

**An
Coimisiún
Pleanála**

**Direction
CD-020211-25
ABP-320479-24**

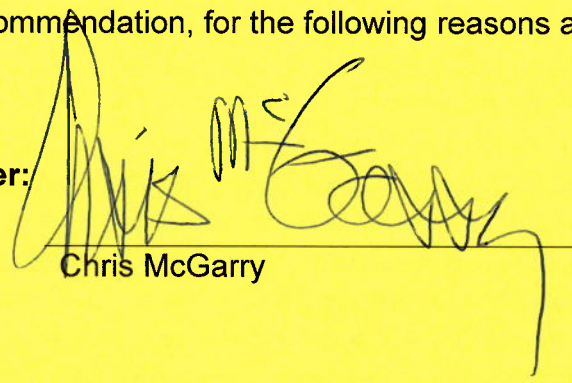
The submissions on this file and the Inspector's report were considered at a meeting held on 14/07/2025.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:

Date: 14/07/2025


Chris McGarry

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the location of the subject site within the Leixlip Architectural Conservation Area as set out in the Leixlip Local Area Plan 2020-2023 (as extended to 2026) and proximate to protected structures, to the prominence of the structure within central views from along Main Street and from Leixlip Bridge, to the planning history of the site including temporary permissions for a telecommunications structure, and to the totality of submissions on file, from the applicant/appellant, observer and prescribed bodies, it is considered that the development for which retention permission is sought and the proposed development, by reason of its height and overall design and visibility from the surrounding area, would seriously detract from the setting of the Leixlip Architectural Conservation Area, the adjoining streetscapes generally and the setting of nearby protected structures including, Ivy House (RPS. Ref. B11-51), No. 8 Main Street (RPS. Ref. B11-80) and No. 10 Main Street (RPS. Ref. B11-81), in the context of the contribution that these protected structures make to the streetscape and the Leixlip Architectural Conservation Area. h

Notwithstanding broad level support for telecommunications facilities within strategic national, regional and development plan policies, it is considered on the specific facts of the case in terms of height, scale and positioning of the structure, that the development for which retention permission and the proposed development is sought, would be contrary to the relevant provisions of the *Telecommunications Antennae & Support Structure - Guidelines for Planning Authorities 1996* and to the relevant provisions of the *Architectural Heritage Protection - Guidelines for Planning Authorities 2011*, would materially contravene Objectives EC 079 and EC 082 of the Kildare County Development Plan 2023-2029 and would be contrary to Objective BH2.1 of the Leixlip Local Area Plan 2020-2023 (extended to 2026). The development for which retention permission is sought and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Commission noted recommended reason number 2 of the inspector (injury to residential amenity). However, on the specific facts of the case and the detailed positioning of the structure in a location within an Architectural Conservation Area and prominent in certain views such as from Leixlip Bridge, the Commission determined that the issue of architectural conservation and heritage impact was central to this case. Proximity to residential properties alone was not considered central to the final determination of the Commission. In this regard the Commission noted development plan objective EC079 (cited by the inspector) and considered that this objective is broader than simply a reference to residential amenity and that furthermore on the facts of the case, the visibility of the structure, while central to a refusal of permission on architectural conservation/heritage etc in this case, is not of itself an inevitable impact on residential amenity. The Commission also noted and shared the conclusion of the planning authority in its single reason for refusal, which does not refer to residential amenity.