

Ref: TC125

12<sup>th</sup> December 2016.

**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:** TC125 – Rose Hill Court, Circular Road, Kilkenny

I attach herewith report in relation to the taking in charge of the residential development comprising of 20 Houses at Rose Hill Court, Circular Road, 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 12 December 2016**

**REPORT ON TAKING IN CHARGE:**

**Planning Reference:** TC125  
**Development:** Rose Hill Court, Circular Road, Kilkenny  
**Developer:** Kilcreene Engineering Ltd.  
**Planning Permission Reference:** P90/990070

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**Site Location & Description**

Rose Hill Court is a residential development of 20 houses located in the townland of Marnellsmeadows towards the south-western side of Kilkenny City. The development is accessed via the Circular Road (Local Road L-2670) close to the intersection with the College Road and Callan Road. The house types are two-storey detached, two-storey terraced and dormer terraced dwellings.

**Planning History**

This development could be considered historic at this point in time. The development was constructed approximately 25 years ago in the early 1990's on foot of Kilkenny Corporation Planning Permission P90/990070. The permission was for 28 dwellings – although only 20 were constructed.

**TIC Request:**

The company responsible for this development, Kilcreene Engineering Limited, was dissolved on 9<sup>th</sup> April 1999. The request to take the development in charge was received from the Rose Hill Court Resident's Association on 25<sup>th</sup> November 2011. The application was made to the former Borough Council and was signed by a majority of the residents within the development. Remedial works have been carried out by Kilkenny County Council with funding secured from the Department of Housing, Planning, Community & Local Government under the National Taking in Charge Initiative.

**Recommendation:**

Having regard to the fact that the estate has been substantially completed in accordance with conditions attached to the grant of permissions, I recommend that Kilkenny County Council initiate proceedings for the formal Taking-in-Charge of Rose Hill Court, Circular Road as highlighted on the attached map.

**SIGNED:**



Brendan Sheahan  
Executive Engineer

**Date:**

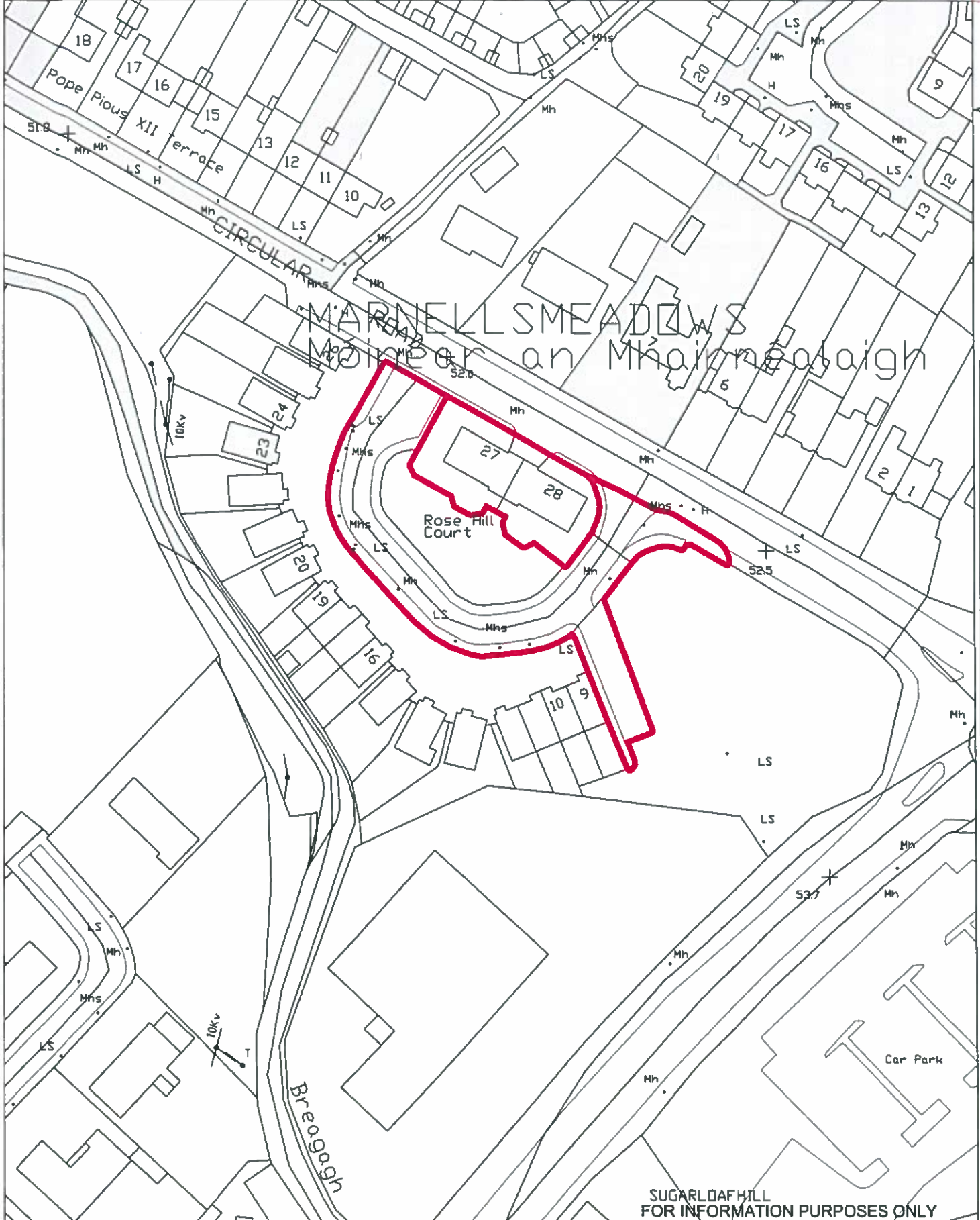




Anne Maria Walsh  
Senior Executive Officer

**Date:**





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

SUGARLOAF HILL  
FOR INFORMATION PURPOSES ONLY

E649875 N654890

Lands at Rose Hill Court, Circular Road, Kilkenny

AREA OF SITE OUTLINED IN RED = 0.20 Ha  
FOLIO - KK18215 & KK28785F

Scale: 1:1000 @ A4  
Plot Date: 09/12/2016  
Drm: BLS

Comhairle Chontae Chill Chainnigh  
Kilkenny County Council  
County Hall, John Street, Kilkenny  
Tel: 056 7794000  
Fax: 056 7794004  
Web: www.kilkennycc.ie

