

ROSCOMMON COUNTY COUNCIL

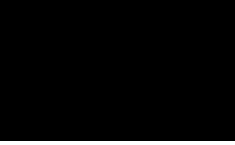
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Peter Kilmartin,



Reference Number: DED 704
Application Received: 3rd May 2024
Name of Applicants: Peter Kilmartin
Agent: N/A

WHEREAS a question has arisen as to whether the internal renovation of an existing dwelling at Granaghan Martin, Ballyleague, Co. Roscommon., is or is not development and is or is not exempted development:

AND WHEREAS Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended
- (c) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (d) The planning history of the site

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The works fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended.
- (c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

NOW THEREFORE:

By virtue of the powers vested in me by the Local Government Acts 1925 – 2019 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said development **to internally renovate an existing dwelling at Granaghan Martin, Ballyleague Co. Roscommon., is development that is exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Signed on behalf of the Council:

Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 26th June 2024

Carmel Curley

From: Carmel Curley
Sent: Thursday 27 June 2024 12:35
To: Peter Kilmartin
Subject: DED704 - Notification of Decision
Attachments: DED704 - Notification of Decision.pdf

Hi Peter,

Please find attached Notification of Decision for your DED Application 704. A hard copy will follow in the post today.

Regards,

Carmel

Carmel Curley, Assistant Staff Officer,
Planning Department, Roscommon County Council,
Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98

☎: (090) 6637100

✉: planning@roscommoncoco.ie | 🌐 www.roscommoncoco.ie

MAP LOCATION



**Planner's Report on application under
Section 5 of the Planning and Development Act 2000 (as amended)**

| | |
|---------------------------------|--|
| Reference Number: | DED 704 |
| Re: | Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development. |
| Name of Applicant: | Peter Kilmartin |
| Location of Development: | Granaghan Martin, Ballyleague, Co. Roscommon, F42 FY06 |
| Site Visit: | 21/06/2024 |

WHEREAS a question has arisen as to whether the following works; “permission to internally renovate existing dwelling under the Planning & Development Act (Exempted Development) Regulations 2018” at the above address is or is not development and is or is not exempted development.

I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended
- (c) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (d) The planning history of the site

Site Location & Development Description

The subject site is located at Granaghan Martin, Ballyleague, Co. Roscommon, F42 FY06. The dwelling, for which a section 5 referral has been made, is situated to the east extent of the R371, which travels northward towards Scramoge and southwards towards Lanesborough.

A detailed specification of development proposed includes the following:

1. *Supply and fit double/triple glazed windows with certified 1.0u-value Eco Energy Plus window system. (...) Remove and install new internal doors, and install internal frames, and handles for doors also.*
2. *Remove and install new skirting boards throughout house*
3. *Remove and install new tiles in main bathroom*
4. *Remove and install new internal doors, and install internal frames, and handles for doors also.*
5. *Sand, prep paint and caulk inside and outside house entirely*
6. *Supply and installation of new hot water cylinder, water storage tank with built-in booster tank to pressurize all outlets*
7. *Supply and install new aluminum radiators, valves and piping to preplace existing radiators*
8. *Supply and install new bathroom fixtures and connect to existing plumbing supplies*
9. *Supply and install heating controls to separate heating into 3 zones (Living space, Bedrooms and hot water)*
10. *Replace interior sockets*
11. *Respray kitchen*
12. *Install new kitchen handles & hardware*
13. *Install hedge landscape screening*

As per a review of Roscommon County Council's Geographic Information Systems, there are no European designated sites in, adjoining, or in proximity to the subject site.

As per a review of Roscommon County Council's Geographic Information Systems, there are no known heritage related sites/structures in proximity to the subject site.

Archaeological and Cultural Heritage

There are no protected structures or structures listed in the National Inventory of Architectural Heritage in the likely zone of influence of the proposed development.

Appropriate Assessment

The closest designated sites include; "Lough Ree" which is a Special Protection Area (SPA) (Site Code: 004064) and Special Area of Conservation (SAC) (Site Code: 000440) which is located circa 6km south of the subject site and "Lough Forbes" which is a SAC (Site Code: 001818) and Ballykenny-Fishertown Bog SPA (Site Code: 004101), both of which are located circa 8km to the east of the subject site.

Having regard to the separation distances between the site and the closest Natura 2000 site, given the nature of the proposal, there is no real likelihood of significant effects on the conservation objectives of these or other European sites arising from the proposed development. The need for further Appropriate Assessment, therefore, can be excluded.

Planning History

As per Roscommon County Council's Planning Registry, the planning history pertaining to the subject site comprises the following:

- **PD/00/1052.** Permission granted [19/10/2000] subject to conditions, for the development of a "dwelling house, septic tank, percolation area, garage and boundary wall" at the site located in Granaghan, Ballyleague, Co. Roscommon.

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2 (1)

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3 (1)

In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4 (1)

Defines certain types of development as being 'exempted development'. Of potential relevance is section 4(1)(h) which provides as follows:

"development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 4 (2)

Outlines that the Minister may, by regulations, provide for any class of development to be exempted development for the purpose of this Act. The principal regulations made under this provision are the Planning and Development Regulations.

Article 6 (1)

Subject to article 9, development of a class specified in column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Article 9 (1)

Development to which article 6 relates shall not be exempted development for the purposes of the Act –

(a) If the carrying out of such work would–

- (i) Contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.
- (viiB) 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.

Assessment

Hereunder, details the statutory provisions pertinent to this section 5 referral have been set out, they are as follows;

In accordance with the Planning and Development Act, 2000, section 3(1) “development” means, “except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land”. The proposed development is considered to comprise the carrying out of works. Under section 2(1) of the Act, “works” include “any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure (...)”. It is considered that said works constitute development, as defined in section 3 of the said Act.

The proposal includes for the “*permission to internally renovate existing dwelling under the Planning & Development Act (Exempted Development) Regulations 2018*” at the site located in Granaghan Martin, Ballyleague, Co. Roscommon, F42 FY06. The application included a “detailed specification of development proposed (outlined in detail under “Site Location & Development Description).

These works have been considered in the context of Section 4 (1)(h) of the Act, consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

On review of the case-specific particulars, the proposed works are deemed to constitute exempted development. It is advised that any and all proposed planting (as outlined in the application) includes native species trees and hedging only.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations it is reasonable to conclude, on the basis of the information available, that the proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the need for AA does not apply with respect to the current case.

I am satisfied that an Environmental Impact Statement or Appropriate Assessment are not required. It should be noted that any development for which Environmental Impact Assessment or Appropriate Assessment is required shall not be exempted development unless specifically exempted in regulations where there is provision in other legislation for the carrying out of EIA or AA. In addition, the restrictions on exemption Art

9(1)(a)(viiB) exclude development which would otherwise be exempted development under these regulations where an AA is required.

Recommendation

WHEREAS a question has arisen as to whether a proposed development; comprising the “*permission to internally renovate existing dwelling under the Planning & Development Act (Exempted Development) Regulations 2018*” at the site located in Granaghan Martin, Ballyleague, Co. Roscommon, F42 FY06, is or is not development and is or is not exempted development, I have considered this question, and I have had regard particularly to –

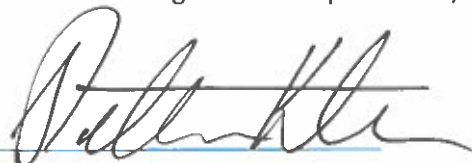
- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended
- (c) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (d) The planning history of the site

AND WHEREAS I have concluded that

- The works outlined above are development.
- The works fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended.
- The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

AND WHEREAS I have concluded that the said development comprising the “*permission to internally renovate existing dwelling under the Planning & Development Act (Exempted Development) Regulations 2018*” at the site located in Granaghan Martin, Ballyleague, Co. Roscommon, F42 FY06, under the provision of section 5 of the Planning and Development Act, constitute exempted development.

Signed:



Blaithin Kinsella

Assistant Planner

Date: 24th June 2024

Signed:



Alan O'Connell

Senior Executive Planner

Date: 24th June 2024

Appendix – Site Photos



1. Front Elevation of Property



3. Side Elevation of Property



2. Side Elevation of Property



4. Rear Elevation of Property

ENDS.



Comhairle Contae
Ros Comáin
Roscommon
County Council



Peter Kilmartin,



Date: 3rd May 2024
Planning Reference: DED 704

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development: Permission to internally renovate existing dwelling under the Planning & Development Act (Exempt Development) Regulations 2018 at Granaghan Martin, Ballyleague, Co. Roscommon, F42 FY06.

A Chara,

I wish to acknowledge receipt of your application which was received on the 3rd May 2024, for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development along with the appropriate fee in the sum of €80.00, Receipt No. L01/0/228427 dated 3rd May 2024, receipt enclosed herewith.

Please note that due to current resourcing issues, the processing of the Declaration of Exempted Developments has been curtailed at present and applicants will experience delays in the processing of same. We are currently reviewing internal work programmes with a view to resuming normal services as soon as possible, however we cannot provide a timeframe at present.

We sincerely apologise for any inconvenience caused. Once resumed all applications will be processed in chronological order.

Note: Please note your Planning Reference No. is **DED 704**.
This should be quoted in all correspondence and telephone queries.

Mise le meas,

Alan O'Connell
Senior Executive Planner,
Planning Department.

Roscommon County Council
Aras an Chóntae
Roscommon
09066 37100

03/05/2024 14 05 55

Receipt No : L01/0/228427

PETER KILMARTIN


PLANNING APPLICATION FEES 80 00
GOODS 80 00
VAT Exempt/Non-vatable
DED 704

Total : 80 00 EUR

Tendered :
Credit/Debit Card 80 00
4378

Change : 0.00

Issued By : Bernadine Duignan
From : Central Cash Office



Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie

Roscommon County Council

Application for a Declaration under Section 5 of the

Planning & Development Act 2000 (as amended), regarding Exempted Development

| | |
|---|--|
| Name of Applicant(s) | PETER KILMARTIN |
| Name of Agent | N/A |
| Nature of Proposed Works | Upgrading windows & Doors Upgrading water system General interior renovation and decoration on the interior - Painting tiling etc. |
| Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No. | Granaghan Martin, , Ballyleague, Co. Roscommon, F42 FY06 |
| Floor Area: a) Existing Structure b) Proposed Structure | a) <u>130sqm</u> b) <u>130sqm</u> |
| Height above ground level: | 1m |
| Total area of private open space remaining after completion of this development | 130 (Not changing) |
| Roofing Material (Slates, Tiles, other) (Specify) | Slate |

Roscommon County Council

Application for a Declaration under Section 5 of the

| | |
|--|---|
| Proposed external walling (plaster, stonework, brick or other finish, giving colour) | No proposed external walling |
| Is proposed works located at front/rear/side of existing house. | All proposed works are internal with the exception of the upgrade of windows and doors. |
| Has an application been made previously for this site | No |
| If yes give ref. number (include full details of existing extension, if any) | N/A |
| Existing use of land or structure | Domestic Dwelling |
| Proposed use of land or structure | Domestic Dwelling |
| Distance of proposed building line from edge of roadway | 31m |
| Does the proposed development involve the provision of a piped water supply | There will be no change to the existing water supply |
| Does the proposed development involve the provision of sanitary facilities | There will be no further development of sanitary facilities |

Planning & Development Act 2000 (as amended), regarding Exempted Development

Signature: Peter Kilmartin

Date: 02/05/24

Note: This application must be accompanied by: -

- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location ✓
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development ✓
- (d) Detailed specification of development proposed



FI Letter Croi CONaithe Grant [REDACTED]

Detailed specification of development proposed

Peter Kilmartin

Granaghan Martin, , Ballyleague, Co.

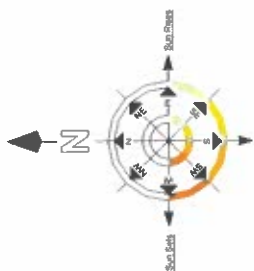
Roscommon, F42 FY06

- Supply and fit double/triple glazed windows with our certified 1.0u-value Eco Energy Plus window system. -21 no triple glazed UPVC windows. -1 no Composite door-1 no UPVC door -1 no French doors" Remove and install new internal doors, and install internal frames, and handles for doors also
- Remove and install new skirting boards throughout house
- Remove and install new tiles in main bathroom.
- Remove and install new internal doors, and install internal frames, and handles for doors also.
- Sand, prep paint and caulk inside and outside house entirely.
- Supply and installation of new hot water cylinder, Water storage tank with built-in booster tank to pressurise all outlets,
- Supply and install new aluminium radiators, valves and piping to replace existing radiators.
- Supply and install new bathroom fixtures and connect to existing plumbing supplies.
- Supply and install heating controls to separate heating into 3 zones (Living space, Bedrooms and Hot Water)"
- Replace interior and exterior light fittings
- Repace interior sockets
- Respray kitchen
- Install new kitchen handles + hardware
- Instal hedge landscape screening



Ordnance Survey Ref: 2291

Area of Site = 0.593 Acres/ 0.24 Hectares



Extent Of Site Outlined In Red
Extent Landholding
Outlined In Blue

Existing Timber
Post & Rail Fence

Existing Timber
Post & Rail Fence

Existing Timber
Post & Rail Fence

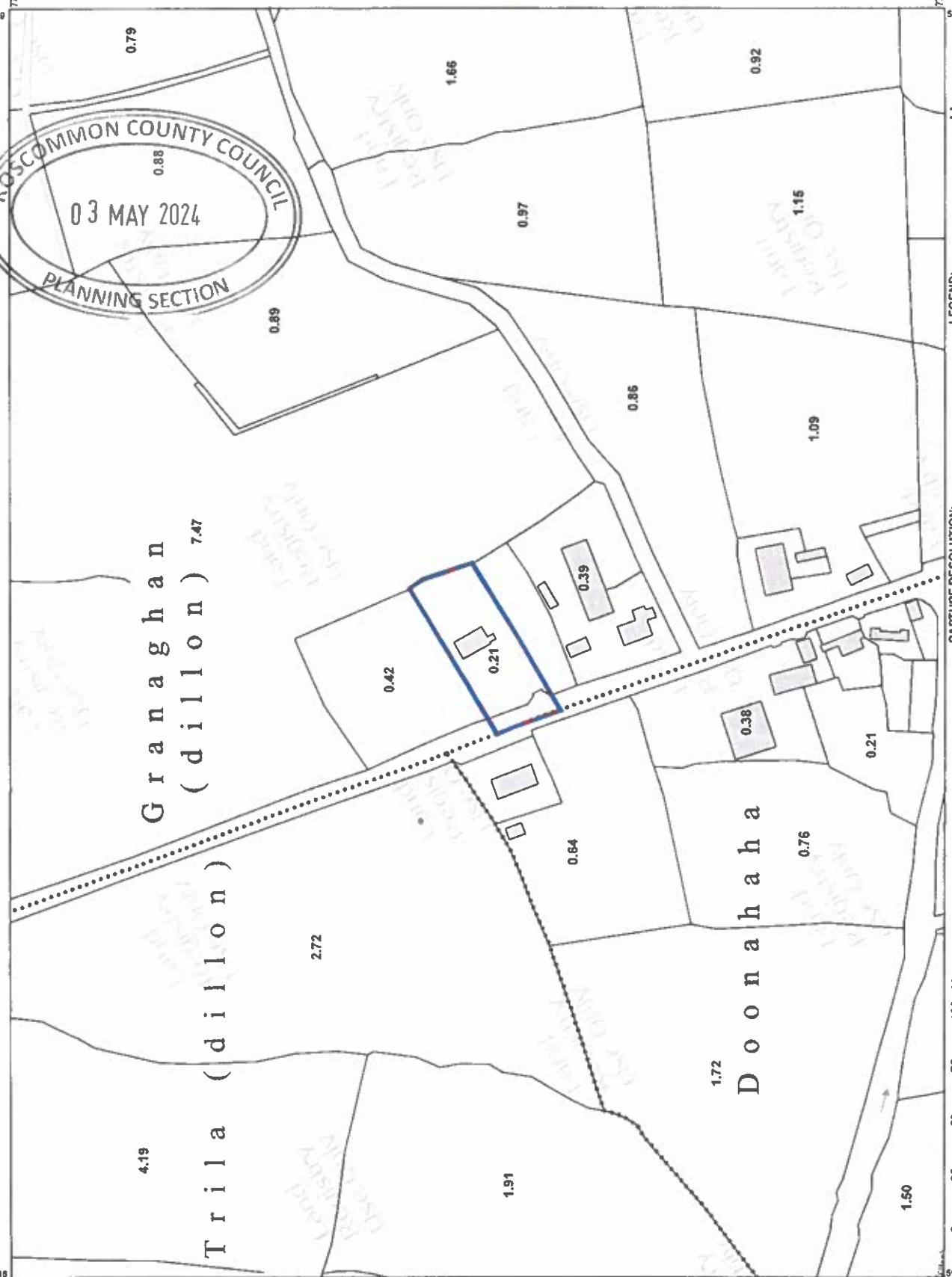
Applicants
Dwelling House



Site Layout



Land Registry Compliant Map



CENTRE COORDINATES:
ITM 598008,775593

PUBLISHED:
03/05/2024

ORDER NO.:
50398389_1

MAP SERIES:
1:5,000

MAP SHEETS:
2291

COMPILED AND PUBLISHED BY:
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Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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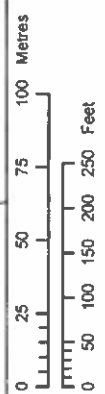
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www.taite.ie, search 'Capture Resolution'

OUTPUT SCALE: 1:2,500



Land Registry Compliant Map



CENTRE COORDINATES:
ITM 598008, 775378

PUBLISHED: 03/05/2024

ORDER NO.: 50398389_1

MAP SERIES: 1:5,000

MAP SHEETS: 2291

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PETER KILMARTIN

Ballyleague

Monday 11 December 2023

Prepared For

19 Photos Identified



6.01

Location Front Elevation

No structural defects noted.



6.02

Location Rear Elevation.

No structural defects.





6.03

Location Right Elevation

No structural defects.



6.04

Location Left Elevation

No structural defects noted.





6.05

Location Entrance Hallway

No structural defects noted.



6.06

Location Kitchen/Living Area

No structural defects noted, wall ventilation.





6.07

Location Living Room

No structural defects noted, wall ventilation. Solid fuel stove. Oil central heating system.



6.08

Location Utility

No structural defects noted. Oil boiler, wall ventilation





6.09

Location Hallway

No structural defects.



6.11

Location Bathroom

No structural defects, mechanical
vents





6.12

Location Bedroom 1

No structural defects, wall
ventilation fitted



6.13

Location Bedroom 2

No structural defects, some
shrinkage cracks noted





6.14

Location Bedroom 2 En-suite

No structural defects. Mechanical ventilation



6.15

Location Master Bedroom

No structural defects, wall ventilation





6.16

Location Master En-suite

No structural defects, mechanical
and wall vents fitted



6.17

Location Attic Space

Timbers in good condition, roof
well covered in felt and tiles,
300mm Insulation fitted.





6.18

Location Attic Space

Timbers in good condition, roof well covered in felt and tiles, 300mm Insulation fitted.



6.19

Location Attic Space

Timbers in good condition, roof well covered in felt and tiles, 300mm Insulation fitted.





6.20

Location Attic Space

Timbers in good condition, roof well covered in felt and tiles, 300mm Insulation fitted.



James Lohan Consulting Engineer Ltd,
Unit 5,
Ballypheason House,
Circular Road
Roscommon F42 C982
Ph: 0906634365 Mob: 0878228529
E: james@jlce.ie Web: www.jlce.ie



BUILDING CONDITION ASSESSMENT

DWELLING HOUSE AT

Granaghan Martin,
Ballyleague,
Co. Roscommon.
F42 FY06

Engineer: James Lohan BEng MIEI

Client: Peter Kilmartin

Date: 11th December 2023

Our Ref: 23-572



CONTENTS PAGE:

- (1.0) Introduction**
- (2.0) Description**
- (3.0) Construction and Condition**
- (4.0) Services**
- (5.0) Environmental and Other Issues**
- (6.0) Survey**
- (7.0) Engineers Overall Assessment**



1.0 INTRODUCTION

1.01 Scope of Instructions

We were commissioned by Peter Kilmartin Potential Buyer, to attend a site that contains a detached house and undertake a visual inspection. Specifically, we were asked to comment upon the following:

- Structure and state of the dwelling house
- Boundaries

This report is for the private and confidential use of Peter Kilmartin Potential Buyer for whom the report is undertaken and should not be reproduced in whole or part or relied upon by third parties without the express written authority of James Lohan Consulting Engineer Ltd.

No tests/survey were carried out on electrical, plumbing, sanitary, or heating installations.

1.02 Date of Inspection

The property was inspected by James Lohan BEng MIEI on the 11th December 2023.

1.03 Weather

The weather at the time of the inspection was mild & dry.



1.04 Limitations of Inspection

The contents of this report are strictly confined to comments concerning those terms outlined in the clients brief above.

The report should not be construed as a valuation or home buyers report and is not an inventory of every single defect, some of which would not significantly affect the use of the property. If the report does refer to some minor defects, this does not imply that the building is free from other such defects. We did not expose any other part of the structure that was covered, unexposed or inaccessible and we are therefore unable to report that any such part of the property is free from defect.

We have not inspected the ground floor slab or foundations. The following is not intended to be an exhaustive list of minor defects and any purely significant structural defects apparent from a visual inspection will be addressed. Further defects may be encountered upon more extensive investigation, involving exposure of structural elements etc.





2.0 DESCRIPTION

2.01 Orientation

For ease of reference in the report I have assumed that the front of the property faces West.

2.02 Type and Age

The property comprises a detached Bungalow which was constructed circa 2000's.

2.03 Accommodation

The accommodation is as follows:

Floor Plan: Kitchen, Living Room, Sun Lounge, Three Bedrooms, Bathroom and Utility.

Outside: Drive way to the West - East elevations following to the rear. Garden to front & rear.

2.04 Location

On a Medium sized site off a regional road.

2.05 Site and Surrounding Area

The site is on a gently sloping landscape. The geological survey map for the area indicates that the subsoil is of a gleys. However, because of the scale of the map and localized variations I was unable to confirm that the subsoil under the property is of this type.



3.0 CONSTRUCTION AND CONDITION

3.01 Main Roof

The main roof is a cut timber roof which is structurally in good condition. Roof is well covered with felt, Slates. There is approx 300mm of insulation present in the attic.

3.02 Other Roofs

N/A

3.03 Chimney Stacks

There is one chimney in the house, which from a visual inspection is in good condition.

3.04 Foundations and External Walls

I was unable to inspect the foundations but due to age of house would not doubt that they are present. External walls are block with an insulated cavity and block and render external.

3.05 Damp Proof Courses

I would expect there to be a functioning DPC in a house of this age. There was no visual evidence of water ingress at any locations.

3.06 Internal Walls and Partitions

Internal walls are solid with no visual evidence of structural defects.

3.07 Fireplaces and Chimney Breasts

A detailed inspection of the flues was not possible. It is generally impossible to establish, from a visual inspection, whether fireplaces or flues function satisfactorily or are subject to problems. Factors such as wind strength and direction can create problems. Specialist tests and investigations would be necessary to confirm that problems do not exist under any circumstances. There is slight seepage to the top of one of

the chimneys, this may suggest a cracked flue toward the top.

3.08 Floors

There is a solid concrete floor in place on the ground floor with timber finishes throughout all in good condition and no defects present.

3.09 Ceilings

The ceilings are timber ceiling joists with plasterboard and skim and appear in good condition with very few shrinkage cracks noted.

3.10 Windows, Doors

The windows and doors are double glazed uPVC frame windows and are ok commensurate with their age.



4.0 SERVICES

4.01 General

The inspection of the service installations was of a superficial nature and no tests have been arranged. These should be carried out by appropriate specialists if assurance as to the condition or capability is required.

4.02 Electrics

Sockets, lighting points and other outlets are provided on circuits believed to be of PVC insulated cable and are in good condition.

4.03 Heating

Plumbing system is an oil central heating system with radiators fitted in every room; from a visual inspection the system appears to be in good order but if further assurances are required a plumber should be engaged to assess the system.





5.00 ENVIRONMENTAL AND OTHER ISSUES

5.01 Thermal Insulation

There is approximately 300mm of insulation fitted in the attic space.

5.02 Ventilation

There are window vents fitted throughout the property & mechanical vents fitted in the master en-suite. Recommended to fit a mechanical vent to main bathroom.

5.03 Condensation

Condensation is a problem found, to varying degrees, in most homes. It is the result of relatively high levels of moisture in the atmosphere of the rooms forming as water droplets on cold surfaces as the temperature falls. It tends to be most severe in properties that are poorly insulated, where temperatures fluctuate and high levels of water vapour are produced. Condensation problems will vary according to living conditions. It is relatively simple to eliminate and can normally be minimized by good insulation, fairly constant heat and adequate ventilation.

5.04 Services

The house has a mains water connection and has its own septic tank system in the rear garden.

5.05 Boundaries

Boundaries on the ground match the folio map for the property

7.00 ENGINEERS'S OVERALL ASSESSMENT

7.01 Summary of Defects

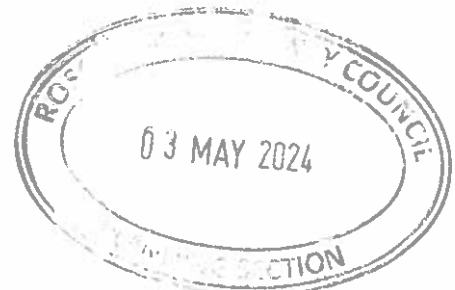
For ease of reference I set out below a list of the main points mentioned in the report.

- 1) No Structural defects noted.
- 2) No evidence of any defective timbers in the roof structure.
- 3) Fit mechanical Vent to main bathroom.
- 4) Maybe upgrade boiler to a condensing version or explore heatpump option.

7.02 Engineers' Overall Opinion & Recommendations

Based on visual inspection of the dwelling we comment as follows: The dwelling is in good structural condition with no major signs of settlement. The items listed above should be considered by the purchasers and the house has to be completed.

Signed : James Lohan BEng MIEI



APPENDIX A: Limitations Applying to Our Professional service

LIMITATIONS APPLICABLE TO PRE-ACQUISITION INSPECTIONS AND REPORTS

1. Concealed Parts

If we observe evidence to suggest that concealed parts of the structure and fabric might be defective, we will advise you accordingly and make recommendations for further investigations. However, unless otherwise instructed by you, we will not open-up for inspection any permanently enclosed or concealed parts of the structure and fabric. Thus, as the inspection was visual and superficial only, no account could be taken of any work covered up or in inaccessible areas. It should be further noted that the author of this report did not supervise the construction of the above premises and no account could be taken of any structural detail or elements concealed within the premises/construction.

2. Deleterious and Hazardous Materials

We will advise you if we consider that there exists a significant possibility that deleterious or hazardous materials, as per Appendix B, exist at the property. Unless otherwise instructed, we will not undertake, or commission, inspections or laboratory tests to confirm the extent and precise nature of any deleterious and hazardous materials that might be present.

3. Services Installations

Our report on the services installations will be based on a cursory inspection only in order to include a general description. We will not test any of the installations. Unless otherwise instructed, we will not commission the inspection and testing of any installations by specialist consulting engineers. The complete electrical and mechanical system within the structure should be checked by a suitable qualified contractor to make sure they meet current standards.

A specialist inspection of the drainage system comprising hydrostatic testing and CCTV survey should be undertaken. This is recommended on all property purchases due to the risks to founding soils associated with defective drainage systems. Environmental investigation and appraisal is excluded.

4. Building Occupancy

Access to some areas could be restricted or denied. If we find that our inspection has been excessively limited, we will advise you accordingly and seek your further instructions. Our report will list any significant internal and external areas that we are unable to inspect.

5. Land Contamination

We will not make any formal enquiries or carry out investigations into the potential contamination of the site or neighbouring land. If, after our inspection, we consider that further detailed investigation is appropriate, we will inform you accordingly.





Compliance with Legislation

Our inspection will involve a general review of the state of compliance with statutory requirements such as the Building Regulations, Workplace Regulations, Fire Regulations and the Equal Status Act. However, compliance with these regulations often requires a more detailed study and involves the preparation of a detailed risk assessment. Such studies and risk assessments are beyond the scope of the type of inspection and report proposed.

7. Liability and Confidentiality

Our building inspection report may be relied upon by the client only and is to whom we owe a duty of care. Our report must not be passed for information, or for any other purpose, to any third party without our prior written consent, which consent will not be unreasonably withheld or delayed. Such consent shall not entitle the third party to place any reliance on the report and shall not confer on any third party any benefit or right.

As set out in the Conditions of Engagement Agreement RA 9101 to which this contract relates, the liability of the consulting engineer under or in connection with this Agreement whether in contract or in tort, in negligence, for breach of statutory duty or otherwise (other than in respect of personal injury or death) shall be limited. In the absence of such an agreement, such sum shall be deemed to be €635,000 or ten times the total fee under this Agreement, whichever is lesser. The said limit shall be in respect of a single act, omission or statement, other than with regards to claims in respect to pollution or contamination where the said limit shall be an annual aggregate limit. In regard to pollution or contamination liability as determined by the aggregate or balance thereof shall be further limited to the lesser of (i) the direct costs reasonable incurred by the Client in cleaning up the site of the project or the Works as the case may be or any part thereof or (ii) the amount, if any, recoverable by the Consulting Engineer under any professional indemnity insurance policy taken out by the Consulting Engineer.

The liability of the Consulting Engineer to the Client expires after the expiration of such period of time as is stated in the Agreement from the issue of the certificate of Practical Completion to the Contractor or, where there is no such certificate, from the issue of such other record stating or indicating that the Works are substantially complete unless in the mean time the Client has made claim in writing upon the Consulting Engineer, specifying the negligent act, omission or statement said to have caused the alleged loss or damage sustained or sustainable. If no such period of time is stated elsewhere in the agreement it shall be deemed to be 6 years.

8. Cracks, Settlement and Subsidence

This report is the result of a survey carried out in one visit. Monitoring of crack movement was not part of the initial brief; hence it was not possible to determine if cracks, where they exist, are live. The structure was not monitored for settlement.

9. Wet & Dry Rot

The exterior of the premises, including roof coverings was inspected from ground level only. No responsibility is accepted for conclusions drawn in respect of the presence or absence of dry rot, wet rot, woodworm and or beetle infestation in timbers or any other materials in the structure. A specialist firm should be engaged to address these issues, which may well involve opening works, permission for which would have to be provided by the vendors/building owners.

APPENDIX B: Deleterious Materials



Since the early 1980s the property and construction industry has evolved and adopted a list of materials, which, for one reason or another, have been labelled deleterious and/or hazardous to health and safety. Some of these materials only become deleterious and hazardous due to the particular circumstances of their use and are not inherently deleterious or hazardous in themselves. Materials that have been branded "deleterious" have usually been so classed because they either:

- (a) pose a direct risk to the health and safety of persons occupying or visiting a particular property (e.g. asbestos) or
- (b) can be detrimental to the structural performance of a building (e.g. High Alumina Cement in concrete) or
- (c) are generally perceived by the property investment market as undesirable features of a building, which can affect the liquidity of the property concerned (e.g. calcium silicate bricks) or, in the case of composite panels, its insurability.

Some deleterious materials might fall into more than one of the forgoing three categories above. Few of the deleterious materials given below can be detected with the naked eye alone. Sampling and testing of a component or element is required to confirm the presence, or absence of a material. As the inspection was visual and superficial only, no account could be taken of the existence of deleterious material within the structure.

At present, the list of deleterious and problematic materials comprises the following:

- Pyrite.
- Composite Cladding Panels to roofs and walls.
- Nickel Sulphide inclusions in toughened glazing.
- High Alumina Cement (HAC) when used in load-bearing concrete components and elements.
- Chloride additives when used in pre-cast or in situ cast concrete.
- Calcium Silicate Bricks or Tiles (also known as sand/lime or flint/lime bricks).
- Mundic Blocks and Mundic Concrete.
- Woodwool slabs when used as permanent shuttering to in situ cast structural concrete.
- Lead based in paint when the paint concerned could be used in locations that could result in the ingestion, inhalation or absorption of the material.
- Lead used for drinking water pipe work except when used as solder to pipe fittings.
- Sea dredged aggregates or other aggregates for use in reinforced concrete which do not comply with British Standard 882: 1992 and aggregates for use in concrete which do not comply with the provisions of British Standard Specification 8110: 1985.
- Asbestos in any raw form or asbestos based products.
- Manmade mineral fibres in materials when these fibres are loose and have a diameter of 3 microns or less and a length of between 5 and 100 microns.
- Urea Formaldehyde Foam