



Our Ref: S5.21.26

McG McGrath Investments Ltd
C/o O'Conaire Consulting Engineers,
Main Street,
Ballindine,
Co. Mayo

03/06/2026

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

Re: Whether the use of the guesthouse at 26A College Road, Galway, to provide accommodation for displaced persons or persons seeking international protection constitute exempted development or does not constitute exempted development.

At: 26A College 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:

The proposed change of use, of 26A College Road, Galway permitted as a dwelling house under pl.ref:94/426, with a maximum of four bedrooms permitted for B&B use under pl. ref. 03/432, from overnight accommodation/B&B/guesthouse to use as accommodation for persons seeking international protection, as set out in the documentation submitted to the Planning Authority, is considered to constitute development within the meaning of Section 3(1) of the Planning and Development Act 2000 (as amended) whereby, "development" includes the making of any material change in the use of any structures or other land.

Class 14(h) of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) provides for a change of use from use as a hotel, motel, hostel, guesthouse, holiday accommodation, convent, monastery, Defence Forces barracks or other premises providing overnight accommodation, or part thereof, to use as accommodation for protected persons. In this case, the parent permission on the site established the use as a dwelling house with a partial B&B component permitted; a

dwelling house therefore is not identified in Class 14 as a premises to which the exemption applies.

Furthermore, having regard to the planning history on the site, in particular Condition No. 2 of pl. ref. 03/432, states that the dwelling shall be used as a single dwelling unit only and any B&B use shall be restricted to a maximum of 4 bedrooms in the house, therefore, as per Article 9(1) (a) (i) of the Planning and Development Regulations, 2001 (as amended) it is considered that the proposed change of use would contravene condition 2 of pl.ref: 03/432 and would not constitute exempted development.

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.**