

GALWAY CITY COUNCIL

31 AUG 2026



PLANNING SECTION
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:

9 MONIVEA ROAD, GALWAY H91 CXA3

Plan Ref. No.

LIVE ENFORCEMENT FILE C/00170/26
(If none, give description sufficient to identify)

2. Name of Applicant in full:

FERGUS O'CONNOR

Address if different from No. 1 above:

Tel No.

Email address

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

N.B. If applicant is not the Freehold owner of the land in question, please provide the name and address of the owner:

OWNER OF ADJOINING Freehold property (10 MONIVEA ROAD
FOLIO G450451)

4. (a) Brief description of proposed development:

REFERRAL UNDER SECTION 5 TO DECLARE WHETHER
THE ONGOING WORKS AT NUMBER 9 MONIVEA ROAD
(PLEASE SEE ATTACHED SCHEDULE - S.4 CONT'D)

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

Floor Area of

(i) Proposed extension (EXCLUDES 40) Sq. M. COMPATIVELY (SUBJECT TO COUNCIL
MEASUREMENT)
(ii) Any existing extensions to the property (N/A) Sq. M.

(iii) Amount of private open space remaining to the rear of the house i.e. excluding garages/stores
(SUBJECT TO) Sq. M. FORMAL COUNCIL MEASUREMENT

NB. ALL DRAWINGS SHOULD BE SUBMITTED IN A METRIC SCALE

(c) Additional Information if the development involves the Erection of garages / stores etc within the garden
of a house

Floor Area of

(i) Proposed store / garage / shed etc (N/A) Sq. M.

(ii) Any existing store / garage / shed in the garden (N/A) Sq. M.

(iii) Amount of private open space remaining to the rear or side of the house i.e. excluding garages/stores
(N/A) Sq. M.

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

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: SINGLE RESIDENTIAL DWELLING (UNAUTHORISED MULTI UNIT RESIDENTIAL DEVELOPMENT CURRENTLY UNDERWAY)
- (b) Proposed use of each floor: HIGH DENSITY RESIDENTIAL ACCOMMODATION / CHANGE OF USE.

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

Signature of Applicant (or his Agent): [Signature]

Date: 31/8/26

List of drawings in metric required with application – tick box: Site Location plan (1:1000) 9 on RSD 10 IN HALL
☒ 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

ATTACHMENT TO SECTION 5 APPLICATION FORM

Galway City Council — Planning Enforcement Reference: C/00170/26

Subject Property: 9 Monivea Road, Galway (Eircode: H91 HK2C / Folio GY49649)

Applicant: Fergus O'Connor, 10 Monivea Road, Galway (Folio GY50451)

SECTION 4(a) DETAILED SCHEDULE OF QUESTIONS FOR DETERMINATION

The Planning Authority is requested to issue a formal Declaration under Section 5 of the Planning and Development Act 2000 (as amended) on whether the following ongoing works executed at 9 Monivea Road constitute development, and if so, whether they constitute exempted development:

1. Rear Extension and Attic Conversion (Individual and Joint Floor Area Evaluation)

- **1(a) Ground Floor Rear Extension (Severally):** Whether the construction of the single-storey ground-floor rear extension, considered on its own, exceeds the maximum allowable 40 sq metre threshold under Schedule 2, Class 1 of the Planning and Development Regulations 2001 (as amended), thereby constituting non-exempted development requiring full planning permission.
- **1(b) Serviced Attic Conversion (Severally):** Whether the structural alterations and conversion of the roof/attic space—including the installation of rooflights, structural roof timber modifications, and the installation of toilet/waste plumbing infrastructure—constitute development, and whether such works satisfy the conditions of exempted development under Schedule 2, Class 1.
- **1(c) Ground Floor Extension and Attic Conversion (Jointly / Cumulatively):** Whether the combined internal floor area created across both the ground floor rear extension and the serviced attic conversion cumulatively exceeds the statutory 40 sq metre limit for exempted house extensions under Schedule 2, Class 1, thereby rendering the entire development non-exempted.

2. High-Level Waste Pipework and Boundary Setback Breach

- Whether the mounting and installation of high-level external waste stacks, soil pipes, and high-level drainage runs directly along and adjacent to the party boundary line breaches Condition 3 of Schedule 2, Class 1 (requiring a 2-metre setback from boundaries for high-level drainage/fixtures), thus stripping the development of exempted status.

3. Boundary Wall Interference and Works

- Whether the works executed on and along the shared party boundary line between 9 and 10 Monivea Road—specifically including the unauthorised demolition of the

pre-existing block boundary wall (as evidenced in July 2025) and the ongoing construction of concrete footings/timber formwork directly on the party line—constitute non-exempted development executed without statutory consent or legal boundary agreement.

4. Underground Drainage Infrastructure and Boundary Alignment

- Whether the laying of shallow, un-bedded ground-level foul sewer pipework running parallel to and along the party boundary, together with the pouring of concrete patio footings directly above or against said drainage apparatus, constitutes non-exempted development and/or a breach of Building Regulations (Part H).

5. Material Change of Use through Intensification

- Whether the internal structural re-configuration, partitioning, and plumbing works designed to convert a single-family residential dwelling into high-density multi-ensuite tenancy units (serviced by independent sanitary facilities across multiple floors) constitutes a material change of use through intensification under Section 3(1) of the Planning and Development Act 2000, requiring explicit planning permission.

This map should be read in conjunction with the folio.

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Freehold

Subtle casehold

Right of Way / Wayleave

Pipeline

Pump

Soak Pit

A full list of burdens and their symbology can be found at: www.kapsoftinc.com

www.bartbible.com

Section 85 of the Registration of Titles Act, 1964, as inserted by Section 52 of the Registration of Deeds and Titles Act, 2006.

1:1000 Scale





(A) UNAUTHORISED BOUNDARY WALL DEMOLITION (JULY, 2025)



B) WASTE PIPES MOUNTED ACROSS THE BOUNDARY LINE
FROM FIRST FLOOR AND ATTIC LEVEL OF THE
RESPONDENTS HOUSE



(C) HIGH LEVEL EXTERNAL WASTE PIPES FROM FIRST FLOOR AND ATTIC LEVEL, AND SET BACK BREACH.



①) EXTENSION TO GROUND FLOOR REAR OF PROPERTY
AT NUMBER 9 AND 3 NEW SKY LIGHT WINDOWS
IN ROOF OF MAIN DWELLING.



(2) UNCAPPED WASTE PIPE



(f) UNSERVICABLE GROUND WASTE PIPE, Laid BETWEEN NEW EXTENSION AND BOUNDARY WALL. ALSO AT INSUFFICIENT DEPTH AND NOT PROPERLY BEDDED.



(G) INACCESSIBLE GROUND WASTE PIPE LAD IN NARROW GAP BETWEEN EXTENSION AND BOUNDARY WALL.



(H) WASTE PIPE CUTTING THROUGH FOOTPRINT AND FOUNDATION OF FORMER BOUNDARY WALL.



(I) SIDE VIEW OF NEW EXTENSION, DEMOLISHED
BOUNDARY WALL AND WASTE PIPES FITTED
ACROSS THE BOUNDARY WALL FROM NO. 9
TO NO. 10.



Galway City Council
City Hall
College Road
Galway

31/08/2026 15:41:38

Receipt No. : L1/0/1293344

Fergus O Connor
10 Monivea Road

FEE DECLARATION EXEMPTED DEVEL 8
GOODS 80.00
VAT Exempt/Non-vatable
Section 5

Total : 80.00 EUR

Tendered :
Cash 100.00

Change : 20.00

Issued By : Cashier C. MCMAHON
From : CASH OFFICE - CITY HALL
Vat reg No.0022193M