



**ARCHITECT'S OPINION
ON COMPLIANCE WITH PLANNING
PERMISSION AND/OR EXEMPTION FROM
PLANNING CONTROL**

FORM 4

SPECIMEN

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MARCH 1993 ISSUE
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1. I am a Registered Member of The Royal Institute of the Architects of Ireland, this being a qualification listed in Directive 384/85/EEC of the European Community, retained by ^a

.....
..... (hereinafter called "the Employer")

of ^b
to furnish an Opinion on the Compliance of ^c

.....
[hereinafter called "**the Relevant Development**"] with Planning Permission and/or exemption from planning control within the meaning of the Planning Acts.

This Opinion is based on the Visual Inspection only of the Relevant Development carried out for the purpose of comparison of such with the **Relevant Documents**. It is issued solely for the purpose of providing evidence for title purposes of the compliance of the **Relevant Development** with Planning Permission and/or exemption from planning control within the meaning of the Planning Acts. ^d Except insofar as it relates to such compliance/exemption ^d it is not a report on the condition or structure of the **Relevant Development**.

2. I have provided the following architectural services in connection with the **Relevant Development** ^e

.....
.....

3. On ^f I inspected the **Relevant Documents** at the offices of

.....
["**the relevant Planning Authority**"] for the purposes of comparison of the **Relevant Development** with the **Relevant Documents**. I confirm that the Planning Orders in the Schedule hereto (hereinafter called "**the Planning Orders**") are those registered in respect of and relating to the **Relevant Development**.

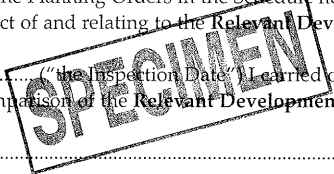
4. On ^g the Inspection Date, I carried out a **Visual Inspection** of the **Relevant Development** for the purposes of comparison of the **Relevant Development** with the **Relevant Documents**.

5. I am of the opinion that ^h

.....
.....

6. I am also of the opinion that ⁱ

.....
.....





DEFINITIONS

“**Planning Acts**” means the Local Government (Planning and Development) Acts, 1963 to 2002 and any statutory modification or re-enactment thereof current at the Date of Issue of this Opinion, and all Regulations, Statutory Instruments and Orders made under or pursuant to the said Acts and for the time being in force.

“**Substantial Compliance with the Planning Orders**” means that:

- [a] the **Relevant Development** is constructed in accordance with the said Planning Orders saving and excepting such minor deviations which in my opinion do not constitute a contravention of the proper planning and development of the area as expressed through such Planning Orders and the Development Plan, and
- [b] such minor deviations do not warrant the issue of enforcement proceedings by the relevant Planning Authority as provided for in the Planning Acts.

“**Relevant Documents**” means inter alia^j those drawings and documents, available on the date at 3 above, for public inspection on the planning file, which were submitted to, and on foot of which, the relevant Planning Authority issued the Planning Orders.

“**Visual Inspection**” means an inspection of the Relevant Development as existed on the Inspection Date. No opening up was carried out. The inspection was superficial only and therefore took no account of works covered up or inaccessible.

This opinion does not in any way warrant, represent or take into account any of the following matters:

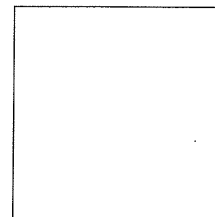
1. The accuracy of dimensions in general save where incorporated by virtue of the conditions of the Planning Orders.
2. The following conditions, compliance with which cannot be established^k

Register Ref.	Condition[s]
Register Ref.	Condition[s]
Register Ref.	Condition[s]
3. Matters in respect of private rights or obligations.
4. Matters of financial contribution and bonds.
5. Development of the property which may occur after the Inspection Date.
6. Any other development attached to, associated with or otherwise connected to the Relevant Development, save insofar as such other development may affect the Substantial Compliance with the Planning Orders or exemption from Planning Control within the meaning of the Planning Acts of the Relevant Development.

RIAI
MEMBERSHIP STAMP

Date of issue^l

Signed^m
Registered Member of The Royal Institute of the Architects of Ireland



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Verification of membership can be obtained from the RIAI or by means of a current RIAI Membership stamp.*

APPENDIX 3

**SPECIMEN RIAI
ARCHITECT'S OPINIONS
ON COMPLIANCE**

LAW SOCIETY CONVEYANCING HANDBOOK



SCHEDULE attached to the Opinion on Compliance with Planning Permission for ⁿ

.....
.....

i Development ^o

Register Reference No: Date:

Decision Order No: Date of Grant of Permission:

ii Development ^o

Register Reference No: Date:

Decision Order No: Date of Grant of Permission:

iii Development ^o

Register Reference No: Date:

Decision Order No: Date of Grant of Permission:

iv Development ^o



Register Reference No: Date:

Decision Order No: Date of Grant of Permission:



ADVICE NOTES

General Note

This Opinion refers only to the Planning Acts as hereinafter defined.

This Opinion on Compliance should not be issued for developments which clearly contravene the Planning Laws. Architects giving an opinion are strongly advised to refrain from qualifying the opinion beyond the limits prescribed in this Advice Note. They are particularly urged to refrain from attaching schedules of work or omissions which attach to such qualifications.

Completing the Form

- a Insert the full name of your employer [not his agent]
- b Insert your employer's full address. This need not be the Relevant Development address.
- c Describe in full the Relevant Development. This description should define specifically the development or the part of the development on which the opinion is issued and may differ from the development described in the Planning Orders. A careful description will help to minimise the risk of misrepresentation.
- d Delete as appropriate either Planning Permission, exemption from control, or such combinations as are appropriate in each use.
- e Insert a precise description of the services you provided as described in your terms of appointment, for example, "Services set out in RIAI document "Agreement between Client and Architect for (insert type of work) Work" signed on (insert date of agreement)". Make particular reference to any variation from standard services.
- f Enter the date of your inspection of the Relevant Documents.
- g Enter the date of your Visual Inspection of the Relevant Development.
- h Insert the appropriate paragraph from the following using the wording in italics:

[i] ..., based on the services provided as described at 2 above, and on a comparison of the Relevant Development with the Relevant Documents, the Relevant Development is in Substantial Compliance with the Planning Orders.

This paragraph relates to the Relevant Development which has been granted planning permission and has been carried out in Substantial Compliance with that permission.

OR

[ii] ..., the Relevant Development is exempted development as defined by the Planning Acts, by virtue of its being a class of development described as such at

This paragraph relates to a Relevant Development which qualifies as exempted development within the meaning of the Planning Acts. Insert the appropriate exemption reference from the Acts or Regulations.

Note that development which clearly contravenes the Building Regulations, but which would otherwise be exempted from the provisions of the Planning Acts, may not be exempted development by reason of such contravention. No Opinion on Compliance should be issued in such circumstances.

Note also that the cumulative effect of subsequent or previous development may affect the Substantial Compliance or exemption of the Relevant Development: for example the floor area of an original dwelling house may only be increased by an aggregate of the exempted floor area whether by conversion(s) and/or extension(s).

APPENDIX 3

SPECIMEN RIAI ARCHITECT'S OPINIONS ON COMPLIANCE

LAW SOCIETY CONVEYANCING HANDBOOK



- i This clause is applicable to developments such as housing estates, apartment developments, retail and industrial developments where Opinions are issued prior to the completion of the development.

... the conditions of the Planning Orders relating to the overall Development(s) of which the Relevant Development forms part, have been substantially complied with insofar as is reasonably possible at this stage of the Development.
- j If the service you are providing is solely the single inspection referred to at 4, strike out the words "inter alia".
- k Schedule here conditions of the Planning Permission, compliance with which cannot be established from the Relevant Documents on the public record, or from your own records, where you are the architect for the Relevant Development.
- l Insert the date of issue of the Opinion. It is good practice to ensure that the date of issue and the date of inspection of the files and development are as close as practicable.
- m Sign your name in full, state your RIAI membership number, and use your membership stamp in the space provided.
- n See Advice Note c as to the description of the Relevant Development.
- o Enter the precise description of the development, using the wording on the Planning Order, for each separate Planning Permission.



A large, empty rectangular box with a thin black border, intended for the specimen RIAI Architect's Opinions on Compliance.

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