

Ref: TC46

18th 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: TC46 – Mallfield, Thomastown, Co. Kilkenny

I attach herewith report in relation to the taking in charge of the residential development comprising of 98 houses at Mallfield, Thomastown, 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:


Mary Mulholland
Director of Services
Planning

Planning & Development Acts, 2000 - 2015

Planning & Development Regulations, 2001 – 2015

Taking in Charge (TIC) Report Dated 10th April 2017

REPORT ON TAKING IN CHARGE:

Planning Reference: TC46
Development: Mallfield, Thomastown
Developer: South Eastern Construction
Planning Permission Reference: P00/1195, P01/1114, P02/1058, P04/1381

Site Location & Description

Mallfield is a residential development located in the townland of Grennan in Thomastown. The development contains 98 houses in total with the house types being two storey detached, semi-detached and terrace houses. The development is accessed from Castle Avenue (LS-8210) via a single access / egress point.

Planning History

P00/1195 – Permission for the construction of 12 no. townhouses, 18 no. semi-detached and 6 no. 2 storey houses at Grennan, Thomastown. Granted by Kilkenny County Council subject to 31 conditions on 23rd April 2001.

P01/1114 – Permission to amend P00/1195 and reduce the number of houses by 2. Granted by Kilkenny County Council subject to 31 conditions on 16th October 2001.

P02/1058 – Permission to construct a further 34 dwellings and associated works. Granted by Kilkenny County Council subject to 35 conditions on 6th January 2003.

P04/1381 – Permission to construct a further 32 dwellings and associated works. Granted by Kilkenny County Council subject to 34 conditions on 21st September 2005.

TIC Request:

The formal request to have this development taken in charge was made in writing by the developer on 12th March 2009. The developer engaged with the Planning Authority in completing some of the remaining works but the developer's access to funding ceased and the Company is now in receivership, Kilkenny County Council made a claim on the bond which was in place for the development. The remaining works were substantially completed in quarter 1 of 2017. The costs incurred by Kilkenny County Council will be claimed from the special liquidator.

Recommendation:

Having regard to the completion of the development in substantial accordance with the conditions attached to the grant of permission and the substantial 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 Mallfield, Thomastown, Co. Kilkenny as outlined on the attached map.

SIGNED:


Brendan Sheahan
Executive Engineer

Date: 10/04/2017


Anne Maria Walsh
Senior Executive Officer

Date: 10/4/2017.

658,466

658,873

641,826

641,826



41,370

641,370

658,466

658,873

Transfer of Common Lands at Mallfield, Thomastown, Co. Kilkenny.

Ref TC46

ITM CENTRE PT COORDS : 658,670mE, 641,598mN

Townland : GRENAN

O.S. MAP REF : 5073-B @ 1:2,500 & 5073_04 @ 1:1,000

Site Area Outlined in Red
Area = 1.813ha, = 18,127m²

Scale 1 : 2,500 @ A4

This is a computer generated map based on Ordnance Survey of Ireland Map, License No. "Kilkenny/CCMA/08/12"



**Kilkenny
County Council**