

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:	TC70
Development:	The Paddocks, Phase 1, Gowran, Co. Kilkenny
Developer:	The Ballylehaun Group Limited, & Prime Homes Limited
Planning Permission Reference:	P.03/1524, P.04/1557, P.05/234, P.05/235 P.05/1500 & P.05/1675

Site Location & Description:

The Paddocks Phase 1 is residential development of 24 detached houses located in Gowran, Co. Kilkenny. The site is served by a private well, private wastewater network (which is connected, in turn, to the public wastewater network), and is accessed via a single entrance from regional road R702.

The taking in charge of residential estates connected to Irish Water owned or controlled water and wastewater networks is outlined in Irish Water's Memorandum of Understanding (MoU). The MoU lists the following exclusion '*Residential estates that are served by standalone infrastructure such as wells, water treatment plants and wastewater treatment plants and associated pumping stations that were provided by developers as part of housing developments and where such infrastructure cannot be connected to the water and wastewater networks for which Irish Water is responsible.*'

The Paddocks private water network cannot be connected to the public water network at the moment due to lack of supply capacity. Therefore, in accordance with the MoU, the private water network cannot be considered for taking in charge at this time. It should also be noted that the private wastewater network is already connected to the public wastewater network. However, this cannot be considered for taking in charge at this time either until such a time as both the water and wastewater networks are connected to the public networks.

Kilkenny County Council is currently paying for the maintenance of the private well which serves The Paddocks (& this well also serves Bradóg Way). The maintenance arrangements for the well will remain in place until such time as the Gowran - Goresbridge - Paulstown scheme is upgraded.

Phase 2 of The Paddocks development is currently under construction, and therefore, does not form part of this taking in charge application.

Planning History:

P.03/1524 - Permission granted for a residential development of 26 no. residential units providing: 26 no. detached houses with double garage consisting of: 2 no. type A (5 bed dormer), 6 no. type B (4 bed dormer), 5 no. type C (4 bed two storey), 5 no. type D (4 bed two storey), 3 no. type E (3 bed two storey), 5 no. type F (3 bed two storey) the formation of a site entrance, provision of a well and installation of water treatment works and all associated site works.

P.04/1557 - Permission granted for the amendment to existing planning permission (P.03/1524) consisting of the following: general modifications to site layout, removal of 8 no. 3 bedroom detached houses and replacement with 2 no. 4-bedroom detached dwelling, house type C, 2 no. 4-bedroom detached dwelling, house type D and 2 no. 5-bedroom detached house type J to the south entrance road of the development, change of material from tarmac to selected coloured pavior in selected areas, change of 5-bedroom detached dormer house type A, Unit no. 1 to 5-bed. detached dormer house Type G, change 2 no. 4-bed. detached house Type B, units 2 and 3 to 2 no. 5-bed. detached dormer house Type A. Permission for a new 5-bed. detached dormer house Type G, site no. 4 to the north-eastern boundary. Change of house Type C on site no. 26 to house Type D. Change of house Type C on site no. 26 to house Type D. Change of house Type D on site no. 25 to house type C on site no. 25. Change of window type to all dwellings.

P.05/234 - Permission granted for the amendment of existing planning permission (Planning Reg. Ref. No. P03/1524), consisting of the following: Change of material from tar macadam to selected coloured pavior in selected areas, provision of a semi-mounded Calor LPG tank to portion of public open space, an ESB substation and general site-works associated with all of the above.

P.05/235 - Permission granted for the amendment of existing planning permission (Planning. Reg. Ref. No. P03/1524), consisting of the following changes: 4 bed Detached House Type C on Site No. 26 to 4 bed Detached House Type D, 4 Bed Detached House Type D on Site No. 25 to 4 Bed Detached House Type C, 3 Bed Detached House Type E on Site No. 17 to 4 Bed Detached House Type C, 3 Bed Detached House Type E on Site No. 24 to 4 Bed Detached House Type D1 and general siteworks associated with all of the above.

P.05/1500 - Permission granted for the amendment to existing planning permission (Planning Reg. Ref. No. 04/1557), consisting of the following: Removal of 2 no. 5-bedroom detached dormer House Type A and 2 no. 5-bedroom detached dormer House Type G and replacement with 3 no. 5-bedroom detached dwelling, House Type C1 and 2 no. 5-bedroom detached dwelling, House Type D1 and general siteworks associated with all of the above.

P.05/1675 - Permission granted for the construction of 2 no. dwellings consisting of 2 no. 5-bed detached house type C with associated garages, connection to existing public water site services and roadway previously permitted under planning Reg. Ref. No. 04/1557 and general siteworks associated with all of the above.


TIC Request:

The formal application to have The Paddocks taken in charge was made by the residents in August 2011. The application was deemed valid by the planning authority in February 2012 following receipt of satisfactory further information. 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. Finally, the bond was claimed and the full value paid by the bondholder. Works to bring the estate to taking in charge standard will 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.

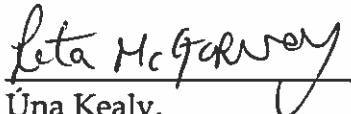
Recommendation:

Having regard to the planning authority being in receipt of the bond money, and the planned completion of 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 The Paddocks, Phase 1, Gowran, Co. Kilkenny, as outlined on the attached map.



Alan Hyland,
Executive Engineer, Planning.

Date: 10/09/22

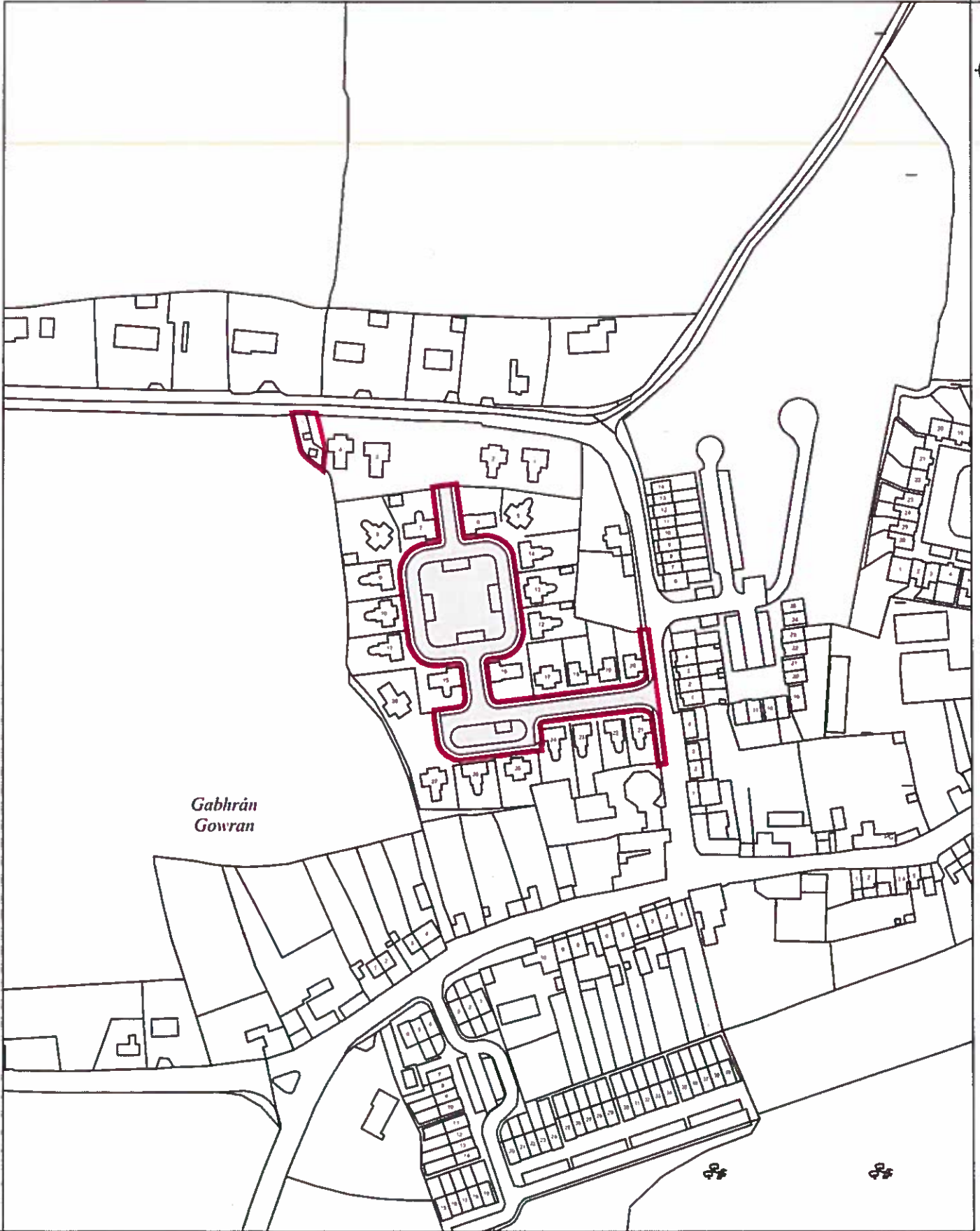
PP  50.

Una Kealy,
Administrative Officer, Planning

Date: 10/01/2022

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OS MAP REF. 4829-B

663128, 653822



Gabhrán
Gowran

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

662690, 653270

WORKING IN CHARGE
THE PADDOCKS, PHASE 1
GOWRAN
CO. KILKENNY

FOR
INFORMATION
PURPOSES
ONLY

SCALE 1:2500 @ A4
PLOT DATE 10/01/2022
DRAWN BY A HYLAND

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