

EQUALITIES IMPACT ASSESSMENT

DOVER LOCAL PLAN TO 2040

Adoption Version

October 2024



1. Introduction

The Equality Act 2010

1.1 Under the Equality Act 2010 the Council has a legal duty when exercising public functions¹, to have due regard to the three aims of the Public Sector Equality Duty; namely the need to:

- (a) Eliminate discrimination, harassment and victimisation;
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (i.e. tackling prejudice and promoting understanding between people from different groups).

Protected Characteristics

1.2 The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality Duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership²
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Due regard

1.3 Having 'due regard' entails using good equality information and analysis at the right time, including as part of decision-making procedures. To 'have due regard' in the case of Local Plan preparation and consultation means that the Council is required to consciously consider the need to carry out the three elements of the general equality duty, namely to eliminate discrimination, advance equality of opportunity and foster good relations, throughout all stages and elements of the preparation of the document, as well as the content of the Plan itself.

¹ <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

² In the case of marriage and civil partnership, only the first aim of the duty applies in relation to employment.

- 1.4 Compliance with the equality duty in this instance, can involve removing or minimising disadvantages suffered by people due to their protected characteristics, as well as taking steps to meet the needs of people with certain protected characteristics, when these are different from the needs of other people.
- 1.5 In line with the Public Sector Equality Duty, identification of positive or negative impacts upon the nine Protected Characteristics is appended to this EIA as Appendix A, using the Dover District Council's template.

Dover District Council Equality Objectives 2022 - 2026

- 1.6 The Council has adopted the following Equality Objectives for the period 2022 – 2026. Those are relevant to the Local Plan are highlighted in **bold**.

<p>1. To provide opportunities to improve life chances, health, and wellbeing. Measured By:</p> <ul style="list-style-type: none"> ▪ Promotion of good health, physical activity and mental health messages and services across all settings. ▪ Work with partners to ensure there are effective pathways into education, training, and employment (including apprenticeships) to enable young people to fulfil their ambitions. ▪ Work with partner agencies such as Police, health, specialist providers and others to promote awareness around domestic, sexual abuse, child sexual exploitation & offer support through those networks where appropriate. ▪ Continued work within the Community Safety Partnership ensuring the district is a safe place to live, work and visit.
<p>2. To continue to meet the needs of our service users by improving the knowledge and understanding of our customers and communities. Measured By:</p> <ul style="list-style-type: none"> ▪ Publish and actively promote the process for comments, compliments, and complaints. ▪ Ensure services and information is accessible for those with protected characteristics. ▪ Maintain a central database of local community groups.
<p>3. To improve opportunities to build inclusivity into the Council's internal policies and procedures. Measured By:</p> <ul style="list-style-type: none"> ▪ Staff, Members and Council contractors are aware of, and actively uphold, the Equality Duty and responsibilities. ▪ Consideration given to Equality as part of the Council's formal decision-making process. ▪ Appropriate training and resources for staff and Members. ▪ Promote and foster an inclusive working environment for the workforce.

2. Dover District Local Plan Adoption Version: Content

- 2.1 The Adoption version Dover District Local Plan sets out a bold new vision for Dover District in 2040. This vision has 17 supporting strategic objectives based on analysis of the local population, including age structure, health and socio-economic characteristics, in addition to the housing, economic, environmental, transport and infrastructure issues facing the district. Fifteen Strategic Policies are proposed to guide the future development, which alongside detailed Site Allocations and Development Management Policies, will shape all development that comes forward over the plan period, which runs to 2040.
- 2.2 The vision, strategic objectives and policies priorities have been designed with due regard for the need to provide for the needs and interests of all residents of the district.

Spectacular and Sustainable Environment

- 2.3 Protecting and enhancing the spectacular environment of this district, including taking account of the threats posed by the climate change emergency, lies at the heart of the Local Plan. Six strategic objectives form the basis of the approach taken in the document
- To respond to the challenges of the climate emergency, ensuring that all new development is designed to adapt to, and mitigate against, the effects of climate change, including by reducing carbon emissions, increasing energy efficiency, and through the integration of design and construction features that enable resilience to the harmful effects of climate change.
 - To manage flood risk sustainably in a way that ensures the safety of residents and property and take opportunities to reduce flood risk where possible.
 - To conserve or enhance the designated and undesignated heritage assets of the District in a manner appropriate to their significance, recognising their intrinsic value as a finite resource as well as their contribution to the character of the District and the positive role they can play in the regeneration of the District.
 - To conserve and enhance the District's biodiversity and green infrastructure, including international, national and locally protected landscapes and coastlines, all designated wildlife sites, priority habitats and species and to enhance ecological connectivity between them, to create a coherent ecological network and delivering a net gain in biodiversity.
 - To conserve and enhance the District's important natural landscapes and water environments, to ensure these assets can continue to be experienced

and valued by residents and visitors and are protected from inappropriate development.

- To ensure the District's natural resources are used prudently, waste is minimised, and environmental pollution is reduced or avoided.

- 2.4 Strategic Policies SP1, SP13 and SP14 and development management policies CC1 – CC8, and NE1 – NE6 seek to deliver these strategic objectives.
- 2.5 The opening chapter of the Plan focuses on planning for climate change, a priority which underpins the plan as a whole. Policies CC1 – CC8 set out how all development coming forward over the lifetime of the Plan will be required to adapt to and mitigate against the effects of climate change, including through reducing carbon emissions, incorporating renewable energy measures and infrastructure, managing flood risk, and by encouraging water efficiency.
- 2.6 Strategic Policies SP13 and SP14 protect the natural environment of the district for residents and visitors, focusing in particular on the hierarchy sites of national and international importance for wildlife (also protected by Policy NE3), valued landscapes including the Kent Downs National Landscape (formerly) AONB (Policy NE2), green infrastructure, air quality (Policy NE4) and water supply and quality (Policies NE5 and NE6). Policy NE1 requires the delivery of a Biodiversity Net Gain of at least 10% in all developments coming forward over the plan period.
- 2.7 Strategic Policy SP15 protects Dover's heritage assets, with Policies HE1 – HE4, site specific allocations and the two heritage regeneration opportunity sites (HRS1 and HRS2), where relevant, a support for the various categories and components of the rich and wide-ranging historic landscape of the district.
- 2.8 These policies seek to further all three aims of the Public Sector Equality Duty by working to ensure that the district is resilient to the effects of climate change over the Plan period and conserving and enhancing the accessible and high-quality countryside and heritage areas of the district for all groups to enjoy.

Prosperous Economy

- 2.9 The Plan has three strategic objectives to deliver a prosperous economy over the Plan period:
- To grow and diversify the Dover District economy by making it an attractive and competitive place to start, grow and invest in a broad range of businesses, attracting more and better jobs and attracting and retaining working age people.
 - To support opportunities to strengthen the role of Dover, Deal and Sandwich town centres through their diversification, enhancement and improvements to the public realm.

- To provide a range of high-quality tourism and visitor facilities, accommodation and infrastructure, which facilitate the growth of the tourism and visitor economy sector and encourage more visits and longer stays.
- 2.10 Strategic Policies SP6, SP7, SP8, SP9 and SP10 seek to create and protect employment opportunities and strengthen the role of the three town centres of the district. Development Management Policies E1 – E4 and R1 – R4 protect existing employment sites, enable home and remote working, improve tourist and visitor accommodation and facilities and maintain the vitality and viability of Dover, Deal and Sandwich town centres in order that they can survive and fulfil the needs of all residents, including those who need shopping facilities within walking distance.
- 2.11 These policies seek to further the aims of the Public Sector Equality Duty by seeking to provide employment opportunities for all those living in the district. Existing successful employment sites are protected from alternative development ensuring that these facilities are not lost to higher value uses, while home working policies support remote working which can particularly benefit people with physical disabilities who may not otherwise be able to access employment. Ensuring vibrant successful town centres benefits whole communities as vital services can be accessed within the district and locally, reducing the need to travel. This is beneficial for everybody but particularly for those without the means or ability to travel.

Vibrant Communities

- 2.12 The Draft Plan has four strategic objectives to deliver vibrant communities over the plan period.
- To provide greater choice of high-quality housing to meet the needs of Dover District's growing population and changing demographic, and address affordability issues.
 - To focus new development at accessible and sustainable locations which can utilise existing infrastructure, facilities and services, and to ensure development contributes to the sustainability of local communities and services, supporting regeneration and wherever possible make the best use of brownfield land.
 - To ensure that new buildings and spaces are of the highest design quality, to create attractive, inclusive, healthy places which promote local distinctiveness and a sense of place.
 - To provide new and improved community infrastructure and assets, including open space and sports facilities to meet the needs of the District's communities.
- 2.13 Strategic Policies SP2, SP3, SP4, SP5, and SP11 as well as the Site Allocations Policies and Development Management Policies H1 – H7 seek to address the housing need of all groups, including the young, the elderly and gypsies and

travellers, by providing the right types of accommodation which meets the objectively assessed housing needs of the district.

- 2.14 Policies H3 and H4 support meeting the needs of the gypsy and traveller community in the district. Policy H1 responds to the housing needs of various community groups and the emerging population trends and demographics that been assessed through the latest Strategic Housing Market Assessment for the district, while Policy SP5 requires the delivery of adequate provision of affordable housing units across new developments in the district for those who may be unfairly disadvantaged and unable to find housing accommodation when demand exceeds supply. Policy H2 supports exception sites for housing in rural areas that addresses rural 'concealed households' and the local needs of young people and those working in agriculture who are unable to afford housing in the villages of the district. Other housing policies support specific community housing needs, including those wishing to self-build, and support for the living needs of mobile older persons thereby reducing the premature need to enter into care facilities.
- 2.15 With regard to the objective of delivering new building and spaces of highest design quality, Strategic Policy SP1 sets criteria for high quality and inclusive design of both buildings and related open spaces, ensuring safe and accessible access for all. Development Management Policy PM1 requires all development to respond to a series of design principles through an integrated process to achieve a high quality of design. These principles include the need for development to be inclusive in its design for all users and easy to understand and navigate for all groups in society, with public spaces that support a wide variety of activities and encourage social interaction, to promote health, well-being, social and civic inclusion.
- 2.16 In order to meet the changing needs of an increasingly aging population in this district and to meet the needs of wheelchair user residents, Policy PM2 of the Draft Plan requires developers to consider the future needs of households when designing residential units. It requires, as a minimum, all new development to be designed to building regulation optional requirement M4 (2) accessible and adaptable dwellings. In respect of the Building Regulation optional requirement M4 (3) wheelchair user dwellings, in accordance with national guidance this can only be required on units where the local authority has nomination rights, i.e. within the affordable rented element of a development. The Plan requires this to be delivered on sites of 20 dwellings or more, where the Council will require 5% of the total dwellings to meet this standard. The plan seeks to improve the living conditions of residents by applying the national space standards ensuring appropriate liveable space and safe and accessible developments.
- 2.17 Through its housing and design policies, the Draft Plan seek to further all three aims of the Public Sector Equality Duty. In assessing overall need specific consideration has been given to the housing requirements of particular groups within the community which include individuals/groups with protected characteristics, including older people, younger people, people suffering long term illness/disability, and gypsies and travellers. By allocating sites for housing

development the council is helping to ensure that residents, including those in younger age groups, have access to housing and are not unfairly disadvantaged due to inability to afford or lack of supply. By requiring/facilitating provision of specific types of homes including some which the market might not otherwise choose to deliver and by ensuring that there is an adequate dwelling mix and housing supply the Council is ensuring that the housing market is accessible for all protected groups. In requiring 30% affordable housing on all major developments outside of the Dover urban area, the Council is seeking to mitigate financial disadvantage for people with socioeconomic difficulties.

- 2.18 Finally, Strategic Policies SP11 and SP12 and Development Management Policy T15 work to ensure that the right infrastructure, is provided in the right place, at the right time, across the district to support the scale of growth identified in the Plan. To this end the Draft Plan provides for the needs of all those living and working in the District, in relation to access to education, services and facilities and commits the Council to working with our partners to address existing deficiencies in infrastructure provision, in order to ensure the broad range of needs of the growing population are met including the requirements of the digital economy for superfast broadband connections and good coverage across the District.
- 2.19 The Plan also addresses the need, through development management policies PM3 – PM6, to protect and improve the provision of good quality sports and community facilities and a better network of public open space, to increase participation in sports and physical activity, particularly among children and young people, in order to tackle obesity and improve health and well-being, and to increase accessibility, ensuring public open spaces are adaptable and capable of accommodating multiple uses. Further, the Plan recognises that valued open spaces and community facilities within the District need to be retained and protected for the health and well-being of all residents.
- 2.20 These policies seek to further all three aims of the Public Sector Equality Duty by ensuring that areas of open space, community and recreational opportunities are provided which are accessible to all, to help improve people’s quality of life and sense of well-being and by helping to create a healthier environment for all residents of Dover district.

Thriving Places

- 2.21 Finally, there are four strategic objectives of the Plan which deliver issues which cut across eight themed chapters:
- To support improvements in the health and wellbeing of residents, improve quality of life for all and reduce health inequalities through high quality place making, including the provision of high-quality green infrastructure and access to attractive areas of public open spaces in the built-up areas of the District.

- To improve connectivity and movement through significantly enhancing the provision of walking and cycling routes and other sustainable modes of transport, as well as delivering improvements to the local and strategic road network.
 - To ensure infrastructure is delivered, in a timely manner, to support the needs of new and existing communities in the district.
 - To work with the Council's partners to ensure that the social, environmental and economic impacts of new developments are mitigated, and that the benefits of new development are captured, to protect the people and places of the District.
- 2.22 Strategic Policy SP11 provides a policy framework for healthy and inclusive communities by ensuring new community infrastructure, including schools and medical facilities, is provided alongside new development in addition to PM6 which requires the protection and enhancement of community facilities and services. Strategic Policy SP12 and development management policies T11 – T14 address transport infrastructure for new development with the aim of improving accessibility particularly by sustainable means of transport, supporting safe, efficient and environmentally suitable use of the highway network and working to ensure that a suitable level of car parking is provided in new developments.
- 2.23 These policies seek to further all three aims of the public sector equality duty and are responsive to issues including people with limited mobility, energy and awareness, people unable to access/afford travel by private car, in addition to addressing the needs of some protected groups (including age and disability) which may be reliant on the use of private cars. The duty is followed by policies which require that every-day travel by various modes of transport is accessible to all, with specific regard to the protected groups, and create opportunities to access services and job opportunities.

3. Dover District Local Plan Preparation and Consultation

Dover District Local Plan

- 3.1 This Local Plan will replace the existing Core Strategy (2010) and Land Allocations Local Plan Local Plan (2015) and saved policies from the 2002 Local Plan.
- 3.2 A Local Plan sets out a vision and a framework for the future development of the area. It addresses the needs and opportunities for housing, the local economy, community facilities and infrastructure, as well as establishing the basis for conserving and enhancing the natural and historic environment of the district, mitigating and adapting to climate change, and achieving well designed places. The Local Plan is at the heart of the planning system and provides the framework for all planning decisions to be judged against.

What have we done so far?

- 3.3 Producing and consulting on the Local Plan provided an opportunity for local residents, parish councils, businesses, community, amenity and interest groups, as well as statutory consultees (collectively referred to as local stakeholders), to
- shape the future development of Dover District,
 - input into the Plan preparation, and
 - to identify any key issues that they feel need to be addressed.

Local Plan Regulation 18 Consultation

- 3.4 A full programme of public and other stakeholder consultation was undertaken at the Regulation 18 Plan stage. Community and stakeholder engagement continued to be encouraged through a range of methods, in order that the final version of the Plan, submitted to Government for examination in Spring 2023, reflected the opinions and interests of as many stakeholders as possible.
- 3.5 We carried out a series of stakeholder workshops which have helped to inform the key issues that the Plan needed to address. Targeted stakeholder consultation was also undertaken on specific issues to inform the Draft Plan for consultation. In addition, we liaised with our neighbouring authorities and statutory agencies under the duty to co-operate requirement in order to arrive at agreed statements of common ground in relation to cross-border issues. Details of such consultations are set out in the Consultation Strategy that accompanies the Regulation 19 Local Plan Submission document.

Local Plan Regulation 19 Submission Consultation October – December 2022

- 3.6 The Dover District Local Plan (Reg 19 Submission) was published for a seven week period of consultation running from 21st October – 9th December 2022.
- 3.7 An extensive consultation list was prepared in order to ensure that all residents and a broad spectrum of bodies, including community groups, religious organisations, voluntary bodies, schools and businesses within the Dover district were aware of the consultation exercise and able to make their views known on its contents and proposals. Representations were sought from all those living, and with an interest, in the district, in line with the Public Sector Equality Duty.
- 3.8 Following the end of the consultation period, officers reviewed and responded to all representations received. Responses were publicly available. All representations and the Council's responses were submitted to the government alongside the Plan and its supporting evidence base.
- 3.9 The Regulation 19 consultation was consistent with both the approach set out in the Council's adopted Statement of Community Involvement (SCI) (2019) and the

Public Sector Equality Duty. The SCI states that the Council will publish consultation documents on-line and that the preferred route for comments is via the website, as this helps make the process of analysing and responding to representations as efficient as possible. The SCI states the Council will consider using one or more of the following methods:

- Correspondence through letters or email
- Workshops or focus groups
- Presentations at community events
- Joint consultations
- Drop-in events, displays or exhibitions
- Meetings (one to one or group)
- Make plans available on our website and at public inspection points
- Targeted measures for hard-to-reach groups.

3.10 Consultation was undertaken using both face to face and online resources, in order to comply with any social distancing rules that were in force and to ensure the safety of council staff and members of the public. The Council ensured that there were opportunities for engagement via other formats, in particular for people without easy internet access.

Consultation methodology

3.11 Consultation documents were made available on the Council's website, which was the main access point for the consultation. A public notice was printed in the local newspaper and letters/emails were sent informing consultees of consultation dates and how to view and respond to documents.

3.12 A press release was issued advertising the consultation which was also publicised throughout the consultation period on the Council's Facebook page and via Twitter. A dedicated phone number was set up principally for residents without internet access to be able to ask any questions relating to the consultation. Representations on the Draft Plan, which could only be made through written representation, were accepted via the online consultation page, or in exceptional circumstances, by email or letter.

3.13 Posters advertising the consultation, webpage and phone number were sent to all parish councils to be displayed on their noticeboards and placed at other key locations within the district.

3.14 A series of events were held for members of the public, where officers provided a presentation and questions could be answered.

3.15 The proposed components and methodology of the Regulation 19 Local Plan consultation exercise were accessible to all stakeholders. Specific efforts were made to ensure that those without access to online material were made aware of the consultation exercise and could participate in it. The range of consultation methods provided equality of opportunity, including persons who share a relevant

protected characteristic and persons who do not share it, and work to eliminate discrimination, advance equality of opportunity and foster good relations with the residents of the district and users of the planning service of the Council.

- 3.16 In this way, the consultation exercise and its methodology, as outlined above, were compliant with the Public Sector Equality Duty and work to deliver, Objective 2 and Objective 3 of the District Council's Equality Objectives 2022-2026.

4. Dover District Local Plan Regulation 19 Submission: Examination, Main Modifications and Adoption

Local Plan Regulation 19 Submission - Examination

- 3.17 Following the end of the consultation all representations received were considered and reviewed. Responses to these representations together with the representations themselves, alongside the Regulation 19 Local Plan and its evidence base were submitted to the Secretary of State for Levelling Up, Housing and Communities for independent examination in March 2023. The Examination hearings took place between November and December 2023. All parties have a legal right to appear before and be heard by an inspector at a hearing if they made a comment on the final draft of the plan (Regulation 19) that the LPA submitted for examination, and their comment asked for a change to be made to the Plan.
- 3.18 The Inspectors in charge of the Examination took into account written comments on the Plan and invited people to appear at the Examination to speak in support of, or against, the Plan. The Inspectors considered whether the Development Plan Document had complied with the requirements of the SCI. We complied with all the relevant planning regulations for the submission and examination of the Plan and, in accordance with the SCI, ensured that all the relevant submission documents were available for inspection on our website and at the Council's office and other inspection points. We appointed a Programme Officer to assist the Inspector with the examination who published full details of the Examination of the Plan on the website. We notified all those specific, general consultation bodies, and other bodies who have previously been invited to make representations on the plan, about the submission of the plan to the Secretary of State. We also notified anyone else who requested to be notified of the submission of the Plan to the Secretary of State. The Programme Officer notified all those who commented on the plan at proposed submission stage with details of the examination. Consultees were informed by email or letter, and we published a press release and provided information on the Council's website.
- 3.19 The hearings held by the Inspectors took place in the Council Chamber at the District Offices, and anyone interested in following the progress of the Plan or specific parts was able to observe from the public gallery or via a live video link.

Copies of the videos were held on the website so that the hearing sessions could be reviewed at the convenience of interested parties.

Local Plan Main Modifications Consultation

- 3.20 Consultation on proposed changes (Main Modifications and Policies Map Modifications) to the Regulation 19 Submission Document, recommended by the Inspectors as being needed to make the plan 'sound', was conducted between 11th April 2024 and 24th May 2024. The changes were proposed to address the Inspectors' Initial Findings (ED45) and changes agreed during the hearing sessions themselves, including some of those proposed in the Council's hearing statements and Statements of Common Ground. All background documents were available on the Council's website. A full schedule of modifications and the reasons for them could be viewed in full on the Council's consultation portal where representations (comments) could be made.
- 3.21 There were two supporting evidence base documents also open for consultation alongside the Main Modifications – the Sustainability Appraisal for Main Modifications (ED52) and Habitats Regulation Assessment 2024 (ED53), in addition to a Schedule of Policies Map Modifications arising from Main Modifications (ED51). Following the close of the consultation, the Council forwarded all representations, together with the Council's responses, to the Planning Inspectors for their consideration.

Local Plan Adoption

- 3.22 The Inspectors have now considered the Main Modification consultation responses, including the evidence presented throughout the Examination, they determined that the Local Plan was 'sound' with Main Modifications and produced a written report outlining their final recommendations. In accordance with the SCI, the Council will publish the Inspectors' report and notify the relevant consultees.
- 3.23 Upon adoption of the Local Plan, the plan and supporting relevant evidence, a sustainability appraisal report, relevant information and the adoption statement available for inspection at the Council's main offices, other inspection points and on the website. The Adoption statement will also be sent to the Secretary of State and any person who asked to be notified.

Conclusion

- 3.24 In line with the Public Sector Equality Duty, identification of positive or negative impacts upon the nine Protected Characteristics from adoption of the Local Plan 2040 and the policies contained within is appended to this EIA as Appendix A, using the Dover District Council's template.

3.25 The Local Plan production and consultation processes, Examination, main modifications consultation exercise and its methodology and the planned Local Plan adoption process, and as outlined above, are compliant with the Public Sector Equality Duty and contribute to delivery of the District Council's Equality Objectives 2022 – 2026.

APPENDIX A

If you have decided that this decision is relevant to the three aims of the Equality Duty, use the section below to show how it is relevant and what the impact will be.			
Protected Characteristic	Relevance High/Medium/ Low	Impact of the decision Positive / Negative	Details
Age	Medium	Positive	Including, the requirement for a mix of house types, including specifically those for older people, on sites of more than 10 dwellings (Policy H1), support for residential annexes to allow for multi-generational living (Policy H6) and requirements for additional school provision (Policy SP11 and site specific policies)
Disability	Medium	Positive	Including, the requirement for mix of house types, including specifically for those with disabilities, on sites of more than 10 dwellings (Policy H1), support for residential annexes to allow for supported living (Policy H6) and accessible and adaptable homes on all sites except on sites of 20 or more where 5% of the development will be wheelchair user homes (Policy PM2).
Gender reassignment	Low	Neutral	
Gender	Low	Neutral	
Marriage and Civil Partnership	Low	Neutral	
Pregnancy and Maternity	Low	Neutral	
Race	Low	Positive	Provision of additional gypsy and traveller accommodation (Policies H3 and H4)
Religion, Belief or Lack of Belief	Low	Neutral	
Sexual Orientation	Low	Neutral	

If you have found negative impact, outline the measures you intend to take to mitigate it.	Not applicable	Not applicable
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*DDC Equality Impact Assessment tables
attached to allow the final decision makers to have Due Regard.*