.

Towards the end of 2018, the developer substantially completed the realignment of the public road to the front of the development. The work involved the construction of a new section of roadway leaving sections of the original road in place as 2 cul-de-sacs as access for local traffic. In accordance with the decision of the Council on 18th February 2019, a notice was published stating that Kilkenny County Council proposed to declare the realigned local road to be a public road. Based on the foregoing, the realigned local road is not included in the area to be taken-in-charge here.

### Planning History:

P.03/960 - Permission granted for the construction of 118 houses comprising 13 no. two-storey 5 bedroom detached houses, 1 no. two storey 4 bedroom detached house, 66 no. two-storey 4 bed-room semi-detached houses, 16 no. two-storey 3 bed semi-detached houses, 10 no. two-storey 3 bedroom and terrace houses, and 12 no. two-storey 3 bedroom mid-terrace houses together with associated site development works, including the surface water outfall pipe to the River Nore, all on a site of 5.67 hectares fronting on to and with access from the Thomastown/ Mount Juliet road.

P.07/859 - Permission granted for the construction of a gateway feature at the entrance to previously permitted residential development (Register Reference No. 03/960). The gateway will consist of two cutstone gate pillars 3.4 metres high at either side of the main entrance road to the development, together with flanking wing walls topped with wrought iron railings and subsidiary cut stone gate pillars at either side of the footpaths to both sides of the road.


P.09/193 - Permission granted for extension of duration of planning application ref. in planning register P. 03/960.

### TIC Request:


The formal application to have The Greens taken in charge was received from the developer on the 19<sup>th</sup> December 2013. Subsequent to this, the planning authority engaged with the developer to progress the process and complete the remedial works as identified by the various service areas. The works identified by the various service areas have been substantially completed by the developer. The planning authority is continuing to engage with the developer to complete the remaining items.

### Recommendation:

Having regard to the substantial completion of all works identified by the various internal service areas, and the expected completion of outstanding items; I recommend that Kilkenny County Council initiate proceedings for the taking in charge of The Greens, Jerpoint West, Thomastown, Co. Kilkenny, as outlined in red on the attached map.

  
\_\_\_\_\_  
Alan Hyland,  
Executive Engineer, Planning.

Date: 10/10/22

ff.   
\_\_\_\_\_  
Úna Kealy,  
Administrative Officer, Planning.

Date: 10/10/22

# Land Registry Compliant Map



**CENTRE COORDINATE:**  
ITM: 657525.84 1913

**PUBLISHED:**  
04/10/2022

**ORDER NO.:**  
W25219\_1

**MAP SERIES:**  
1.2.560

**MAP SHEETS:**  
3575-A

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