

HEARING

STATEMENT

Castle Point Local Plan

Matter 1 Housing Requirement and Provision

On behalf of
Rainier Developments & Strategic Land

July 2026

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1. INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf of Rainier Developments & Strategic Land ('Rainier') (CPBC ref. 1000-01) and in respect of Matter 1 of the Castle Point Local Plan Examination.
- 1.2 Rainier made representations on the submitted Local Plan, including on the proposed housing requirement and strategy.
- 1.3 The sLP has been submitted for Examination. The Examining Inspectors have raised significant concerns about the soundness of the housing requirement and supply in their Initial Note dated 26 March 2026, published by the Council on 11 May 2026. An initial hearing session will therefore consider this issue before other matters.
- 1.4 Matters, Issues and Questions (MIQs) in relation to the housing requirement and provision have been published. This Hearing Statement addresses the following questions from the MIQs:
 1. Is the plan's housing requirement figure of 6,196 over the plan period, set out in Strategic Policy SP3, positively prepared, justified and consistent with national policy and in particular do any adverse impacts of providing for all or more of the area's objectively assessed housing needs (11,662 dwellings over the plan period calculated using the Standard Method) significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole?
 - a) Do the constraints identified by the Council justify not allocating each of the sites for housing development recommended for further consideration by the DCA Green Belt Study, including sites which already have planning permission?
 - b) Is there clear evidence that altering Green Belt boundaries to meet all or more of the area's objectively assessed housing need would fundamentally undermine the purposes (taken together) of the remaining Green Belt, when considered across the area of the Plan?
- 1.5 This Hearing Statement seeks to respond to the above, and does not intend to repeat or supersede points raised in the representations made on the Regulation 19 iteration of the sLP by Rainier ('the Regulation 19 representations').

2. QUESTION 1

Is the plan's housing requirement figure of 6,196 over the plan period, set out in Strategic Policy SP3, positively prepared, justified and consistent with national policy and in particular do any adverse impacts of providing for all or more of the area's objectively assessed housing needs (11,662 dwellings over the plan period calculated using the Standard Method) significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole?

a) Do the constraints identified by the Council justify not allocating each of the sites for housing development recommended for further consideration by the DCA Green Belt Study, including sites which already have planning permission?

- 2.1 The Council's primary justification for not meeting the minimum housing requirement appears to be the Castle Point Housing Capacity Topic Paper (August 2025) ('the HCTP').
- 2.2 There are a number of concerns with how the HCTP has approached the issue, which are discussed below.

Identification of Absolute Constraints

- 2.3 The HCTP states that of the Borough's 2,546 ha of Green Belt, 1,824 ha are subject to what it terms 'footnote 7 constraints', referring to footnote 7 of the NPPF.
- 2.4 As per paragraph 11b of NPPF, strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁶, unless *inter alia* the application of policies in the NPPF that protect areas or assets of particular importance (as set out in footnote 7) provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.
- 2.5 Footnote 7 constraints are not absolute constraints to development, as the recent *Faversham* judgement¹ confirmed. Indeed, at paragraphs 8.3–8.5 of the HCTP, the Council expressly distinguishes between different footnote 7 constraints and states that some are capable of being addressed through policy mechanisms.

¹ *R (on the application of Faversham Town Council) v Secretary of State for Housing, Communities and Local Government and others* [2026] EWHC 1651 (Admin)

- 2.6 The HCTP states that only the following are treated as the starting-point "*strong reasons*" for resisting development:
- Ramsar sites;
 - SPAs
 - SSSIs
 - Ancient Woodland
 - Flood Zone 3b Functional Floodplain.
- 2.7 The HCTP reports that the above cover 22.8% of the Borough's Green Belt, leaving 77.2% of the Borough's Green Belt not being subject to absolute constraints.
- 2.8 However, further constraints are then applied which appear to be treated as absolute constraints, culminating in the following at Section 12 of the HCTP:
- "The combined constraints map shows that around 1,824ha of the Borough's Green Belt is constrained by footnote 7 constraints or is otherwise constrained by nature conservation constraints or open space constraints which mean that there is a strong reason for resisting development. (Paragraph 12.1)*
- "There remains around 722ha of the Borough's Green Belt which is **not affected by these constraints**, and which may potentially be **unconstrained**, and which **may be suitable** for the consideration of development." (Paragraph 12.2) (Emphasis added)*
- 2.9 By Section 12 of the HCTP, less than 30% of the Borough's Green Belt is treated as potentially suitable.
- 2.10 Several Issues appear to have caused this.
- 2.11 First, the HCTP treats open space as a strong reason for resisting development without identifying which open spaces are protected, whether any are surplus, or whether replacement provision could be secured through development. It therefore excludes all mapped open space without proper justification.
- 2.12 Secondly, the HCTP appears to elevate LNRS to hard constraints, without distinguishing existing ecological constraints from future habitat creation opportunities, which should attract less weight than established designations.

2.13 In short, vast areas of the Borough have been excluded from further consideration without robust justification.

Accessibility

2.14 After excluding a substantial proportion of land through absolute constraints, the HCTP's treatment of 'potentially unconstrained Green Belt' is also problematic.

2.15 The HCTP uses the Essex Planning Officers Association / Essex Parking Guidance Connectivity Map to identify and then exclude from further consideration sites that it considers are insufficient accessible to constitute sustainable allocations.

2.16 The EPOA / Essex Parking Guidance Connectivity Map is broadly a simplified equivalent of London's PTAL system, indicating relative accessibility to public transport, services and facilities. It forms part of Essex-wide parking guidance, identifying areas where lower parking standards may be appropriate.

2.17 The map was not intended to be used in the way the HCTP uses it.

2.18 Whilst it may provide a useful, high-level, indication as to which parts of the Borough are more accessible than others, it should not be used to suggest that the accessibility of parts of the Borough is so poor that they cannot sustainably accommodate any development.

2.19 In short, the HCTP uses the EPOA / Essex Parking Guidance Connectivity Map not simply to compare relative accessibility, but to conclude that development should be avoided in some parts of the Borough.

2.20 As any example of how reliance on the EPOA / Essex Parking Guidance Connectivity Map is flawed, it is notable site GB14 is identified on the map on page 48 of the HCTP as having a connectivity score of 'low' / 'moderate'. However, based on a site-specific assessment of the site's accessibility as part an appeal for its residential development, the Appeal Inspector concluded the Site to be *"within reasonable walking distance of some local facilities in Thundersley and Daws Heath as well as bus stops providing connections to larger centres. In these terms, the site could be considered generally sustainable and suitable for development"*²

² Appeal Decision APP/M1520/W/23/3329585 Land South of Daws Heath Road, Thundersley, Benfleet, Essex SS7 2TA. Decision date: 16th July 2024

- 2.21 As noted in our Regulation 19 representations (see paragraphs 4.12 – 4.14) the HCTP states at 12.9 that *"Sites located away from town centres and transport corridors, on the edge of settlements do not have ready access to services or public transport provision"*. This categorical assertion without evidential foundation is clearly incorrect. Indeed, it is contradicted by the Council's own evidence base: the Green Belt Site Access Assessment Appendices (July 2025) (Ref.7.07) concludes a number of Green Belt sites have the potential to be considered as accessible in the context of NPPF paragraphs 110 and 115).

Green Belt Review

- 2.22 The HCTP relies heavily on the Council's Green Belt Assessment (July 2025 (Ref.7.02)). We have concerns with how specific sites were assessed, and in some cases not assessed.
- 2.23 It is notable that GB14 and GB29 have, despite being two separate sites have been combined and assessed as a single site.
- 2.24 The grain of any review of the Green Belt is important, but especially so in circumstances where a Local Planning Authority is claiming that development needs cannot be met, as confirmed through the Examination of the Welwyn Hatfield Local Plan.
- 2.25 The Council's most recent assessment of GB14 without amalgamating it with any neighbouring parcels was the Green Belt Boundary Review 2013. Through this, as noted at paragraph 6.15 of our Regulation 19 representations, the Council concluded that GB14 could be removed from the Green Belt without undermining the purposes of the Green Belt in this location.
- 2.26 Despite Green Belt policy being intended to facilitate housing delivery in lower-performing Green Belt locations, and despite the Green Belt Assessment (July 2025) identifying multiple sites that may meet that definition, the SLP allocates none of them for development.

Infrastructure Capacity

- 2.27 The HCTP states *"generally, it is considered"* that infrastructure needs to support growth of c.7,000 – 8,000 new homes can be met. However, no evidence is offered to support any existing infrastructure limitations or inability to secure future infrastructure improvements such that infrastructure capacity could form justification for failing to meet local housing needs.
- 2.28 The HCTP refers to the distribution of sites potentially affecting the need for a primary school in the Benfleet, Hadleigh and Thundersley area, and to that facility requiring more land than some other

infrastructure. However, Local Plans commonly identify and plan for new education provision. Nothing explains why that could not be achieved here, still less why it justifies failing to meet housing need.

Market Capacity

- 2.29 The HCTP makes reference to concerns with the ability of the housing market to absorb significant housing growth.
- 2.30 This is unsupported by empirical evidence. It rests instead on speculative reasoning about the increase in delivery rates required to meet local housing need, housing unaffordability, and market absorption rates.
- 2.31 Historic delivery reflects historic policy choices, land supply and market conditions; it is not evidence of what can be achieved under a new Local Plan. That is particularly important in Castle Point, where no new Local Plan has been adopted since 1998; the Green Belt has significantly constrained supply; the Borough has persistently failed to meet its housing requirement; the Borough has often recorded among the worst Housing Delivery Test measurements nationally, and has been unable to demonstrate a five-year housing land supply for a number of years. In relation to market signals, the HCTP also cites local housing affordability problems. Such issues merely support the case for seeking to plan for a greater number of new homes. Restricting land supply risks perpetuating the very affordability problems that the HCTP recognises.
- 2.32 The HCTP relies on the Letwin Review's conclusion that build-out rates are constrained by absorption rates. However, Letwin did not suggest that local authorities should reduce housing targets where absorption rates are low. Its principal lesson is to improve delivery through a greater diversity of supply, tenures, outlets and developers. It therefore supports more allocations and a broader housing market, not reduced provision.
- 2.33 A larger portfolio of sites: increases competition; allows different developers to operate simultaneously; provides greater flexibility; reduces reliance on a small number of strategic sites; and improves resilience if some sites stall. If the Council's concern is market absorption rates, this is an argument for additional allocations, not fewer.
- 2.34 The Council's reliance on market absorption rates is misplaced. Market absorption is a delivery consideration, not a justification for reducing the housing requirement. Neither the Letwin Review nor the Lichfields' research support planning for fewer homes; both indicate that delivery is

enhanced through a greater diversity of sites, developers and tenures. The evidence therefore supports additional allocations and a broader portfolio of sites

HCTP Conclusions

- 2.35 Section 18 of the HCTP sets out its conclusions.
- 2.36 Section 18 of the HCTP reports that sustainable accessibility and infrastructure deliverability are 'significant barriers'. It also states that growth beyond urban allocations would 'exacerbate congestion' and 'undermine sustainable travel objectives', that some potentially suitable sites 'face challenges' in connectivity, landscape and environmental terms, and that allocations beyond urban areas would undermine the Council's sustainability objectives.
- 2.37 Even if those matters were robustly demonstrated, the NPPF does not suggest that they justify not meeting housing needs. They are not footnote 7 matters capable of providing a strong reason to restrict the overall scale, type or distribution of development, save possibly landscape and environmental impact. Even then, the specific landscape and environmental impacts alleged by the HCTP do not relate to those identified in footnote 7.
- 2.38 Even if one were to overlook the above, no robust justification has been provided for either failing to meet the Standard Method housing requirement or, at the very least, seeking to meet a significantly greater proportion of this requirement.
- 2.39 Nor is there evidence that the Council has weighed the alleged harms of meeting the Standard Method requirement against the substantial social and economic harms caused by a shortage of suitable, affordable homes. Nothing suggests those alleged harms would outweigh the benefits, let alone significantly outweigh them. The SLP evidence base appears to understate the Borough's acute housing shortage and its community impacts, as shown by the Sustainability Appraisal's limited appreciation of affordable housing need and failure to properly assess the social and economic harms of insufficient accommodation, discussed in section 3 of Rainier's Regulation 19 representations.

Overview

- 2.40 The constraints cited by the Council do not justify the SLP's failure to allocate additional sites for residential development in order to meet the Standard Method housing requirement, or at least a substantially greater proportion of it.

- 2.41 The potential sites that are sustainable and deliverable for allocation, but which the sLP does not propose, are not limited to those identified as recommended for further consideration by the Green Belt Assessment (July 2025).
- 2.42 A more granular assessment, including for example the consideration of GB14 separately from GB29, should have identified another site as being suitable for further consideration.

b) Is there clear evidence that altering Green Belt boundaries to meet all or more of the area's objectively assessed housing need would fundamentally undermine the purposes (taken together) of the remaining Green Belt, when considered across the area of the Plan?

- 2.43 There is no evidence that altering the Green Belt boundaries to meet more of the Borough's Standard Method housing requirement would fundamentally undermine the purposes of the remaining Green Belt.
- 2.44 On the contrary, there is clear evidence that a number of sites could be allocated for development without such harm arising. The Council has previously prepared a Local Plan which did propose to allocate a number of sites that are in the Green Belt for residential development. This was subject to examination and found sound in March 2022, before ultimately being withdrawn by the Council. The Inspector concluded:

*"The Plan is capable of meeting the local housing need subject to the proposed Green Belt alterations to provide for housing development. These alterations would have relatively limited impacts on openness and would not cause severe or widespread harm to the purposes of the Green Belt. The Green Belt housing sites would be adjacent to the urban area and would have localised effects on openness."*³

- 2.45 The Inspector's conclusions in the 2022 examination were reached under a policy regime that imposed a more restrictive approach to Green Belt release and did not include the concepts of grey belt land, sequential Green Belt release, or the strengthened requirement to meet development needs now contained within the NPPF 2024. If there were exceptional circumstances that justified alterations to the Green Belt in that earlier policy context, this provides compelling evidence that the Borough's Green Belt can and should be subject to alterations through the preparation of a new Local Plan in the current policy context.

³ Report on the Examination of the New Castle Point Local Plan. Date: 3 March 2022

- 2.46 However, and contrary to the NPPF, the sLP adopts a far more restrictive approach to Green Belt release than the withdrawn Local plan. Indeed, it is notable that there are no alterations to the Green Belt to help address housing needs.
- 2.47 The Council's stance is perhaps best summed up by its Amendments to Green Belt Boundaries – Topic Paper (January 2026), within which it states the following at paragraph 3.1:
- “The **overriding objective** of the Castle Point Plan is to protect and enhance the open spaces, habitats, historic and natural landscape and character of the Borough for the enjoyment of all its residents, visitors, workers and wildlife. The Castle Point Plan aims to grow with a focus on regeneration, brownfield redevelopment and increased density in urban areas, whilst protecting the Green Belt and ensuring that growth is climate resilient and supported by essential infrastructure”. (Emphasis added).*
- 2.48 Whilst the issues identified as ‘overriding objectives’ are clearly important matters that the new Local Plan should address, there is nothing within the NPPF to support the proposition that these should override the Government’s clear exhortation to address the national housing crisis, including through the preparation of Local Plans that meet Standard Method housing requirements as a minimum.
- 2.49 Contrary to the NPPF, the sLP appears to treat the current Green Belt as sacrosanct, with the Council opposed even to small-scale release to help meet housing needs.