



An
Bord
Pleanála

Inspector's Report ABP-302606-18

Development	Erection of Advertising structure
Location	Cranalagh More, Edgeworthstown , Co. Longford.
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	18148
Applicant(s)	James Shaughnessy
Type of Application	Permission
Planning Authority Decision	Permission
Type of Appeal	Third Party
Appellant(s)	Transport Infrastructure Ireland
Observer(s)	None
Date of Site Inspection	12 th of December 2018
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The application site is to the south of the junction of the R51601 and on the western side of the N55 National Secondary Road, in the townland of Cranalagh More to the north of Edgeworthstown, Co. Longford. The site area is fenced off and is to the east of the applicant's dwelling and the car sales business. Both of these, are visible from the N55 and are accessed separately via the local road to the north.
- 1.2. The site is undulating and slopes downwards towards the south east. It is on a higher level than the lands to the south and the sign will be seen when travelling along the N55. The main view of this relatively open site is when travelling from the north towards Edgeworthstown. There are trees and hedgerows along the southern site boundary and a low timber fence along the eastern boundary with the N55 and along the northern boundary with the local road. There are houses facing on the opposite side of the N55. There is a layby to pull in for turning close to the junction of the N55 and the local road to the north. There is fast busy traffic along this section of the N55 and the site is within the 100km/h speed limit. There is no other such advertising signage in this rural area.

2.0 Proposed Development

- 2.1. Permission is sought to erect an advertising structure, back to back sign, on the site at the junction of the R51601 and the N55 roadway. The proposed development is to consist of the erection of a 1.8m high x 0.9m wide fixed, illuminated signage, support frame with overall height of 3m (approx.10feet), and all associated siteworks at Cranalagh More, Edgeworthstown.
- 2.2. A Site Layout Plan showing the proposed location of the site and details of the proposed signage have been submitted.

3.0 Planning Authority Decision

3.1. Decision

On the 24th of August 2018, Longford County Council granted permission for the proposed development subject to 7no. conditions. These include the following:

- Condition no.2 – The proposed sign shall be relocated so that it is a minimum of 6m from the road edge. The proposed lighting for the sign shall be omitted and it shall not be illuminated.
- Condition no.3 – The structure and signage shall be for the location and identification of the James Shaughnessy Car Sales Business only.
- Condition no.4 – No additional signage shall be placed on the site.
- Condition nos. 5 & 6 – Disposal of surface water and regard to drainage.
- Condition no. 7 – Development Contribution - €500.

3.2. **Planning Authority Reports**

Planner's Report

The Planner had regard to the locational context of the site, planning history and policy. They noted the proposed development and the contents of the NRA submission. Also, that the applicant proposes to construct an advertising sign on his land. They provide that this proposal is considered acceptable with the condition attached that the sign be moved a minimum of 6m from the indicated road edge and the omission of the proposed lighting. They recommended that permission be granted subject to conditions.

3.3. **Other Technical Reports**

The Planner's Report noted that there are no Internal Reports.

3.4. **Prescribed Bodies**

Transport Infrastructure Ireland

They considered the proposal at variance with official policy in relation to control of development on/affecting national roads, as outlined in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and are concerned that the proposal would adversely affect the operation and safety of the national road network for the following reason:

The erection of the proposed sign(s), by the precedent which the grant of permission would set, could lead to a proliferation of such developments which would adversely affect the operational efficiency and safety of the national road network.

4.0 Planning History

Reg.Ref.03/375 – Planning permission was granted subject to conditions to erect a two storey dwelling house with septic tank and percolation area, car storage unit and ancillary site works.

A copy of this permission is included in the History Appendix of this Report.

5.0 Policy Context

5.1. Project Ireland 2040 – National Planning Framework

This aims to provide a broad ranging guide to development and investment over the coming years and seeks to empower national, regional and spatial planning in economic, environmental and social terms to 2040. In conjunction the National Development Plan 2018-2027 seeks to provide a ten-year strategy for public investment.

Chapter 5 and Section 5.2 provides the National Strategic Outcomes and Public Investment Priorities. National Strategic Outcome 2 provides for Enhanced Regional Accessibility.

5.2. Spatial Planning and National Roads Guidelines 2012

These guidelines were issued under Section 28 of the Planning and Development Act 2000(as amended) by the Department of Environment, Community and Local Government in January 2012.

Section 3.8 includes reference to:

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.

This also notes: Advice and guidance in respect of signage on national roads concerning major tourist and leisure features and facilities has been outlined in the NRA's Policy on the Provision of Tourist & Leisure Signage on National Roads (March 2011) which is available to download from the publications section of the NRA's website.

5.3. NRA – Policy on the Provision of Tourist and Leisure Signage on National Roads (Revision 1 2011)

Section 1.2 provides: The purpose of this document is to outline the National Roads Authority's policy on the provision of tourist and leisure information signs on national primary and national secondary roads in Ireland. The Policy is not intended to apply to national roads in towns and other built-up areas to which speed limits of 50 km/h or less apply. The regulation of signage in such areas is a matter for the relevant planning authority. However, such signage should not interfere with or unduly distract road users or otherwise detract from the safe and efficient operation of the road.

Section 1.7 provides that: All tourist and leisure signage is designed and installed in accordance with the Department of Transport's Traffic Signs Manual.

Part 2 provides a Classification of Tourist/Leisure Destinations and Part 3 Tourist & Leisure Signage Policy.

Section 3.3.3 refers to National Secondary Road and Section 3.4.3 to Signage from National Secondary Road and has regard to signage for tourist destinations and attractions. Section 5.1 refers to the Legislative Background.

5.4. Longford Development Plan 2015-2021

The Development Plan sets out an overall strategy for the proper planning and sustainable development of Longford County and consists of a written statement, including appendices and annexes, and plans indicating the development objectives for the County.

The General Road Policy and Objectives to promote a safe and efficient road network and sustainability in road use are provided in Section 5.1.1.1. Roads

Policies 1, 2,3 and 4 refer. Policy Roads 11 - seeks compatibility with the DoECLG Spatial Planning and National Road Guidelines (2012). Section 5.1.1.2 refers. This also noted that the N55 to Cavan and Athlone is a road of strategic national importance.

Section 5.1.1.4 relates to Advertising on Roads – Policy - Roads 21 refers:

It is the policy of the council to restrict the use of National, Regional and Local roads for advertising purposes in line with the Planning and Development Act and to implement the provisions of the NRA policy document “Policy on the provision of Tourist and Leisure Signage on National Roads” and the document “Longford County Council Policy on Advertising Signs.” (adopted May 2007).

The latter includes regard to the undesirability of unattractive hap-hazard signage on major traffic routes.

Appendix 2 provides the Licencing Principles and Conditions and this includes:

(c) The erection of advertising signs for commercial premises/events shall not be permitted on National Roads and shall be severely restricted on Regional Roads and Local Roads.

5.5. Natural Heritage Designations

The closest Natura 2000 site, which is not proximate to the site is Ardgullion Bog SAC (Site Code:002341).

6.0 The Appeal

6.1. Grounds of Appeal

Transport Infrastructure Ireland has submitted a Third Party Appeal against the Council's decision to grant permission for the proposed development. Their grounds of appeal include the following:

- The control of signage along national road, such as the N55, national secondary road, is essential to protect the levels of safety on the network, particularly on sections of the network outside towns and villages that are subject to high traffic speeds.

- They consider the Council's decision to grant is inconsistent and at variance with the provisions of official policy concerning the necessity to ensure high standards of safety for road users outlined in the DoECLG 'Spatial Planning and National Roads Guidelines of Planning Authorities (2012).
- They also consider that it is contrary to the provisions of the Longford CDP 2015-2021 relating to signage and national roads.
- They have regard to these documents and are concerned that poorly erected or maintained signs can present a hazard to road users.
- They are concerned about the creation of undesirable precedent and that the proliferation of this type of signage that is visually obtrusive and would be a distraction for road users.
- They note this is an area where maximum speed of 100kph applies.
- They request that the provisions of the Longford CDP in particular, policies Roads 1 – 4 and 21 are taken into account in their assessment of this application.
- They also refer to Appendix 2 Licensing Principles and Conditions of the 2007 Policy Paper where the principle is equally relevant to this signage application.
- They also request that the provisions of Section 3.8 of the 'Spatial Planning and National Roads Guidelines of Planning Authorities (2012)' be, taken into account. They consider that the proposed development is contrary to this.
- They have regard to the TII(NRA) Policy on the Provision of Tourist and Leisure Signage on National Roads, and note the overriding objective to protect the safety of road users by restricting the proliferation of unnecessary signage that can cause distraction to road users and result in a safety hazard and reduce the effectiveness of essential road traffic signage.
- They provide a summary of the key points outlined in Part 5 of the TII(NRA) Policy Statement relevant to the avoidance of a proliferation of signage on National Roads.

- They note that the signage proposed in the current application seeks to advertise car sales that are occurring from the car storage unit permitted under Reg. Ref. 03/375 and note that the current proposal is contrary to Condition no. 15(d) of that permission.
- They are concerned that this proposal would not protect public investment and have regard to the National Strategic Outcome 2 of the national planning framework which includes the objective to maintain the strategic capacity and safety of the national roads network.
- They consider that the permission granted conflicts with the objective to safeguard strategic function of the national road network and to safeguard the investment made in the transport network to ensure quality levels of service, accessibility and connectivity to transport users.
- The proposal has the potential to create visual clutter and a distraction for road users adversely affecting the safety of users of the national road.
- The TII considers that the development as permitted would set an undesirable precedent for other similar development impacting on the strategic national road network.

6.2. **Planning Authority Response**

There has been no response from Longford County Council to the grounds of appeal.

7.0 **Assessment**

7.1. **Principle of Development and Planning Policy**

- 7.1.1. The TII requests that the provisions of the Longford County Development Plan 2015-2021 in particular, Roads Policy 21 and Section 3.8 of the DoECLG 'Spatial Planning and National Roads Guidelines of Planning Authorities' (2012) relative to the restriction of advertising on National Roads are considered by the Board in their assessment of the subject application. It is noted that the TII are of the opinion that the proposed signage is inconsistent with the provisions of these policy documents

and also the TII(NRA) 'Policy on the Provision of Tourist and Leisure Signage on National Roads'(2011). They consider that it would set an undesirable precedent for other further similar development along national roads, would create a distraction for roads users on the N55, national secondary road, at a location where a 100kph speed limit applies in proximity to the existing private access and a local road junction and would therefore be contrary to the proper planning and sustainable development of the area.

- 7.1.2. The Planning Authority granted permission for the sign subject to restrictive conditions. The Planner's Report provided that the proposed development is considered to be acceptable with the condition attached that the sign be moved to a minimum of 6m from the indicated road edge and the omission of the proposed lighting. They also restricted the use advertising structure to the applicant. Further regard is had to these issues including the proposed design and siting of the advertisement structure in this assessment below.

7.2. Impact of the Advertising Structure

- 7.2.1. It is proposed to erect this advertising sign within the applicant's landholding on a site to the south of the junction of the local road R51601 and the N55. As shown on the Site Layout Plan the sign was to be set c.3m back from the site boundary with the roadside verge along the N55, National Secondary Road.
- 7.2.2. This is described as a back to back sign of 1.8m high x 0.9m wide fixed, illuminated signage, with a support frame with overall height of 3m (approx. 10 feet), and all associated site works.
- 7.2.3. The Elevations and End View show that the sign is to be illuminated, coloured red and advertising 'James Shaughnessy Car Sales' which is accessed via the local road to the west.
- 7.2.4. It is noted that the TII refer to the permission granted for the two storey house with septic tank and percolation area, car storage unit and ancillary works (register reference. 03/375 refers). In that case Condition no. 15(d) provided: *No signage of any kind whatsoever shall be erected within or near the site in connection with the existing/use of the structure.*

- 7.2.5. This is the first such advertisement sign to be erected in this rural area proximate to the N55, other than road directional signs. This is a fast and busy section of the N55 where a speed limit of 100kph applies. It is considered that the signage, even if it were not illuminated and set back 6m from the road edge as per the Council's conditions, would appear visually obtrusive and out of context with the rural area. Also, the TII concerns are noted and it is considered that it would set an undesirable precedent for such hap-hazard form of development and lead to distraction for road users which could lead to traffic hazard. If permission is granted there is concern that it would set a precedent and lead to a proliferation of such signage in the area.
- 7.2.6. Therefore, having regard to these issues and the concerns of the TII, I would consider that it would be contrary to Roads Policy 21 of the Longford CDP 2015-2021 and the controls/restrictions on advertising as provided in Section 3.8 of the DoECLG 'Spatial Planning and National Roads Guidelines of Planning Authorities (2012)'.

7.3. Screening for Appropriate Assessment

- 7.3.1. Having regard to the nature and scale of the proposed development for an advertisement structure and the nature of the receiving environment and the distance to the nearest European sites, 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.

7.4. Screening for Environmental Impact Assessment

- 7.4.1. Having regard to the nature and scale of the proposed development and taking into account that this proposal is for an advertising structure, the capacity of the soils on site to accommodate wastewater and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

8.0 Recommendation

8.1. I recommend that permission be refused for the reasons and considerations below.

9.0 Reasons and Considerations

1. The “Spatial Planning and National Roads - Guidelines for Planning Authorities” issued by the Department of the Environment, Community and Local Government (2012) seek in Section 3.8 to: “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”. It would also be contrary to Section 5.1.1.4 ‘Advertising on Roads’, Policy 21 of the Longford County Development Plan 2015-2021. The proposed development would be contrary to the provision of the said Guidelines and County Development Plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Angela Brereton
Planning Inspector

21st of December 2018