1 Clós Na hEaglaise,
Kilfenora,
Co. Clare.

21st September 2021

AN BORD PLEANÁLA
LDG- 048829-21
ABP-
22 SEP 2021
Fee: € 220 Type: Cheque
Time: By: Regpost

The Secretary
An Bord Pleanala
64 Marlborough Street,
Dublin 1.
D01V902

Section 5 Declaration Referral

A Chara,

I wish to refer for review a section 5 declaration made by Galway City Council under reference number **P/DC/3/18/21** issued on the 27th day of August 2021 a copy of which is appended hereto.

In my opinion Galway City Council did not apply itself or properly apply itself to my query posed in part 4 of my section 5 request to it. To be explicit, in my opinion, this issues turns on whether the professional fitness service provided can be considered professional services (other than health or medical services). This service involves remote instruction to customers who exercise in individual pods within the building.

I include herein;

- Declaration of Galway City Council dated 27th August 2021.
- A copy of my section 5 request to Galway City Council.
- A copy of the site location map.
- 2 No. images of training pods.
- Cheque in the sum of €220 payable to An Bord Pleanala.

I respectfully request the Bord to determine the following;

Is the conversion from permitted use as a betting office to use for the provision of a professional fitness service to visiting members of the public development, and if so, is it exempt development?

Yours Sincerely,

Michael Duffy.

Comhairle Cathrach na Gaillimhe
Galway City Council

Declaration of Exempted Development Form (S.5 of Planning and Development Act 2000)

IMPORTANT: ALL QUESTIONS MUST BE ANSWERED.

1. Postal Address of Site or Building: Unit 7 Tuam Road Retail Centre, Tuam Road, Galway.

Plan Ref. No. 01/248

2. Name of Applicant in full: Michael Duffy

Address if different from No. 1 above) 1 Clós Na hEaglaise, Kilfenora, Co. Clare.

Tel No. 065 7088088; 086 2557258

Email address duffycivileng@gmail.com

3. (a) State applicants interest in site if any (freehold, leasehold etc)

Development interest.

Leaseholder Hotworx Studios Ireland Ltd. Address as item 1 above.

4. **(a) Brief description of proposed development:**

Conversion from permitted use as a betting office to use for the provision of a professional fitness service to visiting members of the public in accordance with Article 10(1) of S.I. 600/2001 - Planning and Development Regulations 2001 (as amended) and Part 4 Class 2 therein.

(b) Additional Information if the development involves an extension to a house:

Floor Area of (i) Proposed extension Sq. M. No Change to floor area proposed

(ii) Any existing extensions to the property Sq. M. As permitted in 01/248

(iii) ~~Amount of private open space remaining to the rear of the house .ie excluding garages/stores Sq. M.~~

(c) Additional Information if the development involves the Erection of garages / stores etc within the garden of a house N/A – non-residential development

N.B. (i), (ii) and (iii) must be individually and clearly defined on submitted drawings for each of the above categories

N/A – no material alterations proposed to permission 01/248

5 In the case of any building or buildings to be retained on site, or for a change of use of the property, please state:
(a) Present use of each floor or use when last used: current permitted use as a telephone/internet call centre and bookmakers office. Only applies to ground floor.

(b) Proposed use of each floor: Unit 7 is confined to the ground floor.

I HEREBY DECLARE that the information given in this form is correct

Signature of Applicant:

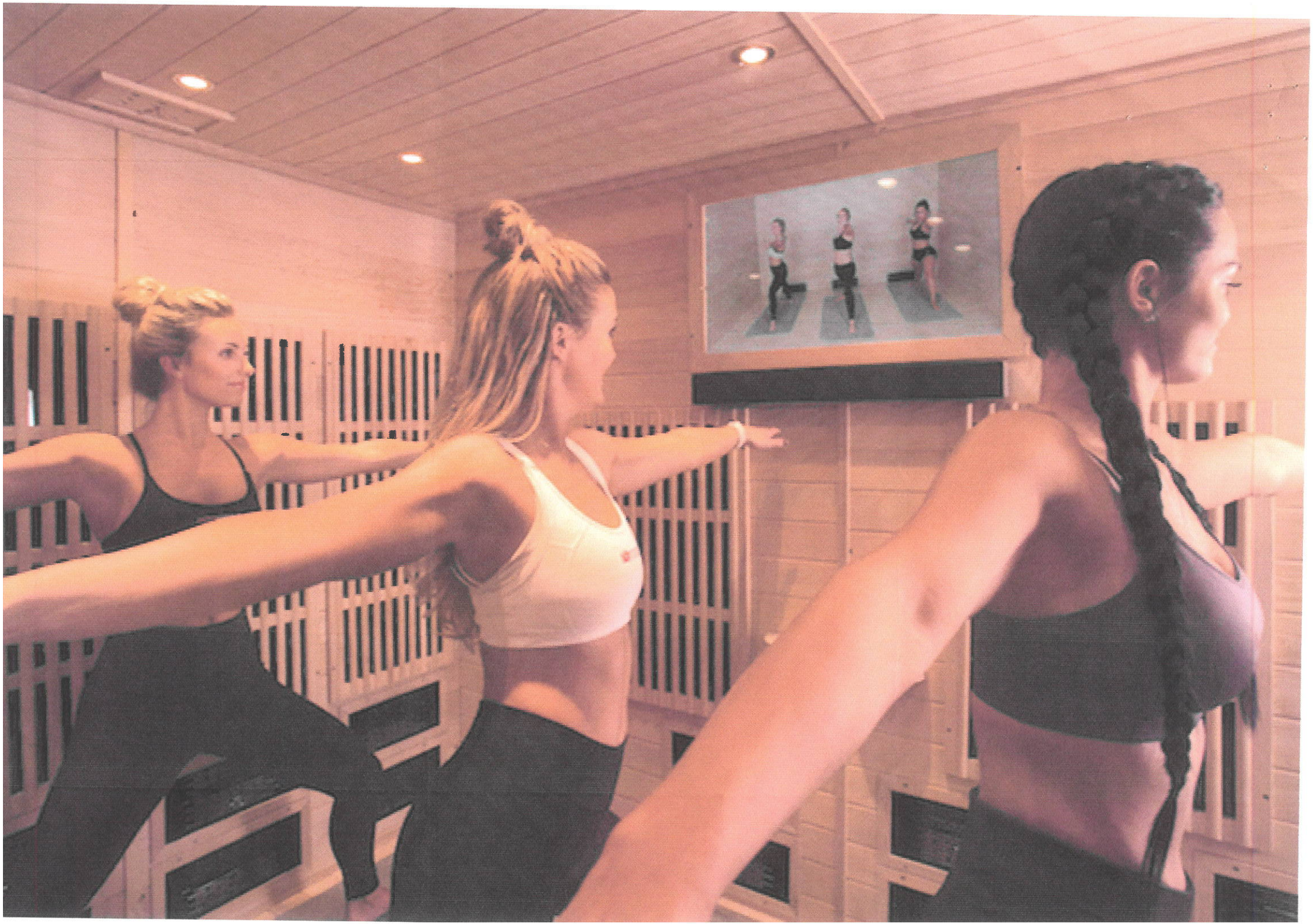
Date: 13th August 2021

List of drawings in metric required with application – tick box: Site Location plan (1:1000)

☐ Layout Plan (1:200 or 1:500) ☐ Plans and Elevations (1:50 or 1:100) ☐ Appropriate Fee €80.00 ☑

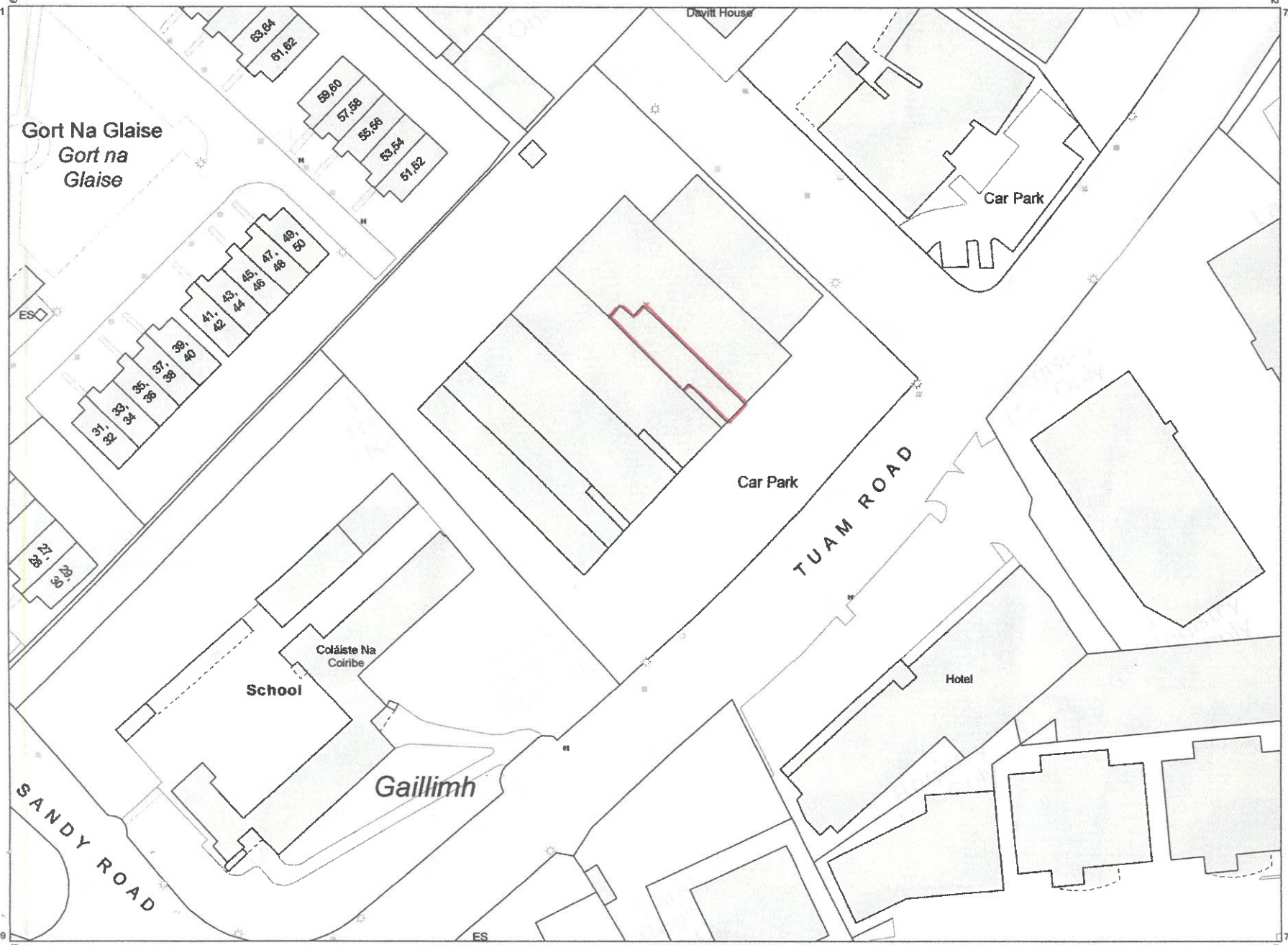
Fees can be paid by cash, cheque, debit card or credit card at the cash office in City Hall. Payment can also be made by phoning Customer Service on (091) 536960.

The Law Governing the Planning System is set out in the Planning and Development Act 2000 and the Planning and Development Regulations 2001 and 2002. These may be accessed by way of a link with the Department of the Environment http://www.environ.ie/devindex.html	The Acts and the Regulations can also be purchased from the Government Publications Sale Office. Sun Alliance House, Molesworth Street, Dublin 2. Telephone 01 647 6834/35/36/37)




HOTWORX

Land Registry Compliant Map



0 10 20 30 40 metres

0 20 40 60 80 100 Feet

OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
http://www.osi.ie; search 'Capture Resolution'

N

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CENTRE COORDINATES:
ITM 530856,726385

PUBLISHED: 13/08/2021
ORDER NO.: 50213223_1

MAP SERIES: 1:1,000
MAP SHEETS: 3345-24

COMPILED AND PUBLISHED BY:
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LEGEND:
http://www.osi.ie;
search 'Large Scale Legend'