

Development Contributions Supplementary Planning Document

Equality Impact Assessment

September 2021

Altogether better



NB: The Public Sector Equality Duty (Equality Act 2010) requires Durham County Council to have ‘due regard’ to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people from different groups. Assessing impact on equality and recording this is one of the key ways in which we can show due regard.

Section One: Description and Screening

| | |
|-------------------------------------|------------------------|
| Service/Team or Section | Spatial Policy Team |
| Lead Officer | Mike Allum |
| Title | Spatial Policy Manager |
| MTFP Reference (if relevant) | N/A |
| Cabinet Date (if relevant) | April 2022 |
| Start Date | January 2021 |
| Review Date | Post consultation |

Subject of the Impact Assessment

Please give a brief description of the policy, proposal or practice as appropriate (a copy of the subject can be attached or insert a web-link):

The Developer Contributions Supplementary Planning Document (SPD) will set out the Council’s approach to determining and securing developer contributions for new development (such as housing) across the county. It will sit alongside the County Durham Plan (CDP)¹ which was adopted on 14th October 2020.

SPDs are documents which add further detail to policies contained in a Local Plan but do not have their formal statutory ‘Development Plan’ status. They are, however, a material consideration when a Local Planning Authority is determining whether to approve or refuse a planning application. This SPD provides detailed guidance on the

¹ EIA Template October 2015
<https://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham>

application of a number of policies within the CDP which have financial implications for developers.

Policy 25 (Developer Contributions) of the CDP sets out the policy for seeking planning contributions and this SPD is intended to provide information on how this policy and other policies requiring affordable housing or specific infrastructure will be interpreted and applied.

This will assist planning officers, applicants, service providers, Councillors and members of the public through the planning application process, ensuring that the process is fair and transparent and is applied consistently.

For example, developments that include a net increase of new housing can impact on its physical, social and environmental surroundings due to the increased demand for services and increased use in facilities caused by the additional people. By securing obligations to provide financial contributions from developers, these impacts can be mitigated and, where possible, bring positive benefits for the local area. Relevant contributions are also sought for other forms of development such as industrial or commercial.

The SPD covers contributions towards:

- Housing;
- Green Infrastructure (including open space and sport & recreation);
- Education (primary and secondary);
- Health;
- Habitats Regulations Assessment; and,
- Biodiversity Net Gains.

This equality impact assessment will be continually reviewed and updated as the SPD develops.

Who are the main stakeholders? (e.g. general public, staff, members, specific clients/service users):

Anyone who lives in, studies in, works in, visits, or has an interest in County Durham may be interested in the SPD. This includes the general public, anyone previously interested in local plan consultations and included on our database, council staff, Elected Members, developers and landowners, various partners, stakeholders from various sectors and interest groups or communities, Area Action Partnerships, Town/Parish Councils, Neighbourhood Forums and statutory consultees / prescribed bodies as defined by the Government.

Screening

| Is there any actual or potential negative or positive impact on the following protected characteristics? | | |
|--|---|---|
| Protected Characteristic | Negative Impact Indicate: Y = Yes, N = No, ? = unsure | Positive Impact Indicate: Y = Yes, N = No, ? = unsure |
| Age | N | Y |
| Disability | N | Y |
| Marriage and civil partnership (workplace only) | N | N |
| Pregnancy and maternity | N | Y |
| Race (ethnicity) | N | Y |
| Religion or Belief | N | Y |
| Sex (gender) | N | N |
| Sexual orientation | N | N |
| Transgender | N | N |

Please provide **brief** details of any potential to cause adverse impact.
Record full details and analysis in the following section of this assessment.

This document is designed to add further information and give clarity to the relevant objectives and policies that sit in the County Durham Plan, which has already undergone a full EQIA. There are therefore no identified potential adverse impact as a result of this document.

In line with its ongoing duties to consider equalities impacts, if the council becomes aware of such an impact, the council will fully consider any such change of circumstances.

How will this policy/proposal/practice promote our commitment to our legal responsibilities under the public sector equality duty to:
eliminate discrimination, harassment and victimisation,
advance equality of opportunity, and
foster good relations between people from different groups

The CDP and SCI are over-arching documents for this SPD, which have both undergone full EQIA's. The SPD will give further detail regarding development viability and developer contributions providing clarity over how the relevant policies in the CDP are to be applied. By setting this detail out in an SPD the positive impacts already identified through the CDP objectives and policies 15 Addressing Housing Need, 25 Developer Contributions, 26 Green Infrastructure, 41 Biodiversity and Geodiversity and 42 Internationally designated sites, are secured.

Evidence

What evidence do you have to support your findings?
Please **outline** your data sets and/or proposed evidence sources, highlight any gaps and say whether or not you propose to carry out consultation. Record greater detail and analysis in the following section of this assessment.

The County Durham Plan <https://www.durham.gov.uk/media/34069/County-Durham-Plan-adopted-2020-/pdf/CountyDurhamPlanAdopted2020vDec2020.pdf?m=637424969331400000> aims to improve the county its communities, economy and environment to make County Durham a successful place. It aims for equality of opportunity across all equality protected characteristics and identifies actions to eliminate inequality such as issues on the provision of affordable housing or tackling other social, economic and environmental issues. There is national, regional and local evidence available which shows that people from protected groups can face barriers in employment, access to services and information, participation in decision making and in consultation.

The CDP evidence base also contains documents that have informed its policies, including policies 15 Addressing housing need, 25 Developer contributions, 26 Green infrastructure, 41 Bio diversity, and 42 Internationally designated sites, that are relevant to this SPD

A full EQUIA was taken out on all stages of the CDP document (CDP evidence base (C9) <https://durhamcc-consult.objective.co.uk/kse/folder/52317>).

Evidence from the Integrated Needs Assessment (INA) suggests for example that deprivation links to protected characteristics, such as children from deprived areas being more prone to obesity or other health problems. Design and environmental improvements can help with health problems and improve quality of life.

<http://www.durham.gov.uk/article/2389/2011-Census>

<http://www.countydurhampartnership.co.uk/article/8461/Integrated-Needs->

<https://www.nomisweb.co.uk/reports/lmp/la/1946157058/report.aspx?c1=2013265921&c2=2092957698>

Consultation update

The SPD is in its first round of consultation.

All consultation is being undertaken under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and in accordance with the Council's Statement of Community Involvement regarding consultation on Plan documents. The Council's Statement of Community Involvement was reviewed and updated in 2019 to reflect the Covid 19 pandemic. It seeks to provide real opportunities for all to be involved in all aspects of planning, from plan making to the determination of planning applications. This includes treating some people more favourably to avoid disadvantage. A full EQUIA was also carried out on the updated Statement of Community Involvement to reflect the Covid-19 related changes.

In line with its ongoing duties to consider equalities impacts, if the council becomes aware of any such positive or negative impact on any protected characteristics, the council will fully consider any such change of circumstances.

Screening Summary

| On the basis of this screening is there: | Confirm which refers (Y/N) |
|--|----------------------------|
| Evidence of actual or potential impact on some/all of the protected characteristics which will proceed to full assessment? | Y |
| No evidence of actual or potential impact on some/all of the protected characteristics? | N |

Sign off

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| Lead officer sign off: Spatial Policy Team Leader | Date: 01/09/21  |
| Service equality representative sign off: Equality and Diversity Officer | Date: |

If carrying out a full assessment please proceed to section two.

If not proceeding to full assessment please return completed screenings to your service equality representative and forward a copy to equalities@durham.gov.uk

If you are unsure of potential impact please contact the corporate research and equalities team for further advice at equalities@durham.gov.uk

Section Two: Data analysis and assessment of impact

Please provide details on impacts for people with different protected characteristics relevant to your screening findings. You need to decide if there is or likely to be a differential impact for some. Highlight the positives e.g. benefits for certain groups, advancing equality, as well as the negatives e.g. barriers for and/or exclusion of particular groups. Record the evidence you have used to support or explain your conclusions. Devise and record mitigating actions where necessary.

| Protected Characteristic: Age | | |
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| What is the actual impact or potential impact on stakeholders? | Record of evidence to support or explain your conclusions on impact | What further action mitigation is required? |
| <p>The SPD gives specific developer contribution guidance regarding objective 3 -Housing need and policy 15- Adressing Housing Need of the CDP. This includes detail on older persons housing and specialist housing provision as part of s106. This will have a positive impact on older persons as this guidance secures the positive impact Objective 3 to address the needs of older people and reduce the concentration of older people in older, poorer quality housing and policy 15 meeting needs of older persons, by outlining how the policy will be properly applied.</p> <p>The SPD gives guidance on the type, calculation, and costing of required green infrastructure according to development size, relating to Policy 26- Green infrastructure and</p> | <p>2014 based population projections for County Durham indicate that from 2016 to 2035 the county's population aged 65 or over will increase from 105,200 to 146,300 (a 39% increase) and those aged 75 and over will increase from 45,00 to 75,700 (a 65.6% increase). This age group is projected to increase more than any other age group in the county.</p> <p>The SPD gives further guidance regarding housing type breakdown including To contribute towards meeting the needs of the county's ageing population we will require a minimum of 10% of private or intermediate housing on sites of over 10 units which, in relation to design and house type, increase the housing options of older people, specialist housing- 100% of which is required to be M4(2).</p> <p>The council's Strategic Housing Market</p> | <ol style="list-style-type: none"> 1) Impact will be assessed through the consultation stage. 2) Any necessary modifications will be made as appropriate. |

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| <p>Policy 41 Biodiversity and Geodiversity. This will secure the positive impact of green infrastructure for older persons and young people and children as they are amongst the groups more likely to benefit from green infrastructure and open space close by to them.</p> <p>The SPD gives guidance regarding education infrastructure- pupil yield methodology and costings, and larger developments. This will have a positive impact on children and young people who already live in the area where a development is taking place and those moving into the development as it will ensure that there are sufficient school places and suitable schools and premises and therefore securing the positive impacts of policy 25.</p> <p>The SPD gives yield, methodology and costings guidance regarding health provision to ensure that appropriate health provision is available to those that live in an area where a development is taking place and to future residents of the new development. This will have a positive impact on older people</p> | <p>Assessment (SHMA) has evidenced a need for affordable housing in County Durham. The policy in the County Durham Plan provides a means to deliver affordable housing across County Durham to meet needs. In line with the National Planning Policy Framework, pursuing sustainable development requires attention to viability. This evidence base has informed realistic targets for the delivery of affordable housing that will meet the needs of young and older people in the community. The SPD gives further detail and clarity regarding affordable housing thresholds, calculations for affordable housing contributions, both on site and off site contributions.</p> <p>The Open Space Needs Assessment, Strategic Green Infrastructure Framework and Play Pitch Strategy² set out the importance of greenspaces, particularly in urban areas, for improving public health and quality of life.</p> <p>The needs of those with mobility difficulties is covered by Quality of Life objective as well as the Housing Need objective</p> | |
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² [County Durham Plan Evidence Library - Keystone \(objective.co.uk\)](http://objective.co.uk)

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| <p>who are more likely to require health provision and health provision close by. It will also have a positive impact on children and young people who are also more likely to require health provision and that provision is close to where they live.</p> | <p>of the CDP. The SPD details the statutory duty of the Director of Public health to assess the health needs and status of the local authority population. This includes using a life course approach to assess key health related behaviours, conditions or outcomes which will have an impact upon the health of an individual and a focus on healthy life expectancy when also assessing health supply and demand.</p> | |
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| Protected characteristic: Disability | | |
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| What is the actual impact or potential impact on stakeholders? | Record of evidence to support or explain your conclusions on impact | What further action mitigation is required? |
| <p>The SPD gives specific developer contribution guidance regarding Objective 3 -Housing need and policy 15- Addressing Housing Need of the CDP. This includes detail on older persons housing and specialist housing provision as part of s106. This will have a positive impact on people with disabilities who will benefit from specialist housing to meet their specific needs.</p> <p>The SPD gives guidance on the type, calculation and costing of required green infrastructure according to development size, relating to Policy 26- Green infrastructure and</p> | <p>County Durham has a higher percentage of permanently sick and disabled people than the North East average, representing nearly a quarter of the overall population.</p> <p>The SPD gives further guidance regarding housing. To contribute towards meeting the needs of the county's ageing population the council require a minimum of 10% of private or intermediate housing on sites of over 10 units which, in relation to design and house type, increase the housing options of older people, including level access flats and bungalows which those with disabilities can</p> | <ol style="list-style-type: none"> 1) Impact will be assessed through the consultation stage. 2) Any necessary modifications will be made as appropriate. |

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| <p>biodiversity net gain requirements of Policy 41-Biodiversity and Geodiversity. This will have a positive impact on people with disabilities as they are amongst the groups more likely to benefit from green infrastructure and open space close by to them.</p> <p>The SPD gives yield, methodology and costings guidance regarding health provision to ensure that appropriate health provision is available to those that live in an area where a development is taking place and to future residents of the new development. This will have a positive impact on people with disabilities who are more likely to require health provision and health provision close by to where they live.</p> | <p>benefit from. Specialist housing- 100% of which is required to be M4(2).</p> <p>The Open Space Needs Assessment, Strategic Green Infrastructure Framework and Play Pitch Strategy set out the importance of greenspaces, particularly in urban areas, for improving public health and quality of life.</p> <p>The needs of older people with mobility difficulties is covered by Quality of Life objective as well as the Housing Need objective of the CDP. The SPD details the statutory duty of the Director of Public health to assess the health needs and status of the local authority population. This includes using a life course approach to assess key health related behaviours, conditions or outcomes which will have an impact upon the health of an individual and a focus on healthy life expectancy when also assessing health supply and demand.</p> | |
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| Protected Characteristic: Marriage and civil partnership (workplace only) | | |
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| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |

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| N/A | | |
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| Protected characteristic: Pregnancy and maternity | | |
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| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| <p>The SPD gives specific guidance on developer contributions regarding Objective 3 -Housing need and policy 15- Addressing Housing need of the CDP. Objective 3 addresses families with children and multi-generational housing, this SPD will secure the positive impact this objective and policy 25 will ensure that the right mix of housing is built, including for people with families or about to have a family.</p> <p>The SPD gives guidance on the type, calculation and costing of required green infrastructure according to development size, relating to Policy 26- Green infrastructure and biodiversity net gain requirements of Policy 41 – Biodiversity and Geodiversity. This will have a positive impact on the protected characteristic of pregnancy and maternity as this group is amongst the groups more likely to benefit from green infrastructure and open space close by to them.</p> | <p>The SHMA has evidenced a need for affordable housing, and housing suitable for families. The SPD outlines guidance to ensure the delivery of appropriate housing mix for residents of County Durham, which includes families with children and multi-generational housing.</p> <p>The Open Space Needs Assessment, Strategic Green Infrastructure Framework and Play Pitch Strategy set out the importance of greenspaces, particularly in urban areas, for improving public health and quality of life.</p> | <ol style="list-style-type: none"> 1) Impact will be assessed through the consultation stage. 2) Any necessary modifications will be made as appropriate. |

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| <p>The SPD gives yield, methodology and costings guidance regarding health provision to ensure that appropriate health provision is available to those that live in an area where a development is taking place and to future residents of the new development. This will have a positive impact on pregnancy and maternity as this group is more likely to require health provision and health provision close by</p> | <p>The SPD details the statutory duty of the Director of Public health to assess the health needs and status of the local authority population. This includes using a life course approach (from pregnancy to death) to assess key health related behaviours, conditions or outcomes which will have an impact upon the health of an individual and a focus on healthy life expectancy when also assessing health supply and demand.</p> | |
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| Protected Characteristic: Race (ethnicity) | | |
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| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| <p>The SPD gives specific guidance on developer contributions regarding Objective 3 -Housing need. This includes meeting the needs and aspirations of Gypsies and Travellers. The SPD will therefore help secure the positive impact of Objective 3 on this group.</p> <p>The SPD gives yield, methodology and costings guidance regarding health provision to ensure that sufficient and appropriate health provision is available to those that live in an areas where a development is taking place and to future residents of the new</p> | <p>In County Durham ethnic minority communities are a relatively small proportion of the population. According to the 2011 Census, 98.1% of Durham’s population is white British. 1.9% is ‘other ethnic group’, the largest component of this being mixed race and Asian. We also have a significant population of Gypsies and Travellers who are either migrant or settled in the County.</p> <p>The INA identified that ethnicity has a variety of impacts: ,Health, as migrants may bring different lifestyle choices or have access issues with healthcare</p> | <ol style="list-style-type: none"> 1) Impact will be assessed through the consultation stage. 2) Any necessary modifications will be made as appropriate. |

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| <p>development. This will have a positive impact on some minority groups who may be more likely to likely to require health provision and health provision close by.</p> | <p>The SPD details the statutory duty of the Director of Public health to assess the health needs and status of the local authority population. This includes using a life course approach to assess key health related behaviours, conditions or outcomes which will have an impact upon the health of an individual and a focus on healthy life expectancy when also assessing health supply and demand.</p> | |
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| Protected Characteristic: Religion or belief | | |
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| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| <p>The SPD gives further detail and specific guidance on developer contributions which relate to Objective 3 and covered by policies including Policy 25.</p> <p>Objective 3 – Housing Need includes the provision of multi-generational housing which may have a potential positive impact on religious groups that live in multi-generational households as part of their culture</p> | <p>In County Durham 72 percent of people state their religion as Christian; around 0.19% percent as Buddhist; 0.12% Hindu; 0.37% Muslim, 0.12% Sikh, 0.04% Jewish and 26.8 percent as having either no religion or not stating their religion (Census 2011</p> | <ol style="list-style-type: none"> 1) Impact will be assessed through the consultation stage. 2) Any necessary modifications will be made as appropriate. |

| Protected Characteristic: Sex (gender) | | |
|--|---|--|
| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| <p>The SPD gives specific developer contribution guidance regarding objective 3 -Housing</p> | <p>2014 based population projections for County Durham indicate that from 2016 to 2035 the county's</p> | <ol style="list-style-type: none"> 1) Impact will be assessed through the consultation stage. |

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| <p>need and policy 15- Adressing Housing Need of the CDP. This includes detail on older persons housing and specialist housing provision as part of s106. This will have a positive impact on older persons (including women who have a higher life expectancy than men), as this guidance secures the positive impact Objective 3 to address the needs of older people and reduce the concentration of older people in older, poorer quality housing and policy 15 meeting needs of older persons by outlining how the policy will be properly applied.</p> | <p>population aged 65 or over will increase from 105,200 to 146,300 (a 39% increase) and those aged 75 and over will increase from 45,00 to 75,700 (a 65.6% increase). This age group is projected to increase more than any other age group in the county. The life expectancy of a male in County Durham is 78, whilst the life expectancy of a female in County Durham is 81.</p> <p>The SPD gives further guidance regarding housing type breakdown including To contribute towards meeting the needs of the county's ageing population we will require a minimum of 10% of private or intermediate housing on sites of over 10 units which, in relation to design and house type, increase the housing options of older people, specialist housing- 100% of which is required to be M4(2).</p> | <p>2) Any necessary modifications will be made as appropriate.</p> |
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| Protected Characteristic: Sexual orientation | | |
|---|--|--|
| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| N/A | | |

| Protected characteristic: Transgender | | |
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| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| N/A | | |

Section Three: Conclusion and Review

Summary

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| Lead officer sign off: Spatial Policy Officer, Spatial Policy Team  | Date: 7/02/22 |
| Service equality representative sign off:  | Date: 9/02/22 |

Please return the completed form to your service equality representative and forward a copy to equalities@durham.gov.uk