



Our Ref: S5.17.26

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

20/04/2026

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 42 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: Centrepont Building, Liosban Business Park, Tuam Road, Galway

A Chara,

I refer to your recent application for a Declaration of Exemption under the provisions of the above and I wish to inform you that the proposed development is **not** an Exempted Development for the following reasons:

It is recommended that the proposed development as described on particulars submitted to the Planning Authority on 14th April 2026 that is the change of use of permitted student/tourist accommodation to accommodation for persons seeking international protection would constitute development, and is not exempted development under Class 14(h), Part 1, Schedule 2 of the Planning & Development Regulations 2001-2025 and requires the making of a planning application based on Section 2 interpretation of the Planning and Development Act 2000 (as amended) which defines student accommodation as meaning a building or part thereof used, or to be used, for the sole purpose (subject to paragraph (b)) of providing residential accommodation to students during academic term times, whether or not provided by a relevant provider (within the meaning of the Qualifications and Quality Assurance

(Education and Training) Act 2012), and that is not used, or to be used, –
(a) as permanent residential accommodation [as proposed in the application].
or (b) as a hotel, hostel, apart-hotel or similar type accommodation other than for the
purposes of providing residential accommodation to tourists or visitors outside of
academic term times;]

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.