**Limerick City and County Council**

**Planning Department**

**Section 5 Application**

# DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: John O'Sullivan

Applicant's Address: University of Limerick, Buildings and Estates

Plassey Park Road, Limerick, V94 T9PX

Telephone No. [redacted]

Name of Agent (if any): _____

Address: _____

_____

Telephone No. _____

Address for Correspondence:

University of Limerick, Buildings and Estates

Plassey Park Road, Limerick, V94 T9PX

Location of Proposed development (Please include **EIRCODE**):

Plassey Park Road, adjacent to Maguire's Pitches and opposite Oaklawns. No Eircode available.

Description of Proposed development:

Proposed felling of circa 90m length of an existing belt of Leyland Cypress trees, identified as Group G001 in arborist report, and replacement planting with more suitable deciduous species.

Section of Exempted Development Regulations and/or section of the Act under which exemption is claimed:

Section 19 of the Forestry Act, 2014 - Namely trees exempted from requiring felling license from Felling Section, Forest Service, Department of Agriculture, Food and the Marine, under the following criteria:

- The trees are located within an urban area.
- The trees are outside a forest – within 10 metres of a public road and which, in the opinion of the owner (being an opinion formed on reasonable grounds), is dangerous to persons using the public road on account of its age or condition.

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

Applicant's interest in site:

Grounds Manager on behalf of the University of Limerick as Landowner.

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

- Tree Condition Survey Report, Ref No. 7024 2026 PPR RP01 (12/05/2026)
- Tree Survey Plan 7024-UL_PPR_BSM-ZZ-ZZ-DR-SU-YE-10000

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

If Yes please provide floor areas of all existing structures:

_____

_____

_____

_____

**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:

**Planning Department,**
**Limerick City & County Council,**
**Dooradoyle,**
**Limerick,**
**V94 XF67**

**Enquiries:**
**Telephone: 061-556556**
**E-Mail: planning@limerick.ie**

**********

# Tree Condition Survey Report

## Plassey Park Road
## University of Limerick
## Co. Limerick

BSM
Est. 1968
Brady Shipman Martin
Built. Environment.

Survey
Assessment
**Built Environment**

DATE: 12 May 2026
PROJ. REF. 7024_2026_PPR_RP01

**DOCUMENT:**
**Tree Condition Survey Report**

This document has been issued and amended as follows:

| Issue | Revision | Description/Status | Date | Prepared by | Checked by |
|---|---|---|---|---|---|
| 01 | 01 | Tree Survey Report | 11/05/2026 | JM | GD |

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# 1 INTRODUCTION

This survey has been commissioned to assess the health and condition of three groups of Cypress trees located along Plassey Park Road on lands belonging to the University of Limerick. The groups have suffered significant branch and stem breakage over recent years and so this survey aims to assess the trees and to identify if any management works are required as part of the responsible management of the property. The approximate extents of the tree groups are shown on the aerial image below.




*Aerial image showing extent of the tree survey at UL*

# 2 REPORT LIMITATIONS

The inspection has been carried out from ground level using visual observation methods only.

Trees are living organisms whose health and condition can change rapidly. Trees should be checked on a regular basis, preferably once a year. The conclusions and recommendations of this report are valid for one year.

The fruiting bodies of some important species of decay fungi only emerge at certain times of the year and may not have been visible during this inspection.

There is no such thing as a 100% safe tree in all conditions, since even perfectly healthy trees may fall or suffer branch break.

Climbing plants (such as Ivy), epicormic suckering and undergrowth can obscure structural defects and some symptoms of disease, where such growth prevents a thorough examination of a tree it is recommended that the undergrowth be cleared around the stem base and climbers be cut at ground level and the tree re-inspected when it has died back.

# 3 METHODOLOGY

The Cypress trees growing in the three clusters/groups on lands on either side of Plassey Park Road (as indicated on the instruction received) were inspected from ground level using Visual Tree Assessment (VTA) techniques and relevant observations and findings were recorded. The groups were described and assessed collectively. The extents of the tree groups were plotted onto an aerial image of the campus in their approximate positions using a hand-held GNSS device.

# 4 SURVEY KEY

## 4.1 Tree Group Number

The three tree groups were allocated numbers with the prefix G; these numbers to allow for identification and cross reference with the survey schedule and site plan.

## 4.2 Species

Refers to the specific tree species with both common and botanical names for individual trees and those present within each tree group.

## 4.3 Age Class

Y: Young tree – yet to reach biological maturity
SM: Semi-mature - tree now well established and developing
EM: Early-Mature - tree not yet fully grown
M: Mature – Tree fully grown and in full maturity
LM: Late Mature – in the later stages of maturity
OM: Over mature - tree now declining from natural causes
Vet: Veteran - tree of value due to old age and ecological/cultural significance

## 4.4 Stem Diameter, and Crown Size Measurements

Dbh: Diameter (in mm) at breast height measured at 1.5m from ground level
Crown: Crown radial spread (in metres)

## 4.5 Condition

Condition refers to both physiological condition (good, fair, poor, dead.) and structural condition.
Good: No obvious defects visible, vitality and form of tree good.
Fair: Tree in average condition for its age and the environment.
Poor: Tree shows signs of ill health/structural defect
Bad: Tree in seriously bad health/major structural problem
Dead: Tree now completely dead

## 4.6 Comments

Additional description/commentary on individual trees where appropriate.

## 4.7 Recommendations

Preliminary management recommendations (such as tree surgery works or felling) are detailed, with a recommended time period during which the works should be carried out.

# 5 FINDINGS

The trees were assessed during a site visit on the 28th of April 2026. The survey findings are listed in the tree survey schedule contained in the appendix and are summarised below.

The survey focussed on three groups of trees alongside or near to Plassey Park Road. The tree groups were primarily populated by mature and early mature Cypress trees (most are Leyland Cypress, some may be Lawson Cypress), evidently planted deliberately for hedging or landscape screening. The tree groups are described separately below.

## 5.1 Group G1

Group G1 is located along the northern side of Plassey Park Road and extends for around 100m along a line between the road to the south and the university sports pitches to the north. This group is a remnant section of a more continuous treeline that has been partially removed and replaced over the years.

The stand is densely stocked with trees, many of which are multi-stemmed from near ground level. The trees have grown rapidly into large trees, with some now up to 22m in height. Most stems are 18-20m tall. Crown spread is becoming extended, with some having branches reaching 9m to the south. The lower crowns of many trees are starting to show signs of thinning out, as it typical of the species as they enter maturity and the crown height extends upwards.

Tree vitality is mostly good or fair; however, tree structural condition is more variable, with numerous trees showing signs of storm damage and weakened stems/branches (see photos 2-4 below). The trees are likely to continue to sustain more branch and stem breakages as they continue to grow larger and longer limbed. Where branches or stems have already broken, further damage often follows due to the altered wind dynamics and loss of wind dampening. Major branch loss or stem breakages could strike the footpaths and/or the public highway and potentially cause significant injury or death.

The trees continue to provide landscape screening to the road for the sports pitches; they also provide some wind shelter and noise/particulate interception functions. They are, however, of low amenity value and provide very limited wildlife habitat.

## 5.2 Group G2

Group G2 is a much smaller cluster of trees on the south side of Plassey Park Road. This group borders a neighbouring property to the south and has considerable branch spread out over the road and neighbouring garden. The trees seem to have good vitality and are growing fast. They are growing out of a low mound and adjoin a more mixed hedgerow (Willow, Ash, Sycamore and Hawthorn etc.) to the west.

The group includes a stem that has been cut back to stump, possibly following stem or branch breakage. The trees are now becoming too large for the planting site and are dominating and suppressing other growth, with virtually no ground flora or understorey present. They are likely to become increasingly vulnerable to branch breakage as they grow larger, although no significant damage was noted in the crowns of the trees during the inspection.

The trees do provide landscape screening to the road, and they also provide some wind shelter and noise/particulate interception functions. They are, however, of low amenity value and provide very limited wildlife habitat.

## 5.3 Group G3

Group G3 is a larger linear group that extends for 120m around the southern boundary of the green open space south of Plassey Park Road as it borders Ash Close to the south and El Dorado to the west. Most of the Cypress trees have been left to grow up to 21m tall, but the eastern 30m have been cut back regularly to keep them at around 2m in height.

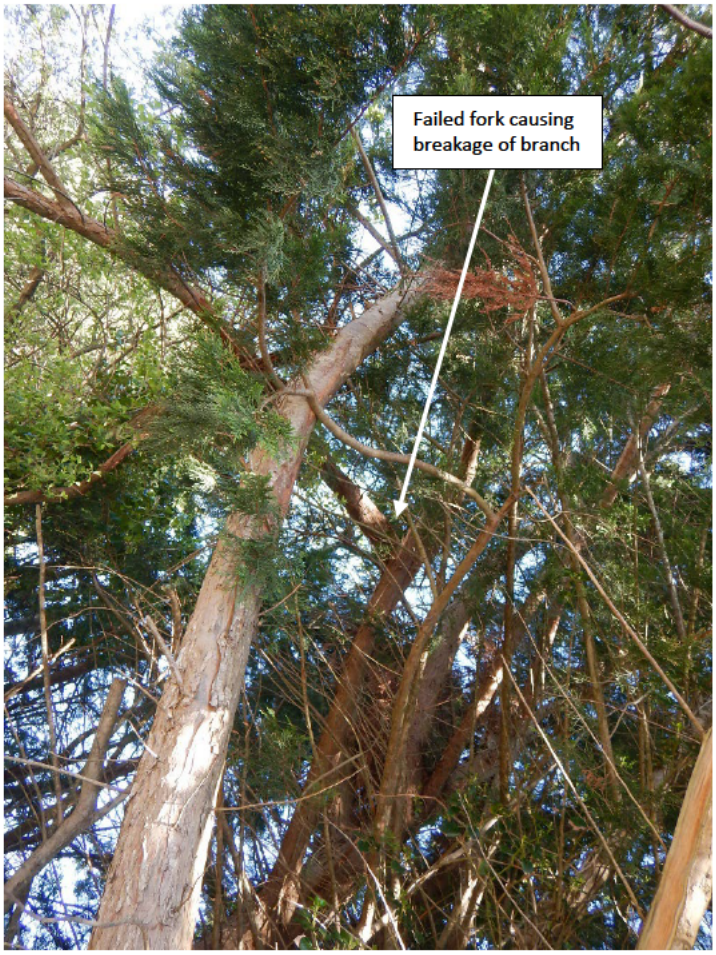
The tree group has suffered from numerous stem failures and branch breakages, with fallen material still lying on site inside the green space amongst the self-generated scrub growth (Willow, Sycamore). The trees look likely to continue to lose more branches and stems in future storm events, especially as the group becomes more fragmented. Whilst most damage is likely to fall to the northeast and east in the prevailing winds, there is a chance of material collapsing into the adjacent properties and even onto the road.

The trees have now outgrown their planting position, and management options are limited. Like the other tree groups, the trees do provide some landscape screening to the road, and they also provide some noise/particulate interception functions. They are, however, of low amenity value and provide very limited wildlife habitat.

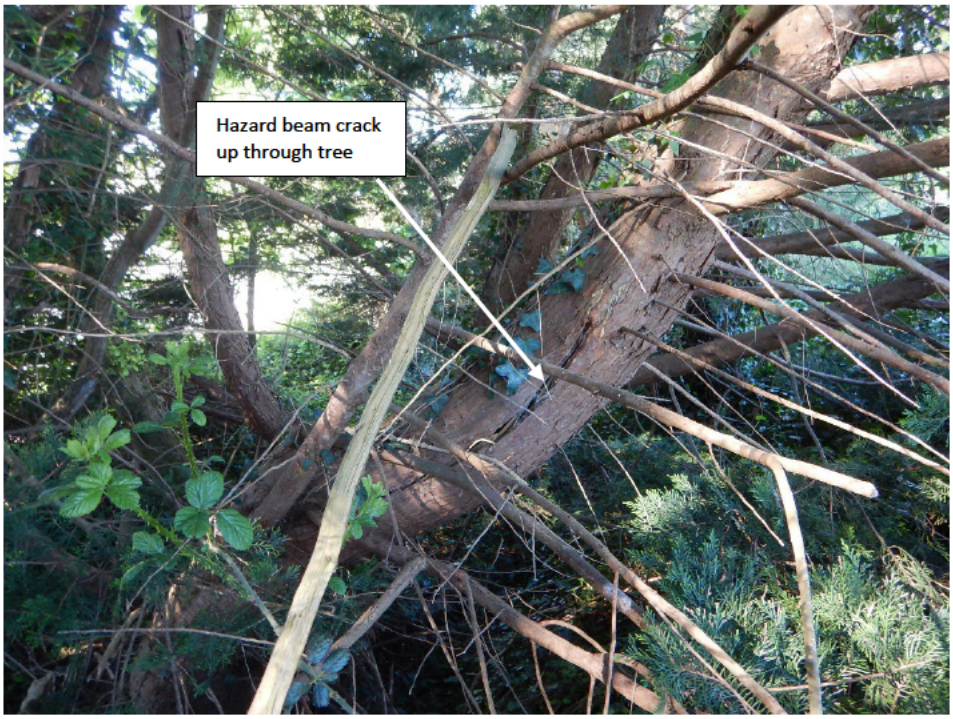
# 6 PHOTOGRAPHS



*1. Group G1 viewed from the southeast*




*2. Storm damaged branch in tree within group G1*




*3. Stem of Cypress tree in group G1 weakened by hazard-beam crack*




*4. Stem of Cypress tree in group G1 weakened by tight union as stem forks*



*5. Group G2 (centre of picture) viewed from the east*



*6. Stem base of largest tree in the group, with remains of fallen stem to the right*



*7.Group G3 viewed from the northeast*



*8. One of several fallen stems in group G3*



*9. Cypress tree in G3 that has been snapped by high winds and fallen into open green space to the north*



*10. Western part of G3 viewed from the east, note the gaps developing in the tree-line as stems fail*



*11. Major storm damage to Cypress tree in group G3*

# 7 RECOMMENDATIONS

Management recommendations are contained in the survey schedule, and they include options for the ongoing management of the trees, with the preferred option of the author in bold type.

The growth stage of the Cypress trees means that the management options for the trees are becoming increasingly limited. The trees are getting larger, with longer branching that is more liable to mechanical failure with increased size and leverage. The previous branch breakages also make the trees increasingly vulnerable to more storm damage as the protection from mutual sheltering is diminished by loss of crown volume.

As the trees enter their mature phase of life, the lower crowns will naturally become shaded out and less branchy. This means that managing the trees by reducing the crown heights of the trees becomes increasingly impractical because this will remove foliage and crown density from the greatest food-producing parts of the trees, leaving the sparser lower areas to try and sustain the tree crowns and root systems. The Cypress trees in all three groups are getting to the point where heavy crown reduction works (topping) will not be a viable management option, and whole tree removal is the only realistic option.

Trees provide many valuable functions (carbon storage, amenity and landscape value, heritage, wildlife habitat etc.), however, the extent to which trees contribute these functions varies a great deal, with older, larger and native species trees offering far greater benefits than younger exotic species like Cupressus that local wildlife are less able to exploit. Species such as Willow or Oak for example sustain hundreds more species of plants and animals than non-native Cypress.

In a more subjective manner, the Cypress trees are arguably of very low landscape and amenity value, with limited visual beauty and aesthetic qualities.

The combination of low landscape value, poor structural condition, limited wildlife habitat means that the Cypress tree groups are all of comparatively low value, and that this fact should be fully considered when the tree managers are making decisions about their management.

I would recommend that all of the Cypress trees in the three groups are removed and replaced with new planning as part of a full regeneration and improvement of the treescape of the area. Such a scheme would result in a significant improvement in the landscape and biodiversity value of the locality, as well as removing the potential for damage from falling trees and branches and improved light levels etc. into neighbouring properties and the subsequent benefits for neighbourly relations.

New planting should be well designed and executed, with a focus on increasing the diversity of species present for better disease and climate change resilience and improving the aesthetic/landscape qualities of the areas planted. Consideration should be given to replacing groups G2 and G3 with native hedgerow species such as have been successfully established along the border just west of G2 (shown in photo 12 below).

The felling of the Cypress trees need not be treated as highly urgent, however, the longer the job is delayed, the more potential there is for damage to be caused by tree failure, the bigger the trees will get and longer the replacement landscape scheme will take to establish fully. I would recommend that the trees be removed during the next dormant period (autumn 2026) if that is practical.



*12. Young Hawthorn hedge established to the west of group G2*

All tree work should be carried out by qualified tree surgeons working to BS3998 (2010) Tree Work – Recommendations.

It is recommended that any tree felling and major pruning work is done outside of the designated bird nesting season (avoiding the period March 1st to August 31st) wherever this is possible. Urgent works required because of significant safety issues may have to go ahead outside of this period but should still take cognisance of wildlife and environmental rules and regulations.

It is my understanding that since 2014, following the amalgamation of local authorities, Castletroy has been officially part of the Limerick City Metropolitan District. This means that the removal of the trees should not require a felling licence. Most of groups G1 and G2 and some of G3 are within 10m of the public highway, meaning that any demonstratively defective trees would be exempt from the need to have a felling licence prior to their removal. I would, however, recommend contacting the local authority prior to undertaking any significant tree felling to ensure that they are fully informed of the works and the reasoning behind them.

If any of the Cypress trees are retained, I would recommend that the trees are subject to regular (every 1-3 years) inspection by a qualified arborist.

# 8 SCHEDULE OF TREE GROUPS INCLUDED IN THE SURVEY

| Type | No. | Species | Age | Ht m | Dbh mm | Crn | Phys Cond | Struct Cond | Comments | Preliminary Recommendations | Urgency |
|---|---|---|---|---|---|---|---|---|---|---|---|
| G | 1 | Cupressus × leylandii (Leyland Cypress) | M EM | 12 to 22 | 300 to 600 | 7 to 9 | Fair/Good | Poor/Fair | Linear group of approx. 60 Cypress trees extending for around 100m along north side of Plassey Park Road. The trees are growing in a linear depression/ditch between the playing fields to the north and footpath and road to the south. Many trees are multi-stemmed, some with curved lower stems and extensive branch spread. No real crown clearance, but lower crowns beginning to thin out by natural suppression. Numerous broken branches and stems weakened by wind damage. Trees liable to lose branches or fail in high winds. Group provides some landscape screening and shelter between the road and sports pitches, but amenity or conservation value are very limited. | Limited management options:<br>1. Retain trees and carry out pruning works:<br>a.) Prune out weak and damaged branches and fell weak or damaged stems.<br>b.) Prune to reduce tree height by 25% or so and shorten branch spread by 3m or so.<br>**2. Fell all of the trees in the group, remove the stumps and replant with new mixed species landscape belt.** | 6 months. |
| G | 2 | Cupressus × leylandii (Leyland Cypress) | M EM | 22 | 200 to 700 | 6 | Good | Fair/Poor | Cluster of 3-5 Cypress trees on low mound between the footpath and boundary of neighbouring property to the south of Plassey Park Road, around 2-3m from the edge of the footpath. Largest tree is multi-stemmed and at the eastern end of the group. There is some visible lifting of the concrete footpath surfacing next to the trees. 1x cut stump indicates a previous stem failure. Trees are very vigorous, with crown spread out over road and boundary fence. Lower crowns are thinning out as the trees increase in size. Trees arguably have outgrown their planting position. Trees may be becoming liable to lose branching in high wind events. Group provides some landscape screening to the road, but any amenity or conservation value is very limited. | Limited management options:<br>1. Retain trees and carry out pruning works:<br>a.) Prune to reduce tree height by 5m or so and shorten branch spread by 2-3m or so.<br>**2. Fell all of the trees in the group, remove the stumps and replant with new mixed native species hedge.** | 12 months. |

| Type | No. | Species | Age | Ht m | Dbh mm | Crn | Phys Cond | Struct Cond | Comments | Preliminary Recommendations | Urgency |
|---|---|---|---|---|---|---|---|---|---|---|---|
| G | 3 | Cupressus × leylandii (Leyland Cypress) | M EM | 12 to 21 | 350 to 800 | 5 to 9 | Good/Fair | Poor/Fair | Linear group planting of Cypress along southern boundary of green open space south of Plassey Park Road and west of Elm Park Avenue. Eastern 30m has been kept clipped to 2m high hedge, while remaining trees have been left to grow unchecked. Trees have become overgrown and are failing in high winds, with several having been snapped off in recent times. The trees are likely to sustain further significant wind damage in future storms, especially as more gaps emerge. Group provides some landscape screening to the the road, but any amenity or conservation value is very limited. | Limited management options:<br>1. Retain trees and carry out pruning works:<br>a.) Prune to reduce taller trees by 5-6m or so and shorten branch spread by 2-3m or so.<br>**2. Fell all of the trees in the group, remove the stumps and replant with new mixed native species hedgerow and trees.** | 6 months. |

Brady Shipman Martin

www.bradyshipmanmartin.com

DUBLIN
Mountpleasant Business Centre
Mountpleasant Ave Upper
Rathmines
Dublin 6

+353 1 208 1900

CORK
Penrose Wharf Business Centre
Penrose Wharf
Cork

+353 21 242 5620

LIMERICK
11 The Crescent
Limerick

+353 61 315 127

mail@bradyshipmanmartin.com




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| Project | UNIVERSITY OF LIMERICK<br>PLASSEY PARK ROAD TREES | Project No. | 7024 |
| Drg. | TREES SURVEY | Drawing No. | 7024-UL_PPR_BSM-ZZ-ZZ-DR-SU-YE-10000 |
| Rev. | P1-S1 | | |
| Scales | 1:1000 @ A3 | Status | SURVEY INFORMATION |
| Date | 11/05/2026 | | |

Unit 43, Penrose Wharf, Cork T23 A8PT
Tel: +353(0) 21 242 5620
mail@bradyshipmanmartin.com
www.bradyshipmanmartin.com

| Drn. | Chd. | Passed |
|---|---|---|
| JM | GD | |

BSM
Est. 1968

File Ref: Y:\7024_UL_2023\7024_WORKING\7024_REFERENCE_MATERIAL\7024_CORRESPONDENCE\CONSULTANT_DRGS\7024_UL_PLASSEY_PARK_TREES\7024_UL_PPR_BSM_ZZ_ZZ_DR_SU_YE_10000

Modified By: George Dundon Modified Time: 5/12/2026 1:04:16 pm
Plot Time: 5/12/2026 1:06:52 pm

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

| | |
|---|---|
| **File Reference number** | EC-177-26 |
| **Applicant(s)** | John O' Sullivan |
| **Location** | University of Limerick,<br>Plassey Park Road,<br>Co. Limerick |

**Description of Site and Surroundings:**
The subject site is located on Plassey Park Road adjacent to Maguire's Pitches and opposite Oaklawns. It can be accessed along the L-1118 and from the grounds of the University of Limerick.

**Proposal:**

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

The applicant is proposing the felling of circa 90m length of an existing belt of Leyland Cypress trees and replanting with more suitable deciduous species.

This Section 5 declaration includes the following:

- Application form
- Photos
- Site location map
- Tree Condition Survey Report

**Planning History:**

*Subject site:*
None

*Adjacent*:
None

development works.

**Enforcement History:**
N/A

**Relevant An Coimisiún Pleanála referrals:**
N/A

**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).

**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 and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

**'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 –
(b) in relation to a protected structure or proposed protected structure, includes—
(i) the interior of the structure,
(ii) the land lying within the curtilage of the structure,
(iii) any other structures lying within that curtilage and their interiors, and
(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii);

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 proposal concerns,** the felling of circa 90m length of an existing belt of Leyland Cypress trees and replanting with more suitable deciduous species**, constituting 'works' and 'development'.**

**Is the proposal exempted development?**
It is noted from the submitted documents that the Tree Condition Survey Report includes 'G002' and 'G003' along with G001 which was the proposed development in the application form. This declaration will only be for G001 as it was only stated for in the application form.

This development falls under 4(1)(i) of the Planning and Development Act 2000 (as amended).

*"Development consisting of the thinning, felling or replanting of trees, forests or woodlands or works ancillary to that development, but not including the replacement of broadleaf high forest by conifer species".*

Having regard to the nature of the proposed works, it is considered that the felling and replanting of trees at 'G001' falls within the scope of exempted development under Section 4(1)(i) of the Planning and Development Act 2000 (as amended).

**Article 9 Restrictions**

| | |
|---|---|
| **Planning and Development Regulations 2001 – 2025**<br><br>**Article 9(1)**<br>**Development to which article 6 relates shall not be exempted development for the purposes of the Act—**<br><br>**(a) if the carrying out of such development would—** | |
| (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act, | N/A |
| (ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width, | N/A |
| (iii) endanger public safety by reason of traffic hazard or obstruction of road users, | N/A |
| (iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft, | N/A |
| (iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan, | N/A |
| (v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies, | N/A |
| (vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the | N/A |

| | |
|---|---|
| draft variation of the development plan or the draft development plan, | |
| (vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan, | N/A |
| (viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended, | N/A |
| (viiB) 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, | N/A |
| (viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000. | N/A |
| (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use, | N/A |
| (ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan, | N/A |

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|---|---|
| (x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility, | N/A |
| (xi) obstruct any public right of way, | N/A |
| (xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area, | N/A |
| **(b) in an area to which a special amenity area order relates, if such development would be development:—** | |
| (i) of class 1, 3, 11, 16, 21, 22, 27, 28, 29, 31, (other than paragraph (a) thereof ), 33 (c) (including the laying out and use of land for golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), 39, 44 or 50(a) specified in column 1 of Part 1 of Schedule 2, or | N/A |
| (ii) consisting of the use of a structure or other land for the exhibition of advertisements of class 1, 4, 6, 11, 16 or 17 specified in column 1 of Part 2 of the said Schedule or the erection of an advertisement structure for the exhibition of any advertisement of any of the said classes, or | N/A |
| (iii) of class 3, 5, 6, 7, 8, 9, 10, 11, 12 or 13 specified in column 1 of Part 3 of the said Schedule, or | N/A |
| (iv) of any class of Parts 1, 2 or 3 of Schedule 2 not referred to in subparagraphs (i), (ii) and (iii) where it is stated in the order made under section 202 of the Act that such development shall be prevented or limited, | N/A |
| **(c) if it is development to which Part 10 applies, unless the development is required by or under any statutory provision (other than the Act or these Regulations) to comply with procedures for the purpose of giving effect to the Council Directive,** | N/A |
| **(d) if it consists of the provision of, or modifications to, an establishment, and could have significant repercussions on major accident hazards.** | N/A |
| **Article 9(2)**<br>Sub-article (1)(a)(vi) shall not apply where the development consists of the construction by any | N/A |

| | |
|---|---|
| electricity undertaking of an overhead line or cable not exceeding 100 metres in length for the purpose of conducting electricity from a distribution or transmission line to any premises. | |
| **Article 9 (3)**<br>For the avoidance of doubt, sub-article (1)(a)(vii) shall not apply to any operation or activity in respect of which a Minister of the Government has granted consent or approval in accordance with the requirements of regulation 31 of the Habitats Regulations 1997, and where regulation 31(5) does not apply. | N/A |
| | |

**Appropriate Assessment**

Having regard to the nature and scale of the proposed development and the absence of proximity or connectivity to a Natura 2000 European Site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on a European Site. An appropriate assessment screening report and determination is attached to this report.

**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.

**Conclusion/Recommendation**

The proposal, the felling of circa 90m length of an existing belt of Leyland Cypress trees and replanting with more suitable deciduous species is considered to be development. The development also falls within the scope of exempted development under Section 4(1)(i) of the Planning and Development Act 2000 (as amended),

Regard has been had to –
(a) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended);
(b) Article 6 & 9 of the Planning and Development Regulations 2001 (as amended);
(c) The plans and particulars submitted with the application received on the 11th of September 2026

It is therefore considered that the said works constitute development and exempted development under Section 4 (1)(i) of the Planning and Development Act 2000 (as amended).

| | | |
|---|---|---|
| **Student Planner** | Conor Deering | **Date: 18/09/2026** |

| | | |
|---|---|---|
| **Signature:** |  | |
| **Senior Executive Planner** | Gráinne O'Keeffe | **Date: 06/10/2026** |
| **Signature** |  | |

**Appendix 1: AA PN01 Screening Form**

| **STEP 1: Description of the project/proposal and local site characteristics:** | |
|---|---|
| **(e) File Reference No:** | EC-177-26 |
| **(e) Brief description of the project or plan:** | the felling of circa 90m length of an existing belt of Leyland Cypress trees and replanting with more suitable deciduous species |
| **(e) Brief description of site characteristics:** | The subject site is located on Plassey Park Road adjacent to Maguire's Pitches and opposite Oaklawns. It can be accessed along the L-1118 and from the grounds of the University of Limerick. |
| **(e) 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 [1]** | **Distance from proposed development [2] (km)** | **Connections (Source-Pathway-Receptors)** | **Considered further in screening Y/N** |
| 002165 Lower River Shannon SAC | https://www.npws.ie/protected-sites/sac/002165 | 600 m | **N/A** | **N** |
| 004077 River Shannon and River Fergus Estuaries SPA | https://www.npws.ie/protected-sites/spa/004077 | 5 km | **N/A** | **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) |
|---|---|
| **Construction phase e.g**<br>- Vegetation clearance<br>- Demolition<br>- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)<br>- Dust, noise, vibration<br>- Lighting disturbance<br>- Impact on groundwater/dewatering<br>- Storage of excavated/construction materials<br>- Access to site<br>- Pests | None. No direct encroachment or hydrological connection. |
| **Operation phase e.g.**<br>- Direct emission to air and water<br>- Surface water runoff containing contaminant or sediment<br>- Lighting disturbance<br>- Noise/vibration<br>- Changes to water/groundwater due to drainage or abstraction<br>- Presence of people, vehicles and activities<br>- Physical presence of structures (e.g collision risk)<br>- Potential for accidents or incidents | None. No direct encroachment or hydrological connection |
| **In-combination/Other** | N/A. |

| **(a) Describe any likely changes to the European site:** | |
|---|---|
| Examples of the type of changes to give consideration to include:<br>- Reduction or fragmentation of habitat area<br>- Disturbance to QI species<br>- Habitat or species fragmentation<br>- Reduction or fragmentation in species density<br>- Changes in key indicators of conservation status value (water or air quality etc)<br>- Changes to areas of sensitivity or threats to QI<br>- Interference with the key relationships that define the structure or ecological function of the site | None. No direct encroachment or hydrological connection. |

| (a) (Are '*mitigation*' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening? |
|---|
| ☐ **Yes** ☒ **No** |

| **STEP 4: Screening Determination Statement** | | |
|---|---|---|
| **The assessment of significance of effects:**<br>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. | | |
| Given the sites size, no hydrological connection to any SAC/SPA, no encroachment on any SAC/SPA and the limited scale of the development proposed, an AA is not required. | | |
| **Conclusion:** AA is not required. | | |
| | Tick as appropriate: | Recommendation: |
| i. It is clear that there **is no likelihood** of significant effects on a European Site | ☒ | The proposal can be screened out: Appropriate Assessment not required. |
| ii. It is **uncertain** whether the proposal will have a significant effect on a European Site | ☐ | ☐ Request further information to complete screening<br>☐ Request NIS<br>☐ Refuse planning permission |
| iii. **Significant effects** are likely | ☐ | ☐ Request NIS<br>☐ Refuse planning permission |
| **Signature and Date of Recommending Officer:** | <br>18/09/2026 | |
| **Signature and Date of the Decision Maker:** | <br>06/10/2026 | |

**Appendix 2: EIA Screening**

| **Establishing if the proposal is a *'sub-threshold development':*** | |
|---|---|
| Planning Register Reference: | EC-177-26 |
| Development Summary: | the felling of circa 90m length of an existing belt of Leyland Cypress trees and replanting with more suitable deciduous species |
| Was a Screening Determination carried out under Section 176A-C? | Yes. no further action required<br><br>No. Proceed to **Part A** |

| | | |
|---|---|---|
| **A. Schedule 5 Part I** - Does the development comprise a project listed in Schedule 5. **Part 1.** of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate) | | |
| | Yes. specify class: [insert here] _ | **EIA is mandatory**<br><br>No Screening required |
| X | No | Proceed to **Part B** |
| **B. Schedule 5 Part 2** - 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) | | |
| X | No. the development is not a project listed in Schedule 5, Part 2 | **No Screening required** |
| | Yes the project is listed in Schedule 5. Part 2 **and** meets/exceeds the threshold, specify class (including threshold): _[specify class & threshold here]_ | **EIA is mandatory**<br><br>No Screening required |
| | Yes the project is of a type listed **but** is *sub-threshold:* [insert here] _ | Proceed to **Part C** |
| **c. If Yes,** has Schedule 7A information/screening report been submitted? | | |
| | Yes, Schedule 7A information/screening report has been submitted by the applicant | **Screening Determination required** |

| | |
|---|---|
| No, Schedule 7A information/screening report has not been submitted by the applicant | **Preliminary Examination required** |
| **Signature and Date of Recommending Officer:**<br><br>18/09/2026 | |
| **Signature and Date of the Decision Maker:**<br><br>06/10/2026 | |

Comhairle Cathrach
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& County Council

An Roinn Pleanála
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Bóthar Thuar an Daill
Tuar an Daill
Luimneach
V94 WV78

Planning Department
Limerick City & County Council
Dooradoyle Road
Dooradoyle
Limerick
V94 WV78

t: 061 556 000

**REG POST:**

**EC/177/26** **08/10/2026**

**John O'Sullivan**
**University of Limerick,**
**Plassey Park Road,**
**Co. Limerick**
**V94 T9PX**

**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.

**Please quote your planning reference number on all correspondence EC/177/26.**

Yours sincerely,

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

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

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

**No. AOO/DC/2026/ 1239**

**File Ref No. EC/177/26**

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

**RE:** **The felling of circa 90m length of an existing belt of Leyland Cypress trees and replanting with more suitable deciduous species on Plassey Park Road adjacent to Maguire's Pitches and opposite Oaklawns. It can be accessed along the L-1118 and from the grounds of the University of Limerick at University of Limerick, Plassey Park Road, Co. Limerick, V94 T9PX**

**ORDER:** Whereas by Director General's Order No. DG/2026/058 dated 25th of May, 2026 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 Grainne O'Keeffe, 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, Grainne O'Keeffe, Senior Executive Planner, having considered the report and recommendation of Conor Deering, Student Planner dated 06/10/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to John O'Sullivan, University of Limerick, Plassey Park Road, Co. Limerick, V94 T9PX to state that the works as described above is **Development and is Exempt Development.**

Signed GONeelle

SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT, PLANNING

Date 8/10/26

Comhairle Cathrach & Contae Luimnigh
Limerick City & County Council

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**PLANNING & DEVELOPMENT ACTS 2000 (as amended)**

**PLANNING & DEVELOPMENT REGULATIONS, 2001 (as amended)**

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

**DECLARATION NO.** **EC/177/26**

**Name and Address of Applicant**: John O'Sullivan, University of Limerick, Plassey Park Road, Co. Limerick, V94 T9PX

**Agent:** N/A

**Whether** the felling of circa 90m length of an existing belt of Leyland Cypress trees and replanting with more suitable deciduous species 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 11th September 2026.

**AND WHEREAS** the Planning Authority has concluded that the felling of circa 90m length of an existing belt of Leyland Cypress trees and replanting with more suitable deciduous species on Plassey Park Road adjacent to Maguire's Pitches and opposite Oaklawns. It can be accessed along the L-1118 and from the grounds of the University of Limerick at University of Limerick, Plassey Park Road, Co. Limerick, V94 T9PX **DOES** come within the scope of exempted development as defined under Section 4 (1)(i) of the Planning and Development Act 2000 (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 Exempt Development.**

Signed on behalf of the said Council C. Hogan

Date: 8.10.2026

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