

## WILTSHIRE COUNCIL

### CABINET

23 February 2010

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### DESIGN REVIEW IN WILTSHIRE

**Cabinet Member:** Councillor John Brady - Economic Development, Planning and Housing

#### Executive Summary

This report seeks the appointment of a Cabinet member to be the Council's 'Design Champion'. The role involves leading on a number of design quality initiatives including chairing the project steering group for the establishment and monitoring of local Design Review Panels (DRPs) within Wiltshire.

CABE's Local Authority Design Champion publication<sup>1</sup> states "*There is a strong interrelationship between the historic environment and the quality of design of new buildings and public spaces*", and that there is "*....scope for the Design Champion to be the same person as the Heritage Champion.*".

The report also informs members about progress towards establishing DRPs in Wiltshire.

Almost 75% of planning districts in the South-West now have local or county-wide (sub-regional) DRPs and CABE have very recently published new extended guidance on how to achieve such panels that are suitably "*independent, expert and timely*" in their design advice.

Various options for operating DRPs in Wiltshire have been assessed. The potentially conflicting pressures of ensuring local knowledge and representation on panels whilst maintaining sufficient levels of national expertise have been considered, together with the experiences and lessons learned from the existing Salisbury Design Forum.

The preferred option is that local "Hub" based DRPs should initially be set up. More detailed work to compile terms of reference, protocols and a business plan is now underway with the intention to advertise for, recruit and train panel members in order that the first panel meetings commence in Summer 2010.

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<sup>1</sup> [Local Authority Design Champions, CABE, April 2004](#), p3 states that a suitable person specification would be: "...a councillor, preferably at Cabinet Level with responsibilities that may include planning, heritage, parks and highways services."

## **Proposal**

It is recommended that:

- a) The Cabinet appoint a Cabinet member as the Design Champion for the Council;
- b) Cabinet endorse the approach to setting up local “Hub” based DRPs within Wiltshire as set out;
- c) Cabinet delegate authority to the Director, Economy and Enterprise, in consultation with the Design Champion, to progress the establishment of local DRPs within Wiltshire as detailed; to be brought back to the Cabinet for key updates as required.

## **Reason for Proposal**

A full list of reasons is set out in the Background section of the main Report. These include:

- The new Wiltshire Council presents an opportunity to ensure design advice is applied and is available across the county and its current four planning hubs.
- The RIBA have approached Wiltshire Council to ask that local DRPs be considered within Wiltshire.
- Design quality has been moving up the agenda continually over the last few years. CABE and several other national bodies have published many recent design quality guidance documents. This includes advice on managing applications on design grounds including dealing with design issues at planning appeals.
- Recent survey results indicate that the majority of local authorities now run local DRPs (compared with 23% making use of them in 2001). Only 12 out of 44 local districts/hub areas in the South West do not yet have local or sub-regional (county-wide) DRPs. Wiltshire has 3 of those 12.

**Alistair Cunningham, Service Director for Economy & Enterprise**

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### DESIGN REVIEW IN WILTSHIRE

**Cabinet Member:** Councillor John Brady - Economic Development, Planning and Housing

#### Purpose of Report

1. This report seeks the appointment of a Cabinet member to be the Council's '[Design Champion](#)'. The report also informs members about progress towards establishing DRPs in Wiltshire.

#### Background

2. This report has been prepared to consider options of how to implement and embed Design Review in Wiltshire. The reasons for considering this now include the following:

##### Locally:

- The new Wiltshire Council presents an opportunity to ensure design advice is applied and is available across the county and its current four planning hubs.
- The RIBA have approached Wiltshire Council to ask that local DRPs be considered within Wiltshire.
- Representatives on the previously existing Salisbury Design Forum need some certainty about their future role and status through the new Council.
- Other local organisations are keen to input on design matters of development proposals, including for example Wiltshire Police.
- A number of elected representatives have expressed an interest in the subject.

##### Nationally:

- This year a new [Core Output Indicator](#) on housing quality (H6) has been added to the annual monitoring report that planning authorities require to make to CLG.
- Design quality has been moving up the agenda continually over the last few years. CABI and several other national bodies have published many recent design quality guidance documents.<sup>2</sup> This includes advice on managing applications on design grounds including dealing with design issues at planning appeals.<sup>3</sup>
- Recent survey results indicate that the majority of local authorities now run local DRPs (compared with 23% making use of them in

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<sup>2</sup> By Design, UDC1&2, Manual for Streets, Safer Places, Better Places to live by Design, etc.

<sup>3</sup> [Design at appeal: Advice on dealing with design issues within planning appeals. CABI, 2006](#)

2001). Only 12 out of 44 local districts/hub areas in the South West do not yet have local or sub-regional (county-wide) DRPs. Wiltshire has 3 of those 12.<sup>4</sup>

- CABE published their finalised guidance [Design Review: Principles and Practice](#) on 04/11/09, encouraging more authorities to set up LDRPs.<sup>5</sup>
- The 2003 Best Value Performance Indicator BVPI 205 (now superseded by the National Indicator Set from 2008) required that planning authorities have expert architectural, urban design and landscape design advice available to them.

## **Main Considerations for the Council**

### **3. National guidance**

CABE's [Design Review: Principles and Practice](#) comprises three sections – what design review panels are, case studies of panels in practice, and how to set up a local panel.

The over-riding advice from CABE is that local DRPs should provide advice that is 'independent, expert and timely'. This is to overcome risks of duplication with planning committee representation & conflicts of interests, advice being no more skilled than those available to the planning authority anyway, and there being insufficiently large, complex or controversial schemes to suit the frequency and coverage of a local DRP.

However, the case studies include one which asserts that these risks are more easily avoided through regular use of the existing Regional Design Review Panel.<sup>6</sup> CABE's survey also notes conflicting difficulties of ensuring local knowledge and developer's accepting the value of local DRPs.<sup>7</sup>

It should be noted that all design review advice is a material consideration, although greater weight is attached to CABE reviews given their statutory responsibility. From October 2009 CABE is affiliated with all regional DRPs. Letters from the government's chief planning officer to local authorities in 2006<sup>8</sup> and 2009 outline the requirement to consult CABE on significant schemes, and CABE's ability to refer schemes to regional panels.

### **Current local practice**

Urban design advice in the form of consultations from an Urban Design Officer existed at all the former District Councils. For North Wiltshire

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<sup>4</sup> [Survey of Local and Regional design Review Panels, CABE, 2008](#), p3 & 10

<sup>5</sup> This document replaces the 2006 CABE publication, How to do Design Review.

<sup>6</sup> [Design Review: Principles and Practice](#), CABE, Nov 2009, p26

<sup>7</sup> [Survey of Local and Regional design Review Panels, CABE, 2008](#), p4

<sup>8</sup> <http://www.tinyurl.com/lnrg6a>

District Council this extended to a team which provided architectural, urban design and landscape design advice. The Council's Urban Design Team is now rolling out this broader service to all Hubs.

Only the South Hub has something close to a LDRP, in the form of the Salisbury Design Forum which has operated successfully for several years. This group differs slightly from the more independent local DRPs as advocated by the recent CABE guidance chiefly because it has representation from local groups as well as design professionals and is chaired by officers of the Council.

However, it is apparent from witnessing the operation of this Forum that local knowledge is considered a great benefit by all Forum representatives, as is the engagement of representatives of local interest groups through the Forum.

At a recent meeting the Forum gave their thoughts on the future of Design Review in South and the rest of Wiltshire. It was evident from the discussion that the design professionals involved would be less enthusiastic about a sub-regional DRP covering a wider area and potentially meeting outside of South Wiltshire. Their attendance currently is unremunerated and they feel that their involvement in the Forum has benefitted them in understanding the local and policy context and ambitions of their local planning hub. The Forum has also generated close informal contact between professionals at an early stage of development proposals – for example consultation with Wiltshire Police. The Forum also felt that members of the District/Hub Development Control committee have been particularly keen to know the thoughts of the Salisbury Design Forum on difficult decisions particularly because of the very local nature of representation on the Forum.

Across Wiltshire it is clear that there are many local professionals and groups who are keen to input on design matters in their own local areas. This is evidenced in all parts of the county through Conservation Area Liaison Groups and Appraisal/Management Plan working groups, Village Design Statement working groups, Vision and Town Plan masterplanning groups and more.

### **Environmental Impact of the Proposal**

4. Where the views of local DRPs result in improvements to the design quality of proposed development, there will be a positive but indirect impact on the environment. Several aspects of accepted good design practice also overlay good practice in sustainable development.

Further work on environmental impact will be included in the development of the associated business plan.

## **Equalities Impact of the Proposal**

5. Although by its very nature a local DRP is restricted in its panel membership to appropriately selected design professionals, good quality design that the panel will promote encourages inclusive and accessible built environments that poor design can often inadvertently preclude.

Further work on environmental impact will be included in the development of the associated business plan.

## **Risk Assessment**

6. Several political, technical and financial risks of different DRP scenarios are assessed within the Options Considered section below. Risks associated with appointing or not appointing a Design Champion are not simple to directly calculate. CABE assert that the presence of a well respected and communicative Design Champion has important promotion and persuasion benefits internally, externally and to the wider community. This is a key role in establishing the value of, and attention paid to, local DRP views and comments received.

## **Financial Implications**

7. An assessment of costs associated with the options considered has been prepared. The cost of the preferred option will be met from within the Economy and Enterprise budget.

## **Legal Implications**

8. CABE note that the official role of local DRPs is as a non-statutory consultee and therefore all local DRP comments should be considered as a material consideration. CABE have a specific statutory power to conduct design review so comments of national, and now regional panels, have a recognised role in the planning process.

## **Options Considered**

9. Three main potential options emerge for the future of Design Review in Wiltshire. These are considered below:

### **A. Hub based local Design Review Panels**

Hub based local DRPs for Wiltshire has the distinct advantage that their coverage matches that of the Hubs and their planning officers who would attend. Similarly there is likely to be greater interest and enthusiasm for involvement from local professionals who can also offer local knowledge and familiarity.

A potential disadvantage is that a single Hub may not generate many schemes for the Panel to consider on a regular basis. However, the Salisbury Design Forum felt that even the smaller schemes were important to ensure quality is not eroded, and that not many are required when allowing sufficient time to consider each.

The Salisbury Design Forum have highlighted key advantages of lower travel expenses, local enthusiasm with less likely need for remuneration, informal contact generated between professionals on schemes beyond those considered formally, and (in their view) more weight given to a local Panel's advice by members at committee.

Local interest groups are represented on the Salisbury Design Forum. Despite being a useful source of local knowledge, the representative is unlikely to be a design professional and there is the potential for conflict where the local group may also be a consultee for a development application. The involvement of locally-based interest groups will be more difficult to achieve in wider Hub based local DRPs which cover several market towns each with their own local groups. It is therefore recommended that new local DRPs follow CABE guidance that they are 'expert' and do not include representation from local interest groups.

It is similarly recommended that new local DRPs follow CABE guidance for 'independence' and do not include representation from elected members.

## **B. One single sub-regional Design Review Panel for Wiltshire**

The CABE survey refers to single Panels that cover whole rural counties as 'sub-regional' DRPs of which only 9 exist nationally compared with 63 local DRPs.

A single sub-regional DRP for Wiltshire may have the advantage that the Hubs combined will generate a higher number of significant schemes for the regularly meeting Panel to consider. A key disadvantage will be the likely loss of directly local knowledge (and interest) within the Panel. This option is likely to have a greater cost than Hub based local DRPs.

The key risks would be the lack of engagement of local professionals and the lack of informal contact and partnership working a more localised number of local DRPs could engender. There is a further risk that local Hub Development Control Committee members may not give as much weight and consideration to opinions of professionals that may be neither local nor regionally/nationally expert.

## **C. No Local Design Review Panels**

Several assessment tools and award schemes have recently grown in use which can be used to demonstrate design quality for particular issues.<sup>10</sup> Most recently, [Building for Life](#) and [BREEAM Communities](#) offer comprehensive criteria for quality and sustainable design which could potentially be used in consent conditions to ensure that proposed design (or sustainability) aspirations expressed at the application stage are borne out in the implementation.

Although the recent CABE survey indicated that 91% of all LPAs feel there are benefits to including DRPs (national, regional or local) in the development control process, many LPAs have alternatives including internal groups, private architect services and individual officer expertise, and 63% felt these provisions were sufficient.<sup>11</sup>

The 'zero-cost' option would therefore be to rely upon the expertise of internal officers, including the corporate Urban Design Team (utilising the above comprehensive tools), and for larger and more complex/controversial proposals to be referred more regularly to the regional [South West Design Review Panel](#) based in Bristol. The key risks would be the lack of engagement of local professionals, and the lack of informal contact and partnership working a local DRP could engender.

## **Conclusions**

### **10. Preferred option**

On the basis of the information obtained, Option A – Hub based local DRPs – is the preferred Option. This is primarily because it will ensure the continued engagement of local professionals and should encourage informal contact between relevant professionals on schemes beyond those considered at the Panels. The number of hub based local DRPs operating into the future could be reviewed in the light of experience/structural changes.

The Panels would exist alongside the continued use of expertise of internal officers, including the corporate Urban Design Team, with larger and more complex/controversial proposals being referred more regularly to the regional South West Design Review Panel.

Costs can be minimised whilst panel members are drawn from a local catchment. Although the main Hub offices can offer local and central venues, engagement of local professionals and an independence of operation may be better achieved through the use of local civic venues – possibly rotating amongst key towns within a Hub area.

CABE note that management of local DRPs from within a planning department can reduce their independence and it recommended that they

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<sup>10</sup> Lifetime Homes, Secured by Design, Green Flag Awards etc.

<sup>11</sup> [Survey of Local and Regional design Review Panels, CABE, 2008](#), p3



are led corporately and not seen as a direct part of the planning service.<sup>12</sup> Therefore, Design Review within Wiltshire will be taken forward as a project by the Urban Design Team within the Regeneration Service.

More detailed work to compile terms of reference, protocols and a business plan is now underway with the intention to advertise for, recruit and train panel members in order that the first panel meetings will commence in summer 2010. The first steps towards managing this process will be to establish a Project Steering Group (or Project Board) chaired by the Council's Design Champion.

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### **Report Author:**

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<sup>12</sup> [Design Review: Principles and Practice](#), CABE, Nov 2009, p15

Alistair Cunningham

15th February 2010

### **Background Papers**

Links and documents referenced in footnotes to report.

### **Appendices**

None

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