

## LIMERICK CITY & COUNTY COUNCIL

### PLANNING AND ENVIRONMENTAL SERVICES

#### SECTION 5 APPLICATION

#### **DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: CLONSHIRE EQUESTRIAN CENTRE

Applicant's Address: CLONSHIRE BEG ADARE  
CO. LIMERICK V94Y6X8

Telephone No. [REDACTED]

Name of Agent (if any): IUAN SHAW

Address: SHAW CONSULTING ENGINEERS LTD  
1 LOWER MALLOW STREET  
LIMERICK

Telephone No. 061 311133

Address for Correspondence:

IUAN SHAW, SHAW CONSULTING ENGINEERS LTD  
1 LOWER MALLOW STREET LIMERICK.



Location of Proposed development:

CIONSHIRE EQUESTRIAN CENTRE

CLONSHIRE BEG ADARE CO. LIMERICK

V94Y6X8

Description of Proposed development:

Moving of existing facilities the show  
Jump Arena and load area due  
to road construction we are trying to  
see what elements will require planning call  
me if required to discuss.

Is this a Protected Structure or within the curtilage of a Protected Structure.  
YES/NO

Applicant's interest in site: EMPLOYEE

List of plans, drawings, etc. submitted with this application:

LOCATION MAP 1 to 1000

LAYOUT MAP 1 to 500

PLANS AND SECTION 1 to 500

Have any previous extensions/structures been erected at this location YES/NO

If Yes please provide floor areas of all existing structures:

N/A

Signature of Applicant (or Agent)



**NOTES:** Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

\*\*\*\*\*

Application to be forwarded to:

Limerick City & County Council,  
Planning and Environmental Services,  
City & County Council Offices,  
Dooradoyle Road,  
Limerick.

\*\*\*\*\*

**OFFICE USE ONLY**

Ref. No. \_\_\_\_\_ Date Received \_\_\_\_\_

Fee Received \_\_\_\_\_ Date Due \_\_\_\_\_

\*\*\*\*\*



**LIMERICK CITY & COUNTY COUNCIL  
CASH OFFICE  
CIVIC OFFICES  
DOORADOYLE  
CO LIMERICK**

**04/12/2025 13:19:19**

**Receipt No.: LA25/25194105**

**Customer Address:**

IVAN SHAW  
SHAW CONSULTING ENGINEERING LT  
1 LOWER MALLOW STREET  
LIMERICK

<b>Code</b>	<b>Ref</b>	<b>Amount</b>
PL041	CLONSHIRE EQUESTRIAN CENTRE	80.00 EUR 0.00

**Paid with: Cheque**

**Subtotal: 80.00 EUR**

**Tax (VAT): 0.00 EUR**

**Total: 80.00 EUR**

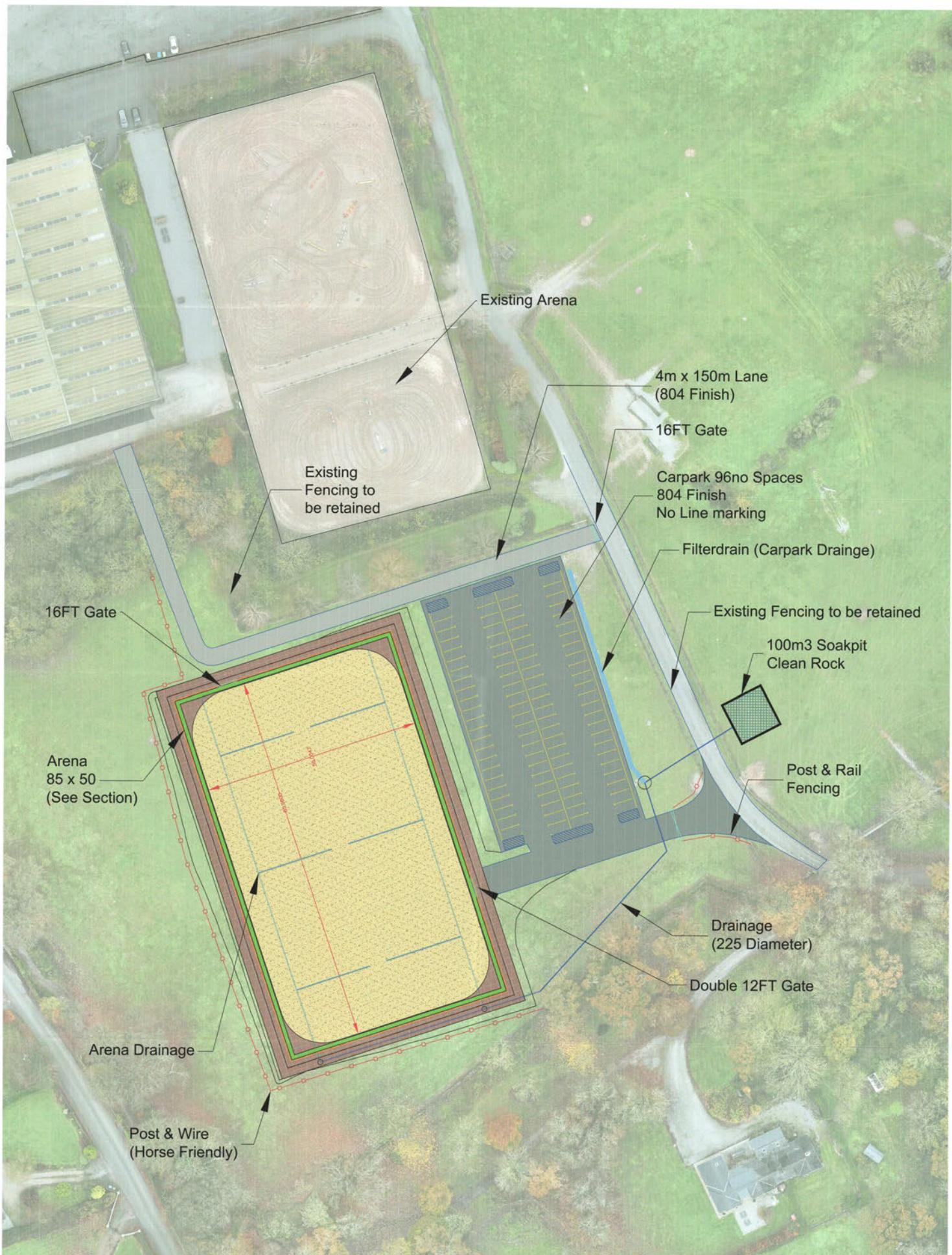
**Tendered: 80.00 EUR**

**From: CASH OFFICE HQ**

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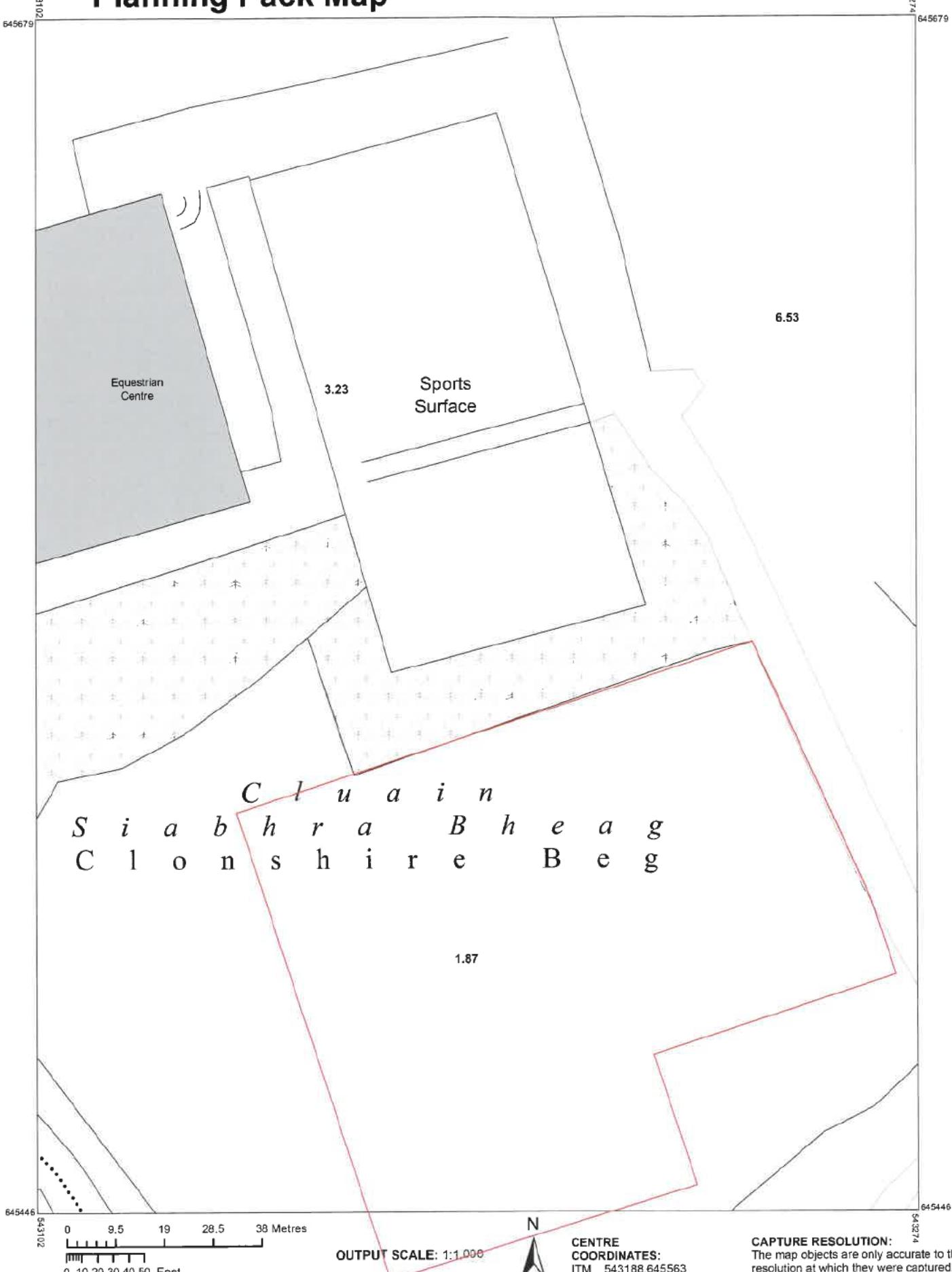
**Please do not reply to this email.**



No.	Revision	Date	By	Chkd	Appvd	Contractor	Project:	Adare Bypass (Foyne to Limerick Road)											
1	0000000000	xx/xx/xxxx	xx	xx	xx		Drawing Title:	Proposal Dan Foley ACC Works - (Sheet 1 of 2)											
								Drawing Number	Project	Designator	Volume	Location	Type	Role	Number				
								AB	- SSJV -	XX -	XX	- N/A -	INFO -	001					
								Drawn	XX	Designed	XX	Checked	XX	Approved	XX				
								Description	S2 - Information/Planning			Scale (A1)	1:500	Date:	xx/xx/xx	Job No:	AB SSJV	Rev:	N/A

DO NOT SCALE USE FIGURED DIMENSIONS ONLY

# Planning Pack Map



## COMPILED AND PUBLISHED BY:

Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4

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CENTRE  
COORDINATES:  
ITM 543188,645563

PUBLISHED: ORDER NO.:  
06/04/2025 50459127\_1

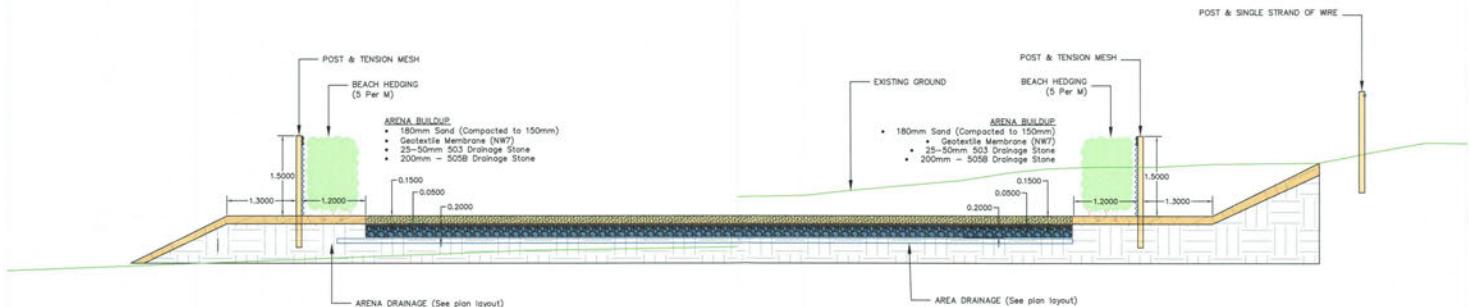
MAP SERIES: MAP SHEETS:  
1:5,000 4924  
1:2,500 4924-D

**CAPTURE RESOLUTION:**  
The map objects are only accurate to the  
resolution at which they were captured.  
Output scale is not indicative of data capture  
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[www.tailte.ie](http://www.tailte.ie); search 'Capture Resolution'

**LEGEND:** To view the legend visit  
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'Large Scale Legend'

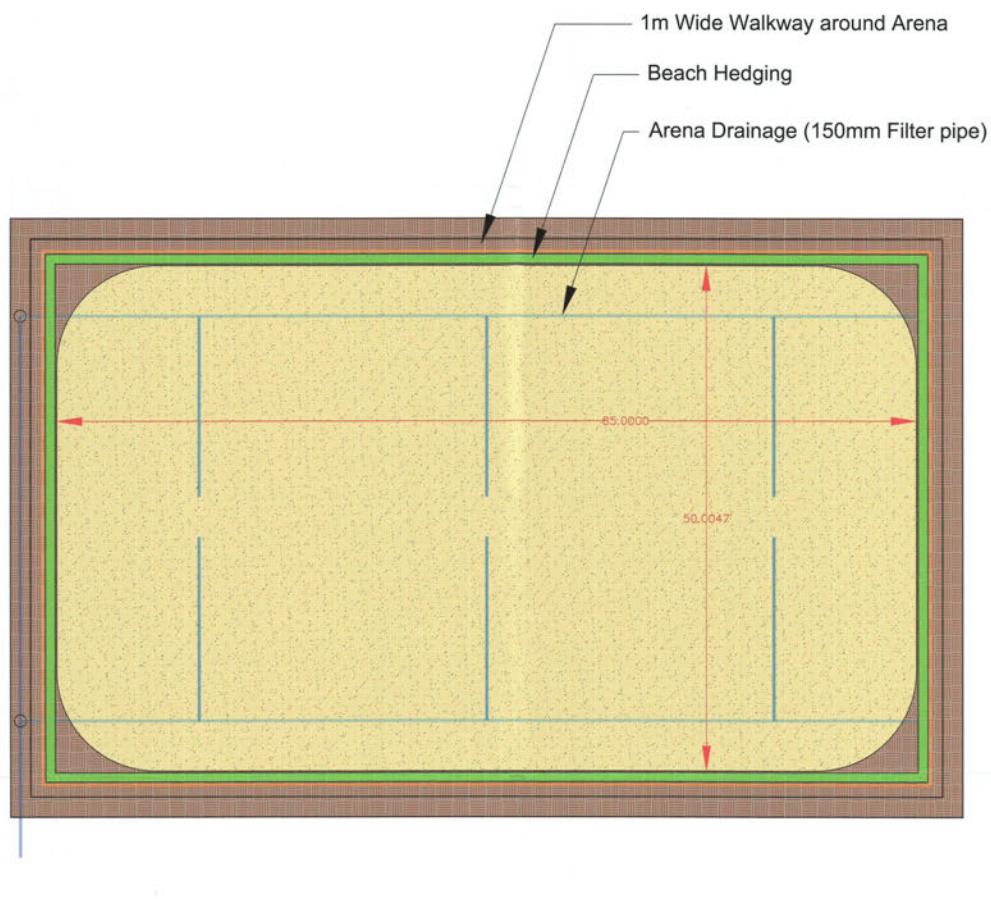


Tailte  
Éireann



### TYPICAL FILL SECTION

### TYPICAL CUT SECTION



A long horizontal line with two small green and white structures at the ends, representing a bridge or a long span.

No.	Revision	Date	By	Chk'd	App'd	Contractor	Project:	Adare Bypass (Foynes to Limerick Road)						
1	xxxxxxxxxx	xx/xx/xxxx	xx	xx	xx									



Comhairle Cathrach  
& Contae **Luimnigh**

**Limerick City**  
& County Council

**Report on application under Section 5 of the Planning and Development  
Act 2000 (as amended)**

<b>File Reference number</b>	EC-245-25
<b>Applicant</b>	Clonshire Equestrian Centre
<b>Location</b>	Clonshire Beg, Adare, Co. Limerick

**1.0 Description of Site and Surroundings:**

The subject site is located in a rural area and comprises an existing equestrian centre including large agricultural structures and an open sand arena. The site is located off a local road less than 2km north of the N21. The Adare bypass is currently under construction to the north of the site.

**2.0 Proposal:**

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:

- Re-location existing facilities, the show jump arena and load area, due to road construction.

This Section 5 declaration includes the following:

- Site Location map
- Site Layout Map
- Plans and Section

**3.0 Planning History:**

Section 5 – EC-081-25 – *The Planning Authority concluded that the installation of a timber gazebo and the creation of access and egress passage to and from the existing sand arena to an adjacent field at Clonshire Beg, Adare, Co. Limerick, V94 Y6X8 **DOES** come within the scope of exempted development as defined under Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 as amended and Section 4(a) of the Planning and Development Act, 2000, as amended.*

19/561 – Granted - Permission for the construction of an extension to the existing equestrian buildings in the form of an open, roofed area for parking of machinery.

07/547 – Granted – Permission for construction of stables, haybarn, dungstead and oiled water storage tank, enclosed lunging area, conversion of existing haybarn to stables and all ancillary site works.

94/314 – Granted - Permission for the construction of barn/machinery shed and stables.

92/1115 – Granted – Permission for the erection of equestrian centre.

### **3.1 Enforcement History**

None

### **4.0 Relevant An Bord Pleanála referrals**

None

### **5.0 Assessment**

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

#### **6.1 Is the proposal development?**

**Section 2(1)** in this Act, except where otherwise requires –

‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

‘structure’ as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

**Section 3(1)** defines ‘development’ as ‘the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land’.

The proposed development on site, comprising the re-location of existing facilities constitutes ‘works’ and ‘development’.

#### **6.2 Is the proposal exempted development?**

The applicant has not indicated the part of the act or planning regulations under which the proposal is considered exempt. The proposal entails relocation of an existing outdoor arena on site and 96 space carpark. The arena to be re-located has an area of c.4,250. I would consider the change is a material change given the scale of the area and the works that would be required to facilitate the same. Furthermore, the carpark noted on the application does not have the benefit of planning permission and would constitute substantial works that do not come within the scope of Section 4 of the Planning and Development Act. Having regard to the scale of works proposed and considering the restrictions under Article 9 of the Planning and Development Regulations as set out in more detail below, the proposal does not fall into a class of exemption as set out under the Planning and Development Regulations, 2001.

### **6.0 Article 9 Restrictions**

Article 9(1) states that development to which article 6 relates shall not be exempted development for the purposes of the Act— (a) if the carrying out of such development would— (iii) endanger public safety by reason of traffic hazard or obstruction of road users. Having

regard to the 96-space carpark included in the drawings, which does not have the benefit of planning permission, and considering the siting of the development off a local road with a link less than 2km south to the N21 road, it is considered that the development would contravene this particular item under article 9 given the potential traffic implications associated with the proposal.

Furthermore, having regard to the AA Screening undertaken and the hydrological link to the nearby Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA (Site Code: 004077) and the drainage details proposed, the development would be at variance with item (viiB) of Article 9 which states - comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site. This is addressed in more detail below.

## **7.0 Appropriate Assessment**

Having regard to the nature and scale of the proposed development and hydrological connection to the Lower River Shannon SAC (Site code: 002165) and River Shannon and River Fergus Estuaries SPA (Site Code: 004077), and in the absence of an AA screening, it cannot be determined whether the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site.

## **8.0 Environmental Impact Assessment**

Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations it has been concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

## **9.0 Conclusion/Recommendation**

The proposal comprising the re-location of existing facilities detailed on the application and plans submitted does not come within the scope of Section 4 of the Planning and Development Act, 2000. Furthermore, the works would not be exempted development under Article 9 1 (iii) and Article 9 1 (viiB) of the Planning and Development Regulations, 2001, as amended.

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended.
- (c) The plans & particulars submitted with the application received on 5<sup>th</sup> December 2025.

It is therefore considered that the said works are development and not exempted development under Section 4 of the Planning and Development Act and Article 9 1 (iii) and Article 9 1 (viiB) of the Planning and Development Regulations, 2001, as amended.

<b>Assistant Planner</b>	<b>Eithne O'Brien</b>	<b>Date:</b>
<b>Signature:</b>		<b>18/12/2025</b>

<b>A/Senior Executive Planner</b>	<b>Jennifer Collins</b>	<b>Date:</b>
<b>Signature</b>		<b>19/12/2025</b>

## Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(a) File Reference No:	EC-245-25
(b) Brief description of the project or plan:	Whether the re-location of existing facilities, the show jump arena and load area, due to road construction is or is not exempted development.
(c) Brief description of site characteristics:	The subject site is located in a rural area and comprises an existing equestrian centre including large agricultural structures and an open sand arena. The site is located off a local road less than 2km north of the N21. The Adare bypass is currently under construction to the north of the site.
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
(e) Response to consultation:	N/A

STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002165- Lower River Shannon SAC	<a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	Approx. 2.8kmkm	Y - hydrological connection exists through surface water and groundwater discharges via an adjacent stream c.250m from the site boundary which flows into the Clonshire River before meeting the River Maigue, which forms part of the Lower River Shannon SAC.	Y – see Step 3

004077-River Shannon and River Fergus Estuaries SPA	<a href="https://www.npws.ie/protected-sites/sac/004077">https://www.npws.ie/protected-sites/sac/004077</a>	Approx. 8.4km	Y - hydrological connection exists through surface water and groundwater discharges via an adjacent stream c.250m from the site boundary which flows into the Clonshire River before meeting the River Maigue, which forms part of River Shannon and River Fergus Estuaries SPA.	Y – see Step 3
000174 - Curraghchase Woods SAC	<a href="#">Curraghchase Woods SAC   National Parks &amp; Wildlife Service</a>	Approx 3.1km	None	N
002279 – Askeaton Fen Complex	<a href="#">Askeaton Fen Complex SAC   National Parks &amp; Wildlife Service</a>	Approx 4.5km	None	N

### STEP 3: Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
<b>Construction phase e.g</b> <ul style="list-style-type: none"> <li>- Vegetation clearance</li> <li>- Demolition</li> <li>- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>- Dust, noise, vibration</li> <li>- Lighting disturbance</li> <li>- Impact on groundwater/dewatering</li> </ul>	The subject site is located in an area of extreme to high ground water vulnerability and has a hydrological connection to the River Maigue. Considering the scale of works proposed and the proximity of the site to the River Greanagh, further information is required to rule out impacts on the above named European sites.

<ul style="list-style-type: none"> <li>- Storage of excavated/construction materials</li> <li>- Access to site</li> <li>- Pests</li> </ul>	
<b>Operation phase e.g.</b> <ul style="list-style-type: none"> <li>- Direct emission to air and water</li> <li>- Surface water runoff containing contaminant or sediment</li> <li>- Lighting disturbance</li> <li>- Noise/vibration</li> <li>- Changes to water/groundwater due to drainage or abstraction</li> <li>- Presence of people, vehicles and activities</li> <li>- Physical presence of structures (e.g collision risk)</li> <li>- Potential for accidents or incidents</li> </ul>	The subject site is located in an area of extreme to high ground water vulnerability and has a hydrological connection to the River Maigue. Having regard to the type of uses proposed and the surface water management, further information would be required to ensure there would be no impacts on the above-named European sites.
<b>In-combination/Other</b>	Further information required.

<b>(b) Describe any likely changes to the European site:</b>	
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> <li>- Reduction or fragmentation of habitat area</li> <li>- Disturbance to QI species</li> <li>- Habitat or species fragmentation</li> <li>- Reduction or fragmentation in species density</li> <li>- Changes in key indicators of conservation status value (water or air quality etc)</li> <li>- Changes to areas of sensitivity or threats to QI</li> <li>- Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	The subject site is located in an area of extreme to high ground water vulnerability and has a hydrological connection to the River Maigue. In this regard, further information in relation to the proposed construction and operation of the use would be required to ascertain whether there may or may not be likely changes to the above-named European sites.

<b>(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)</b>
<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>STEP 4: Screening Determination Statement</b>
<b>The assessment of significance of effects:</b> Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives

<p>On the basis of the information submitted, it is considered that further information is required to complete screening exercise.</p> <p><b>Conclusion:</b> Further information required.</p>		
	Tick as appropriate:	Recommendation:
(i) It is clear that there <b>is no likelihood</b> of significant effects on a European Site	<input type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
(ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European Site	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) <b>Significant effects are likely</b>	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	 <hr/> Eithne O'Brien, Assistant Planner 18/12/2025	
<b>Signature and Date of the Decision Maker:</b>	 <hr/> Jennifer Collins, A/Senior Executive Planner 19/12/2025	

## Appendix 2: EIA Screening

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC-245-25	
Development Summary:	Whether the re-location of existing facilities, the show jump arena and load area, due to road construction is or is not exempted development.	
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes. no further action required <input checked="" type="checkbox"/> No. Proceed to <b>Part A</b>	
<b>A. Schedule 5 Part I</b> - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here] _		<b>EIA is mandatory</b> No Screening required
<input checked="" type="checkbox"/> No		Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)		
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2		<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here]		<b>EIA is mandatory</b> No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is sub-threshold: [insert here] _		Proceed to <b>Part C</b>
<b>c. If Yes</b> , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant		<b>Screening Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant		<b>Preliminary Examination required</b>

<b>Signature and Date of Recommending Officer:</b>	 Eithne O'Brien, Assistant Planner 18/12/2025
<b>Signature and Date of the Decision Maker:</b>	 Jennifer Collins, A/Senior Executive Planner 19/12/2025



Comhairle Cathrach  
& Contae Luimnígh  
**Limerick City  
& County Council**

Pleanáil, agus Cruthú Áite  
Comhairle Cathrach agus Contae Luimnígh  
Bothar Thuar an Daill  
Tuar an Daill, Luimneach  
V94 WV78

Planning and Place-Making  
Limerick City and County Council  
Dooradoyle Road  
Dooradoyle, Limerick  
V94 WV78

## PLANNING & PLACE-MAKING

### REG POST:

**Clonshire Equestrian Centre,  
c/o Ivan Shaw,  
Shaw Consulting Engineers Ltd,  
1 Lover Mallow Street,  
Limerick.**

**EC/245/25**

**19 December 2025**

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**Re: Declaration under Section 5**

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Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,

\_\_\_\_\_  
**(for) Senior Planner,  
Development Management**

Tuar an Daill, Luimneach  
Dooradoyle, Limerick

customerservices@limerick.ie  
www.limerick.ie  
@LimerickCouncil  
061 - 556 000

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

**SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**No. AOO/DC/2025/1453**

**File Ref No. EC/245/25**

**SUBJECT:** Declaration under Section 5.  
Planning and Development Act 2000 as amended  
Planning and Development Regulations 2001 as amended

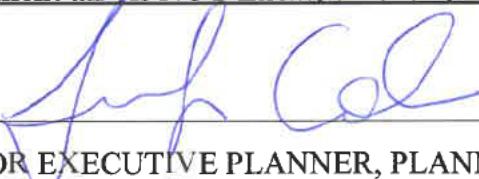
**RE:** **A re-location existing facilities, the show jump arena and load area, due to road construction at Clonshire Beg, Adare, Co. Limerick.**

**ORDER:** Whereas by Director General's Order No. DG/2025/200 dated 24<sup>th</sup> November 2025, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Jennifer Collins, A/Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Jennifer Collins, A/Senior Executive Planner, having considered the report and recommendation of Eithne O'Brien Assistant Planner dated 18/12/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Clonshire Equestrian Centre, c/o Ivan Shaw, Shaw Consulting Engineers Ltd, 1 Lover Mallow Street, Limerick to state that the works as described above is

**Development and is NOT Exempt Development.**

Signed

  
A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

19/12/25

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/1453 dated 19/12/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

  
A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



## **SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**DECLARATION NO.**

**EC/245/25**

**Name and Address of Applicant:** Clonshire Equestrian Centre, Clonshire Beg, Adare, Co. Limerick

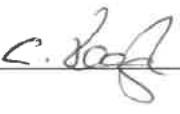
**Agent:** Ivan Shaw, Shaw Consulting Engineers Ltd, 1 Lover Mallow Street, Limerick

**Whether** the re-location existing facilities, the show jump arena and load area, due to road construction at Clonshire Beg, Adare, Co. Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 05<sup>th</sup> day of December 2025.

**AND WHEREAS** the Planning Authority has concluded that the re-location existing facilities, the show jump arena and load area, due to road construction at Clonshire Beg, Adare, Co. Limerick **DOES NOT** come within the scope of exempted development under Section 4 of the Planning and Development Act and Article 9 1 (iii) and Article 9 1 (viiB) of the Planning and Development Regulations, 2001, as amended. See Report attached.

**NOW THEREFORE** the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is NOT Exempt Development**.

Signed on behalf of the said Council

  
Date: 19.12.2025

**NOTE:** A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Coimisiún Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.