



Title of Report:	Planning Committee Report - LA01/2023/0599/A
Committee Report Submitted To:	Planning Committee
Date of Meeting:	25th February 2026
For Decision or For Information	For Decision
To be discussed In Committee YES/NO	NO

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Senior Planning Officer

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

<u>App No:</u> LA01/2023/0599/A	<u>Ward:</u> Cloughmills
<u>App Type:</u> Advertisement Consent	
<u>Address:</u> Lands c. 120m North West of approved Petrol Filling Station, 254 & 256 Frosses Road, Cloughmills.	
<u>Proposal:</u> Proposed totem sign	
<u>Con Area:</u> N/A	<u>Valid Date:</u> 08/06/2023
<u>Listed Building Grade:</u> N/A	<u>Target Date:</u> 21/09/2023
Agent: Les Ross Planning. 14 King Street, Magherafelt. BT45 6AR	
Applicant: Solo Direct Ltd. 9 Clare Lane, Cookstown. BT80 8RJ	
Objections: 0	Petitions of Objection: 0
Support: 0	Petitions of Support: 0

Executive Summary

- Advertising consent is sought for the erection of a totem sign in association with a Petrol Filling Station at land approximately 120m North West of the approved Petrol Filling Station, 254 & 256 Frosses Road, Cloughmills.
- Advertising consent was previously granted for a broadly similar proposal but located at the approved Petrol Filling Station under LA01/2023/0600/A. This totem sign has already been erected.
- The application site is located within the countryside being outside any defined settlement development limit and is not subject to any notable designations or zoning.
- Consultation was undertaken with DfI Roads in relation to the proposal with no objections being raised.
- The proposal would if permitted have a detrimental effect to the visual amenity of the existing area by creating a prominent feature isolated in the landscape, and would fail to respect amenity when assessed in the context of the general characteristics of the locality.
- The proposal fails to comply Paragraphs 6.52, 6.57, and 6.59 of the Strategic Planning Policy Statement 2nd Edition and Policy AD1 of Policy Planning Policy Statement 17.
- No letters of support and no letters of objection have been received in relation to this application.
- This application is recommended for Refusal.

Drawings and additional information are available to view on the Planning Portal:

<https://planningregister.planningssystemni.gov.uk/simple-search>

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Section 9 and the policies and guidance in Sections 7 and 8 and resolves to **REFUSE** advertisement consent subject to the conditions set out in Section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 This planning application relates to a trapezium shaped portion of land between the A26 Frosses Road dual carriageway and the original single carriageway which now provides access to several by-passed properties including a recently constructed petrol filling station at 254 & 256 Frosses Road, Cloughmills. The site as delineated by the red line, consists of an area of flat roadside grass verge and contains a section of Armco crash barrier. The eastern and western boundaries are open and defined by low-level roadside kerbs while the northern boundary is undefined. The rear southern boundary is partly defined by a 1.2m high timber post and rail fence.
- 2.2 The site is located on the eastern side of the A26 dual carriage at its fork junction with a section of the old Frosses Road in close proximity to its junction with the A26 dual carriage way and approximately 2.5km west of Cloughmills. The surrounding area is rural in character, comprising of residential dwellings, farm holdings, and agricultural land.
- 2.3 As indicated by Map No 2 of the Northern Area Plan (NAP) the site is located outside any defined development limits and is therefore within the countryside.

3 RELEVANT SITE HISTORY

- 3.1 LA01/2023/0600/A - lands immediately adjacent to recently approved petrol filling station, 254 & 256 Frosses Road, Cloughmills. Proposed totem sign. Consent granted.

- 3.2 LA01/2021/0028/F - Lands at 254 & 256 Frosses Road, Cloughmills. Redevelopment of existing commercial complex. Scheme to include: demolition of all existing buildings; development of replacement petrol filling station & associated shop unit with deli & hot food sales and off-licence; Ancillary development to include fuel pump canopy, new access arrangements, parking and landscaping. Permission granted.
- 3.3 D/2012/0061/F - 254 & 256 Frosses Road, Cloughmills. Redevelopment of Existing Commercial Complex with a Replacement Filling Station and Ancillary Shop, a Two Storey Replacement Building including Ground Floor Public House, Off License, Licensed Restaurant and Ten First Floor Guest Bedrooms with Car Parking and Landscaping. Renewal of Previous Approval D/2007/0326/O. Permission granted.
- 3.4 D/2007/0326/O - 254 & 256 Frosses Road, Cloughmills. Redevelopment of existing commercial complex with a replacement filling station and ancilliary shop, a two storey replacement building including ground floor public house, off licence, licensed restaurant and 10 first floor guest bedrooms with car parking and landscaping. Permission granted.
- 3.5 D/2002/0342/F - 254 Frosses Road, Cloughmills. Extension to public bar. Permission granted.

4 THE APPLICATION

- 4.1 The application seeks Advertising Consent to erect a totem sign to serve a Petrol Filing Station. The proposed totem sign is of a standard commercial design, comprising a steel frame with aluminium cladding, measuring 6 m in height and 1.6 m at its widest point and incorporates the company logo, a side lightbar, and five LED-backlit inset panels displaying fuel prices and on-site facilities. It is proposed to erect the sign on land approximately 120m north-west of the existing PFS which already benefits from consent for a totem sign.

5 PUBLICITY & CONSULTATIONS

There is no statutory requirement to advertise or neighbour notify advertisement consents. However, the application was advertised on 28th June 2023.

Internal:

Dfl Roads – Following consultation, Dfl Roads has no objections to this proposal subject to conditions and informatives.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2 The development plan is:
- Northern Area Plan 2016
- 6.3 The Regional Development Strategy (RDS) is a material consideration.
- 6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) Edition 2, 2025 is a material consideration. As set out in the SPPS Edition 2, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.
- 6.5 Due weight should be given to the relevant policies in the development plan.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS) Edition 2 2025

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development, the impact of the proposal on the character of the area, scale, design and visual impact and Habitats Regulation Assessment.

Principle of Development

- 8.2 As provided by the Northern Area Plan 2016 (NAP), the site is located outside any Settlement Development Limit and is within the countryside. The site is not subject to any other specific zonings or designations as set out in the Plan.
- 8.3 Policy AD 1 (Amenity and Public Safety) of PPS 17 states that consent will be given for the display of an advertisement where:
- (i) it respects amenity, when assessed in the context of the general characteristics of the locality; and
 - (ii) it does not prejudice public safety.

The guidance set out in Annex A for different categories of outdoor advertisement will be taken into account in assessing proposals.

- 8.4 The proposal involves the installation of a freestanding totem sign in association with the petrol filling station approved under LA01/2021/0028/F. The proposed totem is located centrally within the grass verge interposed between the dual carriageway and the exit slip road which provides the only access to the filling station for vehicles travelling south along the A26. In terms of development, the sign is considered operational given its significant scale and extent of engineering works required for its erection on site. The main policy consideration is contained within the Northern Area Plan 2016, the Strategic Planning Policy Statement (SPPS) Edition 2, 2025 and the relevant Planning Policy Statement 17: Control of Outdoor Advertisements (PPS17). For the purposes of the policy, the proposal is considered to be contrary to Policy AD 1 of PPS 17.

Impact of the Proposal on the Character of the Area, Scale, Design and Visual Impact

- 8.5 The proposed totem is a typical steel-framed, aluminium-clad structure measuring 6 m in height and 1.6 m at its widest point. It incorporates the company logo, lightbar and five vertically stacked LED-backlit display panels, each 1.35 m by 0.5 m, with the lowest panel positioned around 1.55 m above ground level. Owing to its overall height, illuminated panels and solid vertical form, the totem would present a visually prominent and highly conspicuous feature, drawing attention in views along the roadside and increasing the visual impact of commercial signage within an otherwise open rural setting.
- 8.6 The sign is positioned in a relatively remote location, set approximately 6.2 m from the eastern edge of the carriageway and around 90 m north-west of the petrol filling station site curtilage at the closest point. It is further separated from the approved and erected totem sign (LA01/2023/0600/A) by approximately 145 m. This detached siting results in an uncoordinated signage arrangement, with the proposed totem failing to read as part of the petrol filling station or integrate with existing development in the vicinity. Due to its elevated height, isolated position and lack of surrounding built form, the sign would be visually prominent on approach when travelling in either direction along the A26. It would appear as an incongruous vertical feature breaking the rural skyline and interrupting the open character of the roadside landscape. The proposal would therefore create unnecessary visual clutter and detract from the amenity and visual quality of the countryside at this location and is at odds with Policy AD 1 criteria (i).
- 8.7 Regarding criteria (ii) of Policy AD 1 it is not anticipated that the proposed sign would prejudice public safety. Following consultation, DfI Roads provided conditions restricting development until the proposed sign has been certified by a Chartered Civil or Structural Engineer as having been designed and erected in accordance with the CG300 Technical Approval of Highway Structures: Volume 1: Design Manual for Roads and Bridges. In addition, a Road Restraint Risk Assessment must also be submitted to DfI Roads, Structures Section prior to commencement.

- 8.8 The agent suggests that advance signage at the slip-road entrance is essential for road safety, as the petrol filling station primarily serves A26 traffic, including drivers unfamiliar with the access arrangements. They state that, because the services are only reachable from the high-speed southbound carriageway, motorists require early notice to safely reduce speed and position for the exit. The proposed totem is intended to give this advance warning, addressing concerns that the existing on-site totem is not visible in time for safe manoeuvring. The agent contends that the stretch of A26 has a distinct highway character with major structures and high-speed regional traffic, rather than pristine countryside, and that the current lack of early signage has led to missed turn-offs and abrupt braking, even among regular users.
- 8.9 The petrol filling station is already served by a 10 m high totem sign located between the Petrol Filling Station's entry and exit points. In addition, a standard DFI Roads "Services" sign is positioned to identify the PFS facility at the next turn off and the slip road exit is clearly identified by standard countdown markers and another DFI directional signage "Services" at the application site on the southbound approach along the A26. A large timber sign detailing facilities available at the PFS is also erected on the roadside approximately 400m before the slip road access from the A26. Paragraph 4.8 of the justification to Policy AD 1 emphasises the importance of protecting the amenity of the countryside and notes that only on-site advertisements relating to existing or approved businesses are normally acceptable. Such signage should be small-scale and should not detract from landscape character. Despite the unusual road layout, the proposed secondary totem sign is off-site, unprecedented in this context, and considered unnecessary given that adequate signage which already exists.
- 8.10 The excessive scale of the proposed sign will have a detrimental impact on both the rural character of the area and visual amenity and there are no overriding reasons to justify an additional totem of this scale at this location. The proposal therefore fails to comply with Policy AD 1 and the guidance in Annex A of PPS 17 and is unacceptable for this rural setting.

Habitats Regulations Assessment

8.11 The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the conservation (Natural habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features, conservation objectives or status of any of these sites.

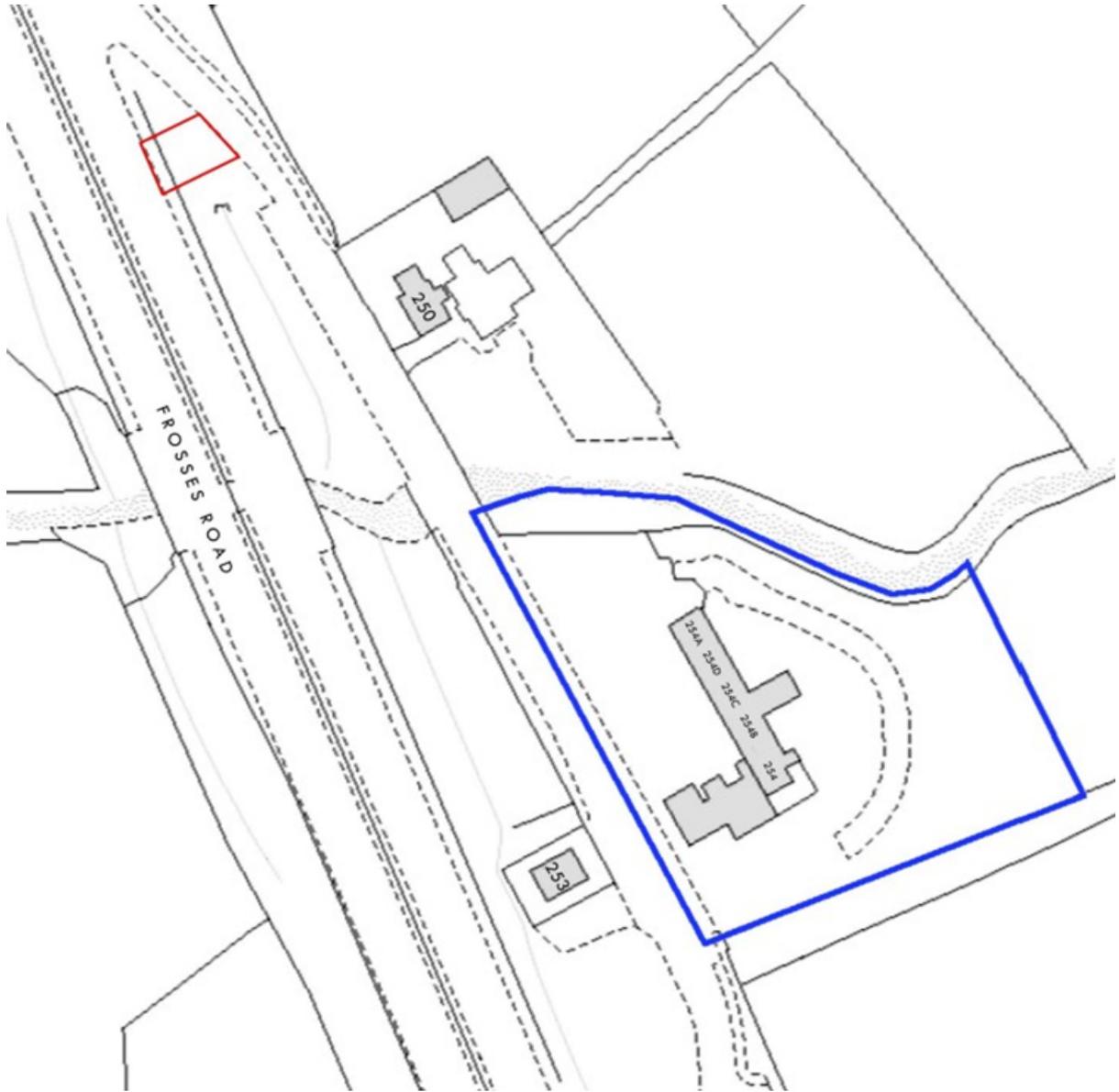
9 CONCLUSION

9.1 The proposed signage is considered unacceptable in this location having regard to the Northern Area Plan 2016, prevailing Planning Policy and other material considerations. The totem is contrary to PPS 17, specifically Policy AD 1 and the guidance in Annex A as it would create an unduly prominent feature that harms visual amenity and detracts from the rural landscape character. Advertising consent for a further totem sign at this location would establish an inappropriate and harmful precedent for comparable speculative proposals. Refusal of advertising consent is recommended.

10 REASONS FOR REFUSAL

1. The proposed signage is contrary to Planning Policy Statement 17, Control of Outdoor Advertisements Policy AD1 and paragraphs 6.52, 6.57, and 6.59 of the Strategic Planning Policy Statement 2nd edition in that it would have a detrimental effect to the visual amenity of the existing area by creating a prominent feature in the landscape, and would fail to respect amenity when assessed in the context of the general characteristics of the locality.

Site Location Plan



Site Block Plan

