An Coimisiún Pleanála

Direction
ACP-323868-25

The submissions on this file and the Inspector's report were considered at a meeting held on 15/10/2026.

The Commission decided, as set out in the following Order, that

Commission Order as follows:-

WHEREAS a question has arisen as to whether retention of signage comprising:

- *Retention of sign 1 as a permanent wall-mounted identification sign (non-illuminated)*
- *Retention of sign 2 as a permanent plaque on the railings at street level (non-illuminated)*
- *Reconfiguration of sign no. 3 as a temporary wayfinding sign, which will be hung from the stair guardrail during business hours only and removed from view after hours (This sign will not be fixed in place outside operating hours);*

is or is not development or is or is not exempted development.

AND WHEREAS Patrick Fitzpatrick, requested a declaration on this question from Dublin City Council, and the Council issued a declaration on the 16th day of October 2025 stating that the matter is development and is not exempted development.

AND WHEREAS this declaration was referred for review to An Coimisiún Pleanála by Patrick Fitzpatrick, on the 13th day of November 2025.

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to:

(a) The Planning and Development Act 2000 (as amended), Section 4(1)(h);

(b) The Planning and Development Act 2000 (as amended), Section 57(1):

(c) The planning history for this site, in particular 3374/10, that includes Condition 4 that states;
All proposed signage, security, intercom system, and lighting shall be the subject of a separate application but in any event no projecting signs, signage on the railings and no outdoor lighting of the façade will be permitted.

(d) Planning and Development Regulations 2001, as amended. Article 6
(1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

(e) Article 9(1)(a)(i)(a) if the carrying out of such development would— (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.

AND WHEREAS An Coimisiún Pleanála has concluded that:

- *Retention of sign 1 as a permanent wall-mounted identification sign (non-illuminated)*

- *Retention of sign 2 as a permanent plaque on the railings at street level (non-illuminated)*
- *Reconfiguration of sign no. 3 as a temporary wayfinding sign, which will be hung from the stair guardrail during business hours only and removed from view after hours (This sign will not be fixed in place outside operating hours);*

is development and is not exempted development as condition 4 attached to planning permission reference number 3374/10 (Permission GRANTED for change of use from office to medical and related consultants at basement level (108sq.m.) 122 Baggot Street Lower Dublin 2.) requires all signage to be subject of a separate planning application. The signage for retention and reconfiguration therefore contravenes this condition of the permission, and therefore in accordance with Article 9(1)(a)(i)(a), is not exempt.

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by Section 5 (3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that .

- *Retention of sign 1 as a permanent wall-mounted identification sign (non-illuminated)*
- *Retention of sign 2 as a permanent plaque on the railings at street level (non-illuminated)*
- *Reconfiguration of sign no. 3 as a temporary wayfinding sign, which will be hung from the stair guardrail during business hours only and removed from view after hours (This sign will not be fixed in place outside operating hours);*

is development and is not exempted development.

In deciding not to accept the Inspectors recommendation the Commission had regard to the planning history for the basement area (3374/10) including condition 4, and though noting Planning Application referenced 5031/23, where the floor plans of the existing basement of Number 122 indicate the area as a store, google street view historical photographs show that the basement had previously been in use as a

medical and related consultancy, demonstrating that Planning Permission 3374/10 had been implemented therefore Condition 4 relating to this permission is a relevant consideration. This condition requires all proposed signage to be the subject of a separate planning application. The Commission considered this a relevant matter.

Planning Commissioner: **Date:** 19/10/2026

Mary Henchy