



## Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh  
R95 A39T

Pobail agus Áiteanna Inbhuanaithe a Chruthú

## Kilkenny County Council

County Hall John Street Kilkenny  
R95 A39T

Creating Sustainable Communities and Places



Ref: TC178

2<sup>th</sup> June 2023

**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:** TC178

- Ardmillan, Thomastown  
Co. Kilkenny

I attach herewith reports in relation to the taking in charge of the above residential development comprising of 7 houses at Armillan, 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:**

Denis Malone  
A/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:	TC 178
Development:	Ardmillan, Thomastown Co.Kilkenny
Developer:	Kevin Thorpe Ltd
Planning Permission Reference:	P.03/1863, P.07/1776, P.09/555 & P.11/23

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**Site Location & Description:**

Ardmillan is a residential mix development of 7 houses, located in Thomastown, Co. Kilkenny. The site is served by mains water and sewerage, and is accessed via a single entrance from the L 8203.

**Planning History:**

P03/1083 – Construction of 7 detached houses on lands at Jerpoint West, Thomastown Co. Kilkenny

P07/1776 - For a change of house types of 7 no. detached houses with garages, permitted under Planning Ref. 03-1863, on lands at Jerpoint West, Thomastown

P09/555 – Extension of duration for a further eighteen months

P11/23 – Extension of duration for a further five years until 16<sup>th</sup> Feb 2016

**TIC Request:**

The formal application to have Ardmillan taken in charge was made by the developer in February 2023. The application was deemed valid by the planning authority in February 2023 following receipt of satisfactory further information. The application was referred to the various internal service areas as outlined above and based on the responses, a schedule of necessary works was issued to the developer. The works were substantially completed by the developer in Q1 of 2023.

A site visit in June 2023 established that the works identified by the various service areas are substantially complete. Having reviewed the conditions attached to the original grant of permission in conjunction with the completion of works identified by individual service areas, it would appear that the development has been completed in substantial accordance with the conditions attached to the grant of permission. The developer's agents have committed to addressing all outstanding items as a matter of urgency following a service area review of the works and document submission.

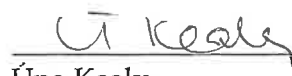
There are no objections from individual service areas to the taking in charge of this development, therefore, it is considered appropriate that Kilkenny County Council initiate proceedings for taking in charge. The final taking in charge will only proceed subject to the satisfactory completion of all outstanding items and subject to the approval of the elected members.

**Recommendation:**

Having regard to the substantial completion of the development in accordance with the conditions attached to the grant of permission, the substantial completion of all works identified by the various internal service areas, and the expected completion of outstanding items related to both; I recommend that Kilkenny County Council initiate proceedings for the taking in charge of Ardmillan, Thomastown, Co. Kilkenny, as outlined in red on the attached map.

  
\_\_\_\_\_  
William Delaney,  
Executive Engineer, Planning.

Date: 2/6/23

  
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Una Kealy,  
Administrative Officer, Planning.

Date: 02.06.2023

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O.S. MAP REF. 4828-D



COWRAN T4



BASED ON ORDNANCE SURVEY OF IRELAND MAP, LICENCE NO. KILKENNY CCMA 0812

**DRAFT - INFORMATION PURPOSES ONLY**

Transfer of common lands at Ardmillan,  
Thomastown, Co Kilkenny

Scale: 1:2500  
Plot Date: 1/6/23  
Dwn by: WD

Comhairle Chontae Chill Chainnigh  
Kilkenny County Council