



D.A. Kearney, M.C.I.A.T., R.I.A.I.(Arch.Tech)

c/o D.A. Kearney,
Gleann na Geall Lodge,
Ballady,
Belgooly,
Co. Cork.

28/03/2019.

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.
D01 V902.

Dear Sir or Madam,

| | |
|------------------|------------|
| AN BORD PLEANÁLA | |
| LDG- | 014629-19- |
| ABP- | |
| 29 MAR 2019 | |
| Fee: € | 220 |
| Type: | Charge |
| Time: | |
| By: | leg Post |

Referral to An Bord Pleanála under Section 5, subsection 3(a) of the Planning Act in respect of a declaration of exempted development by Cork County Council.

On 6th March 2019, Cork County Council made a declaration that a proposed farm building on my Clients land Peter Verdake & Mary Horgan at Knockaneroe, Kilbrittain Co. Cork is development and is not exempted development. The Planning Authority's reference number in this case is D / 315/18.


I disagree with this declaration and so I am referring the case to the Board for determination. I enclose the required fee of €220, a copy of the County Council's determination, a site location map, a site layout plan, and a set of measured drawings, and a folio map showing the extent of the landholding.

The structure, which is on a site with no previous planning permission (it lies outside the boundary of the site carrying the planning permission my family home), is solely for the keeping of horses. **Its floor area is 198.645m².** In summary, our argument is that:

- it falls under Class 6 in Part 3 of Schedule 2 of the planning regulations ('exempted development - rural');
- it meets all of the conditions / limitations specified under that class; and
- none of the 'restrictions on exemption' set out in Article 9 (1) (a) apply in this case.

I have set out a more detailed explanation of this in the attached pages. I am happy to provide any additional information that the Board might need in making its decisions. I trust that the Board will see the merit in this referral and I look forward to the decision in due course.

Yours faithfully,


D.A. Kearney,
mciat.,riai.(arch.tech.)

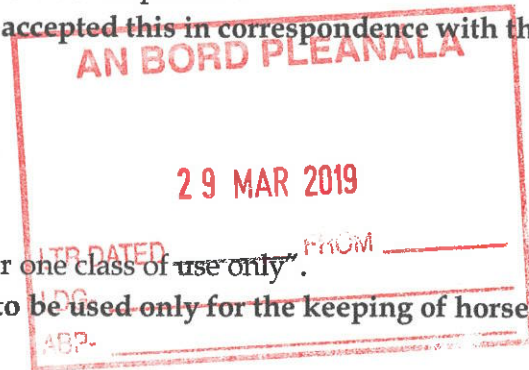
REFERRAL

Farm building for the keeping of horses at Knockaneroe, Kilbritten, County Cork

1. THE DECISION OF THE PLANNING AUTHORITY.

In making its declaration, the planning authority argues:

- a) "That the structure is works and constitutes development".
- We accept this and have always accepted this in correspondence with the County Council;
- b) "That the building is a single structure".
- This is not disputed by us.
- c) "That the single structure can be used for one class of use only".
- We accept this. The building is to be used only for the keeping of horses.
- d) "That the building has a total floor area in excess of 200 m² and therefore that the building does not fall under class 6 exemption".
- This is incorrect. The correct gross floor area is 198.645m² and we believe that in all respects it meets the requirements of a class 6 exemption;
- e) "That class 9 exemption for agricultural structures does not apply in this case"
- we accept this: we have never argued for a class 9 exemption because it doesn't apply to structures for housing animals. We believe this to be irrelevant
- f) "That we have not demonstrated that the structure satisfies all of the conditions and limitations attached to class 6".
- We dispute this. In any event the planning authority has not specified which of the conditions and limitations it has concerns about; we believe this vagueness to be unfair;
- g) "That the development may (emphasis added) come within the restrictions on exemption set out in Article 9 (1)(a)(i), (iii) and (vi)".
- These restrictions relate to the possible contravention of a condition of a planning permission on the land, the possible creation of traffic hazard; and the possible interference with the character of the landscape.
 - We dispute this. The planning has not given any specific reasons why it believes this to be the case. We believe that there is a duty on the council when making a declaration of this kind that it must be categorically precise and certain in arguing that one or more of these restrictions apply.
 - Though the structure is located close to the site which carries the original planning permission for the family home, it in fact lies outside of that site. It is on a parcel that was bought subsequently.



29 MAR 2019

LTR DATED _____ FROM _____

2. OUR ARGUMENTS IN RESPONSE TO THE COUNCIL'S DECLARATION.

Floor area

Our measurements on site and the enclosed drawings show a gross floor space of 198.645m². As understood in planning practice and formally interpreted in the regulations this is measured as the area ascertained 'by the internal measurement of the floor area (including internal walls and partitions'. Given that this is below 200 m², the structure is eligible to be considered under Class 6.

The requirements of a Class 6 exemption

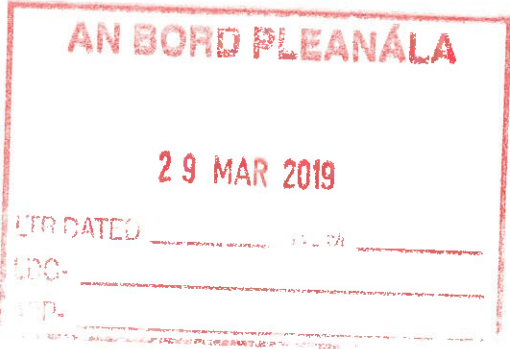
Class 6 refers to "roofed structures for the housing ofhorses...., having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage". To be exempted development, such structures must meet seven specific conditions /limitations. These are summarised in the table below along with confirmation that all of them are met in this particular case:

| Condition /limitation | Comments |
|--|--|
| 1. Must not be used for any purpose other than agriculture | <u>Confirmed.</u> It will be used only for keeping horses. |
| 2. The aggregate size of structures within a farmyard complex or within 100 metres should not exceed 300m ² | <u>Confirmed.</u> There are no other agricultural structures on the applicants' 60 acre holding here that would raise the aggregate size to this figure. |
| 3. Effluent storage serving the structure must avoid pollution and meet departmental requirements. | <u>Confirmed.</u> Effluent shall be managed according to best practice standards under the guidance of Teagasc and the department. |
| 4. The structure and any effluent storage must not be located within 10 metres of a public road | <u>Confirmed.</u> The structure is located more than 170 metres from the public road (see appendix A fig 1). Effluent storage will be adjacent to the structure. |
| 5. The structure should not exceed 8 metres in height | <u>Confirmed.</u> The building has a maximum height of only 5.7 metres |
| 6. The structure (or effluent storage) should be more than 100 metres from a dwelling or specified types of public buildings. (Does not apply to the house of the person providing the structure). | <u>Confirmed.</u> There are no public buildings nearby. The nearest such dwelling is the one located to the northeast of the applicant's home and this is more than 130 metres from the structure (see appendix A fig. 2). |
| 7. Unpainted metal sheeting shall not be used for either the roofing or the external finish of the structure. | <u>Confirmed.</u> The roofing of structure shall be painted metal cladding in grey / green and the external wall finishes shall be stained timber cladding. |

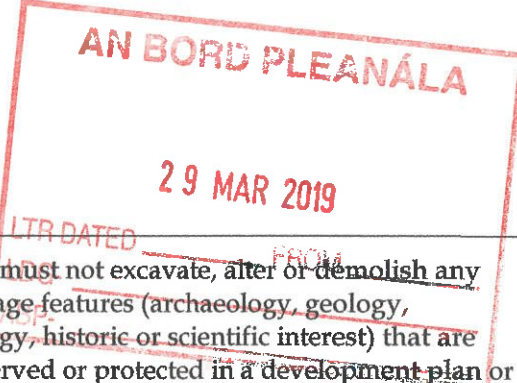
Article 9 restrictions on exemption.

As demonstrated above, the development comes under the scope of the class 6 exemption for agricultural buildings in rural areas.

The remaining task is to check whether any Article 9 'restrictions on exemption' apply in this case. The table below lists our assessment of restrictions (i) to (xii) from Article 9 (1) (a)¹. The tests that the Council has expressed doubt about are in bold.

| Tests for ensuring that restrictions on exemption do not apply for a particular development | Comments |
|--|--|
| <p>(i) It must not contravene a condition of a planning permission or be inconsistent with a permitted use.</p>  | <p><u>Confirmed.</u> We have checked the planning history here in particular the permission for the applicants' dwelling 97/3642.</p> <p>The structure in question, however, lies outside the boundaries of that planning permission (see appendix A, fig 3).</p> <p>After the original site (with planning permission was purchased), additional land to the rear was purchased and this is where the structure is situated.</p> <p>Therefore it is not constrained by condition no 6 of that permission (which de-exempts additional structures within the 1997 application site).</p> |
| <p>(ii) It must not involve the creation or material widening of an entrance from a public road with a width of more than 4 metres.</p> | <p><u>Confirmed.</u> The existing (unaltered) entrance will serve this structure.</p> |
| <p>(iii) It must not endanger public safety due to traffic hazard or obstruction of road users.</p> | <p><u>Confirmed.</u> There will be no material increase in traffic or turning movements. Road alignment is of a suitable standard and the geometry of the entrance is to county council standards. It is a quiet country road used by rural dwellers and occasional farm vehicles; no obstruction or hazard will result from this structure.</p> |
| <p>(iv) It must not be forward of a building line specified in a development plan (relating to porches etc.)</p> | <p><u>Confirmed.</u> This does not apply in this case.</p> |
| <p>(v) It must not involve utility works under a public road</p> | <p><u>Confirmed.</u> This does not apply in this case.</p> |

¹ Note: the Article 9 (1) (b) restrictions are not relevant in this case as they only apply in areas where there is a special amenity order in place. Neither does sub articles 9 (2) - relating to overhead lines or cables – or sub-article 9 (3) - relating to government habitats consents - apply at this location.

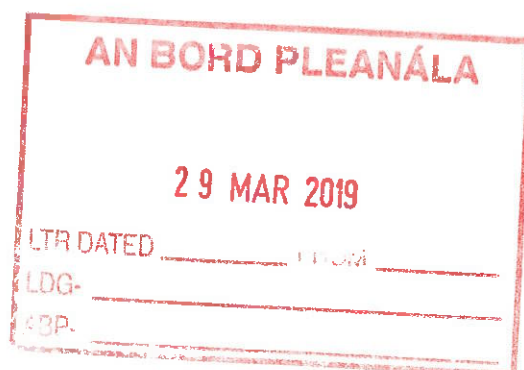
| Tests for ensuring that restrictions on exemption do not apply for a particular development | Comments |
|--|--|
| <p>(vi) It must not interfere with the character of the landscape or with a view or prospect protected by the development plan for the area</p>  | <p><u>Confirmed.</u> The development plan has listed no specific 'views or prospects' for preservation in this vicinity.</p> <p>Our confirmation that the structure does not interfere with the character of the landscape in the area is based on a special assessment of landscape character and sensitivity. The findings of this assessment are set out in Appendix B</p> |
| <p>(vii) must not excavate, alter or demolish any heritage features (archaeology, geology, ecology, historic or scientific interest) that are preserved or protected in a development plan or local area plan.</p> <p>(vii B) must not be a development that requires an appropriate assessment to be carried out.</p> <p>(vii C) or must not interfere with wildlife of an NHA</p> | <p><u>Confirmed.</u> No such objectives are included nearby in the County Development Plan 2015 or the Bandon /Kinsale Municipal District Local Area Plan 2017.</p> <p>There are no 'European Sites' or NHAs in the vicinity and all indications are that an Appropriate Assessment is not required in this case. This is confirmed by the Area Planner on page 3 of her report dated 1st October 2018.</p> |
| <p>(viii) Must not involve works associated with an unauthorised structure</p> | <p><u>Confirmed.</u> Not applicable in this case.</p> |
| <p>(ix) must not compromise the continuance of an existing use of a structure that is an objective of a development plan.</p> | <p><u>Confirmed.</u> Not applicable in this case.</p> |
| <p>(x) must not fence in or enclose land that has been habitually open to the public</p> | <p><u>Confirmed.</u> Not applicable in this case.</p> |
| <p>(xi) must not obstruct any public right of way</p> | <p><u>Confirmed.</u> Not applicable in this case.</p> |
| <p>(xii) must not involve any works or changes to structures in an Architectural Conservation Area (ACA)</p> | <p><u>Confirmed.</u> Not applicable in this case; no ACA in this vicinity.</p> |

Conclusion

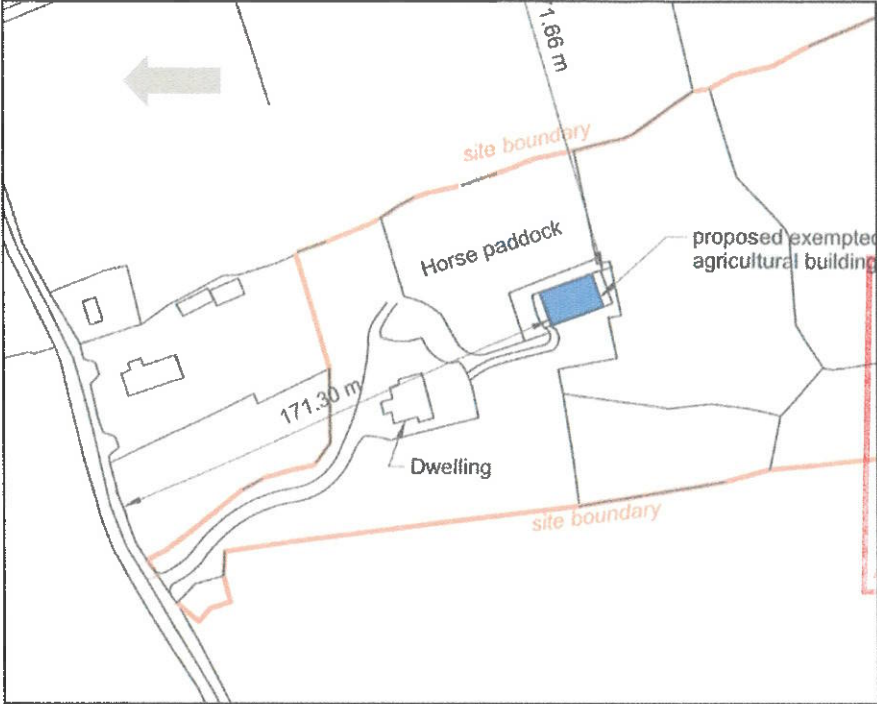
In conclusion, we are confident that our systematic examination of the exempted development provisions of the planning act and regulations – in particular those aspects which the Council drew attention to in its decision – has shown that this building for keeping horses is exempted development.

Encl.

- Appendix A: Figures
- Appendix B: Landscape Character report
- Drawings:
 - Drawings of the structure
 - Site location map at 1:2500
 - Site location map at 6 inch scale
 - Site layout plan
 - Folio map showing the full extent of the landholding (60 acres approx).
- Fee of €220



APPENDIX A - FIGURES.



AN BORD PLEANÁLA

29 MAR 2019

PLANNING PERMISSION DATED _____ FROM _____

PLANNING PERMISSION FOR _____

PLANNING PERMISSION FOR _____

Fig 1 Location of the agricultural building.
(171.30 m from edge of the public road)

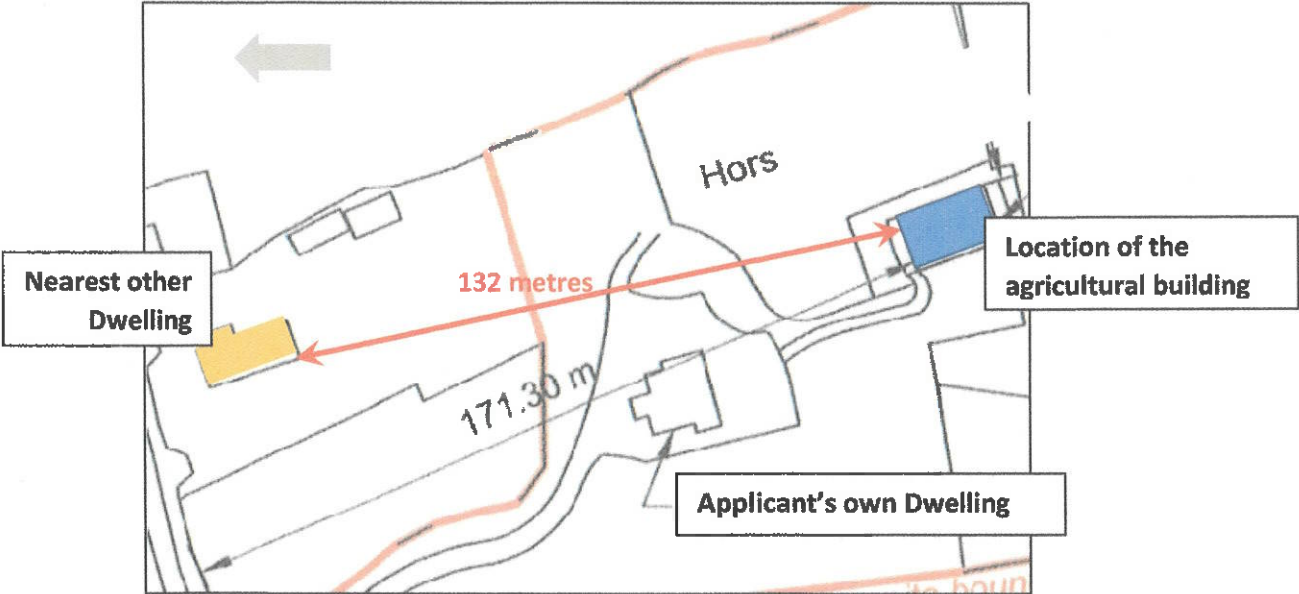


Fig 2 Location of the agricultural building:
(132 m from the nearest other dwelling)

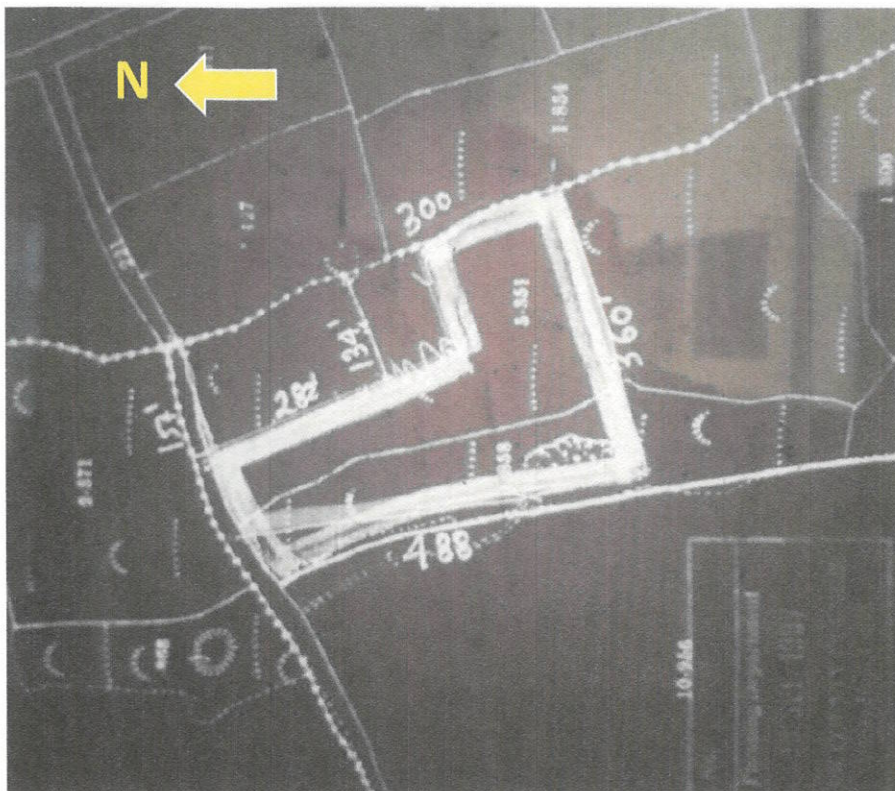


Fig 3. Site Location map for planning permission 97/3642 for the applicants' dwelling. The maximum depth of the site is shown as 488 feet (148 metres) from the public road. The agricultural building, which is 171 m from the public road, is therefore outside and to the south of the site of this planning permission. (source: Cork County Council microfilm of the planning file).



APPENDIX B – LANDSCAPE CHARACTER.

The site is located at an elevation of around 50m above sea level in the townland of Knockaneroe near Ballinspittle. The landholding slopes downwards very gently to the north and the structure itself nestles within a backdrop of mature, largely coniferous trees.

Though the site is about 1.7km north of the coast (Courtmacsherry Bay), and approximately 2.5 km by road from Howe Strand, the topography of this area is such that it is an inland rather than a coastal landscape.

The visual unit within which the site is situated (see figs 4 and 5) is a shallow basin defined by a fringe of low hills and gently rolling skylines. It is an area of enclosed, fertile and semi arable agricultural land characterised by a patchwork field pattern, small-sale scattered clusters of forestry and – mainly along the river and tributaries – some mixed woodland.



Fig 4. Showing topography relief in the area. It is a shallow inland agricultural basin rather than a coastal landscape



Fig 5. A patchwork of mixed agriculture with scattered forestry and woodland

The townlands in this vicinity are traversed by single carriageway, winding country roads serving farmsteads, individual homes, forestry enterprises and the local national school at Gurraneasig. For the most part the roads follow the local contours and are bounded by mature, ecologically diverse hedgerows.

Some larger distinctive houses (e.g. Killeens House and Glanvirane House) and vernacular farmhouses and cottages define the built character of the area along with more recent 20th century and contemporary rural homes all in a low-density scattered pattern.

There are no listed buildings of heritage interest in the vicinity. Archaeological sites (mainly coastal or promontory features including the derelict coastguard / telegraph station at Howe strand) lie to the south and west i.e. outside of the viewshed.

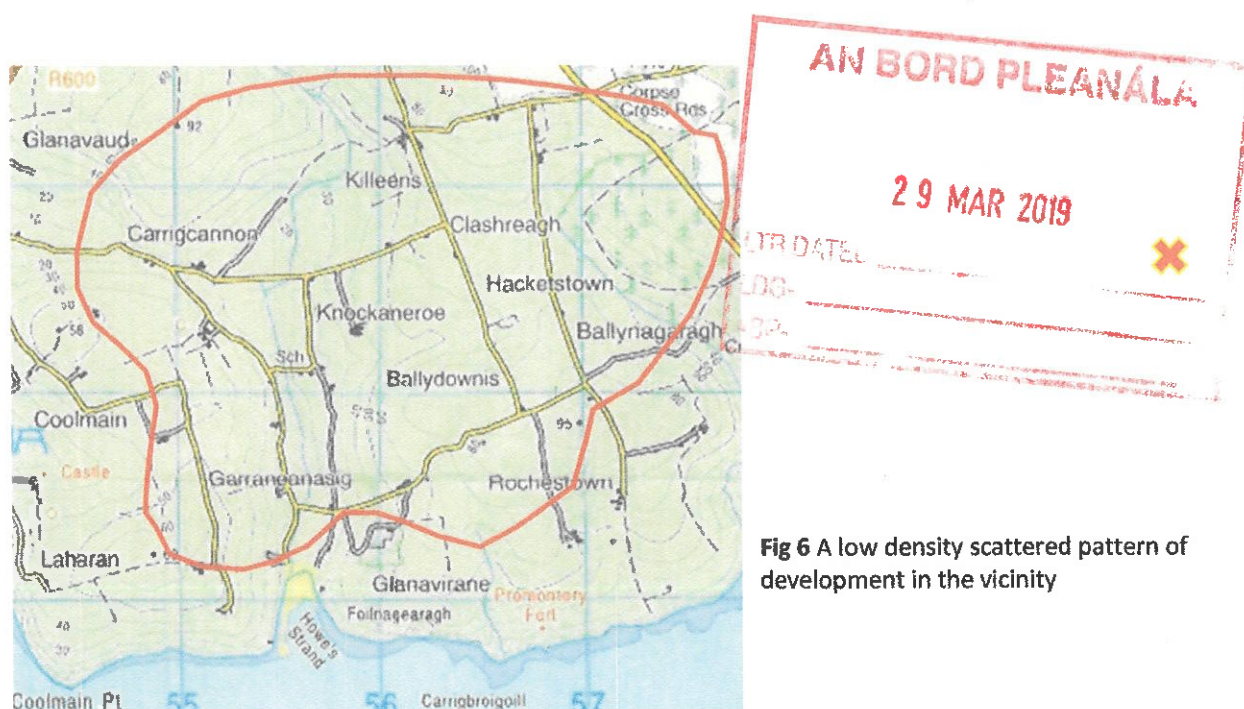


Fig 6 A low density scattered pattern of development in the vicinity

Within this landscape there is also a large number of farm buildings; slatted sheds, storage sheds, animal housing, and other structures. They vary in size, shape and external finishes. By and large however the pattern of these structures on the landscape follows that of the farmhouses and rural dwellings. None can be described as discordant features on the landscape; visually speaking they are part of the normal, rural scene and by reflecting established local farming activities, they help to form the character of the area.

The agricultural structures, road network, farmhouses, rural dwellings, hedgerows, small-scale woodland and forestry, and skylines in this area form a landscape of coherent, unified character which is visually in harmony with its field patterns and the topography (see selection of images in Fig. 7). Though it is an attractive landscape, it is one which can accommodate a certain amount change in visual terms, especially when any new development is generally domestic in scale and respects the pattern of and scatter of structures that are already found there.



AN BORD PLEANÁLA
29 MAR 2019
LTD DATED _____
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Fig 7. Selection of images showing how this landscape is robust enough to accommodate this farm building without any undue affect on landscape character. Buildings of this scale, for normal rural uses, are part of the existing character of the landscape and the cultural heritage of the area.

Concluding note:

In carrying out this assessment, we have noted the provisions of the Draft Cork County Landscape Strategy. We note in particular that the area falls within landscape character area 50 (the vicinity of Garretstown strand; 'fertile rolling patchwork coastline') which, for the purposes of developing policy, has been assigned a much larger generic landscape type '3'. This landscape type is named 'indented estuarine coast' and includes special places such as the Old Head of Kinsale, Lough Hyne and Mizen Head all of which are seen as having very high value of national importance.

These draft designations are a useful overall framework for assessing sensitivity to change in landscape terms and the County Development Plan has –correctly – raises concerns about the possible impact of large-scale development on the character of such places. Very large structures such as metal electricity pylons, wind turbines, or extensive commercial forestry for example would have potential to interfere with landscapes that are as sensitive as this.

Through our more fine-grained analysis of this particular area however, we have demonstrated that, in terms of landform, land cover, settlement pattern, and heritage values, this modest structure is located within an inland landscape of limited extent that can successfully accommodate smaller domestic or agricultural buildings without altering its character.

We have concluded that the building will not interfere with the character of the landscape in this area. The scale and siting of the structure, particularly when taking into account the visual backdrop of mature coniferous trees, are such that it will integrate successfully into its surroundings and be in harmony with landscape character here. Having also noted that there are no designated 'scenic routes' or 'views and prospects' nearby identified for protection in the County Development Plan we are satisfied that the structure meets all of the Article 9 requirements with regard to landscape.



Comhairle Contae Chorcaí Cork County Council

Peter Verdake & Mary Horgan,
C/O D. A. Kearney,
Ballady,
Belgooly,
Co. Cork.

6th March, 2018

REF: D/315/18
LOCATION: Knockaneroe, Kilbrittain, Co. Cork.

**RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACT 2000 - 2010.**

Dear Sir/Madam,

On the basis of the information submitted by you on 13th December, 2018 & 27th February, 2019 the Planning Authority, having considered whether the proposed farm building for the housing of horses and storage of food under construction on lands at **Knockaneroe, Kilbrittain, Co. Cork** is or is not development or is or is not exempted development, has declared that it is **not exempted** development.

Reason for Decision

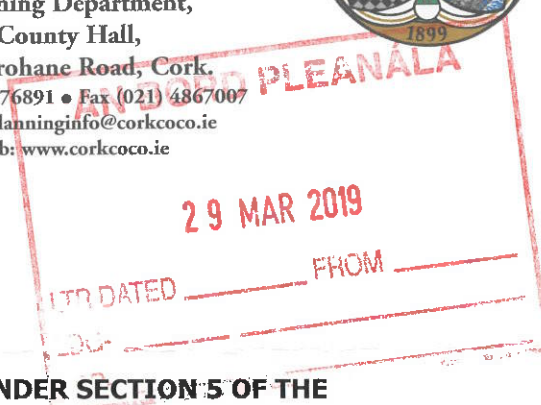
The Planning Authority in considering this referral, had particular regard to

- Sections 2, 3 and 4 of the Planning and Development Act 2000.
- Articles 6(1), 6(3) and 9 of the Planning and Development Regulations, 2001, as amended
- Class 6 and Class 9 of Part 3 of the Second Schedule (Rural) of the Planning and Development Regulations 2001, as amended.

The Planning Authority has concluded that:

- a) The subject stable building structure constitutes works, which in turn constitutes development within the meaning of the Planning and Development Act 2000, as amended
- b) The building is a single structure
- c) A single structure can be used for the purposes of one class but not for a combination thereof
- d) The building has a total floor area in excess of 200 square metres and, as such, is in excess of the maximum floor area allowed for exemption under Class 6 of agricultural structures in Part 3
- e) The building will be used for the housing of horses and, as such, does not come within the scope of Class 9 of agricultural structures in Part 3
- f) It has not been demonstrated that the structure satisfies all the conditions and limitations attached to Class 6

An Rannóg Pleanála,
Halla an Chontae,
Bóthar Charraig Ruacháin, Corcaigh.
Fón: (021) 4276891 • Faics: (021) 4867007
R-phost: planninginfo@corkcoco.ie
Suíomh Gréasáin: www.corkcoco.ie
Planning Department,
County Hall,
Carrigrohane Road, Cork.
Tel (021) 4276891 • Fax (021) 4867007
Email: planninginfo@corkcoco.ie
Web: www.corkcoco.ie



- g) The development may come within the restrictions on exemption set out at Article 9(1)(a)(i)(iii) and (vi).

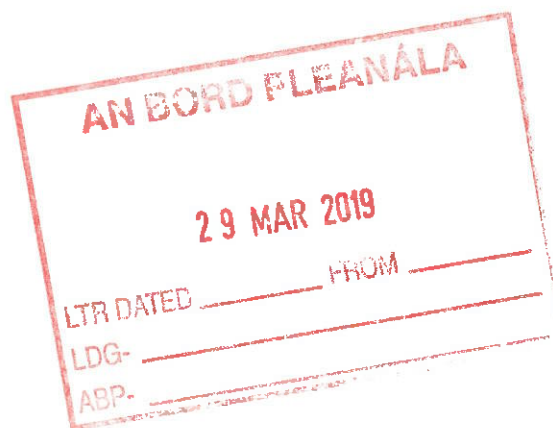
The Planning Authority hereby decides that the said building on lands at Knockaneroe, Kilbrittain, Co. Cork **is development and is not exempted development.**

Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

Yours faithfully,

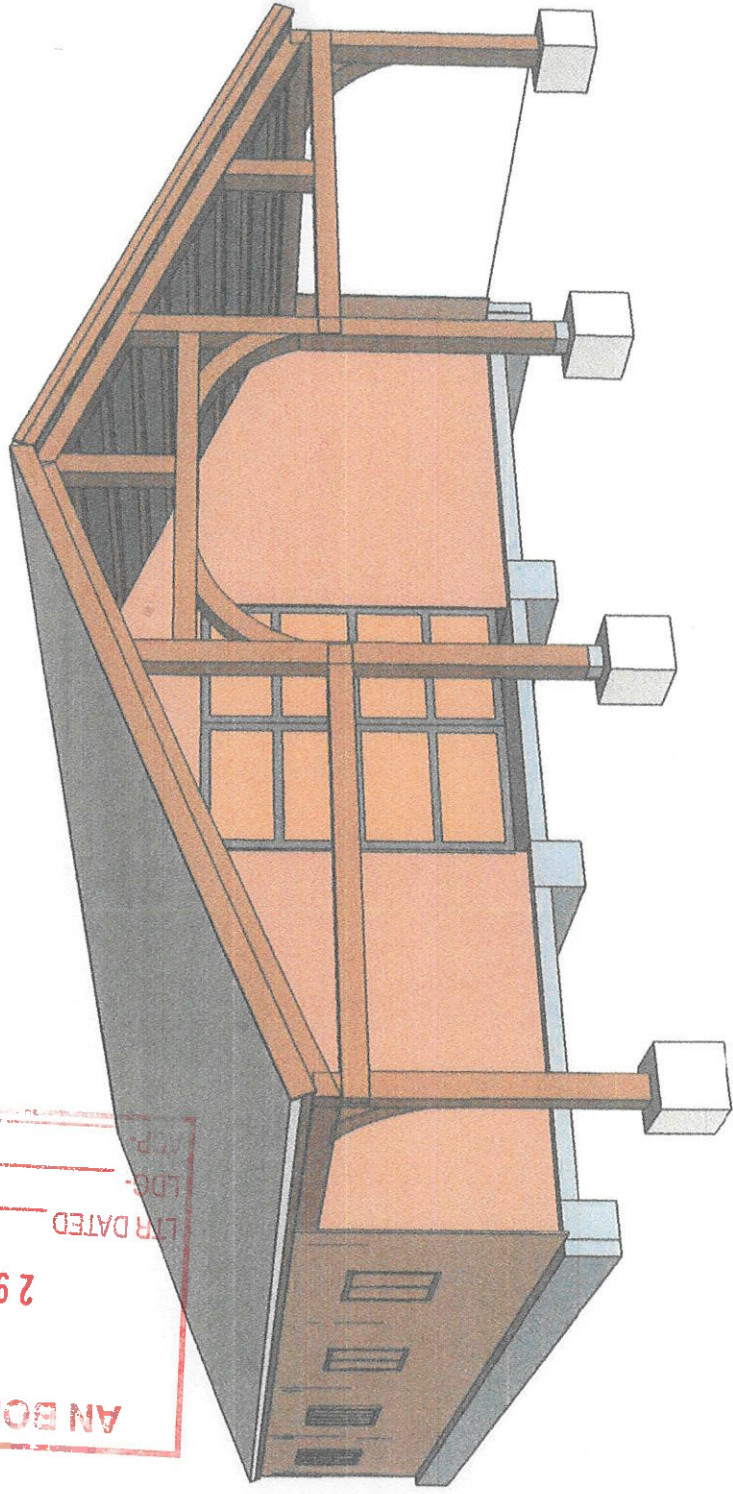


**PIO TREACY,
ADMINISTRATIVE OFFICER,
PLANNING DEPARTMENT.**



In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at <https://www.corkcoco.ie/privacy-statement-cork-county-council>

AN BORD PLEANALA
29 MAR 2019
LTD DATED FROM
LTD DATED FROM



PERSPECTIVE - LOOKING SOUTH.



SILVABUILD

Silvabuild design ltd.

Mounteen | Ballinascarthy | Cork | Stables at Knockaneroe



SILVABUILD

Silvabuild design LTD.
Mounteen,
Ballinascarthy,
Co. Cork
085 2288229

CLIENT
Peter Verkade and
Mary Horgan,
Knockaneroe,
Kilbrittain,
Co. Cork

PROJECT
Stables

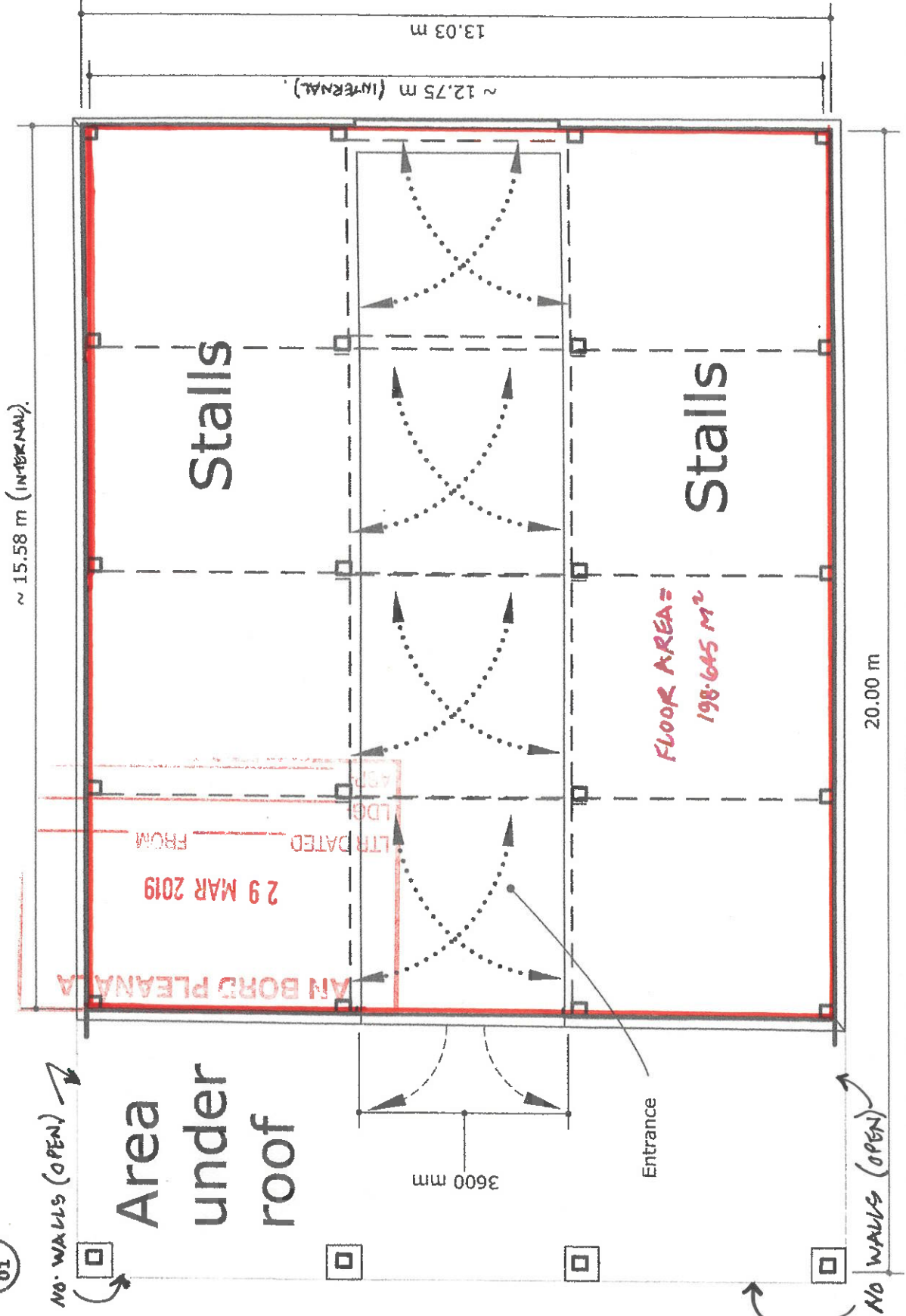
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ISSUE
25.06.18

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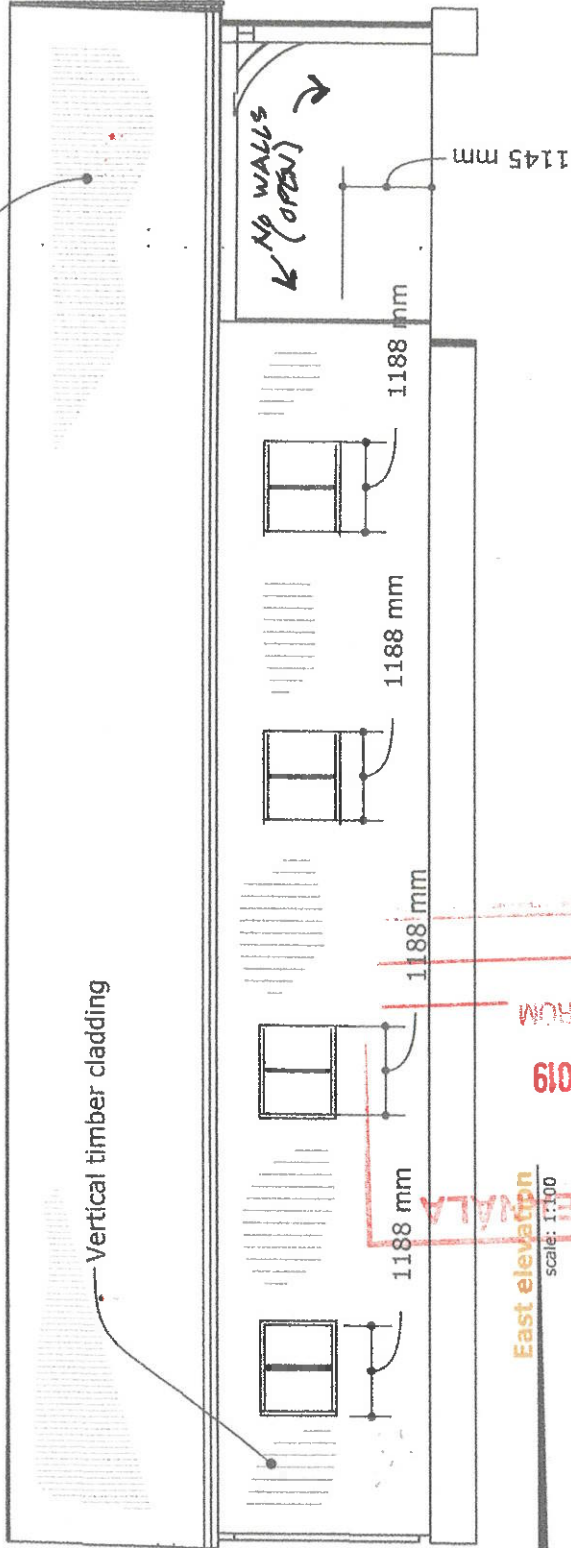
SILVA BUILD

Ron de Bruin

Corrugated sheet metal

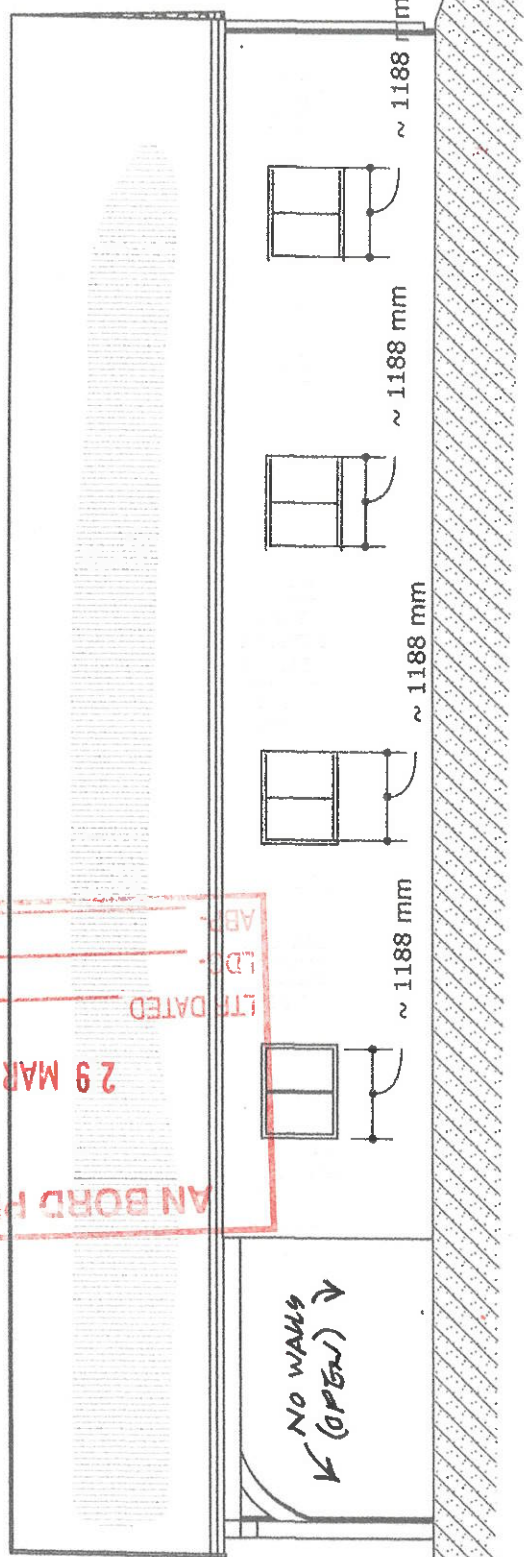
West Elevation
scale: 1:100

A01
01



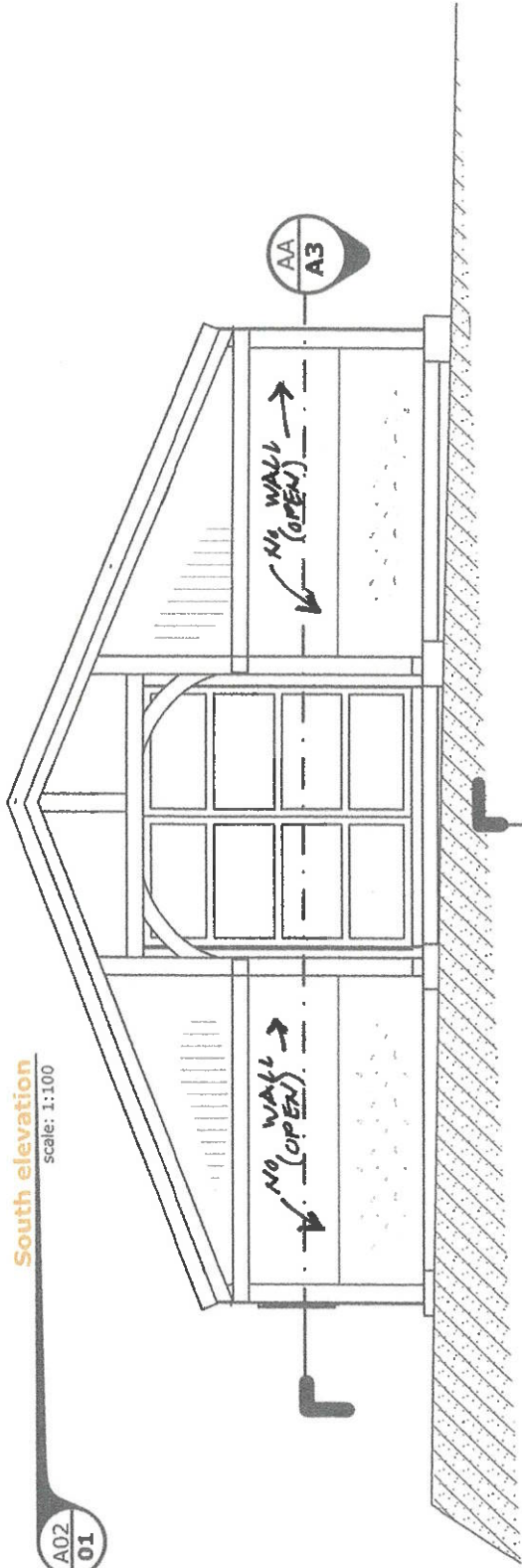
East elevation
scale: 1:100

A01
02



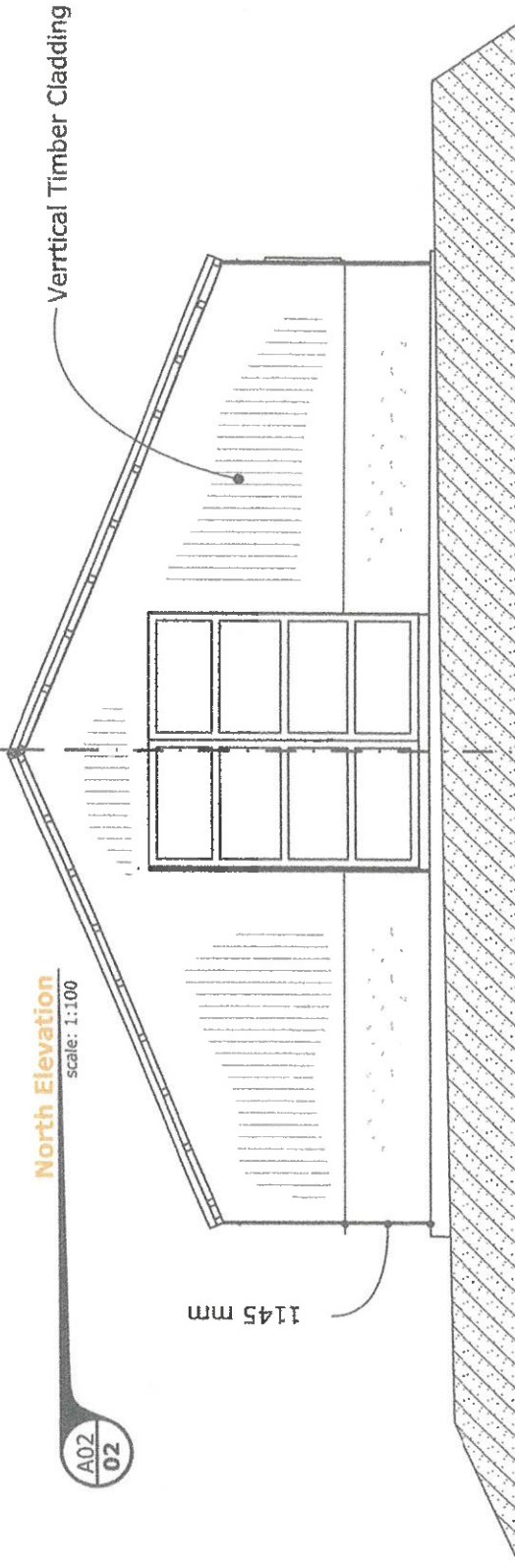
South elevation
scale: 1:100

A02
01



North Elevation
scale: 1:100

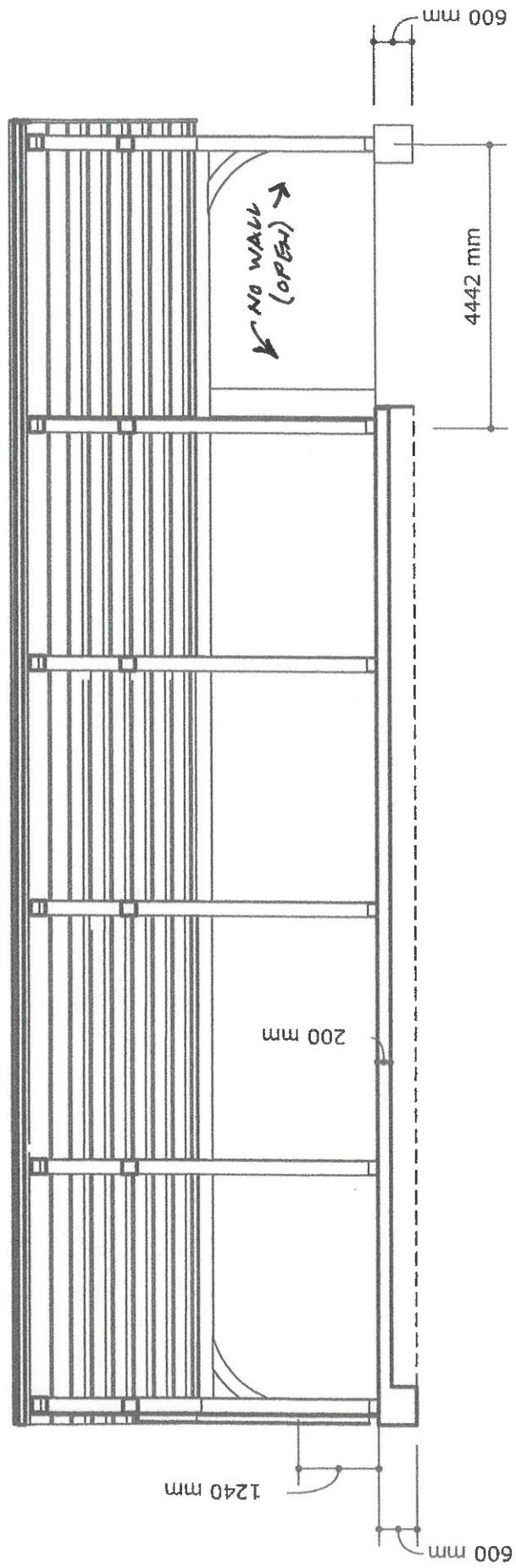
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AN BORD PLEANÁLA
29 MAR 2019
LTR DATED FROM
LDG-
ABP-

Section BB
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A04
01





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Co. Cork
085 2288229

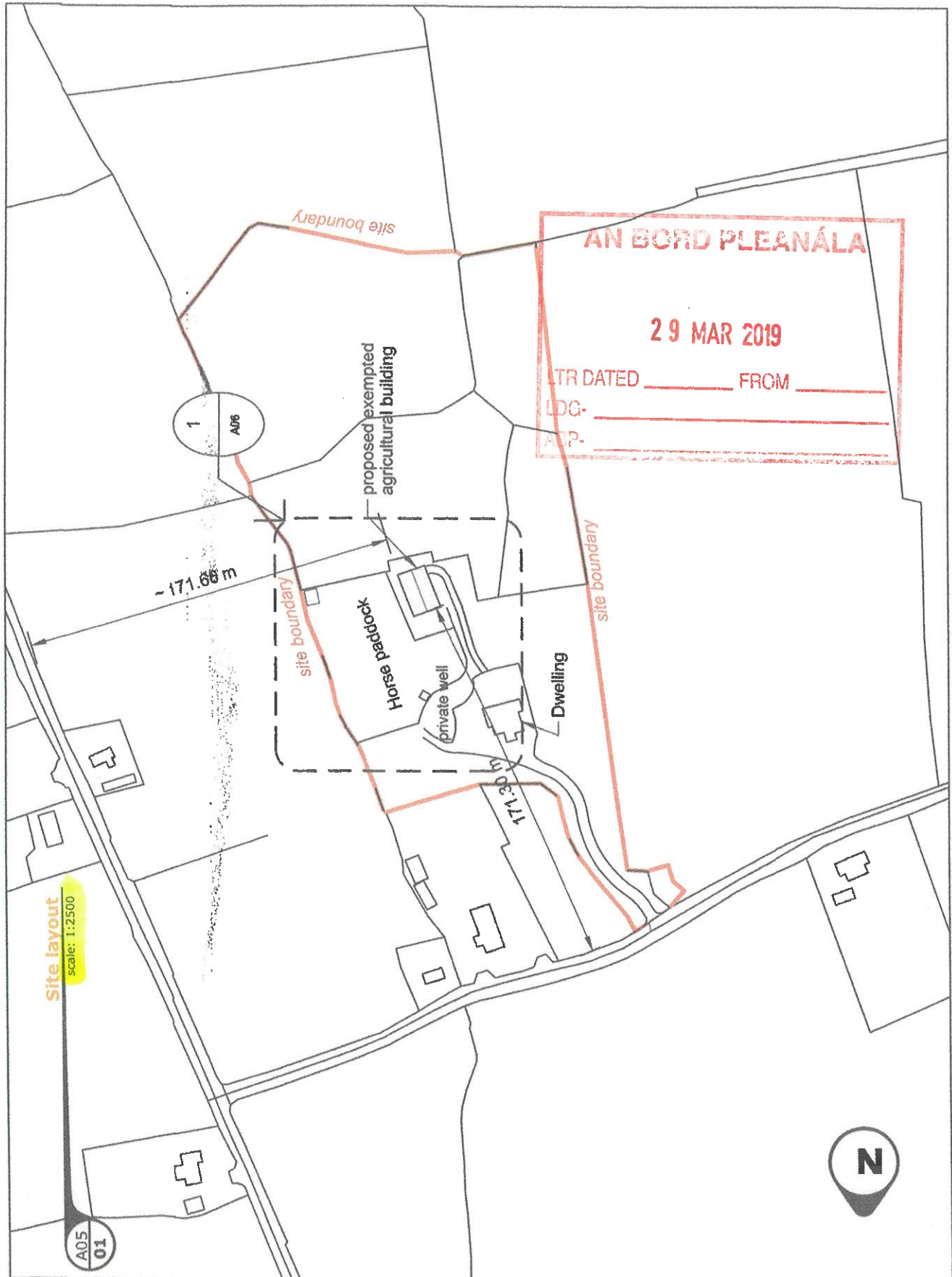
CLIENT
Peter Verkade and
Mary Horgan,
Knockaneroe,
Kilbrittain,
Co. Cork

PROJECT
Stables

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25.06.18

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Drainage and manure storage

scale: 1:500

A06
01

2.0m high concrete retaining wall

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Ballinascartny,
Co. Cork
085 2288229

CLIENT
Peter Verkade and
Mary Horgan,
Knockanertoe,
Kilbrittain,
Co. Cork

PROJECT
Stables

PROJECT NO.

ISSUE
25.06.18

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RDB

1/500

leachate storage tank,
2.6 Cubic Metre in
accordance with
S.I. 31/2014

leachate storage tank,
2.6 Cubic Metre in
accordance with
S.I. 31/2014

Manure storage point,
150mm concrete. 84 Cubic Metre
in accordance with
DAFM specifications S108

100mm drainpipe from
collection gullies in stable
booths

300mm junction box

300mm junction box

Stables
(CLOSED IN)

OPEN
AREA
UNDER
ROOF

Rainwater soakaway

100mm drainpipe from
collection gullies in stable
booths

60.70 m
proposed access ramped approach

Private well

Dwelling



Horse paddock

SITE LAYOUT PLAN.

The Property Registration Authority An tÚdarás Clárúcháin Maoine



Official Property Registration Map
This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale accuracy is limited to that of the original OSI Map Scale.

For details of the terms of use, and limitations as to scale, accuracy and other conditions relating to Land Registry Maps, see www.pra.ie.

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(ii) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

Burdens (may not all be represented on map)

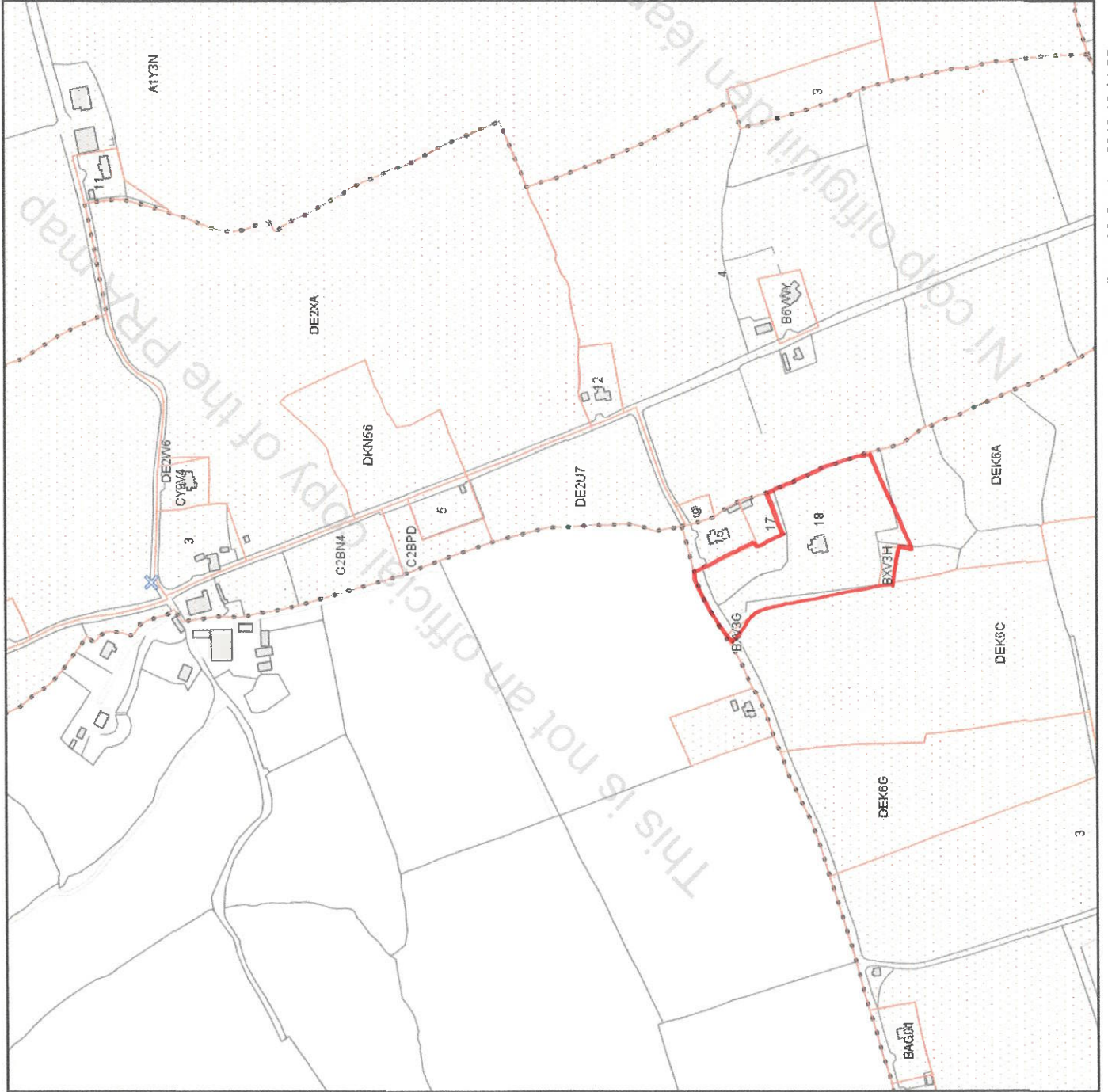
- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- ▢ Septic Tank
- ▽ Soak Pit

A full list of burdens and their symbology can be found at: www.landregister.ie

AN BORD PLEANALA

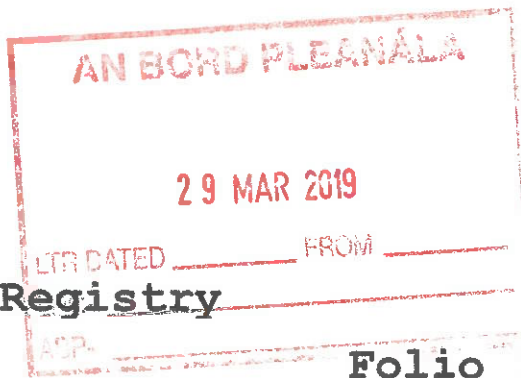
29 MAR 2019

REGISTERED



The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.





Land Registry

County Cork

Folio 129002F

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

| No. | For parts transferred see Part 1(B) Description | Official Notes |
|-----|---|---------------------|
| 1 | The property shown coloured Red as plan(s) BXV3G, BXV3H on the Registry Map, situate in the Townland of KNOCKANEROE, in the Barony of CARBERY EAST (East Division), in the Electoral Division of COOLMAIN . The Registration does not extend to the mines and minerals | From Folio CK24830F |
| 2 | The property shown coloured Red as plan(s) 18 on the Registry Map, situate in the Townland of KNOCKANEROE, in the Barony of CARBERY EAST (East Division), in the Electoral Division of COOLMAIN . The Registration does not extend to the mines and minerals | From Folio CK81986F |

Land Registry

County Cork

Folio 129002F

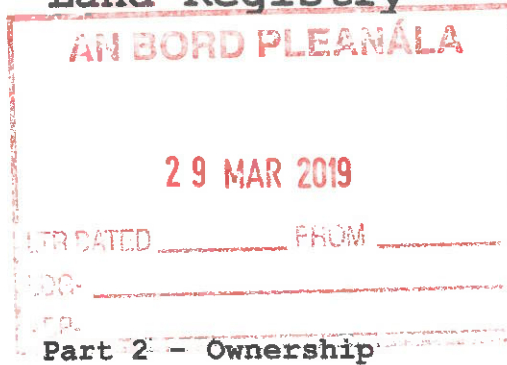
AN BORD PLEANALA
29 MAR 2019
LTR DATED _____ FROM _____

Part 1 (B) ~~Property~~
Parts Transferred ~~_____~~

| No. | Prop No: | Instrument: | Date: | Area (Hectares): | Plan: | Folio No: |
|-----|----------|-------------|-------|------------------|-------|-----------|
| | | | | | | |

Land Registry

County Cork



Folio 129002F

Title ABSOLUTE

| No. | The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965 | | |
|-----|--|--|--------------------------------------|
| 1 | 23-MAY-2006 B2006CK013839D | LAURENCE GREEN of Quarry Lodge, Knockanroe, Kilbrittain, County Cork and TANYA GREEN of Quarry Lodge, Knockanroe, Kilbrittain, County Cork are full owners. | Cancelled D2009LR022013X 03-FEB-2009 |
| 2 | 03-FEB-2009 D2009LR022013X | NORA MARY (OTHERWISE MARY) HORGAN of Quarry Lodge, Knockanroe, Kilbrittain, County Cork is full owner. | Cancelled D2013LR062268U 29-JUL-2013 |
| 3 | 29-JUL-2013 D2013LR062268U | PIETER VERKADE of Quarry Lodge, Knockanroe, Kilbrittain, County Cork is full owner. | |

Land Registry

County Cork

Folio 129002F

Part 3 - Burdens and Notices of Burdens

| No. | Particulars |
|-----|--|
| |  <p>AN BORD PLEANÁLA 29 MAR 2019 LTR DATED _____ FROM _____ LDC _____ -P- _____</p> |

The Property Registration Authority An tÚdarás Clárúcháin Maoine



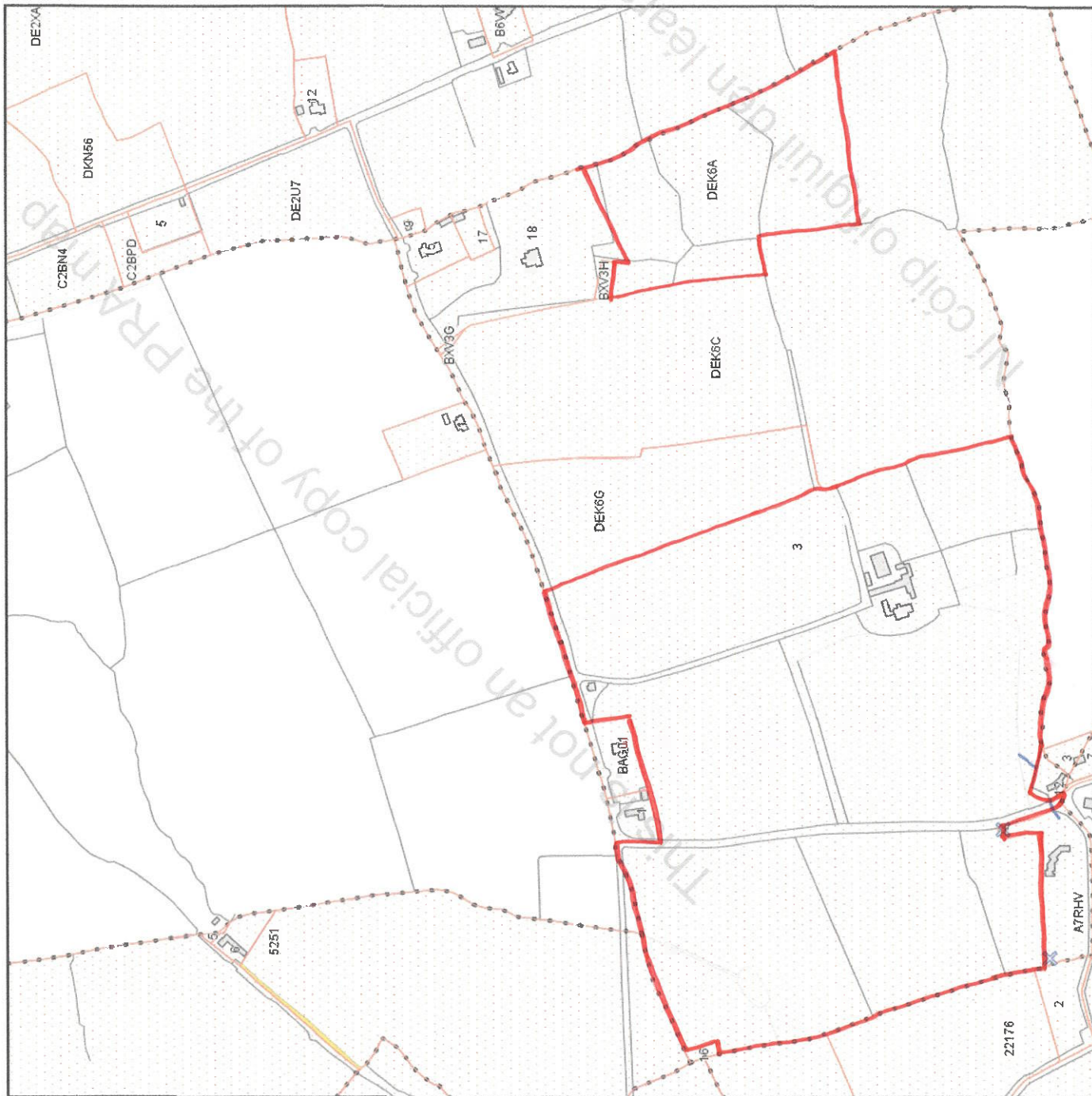
Official Property Registration Map

This map should be read in conjunction with the folio.

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(ii) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010)

- Burdens** (may not all be represented on map)
- Right of Way / Wayleave
 - Turbary
 - Pipeline
 - Well
 - Pump
 - Septic tank
 - ▽ Soak pit

A full list of burdens and their symbology can be found at: www.landdirect.ie

AN BORD PLEANALA

29 MAR 2019

LTD DATED

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.



29 MAR 2019

LTD DATED _____ FROM _____

Land Registry

County Cork

Folio 24830F

Register of Ownership of Freehold Land

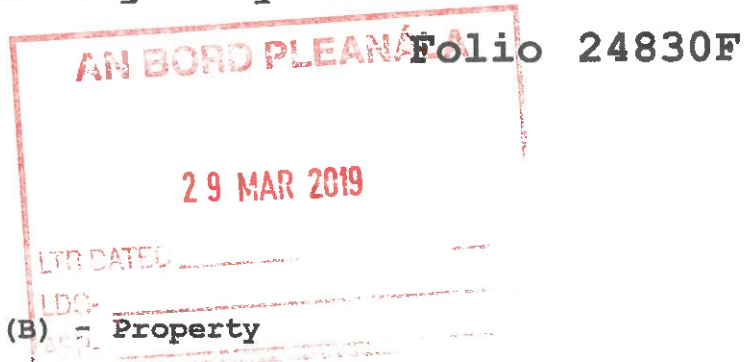
Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

| No. | For parts transferred see Part 1(B) Description | Official Notes |
|-----|--|--------------------|
| 1 | <p>The property shown coloured Red as plan(s) 3, DEK6A on the Registry Map, situate in the Townland of KNOCKANEROE, in the Barony of CARBERY EAST (East Division), in the Electoral Division of COOLMAIN.</p> <p>The Registration as to property No. 1 does not extend to the mines and minerals</p> <p>PLAN DEK6A ADDED UNDER D2016LR026762J. 29/2/2016</p> | From Folio CK44115 |

Land Registry

County Cork



Part 1(B) - Property
Parts Transferred

| No. | Prop No: | Instrument: | Date: | Area (Hectares): | Plan: | Folio No: |
|-----|----------|----------------|-------------|------------------|-------|-----------|
| 1 | 1 | D2004CK012421Y | 02-JUN-2004 | | A7RHV | CK109482F |
| 2 | 1 | D2006CK013839D | 23-MAY-2006 | | BXV3G | CK129002F |
| 3 | 1 | D2006CK013839D | 23-MAY-2006 | | BXV3H | CK129002F |
| 4 | 1 | D2016LR026762J | 29-FEB-2016 | | DEK6C | CK170077F |
| 5 | 1 | D2016LR026762J | 29-FEB-2016 | | DEK6G | CK170079F |

Land Registry

County Cork

Folio 24830F



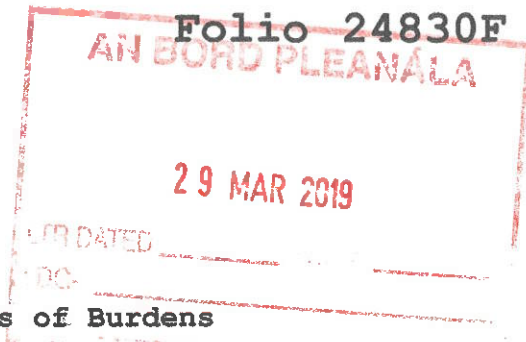
Part 2 - Ownership

Title ABSOLUTE

| No. | The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965 |
|-----|---|
| 1 | <p>06-AUG-1974 JOHN PETCH (Farmer) of SEA VIEW, KILBRITTAIN, COUNTY CORK is full owner. S.3657/74</p> <p>Cancelled D2017LR042607A 29-MAR-2017</p> |
| 2 | <p>29-MAR-2017 JOHN PETCH of Sea View Farm, Knockanroe, Kilbritten, County Cork and ELIZABETH PETCH of Sea View Farm, Knockanroe, Kilbritten, County Cork are full owners. D2017LR042607A</p> |

Land Registry

County Cork



Part 3 - Burdens and Notices of Burdens

| No. | Particulars |
|-----|---|
| 1 | <p>The property is subject to the provisions prohibiting letting, subletting or subdivision specified in Section 12 of the Land Act, 1965, and to the provisions restricting the vesting of interests specified in Section 45 of the said Act in so far as the said provisions affect same.</p> <p style="text-align: center;">Cancelled D2006CK013839D 23-MAY-2006</p> |
| 2 | <p>22-FEB-1977 S.1152/77</p> <p>The right of William P. Hatten and Margaret Hatten the registered owner of folio 6669F to lay and maintain a pipe along the lines shown coloured blue and lettered A1-B together with the right to erect and maintain a septic tank at the point shown lettered A and to pass over and along the said pipeline for the purposes of gaining access for maintenance to the septic tank and also the right to lay and maintain a pipe along the line shown coloured blue and lettered X-Y for the purposes of connecting with the well shown lettered X together with the right to pass and repass over and along said pipeline for the purpose of gaining access to the said well for maintenance and other purposes doing as little damage as possible to the lands and making compensation for all damages done.</p> <p style="text-align: center;">Altered D2004CK012421Y 02/06/04</p> <p>The description of the land affected by the above right is as set out on the Registry Map. In the event that the above entry includes lettering or other alpha numeric references as part of the description of the subject lands, where such lettering or alpha numeric references are not now shown on the Registry Map, the description on the Registry Map prevails and is deemed to be the description of the affected property for the purposes of the Registration of Deeds and Title Acts 1964 and 2006.</p> |