An Coimisiún Pleanála

Commission Order
ACP-323868-25

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Authority Reference Number: 0420/25

WHEREAS a question has arisen as to whether signage at Omnia Mental Health Clinic, Basement, 122 Lower Baggot Street, Dublin relating to and comprising the following is or is not development or is or is not exempted development:

Sign number 1: Perspex measuring 594 by 420 millimetres (A2) fixed in place and located on the wall between basement level windows. To be retained as a permanent wall-mounted identification sign (non-illuminated),
Sign number 2: Dibond three millimetres measuring 350 by 267 millimetres fixed in place and located on the external railings at street level. To be retained as a permanent plaque (non-illuminated), and
Sign number 3: Dibond three millimetres measuring 640 by 450 millimetres, fixed in place located on the stair guard rail leading to the basement. The sign is to be reconfigured as a temporary wayfinding sign to be hung during business hours only and removed from view after hours. The purpose of the sign is as professional identification and guidance for patients;

AND WHEREAS Patrick Fitzpatrick requested a declaration on this question from Dublin City Council and the Council issued a declaration on the 20th day of October 2026 stating that the matter is not exempted development;

AND WHEREAS Patrick Fitzpatrick referred this declaration for review to An Coimisiún Pleanála 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 the planning permission under register reference number 3374/10, that includes Condition 4 which 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) Planning and Development Regulations 2001, as amended, Article 9(1):

> Development to which article 6 relates shall not be exempted development for the purposes of the Act (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:

(a) sign number 1: located on the wall between basement level windows and measuring 594 millimetres by 420 millimetres to be retained as a permanent wall-mounted identification sign (non-illuminated),

(b) sign number 2: Dibond three millimetres measuring 350 by 267 millimetres fixed in place and located on the external railings at street level. To be retained as a permanent plaque (non-illuminated), and

(c) sign number 3: Dibond three millimetres measuring 640 by 450 millimetres, fixed in place located on the stair guard rail leading to the basement. The sign is to be reconfigured as a temporary wayfinding sign to be hung during business hours only and removed from view after 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), is not exempt.

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that:

(a) sign number 1: located on the wall between basement level windows and measuring 594 millimetres by 420 millimetres to be retained as a permanent wall-mounted identification sign (non-illuminated),

(b) sign number 2: Dibond three millimetres measuring 350 by 267 millimetres fixed in place and located on the external railings at street level. To be retained as a permanent plaque (non-illuminated), and

(c) sign number 3: Dibond three millimetres measuring 640 by 450 millimetres, fixed in place located on the stair guard rail leading to the basement. The sign is to be reconfigured as a temporary wayfinding sign to be hung during business hours only and removed from view after 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.

Mary Henchy
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 30th **day of** October **2026**