

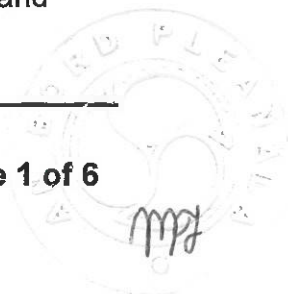
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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3608/20**

**Appeal** by RGRE J and R. Fitzwilliam Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 16<sup>th</sup> day of December, 2020 by Dublin City Council in relation to an application by the said RGRE J and R. Fitzwilliam for permission for development comprising the provision of a new external lift structure in recess to rear return of 65 Fitzwilliam Square North and associated works, reinstatement of historically accurate multi-paned sash window to the front of the building at ground floor level, reinstatement of lead fanlight and side light windows to front entrance, raking out of the existing cement and wiggled repointing of the brickworks to the front façade, all associated internal and external repair, cleaning and conservation works as set out in the application documentation and all other associated site development and infrastructure works; all at 65 Fitzwilliam Square North, Dublin (the landholding contains a protected structure reference number 2860 and is located within an Architectural Conservation Area) in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the reinstatement of historically accurate multi-paned sash window to the front of the building at ground floor level, reinstatement of lead fanlight and side light windows to front entrance, raking out of the existing cement and wiggled repointing of the brickworks to the front façade, all associated internal and



external repair, cleaning and conservation works as set out in the application documentation and all other associated site development and infrastructure works and to refuse permission for the provision of a new external lift structure in recess to rear return of 65 Fitzwilliam Square North and associated works).

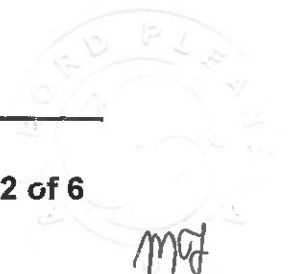
## **Decision**

**GRANT permission for reinstatement of historically accurate multi-paned sash window to the front of the building at ground floor level, reinstatement of lead fanlight and side light windows to front entrance, raking out of the existing cement and wigged repointing of the brickworks to the front façade, all associated internal and external repair, cleaning and conservation works as set out in the application documentation and all other associated site development and infrastructure works in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.**

**REFUSE permission for the provision of a new external lift structure in recess to rear return of 65 Fitzwilliam Square North and associated works based on the reasons and considerations marked (2) under.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.



## Reasons and Considerations (1)

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the integrity, architectural character and special interest of the existing building at 65 Fitzwilliam Square, a protected structure and would be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.

- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings), staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.

**Reason:** To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

3. The developer shall comply with the following conservation requirements, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development: -

- (a) a detailed window condition study and details of provenance for ground floor front elevation window to include description and photographs of the existing timber window and detail of any surviving historic glazing which shall be repaired in accordance with a conservation method statement. If the window is shown to be a modern replacement Victorian sash window, the proposed multi-pane replacement must be a historically correct timber sash window, which is accurately based on originals and shown in a 1:10 drawing.
- (b) a 1:10 drawing and detailed specification for the proposed reinstatement of a lead fanlight and side light windows to the front entrance.

**Reason:** To ensure an appropriate standard of development/conservation.

- 4. Prior to commencement of the development, the developer shall submit to, and agree in writing with, the planning authority details for the proposed repointing of the brickwork. The details shall provide for the inspection of the masonry and extant pointing on the front façade, the recording of the existing condition of the brickwork and any repairs required, and a detailed specification and conservation methodology for the repointing and repair.

**Reason:** To ensure an appropriate standard of development/conservation.

## Reasons and Considerations (2)

Having regard to the Z8 zoning objective, as set out in the Dublin City Development Plan 2016-2022, to protect the existing architectural and civic design character of the area, and to the Protected Structure status of number 65 Fitzwilliam Square, it is considered that the loss of historic fabric that was required to accommodate the lift to the rear of the building was not acceptable in the context of the relatively limited accessibility benefits that would be delivered by the proposed lift. It is considered that the proposed development would have an adverse impact on the setting and character of this Protected Structure, and would be contrary to the Z8 zoning objective and policy CHC2 as set out in the Dublin City Development Plan 2016-2022. The proposed external lift structure would, therefore, be contrary to the proper planning and sustainable development of the area

DR. Maria FitzGerald

**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this 4<sup>th</sup> day of June 2021.