

## **Appendix 5: for Report to:**

### **Sustainable Communities Overview & Scrutiny Panel, 22 February 2022**

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Design Review Panel Review, January 2022. Response from DRP Members during 2021. Altered to a common format (without changing the content) and anonymised.

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#### **RESPONDENT 1**

##### **Panel make up:**

Specialisms: Panel members might fall into multiple categories and this could be useful. The suggestion that each panel member take on an aspect for the meeting could work, providing they have that particular specialism. The members would need to know this in advance, personally I have already jotted down the majority of my comments ahead of the actual review.

##### **Panel review format:**

An informal panel pre-meeting thoughts might be useful. Usually it is quickly apparent whether the design is of good quality or not. A dedicated non-panel member to take minutes so that panel members can then concentrate on the matter of reviewing projects. Local Authority View: This would have been particularly useful at the AELTC reviews.

*'Differences of opinion should be discussed and a resolution sought'*. Again at the AELTC, one person was against placing any building on the Golf Club site due to the protected and fragile nature of the land. In this instance perhaps a agreed resolution was called for. I suspect that had the council's policy been clarified it would have resolved the issue.

##### **Site visits:**

Wherever possible, but understand that this might be a lot to ask when the panel members have unpaid positions. I undertook a Design review Panel CPD course a few years ago and recall a site visit was the usual format.

##### **Remuneration:**

The panel should be remunerated, especially as pre-apps are chargeable. This would also help with commitment to site visits.

##### **Marking system:**

Red/orange/green format: My thoughts. I think the light system can be useful, even though most applications will be an amber verdict.

The Design Council guide to DRP says:

It should be clear in the first paragraph of the report whether the panel thinks:

- this is a good project that they support as it stands,
- this is a project that they could support provided improvements are made, or
- a fundamental re-think is required.

### **Rotation:**

We should rotate the panel every few years. It might make sense to keep a pool of people who are available. This pool might be a useful resource to share with other boroughs, giving others an opportunity to sit on our board and vice versa?

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### RESPONDENT 2

Broadly speaking the changes shown here are very welcome; in particular the clearer and more transparent recruitment process. I also believe that a small goodwill fee for the panel members enable a better level of professionalism – i.e. specialists do come for the greater good (to make projects better for the public good – and so be critical) and not for networking (which can lead to a lack of critical judgment in the review – nearing to conflict of interest). Note that I couldn't see anything on diversity within the recruitment process – it is important to ensure that under-represented groups are part of the panel as this is a real issue within our industry.

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### RESPONDENT 3

#### **Code of conduct**

- Should there be any reference to code of conduct set out by the panel members' own institutes, such as RIBA.RICS etc.?
- It would help if the code was to be put in an order so that there are a number of main principles which would be expanded on as an appendix. The draft is very long. I guess they would be divided in any case as the notes are for the panel members, for the councillors, for the public , press ...etc

#### **Listed of changes proposed**

Overall it is quite positive. A few points/observations.

**Size of projects:** I have previously served as a member at Southwark and Islington. At the time I was at Southwark, the panel members were not paid for their work. I am not certain if the applicants were charged for the review or not. Islington Council paid the review panel members. In both cases, it seemed that mainly large projects were reviewed. One of the very positive points in relation to my experience with Merton has been in the fact that a lot of smaller projects are being reviewed.

I hope the changes do not stop the review of smaller projects. This, in principle, should raise the quality of the design and help smaller firms producing better design. Should the council be interested in continuing with smaller schemes review, the charging has to reflect the size so that it does not put the applicants off. One of the positive aspects of the system at Islington was the review of a few projects at the end of the year for the benefit of the members.

**Information for review:**

- It would be useful have a set of requirements in terms of what information is essential to be submitted by the project. I have come across some documents where the application does not really provide enough information regarding the position of the proposal in relation to the surrounding buildings. This, I believe is a must. The panel needs to be able to understand the sitting and scale of the design without having to guess or check other ways of getting the information. There could be something like what the planning departments require for submission. But of course appropriate for the pre-app stage.
- If the application has been through a pre-app. I believe it would be useful to have a brief report from the planning officer specially in relation to the relevant SPDs.

**Web based meeting:**

This is indeed a good way of continuing in most cases. However the networking of the members is a positive aspect of the meeting in person. Not sure how this could be maintained.

**Chair:**

I believe all DRPs do have a number of chairs, which is where Merton will be going. However, I actually quite liked the idea of councillors being chair. It seemed to work. It had the additional benefit of the councillors being more aware of what the panel members were engaged with and the points they considered important.

**Verdict:**

Useful to expand from 3 to 5. I sometimes feel that the project is in between two colours.

**Recruitment**

I think it would be beneficial for the Planning Department to select the candidates directly rather than subletting it to one of the companies such as SurveyMonkey to act on their behalf, should the council have enough time and expertise to select the candidates themselves.

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RESPONDENT 4

In relation to the Merton DRP Code of Conduct , many panel members are also obliged to comply with the Codes of Conduct of the organisations to which they are professionally accredited eg The RIBA for architects and the Landscape Institute for Landscape Architects. The obligations of these professional codes cover similar considerations as the Merton DRP Code ie RIBA 2019 Principle 1. Integrity and LI Code of Conduct July 2020 (Draft) Rule 10 Conflicts of Interest.

Failure to adhere to the Merton Code of Conduct may therefore also be a breach of the DRP members professional Code of Conduct. If a panel member's actions give rise to a breach of the Merton Code, it should be noted that Merton may choose to refer any breach to the professional body of the DRP member. This may have serious professional consequences.

Compliance with Codes of Conduct may specifically be the case with the proposed Merton changes if DRP members are paid and, with other changes, a clearer contractual relationship is established between Merton and the panel member providing design review services.

### **List of Proposed Changes**

- Ref Scheme Identification
- Timing of Review

In the Design Council advice on the DRP process it notes that it gives

*“constructive advice which identifies and communicates: The strengths and weaknesses of the design*

*The next steps that should be taken to maximise the benefits that can be achieved through the development of its design”.*

It is important to stress that a Design Review does not need to be a single review where a large quantity of detailed development work may be carried out but which may be rendered abortive if the fundamentals of the scheme remain to be reviewed and agreed in principle.

The DRP function may therefore be seen ideally as an impartial process to assist both the applicant and their design team, and the local authority planning department in reaching an optimum scheme proposal. A design review should not have the character of another hurdle to overcome in the planning process.

It is essential that public realm schemes are subject to the same scrutiny as private sector schemes recognising the importance of the public realm in placemaking and ensuring that design standards are established and maintained for all development.

Some associated guidance to applicants as to the minimum information required at the DRP stage would be beneficial such that the general form, massing and elevational treatments are proposed before large quantities of expensive detailed information and CGI views , is presented.

In the Government Planning for the future White Paper, Aug. 2020 it is proposed in para 2.39 that

*“The amount of key information required as part of the application should be reduced considerably and made machine-readable. A national data standard for smaller applications should be created. For major development, beyond relevant drawings and plans, there should only be one key standardised planning statement of no more than 50 pages to justify the development proposals in relation to the Local Plan and National Planning Policy Framework.”*

In this context and the Government’s intention to make planning more certain and quicker it would be useful to ensure that any information presented to a DRP has the following minimum information as an example:

1. All drawings to have levels and north points
2. Site sections show how and where changes in level are addressed
3. A site survey should show existing trees
4. The red line boundary of the site shown in its plan context such that elevations showing trees can be assessed to see if the tree planting shown is actually within the site and budget of the applicant or in the public realm and not within the applicant’s site and may therefore not be implemented
5. The height context of adjoining buildings

Also In the Government Planning for the Future White Paper it is proposed in para. 1.18 that every planning authority should

*“Ensure that each local planning authority has a chief officer for design and place-making, to help ensure there is the capacity and capability locally to raise design standards and the quality of development”*

It is assumed the chief officer will still benefit from the skill set of a DRP as it may seem unlikely that all the skills available within a DRP panel could equally be found within a planning authority staffing. A design review panel also has the benefit of total impartiality whereas Council employees may still be seen as being influenced by Council senior staff and Council members.

As stated in para. 3.11 (underlined for emphasis)

*“We will explore the options for establishing a new expert body which can help authorities make effective use of design guidance and codes, as well as performing a wider monitoring and challenge role for the sector in building better places. Different models exist for how this could be taken forward - such as a new arms-length body reporting to Government, a new centre of expertise within Homes England, or reinforcing the existing network of architecture and design centres. Whatever model is adopted, we envisage that it would be able to draw on the expertise of recognised experts with a range of skills, drawn from across the built environment sector”*

It therefore seems probable that design and planning advice will still potentially be sought from a wide spectrum such as DRPs and will not solely be provided by in-house staffing.

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#### RESPONDENT 5

I have reviewed the documents and don't have any specific comments on the content, other than the idea of doing site visits for some sites, which we did with Wandsworth.

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#### RESPONDENT 6

When discussing the setting up of a Design Review Panel (DRP) in 2007, I had an immediate concern. Would such a Panel compromise the formal role of the Council's planning officers, who after all are the skilled staff employed to advise the Council on all such matters, and on whom we all rely.

What would happen should the officers advise one course, but the Panel advise another? Such a situation in my view would be unworkable, and I could not be a part of it. And rather than rely on outside skills, why did not the Council employ its own skilled design officers?

However I was assured that the staff themselves had been involved in the discussions, and were in favour of setting up such a Panel. Indeed, with the limited in-house design skills said to be available, they would rely on the Panel's independence, particularly on major cases, or on projects where the Council itself had an interest.

So in setting up the Panel some basics were (in my view):

- Having a good range of skills in the various "building disciplines": not just the "usual suspects" of architects, urban designers, planners, but also engineers, transport, landscape and energy:
- Volunteering, and freely contributing specialist skills to serve the public interest:
- Independence from outside influences:
- Ability to work as part of a group:
- To advise and give a steer to the scheme architects:
- To advise the Council if a planning application had been submitted.

Organisationally, the Panel members would be invited to volunteer, and then some would be selected by the Council. Two Panel members would be classed as "permanent" to aid continuity. No Panel members would be paid. Crucially (in my view) the Panel would be chaired by a Councillor, not an officer nor a Panel member.

The selection of the Councillor (not something that I was involved in of course) was ideal, being:

- A member of the Council Committee that dealt with planning applications, so that a first-hand explanation of how the Panel had examined the application could be available at the point of decision:
- A member of one of the minority party groups, ie not linked to the majority party, to ensure that independence was evident:
- Acting as a Chair to “keep order”, yet being quite aloof from the formation of the Panel views.

Selecting projects for the Panel’s consideration was left to the Council officers.

After more than a dozen years of operation, whether the Public (the principal “client” of the planning system after all) or the applicants felt that the Panel’s work was beneficial, and delivered a better end product, these were never properly tested. Although there has been one very basic assessment of how the system works (by Panel members and officers), a more systematic questioning and review is now desirable.

Over recent years the “Design Review Industry” has expanded significantly. There are bodies that Councils can use to obtain reviews for a fee. It is to an extent outsourcing the work of assessing proposals away from the in-house Council staff who traditionally have done this.

This follows similar moves as in the Building Regulations, where compliance with standards is able to be outsourced, away from publicly elected bodies. Whether this serves the long term public interest is for others to consider.

## **So what questions should a review of the DRP address?**

### **1. Should the DRP exist at all?**

Basically no. Assessing planning applications is based on the principle of skilled appraisals by independent officers advising the Council, the body that acts in the public interest. The basic purpose is to ensure that the interests of the developer and the public are balanced or moderated. As Michael Heseltine has recently said, *“the market has no morality”*.

In the past, Councils were able to employ enough staff skilled in design, and had no need of outside advice, except perhaps for projects of national significance. The Royal Fine Art Commission (set up in 1924) was one such review body. It had no powers, but its advice was independent and skilled. DRP’s are the children of that body, and now exist at national (CABE), regional and local levels.

Currently, many Councils seem unable to attract/employ their own design-skilled staff, so have resorted to setting up DRP’s. The benefits include being able to draw on free-thinking outsiders, with a range of design skills few Councils can match, and a freedom to explore. Also, when a Council is itself the developer, planning officers may be inhibited (or pressured) when dealing with schemes.

Without the in-house design-skilled staff, utilising a DRP can improve the quality of schemes, and perhaps reduce the number of refusals and appeals. Unfortunately,

various governments have appeared to want to “externalise” some of the decisions made by Councils, by allowing approvals to be made by outside bodies. DRP type advice might eventually morph into “*decisions taken by outside experts*”, with implications for public accountability.

In my view the Council should only continue with the DRP until it can rely on its own design-skilled in-house staff, after which the DRP should be wound up.

## **2. What should be the role of the DRP?**

For Pre-application schemes, still at the formative stage, the DRP should give advice to the scheme architect. Architects in their training are used to (sometimes feel subjected to!) critiques by their tutors, with the aim of encouraging different ways of “solving” a project. So architects are usually able to both give and receive such a cross flow of ideas, as long as there is respect and open-mindedness on both sides.

Whether this design advice is given by in-house skilled officers, or DRP “outsiders” may not matter. Additionally, although it is seldom admitted, a DRP can show to the developer/client (who often attends the meeting) that they have unreasonably pressured the architect, and that the scheme has to change. Supporting the scheme architect can be a valuable role for a DRP.

Post application, the DRP role should primarily be to advise the Council, although the advice can also help the architect to withdraw the application and make modifications.

## **3. What projects should come before the panel?**

Schemes of some significance, or where the officers are unable to get across their advice, or where the Council itself is either a developer or an interested party, or where “internal disagreements” might exist between departments, or even within the planning teams.

Some past projects have been uncomfortable for the DRP. The dramatic expansion of primary schools seemed to be difficult for the DRP to get to grips with on “design”. Asking for advice and views on the emerging plan for Wimbledon Town Centre was another, and on the completed paving etc scheme in and around Wimbledon Broadway.

Selection of projects for DRP consideration has been the sole responsibility of the Council. But a case could be made for the public, or local organisations, or developers, or even for the DRP members themselves to suggest that a scheme or subject be considered.

## **4. Who decides what projects are examined?**

This has been done by the Council officers. Whether the decision is ratified by the (currently a Councillor) Chair of the DRP or another Councillor is not known. It is also not clear whether scheme architects or developers have a “right” to request a DRP input to their scheme: or indeed whether officers are able to refuse such

requests, if they so decide. What happens if a developer does not wish to have their scheme go before the DRP?

It would therefore be helpful to clarify the criteria. Decisions on “which schemes” should remain with the Council, as the whole function of the DRP is to advise the Council: it should not aspire to have an independent existence, or be a separate body.

#### **5. Who should the DRP members be?**

These should be the “design professionals”. Architects and Landscape architects, because they through their training are versed in the concept of the critique, the developing of ideas. With the importance of Climate Change, energy and sustainability need to be at the heart of design, not slapped on as an afterthought. Transport and engineering has a part to play.

Should lay people be included? They have in my view a valuable part to play in the evolution of project design, but (see point 7 below) this should be channelled into the creative design process in other ways. The DRP therefore should be made up of independent design specialists.

#### **6. Should the DRP meet in public?**

Scheme architects may have spent much time on evolving a scheme, and may have had to defend it against other members of the development team, and faced a variety of views from discussions with Council officers. They may have been pressured by the client to “go for too much” despite their own misgivings. In this climate it is important to have discussions that are open and exploratory, yet are not another kind of public inquiry, where attitudes are frozen and defensive.

Also, were the public to be present at such discussions, there would be pressure on Panel members to “say the things that went down well with the listeners” (some would unkindly say that this was the world of the politicians), and there would be pressure on the architects to “defend” their scheme, rather than open up to ideas. Playing to the gallery should have no part in the DRP process. Also some Panel members might be inhibited in raising issues that may not be locally popular.

Accordingly, my view would be that DRP meetings on pre-app schemes should be as close to person-to-person as possible, and on no account should the public be present (But see point 7 below).

#### **7. How and when should DRP minutes be made public?**

Currently, DRP Minutes are only made public when the application has been made, and is included with the officers’ report, ie very close to the Committee date. The applicant’s submission sometimes includes a report giving a resume of the DRP points, together with a response – how the scheme has reflected the DRP views, or reasons why not etc.

So the general public is often not able to access the DRP minutes until after the formal public consultation period has expired. This cannot be right.

And this raises a wider point about how the Council treats pre-application discussions as “confidential”. Pre-app confidentiality is in many people’s views now not justified, and is being misused by the old-fashioned thinking by parts of the development industry, to ensure that everything is cut and dried before the public is shown the scheme as a set of application drawings.

A contrasting (and in my view very welcome) view is set out in the NPPF, which encourages

- *“effective engagement between applicants, communities and Local authorities”* (124).
- Also encouraged are *“early discussions between applicants, the local authority community and the local community”* (128).
- *“Applicants should work closely with those affected by their proposals, to evolve designs that take account of the views of the community”*.  
*“Applications that can demonstrate early .....engagement with the community should be looked on more favourably”* (128).

The need for open government is important, as is the need to take account of the NPPF. My view is that the Council should now make clear that when it has pre-application meetings with developers, a record of the meeting will be posted on the Council website. In my experience, the so-called “confidentiality” is just a custom, and has no real justification.

This will give the public the opportunity to contribute its own thinking to the creative design process via the Council, as the NPPF says. Remembering the basic question: whose town is it anyway? Accordingly, it is suggested that the minutes of the DRP’s meeting on a pre-app scheme should be made public on the Council’s website, as soon as they have been sent to the developer.

If a developer does not wish to agree to this open-handed approach to the evolution of a scheme design, it should be open to the Council to decline access to the DRP process.

## **8. Should panel members or the council decide the minutes of meetings?**

Panel members must have control over the detailed wording of the minutes of their meetings. Panel members should expect to take full responsibility for the advice that they are giving to the applicants, to the Council, remembering that these minutes are in the public domain.

It follows that the minutes must reflect their thinking, to their satisfaction, otherwise they would be put in the position of having to justify something that they had not said. The editing of the minutes by the Council, as has happened, should not be accepted. The only exception would be if the wording proposed by the Panel members was likely to cause legal or similar issues, when the Council should advise accordingly.

## **9. Should the range of panel views, or only the majority view, be reported?**

Design is creative process, and shades of opinion, and alternative approaches are all a natural part of the design process. Quite often there is no clear “right or wrong” way of creating a design. Clear and unambiguous guidance may be the wish of administrators and developers, but scheme architects are perfectly able to appreciate a range of what are often quite subjective views.

For example, if Panel members voted 3-2 for a particular “verdict”, how sensible is it to report only the views of the 3? Eminent panels (eg Judges in the Supreme Court) often come up with minority reports, accepting that the majority vote will hold sway. Publishing these dissenting judgements is said to aid the development of the law.

Taking a planning example, Buchanan produced his minority report on the third London Airport Commission similarly. Would the alternative, publishing only the single view, be sensible? How could Buchanan sign such a report, and accept a view that he could not share?

Reports by Development Control (rightly and properly) assess the benefits and dis-benefits of an application before coming to a recommendation. Clearly this is both respectful of different views, and also aids the Planning Committee in coming to a decision. It also helps the applicant.

The current Council insistence that “only the majority view counts” does not do justice to the range of skills and views that the DRP enjoys. Nor does it reflect accepted practice elsewhere, see above.

Applicants, Council officers and the public would all gain from understanding the width of opinions that come from an expert Panel, and all such views should therefore be properly recorded, to the Panel members satisfaction. But the majority view always has precedence.

## **10. How independent do DRP members need to be?**

The Council’s draft Code of Conduct (4/21) sets out the basic criteria. Panel members who “know the Borough” are very likely to have projects within the Borough, or have worked with other professional teams on projects elsewhere. Restricting DRP membership to “outsiders” who have no such links would mean that their knowledge of the Borough could be minimal.

The safeguards built into the Council’s Code, together with declarations of interests or recent contacts etc should act as the basis for professional probity. Some “outside” members could help. It is recognised that Panel members may know applicants not only professionally but personally. Often what matters is public perception, and if there is a doubt, Panel members should opt out.

## **11. How independent of council policy should the DRP be?**

The DRP invariably considers development proposals on a specific site. In many cases it is perfectly possible to evaluate the ideas driving the project, and respond

accordingly. However, it may be that although a proposed scheme is in accord with an adopted policy of the Council, (for example, on energy, sustainability, building height, or daylighting standards) the Panel might feel that the policy itself is not appropriate (or inadequate or too onerous), and needs to change.

Accepting such a scheme creates an awkward situation for Panel members. In such cases, it is suggested that there needs to be the option for the two elements – the scheme and the policy – to be treated independently. Views on the scheme can be produced, but as a parallel note, the Panel can record that in their view the Council should look again at the policy. In that way, the Panel members' views are respected, whilst the applicant's scheme is given its review.

## **12. Design of the town v design of the building**

In essence, it is the job of the planning system to plan and design the town. No-one else can do it. It is the job of the architect to plan and design the building: no-one else can do it. A design project, usually "a building on a site", is brought before the DRP for review. Coming to a view on the proposal in its immediate context is often straightforward. But sometimes there is a wider design issue. As an example, a building design may be acceptable in its own right in its immediate setting, but it may intrude on a major view, where the requirement is for the height to be restricted. In these cases the Panel may need to have the opportunity to express its view on the two aspects.

## **13. Should developers and their team attend, or just scheme architects?**

The scheme architect has (in my view) to be seen as the main player, the person responsible for the creation of the scheme design. Panel members, particularly those who are architects, will aim to "talk that language" to the scheme architect. Other players, the other design professionals and the client/developer, invariably attend, and can offer detailed explanations if asked. Whether they gain from the experience others must advise.

My own view is that on balance the client/developer is likely to gain most, by being able to gauge the strength of feeling that underpins what is being said. They will see the difference between meetings with planning officers (which can unfortunately become "negotiations"), and the DRP meeting where views tend to be more direct. Accordingly, the Council should make clear to the scheme architects that they are seen by the DRP as the principal players, but that other team members etc can attend as they decide.

## **14. Should there be 3 types of review?**

The DRP has up to now considered schemes in a formalised group discussion, sometimes more than once, as the particular scheme is evolving. It has required a pre-circulated "set of drawings" so that it can understand the nature of the design beforehand, and then get to grips with its appraisals. Before starting the design studies, the scheme architect needs a planning brief from the Council (to match the briefs from client etc). Sometimes the only brief is via the Local Plan documents.

Whether this brief should include an early input from the DRP would be a significant new move. It could be a parallel planning brief, but this could undermine the Council officers' input, which would be highly undesirable: we need to support them. Or it could be the Workshop with "a collaborative get-together around the blackboard or table". Or it could be each DRP member putting their individual Desk-top thoughts into the mix.

One of the advantages (some would say disadvantages) of the DRP face-to-face appraisals is that it is human. It contrasts with the more formalised discussions with officers, or with the dispassionate texts of Local Plans. To some extent it allows the scheme architect to experience at least some of the local colour (the role of the public input here is for another discussion).

My view would be to stay with the face-to-face DRP meetings, but leave the door open if in special cases another approach would be helpful. Were that to be done, then careful analysis of its operation should be done before repeating.

### **15. Should developers pay for DRP review?**

No. The planning system has been created to operate as a public service. Its development control function is there to ensure that the developer's interest and the public's interest are in balance. Those applying for planning permission already pay planning fees (in most instances). They expect to get from the planning officers a basic steer or brief (or a set of Local Plan policies) so that they know what they need to take on board when creating their scheme design.

As soon as developers are asked to pay extra to get a faster decision, or some enhanced advice (eg DRP) then they will expect approvals as a return on their investment. Whether or not the project is good enough to be approved. It's called real life. Unfortunately Councils, eager to maximise any sources of income, will (as suggested in the Council's draft paper on page one) aim to make a profit out of this extra charging.

Whether other Councils charge should not be relevant: Merton should stay with its free DRP service. If the Council decides to charge, all funds should be independently administered. If more planning funds are needed, continue to press HMG to allow Councils to set their own ring-fenced fees for planning applications.

### **16. Should DRP members be paid?**

No. Volunteering in the public interest is something to be cherished. Countless such individuals in Boroughs everywhere in this country contribute their skills, their time, their commitment in a whole range of fields. Mostly for little or no monetary reward, and often with little if any thanks. Monetising the DRP changes the dynamic. The applicant's architect would see the paid DRP members as professional fee earners. Now they see them with respect, giving their time and skill freely. The public would see another layer of paid specialists between them and the developer. That other Councils and other DRP's have taken the paid route should be ignored. Merton should keep alive the ethos of public service and volunteering.

## **17. Who should chair DRP meetings?**

As set out in the first page, from the beginning the Chairing of the DRP by a Councillor from one of the minority parties, who was also on the Planning Applications Committee, was admirable in so many ways. With the task of keeping order, but not getting involved in the appraisal, this allowed the specialist members to do their work. It has been suggested that the Chairing should be done by a member of the DRP, one of the “Design Experts”. This raises a number of issues.

Chairing a meeting carries with it the responsibility of ensuring order, of allowing (sometimes encouraging) members of the group to speak, keeping discussion to the point and cutting off irrelevant side tracks, welcoming and respecting the scheme architects who should feel that they “have someone impartial on their side” in the proceedings.

To do this whilst at the same time contributing their own specialist views (which may be critical) is not really a sensible course. The Chair may also come over as the dominant player, and this goes against the ethos of all DRP members being “equal”. Being an equal motivates, being subservient does not.

An alternative would be to have a Councillor from the majority party as Chair. But the DRP has been set up to be as independent of the Council view as possible, and be seen by all to be quite apart from the decision-making process. On no account should this course be followed.

With the almost total concentration of Council decision-making in the hands of the majority party apparatus (in my view, far less desirable than a more Committee-based decision system) all perception of DRP independence would be lost. An alternative would be to have an independent ‘lay’ person, not a Councillor, nor a DRP member. The advantages of retaining the original minority party Chair are very persuasive and should be continued.

## **18. Personal group meeting or remote zoom type?**

Inevitably, over the past year or so, circumstances have forced the DRP to operate remotely. Zoom type ‘meetings’ have the advantage of allowing participants to avoid personal contacts etc, but there is a risk of remoteness in an area where an understanding of personal feelings can be important. There would be a danger that individual DRP members would stay in their ‘silos’ and fail to interact to find a group view. The advantages of everyone meeting physically around the same table to evolve a design approach – something that is so personal for the scheme architect - are very valuable in my view, and should be the model of choice.

## **19. Should there be “permanent” members of the DRP?**

Two of the DRP members were originally selected as permanent, to give a degree of continuity. If this is to be changed then, rather than each DRP meeting being filled on an ad hoc basis, it would be desirable to have “continuity members” who undertake say three or four meetings “on the trot”, doing this in turn.

## 20. Daytime or evening meetings?

This should be left for DRP members to vote on, as they find what is best for them. The Council could select a default position, suggested as evening meetings, but be flexible if the members for an individual meeting have a preference for the afternoon.

## 21. Should there be a grading system?

Since the formation of the DRP, a red/amber/green grade has been awarded, reflecting the majority view of the Panel members. These grades have not been formally defined. With the preponderance of “Amber” grading, indicating that the project was not good enough for Green, yet not bad enough for a Red, there is a need to make the grading more specific.

It is suggested that there be 4 grades, with their meaning as follows:

- **Green:** where the scheme is seen as admirable, no real room for improvement, approvable pretty much as it is:
- **Yellow:** to make the scheme acceptable, some clear changes are really needed: not approvable until some of them are done:
- **Orange:** this scheme has very significant issues to resolve: there is the basis of an approvable scheme but some major issues need first to be solved: not approvable until the major issues are resolved:
- **Red:** This is a scheme where no matter what is done to adjust the design, the basics are not up to the task: a clear refusal: the design process should re-start on a different basis.

## 22. What has been the standard of advice?

In order to test this there would need to be a structured survey of all the applicants – did they find it useful, how, did it help the whole project team not just the scheme architects? Sometimes the views will need to be “private” and not linked to a specific scheme, because perhaps the architect will have one view, the client another.

Also, what does the public feel about the projects that have been built (it is their town after all) – are the completed buildings seen as an asset, or if not why not, and should the DRP have picked up these issues? The Council officers put in a good deal of work to generate the output of the DRP – has this paid off? Are the DRP reviews helpful in the future dealings with the applicants and improving the project?

What are the DRP members’ own views on the completed projects – have the standards been set at the right level, have the scheme architects been able to achieve improvements, have issues been forgotten (eg energy) that really should have been taken up more seriously? What are the views of the owners of property around the completed project? Do they see their property being adversely affected by the new scheme?

What has not worked well? Has there been deference to “starchitects” or those we have worked with? There is some public sniping – why is this, how much does it matter, and what should be done to get to the cause of the problem if there is one?

Has the DRP concentrated too much on “how it looks” aspects of projects rather than the basics?

Has the DRP system been “gamed” by the development industry? It is surely essential now to have a more measured and independent assessment of the way in which the DRP has been performing. And we need to know whether it has made a difference.

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## RESPONDENT 7

### 1. Overall aims

Design Review should be: **independent, expert, multidisciplinary, accountable, transparent, proportionate, timely, advisory, objective** and **accessible** [Design Review Principles and Practice 2019].

1.1. My experience of DRPs as applicant and panellist includes:

- One design review in Bristol [2003], 6 in Oxford [2014-present] and about 10 in Merton as part of the Applicant team, About 60 in the Panel at Merton [2007-2021] and 4 at DRP Hounslow [2020-2021].
- I am used to working both sides of the counter, for example at Oxford currently advising OCC as heritage consultant for a heritage-led masterplan for the Covered Market. My comments are informed by this experience of how the different DRPs operate from the Applicant's as well as the Panellist's perspective.
- I am an examiner/lecturer in professional practice as University of Westminster and Cambridge and also teach on the Police Designing out Crime and Anti Terrorism training courses.

1.2. In 2007 when we set up the panel, the idea was relatively new. The only published guidance was CABI's 'How to do design review - creating and running a successful panel' [2006]. Over the last 14 years there is increasing body of experience and best practice upon which to draw. A key reference document, which I recommend that all consultees read in detail is: Design Review Principles and Practice 2019 [DRPP]

[https://www.designcouncil.org.uk/sites/default/files/asset/document/Design%20Review Principles%20and%20Practice\\_May2019.pdf](https://www.designcouncil.org.uk/sites/default/files/asset/document/Design%20Review%20Principles%20and%20Practice_May2019.pdf)

This is an updated version of a 2013 update of the 2006 original. It is carefully worded, drawing on experience from the Design Council, Landscape Institute, RTPI and RIBA. The Carmona review refers to this core document and there is a lot to be said for referencing it. The final local terms of reference may quote DRPP exactly rather than paraphrasing it, where appropriate.

### 2. List of changes

**2.1. Charging for applicants and payment for reviewers.** I agree that this has benefits for both Applicant, if they control timing, and for DRP effectiveness. The only downside is that it might make the panel less **accessible**. The charge should include for at least Panellists +2 or 3: the case officer and Urban Design officer, and if appropriate the Conservation Officer. Payment changes the balance of power, and this affects the timing of reviews. If paid for, the reviews should be programmed to suit the project design programme, so the DRP's work can be more **timely**.

The fee to the Council should not generate a 'surplus'. It would be unethical to charge an Applicant to subsidise the general work of the Council. The fee should include the cost of officers at an equal charge to Panellists, since their expertise is equally valuable, plus a realistic admin. fee, that can be supported if challenged.

In my experience of best practice, the council fields the case officer and a senior planner/urban design officer, sometimes also a conservation officer.

The officers:

- a) attend the walk round,
- b) give the panellists a carefully prepared, full, in depth briefing including key policy and history leading up to this point, as part of a 1/2 hour pre-review meeting
- c) speak thereafter only as requested by the panel chair, for professional clarification and advice on policy
- d) contribute to the post meeting review
- e) prepare the first draft of the letter of advice
- f) issue it once signed off by the expert chair.

**2.2. Design Expert Chair.** I agree there should be an **expert** chair. The Chair should take responsibility for the final letter of advice. I suggest that LBM should appoint two chairs, rather than chair and two vice-chairs, to allow flexible sitting [see comments on timing below]. These should be people with:

- *a record of achievement that commands the respect of design review clients and fellow panel members.*
- *strong critical and analytical abilities.*
- *the people skills required to chair a meeting politely yet authoritatively, so that participants feel they are being listened to and understood without being allowed to dominate the discussion.*
- *the ability to deal with panel members or clients who express strong – and sometime differing – opinions.*
- *the skill to synthesise and summarise disparate or conflicting views, and reach a consensus.*
- *the ability to write clear, understandable reports summarising the meetings' conclusions.*

[Design Review Principles and Practice 2019]

Finding the right people will be a key task for the Council. Also bringing on new talent within the existing pool where people show suitable leadership skills.

2.3. **Membership review.** Agree.

2.4. **Recruitment.** A formal process. Agree. It helps make the panel more **objective** and the section process more **accountable**.

2.5. **Terms of Reference and Code of Conduct.** Agree they should be updated, but suggest that they should be split into two documents. The Terms of Reference should be one document, the Code of Conduct another, each focussed and concise so that everybody actually reads, and perhaps even signs them.

2.6. **Meetings during the day.** Agree. Half day meetings or full day meetings depending on complexity/scale of review. Maximum three per review? It should be one per review. How do you arrange a site visit with three reviews?

2.7. **Meeting format.** 5 minute briefing by case officer and panel administrator'. 5 minutes is not enough. The pre-meeting should have a full, well-prepared and structured explanation from officers as to the principal issues and policies affecting the scheme, its relation to other consented schemes, appeals, emerging policies, etc. The panel can then discuss their initial impressions having reviewed the applicant's documents, and specific themes agreed. The chair will delegate individual panel members to speak about particular themes, usually in order of importance, which avoids, 'I agree with the comments made by my colleagues' and leads to a more focussed and structured discussion.

2.8. **Web based meetings.** I agree the format works well for the review itself, but what is missing at Merton is a site visit. It is really good to walk the site with panellists before the meeting. All best urban practice refers to 'place making'. 'Places' are not 2D. You actually have to be there to experience them. Being there together is even more important as a team.

2.9 **Notes of meetings.** What matters is the written letter of advice. Applicants and their planning consultants pore over a DRP's letter of advice in minute detail, looking at every noun and adjective. If this is written well, and robust/unchallengeable, it can have enormous effect. Whilst I have found every DRP useful from an Applicant's perspective, Oxford and Hounslow's letters of advice are more structured, focussed and precise than Merton's. At other DRPs I am much more aware of the planning and legal implications of our comments. They are expected to be challenged if necessary at appeal and are therefore written in a precise way, using the actual terms the panel uses rather than paraphrasing them. I think this will improve with expert chairs who can:

- a) lead the pre-meeting,
- b) help give a more structured discussion and
- c) take professional responsibility for, and sign, the letters of advice. This would assist in the panel being **objective** and **accountable**.

2.10. **Permanent members.** Agree this is not necessary now that the DRP is well established. I would add that I have been on the panel far too long. DRPP recommends a maximum term of 6 years for panellists, Merton's original terms of reference say 5, yet I have been attending 6 meetings a year for the last 14 years. I attempted to resign about 6 years ago but was persuaded to stay on.

2.11. **Verdict.** Although the traffic light system is crude, it is still effective for guiding both the Applicant and the Planning Application Committee. It's fine to have four 'verdicts' but it may be good to elaborate what they mean:

- Red Fundamental problems/rethink
- Red/amber Medium/minor problems
- Amber/green Minor problems with clear potential solutions/mitigations
- Green Acceptable.

2.12. **Scheme identification.** Set out the proposed criteria for selection. Applicants could then self select on the 'request a design review' page of the council's website. Criteria might be:

- Size/amount of change
- Sensitivity of the location
- Special significance

It would be better to have criteria than a bureaucratic process leading towards them. I am sure the Development Management team and Future Merton team have other things to do than form sub-committees. The Council should consult the panel on the proposed criteria as part of this DRP review.

2.13. **Timing of reviews.** I agree that the pre-application stage is the best time for reviews. The timing of the reviews, if they are to be paid for by the Applicant, should be to suit the Applicant and the project programme.

There is a big problem at Merton about the time the planning process takes. In our experience the pre-app process takes about 9 months, and when the application is made 60% of applications are delayed more than 100 days beyond the statutory decision period.

Few projects can take a 1.5-2 year planning process. It adds enormously to finance costs. A project which would previously have been viable becomes non-viable. Planning delays stifle the local economy. Over a few years this costs many millions. If the council is saying to Applicants:

- a) you are paying proper fee for this,
- b) you must submit at pre-application stage,
- c) you can only go the panel after a pre-application meeting has taken place,

it should also say:

- d) we will time this meeting to suit your programme requirements.

Put the Applicant's programme first, and let the planning process enable sustainable development, in a **timely** fashion.

**2.14. Review as part of the Planning Process.** The purpose of the planning process is to enable development which accords with a hierarchy of planning policies. The planning officers must be up to date with the latest local policies and precedents and should advise the panel in a complete and professional manner. The panel should be expected to know in detail the National Planning Policy Framework as it relates to their specialism. They should not be expected to know every detail of the local plan and any emerging updates. The officers should alert them to relevant local policies.

The DRP exists to give the council **independent, expert** advice on design including urban design, so that planning guidance and decisions can be more robust and effective. It is in the interpretation of policies, particularly where they apparently conflict, where the DRP can be most effective. I am troubled by the suggestion that all discussions have to be, in all cases, curated/moderated by the Council's Urban Design officer. The Panel should not be required, explicit or implied, to agree with the Council. This would remove the panel's **independence**.

Good decisions are not made by powerful individuals who surround themselves with yes-people.

*'It is healthy for panels to reflect a range of different views and backgrounds. The members should be able to function as a group, but a panel where all the members agree with each other all the time is unlikely to be effective.'*  
[DRPP 2019 p17]

On one occasion, the King's College School Music building, the panel disagreed with the council's urban design officer, who is also the panel facilitator, on a specific matter. It was to do with the massing of the gatehouse and southern part of the scheme when approached by a secondary access route. The DRP said the building could be taller. This gave the architects [Hopkins] confidence to push for what they believed was right. The school had already lost one full academic year to their project programme due to delays at planning. Hopkins obtained planning permission for the taller building and the scheme as built is perfectly OK. Other panel members may be able to think of other occasions where the panel has disagreed with the Council's officers. This demonstrates **independence**.

**2.15. Public realm schemes.** Agree they should be reviewed. The Council should account for, and pay the required fee, just as for any other Applicant.

**2.16 Planning Policy Documents.** As above.

**2.17 DRP webpage.** No comment. Web pages can always be improved.

**2.18. DRP review.** Yes. The whole idea was that we would have regular reviews, but this has rarely happened. 'Forms will be produced' no doubt. Perhaps, as a minimum, there should be:

- a) an annual 1 page report from the officer running the panel, plus
- b) annual semi-social get together with the Planning Application Committee hosted by the leader of the council {this is useful in building confidence between the DRP and PAC}
- c) a 5 year review looking at statistical outcomes.

This would assist in making the DRP process more **objective** and **accountable**. Link up with Matthew Carmona at the Bartlett and see what would best suit his research if it is ongoing. I don't like the phrase 'deemed beneficial' - by whom? Try to avoid passive authority.

### 3. Code of Conduct

3.1. Members of the panel who are part of a professional body will be already committed to a professional code of conduct. I agree with referring to the Nolan principles. Whilst they are already implicit in professional codes of conduct, in today's Britain with the very public collapse in moral standards by some politicians and civil servants, it is good to be reminded that they still apply. The local code is most useful where it elaborates and explains how these ethical principles apply to being a member of Merton's rather than any other DRP.

3.2. I am charmed by the assumption in the code of conduct: *'It is accepted that working for the panel, members are enhancing their reputations and public profiles.'* This evidences a fundamental mis-understanding. The reputation and effectiveness of Merton's DRP is based on the quality of the DRP's advice, which in turn reflects the expertise and reputation of the panellists. It is LB Merton that benefits from the panellist's professional reputation, not the other way round.

3.3. As regards conflicts of interest, If you practice in the Borough and contribute to design review there are bound to be potential conflicts of interest. An eminent co-panellist has always maintained that if you give your expertise to the local community this is incompatible with working there.

3.4. The DRPP 2019 has this to say:

*'All conflicts of interest, real or perceived, should be formally and rigorously dealt with and recorded well in advance of each meeting. A conflict arises if there is any suggestion that a panel member, either as an individual or a member of a group or organisation, might have a financial, commercial or professional interest in a project, its client or its site. The panel should draw up a standard policy for dealing with conflicts of interest. Design Council, local planning authorities and other panels can all be asked for advice on writing the policy. It should set out clearly how interests will be identified, recorded and managed, and it should be publicly accessible, ideally online. Conflicts of interest can be a particularly sensitive issue in local panels, where many panel members will work in the same area as the projects under review. In cases where panel members are associated with a planning authority, have a financial interest in a scheme, or have declared support for it at councillor level, it may be advisable to refer the project to an independent panel that operates with a wider remit outside the immediate locality.'*

[DRPP 2019 p.14]

3.5. The detailed rules-based response proposed here is probably not the best but shows that the council understands there are potential conflicts. The proposed rules as set out effectively bar any person in a practice working in the Borough from being member of the panel.

It would be simpler to say that: Those who practice in the Borough, i.e have projects in the Borough or are in a framework agreement with the Borough must not participate in design review panel at Merton at all whilst these projects or frameworks are live. I think this is a reasonable conclusion. If we had a wide enough pool of panellists this would not be a problem.

DRP members would ideally be people who know the Borough well, i.e. live here, but practice elsewhere and have no commercial contacts with the Borough whatsoever, directly or indirectly.

3.6. The code of conduct contains notes for panellists, applicants and councillors, but none for officers. There should be a section setting out the code of conduct for officers.

3.7. The council might run the eventual text of the code of conduct past a real lawyer, in case they ever wanted to enforce them and they were challenged.

#### **4. Terms of Reference**

Terms of reference should be prepared, as a separate document, and should be concise.

#### **5. Recruitment Process**

The draft guidance recommends:

*'A degree level qualification (or demonstrable equivalent) in a relevant built environment profession'*

In my view that is not enough. We should normally expect professional qualification plus experience, that is:

- a degree
- a post degree diploma (or suitable experience equivalent to this)
- a professional qualification (or suitable experience equivalent to this) RTPI, RIBA, ICE, LI or equivalent
- relevant experience in practice post qualification.

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RESPONDENT 8

**Code of conduct**

In the press section it would be better if the press can only refer to panel members and not their names, to avoid us being contacted, lobbied and even abused (thinking worst case scenario).

### **Proposed recruitment process**

The Expertise is only 3 lines and should be more. It would also be better to provide a checklist of expertises to avoid people using different names and to help compile a spreadsheet to better match the people with the correct skills to each design review.

A broad point, is it would be very helpful to pull all your hard work together to define a revised DRP process. To provide a step by step process, and any parameters. This would crystallise the DRP process to provide much greater understanding.

I would be interested in reviewing your public realm schemes. I would also be interested in the role of deputy chair and possibly chair if it goes well. But I would like to find out more about if I would be considered and what is actually involved.

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### **RESPONDENT 9**

I have reviewed all the documents and the proposals all seem reasonable. I would suggest a tweak to the role description to ask for local knowledge – I do think this is helpful.

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### **RESPONDENT 10**

Its great – really comprehensive and I like the smaller group as it will mean less repetition and hopefully allow more time to comment. It's also good to see the split in amber – very helpful.

I do have one suggestion – on one of the other panels I am on, after the panel briefing the applicant gets an extra 5-10mins to give an overview of the site – a virtual site tour. Its really helpful as they can drive up roads leading up to the site and point out key views etc. I wonder if you are recruiting for a broader range of members, they may find it hard to visit site and so allowing time for a 'visit' might be really helpful? I do appreciate it may be too late in the day to add in though.

My only other comment is if there are in person meetings, the applicant should be encouraged to bring a model.

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### **RESPONDENT 11**

- Selection criteria: The involvement of emerging architects/designers as well as experienced big firms is very important. We need a range of different views and backgrounds that reflects London's diversity. However I believe

experience in practice is really important so I suggest a minimum 5 year of experience as a business in the market and 10 years of post-graduation experience for the individual.

- It is a good idea that panel is refreshed periodically but it shouldn't stop members getting reselected or continuing if a panel member is happy with it and/or the Council needs more panel members.
- Evaluation and verdict: Have you considered a points system rather than the colour system?
- Charging for applicants and payment for reviewers: I think the charges to the applicant should minimal. Panellists should do it voluntarily. Most panel are paid by their practices and attend during work time.
- I prefer reviewing one project at a time and ideally face-to-face meetings following to a site trip. Wandsworth council's approach to site trips with a case officer and project architect works very well. Panellists attend the site meeting and the architect gives the panellists a well prepared presentation on site or at a venue close to the site. The whole project review takes around 2 hours including the site trip. I think early morning meetings suit everyone better .
- Zoom meetings work very well as well but potentially mean that 2 time slots are required for one project. It would be easier if panellists visit the site individually if meetings are held online.
- Mid-week early morning meetings work better for me. It is easier to book 9:30-12:00 am in general and visit the site before at the beginning of the day.
- The role of the chair: It would be useful if there were guidance for the chairs and their role is clarified.
- The chair should not be a judge but more a facilitator. Chairs are not decision makers. Chairs normally introduce the presenters, keep the meeting on time and facilitate the Q&A and agenda. They manage the meeting.
- I think it would actually be useful if the chair is not a DRP member but a project manager if possible. We need a good facilitator to make the meeting more efficient without personal design expertise input. Ideally that person could also write the meeting notes.
- Sometimes the chairs in DRP meetings , especially at Wandsworth councils meetings, summarise their own views at the end of the meeting rather than summarising the panels general views. It ends up being chair's personal conclusion. Ideally the timing of the reviews should be before any pre-application meetings and submission. Our role works best when assisting the council in its decision. Review as part of the Planning Process could help Council to use the design panel as design experts and puts the Design Review Panel's role as design consultant to the Council.

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## RESPONDENT 12

I have no significant comments beyond echoing many of those of Respondents 7 and 6, in particular to second the usefulness of a post meeting review - something which has informally evolved over the past year and which I think many of the panellists found helpful and interesting.

I would furthermore emphasise my support for the appointment of an expert chair. I would consider that this could greatly assist in giving the reviews a more collaborative approach, with the potential for greater discussion between the panellists and applicants rather than the more rigid 'three minutes' of comment from panellists with no subsequent comment from the applicant.

The last year on the panel has suggested to me, as per Respondent 6's comments, that in many instances a greater length of time needs to be allocated for the process, particularly in the case of complex schemes. I would therefore second their comments on allowing for a greater length of briefing than five minutes, and the usefulness of having various panel members focus on particular aspects of the scheme in the subsequent discussions.

I very much support the revised recruitment process and the application of a structured code of conduct.

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### RESPONDENT 13

- I would appreciate some payment of our time.
  - Applicants should summarise changes made since the previous presentation (they often do)
  - Pre session briefing is very informative and constructive.
  - Do not like the rigid structure of equal time individual feedback because often discussions between panel members addresses the complexity of a problem (me and Respondent 7). However this is a personal view. The notes of the meeting do reflect the balance of the discussion with clarity of outcome.
  - The panel's comments should have priority on design issues on the planning committee / officer's recommendation.
  - The multidiscipline team is good.
  - Site visits are useful, however the panel has sufficient skill to access the applications based upon the presented information. Plus often one panel member is intimately familiar with the site.
  - BRING BACK RESPONDENT 6. His clarity of thought and summary is missed by the panel. i.e. experience if DRP is highly valued.
  - The recent use of a councillor as chair has formalised the meetings in a rational way, which is good. However the meeting lack the creative discussion that resulted in better feedback as a whole.
  - The panel should not be designing the applicants scheme.
  - Zoom meetings works well, I often use several screens of the application open for a detailed understanding of the schemes and discussions.
  - I feel very uncomfortable having an open honest discussion in front of the public in case, 'thoughts out loud for open discussion' are taken out of context by interested parties.
  - The constructive friendly recommendations of the Merton DRP is unique and should be maintained in the transition as we move forward.
  - The recommendations / future plans for the DRP that were issued are agreeable and well thought out.
-

## RESPONDENT 14

### **General Comments:**

I trust you have come across 'Frame Projects', I wonder if it might be a good idea to speak with them about their process and if you may have considered engaging with them to manage the process so that officer time is freed-up? This may of course have already been discussed and dismissed, but wanted to raise on the off-chance it hasn't.

As a DRP member, regarding receiving applicant information ahead of a DRP meeting, at the moment, an email with the information seems appropriate; rather than the need to login into the online portal (it just adds another step for panel member to get used to).

### **Review of Code of Conduct:**

As the DRP members have a robust code of conduct; it feels fitting and fair that the applicants also have a robust code of conduct. At the moment, this seems minimal to the expectations placed on the panel members.

### **Review of Proposed Changes to Operation:**

#### **Format, Charging & Payment:**

It is right that panel members are paid for their time and expertise in providing a response that will ultimately influence the quality of a submitted planning application. The time required, ahead of the DRP to prepare, research, and bring constructive feedback and direction is not insignificant and without payment, may reduce the level of importance placed on this. In effect, many DRP members will no doubt weigh-up the level of investment vs return. Where this does not seem balanced, DRP members are likely to commit less time to the process.

Additionally, the enhanced scheme following DRP review adds value (social & economic) to the final product, which is an uplift the developer benefits from. Whether that be through desirability of a development, increased sale values of units within that development, or an increased pace of sale of said property. These are benefits the DRP member have contributed to, but not been rewarded for.

#### **Design Expert Chair:**

It is right that a design expert is appointed as chair due to experience.

#### **Membership & Review:**

It is probably worth identifying a period for which members must be replaced. So a term could last between 2-4no. Years before a DRP member must be replaced / reapply for the position.

**Recruitment:**

It may be worth having a discussion with 'Frame Projects' to understand their recruitment process and see if there are synergies Merton can learn from.

**Operational Changes:****Timing and number of review.**

Agree with DRP meetings occurring during the day. I believe the maximum no. Of reviews / session should be 2no. – otherwise this is a lot of work for a panel member to prepare for 3no. Completely different schemes and bring useful feedback for each. Should 3no. Be required in a day, perhaps 2no. In a morning session and 1no in an afternoon session; or the other way around.

**Verdict:**

It would be useful to understand what the applicants take from the RAG verdict and how this affects their design response. This, as opposed to just having comprehensive notes for review and reflection. While it is a useful marker in the meeting; it would be worth understanding how this practically applies to how the applicants review their work, or indeed how the final planning application is determined. In effect, other DRP's do not have a RAG list, and I'm curious as to if this RAG system helps the applicant and quality of the returning scheme.

**Scheme Identification:**

It might be worth enquiring with other boroughs on how they identify these. In many cases, it may simply be a case of all major developments above a certain number. I.e. greater than 30no. Dwellings.

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**RESPONDENT 15**

Overall, I endorse the more in-depth review of the panel and most of the recommendations for change. I won't go into detail for all of them and only comment on those were I have some concern / strong support.

**Design Expert Chair**

I don't agree with the conclusion of having a Design Expert as a Chair. Having a councillor as a chair provides a stronger link to community representation and responsibility to act on behalf of Merton's community. It 'earths' a panel discussion to common sense. On the contrary, I have experienced many panels (as a presenter or subject matter expert), which entertained design discussions most people might find irrelevant. Furthermore, there is a risk that the chair pertains a specific school of thought on design matters, rather than presenting independency. While I would encourage to maintain a from the design profession independent chair, having a named spoke person for the panel might bring that extra level of quality into the reviews.

I endorse the periodic membership update and review, as well as presenting the notes as an amalgamated summary.

Verdict - changing to a 4 point scale is welcome.

Planning policy documents review - The remit of the review and selection of reviewers should be clearly set out, as well as finding the appropriate time for review. The SPD review I was asked to do was too late in the process and entirely generalist - not good use of time.

### **Review of the Review.**

Could applicants be invited to fill out short surveys of what they found useful from the review process and anything they found unhelpful? Emphasising the collaborative nature of city building (and in most cases, professionals are speaking to professionals here), this could further help shaping the quality of the discussion on the art of the possible, rather than what might feel like a trip to the dentist: unpleasant but necessary.

It wasn't mentioned in the changes, but an area I would like to promote: at each panel, it would be helpful if panellists have an assigned area of expertise on which they comment on, and should be briefed on other members area of expertise. This could further help structuring the discussion, time keeping, as well as ensuring all priority subject areas are covered. The GLA have a booklet on the MDA. I found this really useful to understand the professional backgrounds of reviewers prior to going into a review.

### **Code of Conduct**

Looks all fine in principle. It is really quite nuts and bolts. A trimmed down version will have a bigger chance of actually being read.