



An  
Bord  
Pleanála

## Inspector's Report 302073-18

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<b>Development</b>	Erection of double sided illuminated sign.
<b>Location</b>	Drumark, Killybegs Road. Donegal
<b>Planning Authority</b>	Donegal County Council.
<b>Planning Authority Reg. Ref.</b>	18/50695
<b>Applicant(s)</b>	Martin Gilroy.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	To Grant Permission.
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Transport Infrastructure Ireland
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	September 24 <sup>th</sup> , 2018
<b>Inspector</b>	Breda Gannon
<b>Appendix 1</b>	Site Plan Annotated Photographs

## **1.0 Site Location and Description**

- 1.1. The site is located in Drumark Td., circa 4km west of Donegal town. It is one of 4 no. commercial units located on the south side of the N56. The units are separated from the national secondary road by a low wall. Parking is provided at the front of each building and loading/unloading operations take place to the side. There are two access points from the complex onto the N56. Adjacent to the site frontage of the adjoining building to the west there is a large vertical advertising sign.
- 1.2. Further west there is a petrol filling station and associated forecourt with a large car wash facility. To the rear there is an NCT testing centre. At the front of the garage forecourt adjacent to the roadway, there is a large vertical Texaco sign. Opposite the site there are single houses on elevated ground. The area generally is characterised by one-off rural housing in ribbon form along the national secondary road.
- 1.3. The N56 is an important route providing linkages to the west of the county and the route of the Wild Atlantic Way.

## **2.0 Proposed Development**

- 2.1. Permission is sought for a free-standing sign, with a stated height of 5.4m, a width of 1.5m and a depth of 0.4m. The sign would have a steel frame structure with Perspex frontage. A single LED light is proposed on the top of the sign. The sign is to be positioned in the car park area adjoining the front boundary wall of the site.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The planning authority decided to grant permission for the development subject to 3 no. conditions.

Condition No 1 – Development to be carried out in accordance with plans and details submitted on 3/5/18.

Condition No 2 – Sets out requirements regarding Irish language.

Condition No 3 – Sets out requirements regarding sign lighting.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The planning officer's report of 18/6/18 notes that there is precedence for similar signage to the west of the site on the adjoining commercial unit and the adjoining garage. No issues arise with regard to the design of the sign, which is the same as the sign in situ to the west of the site.

In terms of siting the proposed sign will not impact on the free flow of traffic on the N56 or its operational efficiency and safety. It is not visually dominant and should not detract from traffic on the N56. It will not result in the loss of parking spaces and will not impede vision lines at the point of exit from the site.

#### **3.3. Prescribed Bodies**

Transport Infrastructure Ireland considers that the proposal is at variance with official policy in relation to the control of development on/affecting national roads as outlined in the DoECLG '*Spatial Planning and National Roads Guidelines for Planning Authorities*' (2012) as the proposed development by itself, or by the precedent which a grant of permission for it would set, would adversely affect the operation and safety of the national road network.

#### **3.4. Third Party Observations**

None

### **4.0 Planning History**

The planning authority documents the following planning history for the site and its environs;

96/1112, 96/1113, 96/1114 & 96/1115-- Outline permission granted for the erection of an industrial unit on four individual sites with associated office, toilet and septic tank.

96/2159 – Approval granted for the erection of a two-storey commercial unit to include retail, stores, toilets, staff facilities and offices with septic tank and associated works on appeal site.

99/3075 – Permission granted for the provisions of 12 no. additional car parking spaces at lower ground floor level including all associated site development works at the rear of existing commercial unit on appeal site.

14/51297 – Permission granted for a change of use of a portion of the first floor from offices to retail on appeal site.

## 5.0 Policy Context

### 5.1. Development Plan

5.2. The operative development plan is the Seven Strategic Towns Local Area Plan 2018-2024, which has been prepared in the context of the recently adopted Donegal County Development Plan 2018-2024. The site is located within the plan boundary in an area identified as *'Established Development'*.

5.3. The visual quality of the main access routes in and out of the town is identified as a Key Planning Issues (Section 9.2) in the LAP.

5.4. Policies in relation to signage are set out in Section 9, Part B Appendix 3 of the County Development Plan (Development Guidelines and Technical Standards).

Relevant policies include;

Policy 9.2 – It is the policy of the Council to only permit general Advertising Signage on/within the curtilage of a business/development or within the defined, or readily identifiable centres of all settlement framework areas.

Policy 9.7 – All Business/Community signage in the Gaeltacht shall be either Irish only or bilingual in nature with Irish first and more prominent than the other languages used. All Business/Community signage outside the Gaeltacht shall be bilingual in nature.

Objective T-O-6 – To safeguard the carrying capacity and safety of National Roads and other specified Regional Roads.

## 5.5. Natural Heritage Designations

There are three Natura 2000 sites located within the plan boundary. These include;

- Donegal Bay SAC
- Lough Eske & Ardnamona Wood SAC, and
- Donegal Bay SAC.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal may be summarised as follows;

- The control of signage along national roads, such as the N56 is essential to protect the level of safety on the network, particularly on sections outside towns and villages that are subject to high traffic speeds.
- It is considered that the development is at variance with the provisions of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and would endanger public safety by reason of traffic hazard and impede the free flow of traffic on the national road by constituting a visual distraction to drivers, having regard in particular to the location, scale and design of the subject sign.
- Permission for the subject sign, by itself or by the precedent which the grant of permission would set, could lead to a proliferation of such developments which would adversely affect the safety of road users of the national road and reduce effectiveness of essential road traffic signage.
- The proposed signage taken individually or in combination with other commercial signage at the site, has the potential to create visual clutter and a distraction for road users on this heavily trafficked national secondary route, at a location where a 100 km/h speed limit applies and in proximity to existing commercial accesses and local road junctions and would therefore be contrary to the proper planning and sustainable development of the area.

- The proposed signage is inconsistent with the provisions of Objective T-O-6 and Appendix 3 Section 9.6 of the Donegal County Development Plan 2018-2024 and is at variance with the provisions of Section 3.8 of the DoECLG Spatial Planning and National Road Guidelines 2012.
- Whilst it is acknowledged that the application does not represent signage for a tourism destination, it is considered that the best practice guidance and considerations included in Part 5 of the TII (NRA) Policy on the Provision of Tourism and Leisure Signage on National Roads are equally applicable to the subject application taking account of the over-riding objective to protect the safety of road users by restricting the proliferation of unnecessary signage that can cause distraction to road users, cause a safety hazard and reduce the effectiveness of essential road traffic signage.
- The Board will be aware of the priority to ensure adequate maintenance of the national road network in order to protect the value of previous investment. TII seeks to ensure that official national objectives are not undermined and that the anticipated benefits of the investment made in the national road network are not jeopardised. The Board will be aware of National Strategic Outcome 2 of the National Planning Framework which includes an objective to maintain the strategic capacity and safety of the national road network. It is considered that the proposal conflicts with the objective to safeguard the strategic function of the national road network and to safeguard the investment made to ensure quality levels of service, accessibility and connectivity to transport users.

## 6.2. Planning Authority Response

- The application was determined to be sufficiently robust to enable assessment and determination.
- In terms of siting, it is considered that the proposed sign will not impact on the free flow of traffic on the N56 and will not impact on the operational efficiency and safety of the road.
- In terms of design, it is not considered that the file is visually dominant and will not distract traffic on the N56.

- Having regard to the location of the site within the settlement framework of Donegal town, to the nature and scale of the development and the policies of the development plan, it is considered that subject to compliance with the conditions specified, the proposed development would not injure the amenities of the area, and would not endanger public safety by reason of traffic hazard.

### 6.3. Observations

None.

## 7.0 Assessment

- 7.1. The proposal is to erect a large vertical sign at the front of the appeal site. The sign would be erected behind the front boundary wall separating the site from the N56. It would be similar in scale, proportions and finishes to the existing sign located to the front of the adjacent unit to the west and the Texaco sign on the adjacent garage forecourt.
- 7.2. The proposed sign would be located within the curtilage of a business/development, which is the type of advertising facilitated by the plan. The plan also seeks to ensure that visual clutter is avoided and that the signage does not compromise road safety.
- 7.3. The carriageway of the N56 is wide in this location, with a hard shoulder on both sides. Activity associated with the existing units, the adjacent garage and the NCT centre generates significant manoeuvres across the N59. The posted speed limit is of 80 km/h. The DoECLG Spatial Planning and National Road Guidelines 2012 seek to control signage on national roads, especially outside the 50-60kmh speed limit.
- 7.4. Additional signage is not required to identify the property, which has the name displayed in large lettering across the façade. Whilst I accept that advertising forms an acceptable part of the retail/commercial environment, I also accept that the level of advertising in a given area needs to be controlled to prevent visual clutter and a deterioration in the visual amenities of the area. The proliferation of advertising signs can also cause distraction to road users and endanger public safety by reason of traffic hazard.

7.5. While the sign may not interfere or detract from existing essential road signage, it would, if permitted, result in a third large sign advertising an individual premises on a relatively confined stretch of road frontage. Notwithstanding existing signage (which has not been confirmed to have the benefit of planning permission), I consider that the erection of an additional sign advertising an individual business would create a precedent for similar signs on adjacent sites, which would result in visual clutter and a distraction of road users, which is at variance with official policy. I consider that the proposed development would detract from the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

## **8.0 Appropriate Assessment**

8.1. Having regard to the location of the development within a serviced built up area, the nature of the development and the separation distance from Natura 2000 sites, I consider that the proposed development either alone, or, in combination with other plans or projects, would not be likely to have significant effects on a European site, in view of the sites' conservation objectives and that, therefore, a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement is not required.

## **9.0 EIA Screening**

9.1. Having regard to the nature and scale of the proposed development and the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for EIA can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **10.0 Recommendation**

10.1. Having considered the contents of the planning application, the decision of the planning authority, the provisions of the development plan, the grounds of appeal and the responses thereto, my inspection of the site and my assessment of the planning issues, I recommend that permission be refused for the development for the reasons and considerations set out below.



## 11.0 Reasons and Considerations

It is considered that taken in conjunction with existing signage on adjacent sites, the proposed development would result in the proliferation of signs in the area which would contribute to visual clutter and cause distraction to road users, along a section of the N56 National Secondary Road where a speed limit of 80 km/h applies. The proposed development, would be at variance with official policy as set out in the Spatial Planning and National Roads-Guidelines for Planning Authorities (DoECLG, 2012) which seeks to control the proliferation of roadside signage on national roads outside the 50-60 km/h speed limit. It is considered that the proposed development would seriously detract from the visual amenities of the area and endanger public safety by reason of traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area.

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Breda Gannon  
Senior Planning Inspector

09 October 2018