



Our Ref: S5.12.26

Dom St Properties (Galway) Ltd
C/o Mark Tubridy,
Atlantic Building Consulting,
Kilrush,
Co. Clare

06/05/2026

Planning Declaration under Section 5 of the Planning & Development Act, 2000 (as amended) & the Planning & Development Regulations, 2001, (as amended).

Re: Section 5 Exemption Declaration requested to confirm the use of 13 Apartments as accommodation for persons seeking international protection does not constitute development, as it involves no alterations or material change of use.
Should the Council determine the proposal constitutes 'Development', it is hereby declared as exempted development under Class 14(h), Part 1, Schedule 2 of the Planning & Development Regulations 2001 (as amended).

At: Cúirt Uisce, Doughiska Road

A Chara,

I refer to your application for a certificate of exemption under the provisions of (Section 5 of the Planning & Development Act 2000) as amended, and I wish to advise as follows:

It is therefore recommended that on the basis of the information provided with the Section 5 application details and the proposed development as described on particulars submitted to the Planning Authority on 10th March 2026 that is the change of use of permitted 13no. apartments at Cúirt Uisce, Doughiska Road to accommodation for persons seeking international protection, it has been determined that the particular circumstances described in the submission does not constitute a change of use from the permitted use and therefore is not considered development. Accordingly, the issue of exempted development does not arise. Furthermore, as the proposal does not constitute development, the provisions of Class 14(h) do not apply, and no further consideration of Class 14(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001-2025 is necessary. There is no limitation on who will occupy such houses in the Planning Act, Planning Regulations or in a condition

attached to the original permission, planning permission ref. no. 02/683, and in this case the occupancy, as in who occupies the houses/apartments, is not a planning concern or issue.

It must be emphasised that this opinion is given without prejudice to the provisions of Section 5(3) of the Planning & Development Act 2000 (as amended).

If applicants are dissatisfied with the determination of the Council in relation to a declaration of exempted development, then, within 4 weeks of the date that the declaration is issued by the Council, the person issued with the declaration can refer it to An Coimisiún Pleanála for review of the matter.

Mise le meas,



**Senior Planner,
Planning Department.**