



An  
Bord  
Pleanála

## Inspector's Report

### ABP-320279-24

<b>Development</b>	Section 254 licence for an advertisement structure (finger post sign).
<b>Location</b>	Ardnaboy, Hacketstown, County Wicklow.
<b>Planning Authority</b>	Wicklow County Council
<b>Planning Authority Reg. Ref.</b>	24/240
<b>Applicant(s)</b>	Hugh and Maura Lambert
<b>Type of Application</b>	Section 254 Licence
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Hugh and Maura Lambert
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	6 <sup>th</sup> May 2025
<b>Inspector</b>	Elaine Power

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## 1.0 Site Location and Description

- 1.1. The subject site is located on the grass verge, at the junction of the L3209 Knockananna to Tinahely Road and the L32091 Ardnaboy Lane in Co. Wicklow, c. 700m south of the village of Knockananna. The surrounding area is rural in a nature, with a linear pattern of residential dwellings along the local road network.

## 2.0 Proposed Development

- 2.1. This Section 254 licence is for an advertising structure comprising a stainless-steel pole c. 2.7m in height with an attached finger post sign, c. 1m in width by 0.3m in height, with the words 'Yellow Heights Accommodation'.

## 3.0 Planning Authority Decision

### 3.1. Decision

The planning authority refused to grant a Section 154 licence for the following reason:

It is considered that the proposed Freestanding Sign located upon the L3209 and L32091 junction would constitute non-essential directional signage which would, if permitted, present a potential distraction for motorists contributing to the creation of a traffic hazard, would lead to visual clutter and would act as an undesirable precedent for the proliferation of further such Freestanding Signs in the area, 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*

The area planners report dated 10<sup>th</sup> July 2024 raised no objection to the proposed development.

The report of the Senior Executive Planner dated the 15<sup>th</sup> July 2024, which superseded the area planners report, noted the recommendation of the area planner to grant a licence for the proposed signage. However, it was considered that the proposed

signage was not necessary for directional purposes as the applicants 'Yellow Heights' accommodation is located on a public road and that the Eircode of the address can be used for navigational purposes. It was also noted that the applicants could provide directions in advance to guests.

It was decided to refuse to grant a licence under Section 254 for the reason outlined above.

### **3.2.2. Other Technical Reports**

Area Engineer: email dated 21<sup>st</sup> June 2024 states there is no comments in relation to the proposed development.

### **3.3. Prescribed Bodies**

None

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

None

## **4.0 Planning History**

**Ref. Ref. 21/904:** A licence under Section 254 was refused in 2021 for a fingerpost sign at the subject site. The reason for refusal stated that: -

No evidence has been provided to show that appropriate permission has been granted for the use of the Yellow Heights Accommodation for short-term letting. In the absence of such evidence the Planning Authority cannot grant the development of finger post signs as it would lead to the proliferation of non-essential signage, and would set an undesirable precedent for additional signage at this location leading to driver confusion and a traffic hazard, and would therefore be contrary to the objectives of the County Development Plan 2016-2022, and to proper planning and sustainable development

**Reg. Ref 23/880:** Retention permission was granted in 2023 for the conversion of an existing farm outbuilding to holiday accommodation for short-term letting, the retention

of four single storey extensions, with a combined floor area of 62.10m<sup>2</sup>, to the existing 159.30m<sup>2</sup> single storey dwelling and permission was granted for the provision of a new wastewater treatment system to replace existing septic tank and associated site works at Yellow Heights, Ardnaboy, Co. Wicklow.

## 5.0 Policy Context

### 5.1. Wicklow County Development Plan 2022-2028

The appeal site is located on unzoned lands in the open countryside.

**Section 12.7 Roadside Signage.** Signage serves three functions as set out below

**Directional and information signage:** These are signs that provide the public with directions to a particular location, where destinations may be difficult to find, which may be a town or village, a specified business / service, sports club, public or voluntary service, etc, particularly at the latter stage of a journey. What differentiates these from advertising signs is that they are for the purpose of directing people to a place, club or service that they already know about, or a facility aimed at tourists, that they would be expected to be seeking. These are intended to complement, but not replace, pre-planning of the journey and the use of verbal instructions, maps and SatNavs/Eircodes. Examples of such destinations would typically, but not exhaustively, include railway stations, football clubs, theatres, schools / colleges, national and regional attractions.

**Advertising signage:** These are signs whose objective is to market a business, product or service. These can take many forms, ranging from billboards and posters, to pole mounted signs (including fingerpost signs). While the Council acknowledges the need for advertising and accepts that it is a necessary part of commercial life, it is also aware of its responsibility to protect the visual amenity in urban and rural areas and for the elimination of traffic hazards. A conglomeration of signs or a sign of inappropriate size can detract considerably from the character and visual amenity of a settlement, result in visual clutter and conflict with the interests of road safety.

**Identification signage** These are signs to identify a business, service or premises, and are normally proximate to the premises/business/service.

The relevant Roadside Signage Objectives are noted below: -

**CPO 12.67** All roadside signage shall have regard to the guidance provided in the Traffic Signs Manual with particular reference to the design, siting and structural requirements.

**CPO 12.71** Regional and Local Roads Directional and information signage will be permitted on Regional and Local Routes. Such signage shall be in finger post form and shall include only the business / facility name and distance information. Subject to the following:

- these are intended to complement, but not replace, pre-planning of the journey and the use of verbal instructions, maps and Satnavs.
- supplement rather than duplicate information already provided on other direction signs. In particular signs will only be considered from the town or village (that is already well signposted) nearest to the facility.
- tourism and leisure facilities shall be on signs of white writing on brown background. All other signs shall be black writing on a white background; and
- signs will be permitted from more than one direction only where it can be demonstrated that the different approaches are well trafficked and add convenience to road users.

In addition, signs will also be considered where there are clear benefits to the road user, e.g. for safety reasons, where locations may be hard to find or to encourage visitors to use particular routes.

## **5.2. Natural Heritage Designations**

There are no designed sites within the vicinity of the appeal site.

## **5.3. EIA Screening**

The proposed development is not a class of development for the purpose of EIA.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The relevant planning issues raised in the first party appeal are summarised below: -

- Advertising is a normal part of commercial activity and although most signage tends to be located in urban areas, a small number of advertisements are found in the open countryside.
- The proposed sign is small scale and light weight and is similar to signage throughout the country. These signs are universally accepted, largely because of their value to motorists, to cyclists and to pedestrians outweighs their visual effect, especially in rural areas.
- It is noted that the original planners report recommended that the licence be granted.
- The proposed advertising sign is permissible under Objective CPO 12.71 of the development plan.
- Section 12.71 of the development plan notes that directional signage is intended to complement, but not replace... instructions, maps and SatNas / Eircodes... The planning authority's reason for refusal is at variance with the provisions of this section of the development plan.
- The applicant's home occupies a discreet and out of the way site which is difficult for holidaymakers to find. This is the reason that a fingerpost sign is needed. Comments from previous guests are attached with the appeal which state that they experienced difficulty locating the tourist accommodation.
- Not all vehicles and tourists have access to electronic devices to provide directions to the accommodation.
- A refusal of a licence for directional signage would set an undesirable precedent.
- The sign would not create a traffic hazard and would comprise an innocuous addition to the area.
- The advertisement would principally be noticed by tourists search for the accommodation and would not be so obvious to other motorists driving in this area so as to give rise to a traffic hazard, largely because of its low-profile in character and would not be externally illuminated.

- There is no evidence of similar fingerpost signs resulting in an increase in road traffic accidents.
- The provision of a single sign in this rural area would not lead to visual clutter.
- The issue of precedent is not substantial grounds to refuse permission as each case must be assessed on its own merits.

## 6.2. **Planning Authority Response**

None

## 6.3. **Observations**

None

## 7.0 **Assessment**

7.1. In my opinion, the main issues for consideration in this case are the planning authority's reason for refusal.

### 7.2. ***Reason for Refusal***

7.2.1. The appeal relates to a Section 254 licence to provide a finger post sign on a grass verge, at the junction of the L3209 Knockananna to Tinahely Road and the L32091 Ardnaboy Lane, c. 700m south of the village of Knockananna. The purpose of the directional sign is to inform guests of the location of 'Yellow Heights' accommodation, which is a short-term letting type of accommodation located c. 450m east of the proposed sign.

7.2.2. The planning authority's reason for refusal considers that the proposed signage would constitute non-essential directional signage which has the potential to result in an undesirable precedent for the proliferation of further such Freestanding Signs, a traffic hazard and visual clutter.

#### *Non-Essential Signage*

7.2.3. The description of the development is for an advertising structure, however, the information provided in the appeal notes that the sign is required for directional purposes. Section 12.7 of the development plan notes that roadside signage serves 3 no. functions, in this regard directional and information signage, advertising signage



and identification signage. While the development description is noted, it is my opinion that the proposed sign falls within the definition of directional and information signage.

- 7.2.4. As noted by the applicant, Objective CPO 12.71 of the development plan allows for the provision of directional and information signage on Regional and Local Routes. However, this is subject to a number of criteria. Relevant criteria to this appeal include that the signage is *intended to complement, but not replace, pre-planning of the journey and the use of verbal instructions, maps and Satnav*. The appeal includes comments from visitors stating that the accommodation is difficult to locate, and the applicant notes that not all guest travelling to the accommodation may have access to SatNav or other similar technology. While this is acknowledged, it is my opinion that it is unlikely that a visitor to the property would undertake the journey without any previous directional information either in the form of verbal instructions or a paper map.
- 7.2.5. It is also noted that the short-term accommodation is located in a rural area, c. 450m from the proposed sign and, therefore, the visitor to the accommodation is likely to have followed some directional information to arrive at the proposed location of the sign on the L3209.
- 7.2.6. Given the wide variety of available directional information, including verbal, paper maps and technology, it is my opinion that the proposed signage is not necessary for directional purposes and, therefore, I agree with the planning authority that the proposed sign comprises non-essential signage and therefore does not comply with the criteria set out in Objective 12.71.

#### *Precedent*

- 7.2.7. Section 12.7 of the development plan notes that directional and information signage *are signs that provide the public with directions to a particular location... particularly at the latter stage of a journey...* It also provides examples of destinations that would typically require a directional and information sign these include *railway stations, football clubs, theatres, schools / colleges, national and regional attractions*. It is noted that this list is not exhaustive. However, having regard to the information provided in Section 12.7 of the development plan it is my opinion that the provision of directional signage typically relates to community and tourist attractions that have the potential to generate a significant number of trips.

- 7.2.8. While the provisions of Objective CPO 12.71 are noted it is my opinion that having regard to the nature (short term letting accommodation) of the destination that the proposed sign would serve, and to the significant number of similar short-term lettings in the area and throughout the country, I agree with the planning authority that to allow such a sign would set an undesirable precedent for further such type developments, which could lead to the proliferation of directional signage within the rural area.

*Traffic Hazard*

- 7.2.9. The planning authority's reason for refusal also considered that the proposed sign has the potential to distract motorists which could contribute to the creation of a traffic hazard.
- 7.2.10. The applicant notes that the sign would principally be noticed by tourists searching for the accommodation and would not be so obvious to other motorists driving in this area so as to give rise to a traffic hazard, largely because of its low-profile in character and would not be externally illuminated. The appeal further states that there is no evidence of similar fingerpost signs resulting in an increase in road traffic accidents. I agree with the applicant that given the characteristic of the sign it is unlikely to attract attention from motorists, other than those travelling to the accommodation.
- 7.2.11. I am satisfied that given the rural location and the characteristics of the sign that the proposed development would not result in a traffic hazard. It is also noted that the planning authority's Area Engineer raised no concerns regarding the proposed advertising sign.

*Visual Clutter*

- 7.2.12. The planning authority's reason for refusal also considered that the proposed sign would lead to visual clutter. The applicant considers that the provision of a single sign in this rural area would not lead to visual clutter.
- 7.2.13. The proposed sign is located in a landscape defined as 'Rolling Lowlands' in the development plan and indicated on Map 17.09A. The development plan notes that Rolling Lowlands generally have a higher capacity to absorb development than other landscape areas. It is important that development in these areas be integrated into

their surroundings in order to minimise the effect on the landscape and to maximise the potential for development.

- 7.2.14. It is noted that there are no other directional signs in the immediate vicinity of proposed site. Having regard to the nature and scale of the proposed development, the lack of signage in the surrounding area and the site's location within the rural area, outside of any sensitive landscape, it is my opinion that the proposed sign would not result in visual clutter and would not impact on the visual amenity of the area.

#### *Conclusion*

- 7.2.15. It is acknowledged that Objective CPO 12.71 allows for directional and information signage on local roads. However, it is my opinion that the proposed sign does not comply with the relevant criteria. In this regard the proposed sign is non-essential which if permitted would set an undesirable precedent for further such type developments, which could lead to the proliferation of directional signage within the rural area. It is my recommendation that permission be refused on this basis.

## **8.0 AA Screening**

- 8.1. I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended.
- 8.2. The subject site is not located within or adjacent to any European Site. The closest European Site, part of the Natura 2000 Network, is Slaney River Valley SAC (000781) c. 3 kms from the proposed development.
- 8.3. The proposed development comprises a finger post sign in the rural on a grass verge at the junction of the L3209 Knockananna to Tinahely Road and the L32091 Ardnaboy Lane in Co. Wicklow.
- 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 appreciable effect on a European Site.
- 8.5. The reason for this conclusion is as follows:
- Small scale and nature of the development

- The distance of the development from European Sites and the absence of ecological pathways to any European Site

8.6. I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required

## 9.0 Recommendation

9.1.1. I recommend that the Board directs the planning authority to refuse a licence for the proposed advertising structure (fingerpost sign).

## 10.0 Reasons and Considerations

1. It is considered that the proposed advertising sign would be contrary to the provisions of Objective CPO 12.71 of the Wicklow County Development Plan 2022-2028 as it constitutes non-essential directional signage which, if permitted, would act as an undesirable precedent for the proliferation of further such signs in the area. 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.

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Elaine Power

Senior Planning Inspector

8<sup>th</sup> May 2024

# Form 1

## EIA Pre-Screening

<b>An Bord Pleanála</b> <b>Case Reference</b>	ABP320279-24		
<b>Proposed Development Summary</b>	Section 254 licence for an advertisement structure (finger post sign)		
<b>Development Address</b>	Ardnaboy, Hacketstown, County Wicklow		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	
		<b>No</b>	✓
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>			
<b>No</b>			
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			
<b>No</b>			
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>			

5. Has Schedule 7A information been submitted?		
No	✓	
Yes		

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_