

Ref: TC137

11th June 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: TC137 - Rath Ullord, Phase 1, New Orchard, Kilkenny

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

12 houses at Rath Ullord, Phase 1, New Orchard, 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 Chairnigh
Kilkenny County Council
Planning Report



Planning & Development Acts, 2000 - 2020

Planning & Development Regulations, 2001 - 2020

**TAKING IN CHARGE REPORT FOR
ELECTED MEMBERS**

Planning Reference:	TC137
Development:	Rath Úllord, Phase 1, New Orchard, Kilkenny
Developer:	College Road Partnership
Planning Permission Reference:	P.05/478 and P.07/2210

Site Location & Description:

Rath Úllord Phase 1 is a residential development of 12 houses, creche, and Jehovah's Witnesses Hall located in New Orchard, Kilkenny. The site is served by mains water and sewerage, and is accessed via a single entrance from local secondary road L6648.

The area to be taken in charge is outlined on the attached map; other parts/phases of the development do not form part of this taking in charge application.

Planning History:

P.05/478 - Permission granted for the development of 34 no. two storey detached dwellings comprising 4 house types including access road, new road entrance from Bonnettsrath Road, roundabout and associated services. The proposed development will include a new foul pipeline connection to the public mains via New Orchard Townland and Newpark Upper Townland, new surface water discharge pipeline to the Pockocke River through New Orchard Townland and all associated site development works.

P.07/2210 - Permission granted for the redesign of layout of sites no. 1 and 2, revised to accommodate creche and access road to additional site off entrance roundabout, as previously granted under planning ref P05/478; demolition of Iveagh Cottage on Bonnettsrath Road, replacing with single storey house, Type E (handed); construction of 3 no. single storey houses, Type E on additional site, carpark and setdown area for Creche, boundary treatment and all ancillary and associated site development works.

TIC Request:


The formal application to have Rath Úllord Phase 1 taken in charge was received from the developer on the 06th November 2014. Following this, the extent of works required to progress taking in charge and the release of bond liability was examined. Kilkenny County Council accepted a full and final bond settlement in August 2018.

Kilkenny Area Office is carrying out the works to bring Phase 1 of the development to taking in charge standard. Works are progressing having commenced in Q2 this year after the easing of level 5 restrictions.

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 to bring the estate to taking in charge standard; I recommend that Kilkenny County Council initiate proceedings for the taking in charge of Rath Úllord, Phase 1, New Orchard, Kilkenny, as outlined on the attached map.


Alan Hyland,
TIC & BC Engineer, Planning.

Date: 10/05/21


Úna Kealy,
Administrative Officer, Planning.

Date: 14/6/21

THIS IS A COMPUTER GENERATED MAP WITH ITM COORDINATES
OS MAP REF 4705 D & 4706 C

652068 658334



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

651630 657783

TAKING IN CHARGE
RATHULLORD PHASE 1
NEW ORCHARD
KILKENNY

FOR
INFORMATION
PURPOSES
ONLY

DATE 20/11/12
NO. 2441 2222/11
10:00AM 20/11/12

Comhairle Chontae Chill Chainnigh
Kilkenny County Council

