

EXETER CITY COUNCIL
EQUALITIES IMPACT ASSESSMENT (EQIA)

DEVELOPMENT DELIVERY
DEVELOPMENT PLAN DOCUMENT

VERSION 3 – JUNE 2015

1 INTRODUCTION AND BACKGROUND

- 1.1 This EQIA relates to an emerging Development Plan Document (DPD) dealing with site allocations and development management. The DPD was formerly known as the “Site Allocations and Development Management DPD”, but is now called the “Development Delivery DPD”. The latest version of the DPD is referred to as the ‘Publication Version’.
- 1.2 The Council is in the process of producing a Local Development Framework (LDF) which, once complete, will supersede the Exeter Local Plan First Review, adopted in 2005. The LDF comprises a suite of planning policy documents, divided into:-
- Development Plan Documents (DPDs) such as the one that is the subject of this EQIA, and the Core Strategy which was adopted in February 2012; and
 - Supplementary Planning Documents (SPDs) which are not subject to independent examination but will have full public consultation.
- 1.3 The Core Strategy has been subject to its own EQIA¹. This highlighted a number of equalities issues, which the Core Strategy policies were designed to address:-
- 1.3.1 Meeting the needs of all members of the community, in terms of housing and facilities.
- 1.3.2 The need to provide sustainable transport infrastructure and services, and direct development to locations well served by it.
- 1.3.3 The requirement to allocate land to provide pitches for gypsies and travellers, which the Council intends to deal with through a separate site allocation plan, following further consultation (as recommended by the Inspector who dealt with the Core Strategy examination).

2 EQUALITIES AND THE PLANNING SYSTEM

- 2.1 Of the protected characteristics set out in the Equality Act 2010, the planning system potentially impacts on some of them more than others.
- 2.2 People with disabilities, together with the oldest and youngest members of society, are the most likely to be affected, either positively or negatively, by the planning system. They may not be able to drive, cycle, or walk significant distances, and therefore tend to be more dependent than others on the relative

¹ See <http://www.exeter.gov.uk/index.aspx?articleid=12681&listid=9163>.

location of developments (eg. homes being close to shops), and on a choice of different travel modes being available.

- 2.3 The other protected characteristics have less relevance to the built environment and therefore to the planning system. However, the need for public places to be and feel safe can be of particular importance to those who might feel vulnerable for any reason.

3 CONTENT OF THE DPD AND IMPACTS ON PEOPLE

- 3.1 The DPD will perform two functions:-

3.1.1 To allocate land for new development, and establish boundaries for other land use designations, such as County Wildlife Sites and Landscape Setting Areas.

3.1.2 To provide a comprehensive set of generic development management policies to replace those currently saved from the Exeter Local Plan First Review, which will act as the basis for determining planning applications.

- 3.2 The first version of this EQIA was based on a document entitled “Have your say”. This document was the subject of consultation in July 2012, during which the public and other stakeholders were invited to comment on the proposed approach and draft policies. Their comments informed the production of a complete draft which was subject to further consultation, and a second iteration of the EQIA was carried out. This third iteration of the EQIA assesses the publication version DPD which is to be published for representations prior to submission to the Planning Inspectorate.

- 3.3 While it is not practical to summarise the whole document in this report, the following paragraphs highlight (by chapter) the key points of relevance to equality issues. Policies are referred to by their “DD..” reference number in the current draft, except where a policy from the “Have your say” document no longer appears in the DPD in which case its former “DM..” reference is used.

- 3.4 “**Exeter's Local Vision for Sustainable Development**” explains how sustainable development is not just about environmental issues, but also about delivering houses, jobs and supporting infrastructure. Policy DD1, in requiring proposals to have regard to the economy, community and housing needs, will have a **positive** impact on all members of society, and is not anticipated to have any negative impacts on particular groups.

- 3.5 “**Realising Exeter’s Economic Potential**”, and particularly policy DD2, works in conjunction with Core Strategy policy CP2 to direct employment to specific areas, some of which are well established, whereas others are proposed for future development. Only the latter are now referred to in DD2. Location of new employment areas could have a **negative** impact on people dependent on public transport, walking, or cycling, including those prevented from running a car by their age or disability, or by a low income (not a protected characteristic, but within the scope of the Council’s [equality objectives](#)²). The DPD seeks to address this by allocation of employment and residential sites close to each other (paragraph 3.8 below), and through effective Sustainable Transport policies (paragraph 3.14).

² Which promote equality based on social origin, property and other status.

- 3.6 Policy DD5 seeks to prevent development which fails to promote access to jobs by people who have difficulty entering or returning to the labour market. This policy is designed to have a **positive** impact on various disadvantaged groups within the population, including those entitled to non-discrimination in employment matters under the Equality Act. In the "Have your say" consultation it was criticised for being inappropriate and unenforceable; however it is felt to serve a useful purpose and has been retained. It was however reworded from a negative into a positive policy (in line with others when the first full draft of the DPD was produced), and it has been made clear that it is particularly intended to benefit young people and the unemployed.
- 3.7 "**Delivering Homes and Communities**" refers to the identification of three strategic allocations and two regeneration areas in the Core Strategy, proposes the allocation of a number of new sites for housing (policy DD7), and sets out policy criteria for housing proposals on unallocated sites (DD8). Conversely policy DD10 strictly controls any loss of dwellings, and this has previously been strengthened by deletion of exceptions. In helping to meet the city's housing needs, these policies collectively will have a **positive** impact on all members of society.
- 3.8 The location of new housing away from employment, facilities and transport links can have a **negative** impact on those without cars (see paragraph 3.5 above). The policies seek to mitigate this in two ways which, if successful, would make the impact **positive**. Firstly, in seeking to allocate land for housing in a controlled way, development can be directed to locations close to public transport and facilities, or to areas where these can be provided as part of a comprehensive development. Secondly, policy DD8, which permits housing on unallocated sites, is explicitly subject to other Development Plan policies, including DD20 which requires development to be accessible by sustainable transport modes including walking and cycling.
- 3.9 Policy DD9 has been amended to reflect the Housing Standards Review. It requires all housing development to be accessible and adaptable in accordance with category 2 of the optional Building Regulations, and 5% of affordable housing to be suitable for people in wheelchairs, and therefore has a **positive** impact on people with a range of disabilities. In controlling conversion of dwellings to houses in multiple occupation, policy DD11 recognises the contribution they make to a mixed housing stock, but seeks to prevent them resulting in substandard accommodation for their occupants, or problems for neighbours. In balancing these competing considerations, the outcome of the policy overall is likely to be a **neutral** impact on those who depend on the availability of such accommodation, particularly people of limited financial means.
- 3.10 "**Retail, Tourism and Culture**" underwent significant changes between "Have your say" and the first full draft DPD, with a number of policies being deleted. These included former policy DM18 which directed retail development in the first instance to the City Centre, District Centres, and Local Centres. As with other policies to determine the location of development, this was designed to have a **positive** impact on people unable to run a car, by grouping shops and other facilities where they are conveniently accessible on foot, by bike, or by public transport. This policy remains absent from the publication version, since it duplicated Core Strategy policy CP8 which achieves the same objective. Policy DD15, originally designed to prevent the loss of existing shops from the

city centre, district and local centres, is retained, although it has been amended to reflect the changed permitted development rights applying to retail uses. Former policy DM22 which restricted the loss of shops in residential areas was previously deleted, but replaced by DD24 which protects all listed assets of community value (ACV). These could include various types of community facility and could potentially apply to a shop. It should be noted that a facility's listing as an ACV will not survive if a community group is unable to raise funds and acquire it, although in practice the protection is no less than under the previous policy which allowed changes of use if the property had been marketed unsuccessfully for a prescribed period. It may be that the effect of DD24 will be to depress the value of listed assets, putting them more within reach of local groups; experience will show whether this is the case.

- 3.11 Former draft policies DM24 and DM25 respectively aimed to control the location of tourist attractions and hotels, favouring locations served by non-car travel modes. Substantially amended previously, these now form DD16 and DD17. DD16 specifically retains the requirement for tourist attractions to be easily accessible by walking, cycling and public transport. Although DD17 is not explicit in this regard, it favours the city centre for hotel development (which is clearly an accessible location), and applications must in any event be assessed against sustainable transport policy DD20 which achieves the same aim.
- 3.12 Former draft policy DM19 originally continued to promote the Pedestrian Priority Zone in the City Centre, established in the Local Plan. This was identified as having a **positive** impact on the majority of people, because the final stage of most journeys is undertaken on foot, even if they have begun using a car, train or bus. The exception is car users who are unable to walk very far, for whom this policy could have had a **negative** impact. This would be mitigated by the provision of parking for disabled users close to the City Centre, the large number of bus services running through the centre, all of which now have low floor access and a ramp, and the availability of the Shopmobility service providing buggies for those who need them. Policy DM19 was previously deleted, as most of the area concerned is in local authority ownership and it is not considered necessary to exercise control through the planning system
- 3.13 In summary, where policies in this chapter have been deleted or simplified, this has been to remove duplication with other policies either in the same document or the Core Strategy, and the changes are not considered to have any negative impact on people with any of the protected characteristics.
- 3.14 “**Sustainable Transport**” policy DD20 is designed to balance the transport system in favour of sustainable modes, giving people a real choice about how they travel³. In doing so, it has a **positive** impact on people's ability to travel as it may compensate for personal limitations on their own choice of travel mode; for example, they may not be able to drive a car because of their age, their means, or a disability. The policy has been streamlined and is less specific than the previous draft about the need for safe and secure routes for pedestrians, cyclists, and people with disabilities. However, subparagraph (a) specifically requires development to give priority to the needs of pedestrians, cyclists and users of public transport over private motorised vehicles, and (b) requires new developments to contribute to the development or improvement of cycle routes and key cycle/pedestrian links, whereas (c) requires safe,

³ Consistent with the National Planning Policy Framework (NPPF), paragraph 29.

sufficient and convenient access to all transport networks, subject to the above priorities. Collectively this will have a **positive** impact on people with disabilities, or others who might otherwise feel vulnerable when walking or cycling.

- 3.15 Policy DD21 requires parking facilities to be safe and secure. Dedicated parking for people with disabilities is currently required by the Local Plan, and the specific requirements continue to be specified in the SPD on Sustainable Transport⁴.
- 3.16 **“Meeting Community Needs”** guards against the loss of existing facilities, through policies DD22 (open space, allotments, and sport and recreation provision) and DD23 (other community facilities). The same policies also require the provision of such facilities alongside new residential development. This should have a **positive** impact to counteract the negative impact associated with new housing that is distant from existing facilities, identified in paragraph 3.8 above. DD24 protecting ACVs has been considered in paragraph 3.10.
- 3.17 **“Locally Distinctive Places”** is concerned with the new and historic built environment. DD25’s predecessor (DM31) specifically required safe means of access for pedestrians, cyclists, and public transport users; however this was felt to be adequately covered by DD20 (see 3.14 above). DD26 previously replaced subparagraph (q) of DM31, supporting development that provides a safe and secure environment, thereby having a **positive** impact on those with protected characteristics who may be or feel particularly vulnerable to crime or antisocial behaviour.
- 3.18 The need to preserve or enhance the historic environment, embodied in policy DD28, may have a **negative** impact in some cases; for example, the protection given to listed buildings may make it more challenging to provide facilities for people with disabilities. That said, the policy reflects the protection provided for the built heritage nationally by statute and policy⁵. To counterbalance this, in addition to the protection provided by the Equality Act for people with disabilities, Building Regulations also contain requirements designed to ensure that access is possible for all.
- 3.19 **“Environment”** contains policies protecting designated landscape areas, promoting local energy networks and sustainable construction, and alleviating risks of flooding and pollution. These do not raise any particular equalities issues.

4 SPECIFIC ISSUES

- 4.1 A common theme running through the above is the need to locate homes, employment, shops and community facilities so that people can easily travel between them, ideally on foot, and definitely by bicycle and public transport. This is necessary in order to satisfy the various objectives of sustainable transport policy, such as reducing car use in favour of other travel modes and thereby reducing congestion and emissions, but it is also vital to prevent a negative impact on people whose choice of travel modes is limited, for example

⁴ At www.exeter.gov.uk/STSPD; see paragraph 6.2.2 and Table 3.

⁵ By the Planning (Listed Buildings and Conservation Areas) Act 1990, and the NPPF para 126 onwards.

because they are unable to drive. Collectively, the policies relating to location of uses, coupled with policy DD20 on sustainable transport, are therefore considered to have at least a **neutral** and probably a **positive** impact on any given group within the population.

- 4.2 In the first draft DPD, various policies were deleted or simplified to remove duplication with others. For the purposes of the EQIA, the most relevant changes were the removal of various requirements to locate development so as to be easily accessible by non-car travel modes. However, the “Introductory Notes” to the DPD make it clear that applications must be assessed against all relevant policies, and these include DD20 which achieves the same objective.
- 4.3 There were other draft policies in the “Have your say” document” which were considered to strike the right balance as written, but which were identified in Version 1 of this EQIA as having the potential to tip towards a negative impact on certain groups if modified as the draft developed. Examples were:-
- Policy DM15 relating to houses in multiple occupation (HMOs), if it was made more restrictive in response to representations. This policy became DD12; along with certain other policies, it was reworded into a positive rather than a negative form. In other respects it remained unchanged, and being no more restrictive towards HMOs it has no additional negative impact.
 - Policy DM32 protecting the built heritage, if made more restrictive in response to representations. It was simplified and reworded so as to require the “conservation and enhancement” rather than “preservation or enhancement” of the historic environment and buildings, but the analysis in paragraph 3.18 above remains valid.
- The amendments made between the draft and publication version of the DPD are more minor, and this iteration of the EQIA has found no further negative impact on affected groups of people.
- 4.4 In Version 1 of this EQIA, it was also noted that now-deleted policy DM19, relating to the Pedestrian Priority Zone, risked combining with other factors to make it more difficult for people to access the city centre if they are only able to walk a short distance. The EQIA identified the need for the continued presence nearby of bus stops (including the bus station) and Shopmobility; particular attention to this is still required as plans for the bus station site progress.
- 4.5 Version 1 of the EQIA also discussed whether there needed to be specific reference in the DPD to the design of buildings and their suitability for people with disabilities. It was noted that the DPD contained a limited amount of material on this subject, because it was going to be covered sufficiently in other policy documents. As mentioned in paragraph 3.9 above, Policy DD9 has been amended to reflect the Housing Standards Review. It requires all housing development to be accessible and adaptable in accordance with category 2 of the optional Building Regulations, and 5% of affordable housing to be suitable for people in wheelchairs. In addition, the Sustainable Transport SPD contains a chapter on access and facilities for people with disabilities⁶. This provides guidance on the design of both dwellings and non-residential buildings, as well as the public realm.

⁶ See www.exeter.gov.uk/STSPD, Chapter 4.

- 4.6 In conclusion, it is considered that the Local Development Framework as a whole continues to address sufficiently the needs of people with disabilities in this regard.

5 THE PROCESS

- 5.1 The latest version of the DPD will now be published for representations. The representations will be collated and any final changes to the document drafted. The EQIA will be kept under review and updated in response to any changes. The final EQIA will be submitted, alongside the submission version of the DPD, to the Planning Inspectorate for examination on behalf of the Secretary of State.

6 CONCLUSIONS

- 6.1 This assessment has continued to identify numerous positive impacts arising or likely to arise from the content of the DPD, as well as specific issues which are outlined in section 4. The EQIA will continue to be kept under review as preparation of the DPD progresses.