



Appeal Decision

Site visit made on 3 June 2025

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

an Inspector appointed by the Secretary of State

Decision date: 15 August 2025

Appeal Ref: APP/P1805/W/24/3356219

Land at south side of Houndsfield Lane, Hollywood B47 5QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Your Land Partner Ltd against the decision of Bromsgrove District Council.
 - The application Ref is 23/00403/OUT.
 - The development proposed is outline application for the erection of 50 new dwellings (including market, affordable and custom/self build plots) and a flexible commercial/community use building with associated access, infrastructure, landscaping, drainage and open space provision; considering access into the site only with all other matters reserved
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Decision

1. The appeal is allowed and planning permission is granted for Outline Application for the erection of 50 new dwellings (including market, affordable and custom/self build plots) and a flexible commercial/community use building with associated access, infrastructure, landscaping, drainage and open space provision; considering access into the site only with all other matters reserved at land at south side of Houndsfield Lane, Hollywood B47 5QY in accordance with the terms of the application, Ref 23/00403/OUT, subject to the conditions in the attached schedule.

Preliminary Matters

2. The proposal before me has been made in outline with only the matter of access being considered at this stage. All other matters, namely appearance, landscaping, layout and scale, have been reserved for a subsequent application. I understand from the appellant's case that the submitted drawings, in these respects, are for illustrative purposes only, I have considered them as such.

Main Issues

3. The appeal site is located within the Green Belt and therefore the main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and,
 - The effect of the proposal on the character and appearance of the surrounding landscape.

Reasons

Whether Inappropriate development

4. Framework Paragraph 155 sets out an alternative route, to the exceptions under Paragraph 154, for schemes to not be considered inappropriate development in the Green Belt. This route requires the development to be carried out on land found to be grey belt, and to comply with a number of further points which I have considered below.
5. The appeal site does not comprise previously developed land. However, the Framework also defines grey belt as land within the Green Belt that does not strongly contribute (a) to checking the unrestricted sprawl of large built-up areas, (b) to preventing neighbouring towns from merging into on another, and (d) to preserve the setting and special character of historic towns.
6. Both parties accept that the appeal site does not make a strong contribution to purposes (a) or (d). I have therefore not gone into further detail on these purposes and have focused on purpose (b) which the parties do not agree on. The site sits within the eastern half of Parcel NE6. The Council considers this end of the parcel to make a strong contribution to the separation between Wythall and Majors Green, and between Majors Green and Hollywood.
7. Although the appeal site sits within the triangle between the above mentioned settlements, it only forms part of the separation between Wythall and Major's Green. This separation is made of a large gap, of which the appeal site comprises only a relatively small portion. Moreover, it is some distance away from either settlement and separated from them by fields and paddocks. There would, therefore, be no visual loss of separation between Wythall and Major's Green. Whilst I am mindful that the parcel, as a whole, may make a strong contribution to Purpose (b), the same cannot be said for the appeal site on its own given its location and modest scale.
8. The erection of dwellings and a community building may have some impact on the purposes of the Green Belt, including the encroachment of development into the countryside. However, given the small scale of the appeal site and proposed development in relation to the Green Belt as a whole, it would not fundamentally undermine the purposes (taken together) of the remaining Green Belt within the plan area. The proposal therefore complies with requirement (a) of Framework Paragraph 155.
9. As the Council cannot demonstrate a five year housing land supply, it is clear that there is an unmet need for housing. The proposal would contribute, through the provision of 50 new dwellings, towards this demonstrably unmet need. The proposal therefore meets requirement (b) of Framework Paragraph 155.
10. The appeal site is located in close proximity to the edge of Hollywood and future occupiers would be able to walk or cycle to services and facilities within the settlement, including shops and schools. Hollywood and the surrounding area also provide access to bus and rail services. Moreover, I understand a bus route within Hollywood serves both railway stations. In all I am content that the proposal would meet the requirements of Framework Paragraphs 110 and 115 in that it would provide safe access for all users and provide genuine choices of transport beyond

private motor vehicles. The appeal site is therefore within a sustainable location and meets requirement (c) of Framework Paragraph 155.

11. Approximately 50% of the proposed housing would be affordable. Moreover, improvements would be made to the pedestrian route between the appeal site and Hollywood. In this way the proposal would meet the relevant Golden Rules set out under Framework Paragraphs 156 and 157 for major developments. A small public green space has been shown on the submitted plans and while this is only indicative, I am content that one could be provided. As layout and landscaping are reserved matters, identifying and secured it would be for the reserved matters stage. Consequently the proposal meets the requirements of Framework Paragraphs 155(d), 156 and 157.
12. The proposal would be located within grey belt and would meet the requirements under Paragraph 155 and the Golden Rules for major development. As such, it would not be inappropriate development within the Green Belt. It would therefore comply with Policy BDP1 of the Bromsgrove District Plan (the DP) which, insofar as it is relevant to this appeal, seeks to follow the Framework's presumption in favour of sustainable development. The proposal also complies with the Framework, including with regard to development within the Grey Belt, as set out above.
13. Although the Council have also referred to DP Policy BDP4, this policy precedes the current Framework and so does not relate to or reference Grey Belt development within the Green Belt. It has not, therefore, been particularly determinative to the case before me.

Landscape

14. The appeal site is a field, free of built form, that rises up away from Houndsfield Lane. The site is surrounded by fields but is in close proximity to a small industrial estate, a group of agricultural or equestrian buildings and, the edge of Hollywood. The boundary of the appeal site is primarily formed of hedgerows and mature trees which screen distant views of the site.
15. Although built development is typical within the surrounding area, the appeal site reads in connection within the open fields that stretch between the surrounding settlements where only more modest examples of sporadic development are present. Into this area the proposal would present 47 new buildings, including a larger commercial or community space. These, along with any associated parking, boundary treatments and road network would be incongruous with the rural character of the site and its surroundings.
16. Although the site's boundary treatments would somewhat screen the proposal, given its sloping nature and the gaps present within the mature planting, glimpses would be possible. Therefore, the proposal, by way of its scale an incongruous nature, would also erode the agricultural and rural character of the surrounding area and landscape.
17. The proposal would harm the character and appearance of the surrounding landscape and would therefore conflict with DP Policies BDP1, BDP19 and BDP21 which require, amongst other matters, developments achieve good design, high quality spaces that enhance the distinctiveness of the local area. The proposal would also conflict with the Framework, including Paragraph 135(c) which seeks

for proposals to be sympathetic to the local character, including the surrounding environment and landscape setting.

Other Matters

18. I note the concerns raised that the proposal would affect protected habitats and species. However, no substantial evidence has been provided to demonstrate the presence of these or that the proposal would unacceptably affect them. I note that this matter also did not form part of the Council's reasons for refusal.
19. Although there would likely be some increase in the number of vehicle movements associated with the appeal site, I am content that the surrounding highway infrastructure could accommodate this and, given the proposed pedestrian improvements, there would be no unacceptable risk to highway safety. Moreover, any additional noise generated would not be so significant as to unacceptably affect the living conditions of neighbouring occupiers.
20. The proposal would result in a moderate increase in residents closely related to Hollywood. However, it has not been substantiated that local services and facilities are currently stretched or that they would not be able to accommodate the increase in residents.
21. Whilst I note the concerns of interested parties as to the proposal setting a precedent for similar development should the appeal be allowed; all decisions turn on their own particular circumstances. These circumstances are based on the facts and evidence before those decision-makers or Inspectors at the time. Therefore, the decision here would not bind the Council to find similarly in future applications, or preclude them from making a full assessment of proposals.

Conditions

22. I have had regard to the conditions suggested by the Council and the advice on planning conditions set out by the Framework and the Planning Practice Guidance. In the interests of clarity and enforceability, I have made some changes to the wording.
23. For certainty, I have set out the reserved matters as well as the timescale for their submission and the commencement of works. A condition is also necessary, for certainty and enforceability, requiring that the development is carried out in accordance with the approved plans.
24. Conditions relating to the provision of the proposed highway improvements, site access and visibility splays are necessary to protect and improve highway safety around the site and along the route to Hollywood. In the interests of promoting sustainable travel conditions are necessary requiring a travel plan and the provision of a welcome pack for residents. A construction environmental management plan is necessary to also protect highway safety.
25. A condition controlling the use of the community building is necessary to ensure that it is used in accordance with the proposed use it has been assessed as.
26. Conditions are required in the interests of preventing any unacceptable increase in flood risk or any harm stemming from drainage and water pollution. Conditions are also required in the interests of minimising any impacts from contamination that may be present at the appeal site. In the interests of protecting any archaeological

interest at the site, a condition is necessary securing a programme of archaeological works and assessment.

27. Conditions have been put forward requiring the submission of details of any external materials and street lighting. However, these details fall under matters, including layout and appearance, that are reserved for later consideration. It is not, therefore, necessary to impose these conditions at this stage as they would be dealt with at reserved matters.
28. A Section 106 agreement has been provided between the appellant and Council. This seeks to secure a number of obligations and contributions, such as for affordable housing, the public open space and the commercial or community use building. I am content that these obligations are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development.

Planning Balance and Conclusion

29. There is no dispute that the Council is unable to demonstrate a five year housing land supply. The Government's objective is to significantly boost the supply of housing, and the proposal would provide 50 new dwellings towards the Council's housing land supply. These dwellings would include custom/self-build and affordable units. It would also lead to a small and time-limited economic benefit during the construction phase, as well as some social and economic benefits stemming from future occupiers and the commercial/community building. These matters weigh in favour of the development.
30. The proposal would also result in development on grey belt land that complies with the Golden Rules as set out under Paragraph 156 of the Framework. In line with Framework Paragraph 158 I afford this matter significant weight in favour of the grant of permission.
31. Conversely, the proposal would result in harm to the character and appearance of the surrounding area and landscape, contrary to both local and national planning policy. Given the closeness of the appeal site to built-up areas and the compact nature of the site, I afford this matter moderate weight.
32. Taking everything into account, I consider that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits identified above. As a result, the application of Paragraph 11d of the Framework indicates that permission should be granted. Therefore, for the reasons outlined above, I conclude that the appeal should be allowed.

Samuel Watson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the appearance, landscaping, layout, and scale, "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with drawing no 1355 SAP XX XX DR A 10000 SO Rev 02. It shall also be carried out in accordance with drawing nos 210608-04 Rev A Sheet 1 of 4, 210608-04 Rev A Sheet 2 of 4, 210608-04 Rev A Sheet 3 of 4, 210608-04 Rev A Sheet 4 of 4, 210608-05 Rev A Sheet 1 of 2, and 210608-05 Rev A Sheet 2 of 2 insofar as the details that do not relate to the internal layout of the development.
- 5) Development shall not begin until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 82 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6m from the edge of the carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.
- 6) The Development hereby permitted shall not be occupied until the highway improvements/offsite works/site access works shown on drawing nos: 210608-04 Rev A Sheet 1 of 4, 210608-04 Rev A Sheet 2 of 4, 210608-04 Rev A Sheet 3 of 4, 210608-04 Rev A Sheet 4 of 4, 210608-05 Rev A Sheet 1 of 2, and 210608-05 Rev A Sheet 2 of 2 have been constructed and completed insofar as they relate to works not related to the internal layout of the development.
- 7) The community use hereby permitted shall be used for community uses ancillary to the residential development and for no other purpose, including any other purpose in Class E or Sui Generis of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
- 8) The Development hereby permitted shall not be occupied until the Applicant has submitted a Travel Plan in accordance with the County Council guidelines in writing to the Local Planning Authority that promotes sustainable forms of access to the development site and has been approved in writing by the Local Planning Authority. This plan will thereafter be implemented, monitored for a minimum of 5 years and shall be updated in agreement with Worcestershire County Council's Travel Plan Officer and thereafter implemented as updated.
- 9) The Development hereby permitted shall not be occupied until the Applicant has submitted to and had approval in writing from the Local Planning Authority a residential Travel Welcome Pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of occupation.
- 10) The Development hereby permitted shall not commence until a Construction Environmental Management Plan has been submitted to and approved in

writing by the Local Planning Authority. This shall include but not be limited to the following:-

- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc); The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring;
- Details of any temporary construction accesses and their reinstatement; and
- A highway condition survey, timescale for re-inspections, and details of any reinstatement.

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

- 11) No works or development shall take place until a site specific Flood Risk Assessment (FRA) has been submitted to, and approved in writing by the Local Planning Authority. This FRA shall assess the risk of all types of flooding and shall include measures to mitigate the risk of flooding up to the 1 in 100 annual probability flood level, including an allowance for climate change. These measures should include, but not be limited to, setting finished floor levels no lower than 600 mm above the 1 in 100 annual probability flood level, including an allowance for climate change. The agreed flood mitigation measures shall be implemented in full prior to the first use of the development hereby approved.
- 12) No works or development shall commence until a scheme for a surface water drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hardstanding areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). If possible infiltration techniques are to be used and the plan shall include the details and results of field percolation tests. If a connection to a sewer system is proposed, then evidence shall be submitted of the in principle approval of Severn Trent water for this connection. The scheme should include run off treatment proposals for surface water drainage. Where the scheme includes communal surface water drainage assets proposals for dealing with the future maintenance of these assets should be included. The scheme should include proposals for informing future home owners or occupiers of the arrangements for maintenance of communal surface water drainage assets. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.
- 13) No works or development shall take place until a method statement for the protection of the adjacent brook from pollution during the course of construction has been submitted to and approved in writing by the local

- planning authority. The statement shall assess the risks from all pollution sources and pathways (including silt, cement and concrete, oils and chemicals, herbicides, aggregates, contaminated land and waste materials) and describe how these risks will be mitigated for this development. Development shall be carried out in accordance with the approved details.
- 14) An undeveloped buffer strip of at least 5 metres wide should be maintained alongside all watercourses.
 - 15) There shall be no raising of existing ground levels on the site in the area modelled to be at surface water and/or fluvial flooding.
 - 16) No development shall commence until an assessment of the risks posed by any contamination (including gases and water quality) has been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency - Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:
 - i) a survey of the extent, scale and nature of contamination;
 - ii) the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.
 - 17) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development is occupied.
 - 18) Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not

resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.

- 19) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
- a) The programme and methodology of site investigation and recording.
 - b) The programme for post investigation assessment.
 - c) Provision to be made for analysis of the site investigation and recording.
 - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation
 - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.