



**Comhairle Chontae Chill Chainnigh**  
Halla an Chontae Sraid Eoin Cill Chainnigh  
R95 A39T

*Pobail agus Áiteanna Inbhuailtne a Chruthú*

**Kilkenny County Council**

County Hall John Street Kilkenny  
R95 A39T

*Creating Sustainable Communities and Places*



Ref: TC101

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:** TC101 - Whitehall, Paulstown, Co. Kilkenny

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

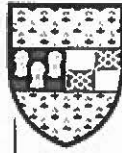
35 houses at Whitehall, Paulstown, Co. Kilkenny

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:	TC101
Development:	Whitehall, Paulstown, Co. Kilkenny
Developer:	Nicholas O' Brien
Planning Permission Reference:	P.00/1712 & P.04/1566

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**Site Location & Description:**

Whitehall is residential development of 35 detached, semi-detached, and terraced houses located at Paulstown, Co. Kilkenny. The site is served by mains water and sewerage, and is accessed via a single entrance from local road L2626. The area to be taken in charge is outlined in red on the attached map.

The green shading to the east of the subject site relates to the provision of a temporary open space to serve the 35 houses in the initial phase of the development. This area is required by Condition No.6 of Planning Permission Ref. P.00/1712, and is acceptable as an open space on a temporary basis pending the future development of the remainder of the scheme. Any subsequent planning applications for additional development on the overall lands which the subject site forms part of, must include a proposal for a more appropriate and centrally located area of open space. Based on the foregoing, the temporary open space does not form part of the area to be taken-in-charge.

The Whitehall Residents Association has requested that the temporary open space be made available for use as a biodiversity area. The developer has committed to carrying out the works requested by the residents i.e. cut and remove the overgrowth, cut and remove the grass, leave the path in good condition, repair the fence, fix the lights, and a general clean up. The Residents Association will take responsibility for the maintenance of the green/biodiversity area immediately after completion of the works.

### Planning History:

P.00/1712 - Permission granted to construct 35 houses on lands.

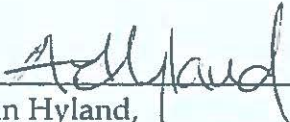
P.04/1566 - Permission granted for change of house types, minor site modifications and all associated works on previously approved permission ref. 00/1712. No significant alterations to road layout or other approved infrastructure are proposed. This application relates to houses 12-35 inclusive.

### TIC Request:


The formal application to have Whitehall taken in charge was received from the developer on the 25<sup>th</sup> June 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 Whitehall, Paulstown, Co. Kilkenny, as outlined in red on the attached map.

  
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Alan Hyland,  
Executive Engineer, Planning.

Date: 10/10/22

PP.   
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Una Kealy,  
Administrative Officer, Planning.

Date: 10/10/22



