

An
Bord
Pleanála

AN BORD PLEANÁLA
LDG- 077526-25
ABP- _____
22 JAN 2025
Fee: € 220 Type: CASH
Time: 13:08 By: HAN/b

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Rory Foy

(b) Address

Killeenavarra, Kinvara, Co. Galway, H91 VX61

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

n/a

(b) Agent's address

n/a

Postal address for letters

3. During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

☒

The agent at the address in Part 2

☐

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) Planning authority

(for example: Ballytown City Council)

Galway County Council

(b) Planning authority register reference number

(for example: 18/0123)

ED24/141

(c) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Killeenavarra, Kinvara, Co. Galway, H91 YK2X

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Refer to attachment,

- (a) Application is to replace an existing rear extension with a proposed rear extension – there is no additional impact to the Lough Fingall SAC – why would an AASR be required. GCC state *"it would be likely to have a significant effect on the integrity of a European site"* – *I strongly contest this.*
- (b) GCC did not undertake a site inspection as part of this application to satisfy themselves that the existing septic tank, which has served the house for the last 30+ years, was located as per the location indicated on the drawings. GCC are requesting a consultant report on the septic tank as they did not locate the septic tank on site – *"after carrying out a site inspection on the previous ED 24-119 on the 10th October, we were unable to confirm the location of the septic tank as indicated on the submitted drawings. Therefore, we the planning authority would require a detailed report, along with pictures confirming the location, on the condition of the said septic tank and percolation area"*. Every application should be determined on its own merits and GCC did not come to confirm the location of the septic tank as part of this application - which was exposed and awaiting their inspection re: confirmation of location as per drawings prior to submission of this application. Refer to attached report incl. recent photographs of existing and fully operational septic tank. The application does not encompass any works to the septic tank.

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

(c) GCC make issue with the area of the proposed rear extension at 40.3m². This 0.3m² oversight could have been addressed via a condition, or a request for further information. This 0.3m² oversight equates to a 50mm oversail in the width of the rear extension. Employing a common sense approach we request that ABP condition that the proposed rear extension be reduced in width by 50mm to ensure the proposed rear extension be 40m². In any case 40.3m² when employing to the nearest whole number would be 40m². GCC also do not take into consideration the proposed extension overlaps the existing (pre 1963) extension – the nett area gain in floor area when taking this into account is only 18.4m².

Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the "yes, I wish to request an oral hearing" box below.

Please note you will have to pay an **additional non-refundable fee of €50**. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the "No, I do not wish to request an oral hearing" box.

Yes, I wish to request an oral hearing

☐

No, I do not wish to request an oral hearing

☒

NALA has awarded this document its Plain English Mark

Last updated: April 2019.

Note for ABP: Section 5 Decision Appeal Statement

Rory Foy,
Killeenavarra,
Kinvara,
Co. Galway,
20 January 2025

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

ED Reg Ref: 24/141

***Re: Proposed extension and renovation of existing farm cottage (vacant) at Killeenavarra,
Kinvara, Co. Galway, H91 VX61.***

To Whom It Concerns,

Please find attached the following submission, in response to appealing the decision made by Galway County Council for the proposed development, whereby they determined it as 'not exempted development'.

As per the decision letter issued by GCC Planning & Sustainable Development Unit on 03/01/2025 - the proposed development was decided to be 'not exempt development' based on the following grounds:

1. The development would be likely to have a significant effect on the integrity of a European site (Lough Fingall Complex SAC),
2. The existing wastewater facility / septic tank was not located by GCC via site inspection.
3. The area of the proposed extension appears to be 40.3m²

Re: Point 1: The development would be likely to have a significant effect on the integrity of a European site.

"The proposed extension and renovation of existing farm cottage (vacant) at Killeenavarra, Kinyara, Co. Galway is development and is not exempted development as it would contravene Article 9 (viiB) of the Planning and Development Regulations 2001 (as amended)

"compromise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would likely have a significant effect on the integrity of a European site."

Opinion:

Having regard to the above, in conjunction with Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended) and Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended), it is considered that the development would constitute development under Section 3 of the Planning and Development Act 2000 (as amended).

After reviewing the Section 5 application along with the submitted drawings we the planning authority have taken into consideration the applicants opinion that the proposed works would have no additional impact on the local environment / or ecology and it would also have no effect on the integrity of the Lough Fingall Complex SAC. However, we the planning authority are still of the opinion that, given the site's close proximity to the Lough Fingall Complex SAC, along with the location being within the foraging range of the Lesser Horseshoe Bat, likely significant effects of the development on the Lough Fingall Complex SAC cannot be screened out. Therefore, an Appropriate Assessment is required for the proposed development."

GCC Planning & Sustainable Development Unit did not request clarification on / or the provision of an AASR via further information.

In any case, a rear extension to the existing farmhouse already exists.

The minor proposal is to substitute the existing pre 1963 rear extension with a proposed 40m² rear extension as per the provisions contained with the schedule of exempted development.

I question how could there be any additional significant effects of the proposed development on the Lough Fingall Complex SAC, given that the proposal is solely to replace an existing extension with a modern extension which will reside on broadly the same footprint.

Furthermore the farmhouse is located within the family farmyard. The farmyard is a fully operational farmyard and has all the trappings associated – ie. lighting, noise, vehicular traffic, animal movements and animal storage provisions. (Slatted sheds / dry sheds / machinery sheds / feeding slabs etc).

To suggest that the minor substitution of an existing extension with a modern extension would in some manner result in any impact to the foraging range of the Lesser Horseshoe Bat is inconceivable.

I request that ABP adopt a common sense approach when making a determination on this point, so as to avoid the application being supplemented with an Appropriate Assessment Report (incl. Bat Report).

Re: Point 2: The existing wastewater facility / septic tank was not located by GCC via site inspection.

'after carrying out a site inspection on the previous ED 24-119 on the 10th October, we were unable to confirm the location of the septic tank as indicated on the submitted drawings. Therefore, we the planning authority would require a detailed report, along with pictures confirming the location, on the condition of said septic tank and percolation area. Note: Report to be carried out by qualified competent person.'

ED 24-119, which included an altogether different rear extension proposal, was submitted previously on 23/09/2024 and subsequently determined by GCC Planning & Sustainable Development Unit as being not exempt development.

Part of GCC decision at that time was based on the issue that they could not confirm location of the septic tank during their site inspection.

GCC Planning & Sustainable Development Unit did not request clarification on this via further information.

It is expected that each section 5 submission is determined in isolation and not reliant on previous applications / submissions.

Taking account of the decision letter for ED 24-119, and prior to submission of ED 24-141 (the current submission), the moss / grass cover which had encroached over the lid of the septic tank was removed to ensure that GCC Planning & Sustainable Development Unit could satisfy themselves that the location of the existing and fully operational tank was as per the drawings provided.

GCC Planning & Sustainable Development Unit did not:

- (a) perform site inspection to confirm the location of the now exposed septic tank, or
- (b) request clarification / photographs on this via further information.

Had GCC performed a site inspection for this exempted development application, to confirm the location of the septic tank is as per the drawings provided - then this would have negated the requirement for the suggested detailed report, and the associated costs for engaging a local engineer to condition and functionality.

The applicant should not be held accountable, or incur associated costs for additional reports, for GCC Planning & Sustainable Development Unit failure to satisfy themselves with the location of the exposed septic tank.

The proposed development does not include any works to the existing septic tank.

There is no proposed change to the occupancy numbers of the farmhouse arising from the proposed rear extension (total 4 no. occupants).

The scope of the proposed works does not include any works to the existing septic tank.

For record images of the existing septic tank cover and location are appended (as per exposed by applicant on 01 Dec 2024)

For record, to demonstrate the tank remains operational, see attached recent utility bill for the farmhouse, ie. when the last rental tenant (Brian Mitchell) resided there.

In conclusion there are no proposed works to the existing and fully operational septic tank.

Re: Point 3: The area of the proposed extension appears to be 40.3m²

Finally, it is noted that the total floor area of the extension appears to be 40.3m².

GCC Planning & Sustainable Development Unit did not request clarification on this via further information.

A common sense approach with regards to the calculation of the area of the rear extension to the nearest whole number would have avoided this issue.

The proposed rear extension is to replace the existing (pre-1963) extension, however the footprint of the proposed extension overlaps the existing extension – which has not been taken into account. The net area gain is actually only 18.4m².

The internal dimensions of the proposed extension are 7330mm x 5500mm - resulting in floor area of proposed extension of 40.3m².

I request that ABP accept that 40.3m² equates to 40m² (to the nearest whole number) or condition that the area of the proposed extension is reduced in width by 50mm to ensure proposed area of 40m² (ie. Internal dimension = 7280mm x 5500mm).

I trust this response is to your satisfaction.

Regards,
Rory Foy (applicant)



Fig 01. Photograph of exposed septic tank – location as per drawings



Fig 02. Photograph of exposed septic tank – location as per drawings



BRIAN MITCHELL
KILLEENAVARRA
KINVARA
CO GALWAY

DOM01 0204512



Your account number

902620963

To ask about this bill

call 1800 372 372

Open Mon - Sat, 8am - 8pm

For emergencies or
electricity interruptions

ESB Networks
call 1800 372 999

Open 24 hours, 7 days a week

Please have this MPN number ready

MPN 10 016 095 246

DB M Profile

DG2 MCC03 3

Date of issue 27 Oct 21

Invoice number 1708251089

Your electricity bill at a glance

> Full details of your account are on the back of this bill

Billing period

1 Sep 21 to 22 Oct 21 52 days

Reading type

Your meter was read

Bill summary

Your last bill €68.75

Payment Transactions €60.00 cr

Arrears brought forward €8.75

Charges for this period €48.72

VAT €6.57

Total due €64.04

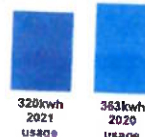
Pay by 10 Nov 21

Payment terms are 14 days from date of bill issue or
immediately if overdue.
Information on the Fuel Mix and environmental impact is on
the back of this bill.

We're Brighter Together

Be part of the change as
we work towards a greener future.

Comparing your energy usage



Energy tips

- Energy saving LED lightbulbs use 90% less electricity and last 3 times longer than CFL bulbs.
- Devices on standby can add up to 10% of your total electricity bill.

VAT Reg No IE 81 52100V

E&OE



0001 9026209631 000000064041 798258

Bank Giro Credit Transfer
Allied Irish Banks plc.
7/12 Dame Street, Dublin 2
Giro No. 81900087

902620963

BRIAN MITCHELL

DOM01 0204512

Date

Notes/Coins €

Total cash €

Cheques etc €

Total amount € 64.04

<902620963> 798258

9026209630

64041

116048 930008 8190008 798258

Fig 03. ESB bill demonstrating house was occupied until recently by latest rental tenant 'Brian Mitchell'. The house was and continues to be served by the existing septic tank – for which there is no proposed change as part of this application (note: same no. of occupants proposed for the proposed renovated house).

Our Ref: ED 24/141



Comhairle Chontae na Gaillimhe
Galway County Council

Bosca Poist Uimhir 27,
Aras an Chontae,
Cnoc na Radharc,
Gaillimh

Telephone:
Email:
Web:

(091) 509308
planning@galwaycoco.ie
www.galway.ie

Rory Foy,
C/o Gavin Doheny,
Derryleigh,
Newport,
Co. Tipperary,
V94YE30.

3rd January 2025.

RE: Declaration of Exempted Development under section 5 of the Planning & Development Act 2000

ED24/141 – *Proposed extension and renovation of existing farm cottage (vacant) at Killeenavarra, Kinvara, Co. Galway, H91 VX61.*

DECISION – NOT EXEMPTED DEVELOPMENT

A Chara,

- The Planning Authority, in considering this Section 5 application, had regard particularly to
- (a) The definition of “works” set out in Section 2 of the Planning and Development Act 2000 (as amended).
 - (b) The definition of “development” set out in Section 3 of said Planning and Development Act.
 - (c) Section 4 of said Planning and Development Act 2000 (as amended).
 - (d) Article 6 of the Planning and Development Regulations 2001 (as amended).
 - (e) Article 9 of the Planning and Development Regulations 2001 (as amended).
 - (f) ‘Class 1’ Schedule 2 Part 1 of said Planning and Development Regulations.
 - (g) Documents submitted from the referrer in this Section 5 application.

The Planning Authority, in exercise of the powers conferred on it by Section 5 of the 2000 Planning Act (as amended), hereby decides that:

The proposed extension and renovation of existing farm cottage (vacant) at Killeenavarra, Kinvara, Co. Galway is development and is **not exempted development** as it would contravene Article 9 (viiB) of the Planning and Development Regulations 2001 (as amended)

‘comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,’

Opinion:

Having regard to the above, in conjunction with the Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended) and Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended), it is considered that the development would constitute development under Section 3 of the Planning and Development Act 2000 (as amended).

After reviewing the Section 5 application along with the submitted drawings we the planning authority have taken into consideration the applicants opinion that the proposed works would have no additional impact on the local environment / or ecology and it would also have no effect on the integrity of the Lough Fingall Complex SAC. However, we the planning authority are still of the opinion that, given the site's close proximity to the Lough Fingall Complex SAC, along with the location being within the foraging range of the Lesser Horseshoe Bat, likely significant effects of the development on the Lough Fingall Complex SAC cannot be screened out. Therefore, an Appropriate Assessment is required for the proposed development.

'comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,'

Note: After carrying out a site inspection on the previous ED 24-119 on the 10th October, we were unable to confirm the location of the septic tank as indicated on the submitted drawings. Therefore, we the planning authority would require a detailed report, along with pictures confirming the location, on the condition of said septic tank and percolation area. Note: Report to be carried out by qualified competent person.
Finally, it is noted that the total floor area of the extension appears to be 40.3m².

Please note that you may appeal this decision to **An Bord Pleanála** within four weeks of the issue of this declaration on payment of the prescribed fee. appeals@pleanala.ie

Mise le meas

John O'Connor
Planning & Sustainable Development Unit

Iatas ar dhearbhu maidir le
forbairt dhíolmhaithe faoi Alt 5
den Acht um Pleanáil agus
Forbairt 2000



Comhairle Chontae na Gaillimhe
Galway County Council

Application for Declaration of
Exempted Development under
Section 5 of the Planning and
Development Act 2000

Tá an fhoirm seo le fáil i gcló mór chomh maith

This form is also available in large print

Tá míle fáilte an fhoirm seo a líonadh i nGaeilge

1. Mionsonraí faoin iarratasóir		1. Applicant details
Ainm	Name	Rory Foy
Seoladh	Address	Kileenavarra, Kinvara, Co. Galway
Cód Poist	Postcode	H91 VX61
Teileafón	Telephone	0857474754
Ríomhphost	Email	

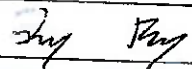
2. Mionsonraí faoin bhforbairt bheartaithe		2. Proposed development details
Tuairisc iomlán	Full description	Proposed extension and renovation of existing farm cottage (vacant)

Más méadú ar theach cónaithe atá i gceist, cuir isteach achair urláir		If an extension to a dwellinghouse, please include floor areas	
(i) méadú beartaithe	(i) Proposed extension	40	mcr/sqm
(ii) struchtúir reatha	(ii) Existing structure	87	mcr/sqm
(iii) spás oscailte príobháideach ar gcúl	(iii) Rear private open space	100	mcr/sqm

Más forbairt í a bhaineann le Garáiste/Bothán/Stóras etc a chur in airde, luaigh an méid seo a leanas, le do thoil:		If for the erection of Garage/Shed/Store etc., please include the following:	
(i) garáiste/bothán/stóras etc beartaithe	(i) Proposed garage/shed/store etc	n/a	mcr/sqm
(ii) struchtúir reatha	(ii) Existing structure	n/a	mcr/sqm
(iii) spás oscailte príobháideach ar gcúl	(iii) Rear private open space	n/a	mcr/sqm

I gcás aon foirgneamh /fhoirgnimh atá le coimeád ar an láithreán, nó i gcás athraithe ar úsáid na maoine		For any building(s) to be retained on site, or for a change of use of the property
Léirigh an úsáid reatha	Please indicate the existing use	n/a

Doiciméid atá le cur in éineacht leis an bhfoirm iarratais seo (cuir isteach tic (✓) le do thoil)	Documents to be included with this application form (please tick✓)	
Léarscáil de shuíomh an láithreáin Scála 1:1000 nó 1:2500	Site location map Scale 1:1000 or 1:2500	☒
Léarscáil de leagan amach an láithreáin Scála 1:200 nó 1:500	Site layout map Scale 1:200 or 1:500	☒
Pleananna urláir & ingearchlónna	Floor plans & elevations	☒
Táille (€80)	Fee (€80)	☒

Dearbhaím leis seo go bhfuil an fhaisnéis a thugtar ar an bhfoirm seo ceart		I hereby declare that the information given on this form is correct
Síniú (iarratasóir/gníomhaire)	Signature (applicant/agent)	
Dáta	Date	23/11/2024

Seol an fhoirm ar ais chuig: An tAonad Pleanála & Forbartha Inmharthana Comhairle Chontae na Gaillimhe Áras an Chontae Cnoc na Radharc Gaillimh.	Return to: Planning & Sustainable Development Unit Galway County Council Áras an Chontae Prospect Hill Galway	Tel. (091) 509308 Fax (091) 509199 planning@galwaycoco.ie www.gaillimh.ie www.galway.ie
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To Whom It May Concern,

Please find attached the following, in relation to the section 5 application, on behalf of the applicant Rory Foy, at Kileenavarra, Kinvara, Co. Galway.

1. Section 5 application form.
2. Land registry details – demonstrating applicant is landowner.
3. Architectural Drawings, inclusive of the following:

• A0 – 00	SITE LOCATION MAP	Scale: 1:10,560	@ A3
• A0 – 01	SITE LOCATION MAP	Scale: 1:2500	@ A3
• A1 – 00	SITE PLAN – EXISTING	Scale: 1:500	@ A3
• A1 – 20	SITE PLAN – PROPOSED	Scale: 1:500	@ A3
• A2 – 00	FLOOR PLANS – EXISTING	Scale: 1:100	@ A3
• A2 – 20	FLOOR PLANS – PROPOSED	Scale: 1:100	@ A3
• A3 – 20	SECTIONS – EXISTING & PROPOSED	Scale: 1:100	@ A3
• A4 – 00	ELEVATIONS - EXISTING	Scale: 1:100	@ A3
• A4 – 20	ELEVATIONS - PROPOSED	Scale: 1:100	@ A3

The applicant is seeking to renovate the existing family farmhouse and in turn to improve the energy efficiency of the house.

The existing extension (constructed prior to 1964) is outdated and in need of renovation.

The floor area of the existing extension is to be retained.

It is proposed to replace the existing extension with a new rear extension with max floor area of 40m², whilst complying with the conditions and limitations contained in the planning and development act 2001, Schedule 2, Part 1.

The proposed 40m² rear extension is to replace the existing and outdated flat roofed rear extension.

The floor area of the existing cottage = 87m².

The floor area of the cottage inclusive of the proposed rear extension = 90m².

The impact of the proposed development is imperceptible.

Whilst the applicant appreciates that the existing cottage is located in close proximity to the Lough Fingall Complex SAC and also within the foraging range of the Lesser Horseshow Bat, it is requested that GCC planning & sustainable development unit look favorably on the proposed minor works, so as not to add additional expense to the renovation via the request for an AASR, NIS, & Bat survey (approx. 4.5k additional expense).

The floor area / footprint of the proposed works are approx. the same as the existing dwelling. There would be no additional impacts to the local environment / or ecology that are not already in play, arising from the minor replacement of the rear extension. The proposed rear extension would have no effect on the integrity of Lough Fingall Complex SAC – ie. Any effect that exists due to the presence of the existing rear extension would be no different as a result of the proposed rear extension.

The dwelling house was fully occupied up until and after the passing of the most recent rental tenant (Mr. Brian Mitchell r.i.p - deceased in Dec. 2021) – proof of occupancy via rental income / esb bills can be provided upon request. The dwelling house was and continues to be served by

a fully operational conventional septic tank (as per site layout drawings). The applicant is not proposing any changes to the existing septic tank. The no. of proposed occupants remains the same as the existing house (4 no. people). There are no proposed or additional effects on the Lough Fingall Complex SAC via retaining the fully operational conventional septic tank.

In January 2024 the applicant began internal renovation and demolition works. The improvement works then extended in summer 2024 to the removal of the external sand cement render on the front and side elevation. The applicant intended on reinstating a lime render externally citing improvements to the buildings performance – however completion of the render reinstatement was put on hold as the applicant learned that these works could be included under the vacant house grant. It is the definite intention of the applicant to reinstate renders as the external wall finish as per the previous external wall finish. The temporary exposed stonework will not be retained as the external finish.

Itemised list of the proposed works to be carried out:

1. Demolition of existing rear extension, boiler house, and adjoining disused water tank.
2. Minor groundwork's at rear required to accommodate proposed extension as per proposed drawings.
3. Internal renovation works to (a) existing cottage & (b) proposed extension, including: insulated drylining, floor insulation and screed, and internal stud walls, incl. electrics and water / wastewater reconnection.
4. Removal of sand cement external render to existing cottage and reinstatement of a lime render finish.
5. Existing doors and windows to be replaced as per proposed drawings.
6. Internal reconfiguration of existing cottage as per proposed drawings.
7. Existing roof tiles to be replaced with dark slate. Roof finish to proposed extension to also be dark roof slates.

Note: No change to (a) existing and fully operational conventional septic tank, & (b) existing and fully operational surface water soakaways.

All works to comply with the requirements as outlined in TGD.

Regards,
Gavin Doheny, (Agent)

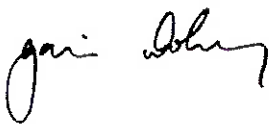




Fig 01. Front of cottage. – prior to remediation works to external render finish.



Fig 02. Existing rear extension (1961) to be replaced -

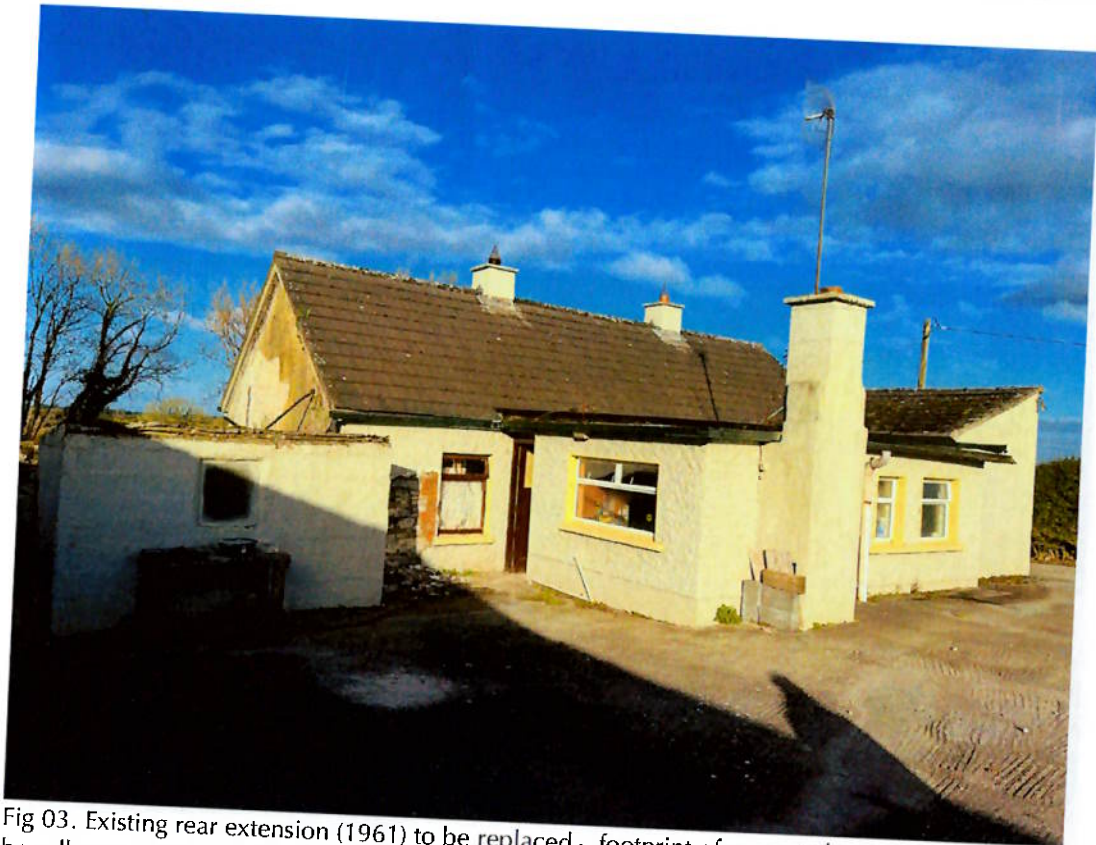


Fig 03. Existing rear extension (1961) to be replaced – footprint of proposed extension to be broadly consistent with existing.

Land Registry

County Galway

Folio 21893F

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.

For parts transferred see Part 1(B)

No.	Description	Official Notes
1	The property shown coloured RED as Plan(s) 7362 on the Registry Map, situate in the Townland of KILLEENAVARRA, in the Barony of DUNKELLIN, in the Electoral Division of KILLEENAVARRA. The registration does not extend to the mines and minerals.	From Folio GY7362
2	The property shown coloured RED as Plan(s) 7362 on the Registry Map, containing 2.6305 Hectares, situate in the Townland of CLOGHBOLEY, in the Barony of DUNKELLIN, in the Electoral Division of KILLEENAVARRA. The registration does not extend to the mines and minerals.	From Folio GY7362
3	The property shown coloured RED as Plan(s) 5 on the Registry Map, containing 5.3621 Hectares, situate in the Townland of CAHERNALINSKY, in the Barony of DUNKELLIN, in the Electoral Division of KILLEENAVARRA. The registration does not extend to the mines and minerals.	From Folio GY55597

- 1 There is appurtenant to the property Nos. 1 and 2 such right of taking seaweed (if any) from the foreshore on part of the lands of Tarrea containing 3 acres and 8 perches or thereabouts like measure situate as aforesaid at the area shown coloured green at co-ordinates: XY: (537021,712571).

Appurtenant revised under Rule 8(4). See Q2019LR007489Y Date: 31-05-2019.

- 2 There is appurtenant to the property No. 3 a right to pass and repass on foot and with animals, vehicles, machinery and goods of all kinds and for every purpose over part of the townland of Cahernalinsky by the way coloured yellow and lettered A-B on the Registry Map thereof (O.S. 103/15).

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.

Land Registry

County Galway

Folio 21893F

Part 1(B) - Property Parts Transferred

No.	Prop No.	Instrument	Date	Area(Hectares)	Plan	Folio No.
1	1	D2007WR012856X	17-APR-2007		C038R	GY97972F

Land Registry

County Galway

Folio 21893F

Part 2 - Ownership

Title of property no.1,2 ABSOLUTE

Title of property no.3 POSSESSORY Flat 07-DEC-1976

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965	
1	08-JUN-1995 95GY03821	THOMAS MARTIN FOY of KILLEENAVARA, KINVARA, COUNTY GALWAY and MARGARET FOY of KILLEENAVARA, KINVARA, COUNTY GALWAY are full owners. Cancelled D2024LR096733M 12-JUN-2024
2	12-JUN-2024 D2024LR096733M	THOMAS FOY of Killeenavara, Kinvara, County Galway is full owner. Cancelled D2024LR100916P 18-JUN-2024
3	18-JUN-2024 D2024LR100916P	RORY FOY of Killeenavara, Kinvara, County Galway is full owner.

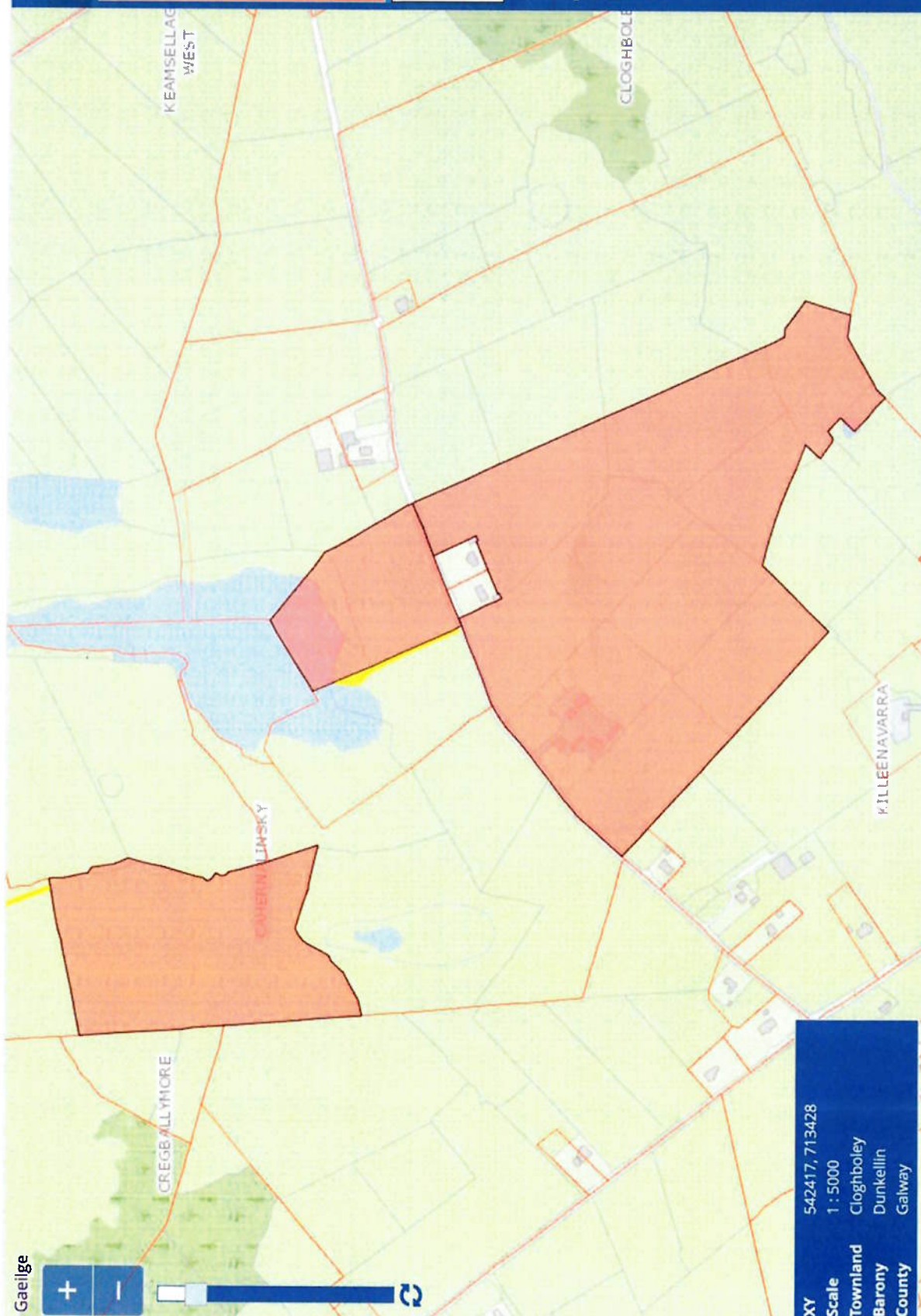
Land Registry

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Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	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.
2	The property is subject to a Land Purchase Annuity.
3	L.R.19/82444 The property No. 3 is subject to the fishing rights and fisheries (if any) reserved to the Land Commission by its Fiat.
4	L.R.5146 The property Nos. 1 and 2 are subject to the sporting rights within the meaning of the Irish Land Act, 1903, reserved by Fiat of the Land Commission.



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