



Appeal Decision

by **Ken McEntee**

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 5 March 2026

Appeal ref: APP/V1505/C/25/3375964

Land at 28 Hillhouse Drive, Billericay, Essex, CM12 0BA

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is brought by Mr Mark Taylor against an enforcement notice issued by Basildon Borough Council.
- The notice was issued on 21 October 2025.
- The breach of planning control as alleged in the notice is: "Without planning permission, the erection of a pergola approximately edged and hatched black on the attached notice plan".
- The requirements of the notice are: i. Remove the pergola shown approximately edged and hatched black on the attached notice plan in its entirety. ii. Permanently remove all resultant materials from works done in compliance with above requirement (i)".
- The time period for compliance with the requirements of the notice is "For requirements (i) and (ii), six (6) months after this notice takes effect".
- The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.

Summary of decision: The appeal is dismissed and the enforcement notice is upheld without variation.

Reasons for the decision

1. The basis of the appellant's case is that he would like the period for compliance with the requirements of the notice be extended for a further 3 months after a householder planning appeal (APP/V1505/D/25/3374866), to regularise the unauthorised development, has been decided. I note that a decision dismissing that appeal was issued on 6 February 2026. I also note that more than 2 months have elapsed since this appeal was submitted with enforcement action effectively suspended. As the 6-month compliance period will begin again from the date of this decision, the appellant will effectively have had more than 8 months in which to carry out the necessary works in order to comply with the requirements of the notice. I consider this period to be more than reasonable and am not satisfied there is good reason before me to justify extending the compliance period further. The appeal fails accordingly.

Formal decision

2. For the reasons given above, the appeal is dismissed and the enforcement notice is upheld without variation.

K McEntee