

## MID SUSSEX DISTRICT COUNCIL

### Equality Impacts Assessment (EqIA) – 2023

**Title of Policy/Service/Contract:** Mid Sussex District Plan Review (2021 –2039) (Regulation 19)

**Division:** Planning Policy and Housing Enabling

**Lead Officer:** Andrew Marsh

**Date Assessment completed:** 09/11/2023

#### What is Equalities Impact Assessment?

An Equalities Impact Assessment (EqIA) is a way of ensuring that the Council fulfils its obligations to promote equality of opportunity, and that it does not discriminate between people who have a protected characteristic, or characteristics, and those who do not. In the UK, it is illegal to discriminate against people because of the following protected characteristics:

- Age;
- Being or becoming a transsexual person;
- Being married or in a civil partnership;
- Being pregnant or having a child;
- Disability;
- Race including colour, nationality, ethnic or national origin;
- Religion, belief or lack of religion/belief;
- Sex; and
- Sexual orientation.

These protected characteristics are defined in the Equalities Act 2010 ([Equalities Act 2010](#)). This protects people from discrimination at work, in education, as a consumer, when using public services, when buying or renting property and as a member or guest of a private club or association. People who are associated with someone who has a protected characteristic, e.g. a family member or friend, and people who have complained about discrimination or supported someone's claim are also protected.

## 1. Scope

### 1.1 What are the aims of the policy, service/service change or contract?

Mid Sussex District Council is currently reviewing the District Plan 2014 – 2031 (Adopted March 2018) As part of this process, the Equality Impact Assessment (EqIA) is produced and acts as a tool to assess the implication of planning policies on the whole community, with the aim to eliminate discrimination and tackle inequality.

Local Planning Authorities are required to review their Local Plan every 5 years, with a subsequent update if and where necessary. Following the Examination in Public of the Mid Sussex District Plan 2014-2031 (Adopted March 2018) the Council committed to an early review of the District Plan commencing in 2021. A draft District Plan, supported by EqIA, was published in November 2022 – this was the first formal consultation stage known as Regulation 18. The

Council is currently at Regulation 19 stage of the District Plan (2021 –2039) preparation, which is the second formal consultation stage.

The District Plan is being prepared under the terms of the 2004 Planning and Compulsory Purchase Act and will provide a strategic planning framework for the District, guiding development to 2039. The District Plan is the key strategic planning document, and performs the following functions for the area of Mid Sussex outside of the South Downs National Park:

- Defines a spatial vision for Mid Sussex to 2039;
- Sets out a number of objectives to achieve the vision;
- Sets out a spatial development strategy to meet these objectives;
- Sets out strategic policies to guide and control the overall scale, type and location of new development and infrastructure investment and;
- Indicates the numbers and locations of new homes to be built over the plan period and;
- Provides policies which guide the determination of planning allocations.

## **1.2 Purpose of the EqIA**

The purpose of this EqIA report is to enable a transparent decision-making process. It informs public consultation and assesses the policies within the District Local Plan 2021-2039 (Regulation 19) to ensure that they do not discriminate against particular people or groups. This report considers the likely impact of the Local Plan's Vision, Objectives and Policies on the nine Protected Characteristic groups identified within the Equality Act 2010.

An EqIA will be published alongside each stage of public consultation of drafting of the Local Plan. Following close of consultation, responses will be reviewed by Council officers and any issues raised that may impact on equality and fairness will be assessed and where necessary actioned or mitigation measures put in place through later stages of Local Plan production.

## **1.3 Who does the service/policy/contract affect? Who are the main customers (internal or external)?**

Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out specific bodies or persons that a local planning authority must notify and invite representations from in developing its Local Plan. The submission draft District Plan will be published for a minimum six weeks consultation to allow members of the public, Town or Parish Councils, Statutory bodies and other interested stakeholders and organisations to provide any comments to assist in the preparation of the document in accordance with an agreed Community Involvement Plan.

The policies contained within the submission draft District Plan have the potential to affect current and future residents, workers and visitors to Mid Sussex and also those nearby, who are outside the administrative boundaries of the district but may still be impacted by planning policies in Mid Sussex.

The main customers of the submission draft District Plan are expected to be:

- Council Officers;
- Members of the public;
- District, Town and Parish Councillors;
- Those involved in the development industry such as developers, landowners, agents;
- Organisations and individuals that provide services / infrastructure to residents and organisations;

- Organisations and individuals that represent groups of people.

#### 1.4. What equality information is available, including any evidence from engagement and analysis of use of services?

In the adopted Mid Sussex District Council Statement of Community Involvement (SCI) (2019), the Council commits to 'front load' consultation activity, to identify potential issues and options. Stakeholder engagement is being sought from the very start of the process of producing the submission draft District Plan. This work assists in the formulation of policies and informs and updates the evidence base.

Engagement with stakeholders is vital and is ongoing. A formal consultation at Regulation 18 took place in November/December 2022. Engagement will continue throughout each stage of producing the submission draft District Plan, including:

- Town and Parish Council briefings
- A Developers Liaison Group, which includes representatives from across the development industry, was also established and consulted in relation to the SHELAA and methodology for site selection.
- Neighbouring Local Authorities and County Authorities; The District Council will seek to enter into Statements of Common Ground (SoCGs) with neighbouring authorities.
- External organisations, such as the High Weald AONB Unit. It is the Council's intention to invite relevant public bodies to enter into SoCGs.
- Consulting other statutory consultees, such as Historic England, the Environment Agency and Natural England.

There has also been extensive engagement with internal MSDC officers, including:

- Officers from both Planning Policy and Housing Enabling, and Development Management;
- Urban Designer;
- Sustainability Officer;
- Heritage Officer;
- Tree Officer;
- Housing;
- Waste and Outdoor Services;
- Community Services, Policy and Performance.

In order to support the review of the District Plan the evidence base has been updated. This includes commissioning of specialist studies to assess whether an update is required, and if so, to establish new requirements. The following studies have informed production of this updated District Plan:

- **Strategic Housing Market Assessment (SHMA)** – to establish the district's housing need, including affordable housing and older persons' accommodation and inform the need for potential site allocations
- **Gypsy and Traveller Accommodation Assessment (GTAA)** – to establish the district's need for Gypsy and Traveller pitches and inform the need for potential site allocations
- **Economic Growth Assessment (EGA)** – to establish needs for office, industrial and storage and distribution uses and inform the need for potential site allocations
- **Retail and Town Centre Study** - to establish requirements for retail, leisure and town centre uses and to inform the need for potential site allocations
- **Transport Study** – to assess potential site allocations for their impact on the transport network

- **Air Quality** – to assess the impacts of additional traffic movements on Ashdown Forest SAC/SPA and Stonepound Crossroads AQMA
- **Water Cycle Study** – to assess the potential issues relating to future development and the impacts on water supply, wastewater collection and treatment and water quality.
- **Viability Assessment** - to assess the implications of the Plan on viability of development, to confirm Plan is deliverable in viability terms.
- **Sustainability Appraisal (SA)** – a legal requirement, to appraise options for strategy, policies and sites against sustainability criteria and assess impacts on social, environmental and economic objectives
- **Habitats Regulations Assessment (HRA)** – a legal requirement to test whether a plan could significantly harm the designated features of a European site; for the District Plan this relates to Ashdown Forest SAC/SPA.

Updates of the above and additional specialist studies may be commissioned as the plan progresses to review and inform each iteration of plan review. The full evidence base is available online at <https://www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review>

**1.5 What does this information tell us about the equality issues associated with the service and implications for the protected groups?**

Consultation with a variety of groups and interested parties ensures a broad range of opinions have input into the production of the submission draft District Plan from an early stage. Representations made during each stage of public consultation will be reviewed to ensure that any equality issues raised are appropriately considered and resolved where necessary.

Consultation will be open to all and seeks to inform and receive comment from the widest possible range of people, including the protected groups, by using a variety of consultation methods. At Regulation 19 stage of plan-making, comments must relate to Legal and Soundness matters as set out in the Community Involvement Plan.

More information on the consultation will be available in the Community Involvement Plan which accompanies the submission draft District Plan. This document will detail how and when the consultation will be undertaken. Importantly, the Community Involvement Plan will be informed by the findings of the following assessment to ensure there are no barriers preventing the involvement of protected groups, and where necessary, provision is made to support involvement.

**1.6 Are contractors or partnerships used to deliver the service? No**

If No go to section 2.

## **2. Assessment of Impacts: Analysis and Action Planning**

This assessment considers the impact of both the proposed content of the submission draft District Plan and the upcoming consultation. Opportunities have been identified where it is anticipated that the submission draft District Plan may be able to promote equality, good relations and/or address barriers to service/differential impact. The current practices and resources available for addressing the opportunities are assessed, and then where necessary, further actions are identified where the submission draft District Plan may be able to take action to support the identified equalities objective.

This assessment will be reviewed, and if necessary revised, for each stage of the submission draft District Plan PD.

The Council's vision is for Mid Sussex to be a thriving, attractive and resilient District, which is a highly sustainable and desirable place to live, work and visit. Our aim is to maintain, and where possible, improve the social, economic and environmental well-being of our District and the quality of life for all, now and in the future.”

The vision is underpinned by three priority themes that promote the development of sustainable communities:

- Environment: Protecting and enhancing the natural, built, and historic environment;
- Economy: Promoting economic vitality; and
- Social: Ensuring cohesive, safe and healthy communities

Opportunity for the submission draft District Plan to promote equality, good relations and/or address barriers to service/differential impact	Current action taken to address these, including existing policies and consultation best practice	Further actions required by the District Plan and timescales	Lead Officer	How will impact be measured
The needs of different ethnic groups including white minorities, but also established white communities				
<p>The submission draft District Plan has no identified impacts upon particular needs of different ethnic groups.</p> <p>Note that engagement methods must be responsive of potential barriers that exist for those where English is not their first language.</p>	<p>Engagement with representative organisations.</p> <p>A translation service is provided by the Council.</p> <p>Implementation of District Plan Draft Policy, <i>DPH5: Gypsies, Travellers and Travelling Showpeople</i>, aims to ensure that a sufficient amount of permanent culturally suitable housing for settled Gypsies, Travellers and Travelling Showpeople is delivered to meet identified needs within an appropriate timescale.</p>	None identified.	-	-
The needs of men and women, including taking account of pregnancy and maternity				
<p>The submission draft District Plan has no identified impacts upon particular needs of men and women.</p> <p>Note that engagement methods must be accessible to those who are expecting and those with very young babies to ensure that this is not a barrier to engagement and to ensure that they can positively input into the plan-making process.</p>	<p>Implementation of District Plan Draft Policy, <i>DPH12: Accessibility</i> helps meet the access needs of not only older and disabled people, but of the whole community, including parents with pushchairs.</p> <p>Consultations of all planning documents aim to be open to all and accessible to pregnant women and those with young children to ensure that this is not a barrier to engagement; there are always multiple ways of viewing planning documents and responding to consultations. The document will be available to view digitally, on the Mid Sussex District Council website, and hard copies will be available to view at deposit points around the District.</p>	None identified.	-	-
The needs of disabled people				
<p>To provide the policy framework to ensure:</p> <ul style="list-style-type: none"> <li>- That there is adequate provision of community facilities and local services, and</li> </ul>	Engagement with Access Groups.	Implement submission draft District Plan policies on housing site allocations within the identified	Andrew Marsh	Monitor in line with the submission draft

<p>Infrastructure; - The location and design of development is accessible to all including open spaces, the public realm and transport infrastructure.</p> <p>Note that engagement methods must be accessible to disabled people to ensure that disability is not a barrier to engagement.</p>	<p>Implementation of submission draft District Plan policy DPH11: <i>Dwelling Space Standards</i> seeks to set minimum space standards for all dwellings to ensure that the floor area of new homes and associated storage space is sufficient in size to secure a satisfactory standard of accommodation for their residents.</p> <p>Implementation of existing District Plan policies on design, accessibility, transport, community facilities and local services, infrastructure and housing mix aim to ensure development is responsive to the needs of disabled people.</p> <p>Implementation of existing Development Infrastructure and Contributions SPD sets out a requirement for accessible and adaptable dwellings in both market and affordable housing and identifies the Building Regulations standards these dwellings should meet.</p> <p>The consultation processes of all planning documents aim to be open to all and accessible disabled people.</p> <p>Supporting material is made available on the website which is equipped with 'browse aloud' for those with visual impairments.</p> <p>Consideration given to font size and design layout.</p> <p>Documents written in plain English and terminology used explained in the clearest possible terms.</p> <p>Officers are available to explain the process in person, over the phone and via email.</p>	<p>indicative phasing period to ensure development is responsive to the needs of disabled people, including in regards to design, accessibility, transport, community facilities and local services, infrastructure and housing mix.</p>		<p>District Plan Monitoring Schedule.</p>
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The needs of people with a religion or belief				
None identified at this time.	Existing District Plan policies on community facilities and local services and infrastructure.	None identified at this time.	-	-
The needs of gay men, lesbians, bisexuals and heterosexual people				
None identified at this time.	None identified at this time.	None identified at this time.	-	-
Issues from marriage and civil partnership				
None identified at this time.	None identified at this time.	None identified at this time.	-	-
The needs of different age groups, for example older and younger people				
<p>To provide the policy framework to ensure:</p> <ul style="list-style-type: none"> <li>- A suitable housing offer is provided, including affordable housing, particularly in rural locations, to enable people to continue to live in suitable accommodation in their locality. For instance, there are barriers to younger people getting on the housing ladder and to older people who cannot 'downsize' and/or move into more suitable local accommodation.</li> <li>- That there is adequate provision of community facilities and local services, and infrastructure.</li> <li>- That the location and design of development is accessible to all including open spaces, the public realm and transport infrastructure.</li> <li>- The provision or improvement of community facilities and local services.</li> </ul> <p>Note that different age groups may engage with the consultation process in different ways. Consideration should be given to engaging with people of different age groups to ensure that they can positively input into the plan-making process.</p>	<p>Engagement with representative organisations.</p> <p>To ensure that a sufficient amount of older persons' housing and specialist accommodation is delivered to meet identified needs, the older persons' accommodation is allocated part of the following site allocations:</p> <ul style="list-style-type: none"> <li>• DPSC1: Land at west of Burgess Hill</li> <li>• DPSC2: Land at Crabbet Park</li> <li>• DPSC3: Land south of Reeds Lane, Sayers Common</li> <li>• DPA9: Land to west of Turners Hill Road, Crawley Down</li> </ul> <p>In addition, two sites are allocated specifically for older persons' specialist accommodation:</p> <ul style="list-style-type: none"> <li>• DPH18: Land at Byanda, Hassocks</li> <li>• DPH19: Land at Hyde Lodge, London Road, Handcross</li> </ul> <p>Implementation of existing District Plan policies on affordable housing, design, accessibility, transport, community facilities and local services, infrastructure and housing mix.</p>	Implement submission draft District Plan policies on housing site allocations within the identified indicative phasing period to ensure development is responsive to the needs of different age groups, including in regard to design, accessibility, transport, community facilities and local services, infrastructure and housing mix.	Andrew Marsh	Monitor in line with the submission draft District Plan Monitoring Schedule.

	<p>Consultations of all planning documents aim to be open to all and accessible to people of all ages; there are always multiple ways of viewing planning documents and responding to consultations. The document will be available to view digitally, on the Mid Sussex District Council website, and hard copies will be available to view at deposit points around the District.</p> <p>Supporting material is made available on the website which is equipped with 'browse aloud' for those with visual impairments.</p> <p>Consideration given to font size and design layout.</p> <p>Documents written in plain English and terminology used explained in the clearest possible terms.</p> <p>Officers available to explain the process in person, over the phone and via email.</p>			
<b>The needs of transgender communities</b>				
None identified at this time.	None identified at this time.	None identified at this time.	-	-
<b>The needs of people who are disadvantaged by socio-economic factors such as low incomes, skill or living in a deprived area</b>				
<p>To provide the policy framework to ensure:</p> <ul style="list-style-type: none"> <li>- The correct amount and distribution of housing and employment development to enhance the economic prosperity of all the district's towns and villages.</li> <li>- A suitable housing offer is provided, including affordable housing, to enable people to live in suitable accommodation and continue to live in their locality.</li> <li>- The integration of affordable housing with open market housing.</li> <li>- That there is adequate provision of community facilities and local services, and infrastructure.</li> <li>- That the location and design of development is accessible to all including</li> </ul>	<p>Engagement with voluntary services, registered social landlords and the business community.</p> <p>Draft policy <i>DPH8: Affordable housing seeks to deliver</i> the amount and type of housing which meets the needs of all sectors of the community which is a key objective of the District Plan.</p> <p>Implementation of existing District Plan policies on housing, including affordable housing and housing mix, and economic development that provide for a range of employment types, community facilities and</p>	<p>Implement submission draft District Plan policies on housing site allocations within the identified indicative phasing period which aim to support the provision of homes for people from all backgrounds in the District, and employment site allocations that aim to improve employment opportunities in the district and support the local economy.</p>	Andrew Marsh	Monitor in line with the submission draft District Plan Monitoring Schedule.

<p>open spaces, the public realm and transport infrastructure.</p> <ul style="list-style-type: none"> <li>- The provision or improvement of community facilities and local services.</li> </ul> <p>Note that engagement methods must be accessible to those who are disadvantaged by their socio-economic background to ensure that they can positively input into plan-making process.</p>	<p>local services and infrastructure, accessibility and transport.</p>			
<p>The needs of people who live in a rural area</p>				
<p>To provide the policy framework to ensure:</p> <ul style="list-style-type: none"> <li>- The correct amount and distribution of housing development to enhance the economic prosperity of all the district's villages.</li> <li>- A suitable housing offer is provided in rural locations, including affordable housing, to enable people to live in suitable accommodation and continue to live in their locality.</li> <li>- The integration of affordable housing with open market housing where possible.</li> <li>- That there is adequate provision of community facilities and local services, and infrastructure.</li> <li>- That the location and design of development is accessible to all including open spaces, the public realm and transport infrastructure.</li> <li>- The provision or improvement of community facilities and local services.</li> </ul>	<p>Engagement with Parish Councils, representative groups and local communities.</p> <p>Implementation of draft policy <i>DPC3 New Homes in the Countryside</i>; recognises that exceptional circumstances may exist that justify new homes in the countryside.</p> <p>Implementation of District Plan Draft Policy <i>DPH10: Rural Exception Sites</i> allows for the provision of rural exception sites, and <i>DPE7: Sustainable Rural Development</i> and the Rural Economy allows for new small scale economic development in the countryside.</p>	<p>Implement submission draft District Plan policies on housing site allocations within the identified indicative phasing period that support sustainable development in rural locations.</p>	<p>Andrew Marsh</p>	<p>Monitor in line with the submission draft District Plan Monitoring Schedule.</p>

### 3. Mid Sussex District Council Equality Impacts Assessment Summary

<b>Key findings</b>	<b>Future actions</b>
<p>Existing engagement methods are responding to needs of protected groups.</p> <p>Consultations are managed to ensure that engagement reaches as wide as possible audience, including protected groups.</p> <p>The submission draft District Plan has the opportunity to provide policies that aim to create safe and attractive places that are responsive to the needs of all, including protected groups.</p> <p>In regards to the protected groups, the consultation of and policies in the submission draft District Plan have no identified negative impacts that are not remedied through future actions.</p>	<p>Continued promotion of consultation exercises that are inclusive of all, engagement with representative organisations and monitoring of consultation.</p> <p>Continue to implement existing District Plan policies until the 2021-2039 Plan is adopted, which respond to the needs of protected groups.</p> <p>Implement submission draft District Plan policies which aim to support the provision of homes to meet the identified housing need for Mid Sussex.</p> <p>Monitor delivery of site allocations in order to assess their effect on the needs of protected groups.</p>