



An
Bord
Pleanála

Inspector's Report ABP 309248-20.

Development

New external lift in recess at rear return, reinstatement of multi paned ash window to front at ground level, lead fanlight and side light windows at front entrance, raking out of cement and wigged repointing of brick work to front facade and associated repair, cleaning and conservation works and infrastructure works.

Location

65 Fitzwilliam Square North, Dublin 2.
(Protected Structure.)

Planning Authority

Dublin City Council.

P. A. Reg. Ref.

3608/20

Applicant

RGRE. J and R Fitzwilliam Ltd.

Type of Application

Permission.

Decision

Grant and Refuse Permission.

Appellant

RGRE. J and R Fitzwilliam Ltd.

Observer

South Georgian Core Residents Association. (Anna Devlin)

Date of Inspection

4th May, 2021

Inspector

Jane Dennehy.

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
3.3. Third Party Observations	5
4.0 Planning History.....	5
5.0 Policy Context.....	7
5.1. Development Plan.....	7
6.0 The Appeal	9
6.1. Grounds of Appeal	9
6.2. Planning Authority Response	12
6.3. Observations	12
7.0 Assessment	13
8.0 Recommendation.....	15

1.0 Site Location and Description

- 1.1. The site has a stated area of 504 square metres and is that of No 65 Fitzwilliam Square North, one of a pair (with No. 66) of four storey over basement town houses built by Clement Codd on the northern side of Fitzwilliam Square. This pair of houses, constructed circa 1820, have an ashlar front to the ground level facades, a slightly higher parapet height, longer window opens and doorcases which are more ornate than the other houses on the north side, (Nos 57 – 69) which were built in the late eighteenth and early nineteenth centuries. The house in the recent draft survey for the NIAH has a 'Regional' rating and special architectural and artistic interest.
- 1.2. The plot has a surviving former stables/coach house (with original coach entrance off off Pembroke Lane) which has been considerably altered but which has some surviving fabric with a small courtyard/stable yard on the inner side of Pembroke Lane. It is at the end of the rear garden space gardens and has a vehicular access via the original arch, which has been altered by way of enlargement of the original opening in which a roller shutter is fitted, in the calp stone boundary wall on the frontage of Pembroke Lane. There is a further underpass beneath the upper floor of the coach house at the east side of the site. A party boundary wall circa 2.5 metres in height adjoins the eastern boundary with No 64 Fitzwilliam Square and the party boundary wall up to two metres is on the west side adjoins No 66 Fitzwilliam Square and adjoining properties facing on to Pembroke Lane to the east side of the appeal site extending southwards.
- 1.3. Both the coach house building is which a two-storey structure and the house have been in office use but are now unoccupied. The stated floor area of the existing buildings on the site are 1,068 square metres.

2.0 Proposed Development

- 2.1. The application lodged with the planning authority indicates proposals for:
 - Installation of an external lift in the recess of the rear return,
 - Reinstatement of multi paned ash window to front at ground level,
 - Reinstatement of a lead fanlight and side light windows at front entrance,
 - Raking out of cement and wigged repointing of brick work to front façade,
 - associated internal and external repair, cleaning and conservation works and

- site development and infrastructure works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The planning authority decided to grant 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 the front entrance, raking out of the existing cement and wiggled repointing of the brickwork to the front façade all associated internal and external repair cleaning and conservation works. Detailed specific requirements for the implementation of the proposed works are set out under Condition Nos 3, 4 and 5 and compliance submissions are required.
- 3.1.2. The planning authority decided to refuse permission for the provision an external lift structure in the recess to the rear return and associated site works for the following reason:

“The proposed lift extension to the rear elevation of No 65 Fitzwilliam Square would have an adverse impact on the setting of the protected structure and would result in an unacceptable loss of historic fabric and would therefore be contrary to Policy CHC2 of the Dublin City Development Plan, 2016-2022. The proposal would be seriously injurious to the character of this protected structure and would set an undesirable precedent for similar type development. The proposed development is contrary to the Z8 zoning objective “to protect the existing architectural and civic design character, and to allow only for limited expansion consistent with the conservation objective and is therefore contrary to the proper planning and sustainable development of the area”.

3.2. Planning Authority Reports

- 3.2.1. The **Conservation Officer** in her report has provided a very detailed assessment of the proposals. She indicates:

(a) a recommendation for a grant of permission, subject to multiple requirements, by conditions 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 the front entrance, raking out of the existing cement and wiggled repointing of the brickwork to the front façade all associated internal and external repair cleaning and conservation works and to refuse permission for the provision an external lift structure in the recess to the rear return and associated site works.

(b) It is stated that the proposed lift is substantively similar to the lift for which permission was previously refused and therefore from the perspective of historic building conservation is similarly adverse in impact and it is noted that there are not proposals for universal public access and is unjustified.

Reference is made to the guidance in Section 18.1.6 of, *Architectural Heritage Protection; Guidelines for Planning Authorities*. DOEHLG 2005.

3.3. Third Party Observations

- 3.3.1. A submission was lodged from Anna Devlin on behalf of the South Georgian Core Residents Association, (SGCRA) which has also lodged an observation on the appeal details of which are in section 6.3 below.
- 3.3.2. A submission was lodged on behalf of Aidan Walsh in which references are made to the CDP and specifically to the 'Z8' zoning objective. There is objection to the proposed installation of the lift structure due to potential adverse impact on historic fabric, limited public benefit and undesirable precedent. Objections are also indicated regarding the proposals for and lack of clarity with regard to the rear private open space specifically with regard to levels and the relationship to the levels in the rear garden at the adjoining property at No 64 Fitzwilliam Square.

4.0 Planning History

P. A. Reg. Ref. 4547/19: Permission was granted for a two storey extension to the rear of mews building with a sunken ground floor level, below the existing ground floor level and a lightweight raised first floor terrace to the front of the mews building providing for office space, upgrading to the existing parking space off Pembroke

Lane; minor alterations to the internal layout; internal and external repair, cleaning and conservation works to include the restoration of the original brick and stone façade and carriage arch to Pembroke Lane, the reinstatement of the pedestrian entrance to the laneway, repointing and repair works to random calp wall and brick arch onto Pembroke Lane, minor repair works to roof, retention and repair of existing casement windows removal of areas of cement render, raking out of cementitious mortar to joints and wigged repointing of the mews building and Venetian Red wash to yellow brick on garden façade and, associated site development, landscaping and infrastructure works. This grant of permission had not been taken up at the time of inspection.

P. A. Reg. Ref. 4043/17 (ABP 300611): The planning authority decision to refuse permission for the development described below was upheld following appeal:

(1) Office extensions:

- a) A new basement level under the garden level extending under the coach house building as far as the Pembroke Lane frontage.
- b) A new two storey extension to the coach house building to the north side over the proposed basement level providing for two car spaces, accommodation at first floor level with a terrace overlooking Pembroke Lane and alterations to the elevation facing the parking entrance off Pembroke Lane a terrace at first floor level.
- c) Reconfiguration of the internal layout of the main house and coach house building and associated works.

(2) Gardens

A new rear garden over the basement level and landscaping to include traversable skylights to the office space below, a patio and an open terrace. The garden level is to provide access to the ground level of the coach house building and basement and ground levels to the rear return of the main house via a staircase.

(3) New External Lift.

Demolition of a small lean-to, (3 sq. m.) and construction of a new external lift glazed lightweight structure at the rear with an opening into the return to main house linking access at the basement up to the lower second floor levels.

(4) Repair and Maintenance.

Associated internal and external repair cleaning and conservation and site development and infrastructure works.

According to additional information available, by order no, P2315 the planning authority issued a Declaration on 16th September, 2013, under section 5 of the Planning and Development Acts, 2000 as amended in which it is stated:

“It is considered that the proposal for a change of use from ‘office’ to ‘embassy: office’ is exempted development having regard to Part 4, Class 3 of the Planning and Development Regulations, 2010, as amended, and Article 10 of the Planning and Development Regulations, 2001 (as amended)”.

P. A. Reg. Ref. 3568/08: A grant of permission granted for change of use from office use to residential use, the duration of the grant of permission was granted under P. A. Reg. Ref. 3568/08/x1 in 2013 until November, 2018 was not taken up.

5.0 Policy Context

5.1. Development Plan

The operative development plan is the Dublin City Development Plan, 2016-2022 according to which:

- The site of No 65 straddles areas subject to two zoning objectives. The zoning objective for the front southern space facing onto Fitzwilliam Square within the site is subject to the zoning objective Z8: *“to protect the existing architectural and civic design character and allow only for limited expansion consistent with the conservation objective”*. (Office use is permissible.)
- The zoning objective for the rear, northern space facing onto the rear access lane and incorporating the coach house building within the site is subject to the zoning objective: Z1: *“to protect provide and improve residential*

amenities.” (Sustainable residential neighbourhoods.) Office use is not permissible.

- Indicative site coverage is 45-60% for lands zoned Z1 and 50% for lands zoned Z8. Indicative plot ratio for lands zoned Z1 are 0.5 – 2 and 1.5 for lands zoned Z8.
- No 65 Fitzwilliam Square is included on the record of protected structures (Item 2860) and is located within the Fitzwilliam Square and Environs Architectural Conservation Area 2009 which is a statutory Architectural Conservation Area. (ACA)
- Policy Objective CHC4 provides for protection of the special interest and character of all Conservation Areas.
- Detailed policies, objectives, standards and guidance are set out in Chapter 11 for development affecting protected structures. According to Section 11.1.5.3 intervention to fabric of protected structures should be confined to the minimum and should be sensitive to the original structure with special emphasis on the retention and presentation of special features and the special interest of curtilages as an essential to the setting and context.
- According to Section 11.1.5.4 and conservation area and ACAs the planning authority seeks to ensure that development complements the character of the area including settings of protected structures and conserves and protects special historic and architectural interest. According to Section 11.1.5.6 new development should be exemplary positive in impact and should enhance the area.

5.2. Strategic Guidance.

- 5.3. *Architectural Heritage Protection: Guidelines for Planning Authorities*, DOELHG, 2005) provides relevant statutory guidance.

Chapter 18 provides Guidance on Access with a goal of improvement to provide for integrated and independent ease of access but inappropriate or unacceptable levels of intervention and alterations may be required which cannot be justified and may need to be avoided and it may be necessary to accept that full and ease of access it not always possible to provide such as at Georgian Houses with sunken areas,

plinths and steps and railings. The architectural qualities of rarity of some buildings are such that that they should not be compromised by making provision for full and easy access according to para 18.1.6 A factor in determining whether Part M requirements can be relaxed is the use of buildings such as whether they are in public use or private use such as offices)

According to para 18.3.6 and 18.3.7, minor changes such as installation of ramps or platform lifts, which are reversible) may be feasible options for changes in levels.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. An appeal was lodged by John Spain Associates on behalf of the applicant on 21st January, 2021. Attached are statements by James Slattery Conservation Architect Michael Slattery, Fire Consultant Engineer, Knight Frank and floorplan drawings. It is confirmed that the appeal grounds are solely against the decision to refuse permission for the Installation of an external lift in the recess of the rear return. The appeal includes a detailed account of national strategic and local planning policy including several extracts relating to architectural heritage from the CDP, the planning history and a detailed description and commentary on the application and assessment at application stage.

According to the appeal, and the accompanying submissions:

- As indicated in the statement by Knight Frank, the installation of the external lift is essential in order to provide for a commercially viable development in that it limits the 'pool' of potential future occupants and scope for securing long term sustainable leases with the development being non-compliant with Part M requirements providing for universal access.
- The current proposal addresses the reasoning for the refusal of permission for the prior unsuccessful proposal under P. A Reg. Ref.4043/17 (PL 300611): The proposed lift is reduced in size with the height coming below the parapet height. It is significantly reduced in visual impact with the proposed location at the rear being more secluded and it would not project to the front of the rear elevation windows.

- Relevant precedent (which should not have been dismissed by the conservation officer in her report), can be taken from the following permitted developments: -

Following appeal, permission was granted, overturning a planning authority decision, for installation of a lift at a private building, a Victorian House (protected structure) at No 33 Leeson Park in office use on grounds that an acceptable level of intervention is involved enabling the building to be compliant with universal access as provided for in the Building Regulations without adverse impact on the character of the structure or the residential conservation area. (P. A. Reg. Ref. 3058/12 / PL 241252 refers.) Some minor internal impacts to original fabric were accepted as not being negative in impact on the protected structure.

Permission was granted, at No 17 Dame Street, (for office use) for a new lift, lobby and service shaft internally at basement ground floor and first floor and externally at second and third floor levels with an external gallery and railings at third floor level, with minor internal alterations and rear elevation works to include removal of mechanical installations new door and minor repairs and redecoration to the Dame Street elevation. In the planning report the building which was vacant and the location is described and it is commented that the development a welcome refurbishment in the conservation area that contributes the enlivenment of the street, upgrading of the façade and visual amenities of the area. For this development it was necessary for some original fabric to be removed. (P. A. Reg. Ref. 2547/13 refers.)

There are two further examples of note for taking precedent: P. A. Reg.Ref.3058/12/ PL 241252 and P. A Reg Ref. 2547/13 (Note: These two reference numbers provided are for the two precedent cases already referred to in the appeal.)

- Detailed justification is in both the conservation report included with the application and the supplementary response included with the appeal having regard to sections 11.1.5.3 and 11.5.3 and Policy CHC4 of the CDP. The

principle of access is for all buildings, not just public buildings. There is a good opportunity in the rear access are between the return and the house at the subject property. There is minimal visual impact from with the site and from the lane. The development is justifiable based on the aesthetic and material impacts and the merits of the enhances having regard to the Part M guidance in the Architectural heritage guidelines. The impacts are limited to the windows and wall fabric in the recessed section of the rear return. Existing ope width are retained and adjoining internal joinery and plasterwork. The external area is of lesser interest and the brick and window fabric to be removed is not visible from the rear.

- The lift installation would not undermine the integrity of the protected structure as is proven in the precedent examples in which there have been greater levels of intervention. The interventions could not unduly detract from the character or significance of the structure and the development will enhance the fabric and improve the amenities.
- With regard to the conservation officer's point as to the value of the proposal due to limited access and contention as to providing for convenience it is not possible to provide access to all rooms but it is possible for the 'critical rooms' in the return (26% of total floor area facilitating mobility impaired occupants.
- At No 45 Merrion Square (The National Archive) it is the office use at the upper level that are accessed by the lift. Therefore, it is arguable that the lift should only have provided access to the lower, publicly accessible floors.
- Michael Slattery, Fire Consulting in his submission refers to the key issues in TGD Part M (Universal Design) and states that the proposed lift satisfies the principles of Universal Design provide for in the disability Act 2005 and criterial in TCD M 2010 which provide that works to not adversely affect historical significance of buildings. The proposed lift while not fully compliant with Part M requirements, provides vertical access to all levels of the return in which key facilitates are located providing for access throughout for mobility impaired.

6.2. Planning Authority Response

There is no submission from the planning authority on file.

6.3. Observations

A submission was received from Anna Devlin on behalf of the South Georgian Core Residents Association, (SGCRA) on 16th February, 2021. According to the submission:

- The proposed development sets undesirable precedent for similar external lift development at Georgian buildings which are not public buildings. The examples provided in the application were not buildings in public use.
- The proposed development would cause unacceptable loss of historic fabric and adverse visual impact on the building. The two other examples provided are not located in areas subject to the 'Z8' zoning objective and/or Architectural Conservation Areas. The whole of the building at No 33 Leeson Park in an area subject to the 'Z2' zoning objective was accessible by the lift which is internal and the commercial building at No 17 Dame Street is subject to the 'Z5' zoning objective the permitted external part of the lift is partly visible. (P.A. Reg. Refs 3058/12 and P. A. Reg. Ref. 2547/13 refer.)
- Inserting the lift structure in the recess is a potential significant intervention that may cause irreversible damage to historic fabric in addition to setting precedent. Lifts such as those installed at public buildings should be set apart from the building but have visual consequences.
- The lift protrudes across the Wyatt windows and is visible whereas the design intent for the indentation between the house and the return was to give a sense of spaciousness in viewing outwards from the interior. The structure would have adverse visual impact on the rear elevation losing symmetry for the pair at Nos 65 and 66 visible from Pembroke Lane, South Baggot Street and the west side of Fitzwilliam Street Upper.
- Substantial loss of fabric is involved in installing the lift, windows cills and masonry. There would be a loss of light in the north façade to the staircase.
- The proposed development is contrary to the 'Z8' zoning objective.

- The lift is unwarranted in that there is an insufficient case to justify its installation at a private residential or commercial building is not intended for public access or use. The references to Part M are irrelevant as the building is exempt from Part M requirements.
- The associated site development and infrastructure works are not specified and could be wide ranging in impact.
- The works to the front, subject to the existing fenestration being unoriginal is welcome.

7.0 **Assessment**

- 7.1. The planning authority issued a split decision. Based on a *de novo* review of the application, the appeal grounds being solely against the decision to refuse permission for the installation of the external lift in the rear return. There is no objection to the proposals for which the planning authority decided grant permission. Therefore, it is recommended that its decision to grant permission for reinstatement of multi paned ash window to front at ground level, lead fanlight and side light windows at front entrance, raking out of cement and wigged repointing of brick work to front facade and associated repair, cleaning and conservation works be upheld. However, specialist expertise in surveying, recording and assessment of historic building construction and condition and craftsmanship is essential given the nature of the works proposed and the significance of the buildings on Fitzwilliam Square. The necessary requirements in this regard recommended in the conservation officer's report can be provided for by attachment of appropriate conditions.
- 7.2. The proposed external lift installation for which the planning authority decided to refuse permission, as asserted in the appeal is a more modest structure in visual impact relative to the previous unsuccessful proposal. It comes below the parapet height and the projection forward of the recess in the return is reduced resulting in an increased setback from Wyatt windows. However, the proposed vertical lift structure would be distinctly visible infilling the recess in the return in which the brickwork and glazing features are to be removed or altered.
- 7.3. Significant interventions are required at all levels of the return, (Lower ground to second floor level) involving loss of fabric, windows including intervention to the

interior although generally confined to the area of the recess of the return, Installation of mechanical and electrical equipment and the making good of interventions of fabric are also at issue. These proposed interventions to facilitate the vertical lift installation and access over all floors are not reversible.

- 7.4. The space which would be accessible on all floors from the proposed vertical lift is very limited, being confined to the internal space in the rear return which is indicated to be equivalent to twenty-six per cent of the building's floor area, according to the written submissions. As such, it is not accepted that a case has been made as to justification of the interventions is in terms of benefit, or gain in accessibility and circulation within the interior, having regard to the provisions of the Disability Act, 2005, as amended, statutory guidance, as provided for the Architectural Heritage Guidelines and, TGD – M (2010). In this regard it should be noted that there is no mandatory requirement for compliance with the standard in TGD – M for projects involving protected structures.
- 7.5. Given the foregoing and the intended use of the building which is not a public building for commercial (office) not intended for use by the public irrespective of private or public ownership the proposal cannot be justified. Furthermore, the case made in the accompanying submission (Knight Frank) that the proposed lift is essential for internal circulation, in meeting challenges with regard to the scope for future letting opportunities sale is not sufficiently persuasive in this regard. The survival of the building and its suitability for occupation is not considered to be dependent on the proposed lift installation.
- 7.6. The two precedent cases referred to in the appeal have been reviewed and it is not apparent that these developments are fully comparable for the purposes of taking precedent especially having regard to the very limited amount of internal space that would be made accessible by the lift installation. No 17 Dame Street shown in the application to be (part in restaurant use and part on office use) is noted to have been accepted further to consultations and revisions, among them the omission of the top floor section and specific conservation methodology, by the conservation officer. The resultant installation allowed for access throughout the building, with the exception of the top floor. The second precedent case, No. 33 Leeson Park, in office use and involving a free-standing platform lift installation providing access over the three floors it is noted that the Conservation Officer's concerns and recommendations

relating to inappropriate location, unacceptable scale, unacceptable interventions adversely impact on and insufficient regard for the significance of the structure and a lack of justification are similar to the concerns about the current proposal. It is noted on the Order for the Board's decision to grant permission, it did not agree (with the Inspector) that the significance of the proposed interventions would seriously injure the character and integrity of the structure.

7.7. With regard to the references to No 45 Merrion Square, (the Irish Architectural Archive.) a set piece building centrally located along the east side of Merrion square, details of the application lodged with the planning authority in 2000, for a full height lift at the rear are not available for review. (P. A. Reg. Ref. 1783/00 refers.)

7.8. Finally, it is not apparent from the documentation on file that the suitability of alternatives options which would necessitate minimal intervention and which would not give rise to serious concern about reversibility to provide for enhanced universal access, such as ramps, platform lifts and stairlifts have been considered.

7.9. **Environmental Impact Assessment – Screening.**

7.9.1. Having regard to the minor nature of the proposed development and its location in a serviced inner suburban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.10. **Appropriate Assessment.**

7.10.1. Having regard to the scale and nature of the proposed development and to the serviced inner suburban location, no Appropriate Assessment issues arise. The proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

8.1. In view of the foregoing, it is recommended that the planning authority decision to issue a split decision should be upheld based on the reasons and considerations and subject to conditions set out below. However, in the event of favourable consideration of the proposal for the external lift installation it is recommended that

conditions be attached with requirements for full survey, conservation method statement in accordance with best conservation practice and to be implemented under the direction of a suitably qualified person with specialist expertise in historic building conservation in consultation with the conservation officer with details being subject to written agreement the planning authority.

9.0 Grant 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 the front entrance, raking out of the existing cement and wigged repointing of the brickwork to the front façade all associated internal and external repair cleaning and conservation works.

Reasons and Considerations.

It is considered that, subject to compliance with the condition set out below, the proposed development would be not seriously injure the integrity, architectural character and special interest of the existing building at No 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 and 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 points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. A conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works in

accordance with best conservation practice as provided for *Architectural Heritage Protection: Guidelines for Planning Authorities* (2005) and the accompanying technical Advice Series issued by the Department of the Environment, Heritage and Local Government and shall ensure adequate protection of the retained and historic fabric during the works.

These works shall be designed to cause minimum interference to the retained building fabric with retention of maximum surviving historic fabric in situ.

Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works.

All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators with architectural detailing and materials in the new work shall be executed to the highest standards so as to complement the setting of the protected structure and the historic area.

Reason: To ensure that the integrity of this protected structure is maintained and that the proposed repair works are carried out in accordance with best conservation practice with no unauthorised or unnecessary damage or loss of historic building fabric.

3. The Developer shall comply with the following conservation requirements full details of which shall be submitted 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: In order to ensure that the works are implemented in accordance with best practice in the interests of the protection of the integrity and character of the historic fabric of the building.

4. a) Prior to commencement of the development, a scaffolding shall be erected to facilitate inspection of the masonry and extant pointing on the front façade shall be given the opportunity to inspect the masonry façade from prior to raking out of the extant pointing.
- b) Updated drawings, to be prepared following raking out of inappropriate pointing, showing all joints in the stonework, and any additional repairs identified where defects are exposed.
- c) Prior to commencement of repointing, a record drawing, cross referenced with marked-up rectified photographs of the masonry façade indicating the condition of the brickwork and any repairs required, following a detailed inspection from the scaffold at close quarters, prior to commencing the re-pointing works. Details shall include: - identification, (by inspection) of remnants of original pointing to inform the appropriate re-pointing method for the building and identification of the joint with the adjoining property.
- d) A specification and conservation methodology for the repointing repair work, site exemplars for the removal of pointing, raking out, cleaning, patch repairs, re-facing and repointing for the building and details of five recent examples of specialist re-pointing works carried out by the proposed contractor on protected structures of similar architectural significance and associated references shall be submitted for agreement with the planning authority in writing.

Reason: In order to ensure that the works are implemented in accordance with best practice in the interests of the protection of the integrity and character of the historic fabric of the building.

10.0 Refuse Permission

For the installation of an external lift structure in recess to rear return.

Reasons and Considerations

Having regard to the inclusion of No 65 Fitzwilliam Square on the record of protected structures, it is considered that by reason of the unacceptable scale and extent of irreversible interventions to and loss of historic fabric necessary to facilitate the installation of the external lift structure would seriously injure the integrity, and character of the protected structure, would be in material conflict with the provisions and policies set out in Policy CHC 2 and section 11.1.5.3, of the Dublin City Development Plan, 2016-2022, would set undesirable precedent for similar development in the area and, would be contrary to the proper planning and sustainable development of the area.

Jana Dennehy
Senior Planning Inspector
20th May, 2021