

Ref: TC57

13<sup>th</sup> April 2017

**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:** TC57 – Springmount, Waterford Road, Kilkenny

I attach herewith report in relation to the taking in charge of the residential development comprising of 22 houses at Springmount, Waterford 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 13<sup>th</sup> April 2017**

**REPORT ON TAKING IN CHARGE:**

Planning Reference:	TC57
Development:	Springmount, Waterford Road, Kilkenny
Developer:	Nolan Brothers
Planning Permission Reference:	P86/43

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**Site Location & Description**

Springmount is a residential development of 22 houses located in the townland of Smithsland South on the southern edge of Kilkenny City. The development is accessed from a single entrance off the N10, Waterford Road. The dwellings are all detached with private gardens and are served by mains water and sewage. As well as roads and footpaths, the public area of the development also contains a green area of approximately 0.1 Ha.

**Planning History**

Planning permission was granted to Nolan Brothers for 22 houses under Planning Permission Reference P86/43. The permission is approximately 30 years old and it is understood that the development was substantially complete by the early 1990's.

**TIC Request:**

The formal taking-in-charge application was received from the residents of the estate on 10<sup>th</sup> July 2010. Subsequent to this, the Planning Authority engaged with the developer to progress the process. The developer did engage somewhat and undertook a number of the remedial works as identified by the various service areas. In addition the Planning Authority made a claim on the bond to carry out the necessary CCTV works and complete repairs. All works as identified by the various service areas and the Planning Officer in the public areas have now been completed.

**Recommendation:**

Having regard to the substantial completion of the development in accordance with the conditions attached to the grants 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 formal taking in charge of Springmount, Waterford Road, Kilkenny, as outlined on the attached map.

**SIGNED:**



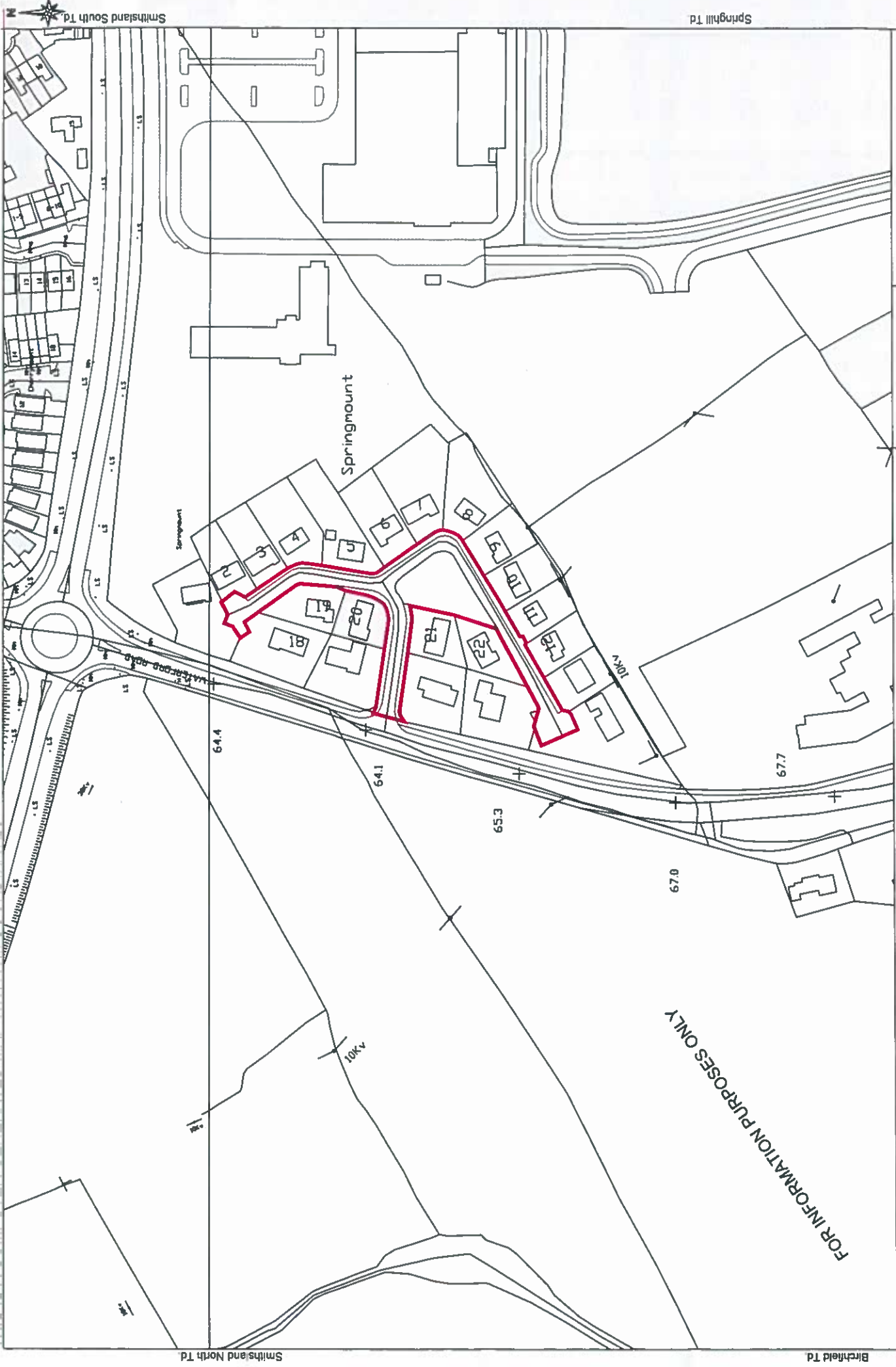
Brendan Sheahan  
Executive Engineer

Date: 18/04/2017



Anne Maria Walsh  
Senior Executive Officer

Date: 18/04/2017



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Scale: 1:2500 @ A4  
 Plot Date: 12/04/2017  
 Dm: BLS

**E650400 NG653653**  
**Lands at Springmount, Waterford Rd, Kilkenny.**  
 AREA OF SITE OUTLINED IN RED = 0.39 Ha  
 FOLIO - KK7243

FOR INFORMATION PURPOSES ONLY

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