

Ref: TC91

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: TC91 – The Weir, Castlecomer Road, Kilkenny

I attach herewith report in relation to the taking in charge of the residential development comprising of 76 Houses at The Weir, Castlecomer Road, 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:	TC91
Development:	The Weir, Castlecomer Road, Kilkenny
Developer:	Liselton Ltd.
Planning Permission Reference:	P95/1068

Site Location & Description

"The Weir" is a residential development located in the townland of Dunmore on the northern side of Kilkenny City. The primary development is accessed directly from the Castlecomer Road (R712), an access shared with the Weir View – a separate residential development not forming part of this taking-in-charge application. A small number of houses (5 no.) to the west side of the development are accessed from the Bleach Road. The Weir consists of 76 dwellings in total – mostly detached, with a small number of semi-detached and terraced, 2-storey houses.

Planning History

There is a long and complex planning history on this site. The 1995 parent permission authorised the main development and subsequently there have been a number of permissions for amendments and alterations to the parent permission. In addition there have been a number of permissions to individual house-owners for modifications and extensions to houses. The most pertinent of the permissions granted to Liselton Ltd. include:

P95/1068 - Permission to construct 70 houses and associated site works at Dunmore with access at Castlecomer Road. Granted subject to conditions on 15th July 1996. This is the parent permission.

P97/29 – Permission for retention of 4 houses. Granted subject to conditions on 13th May 1997.

P97/691 – Permission for change of house type for 3 no. houses.

P98/1342 – Retention of driveway at number 47. Granted subject to conditions on 9th March 1999.

P98/1354 – Permission for change of house type and site layout on 3 no. sites.

TIC Request:

Whilst Liselton Ltd. is no longer trading as a legal entity, a representative of a former director of that company applied to have The Weir taken in charge on 30th April 2012. Unsuccessful attempts were made to engage with the director of the company to undertake remedial works identified by individual service areas within the organisation. The council subsequently arranged to have the required works undertaken directly – using money from the bond and further money made available from the Department. These works were undertaken throughout 2016.

Recommendation:

Having regard to the fact that the estate has been substantially completed in accordance with conditions attached to the grant of permissions, I recommend that Kilkenny County Council initiate proceedings for the formal Taking-in-Charge of The Weir, Castlecomer Road, Kilkenny as outlined on the attached map.

SIGNED:

Brendan Sheahan

Brendan Sheahan
Executive Engineer

Date:

12/12/2016

Anne Maria Walsh

Anne Maria Walsh
Senior Executive Officer

Date:

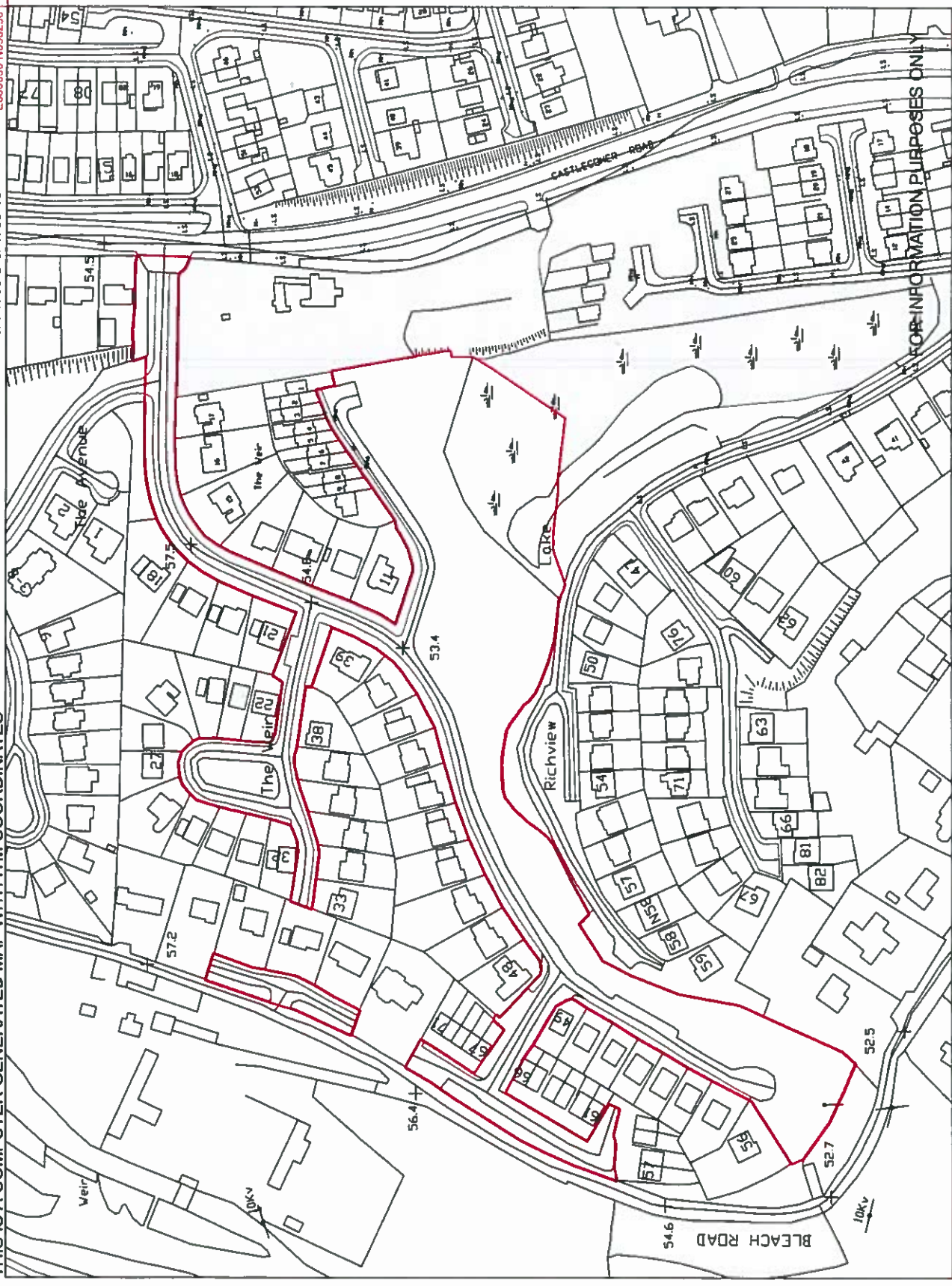
12/12/2014

THIS IS A COMPUTER GENERATED MAP WITH ITM COORDINATES

OS MAP REF. 4705-D & 4705-19

E6500500 N650250

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



FOR INFORMATION PURPOSES ONLY



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 Kilkenny County Council
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 Web: www.kilkennyccoco.ie

Scale: 1:2500 @ A4
 Plot Date: 08/12/2016
 Dtm: BLS

E6500500 N657800
Lands at The Wier, Castlecomer Road, Kilkenny
 AREA OF SITE OUTLINED IN RED = 4.12 Ha
 FOLIO - KK2970 & KK16267F

Dunmore Td.