



Castle Point Plan – Hearing Statement

Submitted on behalf of

Rosconn Group

JULY 24, 2026



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?

- 1.1 No. 6196 new homes is just 53% of the local housing need calculated using the government's standard method, which is 686 dwellings per annum, or 11,662 dwellings over the same period. The National Planning Policy Framework (NPPF) is clear that *"strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance."*
- 1.2 Referring to the Planning Practice Guidance (PPG), paragraph 3¹ states, *"The standard method should be used to assess housing needs. However it is recognised that there are some specific circumstances in which an alternative approach could be justified, for example as explained at paragraph 14 below."* Paragraph 14² refers specifically to circumstances in which strategic policy-making authority boundaries do not align with local planning authority boundaries, which is not applicable to CPBC.
- 1.3 Furthermore, paragraph 15³ considers how alternative methods will be tested at examination. The PPG states, *"...in the **specific** circumstances where an alternative approach could be justified, such as those explained at paragraph 014, consideration will be given to whether it provides the basis for a plan that is positively prepared, taking into account the information available on existing levels of housing stock and housing affordability."*
- 1.4 Castle Point Borough Council's current affordability ratio is 9.81 (with 11.03 representing the five-year average), which is considerably in excess of the national (England) average of 7.63. The planning practice guidance is clear that housing stock, used in the baseline of the standard method, *"provides a stable and predictable baseline that ensures all areas, as a minimum, are contributing a share of the national total that is **proportionate** to the size of their current housing market."* [emphasis added]
- 1.5 Paragraph 11b) of the NPPF is clear that 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 areas, unless:
- The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

¹ Paragraph 003, reference ID: 2a-003-20241212

² Paragraph: 014, reference ID: 2a-014-20241212

³ Paragraph: 015, reference ID: 2a-015-20241212



- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 1.6 Whilst the Housing Capacity Topic Paper (August 2025) refers to a proportion of the borough's Green Belt being '*affected*' by NPPF footnote 7 constraints, there is no assessment or consideration of the ability of sites to overcome constraints (either in relation to policies which provide strong reasons for restricting the overall type, scale of distribution in the plan area or a consideration of whether the adverse impacts of doing so would significantly and demonstrably outweigh the benefits).
- 1.7 Indeed, neither the Housing Capacity Topic Paper or the Housing Topic Paper, or as far as CODE can see, any other evidence base document, contains any assessment of the benefit that new homes on Green Belt sites could bring to the borough. The conclusions are negatively recorded in relation to infrastructure, for example, but the evidence base ignores the positive contribution that greenfield, Green Belt sites can make for the provision of new infrastructure (greenfield sites tend to perform better in viability terms and this is confirmed by the evidence base for viability in the emerging local plan).
- 1.8 Put plainly, Green Belt sites have not been given a fair hearing. The decision not to allocate Green Belt sites was made prior to the commencement of the local plan process. In a report to Full Council dated 15 June 2022, the following motion was discussed and agreed by members:
- "The Local Plan examination has now been completed and the Local Plan has not been adopted. We call on the Council to withdraw the local plan immediately and start work on a new Local Plan that reflects the central government stated aim to **protect and preserve the precious green belt** in our local area. A priority of this new Local Plan would be to produce a target housing number that genuinely reflects local need. As this housing target will be lower than previous proposals this must be supported by robust evidence. All housing developments should prioritize brownfield development. We hope that in the interests of our borough this motion is supported on a cross party basis."* **[emphasis added]**
- 1.9 Indeed, in a report to Full Council dated 29 November 2023, four key objectives were highlighted for the new local plan. One of which was *"Have a plan that **protects the green belt**."* The decision has infected the outcome of various assessments, rather than the plan-making exercise being an iterative, evidence based approach as envisaged by the NPPF. There has been no consideration of higher growth (ie in line with the standard method) through the evidence base for the local plan. There has been no assessment of reasonable alternatives (including alternative growth scenarios) within the Sustainability Appraisal. The plan is neither legally compliant, or sound (ie the plan is not positively prepared, justified or consistent with national planning policy).
- 1.10 Paragraph 146 of the NPPF, which relates to scenarios where exceptional circumstances for Green Belt release might be justified, states, *"Exceptional circumstances in this context include, but are not limited to, instances where an authority cannot meet its identified need for homes, commercial or other development through other means. If that is the case, authorities should review Green Belt boundaries in accordance with the policies in this Framework and propose alterations to meet these needs in full,*



unless the review provides clear evidence that doing so would fundamentally undermine the purposes (taken together) of the remaining Green Belt, when considered across the area of the plan.”

- 1.11 The supporting text to policy SP3 (paragraph 6.53) notes, *“the suite of evidence gathered in preparation of the Plan has shown that achieving that target would significantly and irreversibly destroy large tracks of Green Belt, including land which strongly contributes to the Green Belt purposes, and undermine the approach to protecting and enhancing the natural environment set out in policy SP1, by impacting on protected areas and frustrating a landscape scale approach to green infrastructure and nature recovery.”*
- 1.12 The test within the NPPF is not whether Green Belt release would lead to irreversible loss. Rather, the policy emphasises that the key question is whether there is *“clear evidence”* that a review of Green Belt boundaries to meet identified need for homes would *“fundamentally undermine the purposes (taken together) of the remaining Green Belt, when considered across the area of the plan.”*
- 1.13 Whilst the Castle Point Local Plan (2018-2033) was withdrawn by CPBC in June 2022, the conclusions of the examining inspector are pertinent to the consideration of whether the current approach is positively prepared, justified and consistent with national planning policy. In particular, the evidence base compiled by CPBC confirmed that 235ha of Green Belt land (representing 8.6% of the borough’s Green Belt extent at that time) was proposed to be released, which CPBC noted *“leaves a substantial proportion of the Green Belt in Castle Point remaining. Consequently, it is considered that harm to the nature and extent of the Green Belt can be limited through the careful selection of appropriate housing sites and necessary mitigation measures⁴.”*
- 1.14 The 235ha of Green Belt release proposed in the withdrawn local plan would have facilitated the delivery of approximately 2,745 homes (in addition to some land required for education uses). At that time, it is clear that CPBC did not consider the release of those sites (the majority of which form the options considered within the DAC Green Belt Assessment (2025)) would undermine the purposes of the wider Green Belt and considered that exceptional circumstances existed (including pressing need for market and affordable housing) to release land from the Green Belt.
- 1.15 The inspector considering the withdrawn Castle Point Local Plan (2018-2033) concluded that the plan was sound and legally compliant. The inspector found that exceptional circumstances existed to justify Green Belt release, primarily in light of a pressing and acute need for new market and affordable housing in the borough. Need has only increased since the local plan was withdrawn. The evidence base points to worsening affordability (driven in part by ever declining affordable housing stock in the borough and a failure to deliver new affordable homes).
- 1.16 CODE notes the letter received by CPBC from Matthew Pennycook MP, the Minister of State for Housing, Communities and Local Government, on 30 June 2025, further to a letter sent by CPBC on

⁴ Extracted from CPBC’s hearing statement for Matter 3 (The Green Belt), April 2021



4 April 2025 in which it highlighted concerns regarding its ability to meet the housing needs identified by the standard method. However, in the MP's response, it is stated, *"I note the concerns you raise in your letter. However, I must tell you in all candour that Castle Point is not unique in facing challenges in bringing forward a local plan that meets the needs of the community... It is perfectly clear that Castle Point officers are capable of delivering a sound plan for councillors, having done so in 2022. Unfortunately, due to previous decisions to not adopt the sound plan, the authority finds itself with one of the worst plan making track records in the country and one of the oldest local plans. This puts the Council in the bottom 2% of the country.*

Having received substantial support, it is now your responsibility to make the decisions needed to deliver an ambitious local plan to unlock growth and secure the housing, jobs and infrastructure that Castle Point so desperately needs." [emphasis added]

- 1.17 In light of the above, CODE considers that the Castle Point Plan, as submitted, cannot be considered to be positively prepared. The evidence base confirms that the approach taken by CPBC has been to avoid its responsibility to meet, as a minimum, the area's objectively assessed needs. The strategy is not justified; the evidence base has not considered the full extent of reasonable alternatives for the borough (both in terms of housing requirement, and considering the sites which could play a vital role in the delivery of much needed new homes). Finally, the approach is clearly not consistent with national planning policy and guidance, considering the departure from the standard method with insufficient justification to do so. Our regulation 19 representations also highlighted issues around the ability of the brownfield sites allocated within the local plan to deliver the homes needed across the borough, in light of viability concerns following the adoption of CIL in the borough. For those reasons, the plan can also not be considered to be effective.
- 1.18 The local plan as submitted is unsound and it is not legally compliant. CODE would respectfully invite the inspectors to recommend the withdrawal of the Castle Point Plan from examination, to be followed by a plan which is positively prepared and actively seeks to boost the provision of new housing across the borough for the benefit of existing and future residents.
- 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?**
- 1.19 No. CODE notes from the inspectors' guidance note for the initial hearing sessions that omission sites will not be discussed, and that further representations will be invited should the plan proceed to the next stage. In response to this question, CODE does not seek to promote the merits of Rosconn's interests on land east of Rayleigh Road, or north of Daws Heath Road, Thundersley. However, CPBC's consideration of the site within its evidence base (and a previous application on the site) is a useful example which illustrates the lack of justification provided by CPBC to justify not allocating sites within the Green Belt.



- 1.20 In the consideration of a previous application on land east of Rayleigh Road (Castle Point planning application reference 23/0085/OUT), it is pertinent to note that there were no objections to the proposals from statutory consultees, including from Essex County Council as the highway authority. The consideration of the application by statutory consultees followed the evidence-based approach of CPBC in the preparation and submission of the previous Castle Point Local Plan (2018-2033), which included land east of Rayleigh Road as an allocation for approximately 455 new homes. The site's context is unchanged from when it was previously considered both by CPBC, and by statutory consultees.
- 1.21 This illustrates CODE's concerns outlined in paragraphs 1.7 to 1.10 above regarding the failure to consider the ability of sites to overcome constraints (either in relation to policies which provide strong reasons for restricting the overall type, scale of distribution in the plan area or a consideration of whether the adverse impacts of doing so would significantly and demonstrably outweigh the benefits).
- 1.22 The evidence base for the current Castle Point Plan contains limited evidence which would suggest the site is unsuitable for allocation. Indeed, the Castle Point Green Belt Assessment (July 2025) notes that, *"As per the map below, our recommendation is that the western part of the sub-area which is not judged to score strongly against any of the Green Belt Purposes, is taken forward for consideration in order to reduce potential harm to the Green Belt. The reduced area, as outlined, is adjacent, and relates more strongly, to Thundersley as a large built-up area and the existing settlement pattern. It would likely therefore substantially reduce the potential harm to the rural character of the Green Belt further to the east and retain greater separation between Thundersley and Leigh-on-Sea compared to the original sub-area boundary."* The report recommends the site for further consideration. The evidence base compiled, however, does not provide sufficient justification to demonstrate that the site should not benefit from a grey belt definition.
- 1.23 The conclusions of the evidence base in relation to constraints is not considered justified in relation to the reasons presented for not allocating Green Belt/grey belt sites within the emerging local plan. The Castle Point Plan as submitted is unsound.
- 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?**
- 1.24 No. Simply, the evidence to inform an appropriate response to this question does not exist. The Housing Topic Paper (July 2025) states, *"The Council has exhaustively explored every reasonable alternative source of land tested against the Green Belt Review, SFRA, LNRS, Landscape Sensitivity Assessment, Site Accessibility and Suitability, Heritage Impact Assessments and the borough-wide Transport Assessment. This rigorous process means the sites proposed for allocation in the Plan represent the maximum amount of land that can be released for housing without causing unacceptable harm to flood safety, biodiversity, landscape character, heritage assets or the strategic road network. Releasing any further Green Belt land would breach one or more of those constraints and is therefore neither justified*



nor sound under the December 2024 NPPF. This is set out in further detail in the Housing Capacity Topic Paper.”

- 1.25 As highlighted in the response to question 1a), following the conclusions of the Green Belt Assessment prepared by DAC in July 2025, there has been limited further consideration of potential Green Belt and grey belt sites which could help CPBC meet its identified housing needs, or consideration within a specific Green Belt evidence base of the wider parcels and whether the release of the sites promoted for allocation would ‘fundamentally undermine’ the purposes of the remaining Green Belt across the area of the Plan.
- 1.26 CPBC has referenced the percentage of the borough which it considers is ‘affected’ by footnote 7 constraints (32%), but overlooks that 1,704ha of Green Belt land remains across the borough. Paragraph 13.5 of the Housing Capacity Topic Paper (August 2025) notes that sites within potentially unconstrained Green Belt have a potential capacity of 3,120 homes across an area of 104ha (based on 30 dwellings per hectare). 104ha is 6% of the remaining Green Belt outside of potential footnote 7 constraints, and just 4% of the total amount of Green Belt land in the borough.
- 1.27 CODE and Rosconn consider it is extremely unlikely that altering the Green Belt boundaries of the borough to meet the area’s objectively assessed need would fundamentally undermine the purposes (taken together) of the remaining Green Belt, when considered across the area of the Castle Point Plan. CODE and Rosconn consider CPBC should compile the relevant evidence base to fully assess the positive contribution that Green Belt sites can make to meeting the identified needs of the borough, including new infrastructure provision as part of the preparation of a new Local Plan.

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