

Title of proposed EIA	Adoption of the 'Development Management in Birmingham' DPD (DMB)
Reference No	EQUA747
EA is in support of	New Policy
Review Frequency	Two Years
Date of first review	01/11/2023
Directorate	Inclusive Growth
Division	Planning and Regeneration
Service Area	Planning Policy
Responsible Officer(s)	<input type="checkbox"/> Martin Dando
Quality Control Officer(s)	<input type="checkbox"/> Richard Woodland
Accountable Officer(s)	<input type="checkbox"/> Uyen-Phan Han
Purpose of proposal	Sets out non-strategic planning policies for the determination of planning applications
Data sources	Consultation Results; relevant reports/strategies; relevant research

Please include any other sources of data

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

Protected characteristic: Age

Age details:

Wider Community

In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on people of all ages. The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008 and updated in 2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting citizens of all ages to ensure needs are met and adverse impacts on any particular age group are minimised or eliminated.

Some policies in particular will have a positive impact age characteristics as follows:

The Air Quality policy (DM1) will particularly benefit children, young people and the elderly who are more vulnerable to air pollution by ensuring that developments for sensitive uses such as schools and residences should be located away from major sources/areas of air pollution. If not, such developments must be designed and sited to reduce exposure to air pollutants by incorporating mitigation measures. Responses to the consultation in relation to this policy were, in general, supportive particularly in relation to school development. No issues were raised by any specific groups representing particular age groups or characteristics. Minor issues were raised by the Planning Inspectorate during the examination of the DMB in relation to this Policy but did not effect its beneficial effects..

The Standards for Residential Development policy (DM10) will help to support the ageing population and the specific needs of people with mobility problems by requiring housing of 15 or more dwellings to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable. Building accessible housing can make a substantial difference to quality of life and ensure that future need is delivered throughout the lifetime of the Plan.

DM10 also seeks to adopt the minimum Nationally Described Space Standards for all residential development to ensure high quality residential environments and internal space to protect the health and well-being of residents of existing and new dwellings. The quality of new housing in the city (including implementation of the internal space and access standards) has a role to play in addressing health and wellbeing. Wide support was received for this policy approach during the consultation subject to evidence and

viability. However, no specific groups representing particular age groups or characteristics provided any direct comments. Following examination, the Planning Inspectorate recommended some changes to the Policy but these did not change the thrust of the policy and its benefits for people of all ages.

The policy on Day nurseries and childcare provision (DM9) will help to ensure that the development of such facilities is well located and provides suitable and sufficient indoor and outdoor space play space to meet the needs of children. Again, the policy is generally welcomed but no specific issues were raised from particular groups. Minor changes were made following examination by the Planning Inspectorate but did not effect the thrust of the Policy.

Protected characteristic: Disability

Disability details:

Wider Community

The document is part of a suite of local plan documents which seek to plan for the development needs of all including the needs of people with disabilities. Detailed technical design matters and needs are addressed in specific dedicated documents e.g. Access for People with Disabilities SPD and the Birmingham Design Guide SPD.

In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on people with disabilities.

The Parking and Servicing policy (DM15) sets parking standards for the city which will be included in the Parking SPD (to be adopted in November 2021). This will benefit people with disabilities by setting out clear standards for disabled parking provision so that all new developments include adequate parking for people with disabilities.

The Standards for Residential

Development policy (DM10) will help to support the ageing population and the specific needs of people with mobility problems by requiring housing of 15 or more dwellings to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable. Building accessible housing for all can make a substantial difference to quality of life and ensure that future need is delivered throughout the lifetime of the Plan.

DM10 also seeks to adopt the minimum Nationally Described Space Standards for all residential development to ensure achieve high quality residential environments and internal space to protect the health and well-being of residents of existing and new dwellings. The quality of new housing in the city (including implementation of the internal space and access standards) has a role to play in addressing health and wellbeing and ensuring the adequate supply of suitable homes to meet the requirements of people with disabilities.

The policy on residential conversions and specialist accommodation (DM12) (which can include supported accommodation for older people and people with mental health, learning disabilities, dementia, physical and sensory impairment) promotes the development of high quality residential accommodation and facilities, including provision for safety and security, is suitable for the intended occupiers.

Although groups representing people with disabilities were consulted during the preparation of the DMB, no specific comments were received from such groups. General comments were received in support of the policy approach and no significant alterations have been made to any of the policies following consultation.

Following examination, the Planning Inspectorate recommended modifications to all of the above policies. However, these changes were mainly for issues of clarity and did not affect the thrust of the policies and their beneficial impact on people with disabilities.

Protected characteristic: Sex

Wider Community

Gender details:

The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008 and updated in 2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on all people and no adverse comments have been received in relation to gender during consultation on the DMB. Following examination, the Planning Inspectorate recommended modifications to some of the policies. However, none of these changes are deemed to have a material impact on the implementation of any policy in relation to gender.

Protected characteristics: Gender Reassignment

Not Applicable

Gender reassignment details:

Protected characteristics: Marriage and Civil Partnership

Not Applicable

Marriage and civil partnership details:

Protected characteristics: Pregnancy and Maternity

Wider Community

Pregnancy and maternity details:

The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008 and updated in 2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

The policy on Day nurseries and childcare provision (DM9) is relevant to this characteristic as it will help to ensure that the development of such facilities is well located and provides suitable and sufficient indoor and outdoor space play space to meet the needs of children. General support has been received for this policy during the consultation but nothing specific was raised from groups representing this protected characteristic in particular. Modifications to this policy were recommended by the Planning Inspectorate following examination. However, none of these changes are deemed to have a material impact on the implementation of the policy in relation to pregnancy and maternity.

Protected characteristics: Race**Race details:****Wider Community**

The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008 and updated in 2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

A consultation statement has been developed in parallel to the DMB document to set out how the public consultation has been carried out. A database of consultees for planning documents ensures that a wide range of groups, organisations and individuals are consulted representing all communities and all protected characteristics. No issues have been raised by specific groups during consultation in relation to this particular protected characteristic. Modifications were made to the policies as recommended by the Planning Inspectorate following examination. However, none of the changes are deemed to have a material impact on the implementation of any of the policies as well as in relation to race.

Protected characteristics: Religion or Beliefs

Religion or beliefs details:

Wider Community

The DMB document contains a policy (DM8) on 'Places of worship and other faith-related community facilities' to make provision and provide positive policies for the location of such places and may have some impact on this particular protected characteristic. The preferred location of such uses is within the network of urban centres identified in the Birmingham Development Plan but can also be acceptable where the specific policy criteria are met.

The consultation process included specific religious and belief groups. However, although comments were made by individuals and other organisations, there were no comments received from specific religious or faith groups. The comments received were generally supportive but the Policy has been simplified to provide sufficient flexibility for locations outside of the network of centres to be considered where they are well located to the population the premises is to serve or is

well served by means of walking, cycling and public transport. Following examination, the Planning Inspectorate recommended modifications to Policy DM8. However, these changes were mainly for issues of clarity and did not affect the thrust of the policy and its beneficial impacts in this respect.

Protected characteristics: Sexual Orientation

Sexual orientation details:

Wider Community

In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city to have a positive impact on all protected characteristics. The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008 and updated in 2019). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

A consultation statement has been developed in parallel to the DMB document to set out how the public consultation has been carried out, meeting the requirements of relevant guidance and best practice including the principles set out in the Statement of Community Involvement (2008 and updated in 2019). A database of consultees for planning documents ensures that a wide range of groups, organisations and individuals are consulted to ensure needs of particular communities are met and adverse impacts on any particular groups such as the LGBTQ community are removed. No issues have been raised by specific groups during consultation in relation to sexual orientation. Modifications were made to the policies as recommended by the

Planning Inspectorate following examination. However, none of the changes are deemed to have a material impact on the implementation of any of the policies as well as in relation to sexual orientation.

Socio-economic impacts

Please indicate any actions arising from completing this screening exercise.

This analysis has been updated following examination into the DMB by the Planning Inspectorate which took account of consultation responses to recommend a series of modifications which were themselves subject to consultation earlier in 2021. Whilst the modifications helped to improve the clarity and detail of some of the policies, none of the changes had a direct impact on the thrust of any of the policies or have a material impact on their implementation or effect on individuals with protected characteristics as set out above.

Please indicate whether a full impact assessment is recommended

NO

What data has been collected to facilitate the assessment of this policy/proposal?

The DMB is backed by an extensive evidence base to justify each proposed policy within the document. It has also been informed by national and local planning policies, guidance and evidence produced by the Government, the Council and its partners. It has also drawn upon the evidence base which informed the development of the Birmingham Development Plan. Evidence reports have also been specifically prepared for this DMB which form the background to the policy formation process. The evidence base supporting the DMB can be found on the DMB page of the Council's website at www.birmingham.gov.uk/DMB

Consultation analysis

This analysis has been updated following examination into the DMB by the Planning Inspectorate which took account of

consultation responses to recommend a series of modifications which were themselves subject to consultation earlier in 2021. Whilst the modifications helped to improve the clarity and detail of some of the policies, none of the changes had a direct impact on the thrust of any of the policies or have a material impact on their implementation or effect on individuals with protected characteristics as set out above.

Adverse impact on any people with protected characteristics.

The proposed policies are not predicted to have an adverse impact on any people with protected characteristics. Indeed, all the policies are expected to have a positive impact on the community by ensuring that development is guided to the right location, is of a high standard, enhances quality of life and protects the environment. This assumption was tested at the examination by the Planning Inspectorate and, although modifications were recommended as a result, none of these changes had a direct impact on the thrust of any of the policies or have a material impact on their implementation or effect on individuals with protected characteristics.

Could the policy/proposal be modified to reduce or eliminate any adverse impact? The DMB has been modified already (through several consultation stages) to take into account some issues which may have had an adverse impact in terms of Equality. Examples of this include making Policy DM8 on Places of worship and other faith related community facilities more flexible to be able to adapt to the diverse needs of different faith communities. A further example relates to Policy DM9 on Day nurseries and early years provision where the policy was changed to include explicit need for sufficient outdoor play space for improved quality of life for children within such nursery facilities. Whilst some modifications were recommended by the Planning Inspectorate following examination and subsequently made, none of the changes had a direct impact on the thrust of any of

the policies to have any direct effect on individuals with protected characteristics.

How will the effect(s) of this policy/proposal on equality be monitored?

The DMB contains a monitoring framework to monitor the effectiveness of the policies once adopted. This will be reported through the Authority Monitoring Report (AMR).

What data is required in the future?

Are there any adverse impacts on any particular group(s)

No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

Analysis of consultation responses as well as modifications recommended by the Planning Inspectorate following examination, has enabled further scrutiny of the Document and its policies to ensure compliance with the Equality Act and minimise any potential impacts on the protected characteristics.

The policies in the DMB are not predicted to have an adverse impact on any people with protected characteristics. Indeed, all the policies are expected to have a positive impact on the community by ensuring that development is guided to the right location, is of a high standard, enhances quality of life and protects the environment. This assumption will be tested throughout the final stages of the plan-making process.

QUALITY CONTROL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

No

Decision by Accountable Officer	Approve
Date approved / rejected by the Accountable Officer	01/10/2021
Reasons for approval or rejection	The policies in the DMB are not predicted to have an adverse impact on any people with protected characteristics. The DMB policies are expected to have a positive impact on the community as described in the assessment.