
Appeal Decisions

by M Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th October 2026

Appeal A Ref: APP/W2465/C/25/3376645

Appeal B Ref: APP/W2465/C/25/3376646

34 Vicarage Lane, Leicester, LE4 5PD

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeals are made by Mr Bipin Arjane (Appeal A) and Mrs Aruna Narsinh Halpati (Appeal B) against an enforcement notice issued by Leicester City Council.
 - The notice was issued on 2 December 2025.
 - The breach of planning control as alleged in the notice is: Without planning permission, the unauthorised installation of a replacement roof to the Property.
 - The requirements of the notice are to:
 1. Remove the concrete roof tiles, concrete ridge tiles, lead flashing and valley and other ancillary development associated with the installation of the concrete tiles.
 2. Reinstate the original natural slates back onto the roof.OR
Re-slate the roof in a natural slate to match the roof as shown in the photograph attached at Appendix 1.
 3. Re ridge the roof in reclaimed 'Dorset' Ridge tiles to match the appearance of the ridge tiles as shown in the photograph attached at Appendix 1.
 4. Remove all the waste material resulting from step 1 from the site in its entirety and dispose of it in a registered waste disposal site.
 - The period for compliance with the requirements is two months.
 - The appeals are proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. It is directed that the enforcement notice is varied by the deletion of "two months" and the substitution of "three months" as the time for compliance in section 6 of the notice.
2. Subject to that variation, the appeals are dismissed, and the enforcement notice is upheld.

Preliminary Matter

3. The appeals have been brought on ground (g) only. As such, the planning merits of the development are not before me. No site visit was necessary as the appeals can be determined based on the written evidence. The parties were advised of my intention to determine the appeals without a site visit.

The appeals on ground (g)

4. An appeal on ground (g) is that the period given for compliance with the notice falls short of what should reasonably be allowed. The notice specifies a compliance period of two months.
5. The appellants state that the property was in a poor and uninhabitable condition when acquired and that this contributed to delays in carrying out works. However,

those circumstances relate principally to the condition of the property before the breach occurred and have little bearing on the appeals on ground (g).

6. The appellants explain that they intend to replace the roof tiles in accordance with the Council's requirements but are experiencing financial difficulties and contend that winter weather conditions have made progress more challenging. They therefore request a longer compliance period to enable the necessary remedial works to be completed but have not suggested what period of time they consider would be reasonable.
7. The Council contends that the appellants have had three months in which to secure compliance, taking into account the period between the issue of the notice and the date on which it took effect. However, the question under ground (g) is whether the period specified, commencing from the date on which the notice takes effect, is reasonable.
8. I acknowledge the Council's point that the unauthorised roofing works were completed within around three weeks. However, whilst I accept that the physical works required by the notice could be undertaken within the specified two month compliance period, before that it will be necessary to identify and appoint a suitable contractor, make the necessary arrangements for the works and secure funding for them. It is also possible that the works will be subject to delays due to adverse weather conditions at this time of year and reduced contractor availability. In these circumstances, I consider that two months is unlikely to be sufficient to comply with the requirements.
9. I have sought to strike an appropriate balance between ensuring that the harm arising from the breach is remedied as soon as practicable and giving the appellants sufficient time to comply with the notice. On that basis, I consider that three months would be a reasonable period for compliance. I shall vary the compliance period accordingly.
10. The appeals on ground (g) therefore succeed to that extent.

M Ollerenshaw

INSPECTOR