

Ref: TC93

12th December 2016.

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: TC93 – Briarwood, Kilmurry, Slieverue, Co. Kilkenny

I attach herewith report in relation to the taking in charge of the residential development comprising of 25 Houses at Briarwood, Kilmurry, Slieverue, 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:


Mary Mulholland
Director of Services
Planning

Planning & Development Acts, 2000 - 2015
Planning & Development Regulations, 2001 – 2015
Taking in Charge (TIC) Report Dated 12th December 2016

REPORT ON TAKING IN CHARGE:

Planning Reference:	TC93
Development:	Briarwood, Kilmurry, Slieverue, Co. Kilkenny
Developer:	Walsh Brothers (Slieverue) Limited
Planning Permission Reference:	P99/291

Site Location & Description

Briarwood is a residential development located in the townland of Kilmurry in Slieverue, Co. Kilkenny. The development is accessed from a realigned section of the local road L3407 – which was realigned as part of the Waterford Bypass project. There are 25 dwellings in total – a mixture of two-storey and single storey dormer – all detached.

Planning History

P99/291 – Permission for 25 houses and associated works. Granted by Kilkenny County Council on 23rd June 1999.

P00/1270 – Permission for change of house type for 8 of the houses authorised under P99/291. Granted by Kilkenny County Council on 28th November 2000.

The bulk of the development was substantially completed before the end of 2003.

TIC Request:

Mr. Michael Walsh applied to have the development taken in charge on 26th September 2012 on behalf of Walsh Brothers Ltd. Despite some engagement between the developer and Kilkenny County Council, it would appear that a limited effort was made to complete the outstanding works as identified by the various services areas within the Council. Kilkenny County Council eventually drew down the bond and, supplemented with some additional funding from the Department of Housing, Planning, Community & Local Government, substantially completed all outstanding works in 2016.

Recommendation:

Having regard to the completion of the development in substantial accordance with the conditions attached to the grant of permissions 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 taking in charge of Briarwood, Kilmurry, Slieverue, Co. Kilkenny under Section 11 of the Roads Act 1993 and Section 180 of the Planning and Development Acts 2000-2015.

SIGNED:



Brendan Sheahan
Executive Engineer

Date:





Anne Maria Walsh
Senior Executive Officer

Date:



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O.S MAP REF. 5497 - B

N663630 N615781



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

E 663193 N615229

LAND REGISTRY COMPLIANT MAP

Lands at Briarswood,
Slieverue, Co. Kilkenny
Folio ref - KK21930f & KK34375f
AREA OF SITE OUTLINED IN RED = 0.586hec (1.4ac)

Scale : 1:2500
Plot Date: 04.02.2013
Drm by: P Moran
Exec Tech.

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