



Ref: **TC68** **Frith don Phobal - Gaomhnú don Oidhreacht**

Serving People – Preserving Heritage 10th April 2018

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: TC68 – Aylesbury, Ferrybank, Co. Kilkenny

I attach herewith report in relation to the taking in charge of the residential development comprising of 50 housing units at Aylesbury, Ferrybank, 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

Planning & Development Acts, 2000 - 2017
Planning & Development Regulations, 2001 – 2018
Taking in Charge (TIC) Report Dated 6th April 2018

Planning Reference:	TC68
Development:	Aylesbury, Belmont, Ferrybank
Developer:	Ellen Construction (In Receivership)
Planning Permission Reference:	P02/750, P05/1249, P08/427

Site Location & Description

Aylesbury is a residential development of 50 detached and semi-detached dwellings. The development is accessed via a Roundabout on the R711 (old N25) and the "Aylesbury Road" estate road. Aylesbury Road also provides access to Oak Ridge Housing Estate to the west, Brothers of Charity Lands to the north and "The Crescent" Housing Estate (already in the Council's charge) and the Aldi Shop to the east.

Note: The development currently being considered for taking in charge is part of phase 1 of a much larger housing development originally proposed (in excess of 300 housing units). Planning permission has now lapsed on the site and the developer has gone into receivership. The 50 dwellings now being considered represent the only fully completed section of the originally envisaged development. The remaining portion of Phase 1 immediately to the east of the completed section has already been acquired by Kilkenny County Council with plans for a community park to serve Aylesbury and the wider neighbourhood being progressed.

Planning History

- P02/750: Permission granted to Brothers of Charity Services for 327 housing units granted on 15th May 2003, subject to 32 conditions. The development was split into 4 phases.
- P05/1249: Permission for revisions to Phase 1 of the development as authorised under P02/750 granted to Richmond Partnership on 25th October 2005 subject to 3 conditions.
- P08/427: Application for extension of duration of permission P02/750 granted to Richmond Partnership without conditions on 24th June 2008.

TIC Request:

The formal application to have this development taken in charge was made by the Receiver on behalf of the developer on 19th November 2013. The application was referred to the various internal service areas of the council, and based on the responses a schedule of necessary works was prepared. A claim was made against the development bond with additional funding also secured from the Department of the Environment, Community and Local Government in 2016 under the National Taking in Charge Initiative for Residential Estates. Works were undertaken towards the end of 2016 and in 2017.

Recommendation:

Having regard to the completion of the development in 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 Aylesbury Ferrybank, Co. Kilkenny, as outlined on the attached map.

Brendan Sheahan

Brendan Sheahan
Executive Engineer

Date: 10/04/18

Annette Fitzpatrick

Annette Fitzpatrick,
Administrative Officer, Planning

Date: 10/04/18

THIS IS A COMPUTER GENERATED MAP WITH ITM COORDINATES

OS MAP REF. 5632-A, 5632-B

E662265 M613550

BELMOUNT

Baile na Gráige



Ballyvoher Td

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



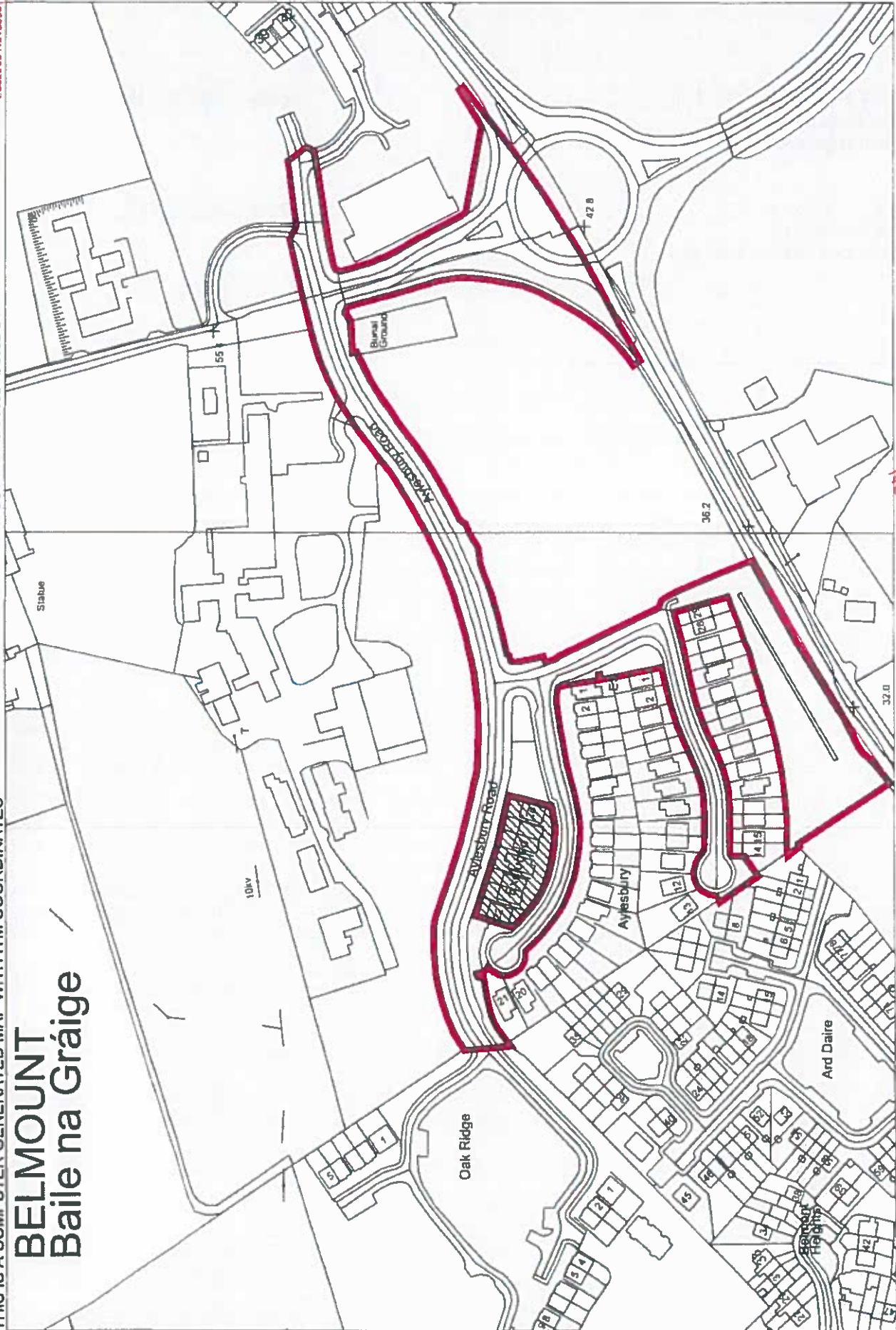
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Scale:	1:2500 @ A4
Plot Date:	20/02/2018
Drn.:	BLS

FOR INFORMATION PURPOSES ONLY

Lands at Belmont and Ballyvoher in Ferrybank, Co. Kilkenny
AREA OF SITE OUTLINED IN RED = 2.22 Ha
FOLIOS - K16981 (part of), KK17865F (part of), KK37245F (part of)

E661600 M613550



Belmont Td