



Appeal Decision

Site visit made on 21 November 2024

by **O S Woodward MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd December 2024

Appeal Ref: APP/B1550/Y/24/3343023

Rectory Church End, Foulness Island, Southend-on-Sea, SS3 9XQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Mark Mcquade against the decision of Rochford District Council.
 - The application Ref is 23/00213/LBC.
 - The works proposed is a replacement front door and frame.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have simplified the description of development and removed extraneous detail.
3. Because the appeal relates to a refusal to grant listed building consent, I have had special regard to Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is the effect of the proposed works on the special architectural or historic interest of the Grade II listed building, 'The Old Rectory'¹.

Reasons

Significance

5. The building is a detached house, likely partly dating from the 17th, 18th and 19th centuries, although with an overall appearance and architectural style that places the majority of the building in the Victorian era.
6. The front door is historic and potentially original. It is timber and has six single glazed window frames set in timber glazing bars. The door sits in a historic timber surround, with two further single glazed windows in the fan light above the door. The door has a yale lock and a further dead lock lower on the frame. There is a modern, potentially brass, handle above the yale lock, and an older metal handle below as part of the dead lock. In general, the door and its surround appear to be in relatively good condition. There are only some minor areas of cracking and small sections where the glazing bars have partially peeled away.

¹ Serial number 9/103.

7. However, there are two wooden panels to the bottom of the door. These and the rest of the bottom of the door are in a poor state of repair. It is bowed in this location. The panels are partly peeling away. The exposed wood underneath is damp and rotten. There is a gap through the entire door.
8. Despite the issues with the bottom part of the door, it positively contributes to the significance of the listed building. It contains historic fabric. The single glazing, partially historic door furniture, and overall aesthetic are as one would expect on a largely Victorian building. The significance is reinforced by the fact that all the other external windows and other doors to the building are also timber framed and single glazed. The windows are all at least historic and potentially original. The fenestration of the building is therefore consistent as well as historically appropriate and is an important contributor to the overall significance of the historic property.

The proposal

9. It is proposed to replace the door and its surround entirely. The replacement would be of similar appearance, being hardwood with six glazed panels and two wooden panels to the bottom. The frame would retain fan light windows above the door, albeit smaller in size. The door furniture has not yet been confirmed, although a likely furniture pack has been provided, and this could be controlled by condition. However, the window panels would be double glazed.

Assessment

10. The proposal would result in the loss of historic, and potentially original, fabric, causing harm to the special architectural and historic interest of the listed building.
11. The statement from the joiner describes the door as being riddled with rot but does not specify to which elements of the door or surround this is the case. From my inspection, all the surround and the upper part of the door appeared to be in relatively good condition. Some elements of repair are required, such as to the glazing bars and associated mortice. However, this could be achieved with localised and specific interventions and repair works.
12. I acknowledge that the bottom wooden panels of the door are beyond repair and are clearly rotten. However, it is of different character to the upper part of the door, which is mostly glazed. I see no reason why a skilled carpenter could not splice in matching new timber, and make any other repair works in this part of the door as necessary. Even if this resulted in up to 50% of the original fabric to the door being lost, that would still be a demonstrable improvement on the proposal, which is 100% loss. The door surround is also further important historic fabric that could, and should, be retained. Overall, it has not been satisfactorily demonstrated that the door and surround could not be repaired, rather than replaced.
13. The proposed double glazing would change the way light reflects and refracts through the windows. In addition, the remaining fenestration to the property would remain single glazed and the proposed door would be incongruous in this context. Overall, the proposed double glazing would harm the appearance of the property.

Conclusion

14. Given the above, I conclude that the proposal would fail to preserve the special architectural or historic interest of the Grade II listed building. It would thereby fail to satisfy the requirements of the Act. It would conflict with Paragraphs 203 and 206 of the Framework which set out the desirability of sustaining and enhancing the significance of heritage assets and that clear and convincing justification should be provided for any harm to a heritage asset. I assess the level of harm to be less than substantial.

Heritage Balance

15. Paragraph 208 of the Framework states that, where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.
16. The replacement door would improve the thermal efficiency of the building, partly by replacing a door which is in areas bowed and has gaps to the outside, and partly by the proposed use of double glazing in the door and to the fan light. However, I have not been provided with substantiated evidence that the door could not be made more efficient through repair works, eg draught proofing. Nor have I been provided with specifics regarding the amount of benefit that would accrue from the proposed new windows and other works in terms of increased efficiency, either intrinsically or in comparison to alternatives. I therefore place limited weight on this public benefit.
17. In addition, although helpful in reducing energy bills and providing a more hospitable internal environment, the works are not required to secure the continued viable use of the property as a home.
18. In accordance with Paragraph 205 of the Framework, I place great weight on the harm I have identified to the architectural and historic interest of the building. This outweighs the limited energy efficiency benefits. The proposal is therefore unacceptable and fails to satisfy the requirements of the Act and the Framework.

Conclusion

19. For the reasons above, the appeal is dismissed.

O S Woodward
INSPECTOR