

Chichester Local Plan 2021 - 2039

Regulation 19 Local Plan

Equality Impact Assessment



January 2023

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1. Introduction

- 1.1. The Council is in the process of preparing the Chichester Local Plan 2021 – 2039 (the Local Plan), which when adopted will provide the policy framework for planning and development in the district, outside of the South Downs National Park, in the period up to 2039.
- 1.2. It will include both strategic and detailed policies related to the development and use of land across the Plan Area and provide the policy basis for the determination of planning applications and as well as setting the policy framework for a subsequent Site Allocation Development Plan Document (DPD) and neighbourhood plans. It will replace the adopted Chichester Local Plan: Key Policies 2014-2029.
- 1.3. The Regulation 19 Proposed Submission Local Plan is the conclusion of the council's work on preparing the Local Plan and is the document the council proposes to submit for independent examination. The Proposed Submission Local Plan builds on the Preferred Approach Local Plan (2018) and takes account of comments received during consultation on that document¹.
- 1.4. The cross cutting nature of equality across planning is widely recognised. National guidance requires that local plans take account of the needs of all the community, including particular requirements relating to age, sex, ethnic background, religion, disability or income. In order to create socially inclusive communities, plans should ensure that the impact of development on the social fabric of communities is considered and taken into account.

2. Equality Impact Assessment

- 2.1. The Equality Act 2010 places a duty on the council, when exercising public functions to have due regard to the need to:
 - Eliminate discrimination, harassment and victimisation
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 2.2. These are known as the three aims of the general equality duty.
- 2.3. An Equality Impact Assessment (EqIA) is a document that summarises how the council has had due regard to the public sector equality duty in decision making. An EqIA should be carried out when changing, removing or introducing a new service, policy or function. The assessment should be proportionate; a major decision will need to be assessed more closely than a minor policy change.

¹ Consultation on the Preferred Approach Local Plan took place between December 2018 and February 2019

Protected characteristics

2.4. The Equality Act 2010 sets out nine protected characteristics that apply to the equality duty. These are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Ethnicity
- Religion or belief
- Gender
- Sexual orientation

Due Regard

2.5. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

2.6. How much regard is 'due' will depend on the circumstances and in particular on the relevance of the aims in the general equality duty to the decision or function in question. The greater the relevance and potential impact, the higher the regard required by the duty. The three aims of the duty may be more relevant to some functions than others; or they may be more relevant to some protected characteristics than others.

2.7. The Equality and Human Rights Commission states that assessing impact on equality involves looking at equality information and the outcomes of any engagement in order to understand the impact or potential impact of decisions on people with different protected characteristics. This will help reduce or remove unhelpful impacts.

3. Equality Impact Assessment of the Chichester Local Plan 2021 - 2039

Does the Local Plan have the potential to cause any adverse impact or discriminate against different groups in the community?

3.1 The Local Plan will set out how much land should be provided to accommodate new homes and jobs over the plan period. It will include a vision for the plan area and provide a strategy for accommodating the planned growth. It will identify the locations of strategic development but the allocation of smaller development sites will be undertaken through a subsequent Site Allocation DPD or neighbourhood plans. It will also include policies to protect and enhance the plan area's high quality natural and built environments.

3.2 The preparation of the Local Plan also needs to meet legislative requirements, for example around protected species and habitats and must conform to national planning policy (National Planning Policy Framework) and guidance (Planning Practice Guidance).

- 3.3 Everyone who lives, works in, and has business or visits and travels in the district has the potential to be affected by the Local Plan policies and proposals. Also affected will be statutory bodies, landowners/developers, service providers and other key stakeholders.
- 3.4 The Local Plan aims to positively impact on all people who live, work and have an interest in the plan area regardless of protected characteristics through improving access to housing and jobs, the environment and people's quality of life. In certain cases, however, the Local Plan will specifically target a group in order to improve their opportunities, for example Gypsies and Travellers.

Information to inform assessment

- 3.5 The Local Plan is informed and supported by an extensive evidence base covering the economy and retailing, future assessments of housing need, which includes an assessment of the housing needs of specific groups of the population, and transport and environmental matters.
- 3.6 The evidence base reports have been published on the planning policy pages of the Council's website [Supporting evidence - Local Plan review: Chichester District Council](#).
- 3.7 The Local Plan has been subject to Sustainability Appraisal (SA) at each stage of the Local Plan preparation, which assesses the social, economic and environmental impact of the development strategy and individual policies. This includes consideration of baseline data against which the impacts of the Plan can be assessed. The SA has the potential to highlight any potential adverse social or economic impacts on protected groups.

Consultation

- 3.8. The preparation of the Local Plan follows a process set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This identifies that the council must carry out engagement and take into account comments made during the preparation of the Local Plan and enable formal representations to be made on the content of the plan it wishes to submit for independent examination. In undertaking engagement, the council has a duty to seek the views of local communities, including residents, businesses, organisations and public bodies and to consider comments received and make changes to the policies in order to make the plan sound.
- 3.9. The consultation undertaken is in accordance with the council's Statement of Community Involvement, which sets out how the council will engage the local community and other stakeholders, including the measures the council will take to ensure people who traditionally do not participate with the planning system, which may include those with protected characteristics, have the opportunity to have their views heard. This includes direct notification of groups, organisations and networks that represent harder to reach groups.

- 3.10. Consultation on the Local Plan is open to all interested parties and consultation on the Regulation 19 Local Plan will be advertised through a range of different media. The council also has a database of individuals and organisations it contacts to inform them prior to the commencement of consultation on a planning policy document. Any individual or group may request their contact details be added to the database.
- 3.11. There have been several previous stages of consultation on the Local Plan and responses to earlier consultations identified no differential impact on protected characteristics. The Regulation 19 Proposed Submission Local Plan consultation will provide a further opportunity to raise any concerns on the impacts of the potential policy approach and the necessity to make any changes to those policies on the grounds of equality.

Previous Assessments

- 3.12. The Local Plan equality assessment is an ongoing process that has taken place alongside the preparation of the Local Plan in order to inform its content and ensure that it meets the aims of the equality duty.
- 3.13. An Issues and Options consultation was undertaken in June 2017 and was supported by an [initial EqlA](#). This found that at this early stage there was no evidence to indicate that the Local Plan would cause a differential impact on groups with protected characteristics but further assessment to confirm any differential impact and how people were adversely or positively affected would be undertaken when the detail of the policies was known.
- 3.14. The Preferred Approach version of the Local Plan was published in December 2018 and was accompanied by an [EqlA of the Preferred Approach policies](#). This found that none of the Preferred Approach policies was expected to result in negative impacts on protected characteristic groups. Overall, the Local Plan was considered to be inclusive and no mitigation measures were necessary.

Regulation 19 Local Plan

- 3.15. Following the Preferred Approach, a number of the policies were amalgamated or revised to address consultation comments and/or clarify elements of the policy. Although the overall direction and intent of the Plan did not change, an assessment of the individual policies of the of the Regulation 19 Local Plan has been undertaken to determine whether any of them are likely to have any relevance to equality issues and, if so, the likely effects on protected groups and whether any adjustments to the policies are required (Appendix 1).
- 3.16. After the Regulation 19 stage, changes to policies should only be minor and not materially affect the assessment. If significant changes are needed a further EqlA may be required.

Conclusions

- 3.17. A summary assessment of the implications of the Regulation 19 Local Plan for each of the protected characteristic groups is set out below.

Protected Characteristic	Summary
Age	<p>The Local Plan makes provision for development that takes account of the needs of people of all ages.</p> <p>Policies H5, H8 and H10 of the Regulation 19 Local Plan aims to ensure a wide range of housing is developed, including housing to meet the needs of certain groups whose needs may not otherwise be met through the market. This may include older people through the provision of specialist accommodation i.e. retirement homes or dwellings that meet accessibility standards and young people and families with children who may need affordable housing if they cannot enter the housing market.</p> <p>The increase in the provision of employment land (Policy E1) would increase employment opportunities, particularly for young people.</p> <p>The provision of infrastructure will be of benefit to all ages including young and old and the provision of open space (Policy P15) will benefit all age groups particularly children through the provision of play areas and facilities.</p>
Disability	<p>Policies H8 and H10 of the Regulation 19 Local Plan aims to ensure a wide range of housing is developed, including housing to meet the needs of certain groups whose needs may not otherwise be met. This may include people with a disability through the provision of accommodation that is built to accessible standards.</p> <p>Focusing development in sustainable locations and encouraging travel by sustainable transport (Policy T1) could also support people with mobility issues access the services and facilities they need.</p>
Gender reassignment	No differential impacts identified
Marriage and civil partnership	No differential impacts identified
Pregnancy and maternity	Given the potential health care and community infrastructure needs of this group, some of the Regulation 19 Local Plan policies such as Policy I1, will have a positive impact.
Ethnicity	The Regulation 19 Local Plan seeks to ensure that the specific accommodation needs of Gypsies and Travellers are provided for through the provision of pitches on strategic housing allocations and other sites, additional pitches on existing sites and on windfall sites (Policy H11) and the inclusion of a criteria based policy for the development of new sites (Policy H13).
Religion or belief	Focusing development in sustainable locations will mean a range of facilities, including places of worship, will be accessible.
Gender	No differential impacts identified
Sexual orientation	No differential impacts identified

3.18. The Local Plan is a policy document for the use and development of land across the plan area and seeks to create sustainable, inclusive and mixed communities providing housing,

employment opportunities and supporting infrastructure. The Local Plan policies have been developed taking into account the findings of the extensive evidence base studies.

- 3.19. An assessment of the potential impacts of the Local Plan policies on protected characteristics has identified that there would be no negative impacts.

Appendix 1 – Policy Assessment

Policy	Description	Protected characteristics								Assessment of impact on groups with protected characteristics						
		Age	Disability	Gender reassignment	Marriage and civil partnership	Pregnancy and maternity	Ethnicity	Religious beliefs	Gender		Sexual orientation					
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<p>Policy S1 – Development strategy</p> <p>Policy S2 – Settlement hierarchy</p>	Sets out the development strategy which is reflective of the role and function of the settlements and their ability to accommodate growth. Seeks to direct development to the more sustainable locations within the plan area.									No negative impacts on any of the protected characteristics groups are expected. The policy will benefit all sections of the community but directing growth to those locations accessible to existing services and facilities should have positive impacts on several protected characteristic groups and reducing the need to travel will be of particular benefit to those with disabilities, older and younger people without access to a car.						
<p>Policy H4 – Affordable housing</p> <p>Policy H7 – Rural and First Homes exceptions sites</p>	Aims to ensure that new developments contributing to meet the affordable housing needs of the plan area									The provision of affordable housing is expected to have positive impacts as it will benefit those people who are unable to access market housing as a result of affordability issues. If young people or families with children and/or people with disabilities make up a disproportionate amount of people unable to secure local housing due to affordability issues, then there will also be positive impacts on age and/or disability characteristics.						
Policy H5 – Housing mix	Aims to ensure new development contributes to the provision of an integrated mix of housing of different types and sizes in order to meet the needs of a wide range of households.									No negative impacts on any of the protected characteristics groups are expected as increasing the range of housing, including housing of mixed tenures and sizes will be of benefit to all sections of the community. It is expected the policy will have positive impacts on the age and disability characteristics in particular as it encourages the provision of specialist accommodation across the plan area.						

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Policy H8 – Specialist accommodation for older people and those with specialised needs	The policy aims to support the provision of housing designed to meet the needs of specific groups in sustainable locations.									No negative impacts on any of the protected characteristics groups are expected as increasing the supply and range of housing, including housing of mixed tenures and sizes which will be of benefit to all sections of the community. It is expected the policy will have positive impacts on the age and disability characteristics in particular as it encourages the provision of specialist accommodation for older people and disabled people across the plan area.						
Policy H9 – Housing for agricultural, horticultural and other rural workers	The policy enables the provision of dwellings for workers in the countryside where new dwellings would not normally be permitted.									The policy may have positive benefits for younger adults who need to access property in the open countryside close to their place of work but are unable due to issues of supply and affordability.						
Policy H10 – Accessible and adaptable housing	The policy aims to ensure that a percentage of dwellings on housing sites are built to accessible and adaptable standards.									Positive impacts should be provided for older and/or disabled residents by increasing the opportunity to remain living independently in their own homes as their needs change.						

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<p>Policy H11 – Meeting Gypsies, Travellers and Travelling Showpeople’s needs</p> <p>Policy H12 – Intensification of sites</p> <p>Policy H13 - Accommodation for Gypsies, Travellers and Travelling Showpeople</p>	Seeks to ensure appropriate accommodation is provided to meet identified needs									<p>The policy is expected to have positive impacts on the ethnicity characteristic as it addresses the need for accommodation to meet the specific needs of Gypsies and Travellers. The policy seeks to meet the needs of all Gypsies and Travellers regardless of whether they meet the definition of ‘traveller’ set out in the Planning Policy for Traveller Sites².</p> <p>There will also be positive impacts on the age characteristic (both young and old) by providing a settled base in which to live and in locations accessible to schools and health facilities.</p>						
<p>Policy P4 – Layout and access</p> <p>Policy P5 – Spaces and landscaping</p>	Sets out principles that require developments to achieve high quality design in terms of the design and accessibility of developments									The policy seeks to provide a high quality living environment and, as such, should be of benefit to all people in the plan area but the requirement for development to be well designed and accessible is expected to have a positive impact on several of the protected characteristics groups.						
Policy P6 – Amenity	An element of the policy is to require new housing to provide a reasonable level of internal space in accordance with the Nationally Described Space Standards.									No negative impacts on any of the protected characteristics groups are expected. All future occupiers are likely to benefit but delivering improved levels of space, particularly in smaller homes, may have a positive impact on certain groups enabling access to housing with appropriate levels of space to meet their needs.						

² This follows the Court of Appeal judgement Smith vs Secretary of State for Levelling Up, Communities and Housing (CA-2021-001741), 31 October 2022

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Policy P7 – Alterations and extensions	Sets out the requirements relating to proposals to extend existing dwellings where planning permission is required									No negative impacts on any of the protected characteristics groups are expected. There could be positive impacts on certain groups as the policy enables people to extend, subject to criteria, dwellings to meet their changing needs.						
Policy P15 – Open space, sport and recreation	Seeks to protect existing open space, sport and recreation facilities and secure new provision as part of development									The policy seeks to provide accessible open space, sport and recreation facilities and, as such, should be of benefit to all people in the plan area but the provision of accessible open space and facilities is expected to be particularly beneficial to those without access to a car, which may disproportionately include older and younger people, and some people with particular disabilities.						
Policy P16 – Health and wellbeing	Promotes the creation of healthy, active, inclusive and safe places and the provision of Health Impact Assessments in specified circumstances to assess any potential adverse impacts of proposals									No negative impacts on any of the protected characteristics groups are expected. The policy will benefit all as it encourages health and wellbeing across the plan area but is expected to have positive impacts on those who may experience health inequalities.						
Policy P17 – New and existing local and community facilities, including local shops	Aims to encourage retention and improvement of community facilities to ensure people across the plan area retain good access to a range of services.									No negative impacts on any of the protected characteristics groups are expected. The policy will benefit all people in the plan area as it seeks to retain existing social and community facilities and secure provision of new facilities to serve development across the plan area. However, it may particularly benefit those in rural areas or where alternative facilities are some distance away and those without access to a car.						

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Policy E5 – Retail strategy and new development	Promotes a town centre first approach with the aim of maintaining the vitality and viability of the plan area's town and local centres									No negative impacts on any of the protected characteristics groups are expected. As the policy is intended to support the provision of a range of shopping and other town centre services and facilities in the plan area's identified town and local centres, it might be expected for there to be a positive impact on those who may find it difficult to access these if they were dispersed and/or in less accessible locations.						
Policy T1 – Transport Infrastructure Policy T2 – Transport and development Policy T3 – Active travel - Walking and cycling provision	The policies seek to achieve more sustainable travel behaviour by promoting improvements to sustainable transport modes, including cycle and pedestrian routes and public transport and ensuring developments seek to reduce the need to travel									No negative impacts on any of the protected characteristics groups are expected. As the policy actively encourages more sustainable forms of travel and seeks to ensure new development minimises the need to travel, this should have a positive impact on those that find transport or mobility a barrier.						
Policy I1 – Infrastructure provision	Seeks to accommodate additional demands for infrastructure arising from growth and sets out the policy approach to securing such provision.									No negative impacts on any of the protected characteristics groups are expected. The policy will benefit all people in the plan area as it seeks to retain existing social and community facilities and secure provision of new infrastructure and services to serve development across the plan area.						

The following policies have been assessed as having a **neutral impact**, that is they are considered to have:

- Neither a positive nor negative impact, or
- The policy has no relevance to or impact on protected characteristics

Policy NE1 – Stand-alone renewable energy
Policy NE2 – Natural landscape
Policy NE3 – Landscape gaps between settlements
Policy NE4 – Strategic Wildlife Corridors
Policy NE5 – Biodiversity and biodiversity net gain
Policy NE6 – Chichester’s Internationally and Nationally designated sites
Policy NE7 – Development and disturbance of birds in Chichester, Langstone and Pagham Harbours
Policy NE8 – Trees, hedgerows and woodlands
Policy NE9 – Canals
Policy NE10 – Development in the countryside
Policy NE11 – The Coast
Policy NE12 – Development around the coast
Policy NE13 – Chichester Harbour AONB
Policy NE14 – Integrated Coastal Zone Management for the Manhood Peninsula
Policy NE15 – Flood risk and water management
Policy NE16 – Water management and water quality
Policy NE17 – Water Neutrality
Policy NE18 – Source Protection Zones
Policy NE19 – Nutrient neutrality
Policy NE20 - Pollution
Policy NE21 – Lighting
Policy NE22 – Air quality
Policy NE23 – Noise
Policy NE24 – Contaminated land
Policy H1 – Meeting housing needs

Policy H2 – Strategic locations/allocations 2021 - 2039
Policy H3 – Parish housing requirements 2021- 2039
Policy H6 – Custom and/or self-build homes
Policy H14 – Gypsy and Traveller and Travelling Showpeople site design
Policy P1 – Design principles
Policy P2 – Local character and distinctiveness
Policy P3 - Density
Policy P6 - Amenity
Policy P9 – The historic environment
Policy P10 – Listed buildings
Policy P11 – Conservation areas
Policy P12 – Non designated heritage assets
Policy P13 – Registered Parks and Gardens
Policy P14 – Green Infrastructure
Policy E1 – Meeting employment land needs
Policy E2 – Employment development
Policy E3 – Addressing horticultural needs
Policy E4 – Horticultural development
Policy E6 – Chichester city centre
Policy E7 – Local centres
Policy E8 – Built tourist and leisure development
Policy E9 – Caravan and camping sites
Policy E10 – Equestrian development
Policy T4 – Parking provision
Policy A1 – Chichester City development principles
Policy A2 – Chichester City strategic housing allocation
Policy A3 – Southern Gateway – development principles
Policy A4 – Southern Gateway – bus station, bus depot and Basin Road car park
Policy A5 – Southern Gateway – Police Field, Kingsham Road
Policy A6 – Land west of Chichester

Policy A7 – Land at Shopwyke (Oving Parish)
Policy A8 – East of Chichester
Policy A9 – Land at Westhampnett/north east of Chichester
Policy A10 – Land at Maudlin Farm
Policy A11 – Land at Highgrove Farm, Bosham
Policy A12 – Land at Chidham and Hambrook
Policy A13 – Southbourne Broad Location for Development
Policy A14 – Land west of Tangmere
Policy A15 – Loxwood
Policy A16 – Goodwood Motor Circuit and Airfield
Policy A17 – Development within the vicinity of Goodwood Motor Circuit and Airfield
Policy A18 – Thorney Island
Policy A19 – Land at Chichester Business Park, Tangmere
Policy A20 – Land south of Bognor Road
Policy A21 – Land east of Rolls Royce