



Castle Point Borough Council

Local Plan

Inspectors Matters Issues and Questions (MIQs)

MATTER 3: THE GREEN BELT

(8th April 2021)

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Please note: Where the Council is proposing modifications to policies or reasoned justifications in the submitted plan these are detailed in the responses as follows:

- Additional and new text in Red
- Deleted text is shown by strike though

***Issue:** Is the Green Belt Assessment consistent with national planning policy for Green Belt, is it based upon appropriate criteria and is it adequate and robust? Are the Green Belt policies clear, justified and consistent with national policy and will they be effective?*

Question 18

Was the Green Belt Assessment undertaken on the basis of a clear methodology consistent with national planning policy for protecting Green Belts?

1. The Green Belt Review comprises two elements. The Green Belt Review Part 1 2018 [\[GB-001\]](#) was prepared with the purpose of enabling the Council to understand how the Borough's Green Belt land contributes to the fundamental aim, characteristics and purposes of the Green Belt. The purposes of the Green Belt are set out at paragraph 134 of the NPPF and form the basis for the assessments methodology as set out in section 5 of the report commencing at page 17. This is consistent with the Planning Advisory Service document, Planning on the Doorstep: The Big Issues – Green Belt¹.
2. The methodology applied is systematic, transparent and logical and follows best practice arising from elsewhere. It takes a four-stage approach comprising:

Table 1: Stages of the Green Belt Review Part 1 Methodology

Stage 1	The identification of individual Green Belt parcels
Stage 2	Identifying the contribution each Green Belt parcel makes to the Green Belt purposes as defined NPPF Paragraph 134
Stage 3	Identifying the contribution the Green Belt parcels make to the combined purpose of the Green Belt
Stage 4	Assessing the Green Belt in a strategic context.

3. Details of the precise methodology for each stage are set out in section 5 of the Review, providing a clear understanding of the approach taken.
4. It should be noted that no representations have been received questioning this methodology or indicating it is unclear in any way, and in the view of the Council is consistent with the advice set out by the Planning Advisory Service.
5. The outcome of this assessment is a clear understanding of the role of the different parcels of land within the Green Belt play in terms of purpose. It also identifies the role that the Green Belt plays at a wider scale separating different settlements in Castle Point from one another separating the settlements in Castle Point from those in neighbouring districts and protecting the Countryside from encroachment. These findings are set out in sections 6 and 7 of the report with individual parcel level proformas available to view in the appendices.

¹ <https://www.local.gov.uk/sites/default/files/documents/green-belt-244.pdf>

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6. The Review concluded that each of the parcels of Green Belt fulfil at least one of the Green Belt purposes to at least a moderate degree. This is shown in Figure 7 at page 49. Figure 8 at page 54 meanwhile shows the importance of various parts of the Green Belt in keeping the settlements in Castle Point separate from one another.
7. The Council is of the view that the Green Belt Review Part 1 2018 [\[GB-001\]](#) is a robust piece of evidence with a clear methodology that is consistent with national policy. It provides an understanding of the Green Belt in Castle Point and purpose/s it fulfils.
8. Separately to the Green Belt Review Part 1, a Green Belt Topic Paper 2018 [\[GB-003\]](#) was prepared. This established the exceptional circumstances for needing to look within the Green Belt to accommodate the housing needs of the borough. The response to question 22 explains this evidence in more detail. However, to understand the need for the Green Belt Review Part 2 [\[GB-002\]](#) it is necessary to understand that the Calverton tests, as established through *Calverton PC v Nottingham CC* [2015] EWHC 1078 (Admin) were used to establish that exceptional circumstances exist to amend the Green Belt boundaries in Castle Point to accommodate housing need. Whilst the Green Belt Topic Paper applies these at a borough wide level, the Calverton Tests include an assessment of harm as test 4 and an assessment of the potential to mitigated harm as test 5. In order to be able to demonstrate compliance with these tests at a site level, a site level assessment is required. This was the purpose of the Green Belt Review Part 2 [\[GB-002\]](#).
9. The methodology for the Green Belt Review Part 2 [\[GB-002\]](#) is set out in section 6, and seeks to be systematic, transparent and logical in its approach. It proposes a 9-stage approach which seeks to understand the proposal, the location of the site and its surrounding characteristics and the outcomes of part 1 of the Green Belt Review in order to establish the degree of harm that will arise both at a local level and then at a wider level. Mitigation options including options for the site boundary are then considered. Finally, considering the requirement of NPPF at paragraph 139e to ensure that Green Belt boundaries will not need to be altered again in relation to each site, the consideration of the potential for longer term amendments to the boundary at each site are also considered. The methodology is comprehensive in considering harm, both spatially and over time.
10. To provide additional clarity Tables 1, 2 and 3 of the Green Belt Review Part 2 [\[GB-002\]](#) set out how harm will be determined against each of the following three purposes for including land within the Green Belt. By setting out these measures the assessment ensured that each potential development location was assessed in a consistent manner:
 - To check the unrestricted sprawl of large built-up areas
 - To prevent neighbouring towns from merging into one another
 - To assist in safeguarding the countryside from encroachment
11. As set out on page 33 of [\[GB-001\]](#), the reasons purpose four and five of the Green Belt were not assessed within the review is set out below:
 - **Green Belt Purpose 4** - to preserve the setting and special character of historic town

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There are no towns in the borough which are considered to be historic in nature for the purposes of the application of this Green Belt Purpose. It is held that this purpose applies to a limited number of areas such as Oxford where the Green Belt specifically contributes to its historic significance. As such, this Purpose did not form part of this Review.

- **Green Belt Purpose 5** - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

As stated in the PAS Guidance, *'If Green Belt achieves this purpose, then all Green Belt does so to the same extent and hence the value of various land parcels is unlikely to be distinguished by the application of this purpose.'* As such this purpose is excluded from the review as each parcel would receive the same assessment.

12. A summary of the results of this assessment are shown at page 36, with individual proformas for each site included within the appendices. The individual proformas explain clearly where the potential for harm may arise, and if and how mitigation could be put in place to limit harm to the Green Belt. This evidence has informed the preparation of the allocations in the Local Plan.
13. As the evidence, in the Green Belt Review Part 2 [\[GB-002\]](#) informed the preparation of the plan, along with a variety of other pieces of evidence, the extent of some of the sites in the Local Plan has changed over time. The Green Belt Review Part 2 update 2019 [\[GB-004\]](#) and the more recent Green Belt Review Part 2 Addendum 2021 [\[GB-007\]](#) reflect this evolution. These have been prepared using the same methodology and are as robust as the initial Part 2 review.
14. The Council is of the view that the Green Belt Review Part 2 2018[\[GB-002\]](#), and its subsequent iterations [\[GB-004\]](#) and [\[GB-007\]](#) are robust pieces of evidence with a clear methodology that is consistent with national policy. It provides an understanding of the potential harm that the development of identified sites in the Green Belt might cause, and the potential to constrain and mitigate that harm.

Question 19

In terms of paragraph 138 of the Framework, have the proposed alterations to the Green Belt boundaries taken account of the need to promote sustainable patterns of development and are they consistent with the Local Plan strategy?

15. The NPPF states at paragraph 138 that *'when drawing up Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land'.*

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16. The inner Green Belt boundary in Castle Point is tightly drawn around the edge of the existing urban areas. There is therefore no opportunity for channelling development towards urban areas inside the Green Belt boundary. Opportunities primarily arise from urban intensification, regeneration opportunities or through the re-use of small under used areas of public open space. This has acted to constrain the levels of growth in in Castle Point in the period from 2010 to 2020 to around 113 homes per annum. This is significantly below the quantum of housing needed on an annual basis to meet local needs as identified through the standard methodology. The pattern of development in recent years has not been sustainable in terms of its socio-economic impacts, with the affordability ratio siting at over 10-times income, and health outcomes indicating a need for better active environments and more opportunities to access open spaces rather than less. Intensification of the existing urban area through piecemeal small-scale developments has also acted to add to congestion and infrastructure pressures in these areas without adequate investment in the road network or community facilities.
17. The Green Belt in Castle Point extends from the edge of the urban area to the borough boundary. There is therefore no opportunity to locate development beyond the Green Belt boundary within the borough. To do so would require the re-distribution of development into the Chelmsford City area or Maldon District. Both authorities were engaged in 2018 in order to determine if there was the potential for this to occur. Both authorities were unable to accommodate any need arising from South Essex authorities constrained by the Green Belt. This is detailed at page 55 of the Duty to Cooperate Compliance Report 2020 [[DTC-003](#)].
18. Having regard to the above limitations, the Local Plan therefore seeks to continue to make the best use of previously developed and under-utilised sites within the existing urban area within the context of a plan which promotes infrastructure investment, whilst also releasing land on the edge of the existing urban area from the Green Belt to increase the provision of housing to the levels needed to meet local housing needs as identified through the standard methodology.
19. The sites identified are contiguous with the existing urban areas, which in the Council's view is consistent with the requirements of paragraph 138 of the NPPF in terms of ensuring sites have access to the public transport network.
20. Each site has policy requirements which seek to secure additional infrastructure provision in appropriate locations which will ensure access to the occupants of the site, but also enhance opportunity of access for existing nearby residents. This is again consistent with the requirements of paragraph 138 by seeking to promote sustainable patterns of development.
21. The Council has also, through the policy requirements of each site sought for appropriate levels of green infrastructure provision, and connectivity to the green infrastructure network. It is considered that these requirements will improve access to green infrastructure for both the site occupiers and nearby residents, as many of the allocated sites are not accessible for recreational purposes at this time. Improved connectivity into the wider network of open spaces meanwhile will improve connectivity for all residents to the wider Green Belt. This is again consistent with the compensatory requirements of paragraph 138.
22. The Council is therefore satisfied that the strategy for growth, which includes amendments to the Green Belt boundary, is consistent with the requirements of paragraph 138 of the NPPF and

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promotes sustainable patterns of growth that will benefit both the occupants of new development and existing residents. The Green Infrastructure requirements of policies HO9 to HO32 will as appropriate provide compensation for the loss of Green Belt arising by improving accessibility to the Green Belt and environmental enhancements at the Green Belts edge.

Question 20

Have all realistic alternatives to releasing land from the Green Belt been considered, such as development outside of the Green Belt, further development in the urban area or increasing development densities, and would the most efficient use of land proposed for release from the Green Belt be made?

23. Paragraph 137 of the NPPF requires that before a local planning authority concludes that exceptional circumstances exist to justify amending Green Belt boundaries to accommodate development needs all other reasonable options for meeting that need have been fully explored. Local planning authorities should be able to demonstrate that they have:

- Made as much use as possible of suitable brownfield sites and underutilised land;
- Optimised development densities in line with the requirements of the NPPF, including seeking significant uplifts in density in town centres and other locations well served by public transport; and
- Had discussions with neighbouring authorities about whether they can accommodate any identified need for development that would otherwise need to be accommodated in the Green Belt.

Under-utilised and Brownfield Land

24. The SHLAA 2018 [\[H-007\]](#) was informed by a 'Call for Sites', and drew in any sites that had previously been identified to the Council through site promoters or planning applications. The SHLAA identifies under-utilised sites and brownfield sites with the potential for regeneration across the borough and in various sizes. The capacity of these sites has been incorporated into the calculations of housing supply, as set out in table 9.1 of the submission Local Plan. Where appropriate, this capacity has been adjusted as new sites have arisen through the plan preparation process. The Housing Supply Position and Housing Trajectory at October 2020 [\[H-015\]](#) provides the most up to date position available on the supply available from these types of sites. It has not changed significantly since 2018 in respect of specific, identified sites.

25. It has however become apparent that there is additional windfall capacity to be found in the existing urban areas. This is especially the case in town centres because of a decline in the retail sector and new permitted development rights which encourage the re-use and extension of commercial buildings for residential purposes. The trajectory set out in Table 9.1 of the Local Plan assumes that around 300 homes will be delivered from windfall sites in the period 2018 to 2033. The Council is now confident that a much higher number of around 700 homes can be secured on windfall sites over the plan period. A modification is proposed to Table 9.1, as modification M9.11 to reflect this confidence.

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26. The submission Local Plan assumed that around 48.4% of homes could be secured within the existing urban area. The revised trajectory now suggests that this has increased slightly to 53.4% of homes. However, this still leaves a requirement of almost 50% of the housing need unmet.

Optimising Densities

27. The SHLAA 2018 [\[H-007\]](#) used a design-led approach to determine the potential capacity of development sites. The design typologies used included those for town centre locations and other locations on the strategic road network where higher density developments are likely to be appropriate. Therefore, higher densities are assumed within the SHLAA for those sites. The Council therefore included the potential for optimising densities at the start of the plan-making process. This is consistent with the requirements of section 11 of the NPPF.
28. To ensure that opportunities were being taken to optimise sites, the Council also had a Large Site Capacity Assessment 2018 [\[H-012\]](#) prepared, which was updated in 2019 [\[H-013\]](#). This was undertaken to ensure that the opportunity to optimise the capacity of larger sites, both within the urban area and within the Green Belt was being taken. The recommendations of this Assessment and its update have informed the Local Plan Housing Trajectory as set out in Table 9.1 for specific sites. It is noted that in some instances the density of development proposed for some allocations is low. This reflects the outcomes of the Large Site Capacity Assessment and its update which have taken into account the need to protect and integrate environmental assets into development proposals consistent with the requirements of paragraph 118 of the NPPF, and also the requirements of section 15 relating to the conservation and enhancement of the natural environment.
29. The Council is therefore satisfied that opportunities to optimised densities in the existing urban area have been taken in determining the extent to which the urban area can accommodate growth. The Council is also satisfied that the capacities proposed for Green Belt sites where they are designated are appropriate based on design-led capacity assessments which have considered the need to achieve net environmental gains alongside development.

Neighbouring Areas

30. The outcome of considering the capacity of the urban area and seeking to optimise densities is an unmet need for housing which account for around 50% of the requirement. This has not changed significantly since the SHLAA 2018 was prepared. It remains the case that the urban area is unable to accommodate around half the requirement for housing at 2021. Recognising this issue, the Council engaged with other local authorities in South Essex and Greater Essex during 2018. This is detailed on the Duty to Cooperate Compliance Report 2020 [\[DTC-003\]](#).
31. Chelmsford City and Maldon District are in mid-Essex and comprise areas which sit beyond the Green Belt. They also sit outside the South Essex Housing Market area as defined in the SHMA 2016. Both authorities advised Castle Point that they were unable to assist in meeting any unmet need arising. This is set out at page 55 of the Duty to Cooperate Compliance Report 2020 [\[DTC-003\]](#).

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32. The South Essex authorities (excluding Brentwood) meanwhile sit within the same Housing Market Area as Castle Point but are similarly constrained by Green Belt. The Duty to Cooperate Compliance Report 2020 [DTC-003] details the response of these authorities when asked if they were able to accommodate any unmet need arising. The outcomes of discussions are set out in appendices 1 and 2, but as a summary all of the South Essex authorities find themselves equally constrained in terms of urban capacity and have a need to extend into the Green Belt to meet their full objectively assessed need for housing. This is confirmed by the Strategic Growth Locations Study 2020 [DTC-007] which determines that combined the South Essex authorities can accommodate between 54,100 and 54,700 homes within the existing urban areas. This is set out in Table 2.1 at page 6 of the report. This compares to a minimum requirement as calculated using the standard methodology for around 96,000 homes.
33. The Council can therefore demonstrate that it has investigated the potential for neighbouring authorities to accommodate unmet need arising from Castle Point. It has not been able to find neighbours willing to assist in this regard and has clear evidence to show that other areas within the South Essex Housing Market area are equally challenged regarding meeting their housing requirements within the current constraints of the existing urban areas. In all cases, neighbouring authorities are investigating options within the Green Belt for accommodating housing need alongside urban intensification.

Conclusions

34. Having regard to the evidence set out in response to this question, the Council is satisfied that it has taken all reasonable measures to ensure that the need to review the Green Belt boundaries to accommodate housing growth in Castle Point is necessary. There is evidence to show that there is insufficient space within the urban area, even with increased densities, to accommodate all the homes required. Indeed, the unmet need for housing would be around 50% of the requirement without Green Belt release. Neighbouring authorities within the Housing Market area find themselves equally constrained, and authorities beyond the outer Green Belt boundary are unable to assist.
35. Where Green Belt sites are proposed for release, the Council has used Large Site Capacity Assessments to inform the capacities planned for. This design-led approach is consistent with the NPPF, especially in terms of achieving multi-functional benefits on a site including environmental net gains. The Council is therefore satisfied efficient use will be made of any land which is released from the Green Belt, whether that be for development or environmental uses.

Question 21

Is the site selection methodology for sites to be released from the Green Belt robust?

36. The NPPF states at paragraph 138 that *‘when drawing up Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should*

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give first consideration to land which has been previously-developed and/or is well-served by public transport....'

37. As set out in response to question 19, all the open land in Castle Point beyond the edge of the existing urban areas is Green Belt. There is therefore limited scope for greenfield development on non-Green Belt sites. The emphasis that the Council therefore takes from paragraph 138 is that any development proposed within the current extent of the Green Belt should be well related to the existing settlements and preferably benefit from good connections to public transport and services i.e., be sustainably located.
38. The Housing Sites Options Topic Paper 2018 [\[H-016\]](#) details how sites were identified that meet these requirements. As a starting point, the Strategic Housing Land Availability Assessment (SHLAA) 2018 [\[H-007\]](#) identified sites which were potentially suitable, available, and achievable. In preparing the SHLAA Green Belt policy was not applied, due to the known constraint on housing land supply.
39. This resulted in a list of sites for consideration. There were both Green Belt and urban sites within this list. Table 3 lists those sites identified in the SHLAA 2018 as being suitable, available, and achievable that were not taken forward for inclusion in the plan. The reason for the decision in each case is detailed. Whilst the reasons varied, the principle issue in relation to Green Belt sites was whether they were contiguous with the existing urban area to ensure good access to services and to protect any remaining Green Belt from harm. It is considered that this approach to initial sifting is consistent with paragraph 138 of the NPPF.
40. At that point, remaining sites were subject to an interim Sustainability Appraisal 2018 [\[SUS-015\]](#), a Strategic Flood Risk Assessment Level two 2018 [\[CC-010\]](#), consideration against the Transport Evidence for the New Local Plan 2013 [\[TPC-006\]](#) and Green Belt Assessment through the Green Belt Review Part 2 [\[GB-002\]](#). The information from these separate assessments was brought together into Housing Options Topic Paper 2018 [\[H-016\]](#) to provide an understanding of the relative merits of each site, and a summary of any mitigation measures likely to be required. This summarised information provided the basis for the political decision-making process.
41. It should be noted that the capacity of the sites available for consideration at this stage in the plan-making process did not leave a lot of scope for choices to be made between one site or another. However, Land north of Scrub Lane, Land east of Downer Road North, and East of Manor Trading Estate and rear of Robert Drake School were all removed from consideration at this stage due to consideration of local impacts. The consideration of local impacts and the input of elected Members in relation to such matters is a valid element of the plan-making process, as it contributes towards sustainable development outcomes. Some other sites also benefited from planning consent at that stage, and policy intervention through the Local Plan was not therefore required to deliver those sites.
42. Since the Housing Sites Options Topic Paper 2018 [\[H-016\]](#) was prepared, Land at Grasmere Road has been introduced into the plan as allocation HO18. Sites S0074, S0146, S0152, S0153 and S0405 was initially assessed to be unsuitable however elected Members sought additional consideration of this site. It was found through the Sustainability Appraisal 2019 [\[SUS-002\]](#) to be an appropriate site for development. It is likely to have limited transport impacts due to its small scale, is in a low

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flood risk area as detailed in the Sequential and Exception Test for Housing Site Options Review 2020 [CC-014] and was found through the Green Belt Review Part 2 Update 2019 [GB-004] to cause moderate harm to the Green Belt. Other sites such as Land South of Daws Heath Road – site S0137, 430 London Road, Benfleet – site S0425 and Land at London Road and east of Downer Road – site S0429 continue to be promoted through representations to the plan-making process. These sites have been subject to Sustainability Appraisal – see Annex C of the Sustainability Appraisal 2020 [SUS-010] and are not considered to be reasonable alternatives to the allocations in the plan.

43. The Council is therefore satisfied that the site selection methodology for releasing sites from the Green Belt is set out in evidence and is robust. Elected Members have used that evidence, along with their knowledge of local issues to select sites for inclusion in the Local Plan. These decisions have generally followed the recommendations of the officers as set out in the Housing Sites Options Topic Paper 2018 [H-016]. Some decisions have however taken local matters into account. The Council has continued to keep an open mind to other options through the iterative Sustainability Appraisal process and reviewed other sites as reasonable alternatives as they have arisen.

Question 22

In overall terms, having regard to the principles established in *Calverton, (Calverton PC v Nottingham CC [2015] EWHC 1078 (Admin))* what are the exceptional circumstances for the proposed alterations of the boundaries of the Green Belt to accommodate the level of development proposed which cannot be accommodated outside of the Green Belt?

44. The Green Belt Topic Paper 2018 [GB-003] considers the exceptional circumstances that exist in Castle Point to justify the release of Green Belt land for housing. In 2015, a Judicial Review was sought by Calverton Parish Council against the Greater Nottingham Councils in relation to Green Belt release in the approved Local Plan. The Hon. Mr Justice Jay set out five matters that should be identified and dealt with to ascertain whether ‘exceptional circumstances’ exist to justify the releasing of land from the Green Belt through a local plan. These matters have been tested through the Green Belt Topic Paper 2018 [GB-003] to ensure that the Council can justify the exceptional circumstances needed to release land from the Green Belt for the purposes of development.
45. The Green Belt Topic Paper tested each of Housing, Economic Development and Gypsy and Traveller Accommodation against the five tests arising from Calverton.

Housing

Test 1: The acuteness/intensity of the objectively assessed need

46. Using a base date of 2018, as per the Local Plan period, the government’s standard methodology for calculating housing need assesses Castle Point’s objectively assessed needs (OAN) at 353 net new homes per annum. This OAN figure is broadly consistent to the outcomes of the earlier South Essex Strategic Housing Market Assessment (SHMA) 2016 [H-003] together with the SHMA Addendum 2017 [H-006] which informed plan-making at the initial stages.

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47. The Castle Point Borough Strategic Housing Land Availability Assessment (SHLAA) 2018 [[H-007](#); [H-008](#); [H-009](#); [H-010](#)] was reviewed in light of this need, to determine whether additional capacity could be identified from sites within the urban area, or whether higher densities could be achieved on sites to limit the loss of Green Belt land. It remained the case however, that a sizeable proportion of housing needs would remain unmet, unless Green Belt was considered to determine whether the full extent of this housing need could be accommodated sustainably.
48. As highlighted in the SHMA 2016, figure 2.8 (pg. 23) shows a considerable worsening of market conditions within Castle Point Borough over time, justifying this uplift in need. In particular, average house prices have increased by almost 50% in the period from 2002 to 2012. This trend has increased beyond this with a 35% increase in mean house prices from 2014 to 2019, as highlighted in table 2.2 (pg. 10) in the Addendum to the South Essex Strategic Housing Market Assessment for Castle Point 2020 [[H-014](#)]. On page 11 within the SHMA Addendum 2020, table 2.3 also highlights how mean monthly rents have increased by 20% over the same period. This means it has become much harder for first time buyers to access the housing market. This has resulted in an increase in the number of people still living with their parents into adulthood, including those with their own children. These are known as concealed households, and there is a risk that the number of these will continue to grow unless affordability and supply issues are not addressed.
49. The scale of need, especially which cannot be met within the urban area, combined with the worsening of market conditions indicate that there is an acuteness of need for housing in Castle Point Borough. Therefore, it is considered that this first test in respects of demonstrating the acuteness of needs in relation to housing is passed.

Test 2: The inherent constraints on supply/availability of land prima facie suitable for sustainable development

50. There is an inherent constraint on land supply within the Castle Point borough as well as the surrounding authorities and wider area. The existing Green Belt boundaries were amended in the early 1990's to meet housing needs up to 2001. As per paragraph 137 of the Framework, the Council sought to make as much use of urban and brownfield sites and increased densities within town centre and urban sites that are well serviced by public transport.
51. A Housing Supply Position and Housing Trajectory at October 2020 [[H-015](#)] updated the housing trajectory within the Plan with updated housing figures. The number of projected homes from completions from 1st April 2018 to 31st March 2020, extant permissions as of 31st March 2020, sites for the Brownfield Register, policy compliant SHLAA sites, windfall sites and strategic allocations on urban and brownfield sites are set out in the table below. This compares the amount of supply from these sources in comparison to the objectively assessed housing need (OAN).

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Table 2: Extract of the from the Housing Supply Position and Housing Trajectory at October 2020 showing Housing Supply Breakdown

Table 2: Revised Housing Supply Position at September 2020		
Source	Total	Percentage of gross total
Completions (2018/20)	271	4.6%
Extant permissions (31.3.2019-2020)	602	10.2%
Brownfield Register	184	3.1%
Policy Compliant SHLAA	279	4.7%
Windfall	660	11.2%
Strategic Allocations on Urban or Brownfield sites	1,152	19.6%
Total completions, consented, urban or brownfield	3,148	53.4%
Strategic allocations outside urban areas	2,745	46.6%
Gross total	5,889	100%
Potential demolitions	-522	
Net Total Supply	5,367	

52. A call for sites was undertaken in 2018 to inform the SHLAA 2018 [H-007; H-008; H-009; H-010] all suitable sites were included within the housing trajectory. The number of homes projected from windfall increased from the level set out in the Pre-submission Local Plan 2019 [EXM-001] in the table above and further to 702 dwellings within the Castle Point Windfall Allowance 2021 [H-018]. The increase in 2021 is related to the additional windfall arising in the 2020/21 year.
53. Consistent with paragraph 137 of the Framework, the Council has made as much use of suitable brownfield sites as evidenced in the table above and increased densities within town centre and urban sites that are well serviced by public transport. Due to the level of shortfall from sites identified above to the OAN the Council had discussions with neighbouring authorities in regard to them accommodating unmet housing needs within their authorities, and formally wrote to authorities within the Housing Market Area (HMA) in November 2018, this is evidenced within the Duty to Co-operate Report 2020 [DTC-003] in appendices 5, 6 and 7. Additionally Chelmsford City Council and Maldon District Council which sit outside of the HMA were engaged on this matter, their responses are evidenced in appendix 6 of that report. In all instances all authorities were unable to accommodate the housing need from Castle Point. The Council has also formally been asked to meet housing needs within the neighbouring authorities of Basildon Borough Council September 2018 (Appendix 2 in [DTC-003]) and Southend Borough Council June 2020 (Appendix 9 in [DTC-003]). This highlights not only the inherent constraint of available and suitable land within the borough but also within the HMA. This is demonstrated within the Strategic Growth Locations Study 2020 [DTC-007] at table 2.1 on page 6. Only around 55% of housing need within the entire Housing Market Area can be accommodated within the existing urban areas.

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Test 3: The consequent difficulties in achieving sustainable development without impinging on the Green Belt

54. In accordance with criteria a in paragraph 139 of the Framework, the Sustainability Appraisal (SA): Modified Environmental Report 2020 [[SUS-007](#)] considers the housing strategy presented in the Pre-submission Local Plan as a sustainable approach to meeting housing need. The sustainability appraisal (SA) is an iterative process and has evolved through the plan making process. In 2018 an SA Interim Report [[SUS-015](#)] was produced, on page 19, the SA considers reasonable alternatives to the strategy set out within the draft Plan at that time for meeting housing needs. The report considers two alternatives as set out below:
- Alternative SD2a – Ensuring that there is no development identified within the Green Belt within the Plan
 - Alternative SD2b – Releasing more Green Belt land for development to fully meet OAN
55. Table 3 on page 21 of the SA Interim Report 2018 compared the preferred approach with the alternatives SD2a and SD2b against sustainability themes. It found that although alternative SD2a is comparably more favourable for environmental themes it does have negative implications for housing delivery within the Plan. Adversely, alternative SD2b exacerbates the negative impacts of the preferred approach at that time by releasing more Green Belt land.
56. It should be noted that since the SA Interim Report 2018 the Plan has boosted the urban housing supply through extant consents and windfall sites, as demonstrated in the Housing Supply Position and Housing Trajectory at October 2020 [[H-015](#)] and updates to housing figures up to April 2020 from policy compliant sites [[H-020](#)], brownfield sites [[H-021](#)], extant consents [[H-022](#)] and windfall [[H-018](#)]. Therefore, the amount of Green Belt sites proposed to be released within the Plan is largely the same as that identified in 2018, whilst meeting housing need in full. As noted within the SA Interim Report 2018, Castle Point has a lack of land supply beyond identified sites within the urban area and within the Green Belt, this is highlighted through the SHLAA 2018 [[H-007](#); [H-008](#); [H-009](#); [H-010](#)].
57. With regards to reasonable alternative SD2a, the SA identified negative consequences for economic growth, regeneration and meeting housing needs. This is because there would be insufficient housing to support the labour demands of local businesses, and a supply and demand ratio for housing which would prevent access to the housing market for lower income households and first-time buyers.
58. Therefore, the SA process concludes that a strategy which involves encroachment into the Green Belt represents a more sustainable option, than the option which would see no encroachment into the Green Belt. However, there are negative consequences arising from the strategy put forward in the Pre-submission Local Plan. Therefore, sustainability must also be considered at the site level to ensure that where it is necessary to impinge on the Green Belt, that the resulting development will still be capable of being considered as sustainable, compared to reasonable alternatives.
59. The Sustainability Appraisal (SA): Modified Environmental Report 2020 [[SUS-007](#)] for the Pre-submission Local Plan indicates that those sites identified for housing purposes are generally

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sustainable development options. In such cases where potential negative impact may arise, the overall conclusions of the SA was that with mitigation measures included in the allocation policies these harmful impacts could be overcome.

Test 4: The nature and extent of harm to the Green Belt (or those parts of it which would be lost if the boundaries were reviewed)

60. This is most appropriately assessed on a site by site basis, as harm will vary from site to site. This is the purpose of the Green Belt Review Part 2 [GB-002] and its subsequent updates. However, at a strategic level it is likely that there will be a degree of harm to the Green Belt as a consequence of releasing sites for housing development as the Green Belt Review Part 1 [GB-001] concludes that all parcels within the Green Belt contribute towards its purposes at least to a moderate degree.
61. As an overarching position however, the Local Plan proposes to release a total of 235ha net (an addition of 11.6ha is proposed on Canvey Island) which represents 8.6% of the borough's current Green Belt extent. Much of the land removed from the Green Belt is for housing or education purposes. 3.35ha is however proposed for employment land, which is detailed below. This 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 measures.

Test 5: The extent to which the consequent impact on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable practicable extent

62. As with Test 4 the extent to which harm to the Green Belt can be ameliorated or reduced needs to be considered on a site by site basis. However, the Council is confident that the policy requirements regarding master planning (HO2) and the policy requirements of the individual allocation policies will ensure that new developments optimise land and create environmental net gain. This will act to reduce the harm of development and deliver benefits around improving the environmental quality and accessibility of the Green Belt consistent with paragraph 138 of the NPPF.

Conclusion

63. Having regard to the Calverton tests, the Council believes that the exceptional circumstances for releasing land from the Green Belt for housing purposes are:
- An acuteness of need for housing;
 - An inherent constraint on the supply of land for housing;
 - Consequences in terms of sustainability of not increasing the supply of housing land – principally social and economic consequences; and
 - Harm to the Green Belt can be managed at an acceptable level through careful consideration of the sites selected and through mitigation.

Economic Development

64. The Green Belt Topic Paper 2018 [GB-003] reviewed the need for economic development against the Calverton Tests. This testing did not extend beyond the first test, as it was concluded that an acuteness of need for land for economic development purposes did not exist due to the extent of

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extant permissions for employment land on Canvey Island. The exceptional circumstances for the development of the site at Manor Trading Estate are therefore that the site:

- Balances the provision of employment land opportunities more evenly across the borough, improving the sustainability of the pattern of development and increasing accessibility of opportunities for employment consistent with the NPPF; and
- Provides the opportunity to stimulate regeneration and renewal of the neighbouring trading estate. The need for this regeneration and renewal is advocated in the representations from the site promoter (Representation number [612](#)) and from businesses within the estate, albeit they would prefer a housing development which would run contrary to the Agent of Change principle.

Question 23

Are the special circumstances demonstrated for altering the Green Belt boundary as set out in the document Proposed Changes to the Green Belt in the Pre-submission Local Plan (GB-006)?

65. The document, Proposed Changes to the Green Belt in the Pre-submission Local Plan [[GB-006](#)] sets out other proposed changes to the extent of the Green Belt in addition to those needed to make provision for housing or economic development as discussed in response to the questions above. These changes are grouped into five categories, as listed below. There is a degree of overlap between the first and second categories:

- Consequential changes as a result of strategic allocations
- Educational uses
- Previously developed sites
- Additional land in the Green Belt
- Other minor changes

66. **Consequential changes as a result of strategic allocations:** these are changes proposed to the Green Belt boundary resulting from the allocation of the housing allocations. They are typically areas of land or properties that would as a result of the housing allocations be surrounded by development and would no longer serve a Green Belt purpose. The exceptional circumstances for the removal of these sites from the Green Belt is therefore the same exceptional circumstances which exist for the release of the housing allocation to which they are adjacent. Consequently, if the housing allocations to which these sites relate was determined through the examination to be unsound, then the consequential change would also not be justified and would not be made. This applies to the following sites identified in the Proposed Changes to the Green Belt in the Pre-submission Local Plan [[GB-006](#)]:

- PGB-1 – Hadleigh Fire Station and Essex Auto Group, Hadleigh
- PGB-2 – Arthur Stevens’ Playing Field, South Benfleet
- PGB-3 – Land adjacent to policy HO11
- PGB-4 – Land adjacent to policy HO24
- PGB-5 – Land adjacent to policy HO13

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67. The Council is therefore satisfied that exceptional circumstances exist for those changes listed above, in association with the adjacent housing allocations.
68. In addition to the five sites listed above, there are two other areas of land proposed for removal from the Green Belt because of being enclosed by housing allocations in the Local Plan. These are both schools.
- PGB-6 – Kents Hill Infant and Junior School & Holy Family Catholic School, Benfleet
 - PGB-7 – Thundersley Primary School, Cedar Hall School and land surrounding HO20
69. The exceptional circumstances for proposing to remove these two sites from the Green Belt are two-fold. Firstly, there are the exceptional circumstances related to the housing allocations HO10 and HO20 respectively. Secondly, the Council is of the view that the need for flexibility to make provision for school related development also provides exceptional circumstances for the release of these two sites. This flexibility would provide the education authority, the schools and the Council with the ability to comply readily with the requirements of paragraph 94 of the NPPF, ensuring enough choice and provision of school places. The provision of school places to meet needs is a critical component of creating sustainable places and consequently, this flexibility is justified in accordance with paragraph 139a of the NPPF regarding the definition of Green Belt boundaries.
70. The document, Proposed Changes to the Green Belt in the Pre-submission Local Plan [\[GB-006\]](#) concludes that even if the related allocations HO10 and HO20 were not to be found sound and were to remain within the Green Belt, the removal of these schools would remain justified based on exceptional circumstances. The harm arising from the removal of these sites would be minimised due to their relationship with the existing urban area.
71. The Council is therefore satisfied that exceptional circumstances exist for proposed changes PGB-6 and PGB-7 to the Green Belt boundary, either alone or in-combination with the associated housing allocations.
72. **Educational Uses:** There are several further educational facilities within the Green Belt in Castle Point. Due to the restrictive nature of Green Belt policy, certain development that would aid in supporting critical education functions have in the past been subject to Green Belt policy. The Council believe that in order to allow suitable development at educational facilities, as anticipated by paragraph 94 of the NPPF, re-designating these educational facilities as 'community facilities' as opposed to Green Belt would allow necessary reconfiguration or development at these establishments to facilitate local needs as required. As per paragraph 139 in the NPPF, this enables the Council to meet identified requirements for sustainable development in the area by allowing such facilities to be updated in accordance with local needs. The Council believes that exceptional circumstances therefore exist to amend the Green Belt boundaries in relation to the education facilities listed below to meet sustainable development needs in the borough.
73. The playing fields associated with the educational facilities create robust Green Belt boundaries and allow for expansion of community facilities if required. By designating playing fields as playing fields associated with educational uses, this adds protection to these areas longer term.

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74. The education facilities the Council believes should be removed from the Green Belt because of these exceptional circumstances are as follows:
- PGB-8 – Land at USP Canvey College Campus and the former Castle View School, Canvey Island
 - PGB-9 – Deanes School and Virgin Active, Hadleigh
 - PGB-10 – Glenwood School, Benfleet
 - PGB-11 – King John School, Benfleet
 - PGB-12 – Cornelius Vermuyden School, Canvey Island
75. The document, Proposed Changes to the Green Belt in the Pre-submission Local Plan [\[GB-006\]](#) considers the harm arising from the removal each of these sites from the Green Belt and concludes that these amendments are appropriate, and will result in appropriate Green Belt boundaries.
76. The Council is therefore satisfied that exceptional circumstances exist for proposed changes PGB-8, PGB-9, PGB-10, PGB-11 and PGB-12 to the Green Belt boundary.
77. **Previously Developed Sites:** There have been instances over the previous years where development has occurred in the Green Belt and has resulted in sites which are extensively developed and no longer meet the purposes of the Green Belt. The sites are now suburban in nature like adjacent properties but are constrained by Green Belt policy. Exceptionally, it is considered that these sites should be removed from the Green Belt to create a more robust Green Belt boundary in which Green Belt policies can be more robustly applied. Two sites have been identified where this exceptional circumstance exists, as listed below:
- PGB-13 – Land at Crescent Road, South Benfleet
 - PGB-14 – Solby Wood Farm, Daws Heath
78. The removal of these sites from the current extent of the Green Belt is assessed within Proposed Changes to the Green Belt in the Pre-submission Local Plan [\[GB-006\]](#). It concludes that no further harm to the Green Belt can occur as a consequence of removing these sites from the Green Belt. The amendment of the boundary in these locations will improve the robustness of the Green Belt boundary and help to prevent further harm.
79. The Council is therefore satisfied that exceptional circumstances exist for proposed changes PGB-13, and PGB-14 to the Green Belt boundary.
80. **Additional Land in the Green Belt:** It is proposed that an area of land on Canvey, identified in Proposed Changes to the Green Belt in the Pre-submission Local Plan [\[GB-006\]](#) as PGB-15 – Land South of Northwick Road and east of Roscommon Way, Canvey Island is included within the extent of the Green Belt.
81. The area of PGB-15 was identified as employment land within the Adopted Local Plan 1998. However, it has subsequently been identified as a very important site in terms of its invertebrate

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assemblage, and proposals for employment on the northern portion of this site have proceeded without this land included.

82. The Proposed Changes to the Green Belt in the Pre-submission Local Plan [\[GB-006\]](#) document considers the appropriateness of this amendment to the Green Belt boundary to include additional land and concludes that there would be no harm arising, and it would in fact act as a compensatory addition to the Green Belt due to the loss experienced elsewhere in the borough due to the exceptional need for housing. Paragraph 138 of the NPPF states that *'the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land.'* By including this site within the Green Belt, the compensatory measures and improvement to environmental quality of the rich and diverse habitat on this site would act as a compensatory factor to the loss of Green Belt elsewhere. This is the exceptional circumstance for including this site within the Green Belt.
83. Due to its nature conservation value, it is not expected that there will be a need in future years to re-designate this site for alternative uses which are incompatible with the purposes of including land within the Green Belt. This amendment would therefore be permanent and not require review in the longer term.
84. The Council is therefore satisfied that proposed amendment PGB-15 to the Green Belt boundary is justified through exceptional circumstances and is consistent with paragraphs 138 and 139 of the NPPF.
85. **Other minor changes:** There is one other minor change proposed to the extent of the Green Belt Boundary. This relates to PGB-16 – Land adjacent 37 The Dale and consequential changes, Thundersley as set out in Proposed Changes to the Green Belt in the Pre-submission Local Plan [\[GB-006\]](#). This is a small change to make provision for the development of two homes in the area to the rear of 37 The Dale. It is considered that this site would make small contribution to housing provision in the Borough with limited harm to the Green Belt, its openness, or the purpose of including land within it. It is these matters which form the exceptional circumstances for justifying the amendment of the Green Belt boundary in this location.