

PANEL MEMBER TERMS OF REFERENCE

The aim of the Design South West Review Panel (DSWRP) managed by Creating Excellence Ltd (CE) is to raise the quality of design and place making in the geographical South West of England Region by providing design advice and recommendations that will support the timely delivery of planning proposals. Creating Excellence provides an administrative function.

THE ROLE OF THE PANEL

The role of the DSWRP is to provide independent and professional design, sustainability and place making advice, evaluation and highlight examples of best practice. It is NOT a decision-making body, that lies with the Local Planning Authority (LPA). The DSWRP has an advisory role. A DSWRP Panel report will be provided to the DRP participants as advice. It is DSWRP's expectation that where advice is given at the planning application stage, the comments and recommendations will be noted by the LPA in reports provided as part of the determination process, whether to Committee or by delegated powers. That developers will refer to the DSWRP report in its submission materials.

The DSWRP's recommendations will carry the same weight as other technical assessments and become a material consideration when a planning application is submitted for planning consideration.

The Panel will consider the following themes.

- **Context:** the layout and the design in its surroundings, scale and massing in respect to the topography, landscape and open space and existing streets and buildings.
- **Movement & Access:** particularly in terms of pedestrian, cycle and vehicular access and connections.
- **Beauty & character:** display of unity and harmony from a functional, structural and aesthetic perspective. If appropriate the interior and exterior of the building. Response to its locality and setting.
- **Sustainability:** environmental performance, and whether the sustainability agenda is central to the design approach, and has the design been evolved with this in mind?
- **Detail:** quality and appropriateness of materials, elevations, boundaries and landscape.

Depending on the stages of the design review, the following is a guide as to what drawings and descriptions will be expected.

- **Site description and context** – the topography, surrounding landscape and the setting of the proposal, site constraints and the character of the adjoining built environment.
- **The planning context** – planning history, status of the site, and relevant policies affecting it
- **The client's brief** - objectives, accommodation requirements, constraints, design preferences
- **The design rationale** – the design concept and the thinking behind it, How the site and its context has informed this process should be a central part of the development of the concept (*this analysis should be well illustrated as it will be critical to the Panel's considerations*)
- **The proposal itself** – plans, elevations, sections and perspectives where possible.

DESIGN REVIEW GUIDANCE

Please link on the attached to read the [Guidance Note](#) on the operational delivery of the DSWRP. Also refer to the 2013 [Design Review Principles & Practice](#) publication.

PANEL MEMBERSHIP

The DSWRP has a wide range of design skills, experience and diversity of membership. The Panel includes Architects, Landscape Architects, Urban Designers/Masterplanners, Transport Planners and Engineers, Structural Engineers, Hydrologists, Ecologists and specialists on energy, sustainability, viability, regeneration and heritage.

DSWRP is Chaired by [Peter Clegg](#). Vice Chairs are [Juliet Bidgood](#) and [Prof Alexander Wright](#).

There are c 120 Panel members who were recruited through an open call for applicants. Approximately 40% of those applicants who applied were selected. The selection is managed in consultation with the Panel Chairs. We aim for gender diversity and presently it is 60% male /40% female. Most are listed on our [website](#).

The majority of Panel members live and/or work in the South West. If a specialist is needed, we may draw from the wider national pool of Panel members provided through The Design Network, but this is rare.

CONFLICTS OF INTEREST

Panel members should discuss any possible conflicts of interests in dialogue with the Panel Manager who will check this with the applicant and the LPA. Any agreed non-prejudicial declarations will be made known at the DSWRP meeting and it will be recorded and entered in the final report. If it is of a prejudicial nature, then the Panel member will not take part in the review.

As a guide, a Conflict of Interest may be where a Panel member has an interest in a proposal due to a:

- financial, commercial or work-related interest in a project, its client or the site location.
- a personal relationship with someone promoting the development proposal, the LPA or the site.

Remaining 'Clean of Conflict' is occasionally challenging for Panel members who are working in a commercial setting. A Panel member once they have reviewed a scheme, should not comment on the proposal in a commercial/professional capacity thereafter. If approached, they should discuss this with the Panel Manger to agree if appropriate, that is if their participation in the review of a scheme has finally concluded. It may be reasonable to allow this, but it will forfeit their ability to sit on a further Design Review Panel on that scheme, or schemes being reviewed by that client.

Panel Members may recommend or present to the DSWRP on behalf of their own commercial or community interest. This is reasonable, but they must declare that they are a DSWRP Panel member and outline their role and in what capacity they are acting.

PROFESSIONAL INDEMNITY INSURANCE

Creating Excellence holds Professional Indemnity (PI) Insurance – however, a Panel Member's role is advisory only and will not prejudice the LPA making decisions on any planning application. Panel Members will likely hold their own PI but it is not essential.

CONFIDENTIALITY

DSWRP meetings are only attended by those invited by the CE Panel Manager – that is Panel Members, local authority officers (normally as LPA, but if the authority is the developer then both sides need to be represented) other statutory bodies such as the Highways Authority, Historic England, Environment Agency etc, the applicant (client/developer), their design team such as Architect, Landscape Architect, Engineer, Specialists and their Planning Agents. Attendance must be notified to the Panel Manager in advance, referred to on the DRP agenda and attendees sign an Attendance Record.

DSWRP attendees will receive DR background material from the applicant/developer on the scheme to be reviewed in advance. This will be sent via the Panel Manager and must be kept confidential – even if the review is on a ‘live’ planning application.

A DSWRP Report in letter form is written either by the Creating Excellence Panel Secretary or Panel Manager on behalf of the Panel Chair who has final sign off in consultation with the Panel. The report will not differ from the discussion held at the DRP. A Panel member will not enter into dialogue with any of the DRP participants before or after the DRP – all communication should be through the Panel Manager. This is to ensure that the Chair and Panel are kept clean of any conflict and can remain impartial.

A copy of the report will be provided to all attendees. It will be made clear on the letter its confidential status. Only if factual errors (such as place name spelling) occur will a letter be amended, and it will be resent to all attendees, making clear what the error was. If the DSWRP is provided at the pre-application stage, then the report is not made public (unless agreed by the developer and LPA in consultation). If the DSWRP is provided when the application is submitted for planning, then the report becomes a public document and can be published on the planning portal. The developer is encouraged to refer to the DSWRP recommendations and any previous letters in the Design & Access Statement submitted with the planning application. This tells the story of the scheme’s design evolution and will help justify the approach taken. The previous background ‘working drawings’ will not be released, just the DRP letter.

The DEVELOPMENT PLAN

DSWRP will adhere to the [NPPE](#) and the plan-led system but will also feel free to challenge and give scrutiny as they see fit. The recent [National Design Guide](#) is also an important reference.

LPA's will provide a policy overview at the DSWRP from the adopted or emerging Local Plan, other policies, SPDs etc. It is not necessary for the LPA to present their final formal views on a scheme (as it may be influenced by the DRP). The LPA Case Officer will outline the policy context and refer to aspects where they may have concerns, where they support the scheme and if there are matters they would particularly wish the Panel to address.

The LPA Case Officer may wish to invite other Officers i.e. Conservation, Major Projects, Landscape, Urban Design colleagues if necessary (and Highways where the authority is unitary). The Case Officer is encouraged to attend the site visit.

If an Elected Ward Member or Community Representative wishes to attend, their participation is agreed through the Panel Manager with the applicant, LPA and Panel Chair, and it should be made clear that they are Observers to the process. Councillors or community representatives will be permitted to ask questions and may be asked for their local knowledge however; they will not otherwise contribute to the Panel discussion.

If there is a made Neighbourhood Development Plan or one that has gone through referendum, the LPA should make this clear and it may be suitable to invite a representative to the DSWRP.

SITE VISITS

Site visits are normally undertaken at least once for each scheme. Subsequent reviews for later iterations of the same scheme will not usually require another site visit. The decision as to whether or not a site visit is necessary should be taken by the Panel Manager in consultation with the Chair. 'Remote DRPs' by video conferencing will be managed differently as an interim measure.

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