



An
Bord
Pleanála

Inspector's Report PL27.247417

Development	Single directional sign.
Location	Kilmurray South (Rathdown Barony), Kilmacanogue, Co. Wicklow.
Planning Authority	Wicklow County Council.
Planning Authority Reg. Ref.	16/154
Applicant(s)	Horkans Garden Centre
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third-v-Grant
Appellant(s)	Transport Infrastructure Ireland
Observer(s)	
Date of Site Inspection	09 th December 2016
Inspector	Colin McBride

1.0 Site Location and Description

1.1. The appeal site, which has a stated area of 0.76 hectares, is located to the south of Kilmacanogue, Co. Wicklow and adjacent the N11, National Primary Route. The site is located on the eastern side of the N11 and consists of an existing garden centre. The garden centre currently has a direct access from the N11 as well as an access to the rear of the premises (east) that is reached by traffic from the N11 by using the grade separated junction on the N11 located to the south of the site. Adjoining uses include a commercial enterprise selling log cabins/gardens structures to the north and a parking area associated with the garden centre, but not within the red line boundary of the site also to the north of the site.

2.0 Proposed Development

2.1. Permission is sought for single-directional sign. The sign is 2.7m x 1.22m and is on a wooden stand with total height of 2.8m above ground level. The site is located along the road frontage of Horkans Garden Centre along the N11.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 2 conditions. Of note are the following conditions.

Condition no. 2: Within 1 month of the grant of permission the sign shall be amended to read the correct distance of 250m.

3.2. Local Authority and External reports

3.2.1. TII (29/02/16): The proposal would adversely affect the operation and safety of the national road network, would be contrary official policy in regards to national roads and development, would endanger public safety reason of traffic hazard and set an undesirable precedent.

- 3.2.2. Bray Engineer (14/03/16): Further information required, sign incorrectly states distance to left turn is 100m, correct distance is 250m. Clarification is required regarding if the entrance off the N11 is to be closed.
- 3.2.3. Road Design Office (14/03/16): Further information required including clarification that the sign is within the applicant's land, clarify necessity of sign and it is noted that it is at variance with the NRA Policy Statement on Directional Signage on National Roads.
- 3.2.4. Planning report (29/03/16): Further information required including demonstration that the signage would not cause visual clutter or distraction for motorists, details to show that the sign location provides the minimum clear visibility distance or the sign in accordance with Table 2.3.1 of the Traffic Signs Manual, revised proposal to correct the distance on the sign to be more accurate.
- 3.2.5. TII (06/09/16) The TII position remains the same as set out in their previous submission.
- 3.2.6. Planning report (13/09/16): It was considered based on the planning history, the established business at this location that the sign would reduce traffic hazards by reducing the number of road users trying to enter the site directly off the N11. A grant of permission was recommended subject to the conditions outlined above.

4.0 Planning History

- 4.1 16/162: Permission granted for retention of office and horticultural canopy over existing garden centre.
- 4.2 08/1137: Permission refused for an interpretative and tourist information centre, arts and craft building and alterations and extension to existing garden centre. Refused due to design and visual amenity, public health and concerns regarding retail impact.
- 4.3 99/1731: Refusal for retention of change of use of site from agricultural to extension of existing garden centre.

4.4 95/3146: Permission refused for motel and sewage treatment plant.

5.0 Policy Context

5.1. Development Plan

5.1.1 The relevant Development Plan is Wicklow County Development Plan 2016-2022.

5.1.2 Policy in regards to Roadside Signage is under Section 9.1.7 of the Plan.

AS2 National Road N11/M11 Signage on this route will be strictly controlled and signs will generally only be permitted in accordance with National Roads Authority's "Policy on the provision of Tourist and Leisure signage on National Roads".

In particular 'white-on-brown' signs on the mainline will be considered for:

- Major tourist / leisure destinations (generally those with in excess of 50,000 visitors per annum)
- Tourist facilities panels for adjacent bypassed towns or alternative routes
- Eligible championship golf courses
- County boundary signs
- Principal rivers
- Scenic routes / heritage drives.

On exiting the mainline, continuity signage at the ends of ramps will be facilitated, subject to the visibility and clarity of directional or other road traffic signage not being compromised. Signage for Failte Ireland approved tourist accommodation will be facilitated at the ends of motorway / dual carriageway off slips only, where they meet the intersecting road.

5.1.3 Spatial Planning and the National Roads: Guidelines for Planning Authorities (TII).

Section 3.8 relates to signage with it noted that “on national roads the erection of signage needs to be tightly regulated for road safety and environmental reasons. Planning authorities must avoid proliferation of roadside signage, especially outside the 50-60 kmh speed limit areas in a manner that would reduce the effectiveness of essential signage such as directional and other authorised road traffic signs, create visual clutter and distractions for road users and/or reduce visibility at junctions, interchanges and bends”.

6.0 The Appeal

6.1 Grounds of Appeal

6.1.1 A third party appeal has been lodged by Transport Infrastructure Ireland. The grounds of appeal are as follows...

- The proposal for retention of the sign would be at variance of National policy (Spatial Planning and National Road Guidelines for Planning Authorities) and would endanger public safety by reason of traffic hazard, impede safety and freeflow of a national route due to visual distraction.
- There is no evidence that the sign addresses any road safety issues. The sign would be visual obtrusive and cause distraction to road users. There is no evidence that the sign replaced a previously existing sign. There is an existing sign at the direct access from the N11 and ‘white on brown’ leisure/tourism signage 500m in advance of the Garden Centre.
- The proposal is inconsistent with Development Plan policy, policy/objective AS2 of the 2010-2016 Plan.
- Proposal is contrary to the TII Policy on the Provision of Tourism and Leisure Signage on National Roads.
- The proposal would set an undesirable precedent.

6.2 Responses

6.2.1 Response by Stephen Dowds Associates on behalf of the applicants, Horkans Garden Centre.

- It is noted that the garden centre is a long established business at this location that has two entrances, one directly off the N11 and an entrance to the rear of centre reached by existing the N11 on the grade separated junction to the south. It is noted that the sign subject to retention is not an advertising sign but a directional sign to direct traffic to the rear entrance due to traffic safety concerns relating to traffic accessing the site through the access directly off the N11 (traffic overshooting this access and reversing down the hard shoulder).
- It is noted that there was previously a significant level of signage on this frontage that has been reduced and that the sign for retention replaced a pre-existing sign at this location. It is noted the situation is a unique situation in the interests of traffic safety and would not set a precedent.
- It is noted that the sign does not relate to a tourism destination and therefore the TII's Policy on the provision of Tourism and Leisure Signage on National Roads does not apply.
- It is noted that the existing front entrance directly off the N11 is authorised and legal and that the garden centre has been in existence since 1969 on this site.

7.0 Assessment

7.1 Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Traffic impact, policy

Other issues

7.2 **Traffic impact/policy:**

7.2.1 The proposal is for retention of a wooden sign along road frontage of an existing garden centre adjacent the N11. According to the information on file, the sign is a directional sign, directing traffic to the grade separated junction off the N11 to the south, which allows traffic to use the rear entrance of the garden centre off a local road. The existing garden centre currently has a direct access from the N11, however the applicant notes that it is a common occurrence for traffic to overshoot this entrance and then reverse back on the hard shoulder. The applicant notes that the sign serves to eliminate such turning manoeuvres and therefore helps to alleviate a traffic hazard. The appellants on the other had note that the sign is contrary Development Plan policy and National policy in regards to development along national routes, is a visual distraction that constitutes a traffic hazard and sets an undesirable precedent.

7.2.2 I would first note that guidance in regards to development along national routes is contained under Spatial Planning and the National Roads: Guidelines for Planning Authorities and specifically Section 3.8 in regards to signage. As noted above “on national roads the erection of signage needs to be tightly regulated for road safety and environmental reasons. Planning authorities must avoid proliferation of roadside signage, especially outside the 50-60 kmh speed limit areas in a manner that would reduce the effectiveness of essential signage such as directional and other authorised road traffic signs, create visual clutter and distractions for road users and/or reduce visibility at junctions, interchanges and bends”. At present there are two signs along the frontage of the site, a business sign at the direct vehicular access from the N11 (currently covered with a temporary Christmas tree for sale banner) and the sign for retention, which is an advertising sign with a directional

arrow indicating access to the centre from the grade separated junction to the south. I would consider that the proposal for retention of the sign in question is contrary recommendations of the relevant guidance document in regards to development along national routes.

7.2.3 There is reference to the document Policy on the Provision of Tourist and Leisure Signage on National Roads (TII). The nature of the existing development at this location would not be an activity that would be relevant to such signage and under Section 3.7 the following is noted in regards to retail development.

“Retail facilities / centres are not considered to be tourist or leisure destinations and will not, therefore, be signed from the national road network. Way-finding to such centres should rely on the junction numbering system (as described in paragraph 3.3.1.1), supplemented by private signage for the premises which can be provided on local / regional roads under licence from the relevant local authority under the Planning & Development Act, 2000”.

7.2.4 The applicant notes that the sign serves to eliminates such turning manoeuvres and therefore helps to alleviate a traffic hazard (traffic overshooting the direct access from the N11 reversing down the hard shoulder). In this regard I would note that the directional sign would not necessarily eliminate such manoeuvres as the direct access is an existing access that is being used to access the site and such manoeuvres may occur regardless of the directional sign being in place. I would consider that the issue of traffic hazard concerning the access to the site to be an issue that is not dependent on signage and that the best solution may be to close the direct access and only access the site through the rear access on a lower category road. This is not part of the proposal and the direct access is not part of the appeal site and also serves an adjoining commercial operation to the north. I do not consider the applicant’s argument to justify development that is contrary the recommendations in the national guidance document for development along national routes. The proposed development would be contrary such guidance and would give

rise to visual clutter and distraction for road users, would set an undesirable precedent for such development along national routes, and would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area. I would also note that the proposal would be contrary Development Plan policy as set out under Objective AS2 outlined above.

7.2.5 I would note that in the event of grant of permission the sign for retention should be modified to be a directional sign and not an advertising sign as is presently the case. It should be simplified and provide only the wording 'garden centre' and should be designed with regard to the TII's guidance in relation to signage design ('white on brown').

7.3 **Other Issues:**

7.3.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest 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.

8.0 **Recommendation**

8.1 I recommend a refusal of permission based on the following reason.

9.0 **Reasons and Considerations**

1. Guidance in regards to development along national routes is contained under Spatial Planning and the National Roads: Guidelines for Planning Authorities and specifically Section 3.8 in regards to signage. It is noted that "on national roads the erection of signage needs to be tightly regulated for road safety and environmental reasons. Planning authorities must avoid proliferation of roadside signage, especially outside the 50-60 kmh speed limit areas in a

manner that would reduce the effectiveness of essential signage such as directional and other authorised road traffic signs, create visual clutter and distractions for road users and/or reduce visibility at junctions, interchanges and bends". The proposed development would be contrary such guidance as well as being contrary Policy AS2 under the Wicklow County Development Plan 2016-20122. The proposal would give rise to visual clutter and distraction for road users, would set an undesirable precedent for such development along national routes, and would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Colin McBride
Planning Inspector

22nd December 2016