



An
Coimisiún
Pleanála

Inspector's Report ACP-323379-25

Development	Replace 18m pole with 27m monopole with ancillary and associated works.
Location	Naas GAA Club, Sallins Road Oldtown Demesne, Naas
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	2560585
Applicant(s)	Phoenix Tower Ireland III Limited
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Phoenix Tower Ireland III Limited
Observer(s)	None
Date of Site Inspection	31/10/25
Inspector	Ronan Murphy

1.0 Site Location and Description

- 1.1. The appeal site which has a stated area of 0.005ha is located within the established grounds of Naas GAA Club, on the Sallins Road, which is c.1.7km to the north-west of Naas Town Centre.
- 1.2. The appeal site currently comprises of an 18m high flood light pole which is located on the north-eastern corner of the main playing pitch within the existing GAA grounds. The appeal site is set behind a single storey building and hurling wall to the east, car parking associated with the GAA club to the south and the club house further south.
- 1.3. The lands within the immediate vicinity of the GAA club site are in multiple uses. To the north behind a stand of large, mature trees there is residential development including the developments known as The Stable Yard, Ornamental Gardens, Maple View, and Maple Walk. St Brigids School is located to the east of the GAA Club with a woodland and gardens associated with Oldtown Demesne to the west.

2.0 Proposed Development

- 2.1. The proposed development comprises of the replacement of an existing flood light pole with a 27m high telecommunications support structure.
- 2.2. The proposed telecommunications support structure is proposed to carry antenna, dishes and would include repositioned floodlights.
- 2.3. At ground level the proposal would include equipment cabinets. The cabinets would have a height of c.1.6m and a width of c.0.800m and would be located within a compound which is enclosed by a 2.4m high mesh fence.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 By order dated 18/7/25 the planning authority decided to refuse planning permission for the following reason:

1. Having regard to the scale, siting, and proximity of the proposed development to existing residential developments, educational facilities, and built and natural heritage

features, the proposal would be injurious to the visual and heritage amenities of this area. Furthermore, the proposed development represents a significant intensification of the visual impact on the area, would detract from and negatively impact the visual amenity of this historic demesne and canal landscape and the overall scale and height of the telecommunications support structure will have an overbearing impact on the surrounding environment. In the absence of sufficient examination of alternative sites and justification for this proposal as a 'last resort' site the proposed development would, if permitted, be contrary to Section 7.15 in particular EC 086, Section 15.11.4 of the Kildare County Development Plan 2023-2029 and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.1 There is one planning report on file dated 15/7/25 which states that given the height of the structure, it will be highly visible in the surrounding landscape. The area planner states that the justification submitted is not considered to be sufficient and it is considered that alternative locations could be explored within the area. As set out in Section 15.11.4 of the County Development Plan and that the Planning Authority has serious concerns regarding the visual impact of the proposed structure on Oldtown Demesne and the Grand Canal proposed Natural Heritage Area. This area is also located within the designated NIAH Historic Gardens and Demesnes. In addition, the proposed structure is located within 300m of 2 no. structures that are listed on the Record of Protected Structures (RPS No. NS19-094 (Enclosure) and RPS No. NS19-077 (Pair of Turrets) and that the proposed development would represent a significant intensification of the visual impact on the area and would detract from and negatively impact the visual amenity of this historic demesne and canal landscape. The proposed development would therefore contravene Section 15.11.4 of the Kildare County Development Plan 2023-2029. In addition to this, the Planning Authority considers that the development is contrary to Section 7.15 of the Kildare County Development Plan 2023 -2029. The overall scale and height of the telecommunications support structure will have an overbearing impact on the surrounding environment.

The area planner also notes that a detailed Bat Survey undertaken by a suitably experienced ecologist has not been submitted to assess all potential impacts on roosting and foraging bats and mitigate any potential impacts.

3.2.2 Other Technical Reports

Water Services: Report dated 11/6/25 outlining no comments / observations.

Environment Section: Report dated 12/6/25 outlining no objections, subject to conditions.

Area Engineer: Report dated 20/6/25 outlining no objections, subject to conditions.

Environmental Health: Report dated 20/6/25 outlining no objections, subject to conditions.

Roads, Transportation and Public Safety Department: Report dated 3/7/25 outlining no objection, subject to conditions.

3.3. Prescribed Bodies

3.3.1 No responses on file.

4.0 Planning History

Appeal site

Reg. Ref. 2560120: Application for the construction of a single storey building containing 4 No. changing rooms and associated facilities including WC's, showers, storage, officials room, and treatment room, together with all ancillary site development works including a gravel maintenance path, surface water infiltration trench, and foul, surface water, and mains water connections to the adjacent Oldtown Demesne housing development. Permission granted, subject to conditions.

Reg. Ref. 24/60720: Application for the construction of a new all-weather surface including all associated fencing and goal backstops. Permission granted, subject to conditions.

Reg. Ref. 23/775: Application for the retention of existing single storey building for gym use (180m²) adjacent to the existing ball alleys with single storey extension. Retention permission granted.

Reg. Ref. 23/134: Application for the erection of 6 No. new 21.34m high lighting columns around the existing GAA field adjacent to the canal. Permission granted, subject to conditions.

5.0 Policy Context

5.1. Development Plan

The following chapters, sections, policies, and objectives are pertinent:

Chapter 7 Energy and Communications Section 7.15 is in relation to 'Telecommunications Infrastructure'. It states that 'Government policy for the development of telecommunications infrastructure is set out in Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996), and in circular letter PL07/12. The planning authority will have regard to the Guidelines and to such other publications and material as may be relevant in the consideration of planning applications for such structures. Free-standing masts should be avoided in the immediate surrounds of small towns and villages. In the vicinity of larger towns communications providers should endeavour to locate infrastructure in industrial estates on industrial zoned land. Only as last resort when all other alternatives have been exhausted should free standing masts be located in residential areas or close to schools and hospitals.'

EC P20 which seeks to support national policy for the provision of new and innovative telecommunications infrastructure and to recognise that the development of such infrastructure is a key component of future economic prosperity and social development of County Kildare.

EC O75 which seeks to promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other technologies within the county.

EC O76 which seeks to co-operate and co-ordinate with relevant bodies regarding the laying of key infrastructural services within towns and villages and, where practicable, to encourage the efficient and shared use of said infrastructural services.

EC 077 which seeks to co-operate with telecommunication service providers in the development of the service, having regard to proper planning and sustainable development.

EC 078 which seeks to have regard to the provisions of the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996) and circular letter PL07/12 and to such other publications and material as may be relevant during the period of the Plan.

EC 079 which seeks to achieve a balance between facilitating the provision of telecommunications infrastructure in the interests of social and economic progress and sustaining residential amenity and environmental quality including to protect the visual amenity of town centres and in particular Heritage Towns and Architectural Conservation Areas.

EC 080 which seeks to ensure that the location of telecommunications structures minimises and/or mitigates any adverse impacts on communities, public rights of way, historical sites, or amenities, and the built or natural environment, innovative design solutions will be encouraged.

EC 086 which seeks to avoid free-standing masts in the immediate surrounds of small towns and villages. In the vicinity of larger towns communications providers should endeavour to locate infrastructure in industrial estates or on industrial zoned land. Only as a last resort when all other alternatives have been exhausted should free standing masts be located in residential areas or close to schools and hospitals.

Section 15.11.4 is in relation to 'Telecommunications and Supporting Infrastructure.' It states that applications for new facilities should include certain details, assessments and supporting material to justify any such proposal.

Oldtown Demesne and Protected structures

Oldtown Demesne is included in the NIAH Historic Gardens and Demesnes database (Garden No. 1895).

In addition to this the appeal site is located in proximity (300m) of 2 no. structures that are listed on the Record of Protected Structures

RPS No. NS19-094 (Enclosure) described as '*Enclosure in flat wasteland. No visible surface remains. Mounds noted to site appear to be the result of clearance /dumping.*'

RPS No. NS19-077 (Pair of Turrets) described as *‘Pair of turrets, built c.1860, along eastern flank of Oldtown House Demesne and possibly forming former entrance to the demesne; now forming gateway into school’*.

Relevant policies include:

AH P6: which seeks to protect, conserve and manage the archaeological and architectural heritage of the county and to encourage sensitive sustainable development in order to ensure its survival, protection, and maintenance for future generations.

AH O20: which seeks to conserve and protect buildings, structures and sites contained on the Record of Protected Structures of special architectural, historical, archaeological, artistic, cultural, scientific, social, or technical interest.

AH O23: which seeks to require an Architectural Heritage Assessment Report, as described in Appendix B of the Architectural Heritage Protection, Guidelines for Planning Authorities (2011), to accompany all applications with potential for visual or physical impacts on a Protected Structure, its curtilage, demesne and setting.

AH O32: which seeks to ensure that new development will not adversely impact on the setting of a protected structure or obscure established views of its principal elevations.

Naas Local Area Plan 2021-2027

Table 6.1 notes that Telecommunications are a critical component for digital connectivity, connecting people, places and ideas through digital networks which are vital for continued economic growth. Naas is well placed with a network of communications services, ensuring both high speed and resilient connectivity.

Policy I4 – Energy and Communications It is the policy of the Council to promote and facilitate the development and renewal of energy and communications networks in Naas, while protecting the amenities of the town.

IO 4.2 which seeks to support and facilitate the provision of telecommunications infrastructure in Naas, subject to safety and amenity requirements.

NE 1.2 which seeks to ensure that any proposal for development within or adjacent to the Grand Canal (pNHA) is located and designed to minimise its impact on the biodiversity, geological, water and landscape value of the pNHA.

NE 1.4 which seeks to maintain a suitable buffer zone along the Grand Canal and other watercourses protecting them from inappropriate development. The extent and composition of the buffer zone (up to 30 metres) shall be determined in consultation with a qualified ecologist and will be informed by Planning for Watercourses in the Urban Environment (IFI, 2020).

5.2 National Guidelines

- The *Telecommunications Antennae and Support Structures Guidelines for Planning Authorities* (DELG, July 1996)

The guidelines aim to provide a modern mobile telephone system as part of national development infrastructure, whilst minimising environmental impact. Amongst other things, the Guidelines advocate sharing of installations to reduce visual impact on the landscape.

- *Circular Letter PL 07/12* (DECLG, October 2012) revised elements of the Telecommunications Guidelines. It provides guidance to planning authorities on time limits, minimum separation distances, bonds, monitoring arrangements on health and safety and future development contributions.
- *Circular Letter PL11/2020* 'Telecommunications Services – Planning Exemptions and Section 254 Licences' was issued in December 2020. It provides Planning Authorities advice on what works require approval under a section 254 licence, what overground works require a Section 254 Licence and exemptions for telecommunications infrastructure.

5.2. Natural Heritage Designations

- 5.2.1. The subject site is not located within or adjacent to a European Site. The nearest designated sites are the Mouds Bog SAC (Site code: 002331) which is located c. 8.3km to the west of the site, the Ballynafagh Lake SAC (Site code: 001387) which is located c. 9km to the north-west of the site and the Pollardstown Fen SAC (Site code: 000396) is located c. 12.7km to the south west of the site. The Poulaphouca Reservoir SPA (Site code: 004063) is located c. 11km to the southeast of the appeal site.
- 5.2.2 In addition to this, the Grand Canal pNHA (Site Code 002104) is located c. 313m to the west of the appeal site.

5.3.3 A screening exercise for Appropriate Assessment will be undertaken in Section 8 below.

5.3. EIA Screening

5.3.1 The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

5.4 Water Framework Directive

5.4.1 The purpose of the EU Water Framework Directive is an initiative aimed at improving water quality throughout the European Union. The Directive was adopted in 2000 and requires governments to take a new approach to managing all their waters; rivers, canals, lakes, reservoirs, groundwater, protected areas (including wetlands and other water dependent ecosystems), estuaries (transitional) and coastal waters.

5.4.2 An Coimisiún Pleanála and other statutory authorities cannot grant development consent where a proposed development would give rise to a deterioration in water quality.

5.4.3 The appeal site is located c.208m to the east of the LIFFEY_120 River Waterbody IE_EA_09L011500. This waterbody is classified as good ecological status. This is illustrated on the EPA mapping (<https://gis.epa.ie/EPAMaps/agriculture>)

5.4.4 I have assessed the application for the proposed telecommunications tower and associated development for which permission is sought and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

5.4.5 The reason for this conclusion is as follows:

- The small scale and nature of the development; and
- The distance of the site from the river waterbody.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A first party appeal has been received from Indigo on behalf of Phoenix Tower Ireland III Limited. The grounds of appeal can be summarised as follows:

Site Coverage

- A technical justification has been provided by Three Ireland to demonstrate the need for a new site in the area.
- The new site is required to provide voice and data coverage to the residential area around Oldtown Demesne, Sallins Road and surrounding areas which currently experience sub-optimal indoor coverage levels without a base station in this area.
- All other existing antennae support structures in the area are currently in use by the operator and are not capable of providing co-location space for new equipment.
- A new site is required in this particular geographic area to meet a known coverage problem area.

Alternative sites

- Existing rooftop and new greenfield within the search ring have been considered and the majority of the area is residential and therefore unsuitable under current planning policy for telecom installations.
- There are pockets of areas zoned neighbourhood centre at the periphery of the search area; however, these areas comprise of low-rise commercial buildings typically petrol stations or garages and therefore do not provide the extended elevation that antennae support structure provides at over 20m in height.
- Greenfield sites are limited as is access due to the limited space available.

- Only a site at Monread centre to the north-east of the search area offers a potential for a new site, however, this is not currently open to the applicant and there is no indication that this site can be secured.
- No sites of an industrial nature in the search area, nor are there any commercial buildings of sufficient height that would meet the coverage requirements of the network.
- Those which are available and suitable for network operations in the wider area are already utilised.
- The applicant and the operator have specific lease requirements including 24/7 access over a 25-year period.

Visual impact

- The area is within the Northern Lowlands landscape character which has a high capacity to accommodate a wide range of uses without significant adverse effects on the appearance or character of the area.
- A visual impact assessment and photo montage were provided in the application documentation. It was concluded that the proposed development will be exposed from close views within the spots grounds as well as views from St. Bridgid's School located on the boundary of the club grounds to the west where the impacts are considered to be negative moderate.
- The existing floodlights and ball netting are evident around the main playing pitches which are prominent in the skyline when viewed from the club grounds and surrounding area and so the addition of a new pole is not necessarily out of context.
- The structure would be visible from certain viewpoints to the north of the residential area of Ornamental Gardens (North), the Orchard (South), and Maple Avenue (North) of the site. Intermittent views of the structure are expected in the wider area due to terrain however in the main the structure will be screened from views from existing vegetation. Overall, the visual impact of a new independent structure at this location is considered acceptable.
- The structure is designed as a single user telecommunications support structure to a minimal height of 27m to meet the coverage objectives for the

operator, three. It is an accepted principle in visual impact assessments that simple being able to see a structure from a particular viewpoint is not always a sufficient reason to find a visual impact unacceptable.

- This should involve extra factors such as undue obtrusiveness or an overbearing impact leading to a diminution of conditions or sensitive views or from property to property to an unacceptable degree.
- Wireless telecommunications infrastructure development by its nature creates a visual impact on its surroundings and it is an accepted principle that such impacts are necessary in order to provide the necessary infrastructure in both urban and rural communities.
- If an authority were to rule out all sites where a visual impact was created the consequence would be that operators would not be able to service the area or a number of structures would be required to provide the same level of service.

Compliance with guidelines

- The proposed development is in accordance the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996) as the site is the only viable location in the area within the coverage search ring area as defined that is outside a residential area.
- There is a coverage blackspot in the area, and the wider area has deficient broadband telecommunications services.
- The advances in design, however the need to place equipment above obstacles remains unchanged, in fact given the sensitivity of 3G and 4G technology there is less tolerance to obstructions so that even tree foliage has a degrading effect on the signal.

Development Plan

- Stated aims, policies and objectives within the development plan support and recognise the importance of telecommunications infrastructure as a crucial element in the future development of the county.
- The planning authority will have regard to the guidelines and to such other publications and material as may be relevant in the consideration of planning applications.

- The reason for refusal states objective EC O86. Naas is identified as a key town and is considered to be a larger town. There are no industrial or industrially zoned lands within the search ring area identified, nor are there any commercial buildings of sufficient height that would meet network requirements.
- It has been demonstrated that the site is a last resort.

6.2. Planning Authority Response

6.2.1 Response dated 9/9/25 stating that the planning authority has reviewed the contents of the First Party Appeal. The Coimisiún is referred to the Planning Authority's report and the reports of the various technical departments referred to during the assessment of the application.

6.3. Observations

6.3.1 There are no observations on file.

6.4. Further Responses

6.4.1 There are no further responses on file.

7.0 Assessment

7.1 Having examined the appeal details and all other documentation on file, including submissions and responses, the report of the local authority and inspected the site. I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development / technical justification / Last resort test
- Visual Impact
- Flood Risk
- Other matters- Bat survey
- Appropriate Assessment

7.2 Principle of Development

7.2.1 The appeal site is within the F (Open Space and Amenity) Zone with the associated land use objective '*To protect and provide for open space, amenity and recreation provision*' in the *Naas Local Area Plan 2021-2027*.

7.2.2 Utility Structures are an open for consideration use in the F (Open Space and Amenity) Zone. Table 11.2 of the Naas Local Area Plan 2021-2027 states that *Land uses shown as 'Open for Consideration' are uses that are not considered acceptable in principle in all parts of the relevant use zone. However, such uses may be acceptable in circumstances where the Council is satisfied that the proposed use would not conflict with the general objectives for the zone and the permitted or existing uses as well as being in the interests of the proper planning and sustainable development of the area.*

7.2.3 In view of the emphasis placed in national and regional policy documents on the provision of adequate telecommunications including broadband and the fact that the policies and objectives of the current *Kildare County Development Plan 2023-2029* and the *Naas Local Area Plan 2021-2027* both support adequate telecommunication infrastructure, I consider the principle of the development to be acceptable subject to a full assessment of the proposed development.

Technical justification

7.2.4 A technical justification for the proposed development at the chosen location is provided within the first party appeal documentation attached to this case. It is stated that the site needs to be sited in the cell search area (provided by Three Ireland) in order to achieve the voice and data coverage to the residential area around Oldtown Demesne and Sallins Road which currently experience sub-optimal indoor coverage

levels without a base station at this location. It is stated that a new site is required at this location to meet a known coverage problem area.

- 7.2.5 Section 3.1 Figure 1 of the first party appeal details the mobile coverage in the area is fair. In this regard, I refer the Coimisiún to the Outdoor Mobile Coverage Map for the area ([Service Coverage - Commission for Communications Regulation](#)). This map shows that there is a coverage drop off for Three Ireland within the area, which is most pronounced for 5G coverage, where the coverage falls from good (at 4G) to fair at 5G.
- 7.2.6 Having considered the foregoing; I am satisfied that the proposal would improve the availability of telecommunications and broadband services in the identified area and that it would therefore accord with adopted policy of the *Kildare County Development Plan 2023-2029* (most notably Policy **EC P20**) and the Naas Local Area Plan (most notably **Policy I4** and **IO 4.2**).

‘Last resort’ test

- 7.2.7 The reason for refusal states that the application material did not provide a sufficient examination of alternative sites and justification for this proposal as a ‘last resort’ site and as a result the proposed development would, if permitted, be contrary to Section 7.15 in particular **EC 086**, and Section 15.11.4 of the *Kildare County Development Plan 2023-2029* and would therefore be contrary to the proper planning and sustainable development of the area.
- 7.2.8 Section 4.3 of the Telecommunications Antennae and Support Structures Guidelines published in 1996 (as amended by Circular letter PL 07/12) states that only as a last resort and if the alternatives are either unavailable or unsuitable should free-standing masts be located in a residential area or beside schools. If such a location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location. The support structure should be kept to the minimum height consistent with effective operation and should be monopole (or poles) rather than a latticed tripod or square structure.
- 7.2.9 Both Sections 7.15 and Section 15.11.4 of the *Kildare County Development Plan 2023-2029* emphasise that in the vicinity of larger towns communications providers should endeavour to locate infrastructure in industrial estates on industrial zoned land and that only as last resort when all other alternatives have been exhausted should

free standing masts be located in residential areas or close to schools and hospitals. This is further emphasised in Objective **EC O86**.

7.2.10 In assessing this proposal in the context of determining whether the proposed site constitutes a last resort, I note that the documentation submitted with the initial application did include a technical justification for the proposed development, including a consideration of existing sites in proximity to the appeal site. However, alternative greenfield sites were not considered.

7.2.11 The first party appeal documentation includes a consideration of alternative sites. In summary, the site appeal documentation considers existing sites in the local area including rooftops and greenfield site both within the search ring and in the wider Naas area. Table 1 contained within the first party appeal details existing telecommunication sites/nearby telecommunication structures and reasons in which they were discounted in terms of providing the required transmission links.

7.2.12 Based on the information provided, the nearest telecommunication infrastructure is a rooftop site with telecoms antenna to the south-east of the site. It is stated that there is no available space in which to co-locate equipment at this location and that coverage potential from this site is for localised urban coverage and will not extend to the target area. Similarly, in the case of the other two nearest sites, it is outlined that neither of these sites would not be capable of providing coverage to the target area and there would be no benefit to the blackspot area by adding additional equipment.

7.2.13 In addition to this, Section 3.2 of the first party appeal considers greenfield sites in the vicinity of the appeal site. It is noted that states that the majority of the area is within residential zones and therefore were discounted. In addition to this, there are some areas within neighbourhood centres, including the Monread centre to the north-east of the site, however, this site is not open for the first party and there are no indications that the site could be secured. In addition to this, it is noted that there are no sites of an industrial nature, nor are there any commercial buildings with sufficient height within the search area.

7.2.14 Having fully assessed the details submitted in the context of the last resort test, I am satisfied that the applicant has examined all potential alternatives in this case, including both existing and greenfield sites within this area of Naas. Therefore, I consider that the proposed development does meet the requirements in justifying its

siting as a 'last resort' and would therefore be comply with Section 7.15 and Objective **EC O86** of the *Kildare County Development Plan 2023-2029*. I make the Coimisiún aware that in coming to this conclusion I have considered the zoning maps of the *Naas Local Area Plan 2021-2027* which demonstrates that there is no industrially zoned land within the identified search ring area and that the bulk of the land surrounding the site is residential.

7.3 Visual Impact

- 7.3.1 The reason for refusal states that the scale, siting, and proximity of the proposed development to existing residential developments, educational facilities, and built and natural heritage features, the proposal would be injurious to the visual and heritage amenities of this area. It is further stated that the proposed development represents a significant intensification of the visual impact on the area, would detract from and negatively impact the visual amenity of this historic demesne and canal landscape and the overall scale and height of the telecommunications support structure will have an overbearing impact on the surrounding environment.
- 7.3.2 The appal site is located within the grounds of Naas GAA Club and there is residential development to the north of the site and a school to the south-east of the site. In addition to this, the site is proximate to Oldtown Demesne which includes established woodland, walks and a water feature.
- 7.3.3 I make the Coimisiún aware that the appeal site is within the Northern Lowlands Landscape Character Area (Class 1 Low Sensitivity) as set out in the *Kildare County Development Plan 2023-2029*. Such areas are generally regarded as having a high capacity to accommodate a wide range of uses without significant adverse effects on the appearance or character of the area, in this regard I refer the Coimisiún to Table 13.2 of the *Kildare County Development Plan 2023-2029*.
- 7.3.4 The initial application included a set of photomontages to aid in the visual assessment of the development proposal. There are 12 viewpoints, and the views are taken in April when there are no leaves on the trees, which allows for a consideration of a worst-case scenario. Viewpoints 1, 10, 11 and 12 are taken from the north of the site looking south. These are within residential areas. Viewpoint 2 is taken from the east of the school, Viewpoint 3 is taken from the south of the school and Viewpoints 4,5,6,7 and

8 are taken from the south of the site and Viewpoint 9 is taken from the west of the site.

Residential impacts

- 7.3.5 Section 15.11.4 of the *Kildare County Development Plan 2023-2029* requires that when evaluating planning applications for the provision of telecommunications and supporting infrastructure that the preservation of residential and visual amenity is considered. In addition to this, Objective **EC 079** seeks to ensure that a balance is achieved between facilitating the provisions of telecommunications in the interests of social and economic progress and sustaining residential amenity and environmental quality.
- 7.3.6 The proposed monopole would be located c. 30m to the south of the rear boundaries of dwellings a residential area known as the Stable Yard as demonstrated on the submitted site location plans (Drawing No. KDO296-105 PA). In addition to this, residential units within developments known as Ornamental Gardens, Maple View and Maple Walk are also in proximity to the appeal site. It is noted that there is a boundary of mature trees between the appeal site and the adjoining residential development.
- 7.3.7 Viewpoints 10 and 11 are taken from the public road within the Ornamental Gardens area. However, in my opinion it would have been beneficial for views from the car parking area to the western side of The Stable Yard to provide a reasonable view of the proposed development from the most proximate residential area. Notwithstanding this, from a consideration of Viewpoints 10 and 11, it is clear that the proposed development would be more prominent in views from the residential development to the north than the existing floodlight which is proposed to be replaced. In this regard, the first party appeal states that it is an accepted principle in visual impact assessments that simply being able to see a structure from a particular viewpoint or property is not a sufficient reason to find a visual impact unacceptable.
- 7.3.8 While I note the above, the protection of residential amenity is a central consideration in matters such as this. While I note that the presence of large mature trees along the boundary with the residential properties to the north would provide a certain level of screening to the lower and mid-section of the monopole structure, the upper section will be clearly visible from the rear private amenity space of dwellings within The Stable Yard and from public areas within the Ornamental Gardens area. It is noted that the

upper portion of the monopole is the most prominent part of the structure and includes a number of antennas and dishes.

7.3.9 Having considered the foregoing, I am concerned that the proposed monopole would be highly visible from residential properties to the north of the site and would represent an intrusive feature in this predominantly residential area and would represent an incongruous object within an existing sports ground.

7.3.10 Arguments put forward by the first party that the monopole would visually blend in with existing vertical elements in the GAA grounds, such as net support poles and poles with floodlights affixed to them, do not, in my opinion have merit and as such I do not believe that the monopole would be easily assimilated into the streetscape at its proposed location.

7.3.11 The photomontages submitted by the First Party, in my opinion, only confirm that the proposed monopole as depicted is highly visible and visually obtrusive in the streetscape at this location.

7.3.12 On balance, while I note that the importance of telecommunications infrastructure and the support for such as set out in the *Kildare County Development Plan 2023-2029*, the *Nass Local Area Plan 2021-2027* and in government policy, I am of the opinion that the proposed monopole would be excessive and would have an undue impact on the residential amenity of abutting residential properties to the north and fails to achieve compliance with Sections 15.11.4, 7.15 and Objective **EC 079** of the *Kildare County Development Plan 2023-2029*. It maybe that the location of the proposal is broadly acceptable for such infrastructure, but the height of the proposed monopole is incongruous in this setting. This matter could not be dealt with by way of condition and therefore refusal is recommended on this basis.

School building

7.3.13 The proposed monopole structure would be located c.38m from the boundary with St. Brigid's School to the east of the site. Again, I refer the Coimisiún to Drawing No. KDO296-105 PA, which demonstrates that the proposed monopole would be set back c. 33m from the boundary with St. Brigid's School. I note that the school grounds include a number of playgrounds /areas to the north and south of the school building. Viewpoint 3 of the photomontage package clearly shows the proposed structure would be highly visible from the playground areas from some windows on western elevation

of the school building. I do have concerns that the proposed monopole, given its height and proximity to the school grounds would be visually obtrusive from the school environment. This matter could not be dealt with by way of condition and therefore refusal is recommended on this basis.

Protected Structures /Oldtown Demesne Gardens / proposed natural heritage area

7.3.14 In addition to the above, I make the Coimisiún aware that the proposed monopole structure is located within 300m of 2 no. structures which are listed on the Record of Protected Structures (RPS No. NS19-094 (Enclosure) and RPS No. NS19-077 (Pair of Turrets) as set out in Appendix 6 of the *Kildare County Development Plan 2023-2029*.

7.3.15 The description of RPS No NS19-094 states '*Enclosure in flat wasteland. No visible surface remains. Mounds noted to site appear to be the result of clearance /dumping*', while the description of RPS No. NS19-077 states '*Pair of turrets, built c.1860, along eastern flank of Oldtown House Demesne and possibly forming former entrance to the demesne; now forming gateway into school*'. While I note that the proposed monopole would be visible from both features, I note that the area in which the development is proposed has been substantially altered over the years to the extent where I am satisfied that the proposed development would not impact on the character or setting of either of the protected structures.

Oldtown Demesne Gardens / Grand Canal Proposed Natural Heritage Area

7.3.16 Oldtown Demesne is included in the NIAH Historic Gardens and Demesnes database (Garden No. 1895). These gardens include a woodland, walkways and a natural water feature which are open to the public four days a week. The proposed monopole structure would be set back c. 120m from the boundary with the Oldtown Demesne gardens / woodland and c. 160m from the water feature within the gardens / woodland.

7.3.17 In addition to this, the Grand Canal pNHA is located c. 287m to the west of the site. The canal includes a walkway which is used by the public. Note BUFFER ZONE-NE
1.4

7.3.18 I note the concerns of the planning authority with respect to the visual impact that the proposed monopile would have on these areas, specifically that the proposal would contravene Section 15.11.4 of the *Kildare County Development Plan 2023-2029* as

the proposal would detract from and negatively impact the visual amenity of the historic demesne and canal landscape. However, in my opinion the set back of the proposed monopole from both the Oldtown Demesne Gardens and the Grand Canal pNHA in combination with the screening provided by existing large, mature tree planting would ensure that the proposed development would not have an impact on the visual amenity of these areas. I am therefore satisfied that the proposal would not have a detrimental impact on the visual amenity of the historic demesne and canal landscape.

7.4 Flood Risk

7.4.1 I have consulted the flood mapping system (www.floodinfo.ie) and I note that the subject land is within Flood Zone 'C'. However, I make the Coimisiún aware that parts of the adjacent Oldtown Demesne are within Flood Zone A.

7.4.2 Having considered all the foregoing; I consider the proposed development would not result increase the risk of flood either within the site itself or the surrounding area. The proposal is acceptable from a flood risk perspective.

7.5 Other matters- Bat survey

7.5.1 I note the concerns of the Planning Authority with respect to the impact of the proposed development on Bats and that a detailed Bat Survey has not been undertaken by a suitably qualified ecologist. Should the Coimisiún be of a mind to grant planning permission then I would recommend that a condition be included which requires the developer to provide a detailed bat survey (including any mitigation measures required to protect bats) be provided before commencement of development. This should be agreed with the Local Authority.

8.0 AA Screening

8.1 I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The application is for a 28m high telecommunications monopole structure and associated cabinets, and site works in within the grounds of Naas GAA Club.

8.2 The subject site is not located within or adjacent to a European Site. The nearest designated sites are the Mouds Bog SAC (Site code: 002331) which is located c. 8.3km to the west of the site, the Ballynafagh Lake SAC (Site code: 001387) which is

located c. 9km to the north-west of the site and the Pollardstown Fen SAC (Site code: 000396) is located c.12.7km to the south west of the site. The Poulaphouca Reservoir SPA (Site code: 004063) is located c. 11km to the southeast of the appeal site.

8.3 There is no hydrological link between the subject site and the European sites.

8.4 Having considered the nature, scale, and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

8.5 This determination is based on:

- Small scale and domestic nature of the development
- Distance from European sites.
- No hydrological connections to the European sites.

8.6 I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

8.7 Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

9.1 I recommend that planning permission be refused for the reason outlined below.

10.0 Reasons and Considerations

1. Having regard to the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in 1996 (as updated by Circular Letter PL 07/12), the *Kildare County Development Plan 2023-2029* including Sections 7.15, Objective EC O79 and Section 15.11.4 the height, scale and location of the proposed development in close proximity to the boundary of

residential development to the north and a school and attendant grounds to the east, it is considered that the proposed development would be visually obtrusive and seriously injure the visual and residential amenities of the residential property to the north of the site and the visual amenity of the school to the east of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Ronan Murphy
Planning Inspector

21 November 2025

Form 1 - EIA Pre-Screening

Case Reference	ACP-323379-25
Proposed Development Summary	Replace 18m pole with 27m monopole with ancillary and associated works.
Development Address	Naas GAA Club, Sallins Road Oldtown Demesne, Naas
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project.' Proceed to Q2. <input type="checkbox"/> No, no further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____