



Ref: TC146

10<sup>th</sup> May 2021

**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:** TC146 – Haven Court, Ballyragget, Co. Kilkenny

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

12 houses at Haven Court, Ballragget, 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:**

Sean McKeown  
Director of Services  
Planning

Comhairle Chontae Chill Chainnigh  
Kilkenny County Council  
Planning Report



Planning & Development Acts, 2000 - 2020

Planning & Development Regulations, 2001 - 2020

TAKING IN CHARGE REPORT FOR  
ELECTED MEMBERS

Planning Reference:	TC146
Development:	Haven Court, Ballyragget, Co. Kilkenny
Developer:	Sinco Restaurants Limited
Planning Permission Reference:	P.04/1521 and P.06/1138

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**Site Location & Description:**

Haven Court is a residential development of 12 detached houses located in Ballyragget, Co. Kilkenny. The site is served by mains water and sewerage, and is accessed via a single entrance from the private roadway serving Brookhaven Nursing Home.

**Planning History:**

P.04/1521 - Permission granted to construct 12 no. detached dwelling houses together with all ancillary services. Permission is also being sought to reroute and pipe existing surface water drain, all at Donoughmore, Co. Kilkenny.

P.06/1138 - Permission granted to provide rear sunroom extensions and bay windows to 12 no. houses and minor modifications to estate layout of previously approved residential scheme (ref. no. 04/1521).


**TIC Request:**

The formal application to have Haven Court taken in charge was made by the residents in July 2015. Subsequent to this, the planning authority engaged with the developer to progress the process and complete the remedial works identified by the various service areas. However, unsatisfactory progress led to the planning authority claiming the bond. The full value of the bond has been paid by the bondholder, which will allow all remaining works to be procured and arranged by the planning authority.

Please also note, final taking in charge is not dependent on the completion of the remaining works. If needs be, the completion of the works can continue after taking in charge. This principle applies to works where the planning authority is in receipt of the bond money and is arranging the works.

**Recommendation:**

Having regard to the planning authority being in receipt of the bond money, and the planned completion of all works identified by the various internal service areas to bring the estate to taking in charge standard; I recommend that Kilkenny County Council initiate proceedings for the taking in charge of Haven Court, Ballyragget, Co. Kilkenny, as outlined on the attached map.

  
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Alan Hyland,  
TIC & BC Engineer, Planning.

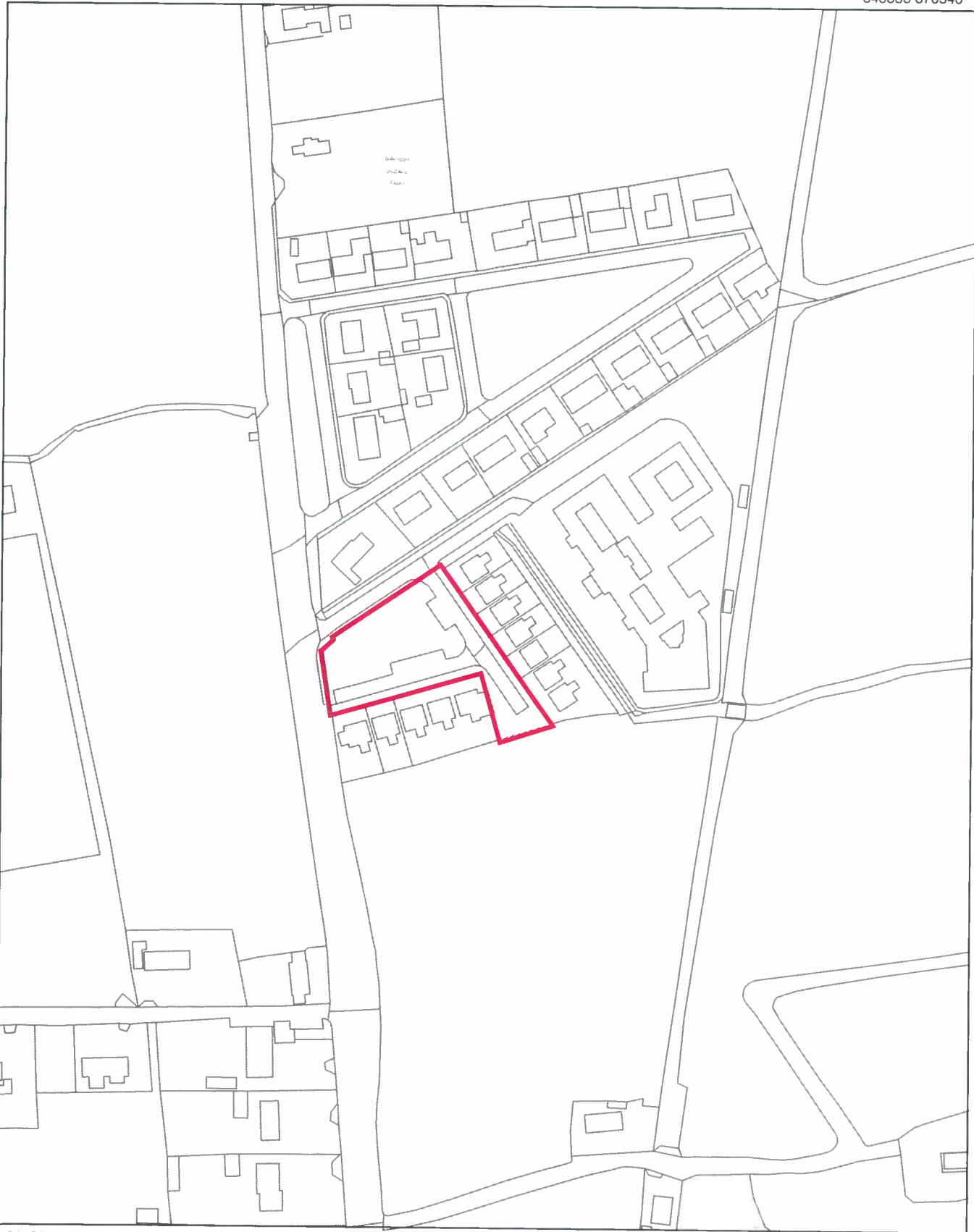
Date: 10/05/21

  
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Una Kealy,  
Administrative Officer, Planning.

Date: 10/05/2021

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OS MAP REF. 4466-C

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

TAKING IN CHARGE  
HAVEN COURT HOUSING ESTATE  
BALLYRAGGET  
CO. KILKENNY

FOR  
INFORMATION  
PURPOSES  
ONLY

SCALE: 1:2500 @ A4  
PLOT DATE: 10/05/2021  
DRAWN BY: A. HYLAND

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