



Appeal Decision

Site visit made on 6 May 2026

by R Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07th May 2026

Appeal Ref: APP/W2465/C/25/3372671

174 Maidstone Road, LEICESTER, Leicestershire, LE2 0BA

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Laik Muzawar against an enforcement notice issued by Leicester City Council.
- The notice was issued on 23 July 2025.
- The breach of planning control as alleged in the notice is 'Without planning permission, the installation of external wall insulation and render to the front of the Property'.
- The requirements of the notice are to: 1. Paint the render covering the external wall insulation to match the colour of the brickwork of the original house. 2. Paint details of lintels above both windows and the front door, the sills of both windows and the deep apron below the first floor window to match the colour of those of the original house before the application of external wall insulation. 3. For the avoidance of doubt, details are to match those shown in Appendix 1.
- The period for compliance with the requirements is: 18 months.
- The appeal is proceeding on the grounds set out in section 174(2)(c), (f) and (g) of the Town and Country Planning Act 1990 (as amended).

Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Ground (c)

2. An appeal on this ground is that the matters stated in the Notice do not constitute a breach of planning control. In order to succeed on this ground, it is the appellant's burden to demonstrate that planning permission exists or is not required for what is alleged in the Notice.
3. The appellant's evidence on this ground is limited to documentation detailing the installer and the associated Green Homes Grant Scheme used by the appellant. In correspondence with the Council, he asserts that the contractual responsibility for securing planning permission lay with the installer.
4. However, this contention is distinct from the requirement to obtain the necessary consent for the works. Planning permissions run with the land. It is therefore the responsibility of those with an interest in the land to ensure compliance with the planning regulatory regime, whether directly or through others.
5. The Council's evidence includes a copy of its advice on external wall insulation which, amongst other things, states: 'Planning permission is required in most cases, particularly when the insulation is to a side of your property that is visible from the street'. The appellant does not demonstrate that planning permission exists or was not required for the works to the building's frontage; accordingly, the appeal on ground (c) fails.

Ground (f)

6. An appeal on ground (f) is that the steps required by the notice to be taken exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.
7. In this instance the Notice does not require the removal of the external insulation and render, it only requires its colour treatment to achieve a representation of the original frontage materials and former architectural detailing. Accordingly, as the Notice effectively under-enforces, it seeks to remedy the harm to amenity.
8. In the absence of a ground (a) appeal, such that I can consider the planning merits or otherwise of the development and the requirements in the Notice, the only case the appellant can make for ground (f) is that lesser steps would suffice to remedy the breach.
9. The appellant has not proposed any alternative to the requirements stated in the Notice and there are no obvious alternatives that would require lesser steps to remedy the injury to amenity identified by the Council. Accordingly, I find the requirements of the Notice to be the minimum necessary to remedy the injury to amenity and the appeal on ground (f) must fail.

Ground (g)

10. This ground of appeal is that the period for compliance specified in the notice falls short of what should reasonably be allowed. No alternative period for compliance is proposed by the appellant.
11. The requirements of the Notice are limited to painting of the frontage to mitigate the visual effects of the development. The specified period for compliance is 18 months. In my view this is sufficient time to arrange and carry out the works. In absence of justification for any longer period, the appeal on ground (g) fails.

Other Matters

12. I acknowledge the appellant's frustrations that planning permission for the Government-backed insulation scheme was not sought by the contractor responsible for carrying out the works; that Government funds were released to the installer without the necessary consent; that there was a significant interval between the completion of the works on 26 August 2021 and the Council's enforcement actions; and, that others may not have been subject to similar action by the Council to date. However, these are not matters of material weight in the appeal.

Conclusion

13. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

R Hitchcock

INSPECTOR