



An
Coimisiún
Pleanála

Inspector's Report

ABP-322697-25

Development	Retention of signage and advertisement as constructed on site.
Location	Ballydavis, Portlaoise, Co. Laois
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	2560135
Applicant(s)	Portlaoise Plaza Ltd
Type of Application	Permission for Retention
Planning Authority Decision	Refuse
Type of Appeal	First-Party
Appellant(s)	Portlaoise Plaza Ltd
Observer(s)	None
Date of Site Inspection	28/08/2025
Inspector	Catherine Hanly

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1.0 Site Location and Description

- 1.1. The site is located within the rural townland of Ballydavis. The site is located to the west of the L7830 road. The site is positioned to the south of junction 16 on the eastern side of the M7 Motorway which travels south in the direction of Portlaoise.
- 1.2. The site is located in the southwestern corner of an agricultural field which abuts the M7 motorway along the western boundary. The site occupies an elevation position relative to the M7 motorway. The site is separated from the grass verge along the M7 motorway by a wooden fence and planting.
- 1.3. The site is positioned adjacent to the point where the slip road from junction 16 converges with the M7 motorway. Two signs which are coloured blue and advertising the M7 motorway are located to the west and northwest of the site on the grass verge of the M7 motorway.
- 1.4. The site measures 0.001 ha.

2.0 Proposed Development

- 2.1. The proposed development consists of the following:
 - Retention permission for signage and advertisement as constructed.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Refuse Permission issued on 12th May 2025. The application was refused for the following reasons:

1. *'Having regard to the location of the structure, which is highly visible from the M7 Motorway, to permit the proposed development would endanger public safety by reason of traffic hazard and the obstruction of road users, would set an undesirable precedent for further similar free standing advertising structures in this area which could lead to a proliferation of such developments which would adversely affect the operational efficiency and safety of the road network particularly along the M7 with resultant serious injury to the traffic safety in the area, contrary to the provisions of DoECLG*

Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and Development Management Standard DM TC 10 (Advertisements on Public Roads) of the Laois County Development Plan 2021-2027 and would therefore be contrary to the proper planning and sustainable development of the area.

2. *Development Management Standard DM TC 10 (Advertisements on Public Roads) of the Laois County Development Plan 2021-2027 outlines the considerations against which advertising structures will be assessed including inter alia, their impact on the visual amenity of the area. The signage, if permitted, would seriously injure the visual amenities of the area, would fail to accord with the general provisions of Development Management Standard DM TC 10 (Advertisements on Public Roads) of the Laois County Development Plan 2021- 2027 and would, therefore, be contrary to the proper planning and sustainable development of the area.'*

3.2. Planning Authority Reports

3.2.1. Planning Authority Report

- A Screening Report for Appropriate Assessment concludes that no likely significant impacts are predicted due to the nature of the proposed development.
- EIA is not required.
- The site is outside the confines of flood zone A and B, it does not fall within any archaeological areas and there are no protected structures or recorded/ national monuments on or adjacent to the site.
- The site is within the Lowland Agricultural Landscape Character Area.
- There is a discrepancy between the sign as presented on the drawings and the sign as presented within the applicant's Planning Report which includes "Super-Fast EV Charging".

- The sign represents a visually prominent feature on the rural landscape contrary to the provisions of DM TC 10 in the Laois County Development Plan 2021 – 2027.
- The development fails to accord with DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).
- To permit the proposed development would endanger public safety by reason of a traffic hazard and the obstruction of road users and would set an undesirable precedent which could lead to a proliferation of such developments and would adversely affect the operational efficiency and safety of the road network with resultant serious injury to traffic safety.
- The development is contrary to DM TC 10 of the Laois County Development Plan 2021 – 2027.
- If permission is granted, a development contribution of €1,000 should be applied.

3.2.2. **Other Technical Reports**

- Portlaoise Municipal District Road Design Office: No objection.
- Planning Enforcement: A warning letter was issued on 04/07/2024 in relation to the proposed development. An enforcement notice was then issued on the 30/08/2024. The file is the subject of legal proceedings.

3.3. **Prescribed Bodies**

3.3.1. A report was received from Transport Infrastructure Ireland which sets out the following:

- The development is at variance with the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).
- The development would adversely affect the operation and safety of the national road network because of its location where vigilance is required, it would endanger public safety by reason of a traffic hazard due to its scale and distraction of drivers.

- The sign would set a precedent and could lead to a proliferation of such developments which would affect the operational efficiency and safety of the national road network.

3.4. Third Party Observations

- 3.4.1. No observations were received by the planning authority.

4.0 Planning History

- 4.1. There is no planning history on the subject site.

5.0 Policy Context

5.1. Laois County Development Plan 2021 – 2027 (*Laois CDP*)

Land Use Zoning

- 5.1.1. The site is located on un-zoned land.

Development Management

- 5.1.2. DM TC 10: Advertisement on Public Roads:

'Planning permission is required for signs on private land along public roads, other than those exempted by the Planning and Development Regulations 2001 (as amended).

In dealing with applications the Planning Authority will have regard to the following:

- 1. Compliance with the Spatial Planning and National Roads: Guidelines for Planning Authorities (2012) and the Transport Infrastructure Ireland's policy statement on the Provision of Tourist and Leisure Signage on National Roads (March 2011) and any updated versions of these documents, when the development concerns a national roadway.*
- 2. Signs should be of a different colour scheme to that of tourist signage;*
- 3. Within urban speed limits signs will not be permitted for businesses;*

4. *Signs for rural businesses shall not compete with road signs or otherwise endanger traffic safety. They will only be considered at an appropriate junction on a regional road and one sign at each junction leading to the business;*
5. *Signs will not be permitted where there is a proliferation of signage within a small area that leads to visual clutter and which may constitute a traffic hazard;*
6. *For reasons of road safety, signs for commercial enterprises must not distract from road signs, changes to road layout or traffic lights/ crossings;*

Signs for tourism attractions and facilities will only be considered while on brown signs.'

Landscape Character

- 5.1.3. Appendix 6 of the *Laois CDP* contains the Landscape Character Assessment.
- 5.1.4. Map 11.7 identifies that the site is located in a lowland agricultural area.
- 5.1.5. The Landscape Character Assessment outlines that in lowland agricultural areas, it is crucial that future development is carried out sensitively and with particular reference to the rural nature of the landscape.

5.2. Spatial Planning and National Roads: Guidelines for Planning Authorities (2012) (National Roads Guidelines)

- 5.2.1. Chapter 3 outlines that the '*control of roadside and adjoining signage and lighting is an important contributor towards achieving enhanced road safety and planning authorities should use their regulatory and enforcement powers accordingly.*'

- 5.2.2. Section 3.8 states the following:

'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.'

5.3. Transport Infrastructure Ireland's policy statement on the Provision of Tourist and Leisure Signage on National Roads (March 2011)

5.3.1. Section 5.2 states the following:

‘Advertising, commercial or retail signage should not be erected on the high speed national road network outside of builtup areas. In addition, those who attempt to erect such signs do so without appropriate traffic management and health and safety measures to ensure their safety and the safety of other road users.’

5.4. Natural Heritage Designations

5.4.1. The following distances are noted between the site and natural heritage designations:

Site	Distance from the Subject Site
The Great Heath of Portlaoise Proposed Natural Heritage Area	1.7 km
Dunamase Woods Proposed Natural Heritage Area	1.6 km
Rock of Dunamase Proposed Natural Heritage Area	1.6 km
Kilteale Hill Proposed Natural Heritage Area	3.5 km
Ridge of Portlaoise Proposed Natural Heritage Area	3.4 km
Clonreher Bog Natural Heritage Area	6.18 km
Slieve Bloom Mountains Special Protection Area	11.7 km
River Barrow and River Nore Special Area of Conservation	9.5 km

5.5. EIA Screening

5.5.1. I refer the Board to Appendix 1 – Form 1 EIA Pre-Screening of this report.

5.5.2. 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 (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A First-Party appeal has been lodged by Portlaoise Plaza Ltd, the grounds of which can be summarised as follows:

Description and Purpose

- The sign measures 4 m x 2 m and is of metal sheet construction and is mounted on 4 steel posts.
- The sign directs drivers to the Portlaoise Plaza exit and advises motorists of the availability of superfast EV charging points.
- The purpose of the sign is to advise the public of the recently opened Portlaoise Plaza motorway service station. The sign is located at the subject location for traffic convenience and safety purposes.

Merits of Development

- The Portlaoise Plaza is directed to travellers on the motorway.
- The Portlaoise Plaza contains superfast EV charging points. There are 7 devices and 16 connectors, part of the ESB network.
- The Plaza is run by the Supermacs Group who employ approximately 300 people in Laois. It is important that this level of employment is sustained. The loss of signage would have a significant impact on the plaza service station.

Public Safety/ Traffic Hazard/ Obstruction

- The sign advertising the Portlaoise Plaza is necessary as it is located off the motorway. The sign does not compete with any other signage and is visible over a limited area.
- The sign is an aid to public/ traffic safety, showing the location and reminding them of the services on offer. The sign does not distract road users.

- The sign does not obstruct any free passage of traffic or interfere with any other traffic sign.

Precedent

- Permitting the sign would not lead to a proliferation of signs, as the service is directly related to the motorway use.
- The sign can be distinguished from other signage and does not impact the operational efficiency of the road network.
- The provision of motorway service areas act as an aid to the operational efficiency and safety of the road network.

Injury to Amenity of the Area

- The sign does not cause serious injury to amenity, does not materially contravene and is not contrary to the Laois County Development Plan.
- The sign is only visible for a limited stretch of road due to its horizontal alignment. The sign is backed by vegetation, therefore limiting any undue visual impact.
- The sign does not interfere with or impact any designated views or prospects.
- The site is located in the urban fringe which is noted as having a low sensitivity rating and capacity to accommodate a wide range of uses without significant adverse effects on the appearance or character of the area.

Discrepancy

- The Planning Report notes a discrepancy between the photo and the drawings. This relates to the addition of the “*super-fast EV charging*” to the sign. This does not alter the nature of the sign.

6.2. Planning Authority Response

- 6.2.1. No response was received from the planning authority.

6.3. Observations

6.3.1. No observations were received.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, including the reports of the planning authority, and inspected the site, and having regard to relevant local and national policies and guidance, I consider that the main issues in this appeal are as follows:

- Road Safety
- Visual Impact

7.2. Each of these issues are addressed in turn below.

7.3. Road Safety

7.3.1. The first reason of refusal from the planning authority states that the sign endangers public safety by reason of a traffic hazard and the obstruction of road users. The reason for refusal further states that the development would set an undesirable precedent for similar development, which would affect the operational efficiency and safety of the road network. The planning authority therefore considered that the development was contrary to the *National Road Guidelines* and Development Management Standards DM TC 10 of the *Laois CDP*.

7.3.2. In the grounds of appeal, the First-Party states that the sign is located off the motorway, that it does not compete with any other signage and is visible over a limited area.

7.3.3. Whilst I accept that the sign is not located on the motorway, I note that it is located immediately adjacent to the western boundary of a field beside the M7 motorway. The sign is also angled towards oncoming traffic on the motorway and has been located in such a position to advertise services at the Portlaoise Plaza to traffic on the M7 motorway. As noted above, 2 no. signs which are coloured blue and advertising the M7 motorway are located to the west and northwest of the site, on the grass verge of the M7 motorway. I also note that the sign is positioned 1.8 m

above the ground, with the sign itself measuring 4 m in width and 2 m in height. The sign therefore has an overall height of 3.7 m and is located on a portion of an agricultural field which is elevated above the motorway. As such, having regard to the dimensions of the sign, its elevated position above the motorway, its positioning adjacent to the motorway and 2 no. existing signs in relation to the M7 motorway, I consider that the sign seeking retention permission competes with the existing signage on the motorway and is a distraction to road users.

- 7.3.4. Section 3.8 of the *National Road Guidelines* states that on national roads, the erection of signage needs to be tightly regulated for road safety. It further outlines the importance of avoiding a proliferation of roadside signage which would reduce the effectiveness of essential signage and create distractions for road users. As outlined above, I consider that the subject sign seeking retention competes with the existing signage on the motorway and is a distraction to road users. I therefore recommend that the application is refused on this basis.
- 7.3.5. Furthermore, I note that the sign is positioned adjacent to the motorway at the point where the slip road from junction 16 converges with the M7 motorway travelling south. I therefore consider this location on the motorway to be one where extra vigilance is required from motorists to ensure that traffic from junction 16 can safely merge with traffic on the motorway. As such, having regard to the location of the sign relative to the slip road from junction 16, its dimensions and elevated position above the motorway, and the location of 2 no. existing signs on the motorway, I therefore consider that the sign endangers public safety by reason of a traffic hazard.
- 7.3.6. I note the planning authority's concerns that the retention of the sign would set an undesirable precedent. The First-Party in the grounds of appeal states that permitting the sign would not lead to a proliferation of similar signs, as the services are directly related to the motorway use. The First-Party also considers that the sign can be distinguished from other signage and does not impact the operational efficiency of the road network.
- 7.3.7. I agree that the sign seeking retention can be distinguished from the blue motorway signs due to its size, colours and elevated positioning above the motorway, all of which distract road users from the motorway. Furthermore, whilst the sign is advertising services which are related to motorway uses, I do not consider this to be

a reason to permit the retention of the sign. I note that there are a number of services located along the motorway which are related to motorway use. I agree with the planning authority and consider that granting permission for the retention of the sign would set an undesirable precedent.

- 7.3.8. The first reason for refusal also considered that the development is contrary to Management Standards DM TC 10 of the *Laois CDP*. Having regard to the design and elevated nature of the sign, which is positioned adjacent to a point where there are changes to the road layout on the motorway and 2 no. existing signs, I consider that the sign competes and distracts from existing motorway signage and as such would endanger traffic safety. I therefore agree with the planning authority that the development is contrary to Management Standards DM TC 10 of the *Laois CDP* and recommend that the application is refused on this basis.

7.4. Visual Impact

- 7.4.1. The second reason of refusal from the planning authority states that the signage if permitted, would seriously injure the visual amenities of the area and would fail to accord with Development Management Standard DM TC 10 of the *Laois CDP*.
- 7.4.2. I note that in the grounds of appeal, the First-Party states that the sign does not cause injury to amenity and is only visible for a limited stretch of road. The First-Party further states that the site is located in the urban fringe which has a capacity to accommodate a wide range of uses without adverse effects on the appearance or character of the area.
- 7.4.3. I have reviewed the Landscape Character Assessment (Map 11.7) in the *Laois CDP*, and I note that the site is located in a lowland agricultural area. The Landscape Character Assessment states that it is crucial that future development in lowland agricultural areas is carried out sensitively and with particular reference to the rural nature of the landscape.
- 7.4.4. I have also examined Map 11.8 – Views and Prospects in the *Laois CDP* and I note that the site does not impact any scenic views.
- 7.4.5. At my site inspection, I examined the site from the L7830 road to the east of the site. I noted that the signage seeking retention was not visible from the L7830 road.

- 7.4.6. I have reviewed Development Management Standard DM TC 10 of the *Laois CDP* and note that it states the following:
- 7.4.7. *“Signs will not be permitted where there is a proliferation of signage within a small area that leads to visual clutter and which may constitute a traffic hazard;”*
- 7.4.8. From my site inspection, I noted that there are a limited number of signs along the M7 motorway. This is in accordance with the *National Roads Guidelines*, which under section 3.8 states the following:
- 7.4.9. *“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.”*
- 7.4.10. At the location where the sign seeking retention is placed, the speed limit is 120 km/h. As such, in accordance with the *National Roads Guidelines*, Planning Authorities must avoid a proliferation of roadside signage in the subject location.
- 7.4.11. At my site inspection, I noted that there are 2 no. signs in the immediate vicinity of the sign seeking retention on the subject site. The signs are on a blue background with white text and are located in the grass verge adjacent to the hard shoulder of the M7 Motorway. The 2 no. signs provide information to road users that they are on the M7 motorway.
- 7.4.12. I agree with the First-Party that the sign seeking retention is only visible for a limited stretch of road. However, I note the design of the sign which has an overall height of 3.7 m and is located on a portion of an agricultural field which is elevated above the motorway. As such, whilst the sign is only visible for a limited stretch of road, having regard to its elevated position, overall dimensions and white background, I consider that it is highly visible to road users on the M7 motorway in the vicinity of the site.
- 7.4.13. Furthermore, I note from the planning drawings that the sign advertises that the Portlaoise Plaza is located at the next exit. It also advertises the presence of Spar, Top Oil, Papa Johns and Supermac’s at the Portlaoise Plaza. The report from the

planning authority noted there is a discrepancy between the sign as presented on the drawings and the sign as presented within the applicant's Planning Report.

7.4.14. I have examined the image of the sign in the applicant's Planning Report (which does not include reference to Spar, Top Oil, Papa Johns and Supermac's) and the planning drawing of the front elevation of the sign (which includes reference to Spar, Top Oil, Papa Johns and Supermac's). I note that both signs are different to the sign that exists on the ground which includes reference to EV charging.

7.4.15. I note the First-Party's response which states that the text stating that "*super-fast EV charging*" was recently added to the sign and that it does not alter the nature of the sign.

7.4.16. However, I do not agree with the First-Party and I consider that the addition of text advertising EV charging alters the nature of the sign. I consider that the amount of text displayed on the sign represents visual clutter. The choice of colours used on the sign which are primarily white, black and red are striking and visually prominent against the green vegetation which is located in the background of the site.

7.4.17. Having regard to the sign's elevated positioning along the western boundary of the field, in the vicinity of the 2 no. motorway signs on a stretch of motorway with limited signage, in addition to the quantity of text displayed on the sign, the colours used on the sign and the sign's overall size, I consider that the sign results in visual clutter at this particular location on the motorway, which as a result constitutes a traffic hazard to road users due to its competing nature with other signage, and would impact the visual amenities of the area. I therefore concur with the planning authority's second reason of refusal that the development seeking retention does not accord with Development Management Standard DM TC 10 of the *Laois CDP* and that it would seriously injure the visual amenities of the area.

8.0 AA Screening

8.1. I have considered the retention of signage in light of the requirements S177U of the Planning and Development Act 2000 as amended.

8.2. The subject site is located approximately 9.5 km from the River Barrow and River Nore Special Area of Conservation.

- 8.3. The proposed development comprises the retention of signage. No nature conservation concerns were raised in the planning appeal.
- 8.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 8.5. The reason for this conclusion is as follows:
- The small scale and nature of the development.
 - The site is located approximately 9.5 km from the River Barrow and River Nore Special Area of Conservation which is the nearest European site and there is a lack of connections.
 - Taking into account the screening report by the planning authority.
- 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 (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

- 9.1. The subject site is located approximately 1.7 km to the east of the Triogue_30 river.
- 9.2. The proposed development comprises the retention of signage.
- 9.3. No water deterioration concerns were raised in the planning appeal.
- 9.4. I have assessed the proposed development and I 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.
- 9.5. The reason for this conclusion is as follows:

- Small scale and nature of the development.
- A distance of 1.7 km from the Triogue_30 River and no hydrological connections.

Conclusion

9.6. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its Water Framework Directive objectives and consequently can be excluded from further assessment.

10.0 Recommendation

10.1. I recommend that permission for retention should be refused for the reasons and considerations as set out below.

11.0 Reasons and Considerations

1. Having regard to the location of the structure, which is highly visible from the M7 Motorway, to permit the proposed development would endanger public safety by reason of a traffic hazard, would set an undesirable precedent for further similar free standing advertising structures in this area which could lead to a proliferation of such developments which would adversely affect the operational efficiency and safety of the road network particularly along the M7 with resultant serious injury to the traffic safety in the area, contrary to the provisions of DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and Development Management Standard DM TC 10 (Advertisements on Public Roads) of the Laois County Development Plan 2021-2027 and would therefore be contrary to the proper planning and sustainable development of the area.
2. Development Management Standard DM TC 10 (Advertisements on Public Roads) of the Laois County Development Plan 2021-2027 outlines the considerations against which advertising structures will be assessed including

inter alia, their impact on the visual amenity of the area. The signage, if permitted, would seriously injure the visual amenities of the area, would fail to accord with the general provisions of Development Management Standard DM TC 10 (Advertisements on Public Roads) of the Laois County Development Plan 2021- 2027 and 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.

Catherine Hanly

Planning Inspector

2nd September 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

Case Reference	ABP-322697-25		
Proposed Development Summary	Retention permission for signage and advertisement as constructed.		
Development Address	Ballydavis, Portlaoise, Co. Laois.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	X		Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes		N/A	
No		N/A	

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes		N/A	

5. Has Schedule 7A information been submitted?		
No	X	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____