



Appeal Decision

Site visit made on 7 January 2025

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 January 2025

Appeal Ref: APP/R1845/W/24/3350115

Flat above 415-416 Stourport Road, Kidderminster, Worcestershire DY11 7BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Amit Singh against the decision of Wyre Forest District Council.
 - The application Ref is 24/0104/FUL.
 - The development proposed is an outbuilding in rear garden for meditation room.
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Decision

1. The appeal is allowed and planning permission is granted for outbuilding in rear garden for meditation room at Flat above 415-416 Stourport Road, Kidderminster, Worcestershire DY11 7BG in accordance with the terms of the application, Ref 24/0104/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing No 23136-01J.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal site contains a detached building providing a shop on the ground floor and a dwelling on the floors above. To the rear of the building is a long garden laid out as a lawn. The surrounding area is characterised by similarly long gardens a number of which contain out buildings. During my site visit I noted a particularly large example to the rear of the site at the back of a neighbouring garden. The proposal would introduce an outbuilding partway down the appeal garden finished in brick and served by a flat roof with a roof light. I understand that the building would be used as a meditation, yoga and gym space in association with the host dwelling.
4. I find that out buildings, whether sheds, garages or garden rooms are not atypical for domestic gardens and, from my site visit, that this is particularly so within this area. The simple design of the proposal would be in keeping with the surrounding outbuildings as well as the rear flat roof portions of the host dwelling. Although it would be a relatively large building, the garden is of a sufficient scale to accommodate this comfortably. I am also mindful that it is sited away from public views which would be screened by the surrounding buildings and boundary

treatments, and it would not erode the appreciation of the area from neighbouring properties. Given the scale of the building and its relationship to the host dwelling, the uses proposed above would, in terms of character, respect that of the surrounding area.

5. The proposed outbuilding would not, in its design, scale or use, unacceptably affect the character and appearance of the surrounding area. It would therefore comply with Policies SP.20 and DM.24 of the Local Plan 2016-2036 which collectively, and amongst other matters, require developments to be of a high-quality design that integrates with their surroundings in form and function. The proposal would also comply with the National Planning Policy Framework (the Framework) including Paragraph 135 which similarly seeks to ensure developments demonstrate good architecture and layout and are sympathetic to the local character.

Conditions

6. I have not been provided with any suggested conditions by the Council. I have nevertheless been mindful of the advice on planning conditions set out by the Framework and the Planning Practice Guidance and considered those conditions necessary to make the proposal acceptable.
7. For certainty, I have set out the timescale for the commencement of development. A condition is also necessary, for certainty and enforceability, requiring that the development is carried out in accordance with the approved plans. Although I have not consulted any parties on these conditions, they are standard and as such will not come as a surprise or prejudice them.

Conclusion

8. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

Samuel Watson

INSPECTOR