

# Design West – North Somerset Design Review Panel

## Terms of Reference

20.01.20

### Introduction

1. The North Somerset Design Review Panel was established in November 2019 by formal agreement between North Somerset Council and Design West for the provision of a quarterly design review service.
2. It has been set up to provide independent impartial design advice by a panel of built and natural environment specialists to inform developers and their design teams on sustainability, design principles and placemaking with the overall aim of improving design quality across the local authority area. The panel function fulfils the requirements of paragraph 129 of the NPPF (2019) and accords with the emerging West of England Placemaking Charter (2020).
3. The panel has an advisory role with no formal decision-making powers. Design review complements the role of the local authority design officer in the provision of pre-application advice to the case officer and design review supplements the recommendations made by the case officer to the Planning and Regulatory Committee or under delegated powers.
4. The panel's comments and recommendations will be provided to the applicant as advice in the form of a report and these form a material consideration to the decision-making process. They will be referred to in case officer reports to the Planning and Regulatory Committee and will be available to view by planning inspectors at planning appeal.

### Criteria for the selection of schemes

5. Schemes suitable for design review will be identified at pre-application stage and the following wording may be used by officers in their pre-application response letters:

*We are working with neighbouring authorities to improve design and placemaking quality across the West of England. To help achieve this aim we recommend applicants of selected schemes attend a design review provided by Design West. This is in line with the current NPPF and Policy DM32 of the adopted Sites and Policies Plan (July 2016). The Planning Service would like this application to be reviewed by the Design Review Panel. For further information please contact Peter Fletcher, North Somerset's design officer [Peter.Fletcher@n-somerset.gov.uk](mailto:Peter.Fletcher@n-somerset.gov.uk) or to book a session please contact Pippa Goldfinger, Design West panel manager [Pippa.Goldfinger@architecturecentre.org.uk](mailto:Pippa.Goldfinger@architecturecentre.org.uk)*

6. The opportunity to present a scheme to the panel will be by invitation only, the client for the review is the council. The panel will provide independent design advice to the council in accordance with the criteria below:
  - Key major or strategic sites, typically 10 residential units and above or non-residential development with a floorspace greater than 1,000 sqm.
  - Smaller sites taking account of their nature, scale and setting and whether there is a significant impact on the purpose for which the site or surrounding area has been designated or defined.
  - Significant public realm schemes that involve creation of new or alterations to existing public spaces and streets such as pedestrianisation schemes or proposals to enhance public squares and civic open spaces.

- Any development proposals or projects being lodged by the council or other development partners or public bodies, where design quality is a particularly relevant matter.
  - Sites that are sensitive where development will have a high public impact.
  - Proposals which affect important views such as those into and out of the Mendip Hills AONB.
7. The decision to recommend a scheme to design review will be facilitated by the council's design officer from discussions with the planning case officer, with a final recommendation to take a scheme to review subject to approval from the Head of Planning, or in his absence the Strategic Development Service Manager. Design review will not be applicable to every application. Best practice recommends taking schemes to review in the pre-application period. Current applications or those submitted without pre-application advice will also be considered.
  8. The following process will be adopted for selecting schemes to take to design review:
    - i. The Head of Planning, the principal urban design officer and planning officers will each week identify whether a pre-application or application falls within the criteria listed above in paragraph 6.
    - ii. The Head of Planning, the principal urban design officer and planning officers will establish whether a design review/ report is required.
    - iii. The Head of Planning will advise the applicant, through the planning officer that the Planning Service would like the application reviewed by the Design Review Panel.
    - iv. If the applicant agrees to participate, the panel will consider the scheme and provide its report within ten working days of the review meeting and the panel's recommendations are considered in the preparation of the planning officer's report.
  9. The cost to the applicant for a review is £2,250 plus VAT for a 1.5 hour design review panel session. A review with a preceding site visit is £3,950 plus VAT for a 1.5 hour panel session forming a half day event. Design West should be contacted to book a session, contact [Pippa.Goldfinger@architecturecentre.org.uk](mailto:Pippa.Goldfinger@architecturecentre.org.uk). Fees are paid direct to Design West. Schemes will only be reviewed after design review costs have been paid. Best practice recommends site visits for all but return schemes.

## **Panel Members**

10. The panel for each review is assembled from a pool of approximately 90 panel members. This pool of experts consists of leading practitioners in the built environment disciplines: architects, landscape architects, urban designers, engineers, transport planners, heritage experts, sustainability experts and developers.
11. Panel members should have a keen interest in the built and natural environment of North Somerset and may practice or live locally.
12. Panel members are required to agree to the Design West - North Somerset Council Terms of Reference.

## **Chair responsibilities**

13. The chair of the panel is Juliet Bidgood who will co-ordinate the panel discussion and lead the response.
14. During the design review session, the chair will make sure the views and observations of the panel members are communicated in a positive and clear way. Difficult or complex

discussions will be mediated by the chair to ensure all panel members are provided with a fair opportunity to present their points of view.

15. At the end of the session, the chair will summarise the key points which will provide a basis for formal feedback.
16. The chair is responsible for authorising the final panel response before its release to the planning officer and applicant.

### **Panel members responsibilities**

17. Panel members and panel chair should ensure they enter the review session with enough background knowledge to enable an informed review session. A panel briefing at the start of the session provides an opportunity for panellists to ask for clarity on any issues with the council's lead officer.
18. Panel members are requested to express their views honestly and clearly in a courteous and concise manner and ensure their contribution is positive and constructive.
19. Panel members should understand the interests of stakeholders and should be aware of the practical and commercial realities of the application under review.
20. Panel members must act in the public interest and declare any conflict of interest that might arise and where appropriate shall not sit on the panel for the meeting in question.
21. Panel members should inform the panel manager if an approach is made by the scheme architects or agents regarding panel discussions outside of the design review session.
22. Panel members will work within their Institute's professional Code of Conduct.

### **Operation of the panel**

23. The panel manager is Pippa Goldfinger who will facilitate management and operation of the panel including management of bookings, document submissions and liaison with panel members and design review applicants.
24. The manager will engage with applicants and council officers to discuss a suitable time in the application process to present a scheme to review and assemble a panel of professionals to assess the scheme and run conflict of interest checks.
25. The manager is responsible for: the selection of panel members for each review session; the regular review of the pool of panel experts to ensure quality and balance of skills; the remuneration of panel members.
26. For a first-time design review, the chair and between three to five panel members selected for their specific professional expertise will attend design review.
27. The same panel members should attend a follow-up review to keep consistency with previous advice. Where the same panel members are not available, any newly appointed member should be made aware of previous review comments. It will be the responsibility of the panel manager to ensure this.
28. No later than ten working days before the review session, the applicant must provide the panel manager and case officer with the first stage of information. This includes:

- v. Title of the project/ development
  - vi. Brief description of the works e.g. *24 dwellings and community building*
  - vii. Contact details: title, name, practice name and address, mobile and email details of the key contact on the design/ development team
  - viii. Synopsis:
    - Location – a full address or geographical location – including the details of availability of access for a site visit
    - Description – a more extensive description of the building or works
    - Status – pre-application, current application, revision to a previous application, not yet in the planning process
    - Main site constraints (listed buildings, conservation areas, AONB, Green Belt, flood risk area, etc)
    - A summary of local consultation with the relevant Town or Parish Council and any views they expressed as a result
  - ix. Drawings: plans, sections and elevations as appropriate
  - x. Design and access statement, in draft or abbreviated as necessary
  - xi. Other relevant material or background information e.g. the history of the application, the environmental impact assessment, contextual analysis, traffic impact assessment, movement and access strategy, council planning policy or any relevant pre-application information including formal responses from statutory consultees.
29. No later than five working days before the review session, the applicant must provide the panel manager and case officer with the second stage of information. This must include:
- i. List of all attendees (name and organisation)
  - ii. Description of any materials that will be brought to the presentation (display boards, models, etc)
  - iii. Confirmation whether a data projector and laptop are required
30. One week in advance of the design review the panel manager will email panel members and the case officer the agenda.
31. Information shared in the design review is confidential and meetings will not be open to the public because of the need to comply with strict confidentiality on pre-application proposals at all times. We may share and discuss your proposal with local councillors, town or parish councils or other statutory consultees.

## **Panel meetings**

32. The design review session will start with a briefing by the council's lead officer to ensure the panel members have an early opportunity to clarify any issues with the panel chair and council officers present. The applicant team will not be present for the initial briefing. Where a site visit is agreed, this will precede the review session.
33. The panel manager is responsible for ensuring the panel members and applicant team are invited and informed of the time and location of the site visit. Members of the public or third-party representatives will not be invited to the site visit. Best practice recommends the following principles to ensure the site visit is effective:
- The lead officer should attend the site visit
  - The panel briefing should be combined with the site visit
  - The design team should be included in the site visit
34. Excluding any site visit, each scheme will have a maximum 1.5 hr design review commencing with the panel briefing, followed by a presentation by the applicant team.

Panel members will follow with a question and answer session to seek clarity on any design points.

35. The formal design review critique will commence as a panel discussion which will be conducted in an open and inclusive forum with the applicant team in attendance to hear the panel's commentary. The chair will conclude the meeting by asking the applicant team to briefly leave the review session while the panel deliberate. The applicant team are invited back for a concluding summary where the panel's views are provided verbally.
36. Throughout the design review, the lead council officer and the panel manager will be present to clarify any issues and take notes.
37. Ward councillors and the chair of the Planning and Regulatory Committee will be invited to attend as observers to design review. Representatives from statutory consultees such as Historic England or Natural England may be invited to attend as observers to review and/or brief the panel members at the beginning of review.
38. All observers will be introduced to the panel members and applicant before the meeting begins. Members of the public will not be invited, and no third-party representations can be made.
39. The panel will remain independent and be seen to be independent. All reports by the design review panel will be made publicly available once a planning application is submitted.
40. A review format will be structured as follows:

Guidelines for approximate time (mins)

-	Welcome and introductions
Max. 10	Panel briefing by lead council officer
(5)	(Historic England or other statutory consultee when attending)
20	Presentation by the applicant design team
10	Questions from panel members
Min. 25	Design Review
15	Panel deliberate
5	Panel feedback to applicant team
(90 max)	

### **Post panel meeting procedure and panel response**

41. The panel chair will draft a response within 7 working days of the design review session. If there is a delay the applicant shall be notified within this period. The content of the letter should be based on the concluding summary by the chair incorporating the panel members views from the review session.
42. Points raised subsequently outside of the design review session will not be included in the response and final comments are to be approved by the panel chair for distribution in the final letter of recommendation.
43. The final letter of recommendation will be sent to the applicant team and circulated to the Head of Planning, the council's lead officer, the council design officer and planning case officer. This will be sent within two weeks of the design review session.

44. The final letter of recommendation remains confidential until the applicant has submitted the planning application. The letter is to be added to the documents on the council's website and will be made public.
45. The final letter of recommendation should be referred to within subsequent reports to the Planning and Regulatory Committee.
46. Panel members will receive the formal letter of recommendation.