

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

<u>REGISTERED POST</u> Hilda Duignan & Claire Earley, Infinity Friends CLG,



Reference Number:	DED 758
Application Received:	30 th August 2024
Name of Applicants:	Hilda Duignan & Claire Earley C/O Infinity Friends CLG
Agent:	N/A

WHEREAS a question has arisen as to whether the change of use from a preschool to a forum for children and their carers to meet and engage in different activates at Thomastown, Ballydangan, Athlone, 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, and 4 of the Planning and Development Acts 2000 (as amended).
- (b) Article 9 of the Planning and Development Regulations 2001 (as amended).
- (c) Article 10 (1) of the Planning and Development Regulations 2001 (as amended)
- (d) Part 4, Schedule 2 of the Planning and Development Regulations 2001 (as amended).
- (e) 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).

AND WHEREAS Roscommon County Council has concluded that:

- (a) The proposed change of use is a material change of use and is therefore development.
- (b) The development is exempted development.

NOW THEREFORE:

By virtue of the powers vested in me by the Local Government Acts 1925 – 2024 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 change the use from a preschool to a forum for children and their carers to meet and engage in different activates at Thomastown, Ballydangan, Athlone, Co. Roscommon, is development that is <u>exempted development</u> 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 September 2024

ADVICE NOTE

Any person issued with a Declaration under Section 5 of the Planning and Development Act, 2000 (as amended) may, on payment to An Bord Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

Reference Number:

DED 758

Name of Applicants:

Hilda Duignan & Claire Earley C/O Infinity Friends CLG

AGENT:

NA

WHEREAS a question has arisen as to whether to '*retain building' at* Thomastown, Ballydangan, Athlone, Co. Roscommon is development and is it exempt development.

1.0 Introduction

NOTE: This report has been prepared following receipt of a response to the Planning Authority's request for further information. This report should be read in conjunction with the planning officers' original report of 19th Sept 2024 which amongst other matters details and considers:

- Development proposal and site assessment
- Relevant statutory provisions
- Planning history on site

Further information requested: 20th Sept 2024

Further information response received: 20th Sept 2024

3.0 Planning Assessment following receipt of Further Information

Summary of issues on which further information was sought:

Item 1:

Clarify the intended use of structure on site.

Assessment of further information received:

Item 1:

The applicant has clarified that the building will not be used for residential care but will provide a forum for children and their carers to meet and engage in different activities.

Having regard to the clarification in relation to the intended use the Planning Authority is satisfied that the question to be determined in this Section 5 declaration is whether **'the change of use from a preschool to a forum for children and their carers to meet and engage in different activities'** at Thomastown, Ballydangan, Athlone, Co. Roscommon is or is not development and is or is not exempted development.

Having considered the definition of "development" Section 3 (1) In the 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' I would deem that 'the change of use from a preschool to a forum for children and their carers to meet and engage in different activities' constitutes development.

In order to determine whether 'the change of use from a preschool to a forum for children and their carers to meet and engage in different activities' at Thomastown, Ballydangan, Athlone, Co. Roscommon is or is not exempt development regard must be had to Article 10 (1) of the Regulations which states: 'Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development',

Having regard to the response to the further information request provided by the applicant the Planning Authority is satisfied that the type of activity that will take in the building is tantamount to a 'day care centre' which is listed in Class 8, Part 4 of Schedule 2 Exempted Development –Classes of Use.

Having regard to the planning history on site and the previous use of the building as a preschool facility the Planning Authority is satisfied that the building on site provided childcare services which is tantamount to a 'crèche' a use listed in Class 8, Part 4 of Schedule 2 Exempted Development –Classes of Use .

Having regard to the permitted and previous use of the building on site which provided childcare and the proposed use which will provide day care services for children with autism the Planning Authority is satisfied that proposed change of use falls within the remit of Article 10 (1) of the Planning and Development Regulations 2001 as amended.

Environmental Considerations :

The development is not of a nature set out in Part 2 Schedule 5 of the Planning and Development Regulations 2001 as amended.

The site is located 4.2km away from Middle Shannon Callows SPA and River Shannon Callows SAC. Having regard to the limited nature and scale of the proposed development and distance from any sensitive location, there is no real likelihood of significant effects on the conservation objectives of European sites arising from the proposed development.

Final assessment:

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

- (a) Sections 2, 3, and 4 of the Planning and Development Acts 2000 (as amended);
- (b) Article 9 of the Planning and Development Regulations 2001 (as amended).
- (c) Article 10 (1) of the Planning and Development Regulations 2001 (as amended)
- (d) Part 4, Schedule 2 of the of the Planning and Development Regulations 2001 (as amended)
- (e) 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);

Having regard to the above, I am satisfied that the general question raised in this referral **'the change of use from a preschool to a forum for children and their carers to meet and engage in different activities'** at Thomastown, Ballydangan, Athlone, Co. Roscommon can be determined as follows:

- The proposed change of use is a material change of use and is therefore development.
- The development is exempted development.

Recommendation

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I have concluded that 'the change of use from a preschool to a forum for children and their carers to meet and engage in different activities' at Thomastown, Ballydangan, Athlone, Co. Roscommon is development and IS exempted development and I recommend that a declaration to that effect should be issued to the applicant.

P Connaught

Signed _

Date: 26th Sept 2024

Paula Connaughton Executive Planner

K.S.

Signed ___

Date: 26th Sept 2024

Alan O'Connell Senior Executive Planner

Carmel Curley

From:	Claire Earley <infinityfriendsathlone@gmail.com></infinityfriendsathlone@gmail.com>
Sent:	Friday 20 September 2024 13:51
To:	Carmel Curley
Subject:	Re: DED758 - Further Information Request
Attachments:	image001.png
Categories:	Section 5 - DED

Dear Carmel,

As requested the additional information requested is that the building would not be used for residential care or day care, we intend to conduct weekly meet ups for each age group of our club which usually last no longer than 1 hour per group, we currently meet Sunday mornings from 10am to 3pm facilitating 4 x 1 hour meet ups for children and their carers to engage in table top games, sensory play and social interaction fostering friendships and support networks, we also run teen club for 1 hour on Tuesday evenings from 6.30pm to 7.30pm.

Our plan would be to use the building for these club meetings and to spread them out over the course of the week instead of one day. We also intend to add extra members from our extensive waiting list so the new premises would mean we can run meet ups for extra clubs during the week and provide the same service support for those families we currently cannot accommodate in our current situation where we rent space by the hour in a local community centre which is accessed and used by many other groups. The new premises we intend to rent is perfect without any ammendments to meet our clubs needs. Please let me know if you require any further information.

Kind regards

Hilda Duignan Show quoted text

On Fri 20 Sept 2024, 11:25 AM Carmel Curley, <<u>CCurley@roscommoncoco.ie</u>> wrote:

A Chara,

Please find attached Further Information Request for your DED Application 758.

Regards,

Carmel

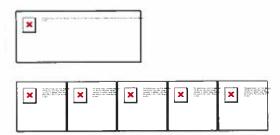
Carmel Curley, Assistant Staff Officer,

Planning Department, Roscommon County Council,

Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98

2: (090) 6637100

⊠: planning@roscommoncoco.ie | ⊕ www.roscommoncoco.ie MAP LOCATION



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Comhairle Contae Ros Comáin Roscommon County Council



Hilda Duignan & Claire Earley, Infinity Friends CLG.,



Date: Ref:	20 th September 2024 DED 758
Re:	Application for a Declaration under Section 5 of the Planning & Development Act 2000
	(as amended), regarding Exempted Development.
Development:	WHEREAS a question has arisen as to whether to 'retain the building' at Thomastown,
	Ballydanagn, Athlone, Co. Roscommon, N37 K0T2, is or is not development and is or is
	not exempted development.
*****	**********

A Chara,

Further to your application received on the 30th August 2024 and in order for the Planning Authority to determine as to whether to 'retain the budiling' at Thomastown, Ballydanagan, Athlone, Co. Roscommon, N37 K0T2, is or is not development or is or is not exempted development, you are requested to submit the following further information:

1. Submissions received concerning the intended use is noted, however, please clarify if the intended use is for residential care or alternatively if it will be used solely to provide day care services.

Consideration of your application is being deferred pending compliance with this request for further information. When replying please quote Planning Reference Number **DED 758**.

Note: Replies to this communication must be by way of original documents.

Mise le meas,

P.C

Alan O'Connell, Senior Executive Planner, Planning.







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

<u>Reference Number:</u>	DED 758
Name and Address of Applicant:	Hilda Duignan &Claire Earley c/o Infinity Friends CLG
AGENT:	NA

WHEREAS a question has arisen as to whether to 'retain building' is development and is it exempt development.

1.0 Site Location and Description

The site is located on the Athlone to Ballinasloe Regional Route r446, c 2km south of Cornafulla. The site consists of a single storey building which was last used as a preschool.

2.0 Planning History

20/19: Permission granted to retain the location of the existing vehicular access to dwelling which was originally granted under PD Ref. No. 08/877 and all associated site works.

19/670:Incomplete application to retain the location of the existing vehicular access to dwelling which was originally granted under PD Ref No. PD/08/877 and all associated site works

19/537 permission granted for the following; (i) to demolish existing fuel storage shed, to construct a building which will be used as a pre-school. (ii) to widen existing entrance and driveway, (iii) to install a septic tank and percolation area and all associated site works

19/510 Incomplete application demolish existing fuel storage shed, to construct a building which will be used as a preschool (ii) to widen existing entrance and driveway, (iii) to install a septic tank and percolation area and all associated site works

08/877 Permission granted for the construction of a dwelling and a domestic garage with a septic tank and percolation area.

3.0 Relevant Legislation

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

- (a) Sections 2, 3, and 4 of the Planning and Development Acts 2000 (as amended);
- (b) Article 9 of the Planning and Development Regulations 2001 (as amended).
- (c) Article 10 (1) of the Planning and Development Regulations 2001 (as amended)
- (d) Part 4, Schedule 2 of the of the Planning and Development Regulations 2001 (as amended)
- (e) 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);

anning and Development Act, 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.

Sub section 4 (1) (h) provides that development shall be exempt development if it consists 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

Planning and Development Regulations, 2001 (as amended)

Article 10 (1)

Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—

involve the carrying out of any works other than works which are exempted development,

contravene a condition attached to a permission under the Act,

be inconsistent with any use specified or included in such a permission, or

be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

Part 4 of Schedule 2 Exempted development - Classes of Use

CLASS 1 Use as a shop.

CLASS 2 Use for the provision of financial services, professional services (other than health or medical services), any other services (including use as a betting office), where the services are provided principally to visiting members of the public.

CLASS 3

Use as an office, other than a use to which class 2 of this Part of this Schedule applies

CLASS 4

Use as a light industrial building.

CLASS 5

Use as a wholesale warehouse or as a repository.

CLASS 6

Use as a residential club, a guest house or a hostel (other than a hostel where care is provided).

CLASS 7

Use-

(a) for public worship or religious instruction,

(b) for the social or recreational activities of a religious body,

(c) as a monastery or convent.

CLASS 8

Use-

(a) as a health centre or clinic or for the provision of any medical or health services (but not the use of the house of a consultant or practitioner, or any building attached to the house or within the curtilage thereof, for that purpose), (b) as a crèche,

(c) as a day nursery,

(d) as a day centre.

CLASS 9

Use—

(a) for the provision of residential accommodation and care to people in need of care (but not the use of a house for that purpose),

(b) a museum,

(c) a public library or public reading room,

(d) a public hall,

(e) an exhibition hall,

(f) a social centre, community centre or non-residential club,

but not as a dance hall or concert hall.

CLASS 10

Use as—

an art gallery (but not for the sale or hire of works of art),

(b) a museum,

(c) a public library or public reading room,

(d) a public hall,

(e) an exhibition hall,

(f) a social centre, community centre or non-residential club,

but not as a dance hall or concert hall.

CLASS 11

Use as—

(a) a theatre,

(b) a cinema,

(c) a concert hall,

(d) a bingo hall,

(e) a skating rink or gymnasium or for other indoor sports or recreation not involving the use of motor vehicles or firearms.

CLASS 12

Use as a Public House, meaning a premises which has been licensed for the sale and consumption of intoxicating liquor on the premises under the Licensing Acts 1833 to 2018.

Planning Assessment

The applicants have stated in the application form that no works or changes to the existing building are planned. An examination of the planning history of the site verified that there is planning permission in place for the structure on site to be used as a pre-school facility. However the narrative that has accompanied the application suggests that the applicant intends to use the building on site as a community facility for autistic children to support them in areas such as sensory play and life skills education.

Whilst the documents received, specifically the nature of the proposed works which references '*retain building as it is, No planned works or changes*' and requests an opinion as to whether the foregoing is or is not development, and is or is not exempted development, it would appear in view of the content of the request for an opinion that the proposed works involve change of use from a 'pre-school now closed' childcare facility to 'community use'. Accompanying documentation appears to reference the provision of care however it is not evident based on documents lodged with the request for an opinion whether this is on a residential basis or alternatively on a day care basis (Schedule 2, Part 4 Class 8 (d) refers).

Recommendation

Request for further information

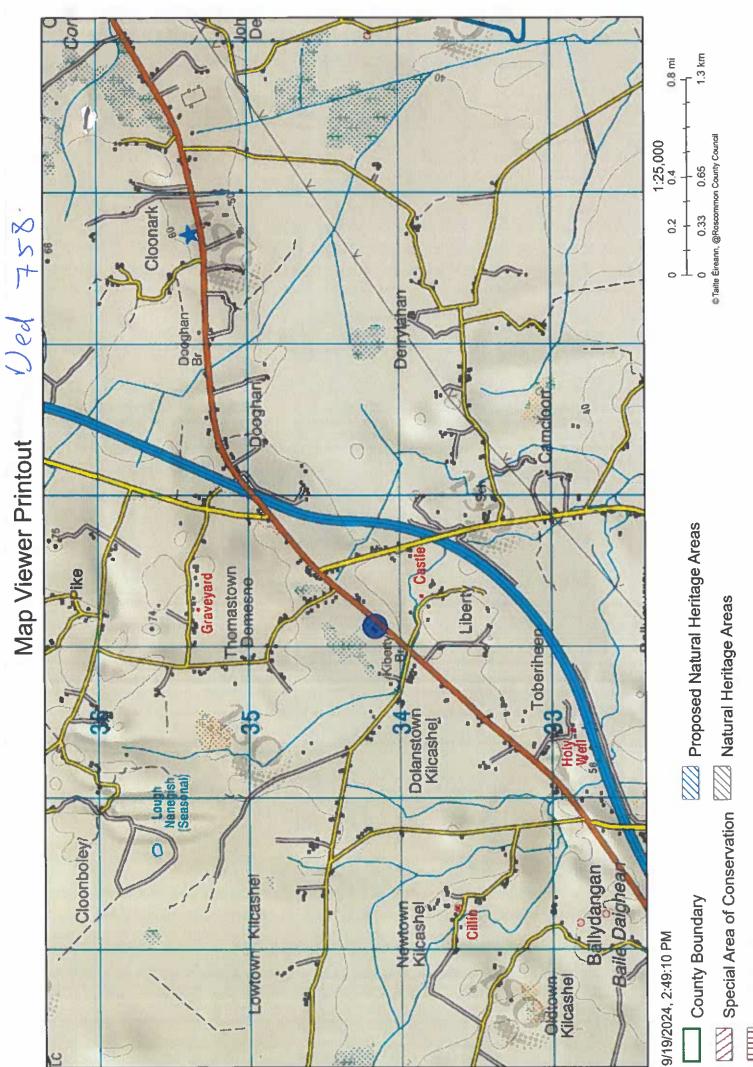
 Submissions received concerning the intended use are noted however please clarify if the intended use is for residential care or alternatively if it will be used solely to provide day care services.

Connaught

Date: 19th Sept 2024

Paula Connaughton Executive Planner.

Signed:



Roscommon County Council

Special Protection Areas



Comhairle Contae Ros Comáin Roscommon County Council



Hilda Duignan and Claire Earley, Infinity Friends CLG.,



Date: Planning Reference:	3 rd September 2024 DED 758
Re:	Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.
Development:	Permission to retain building under the Planning & Development Act (Exempt Development) Regulations 2018 at Thomastown, Ballydangan, Athlone, Co. Roscommon, N37 KOT2.
nde	************

A Chara,

I wish to acknowledge receipt of your application which was received on the 30th August 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. L01/0/230331 dated 2nd September 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.

Note: Please note your Planning Reference No. is **DED 758.** 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 Chontae Roscommon 09066 37100

02/09/2024 10:33 43

Receipt No. 101/0/230331

HILDA DUIGNAN & CLAIRE EARLEY INFINITY FRIENDS CLG



PLANNING APPLICATION FEES 80 00 GOODS 80.00 VAT Exempt/Non-vatable DED 758

lota

80.00 EUR

Tendered Postal Order 067799

80.00

0.00

Change

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Issued By Bernadine Duignan From Central Cash Office



205 COMMON COUNTY COUNCE DED 758 30 AUG 2024	RS
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)	HIDA DUGALAN AND CLAURE
20 20	HILDA DUIGNAN AND CLAIRE EARLEY INFINITY FRIENDS
	ETACLY INFINITY RICKOS
Name of Agent	CAG.
Name of Agent	
	NA
Nature of Proposed Works	Retain building as it
	Retain building as it is No planed wats archanges.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	THOMASTOWN N37KOTZ BALLYDANGWN N37KOTZ ATHLONE CO RODUOMMON
Floor Area: a) Existing Structure b) Proposed Structure	a) 112 mtvs b) NA
Height above ground level:	
Total area of private open space remaining after completion of this development	NH
Roofing Material (Slates, Tiles, other) (Specify)	NIA

Page 1

Roscommon County Council

Application for a Declaration under Section 5 of the

Proposed external walling (plaster, stonework, brick or other finish, giving colour)	NA
Is proposed works located at front/rear/side of existing house.	NA
Has an application been made previously for this site	NK
If yes give ref. number (include full details of existing extension, if any)	NA
Existing use of land or structure	Pre School Now closed
Proposed use of land or structure	COMMUNITY USE
Distance of proposed building line from edge of roadway	NA
Does the proposed development involve the provision of a piped water supply	Already emisting
Does the proposed development involve the provision of sanitary facilities	Already existing

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

Signature: Date:

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

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A Chare

Infinity Friends is a social club for autistic children and youth in Athlone and surrounding areas, now affiliated with Youth Work Midlands.

The club was originally set up by Claire Earley and Hilda Duignan in September 2022, with the aim of providing a safe, inclusive environment where members can be supported.

We currently use space in a local community centre which is not fit for purpose and limits our ability to expand on and improve the service we provide to our members.

Our aim for this building is provide a permanent base for autistic children and young people and their parents to meet for social interaction and activities which support them such as sensory play and life skills education. We also hope to provide support for parents and carers in the form of peer support and help with filling out forms for services for their children.

We currently support 50 families in the community with a further 30+on waiting lists to join our club, with a permanent base we will be able to accommodate many of the families on the waiting list.

If you would like to know more about our club, please feel free to call me on **second second** or visit our website www.infinityfriends.ie

Kind regards

Hilda Duignan

Julde Duy Secretary





For the Construction of a New Preschool and all associated Site Works at Thomastown,

Ballydangan, Co Roscommon. (hereinafter called "the Development")

I, LIAM LOUGHREY BE C Eng hereby declare as follows:-

1. I am a qualified Chartered Civil Engineer having qualified with a B.E. C. Eng. M.I.E.I. from U.C.G. in 1980.

- 2. I have been retained by Elaine and Hugh Daly to carry out the following services:
- a. Examine Planning Documentation for the Development.
- b. Make periodic inspections during the course of construction of the total development consisting of such buildings or works (hereinafter called "the Relevant Building or Works") of which The Common Areas form part, ("The Relevant Development").
- 3. DESCRIPTION OF THE WORKS:

(i) To demolish existing fuel storage shed, to construct a building which will be used as a pre-school;
(ii) To widen existing entrance and driveway; (iii) To install a septic tank and percolation area and all associated site works at Thomastown Demesne, Ballydangan, Athlone, Co. Roscommon.

- 4. The Grants of Permission Ref: Register Ref No. PD 19/537 issued by Roscommon Co Council on 21/07/2020 (hereinafter called "the Planning Order"), relates to the Development.
- 5. No. Planning Permission other than referred to at paragraph 4 aforesaid is pertinent to the Relevant Development.

6. A Fire Safety Certificate issued by Roscommon Co Council, Ref No. FSC/2000135RN/7DN relates to the Relevant Development.

7. A Disability Access Certificate, DAC 2000156RN has been issued by Roscommon Co Council which relates to the Development.

8. DESIGN:

I am of the opinion that the design of the Development and services thereof is in substantial compliance with the Building Regulations made pursuant to the Building Control Act, 1990.

9. FIRE SAFETY:

I am of the Opinion that the Fire Safety Certificate referred to at paragraph 6 hereto relates to the Relevant Development and has been obtained in accordance with the provisions of the Building Control Act and the Building Regulations.

10. DISABILITY ACCESS CERTIFICATE:

I am of the Opinion that the Disability Access Certificate referred to at paragraph 7 hereto relates to the Relevant Development and has been obtained in accordance with the provisions of the Building Control Act and the Building Regulations.

11. COMMENCEMENT:

Commencement Notice of the intention to undertake the Relevant Building or Works was duly given on the **10/08/2020** to the Building Control Authority pursuant to Part II of the Building Control Regulations, 1997and such Notice contained or was accompanied by the information and particulars prescribed by the said Regulations.

12. INSPECTION:

I made periodic visual inspections of the Relevant Development during the construction thereof, including foundation stage, and carried out a visual inspection on 10/05/2021.

13. CONSTRUCTION:

In my opinion the construction of the Relevant Development, complies substantially with the **Planning** Order mentioned at paragraph 4, the Fire Safety Certificate mentioned at paragraph 6 and the Disability Access Certificate mentioned at paragraph 7 hereof.

OVERALL COMPLIANCE

14. In the event that the Relevant Development and the site works pertaining thereto have not been built and/or laid out exactly in accordance with the Planning Order any disparity is unlikely to affect the planning and development of the area as envisaged by the Planning Authority and expressed through such Permission.

I am also of the opinion that the conditions of the Planning Orders relating to the overall development of which the Relevant Development forms part have been substantially complied with insofar as reasonably possible at this stage of the Development

15. The issuance of this Certificate also relies on all Ancillary Certificates associated with the Development.

TAKE NOTE that this Certificate is issued solely with a view to providing evidence for the title purposes of the compliance of the Relevant Building or Works with the requirements of Planning Legislation and of the Building Control Act, 1990 and the Regulations there under. Except insofar as it relates to compliance with the said requirements and Regulations it is not a report or survey on the physical condition or on the structure of the Relevant Building or Works NOR does it warrant, represent or take into account any of the following matters:-

a. the accuracy of dimensions in general save where arising out of the conditions of the Permission or the Building Regulations aforesaid;

b. matters in respect of private rights or obligations;

c. matters of financial contribution and bonds;

Also note, it is the responsibility of those concerned with the construction of the Relevant Building or Works i.e. the building contactor, to ensure the compliance of such with the Building Regulations.



DEFINITIONS

"Relevant Documents"

means inter also those drawings and documents, available for public inspection on the planning file, which we submitted to, and on foot of which the relevant Planning Authority issued the Planning Order.

"Building Control Act"

means the Building Control Act, 1990 and any statutory modification or re-enactment thereof current at the date of the Commencement Notice referred to at Paragraph 11 hereto.

"Building", "Works", "Construction" and "Design" have the meanings respectively assigned by the Building Control Act.

"Building Regulations"

means regulations made under the Building Control Act.

"Substantial Compliance" when applied to Design

means that the Design of the Relevant Building or Works, is in accordance with the Building Regulations, saving and excepting such deviations as would not in my opinion warrant the issue of enforcement proceedings as provided for in the Building Control Act.

"Substantial Compliance" when applied to Construction

means that such Construction of the Relevant Building or Works, as is evident by Visual Inspection, is in accordance with the Building Regulations, saving and excepting such deviations as would not in my opinion warrant the issue of enforcement proceedings as provided for in the Building Control Act.

"Visual Inspection" means

(a) Periodic Inspections carried out by the Engineer during the construction stage, being part of the services described at paragraph 2 above. (note: frequent or constant inspection is not part of standard service).

and

(b) the Inspection of the **Relevant Building or Works** as existed on the Inspection Date. For the purposes of the Inspection no opening up was carried out. The inspection was therefore superficial only and took no account of works covered up, inaccessible or otherwise obscured from view.

en Signed:

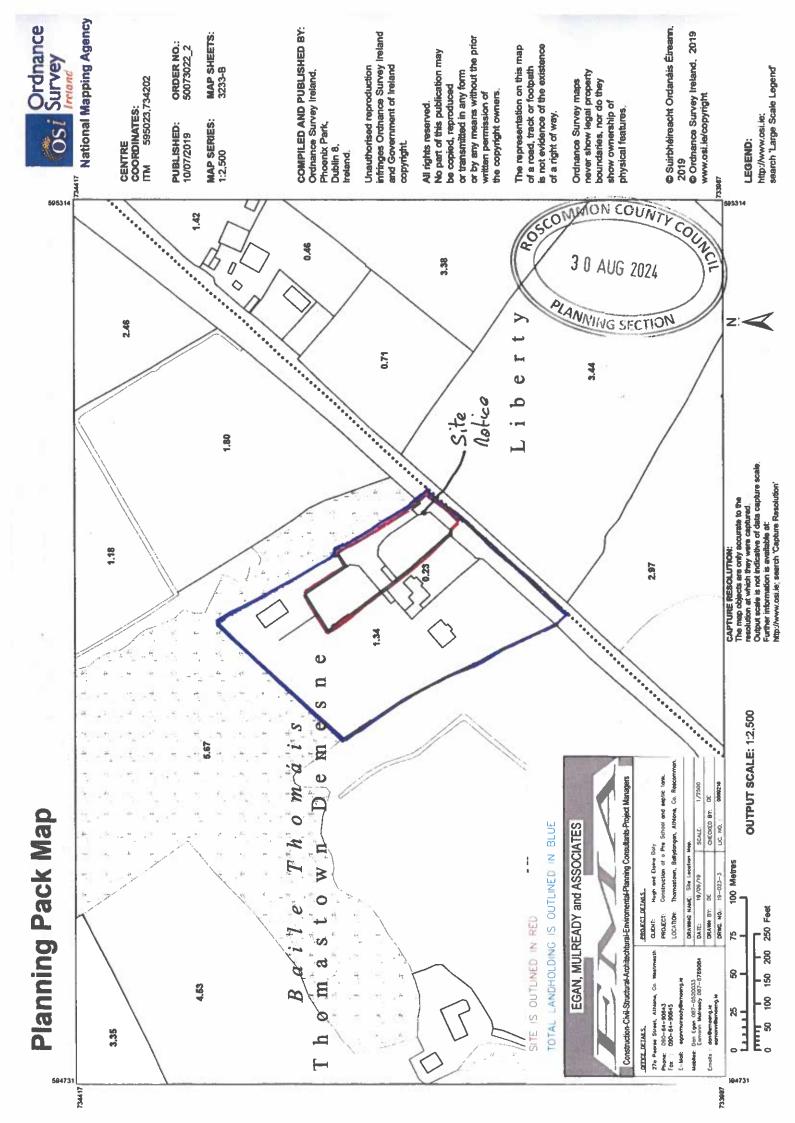
Name: Liam Loughrey of 9 Bachelors Walk, Ballinasloe, Co Galway.

Qualifications: B.E.C.Eng.

Professional Body /Membership No: MIEI (IEI) 0540 BC

Date: 10/05/2021

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rse Street, Athlone, Co. Westmeath 090-64-90643 90-64-90645	CLIENT: PROJECT:		a Pre School and New	
90-64-90645	LOCATION	Lonastoon	Atware, Co	Roscom
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