



Appeal Decision

Site visit made on 18 December 2025

by R Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2026

Appeal Ref: APP/V1505/C/24/3349944

511 Long Riding, Basildon SS14 1JW

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Nimral Singh against an enforcement notice issued by Basildon Borough Council.
 - The notice was issued on 16 July 2024.
 - The breach of planning control as alleged in the notice is: without planning permission, the erection of a rear conservatory shown approximately edged and hatched black on the attached notice plan.
 - The requirements of the notice are:
 - (i) Demolish the rear conservatory as shown approximately edged and hatched black on the attached notice plan.
 - (ii) Permanently remove from the Land all resultant construction waste and debris from works done in compliance with requirement (i).
 - The period for compliance with the requirements is 4 months.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the erection of a rear conservatory shown approximately edged and hatched black on the attached notice plan at 511 Long Riding, Basildon SS14 1JW referred to in the notice

Main Issue

2. The main issue is the effects of the development on the living conditions for the occupiers of the neighbouring property at 517 Long Riding with regard to outlook.

Reasons

3. The appeal site is a two-storey terraced dwelling located within a predominantly residential area. The property has been previously extended with a full width rear extension, with a stepped rear elevation such that it extends approximately 6m deep on the side boundary with 509 Long Riding and approximately 3m deep along the boundary with 517 Long Riding. The property at No 517 Long Riding is at a right angle to the appeal property such that its rear boundary adjoins the side boundary of No 511 Long Riding. The appeal development, the subject of this appeal, relates solely to the erection of a rear conservatory, which infills the gap to the side of the existing approved single storey rear extension.

4. I have had regard to the planning history for the site, and in particular the previous appeal decision which was dismissed for a full width single storey rear extension made from brickwork, which measured 6m deep and a maximum height of 3m sloping down to an eaves height of 2.8m¹. In that case, the Inspector considered that “due to its height, length and position adjoining the boundary it would have an over dominant, gloomy and oppressive effect on the outlook from that garden and from the ground floor windows which face the site at some 5m away”.
5. However, the existing ‘as built’ conservatory is more modest in scale and height, and now only rises marginally above the adjoining boundary fence, trellis and outbuilding at No 517. In addition to its lower height, the conservatory comprises a lightweight design made from UPVC frame and glass whereas the previously refused proposal comprised a brick-built extension which was taller, and more solid in appearance.
6. Therefore, the conservatory, owing to its lightweight design and lower height does not result in any harmful loss of outlook or an increased sense of enclosure, or overshadowing to the occupiers of 517 Long Riding. I therefore find no conflict against Saved Policy BAS BE12 of the Basildon District Local Plan Saved Policies 2007 which seeks to ensure no overshadowing or over-dominance of neighbouring properties. The development is also in accordance with the National Planning Policy Framework, 2024 which requires that developments have a high standard of amenity for existing and future users.

Other Matters

7. Comments made by third parties have been taken into account but do not alter the conclusions reached in this decision. Reference has been made to the pre-existing lawful single storey rear extension and the loss of privacy caused by people accessing the flat roof of the lawful extension. However, these matters do not feature within the enforcement notice and therefore are not a matter for me to consider as part of this current appeal for the conservatory. Furthermore, owing to the position at ground floor level with obscure glass installed along the side boundaries, the development does not result in any overlooking or loss of privacy to neighbouring occupiers.
8. No conditions have been suggested by the Council and as the development appears to be completed, there is no need for any.

Conclusion

9. For the reasons given above I conclude that the appeal succeeds on ground (a). I shall grant planning permission for the development described in the enforcement notice.

R Satheesan

INSPECTOR

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¹ Appeal Ref: 3213991 dismissed on 18 January 2019.