Inspector's Report ACP-323868-25

Question	PROTECTED STRUCTURE: Whether the retention of signage is or is not development, or is or is not exempted development.
Location	Omnia Health Clinic, Basement, 122, Baggot Street Lower, Dublin 2
Declaration	
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	0420/25
Applicant for Declaration	Patrick Fitzpatrick
Planning Authority Decision	Is not exempted development
Referral	
Referred by	Patrick Fitzpatrick
Owner/ Occupier	Seamus Doherty
Observer(s)	None
Date of Site Inspection	2nd March 2026

Inspector	Patricia Byrne

1.0 Site Location and Description

1.1. No. 122 Lower Baggot Street is a three-bay, four-storey over basement former townhouse, located on the southern side of the street, west of its junction with Baggot Court and east of Pembroke Street Lower.

1.2. The property, which is a protected structure, is faced in brick to its front elevation with a plaster finish at basement level. This basement is independently accessed via a short flight of steps from the public footpath and is occupied by Omnia, a mental healthcare clinic.

1.3. As described in the Section 5 referral, lodged with the planning authority on the 22nd of September 2025, signage to the property currently comprises:

- Sign No. 1: Perspex measuring 594 x 420mm (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 No. 2: Dibond 3mm measuring 350 x 267 mm fixed in place and located on the external railings at street level. The sign is to be retained as a permanent plaque (non-illuminated).
- Sign No. 3 Dibond 3mm measuring 640 x 450mm, fixed in place on the stair guardrail 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 afterwards. The stated purpose of the sign is as professional identification and guidance for patients.

2.0 The Question

2.1. A Question has arisen pursuant to Section 5 of the Planning and Development Act 2000, as amended. The Question, determined by the planning authority stated as follows:

'Retain signage. Retain sign 1 as a permanent wall-mounted identification sign. Retain sign 2 as a permanent plaque on the railings at street level. Reconfigure sign 3 to act 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'.

However, as the provisions of Section 5 of the Planning and Development Act relate specifically to *'what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act',* without reference to retaining said development, the Question may be more accurately described as follows:

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 not exempted development'

3.0 Planning Authority Declaration

3.1. Declaration

3.1.1. Dublin City Council determined by Order dated 17th October 2025 in accordance with Section 5 of the Planning and Development Act 2000, as amended, that the development was not exempt from the requirement to obtain planning permission. The Order states as follows:

It is considered that the proposed works as summarised below comprise development which would not come within the meaning of Section 4(1)(h) and Section 57 of the Planning and Development Act 2000 (as amended) as the proposed development would materially affect the character of the Protected Structure and therefore would require planning permission:

• *Retain signage. Retain sign 1 as a permanent wall-mounted identification sign. Retain sign 2 as a permanent plaque on the railings at street level. Reconfigure sign 3 to act 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.*

3.2. Planning Authority Reports

3.2.1. Planning Report

Report dated 13th October 2025 prepared by the planning authority's Conservation Section refers to the protected status of the structure and its inclusion on the Record of Protected Structures RPS 420, being referred to as a house. A detailed description of the structure is provided under the section intitled Report/Assessment. A Declaration under Section 57 of the Act has not issued from the planning authority. The report concludes that the 3 no. signs are considered to constitute a material change and are not exempted development. The provisions of Section 4(1)(h) and Section 57 of the Act are deemed not to apply, and the works were determined to require planning permission.

3.2.2. Other Technical Reports

None on file.

3.2.3. Enforcement

The report of the planning authority refers to an Enforcement File Ref. E0645/25 and the issuing of a warning letter under Section 152 of the Planning and Development Act 2000, as amended.

4.0 Planning History

4.1. The following planning history is noted:

Reg. Ref. 5031/23

Permission REFUSED for development at 122 Baggot Street Lower, Dublin 2 (A Protected Structure RPS Ref. 420) and lands to the rear of 120,121,122 & 123 Baggot Street Lower, Dublin 2 (Protected Structures RPS Ref. 418, 419, 420 & 421 respectively). The development comprised *inter alia*: a) Part demolition of rear return of 122 Baggot Street Lower at ground floor level: b) Construction of a part 3 storey/part 4 storey (4th storey setback) over partial basement residential development. Total residential accommodation is 14 no. apartments. Ancillary accommodation at basement floor level comprising services, plant and storage areas and cycle storage (22 no. spaces) and all associated site works.

Decision Date: 20th February 2024

Social Housing Exemption Certificate (SHEC) 0373/23

GRANTED with respect to a residential development of 14 no. apartment units (7 no. 1 bed and 7 no. 2 bed) contained in two, interlinked blocks with a 3-storey building facing Baggot Court (to rear of 120-121 Baggot Street Lower) and 4-storey building to rear of 122-1123 Baggot Street Lower.

Decision Date: 21st November 2023

Reg. Ref. 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.

Final Grant: 5th November 2010

Conditions of note:

Condition No. 4

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.

5.0 Policy Context

5.1. Development Plan

5.1.1. Under the Dublin City Development Plan 2022-2028 Volume 3, the subject site is illustrated on Map Set E and zoned Zone Z8 Georgian Conservation Areas. The associated Objective seeks *'to protect the existing architectural and civic design character, and to allow only for limited expansion consistent with the conservation objective'.*

5.1.2. No. 122 is a protected structure (RPS Ref.420) and is located within a Conservation Area as identified by red hatch on Map Set E of the Development Plan.

5.1.3. The property is not located within an Architectural Conservation Area (ACA)

5.1.4. **Volume 1: Written Statement**

Chapter 11 Built Heritage and Archaeology

- **Section 11.5.3 Built Heritage Assets of the City**

  The Z8 Georgian Conservation Areas, Z2 Residential Conservation Areas and red-lined Conservation Areas are extensive throughout the city. Whilst these areas do not have a statutory basis in the same manner as protected structures or ACAs, they are recognised as areas that have conservation merit and importance and warrant protection through zoning and policy application.

- There is a general presumption against development which would involve the loss of a building of conservation or historic merit within the Conservation Areas or that contributes to the overall setting, character and streetscape of the Conservation Area.
- **Policy BHA9 Conservation Areas.**
- **Chapter 14 Land Use Zoning**
- **Section 14.7.8** Georgian Conservation Areas

5.1.5. **Volume 2: Appendices**

- **Appendix 17:** Advertising and Signage Strategy
  Section 4.0 High Level Corporate Branding/Signage

5.2. **Natural Heritage Designations**

The site is not located within or adjacent a Natura 2000 site. Having regard to the limited nature and scale of the development relating to external signage, the location of the property within an established and serviced area outside of, and separated from any Natura 2000 sites, I am satisfied that no appropriate assessment issues arise and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

6.0 The Referral

6.1. **Referrer's Case**

6.2. The following matters are raised in the referral to the Commission, including in a Statement of Grounds and in a Supporting Statement-Wayfinding and Basement Access Justification.

- Sign 1 (wall-mounted identification sign) and Sign 2 (non-illuminated plaque on railings) constitute exempted development under Section 4(1)(h) of the Planning and Development Act 2000, as amended and Schedule 2, Part 2 Class 2 of the Planning and Development Regulations 2001, as amended. They

identify the name and function of the healthcare practice providing phycological, neuropsychological and neuromodulation-based services.

- Signage constitutes professional identification associated with a healthcare practice. (Photographs are contained in Appendix 1 of the documentation)
- The signs are modest in scale, non-illuminated and fixed. They do not contain advertising or promotional content and do not materially affect the external appearance of the structure or its architectural character within the meaning of Section 57 of the Act.
- Enable patients and visitors to locate the clinic for scheduled appointments.
- Consistent with established practice for professional plaques identifying medical, legal and therapeutic services.
- Sign 3 provides wayfinding to the basement entrance. Omnia Mental Health Clinic, situated at basement level, is not visible from the footpath or approaching street. The sign required to assist patients attending for appointment.
- The sign is non-illuminated, lightweight, fully reversible and displayed only during clinic operating hours, removed each evening and at weekends. Its purpose is functional rather than promotional/commercial.
- Signage supports operational requirements of the healthcare facility and aligns with the intent of Schedule 2, Part 2, Class 2 while also falling within scope of Section 4(1)(h).
- Comparable non-illuminated plaques, plates, and temporary wayfinding are present on numerous buildings on Lower Baggot Street and surrounding Streets. Appendix 2 contains examples of signage, temporary signage and wayfinding.
- The appeal documentation refers to the location of the site within an Architectural Conservation Area.
- Taken together, the signage falls within the definition of exempted development under Section 4(1)(h) of the Act and Schedule 2, Part 2, Class 2 of the Regulations. Does not materially affect the external appearance or architectural character of the building under Section 57 of the Act and serves a functional

and public interest purpose. The Commission is requested to determine if the signage, in whole or in part, constitutes exempted development.

6.3. Planning Authority Response

- The response states that the Conservation Unit within the Archaeology, Conservation and Heritage Section of Dublin City Council's Planning and Property Development Department is an integrated, multi-disciplinary team, comprising architectural conservation officers and planners. It is long-established practice within the Department that Section 5 applications relating to Protected Structures are dealt with by this unit. The response states that the application was considered by both an Architectural Conservation Officer and a Senior Planner.
- No. 122 Baggot Street Lower, a protected structure RPS. 420 is not located within an Architectural Conservation Area (ACA) but is within a red hatched Conservation Area.
- Reference to Section 3(2)(a), Section 4(1)(h) and Section 57 of the Planning and Development Act 2000 (as amended), as well as to Part 2 Section 6(2)(b) of the Planning and Development Regulations 2001, as amended.
- Exemption under Class 5 is limited to one sign.
- The presence of professional signage, temporary signage and wayfinding aids in the appeal is limited to Fitzwilliam Place, Fitzwilliam Square, Fitzwilliam Street Upper, Leeson Street Lower and Baggot Street Lower. Signage is relatively limited along the subject terrace, particularly to boundary railings.
- The retention of the subject signage would render the property inconsistent with neighbouring structures and would materially affect the character of the protected structure and comprise works/development which are not exempt.

7.0 Statutory Provisions

7.1. Planning and Development Act, 2000 as amended.

Section 2(1) – Interpretation

The following are relevant to the subject question:

'advertisement' means any word, letter, model, balloon, inflatable structure, kite, poster, notice, device or representation employed for the purpose of advertisement, announcement or direction.

'advertisement structure' means any structure which is a hoarding, scaffold, framework, pole, standard, device or sign (whether illuminated or not) and which is used or intended for use for exhibiting advertisements or any attachment to a building or structure used for advertising purposes.

'exhibit' in relation to an advertisement, includes affix, inscribe, print, paint, illuminate and otherwise delineate.

'structure' means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined and

(a) where the context so admits, includes the land on, in or under which the structure is situate and

(b) in relation to a protected structure or proposed protected structure includes-

(i) the interior of the structure

(ii) the land lying within the curtilage of the structure

(iii) any other structures lying within that curtilage and their interiors and

(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii)'

'Protected Structure' means -

(a) a structure or

(b) a specified part of the structure, which is included in the record of protected structures, and, where that record so indicates, includes any specified feature which is within the attendant grounds of the structure, and which would not otherwise be included in this definition.

'works' 'includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure'.

Section 3(1) Development except where the context otherwise requires, development means-

(a) the carrying out of any works in, on, over or under land or the making of any material change in the use of any land or structures situated on land or

(b) development within the meaning of Part XXI (inserted by section 171 of the Maritime Area Planning Act 2021).

Exempted Development

Section 4(1) The following shall be exempted developments for the purposes of this Act:

(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures'

Works affecting character of protected structures or proposed protected structures.

Section 57(1)

Notwithstanding *S*ection 4(1)(a),(h),(i),(ia)(j),(k), or (l) and any regulations made under Section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of -

(a) the structure, or

(b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

7.2. **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.

(2) (a) Subject to article 9, development consisting of the use of a structure or other land for the exhibition of advertisements of a class specified in column 1 of Part 2 of Schedule 2 shall be exempted development for the purposes of the Act, provided that—

(i) such development complies with the conditions and limitations specified in column 2 of the said Part 2 opposite the mention of that class in the said column 1, and

(ii) the structure or other land shall not be used for the exhibition of any advertisement other than an advertisement of a class which is specified in column 1 of the said Part 2 and which complies with the conditions and limitations specified in column 2 of the said Part 2 opposite the mention of that class in the said column 1.

(b) Subject to article 9, development consisting of the erection of any advertisement structure for the exhibition of an advertisement of any one of the classes specified in column 1 of Part 2 of Schedule 2 shall be exempted development for the purposes of the Act, provided that—

(i) the area of such advertisement structure which is used for the exhibition of an advertisement does not exceed the area, if any, specified in column 2 of the said Part 2 opposite the mention of that class in the said column 1,

(ii) the advertisement structure is not used for the exhibition of advertisements other than advertisements of the class to which the exemption relates,

(iii) further to section 57 of the Act, the advertisement structure is not erected on a protected structure, or a proposed protected structure save an advertisement structure referred to in Classes 5, 9 or 15 of column 1 of Part 2 of Schedule 2.

Article 9 Restrictions on Exemption

Sets out specific criteria where development to which article 6 relates, shall not be exempted development for the purposes of the Act.

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.

Part 2 Schedule 2 Article 6 Exempted Development-Advertisements

Class 2

Illuminated advertisements exhibited as part of any shop or other window display on business premises and other advertisements affixed to the inside of the glass surface of a window of a business premises or otherwise exhibited through a window of such premises.

Conditions and Limitations

The total area of any advertisements so exhibited shall not exceed one quarter of the area of the window through which the advertisements are exhibited.

Class 5

Advertisements, exhibited at the entrance to any premises, relating to any person, partnership or company carrying on a public service or a profession, business or trade at the premises.

Conditions and Limitations

1. No such advertisement shall exceed 0.3 square metres in area.

2. Not more than one such advertisement, or, in the case of premises with entrances on different road frontages, one such advertisement for each such frontage, shall be exhibited in respect of each such person, partnership or company on the premises.

8.0 Assessment

8.1. Section 5 of the Planning and Development Act 2000, as amended seeks to determine whether the subject matter constitutes development within the meaning of planning and development legislation and so following, to determine if such development comes within the scope of exempted development.

8.2. The purpose of this referral is not to determine the acceptability or otherwise of the signage in respect of the proper planning and sustainable development of the area, but rather, whether or not the matter in question constitutes development, and if so, falls within the scope of exempted development. Likewise, planning enforcement is a function of a planning authority and does not fall within the jurisdiction of An Coimisiún Pleanála.

8.3. As per the documentation provided to the planning authority, the signage in question relates to:

- Sign 1: Perspex wall-mounted identification sign (non-illuminated) located on the wall between basement level windows, of given dimensions of 594mm x 420mm.
- Sign 2: Dibond 3mm plaque on the external railings at street level (non-illuminated) with given dimensions of 350mm x 267mm.
- Sign 3: Dibond 3mm Temporary wayfinding sign to be hung during business hours and removed thereafter, for the purposes of professional identification and guidance for clients/patients. Signage extends to stated dimensions of 640mm x 450mm.

8.4. Is or is not development

8.4.1. The definition of works under Section 2 of the Act includes *'any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and in relation to a protected structure or proposed protected structure includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or any other material to or from the surfaces of the interior or exterior of the structure'.*

8.4.2. The definition of development under Section 3 of the Act includes the '*carrying out of any works in, on, over, or under land'*. The 3 no. signs, which are currently in situ at the premises, required a degree of application to the property and its associated features, which I consider come within the meaning of development as per the Act.

8.4.3. I am satisfied therefore that the erection of the signs in question constitute the carrying out of works within the meaning of Section 2 of the Planning and Development Act, 2000, as amended, and therefore constitute development under Section 3 of that Act.

8.5. Is or is not exempted development

8.5.1. No. 122 Baggot Street is a protected structure- RPS 420 as per Volume 4 of the Dublin City Development Plan 2022-2028. The structure is not located within an Architectural Conservation Area (ACA).

8.5.2. Map Set E of the Development Plan denotes the structure as being within a Conservation Area as per its meaning within the context of the Development Plan, and is shown in red hatch as per the zoning map in question.

8.5.3. The referrer contends that the signs, modest in scale, non-illuminated and permanently fixed (with the exception of sign 3 which is removeable) do not contain advertising or promotional content and constitute professional identification associated with the heath care provider at basement level. Additionally, given the location of the facility, they assist with wayfinding, (in particular, sign no. 3). I would also note that the sign was observed to be in place when inspected outside business hours.

8.5.4. I am satisfied that the 3 no. signs, exhibited on the premises relate to professional services provided by Omnia Health Care Clinic which operates from the basement of No.122 Baggot Street Lower.

8.5.5. The referrer contends that the signage in question comes within Section 4(1)(h) of the Planning and Development Act as amended and does not materially affect the external appearance of the structure or its architectural character within the meaning of Section 57 of the Act. It is also contended that the provisions of Schedule 2, Part 2 Class 2 of the Planning and Development Regulations 2001 as amended apply.

8.5.6. I am of the view that given the signage is intended as professional identification, Class 5, rather than Class 2 is appropriate.

8.5.7. The planning authority affirms its view that the retention of the subject signage would render the property inconsistent with neighbouring structures and would materially affect the character of the protected structure, comprising works/development which are not exempted. The planning authority is also of the view that while examples of signage in the locality are referenced, signage, particularly to boundary railings is relatively limited in the context of the terrace of which the property is part.

8.5.8. *S*ection 57(1) states notwithstanding section 4(1)(a),(h),(i),(ia)(j),(k), or (l) and any regulations made under Section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of the structure, or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

8.5.9. I am of the opinion that signs no.'s 2 and 3, given their positions respectively on the external railings at street level and on the stair guard rail leading to the basement, have a material effect on the character of the protected structure. As such, I am of the view that the provisions of Section 4(1)(h) do not apply. While sign no. 3 on the stair guard rail leading to the basement is intended to be reconfigured as a temporary wayfinding sign and used during business hours only; the duration of business hours (as stipulated on the company website) indicates 21:00hrs to 09:00hrs Monday to Sunday. Consequently, the signage, though described as temporary, would have high levels of usage, effectively only removed during nighttime hours.

8.5.10. In relation to sign no. 1, located on the wall between basement level windows, I note the provisions of Class 5 Exempted Development-Advertisements Article 6 Part 2 Schedule 2 of the Planning and Development Regulations 2001 (as amended), relating to advertisements concerning a profession, business trade. Such signage

exhibited is restricted under Condition and Limitation No. 1 to an area of 0.3sq.m and under Condition and Limitation No. 2 to *'not more than one such advertisement, or in the case of premises with entrances on different road frontages, one such advertisement for each such frontage, shall be exhibited in respect of each such person, partnership or company on the premises'*.

8.5.11. I note on inspection of the front elevation of the property, that currently, no name plaque is in situ at the street level entrance of the property, although lettering depicting 'Denshaw Serviced Offices' appears on window blinds to two sash windows at street level. Accordingly, sign no. 1 affixed to the wall between basement level windows, which has a stated measurement of 594mm x 420mm (0.24sq.m.) would, given its dimensions and location, comply with the provisions of Class 5. I am not of the view that this single sign would result in a material effect on the character of the protected structure and accordingly, the provisions of Section 57(1) of the Act, exemptions under the regulations could be availed of.

8.5.12. While I note Appendix 2 of the referral documentation provides photographic reference to signage on neighbouring streets, this is considered contextual information only. A site inspection revealed limited instances of signage directly appended to railings of properties within the wider terrace.

9.0 Environmental Impact Assessment

9.1. 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. Refer to Form 1 of report.

10.0 Appropriate Assessment

10.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000, as amended.

The proposal comprises signage at No. 122 Baggot Street Lower Dublin 2.

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. The reason for this conclusion is as follows:

- Nature of the works e.g. small scale nature of the development.
- Distance from nearest European site and lack of connections.
- Taking into account of the screening of the planning authority.

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.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

11.0 Recommendation

11.1. In view of the foregoing, it is recommended that the Question be decided as set out in the draft order set out below:

12.0 Draft Order

WHEREAS a question has arisen as to whether signage currently in situ at No. 122 Lower Baggot Street relating to Omnia Mental Health Clinic and comprising the following:

- Sign No. 1: Perspex measuring 594 x 420mm (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 No. 2: Dibond 3mm measuring 350 x 267 mm fixed in place and located on the external railings at street level. The sign is to be retained as a permanent plaque (non-illuminated).
- Sign No. 3 Dibond 3mm measuring 640 x 450mm, 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.

Is or is not development or is, or is not, exempted development.

AND WHEREAS the said question was referred to An Coimisiún Pleanála by Patrick Fitzpatrick on the 13th November 2025.

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

(a) Section 2(1) of the Planning and Development Act, 2000, as amended,

(b) Section 3(1) of the Planning and Development Act, 2000, as amended,

(c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,

(d) Section 57(1) of the Planning and Development Act, 2000, as amended,

(e) Article 6(1), Article 6(2) and Article 9 of the Planning and Development Regulations, 2001, as amended,

(f) Part 2 Schedule 2 to the Planning and Development Regulations, 2001, as amended,

(g) the planning history of the site,

(h) the pattern of development in the area:

AND WHEREAS An Coimisiún Pleanála has concluded that:

(i) Sign No. 1 located on the wall between basement level windows and measuring 594mm x 420mm to be retained as a permanent wall-mounted identification sign (non-illuminated) is development, and further that;

Sign no. 1, by reason of its dimensions and siting at the entrance to the premises and relating to the business being carried out at the premises complies with the conditions and limitations of Class 5 of Schedule 2 of Part 2 and is therefore exempted development.

AND WHEREAS An Coimisiún Pleanála has concluded that:

(i) Retention of sign 2 as a permanent plaque (non-illuminated) on the railings at street level and

(ii) 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 further that;

No. 122 Baggot Street Lower, is identified as a protected structure in the Dublin City Development Plan 2022-2028

Signs no. 2 and no. 3, would, by reason of their form and siting, individually and cumulatively, materially impact the character of the protected structure; and accordingly, taking into consideration Section 57(1) of the Planning and Development Act 2000, as amended, where, notwithstanding Section 4(1)(a),(h),(i),(ia)(j),(k), or (l) and any regulations made under Section 4(2),

the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of the structure.

Sign no. 2 and Sign no. 3 are therefore not exempt development.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way

Patricia Byrne
Planning Inspector

22nd July 2026

Form 1 - EIA Pre-Screening

Case Reference	ACP-323868-25
Proposed Development Summary	Whether the retention of signage is or is not development, or is or is not exempted development.
Development Address	Omnia Health Clinic Basement 122 Baggot Street Lower Dublin 2.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. **EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.**	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. **No Screening required.**	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. **EIA is Mandatory. No Screening Required**	
☐ Yes, the proposed development is of a Class but is sub-threshold. **Preliminary examination required. (Form 2)** **OR** **If Schedule 7A information submitted proceed to Q4. (Form 3 Required)**	

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	**Screening Determination required (Complete Form 3)**
No ☒	**Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector: _____ Date: _____ .