

Securing Quality Design – a practice note



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Executive summary

The goal of this document is to provide clarity, reduce ambiguity, and ensure that the design vision for a scheme is executed as intended, fostering sustainable, high-quality environments that enhance the quality of life for residents.

Key points include:

- 1. Need for Design Quality Assurance: The document identifies common factors leading to a loss of design quality, such as insufficient preapplication information, unclear design details, poorly written conditions, and under-resourced post-consent phases. These factors can cause disputes and prevent the full realization of a project's design intent.
- 2. **National and Local Policy Context:** It stresses that design quality is embedded within national and local planning policies, such as the National Planning Policy Framework (NPPF) and the Tower Hamlets Local Plan, which require local authorities to ensure that design quality is maintained from approval through to completion.

- 3. **Strategies for Securing Design Quality:** The note provides practical measures for planning officers and developers, including:
- Frontloading the Design Process: Ensuring clear understanding and documentation at the outset of the planning process to prevent ambiguity and ensure alignment.
- Planning Performance Agreements (PPA):
 These agreements help manage timelines and expectations, ensuring better collaboration and fewer delays.
- Early Engagement with Design Review Panels: Encourages involving independent experts early in the process to ensure quality is built in and not compromised.
- 4. **Monitoring and Implementation**: The document also outlines methods to monitor and enforce the quality of design throughout the development lifecycle, from pre-application advice through to post-consent implementation.



Stanley Turner House in Bow

Introduction

"Places affect us all – they are where we live, work and spend our leisure time. Well- designed places influence the quality of our experience as we spend time in them and move around them. We enjoy them, as occupants or users but also as passers-by and visitors. They can lift our spirits by making us feel at home, giving us a buzz of excitement or creating a sense of delight.

(National Design Guide January 2021)

Our residents should expect high quality design in the built environment, and the aim of this document is to provide guidance on how to secure this through the planning process.

This guidance will drive frontloading by providing a clear steer to applicants as to what is expected as part of the decision-making process. It will be applied to relevant applications serving as information for applicants and decision makers and does not create new planning policy.

Quality design

For the purposes of this document, quality design is defined in the context of national planning policy, which places an emphasis on achieving design excellence including design that is high quality. Design excellence can be considered as an outcome that 'delights' and is also robust, functions well, is capable of being well executed, is durable and weathers well over the longer term, contributes to health and wellbeing, treats people equally and is sustainable. High quality design is an investment in quality of life.



Refurbished interior of the Young V&A museum in Bethnal Green

The need for guidance

The council has noticed that the design quality, which appears evident during the application process up to consent, is not necessarily always being delivered. It is also recognised that, in some cases, insufficient information about the design is provided in the first place. This guidance is aimed at addressing this issue and is part of a wider set of measures at the national, regional and local level aimed at raising the profile of design across the borough.

Several studies¹ have considered the reasons design quality is not delivered between permission and completion. Whilst the focus of these studies has been on the diminution of design quality post consent and the reasons for this, there is an increasing recognition that this can result from insufficient or unclear information being provided as part of the application itself, which can lead to disputes and misunderstanding as a scheme is built out.

Erosion of design quality is the result of several factors from inception and includes:

- insufficient testing and understanding of the design rationale. Often, the proposals may be presented prior to the commissioning of specialist details, so the practicality and cost of achieving architectural detailing are unknown
- insufficient information / lack of detail / ambiguous detail at application stage resulting in differing understandings of what is proposed
- poorly worded conditions
- changes within the design team on the client side
- under resourcing of the post consent phase, in particular, an underestimation of the time and importance of the discharge of conditions when they relate to key issues such as materials, window details, and landscaping
- lack of understanding of what is involved in the production of a particular architectural detail and therefore a recognition of whether it is practically achievable and affordable

¹ From Consent to Completion, the UWE and WECA report (Design the whittling away of wonderful ideas: post consent and the diminution of design quality); and, Retaining Design Quality through to Delivery Hawkins Brown 2016

Individually, many of the changes sought during the delivery of the scheme may be small, but it is important to be aware of the cumulative impact which these small changes can have on the overall quality and appearance of the design.

Managing them will help to ensure that the design quality can be maintained and the scheme delivered as envisaged.

By seeking a greater understanding of proposals at an earlier stage (frontloading the design), greater clarity and certainty about the design and the quality of details can be achieved, and changes which result in an erosion of a schemes quality can be avoided. Clarity and certainty over what is proposed can align expectations and reduce the areas for dispute. It can mean that if a site is sold on, post consent, the proposals for that site are clearly set out, and the aspirations understood by all parties, reducing the opportunity for disagreement and reducing the opportunity for unexpected costs, which might result in value engineering and a consequent dilution in design quality.

The success of a scheme depends upon securing a focus on design quality throughout the whole life cycle of an application, and any changes must be with aim of ensuring that we secure and deliver design quality.

Scope

"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve"

(NPPF 2024)

The purpose of this practice note is to detail how the council and developers can work together better at all stages of the planning process to achieve the best development outcomes for residents. This includes making sure that development proposals include enough information about design matters at the outset to provide everyone involved with confidence that the highest standards can be achieved. It also includes taking steps to ensure that once a high-quality design has been agreed, it is not subject to incremental and cumulatively damaging change.

To help to achieve this, the note provides a toolkit of practical measures that will help planning officers and developers to manage the application process more efficiently and more smoothly, resulting in fewer disputes and delays. The measures will help to capture and embed design quality from the outset, clarifying exactly what is intended and ensuring that everyone has the same understanding of what is proposed. The toolkit also includes measures that will help planning officers lock in design quality throughout the planning process and provide confidence that residents will benefit from the high standards of design that have been agreed upon.

The tools in this kit include:

- The use of planning performance agreements
- Details of documents needed to support planning proposals
- Information on making the best use of design review
- · Architect retention clause
- Example conditions
- Implementation and monitoring techniques

The scope of this document is to provide guidance on helping to ensure that schemes deliver design quality and are implemented as permitted. It will apply to development at a range of scales from the largest scheme to minor applications, and as well as schemes with complex design and heritage issues. It will also apply to schemes at the preapplication stage, where an application has been submitted and where planning consent is already in place [such as amendments or approval of detail]. It will be used by council staff as well as applicants and developers.

Policy context

A review of key policy references and guidance shows how principles of design quality are embedded in high level principles, as well as detailed criteria against which developments are assessed.

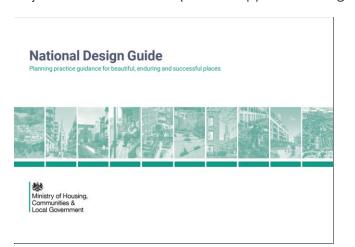
National Planning Policy Framework (2024)

The issue of erosion of the design quality during the post consent implementation and delivery of a scheme is reflected in the NPPF, which notes that:

"Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)."

(NPPF 2024 para 140)

This means that the details of the scheme, including elements such as the materials and how they are to be used, is required at application stage.



The London Plan (2021)

The London Plan recognises the need for the retention of design quality throughout the development process and encourages the front loading of design. Policy DF4 states:

"The design quality of development should be retained through to completion by: 1) ensuring maximum detail appropriate for the design stage is provided to avoid the need for later design amendments and to ensure scheme quality is not adversely affected by later decisions on construction, materials, landscaping details or minor alterations to layout or form of the development 2) ensuring the wording of the planning permission, and associated conditions and legal agreement, provide clarity regarding the quality of design 3) avoiding deferring the assessment of the design quality of large elements of a development to the consideration of a planning condition or reserved matter 4) local planning authorities considering conditioning the ongoing involvement of the original design team to monitor the design quality of a development through to completion".

The expectation is that, when reviewing the design of a development, in addition to covering its layout, scale, height, density, land uses, architectural treatment and landscaping, careful consideration must also be given to the materials and architectural detailing.

The Local Plan (2020)

The Tower Hamlets Local Plan sets out a clear vision that neighbourhoods will be transformed with high quality buildings and well-designed spaces. Policy S.DH1 expressly embeds in planning policy that it is requisite that high quality design is delivered in new development, to ensure that Tower Hamlets remains one of the most dynamic and attractive parts of London.

Other policies relevant to achieving design quality include,

- Policy D.DH2: Attractive streets, spaces and public realm
- Policy S.DH3: Heritage and the historic environment
- Policy D.DH6: Tall buildings
- Policy D.DH7: Density
- Policy D.DH8: Amenity
- · Policy D.DHg: Shopfronts
- Policy D.DH10: Advertisements, hoardings and signage

These policies can be used alone or cumulatively to secure design quality outcomes.

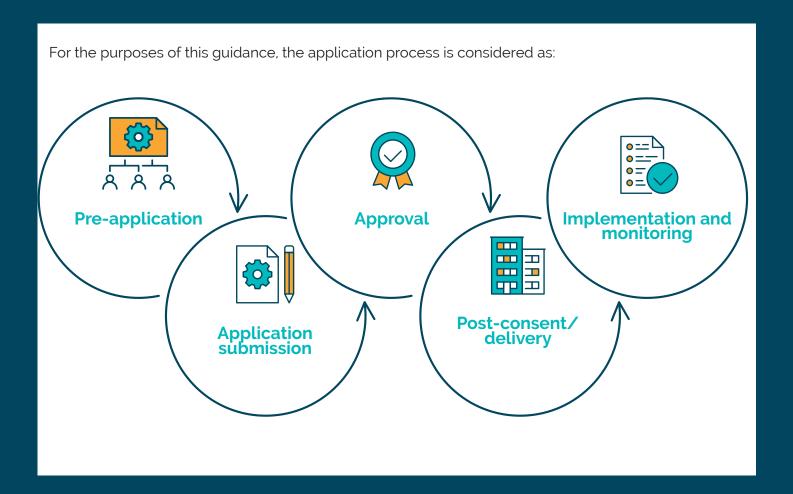


Further guidance to help inform the design quality for different areas of the borough and for different uses can be found in:

- Isle of Dogs Neighbourhood Plan
- · Roman Road Neighbourhood Plan
- High Density Living SPD
- South Poplar Masterplan SPD
- Central Area Good Growth SPD
- Queen Mary University London SPD
- Reuse Recycling and Waste
- Conservation Area Character Appraisals for the boroughs 58 conservation areas
- · Register of Locally Listed Buildings
- Further advice is proposed about Shopfronts and Active Frontages

These can be found on the council's planning pages at towerhamlets.gov.uk

At the time of publishing this document, the council had recently completed Regulation 19 of the Local Plan.



Delivering design quality throughout the application process

"Design quality should be considered throughout the evolution and assessment of individual proposals."

(NPPF 2024)

Key to maintaining the quality of design throughout the application process is ensuring that there is a clear understanding of the proposals at concept stage, which is then reflected and locked into the application submission and approved drawings, and delivered throughout construction to final completion. Securing this quality can mean a successful development and, ultimately, a successful place.

It is expected that, together in partnership with developers, we can ensure there is a more proactive focus on how securing design quality is addressed in the application process and implemented throughout the development and delivery of the scheme. Design quality needs to be appropriately captured, embedded, and delivered as part of an application and permission.

There are several measures which could help, but the bottom line is to protect design quality and ensure it is not diluted post consent, and so it is necessary to begin at the point of the assessment of the site. Understanding the initial considerations of the design concept will highlight the constraints and potential of a site and the response required.

To reduce the risk of change to a successful design concept, the application drawings must capture the design intent clearly and accurately. This will help to ensure that the details of the design are understood and that during delivery the design can be protected against inappropriate revision. Offering certainty about what is proposed to all parties reduces the opportunity for detrimental changes to the scheme as originally envisaged, providing longer lead in times for key materials to be sourced and details to be constructed, as well as easing quoting, and ensuring certainty around preparation of future delivery tender packages for developers.

Key to this is how we balance the need to embed and secure the design quality more effectively within the application, so that it is not materially diminished during delivery, while maintaining flexibility to change a scheme without diminishing this quality if that is necessary to help its delivery.

The following sections of this practice note explain in more detail how design quality can be secured at each stage of the planning process.



Pre-application stage



The pre-application phase of a planning application is the stage at which most of the research and preparation for making a planning application is carried out.

This stage includes assessing the site and its constraints as well as working through any issues. It involves beginning to detail up the scheme.

The pre-application stage refers to:

- · Pre-application meetings and advice
- · Planning Performance Agreement
- Early engagement with the Quality Review Panel
- · Early community engagement

The goal is to prepare a fully detailed scheme which can be recommended for permission. Front loading the provision of information and details helps with the assessment, understanding and confirmation of the quality of the development proposed, which reduces ambiguity around the details of a scheme and eases the path of the application.

Pre-application advice and meetings

Tower Hamlets offers a pre-application planning advice service to provide planning advice before a planning application is submitted. This service is based on the principle of working collaboratively and proactively to shape development proposals, to add value to the proposals and to ensure a high quality of development.

The pre-application service provides the opportunity to meet officers to discuss the proposals in detail, including, where relevant and/or required, exploring different options for development, identifying and resolving any issues with the proposed development, as well as discussing possible mitigation of the impact of the development.

The pre-application stage also involves identifying information that may be required to accompany a planning application. If scheme information is required as part of discussions, it must be submitted in advance of the relevant pre-application meeting to enable officers to become familiar with the site and proposals. If information is not provided in advance or inadequate information is received, this will limit the extent of pre-application advice that can be offered by the council.

Pre-application advice request form

To start using the council's pre-application advice service, developers are required to submit a pre-application advice request form along with an Ordnance Survey site location plan, usually to a scale of 1:1250 or similar, showing the location of the site and its context.

Site analysis

It is expected that a detailed analysis of the application site will be provided to inform the pre-application discussions. The analysis should consider the existing site context, its character and form, local connections, opportunities and constraints, and should be presented in a way that will inform options for the proposed development. The site analysis can be updated and supplemented with additional drawings as the scheme evolves, and design details are updated and revised.

Scheme information

The amount of information about the proposed development should be proportionate to the scale and complexity of the scheme being put forward and the level of advice that is expected to be received. For example, basic floor plans and elevations, along with photographs of the current site, should be sufficient for advice on household extensions or small commercial development proposals, such as shop fronts or changes of use.

More information will be needed to provide advice on larger scale development proposals or those which may affect more sensitive locations or heritage assets, such as development in conservation areas or affecting listed buildings. A good starting point is to include the first draft of a design and access statement, as this will be a requirement when submitting an application.

Design and access statements explain the design thinking behind the proposed development and should show how everyone, including disabled people, older people and the very young, will be able to use the places that will be built. The statement should explain how the physical characteristics of the proposed development have been informed by a rigorous design process, which may include:

- · A detailed assessment of the site and its context
- Information about how key stakeholders have been involved in the development of the design
- An evaluation of information gathered and an explanation of the options for the development of the site
- An explanation of the proposed design and the reasons for selecting it

In many cases, a decision about the proposed final design of the scheme may not have been made in the early stages of pre-application discussions, and the last of the four stages referred to above may not be included. Specific information about the proposed design might include details of:

- · The use of the new buildings and spaces
- · How much development would be built on site
- The layout of the buildings and spaces on the site and the relationship of them to the spaces and buildings around the site
- The scale of the buildings and the impact that this would have on the site and its context
- How the open spaces will be treated to protect and enhance the character of a place and be enjoyed by residents and visitors
- The appearance of the buildings themselves, including information about materials and architectural details

Specific information about access may include:

- How everyone can get to and move through the place on equal terms regardless of age, disability, ethnicity or social grouping
- Why the access points and routes have been chosen, and how the site responds to road layout and public transport provision

Sufficient detail is required to ensure that the proposals are clearly understood. It is important that they provide certainty about what is proposed and are not open to interpretation. Ambiguity can lead to a dilution of design quality later as the drawings provide insufficient information to determine what was anticipated by the original designer.

A list of the drawings and architectural details necessary to reduce the need for conditions and provide greater certainty around the quality of a proposed development are provided at Appendix 1. Provision of these drawings as part of the pre-app and application process will reduce potential delays during delivery of the scheme.

Outline application

With an outline application, the level of detail required will be proportionately less. However, it is anticipated that the application submission will include a design code, so provision of some detailed information in respect to design intent/design ambition will still be required.

Pre-application meetings

A series of pre-application meetings will be set up so that the applicant can discuss the proposed scheme with council officers. Meetings will be attended by council officers from a range of disciplines depending on the nature of the development site, and size and complexity of the scheme.

The first meeting or meetings will deal with the general principles of the development, such as the principle of development in terms of proposed land uses, siting, scale and massing in terms of demonstrating a design-led approach to site optimisation including consideration of retrofitting over new build, achieving links through the site, sun lighting and daylighting. Once agreement about these general principles has been reached later meetings will consider the scheme in more detail including details of the materials, approach to handling the facades, and architectural details such as windows, balconies, balustrading and landscaping treatments.

As mentioned, the applicant is required to submit scheme information in advance of the meeting. Pre-application meetings usually start with a short presentation by the applicants and their design team, introducing the site and explaining the design process that has led to the proposed development.

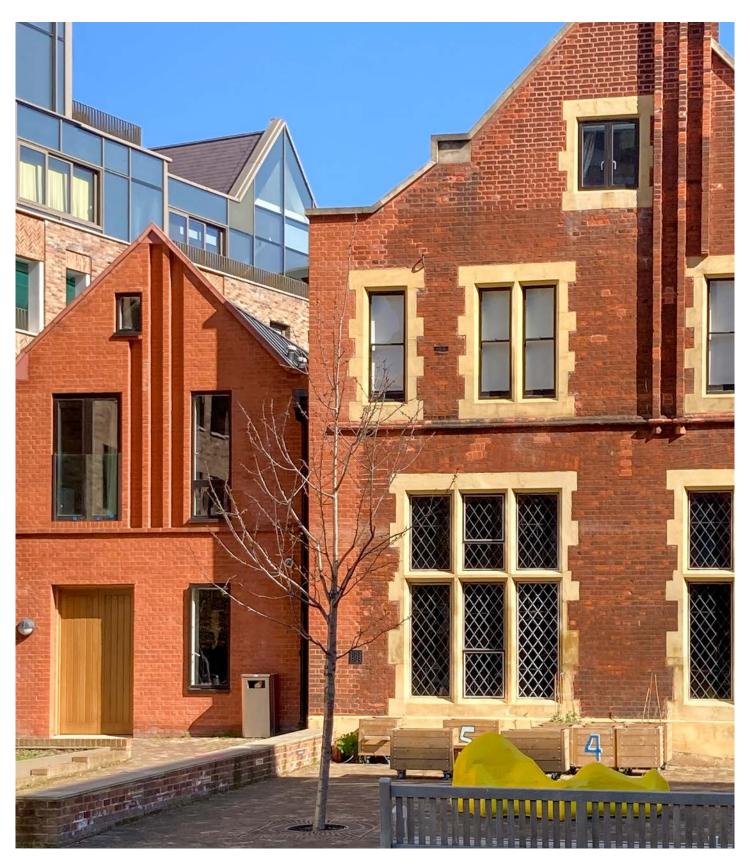
As originally built, the main facade had three gables, as shown in the illustration from *The Builder*, published in February 1885. But, in the 1890s, this part was rebuilt with a projecting Library wing, probably designed by Hoole. At the same time, buildings by Hoole were added west of the Drawing Room. These comprised a single-storey cloister with a Clocktower, linked to the Warden's House, which fronted Commercial Street (completed 1893). Of these, only the Clocktower range survives today, though curtailed following bomb damage. It now abuts Profumo House, which stands on the site of the Warden's House.



Perspective view as published in The Builder, 1885



Toynbee Hall, c. 1900, showing the Library wing (left) added in the 1890s and later demolished following bomb damage (Toynbee Hall Archive)



Toynbee Hall extension as built: The Toynbee Hall Masterplan was inspired by the history of the site which was discovered during the preparation of proposals

Planning Performance Agreement

Pre-application advice is often accompanied by a Planning Performance Agreement (PPA). The main purpose of a PPA is to provide a framework, agreed between the council and the applicant or potential applicant, to help manage the effective and timely consideration and processing of a scheme. They allow for a bespoke pre-application service to be agreed and provide a project management framework that helps to avoid unnecessary delay and uncertainty.

A PPA is a flexible mechanism, adaptable to proposals where several parties are involved, and the process may be staged over a long period. No standard PPA will fit all circumstances.

As a project management tool, the agreement is used to:

- guide agreed timescales and actions, including site visits at every stage
- assist in setting out the necessary technical / specialist input needed
- structure actions including timetabling Quality Review Panel and where appropriate the Community Development Panel
- help identify the resources necessary for handling applications at the appropriate time.

The council encourages the use of PPAs because they help to:

- bring together the developer, the local planning authority (council) and key stakeholders to work collaboratively throughout the planning process
- ensure complex proposals progress through the process from pre-application stage to application submission and decision to mutuallyagreed timescales, without being constrained by the 13 or 16 week statutory timeframe
- identify key contacts for easier communication between the developer and the council
- ensure appropriate resources and expertise are provided to advise on complex proposals
- provide greater opportunity for dialogue through the planning process (pre-application stage, planning application stage and the post decision stages) and help deliver high-quality development

Early engagement with the Quality Review Panel

The Tower Hamlets Quality Review Panel (QRP) provides independent expert advice and guidance to developers and their design teams, planning officers and members of planning committees on the overall quality of proposed development.

The panel is comprised of a pool of leading built environment professionals working in the fields of architecture, urban design, landscape architecture, engineering, heritage, transport, environmental sustainability, planning and development delivery. Panel members have been chosen to provide a broad range of expertise, and many possess expertise in more than one area.

The council encourages engagement with the QRP in the early stages of the pre-application process as this offers applicants the opportunity to take advantage of the panel's expertise to improve the quality of the proposals whilst there is still a degree of flexibility. Engaging the panel at this early point will mean that the panel, with its specialist skills and experience, are able to add value to the proposals as well as influence any basic assumptions of the design approach.

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At the pre-application stage presentations to the QRP should cover the general principles of development and should include information about different options that have been considered. Comments received from any public consultation or engagement with key stakeholders should also be reported to the QRP.

Once these fundamental design issues have been addressed, the panel will be able to comment on more matters in a follow-up design review meeting.

It is expected that schemes will be considered by the QRP twice as part of the PPA unless it is agreed that a second attendance is not required. Wherever possible, follow-up reviews will involve the same panel members.

For further information on the applicant's requirements and council's service offer, refer to Tower Hamlets Quality Review Panel.

Early community engagement

It is essential that the local community is engaged at an early stage to understand local feelings about what is appropriate for a site's development. Developers should engage the local community prior to attending a second QRP explaining the principles of the design, the factors which influenced the appearance of the scheme, its layout and form, the materials proposed and detailed elements of the scheme such as doors and windows. This will help with understanding the local community's concerns and priorities regarding the character and appearance of the scheme and the way that it functions. The outcomes of community engagement exercises should be presented to the council as part of the pre-application process. Applicants and their design teams are expected to demonstrate how the design of the scheme has taken account of any issues raised by the local community.



Application submission



"Detailing affects the appearance of a building or space and how it is experienced. It also affects how well it weathers and lasts over time"

(National Design Guide, January 2021)

The application submission stage refers to:

- Outline planning applications
- Full planning applications

By the time that a full planning application is submitted all the design matters should have been discussed and resolved. The intention being to provide certainty and reduce the need for conditions and prevent unnecessary delays for the applicant during delivery. The only exception to this is if the application submitted is for outline planning permission.

Outline applications

An application for outline planning permission allows for a decision on the general principles of how a site can be developed. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'.

Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (i.e., they can be 'reserved' for later determination). These are defined in article.2.of of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as:

- 'Access' the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 'Appearance' the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.
- 'Layout' the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' the height, width and length of each building proposed within the development in relation to its surroundings.

Where outline consent is sought, a design code indicating the quality expected as part of the reserved matters submission will be required. Design codes contain simple, concise, illustrated design requirements. The requirements should be set out as specific, detailed parameters that are visual and numerical, wherever possible. Design codes can cover an individual site or a wider area and build on an overall design vision for the area they cover.

A commitment to full community engagement regarding the proposals will also be required.

Full planning applications

The documents submitted in support of a full planning application must give the council, and other interested parties, enough certainty that the high standards of design agreed in pre-application discussions, will be delivered if permission is to be granted. This section provides information about how this can be achieved in the following elements of a planning application:

- Drawings
- Visualisations
- Materials
- · Public realm & landscaping
- Design and access statement A good example of a well informed and presented Design and Access statement can be seen at:-DAS_860FR-L01-001 Rev.1.indd (link not working)

Getting this right is essential to providing the design certainty required, as a lack of completeness of design detail at application stage may result in an unwanted degree of flexibility and construction details, that, when built out are not as envisaged within the proposal.

Unanticipated amendments can lead to design quality being compromised. Unless explored and detailed, elements of the design that were understood within planning drawings, may not be possible to construct or must be so altered that it changes the design rationale. Failure to understand and explore construction details at an early stage might mean that they are unachievable or alternatively, that if achievable, they are unaffordable.

Examples of this include:

- When building elements are assembled off-site, it may be that the design cannot be constructed exactly as envisaged. This can result in minor amendments to the agreed scheme, which may compromise the design, so it is essential that the construction of key elements can be explored and confirmed as part of the application.
- A colonnade with what appeared to be a tiled ceiling within the application document, was determined at construction stage to be potentially dangerous. These concerns should have been resolved before the proposals became an application, so that alternative solutions which provide the same quality, can be found.



Visualisation of St Annes Row, Limehouse from the DAS



Drawings once revised to include a parapet detail



Parapet detail as constructed

Drawings

Design concept drawings set out the key principles and qualities of the design, form, massing and bulk, and identify key details and materials considered necessary to ensure the design relates well to its context. Once prepared, the ambitions and the principles established within these drawings must be translated to and accurately reflected in all supporting images and other material used to support the application, and accurately transposed into control purpose planning drawings for full planning applications. The design principles within this drawing need to be protected throughout the design process to ensure that it is not diminished or diluted as a result of real-world constraints, including technical constraints, those of budget, or even time.

Sufficient design detail needs to be provided in drawings and other visual material to ensure clarity over what is proposed and approved, and to prevent amendments which might dilute the design concept, resulting in changes that would be detrimental to the overall design quality.

Lack of supporting visual information, or poorquality drawings which lack detail, may result in a limited understanding of what is being approved. This issue tends to be exacerbated in hybrid applications where some elements of a scheme may be presented in outline without full detail about what is proposed in terms of the form and character of the building. In such cases, the impacts of the proposals are not fully evidenced.

To ensure the delivery of design quality, the details of the design must be clear so that they can be easily understood. Therefore, it is essential:

- to ensure drawings are clear and do not contain ambiguity;
- to ensure that the architectural detailing presented in the submission documentation reflects the design intent, has been fully explored and is achievable with no ambiguity in how it will be architecturally detailed;
- that the drawings provide sufficient information to understand the appearance of the building;

- that the proposals provide confidence that it is technically possible to construct the scheme put forward; and
- that the details of the proposals are clearly set out in the application drawings to prevent delays in the planning process.

The local planning authority will require drawings to be amended to show the required level of detail where it is not clear. It may also result in disagreement if some details are to be agreed at a later stage.

To provide certainty around the design details that lie at the heart of delivery, design excellence information, that might have only been set out previously in a design and access statement or contained on images of the scheme (with a full planning application), needs to be set out fully on detailed drawings.

Appendix 1 provides a general guide to the scope of details that is liable to be needed with any new build development of scale.

Included within the application pack should be a design concept drawing, which pulls together key facts about the proposals and annotates those details of the design which are considered to be particularly important.

As well as a comprehensive set of plan, elevation and section drawings, typically provided at 1:100 (1:200 on some of the larger schemes) and 1:50 on small schemes, to ensure the necessary clarity and certainty from the outset (without unwanted reliance on detail provided only by planning condition) for the determination of the application, to ensure design quality is secured, the following will be needed:

- preparation of measured survey drawings with existing and proposed level datums
- roof surfaces, clear measured parameters of roof top and other based plant
- plan, section and elevation drawings of all external windows, providing dimensioned details of reveals, jambs, head and sill, together with opening and trickle vent details
- full details of doors at a scale of 1:10

- plan, section and elevation drawings submitted with the application detailing the approaches to external façade cladding at a scale of 1:
 10 or 1:20 and in particular the detail of the junctions between external cladding materials to understand the relationship between materials
- balustrades and boundary treatments including railings at a scale of 1:10 with finials at 1:1, including method of fixing
- balcony details including the underside which is often highly visible from street level and can significantly impact the appearance of a building from pavement level
- typical bay study clearly indicating details and materials at 1:50
- strategy for extract duct flues to not result in ad hoc additions on facades, or internal voids disrupting geometry of internal layouts.

Visualisations

Visualisations are a useful way to demonstrate how a proposed development will look when completed. They can help the council, and other interested parties, understand how a scheme will relate to the existing context. However, visualisations can be misleading if they do not accurately depict the scheme illustrated in the planning application drawings.

It is important to consider if the visualisation is an accurate visual representation [AVR] or verified view. These are visualisations that have been prepared in accordance with relevant guidance to ensure that they accurately depict the proposed development in its context. They are harder and more expensive to produce but can be given greater weight in the decision-making process.

If the visualisation is not a AVR or verified view, care must be taken to ensure that it accurately reflects what is proposed. In some cases, visualisations use artistic licence and incorporate elements, such as trees and landscaping features, that are not capable being secured in the planning consent but are added to make the development look more appealing and attractive. If not included within the plans, these should be omitted.

It is important that views are agreed in advance with design officers and include the following:

- winter views, where trees that are not in full bloom (spring/summer)
- building(s) that are proposed to be differentiated from the surrounding proposals perhaps using an outline or alternative colour for the background
- existing views should be included for comparison
- consented schemes are included in a cumulative format with outlines that are shown in a different colour to that of the proposals
- sky colour should be neutral, and no features not included within the proposals should be included
- in some instances, nighttime views might be expected
- where impacted, required views from London View Management Framework should be provided



Barchester Street: the impact of different mortar colours, bonds and brick patterns being reviewed for works

Materials

Materials should be specified, to give certainty about the building's appearance. It is important that the intended materials are clearly identified so that a clear picture of the design intent can be gained and to prevent misunderstandings regarding the appearance of the finished development. A change in the intended material can have a substantial impact on the character of a scheme.

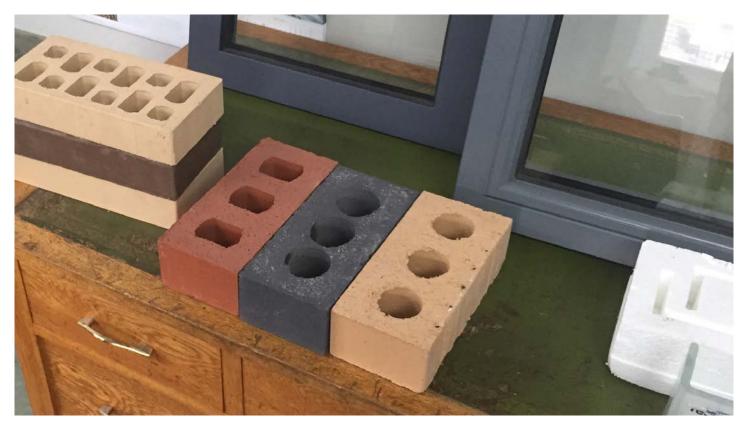
A full material schedule, including physical samples, should be provided with a full planning application (and an appropriate level of detail within a control document design code for outline applications).

Without this, any 'precedent' materials, CGI's images presented within the application documentation, risk not being delivered, creating uncertainty and introducing unnecessary risk for all concerned parties.

Whilst it is recognised that applicants do not want to be unduly constrained of material suppliers by specifying materials before RIBA Stage 4, it nevertheless remains critical, that physical sample materials and schedules are provided prior to determination of an application, so that a clear picture of the appearance of the proposed scheme can be gained. If the materials have to change, then there is clear evidence of what was intended when the scheme was designed and of the qualities that any replacement material should have.

Provision will include:

- physical samples (where appropriate) and manufacturer specification details at a scale of 1:10 of key facing materials such as bricks (to understand colour, texture, alongside brick bond and mortar finish)
- principal cladding materials (where a non-brick finish is to be adopted on an external facade)
- · window and door frame system, glazing
- soffit and canopy finishes
- choice of rainwater goods
- all items which are fixed / integrated to the façade (e.g., fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes)
- any landscape materials which do not form part of a landscape condition



An example of building material options presented as part of the submission process

The junctions between materials can be important and how these are treated should be clearly shown. Similarly, if the material is a cladding, it will be important to be clear about the visibility of the fixing mechanism. If brickwork is in different plains, it will be important to show how these work

Provision of these physical sample material details can be locked into the consent if that is desirable but will at minimum serve as a clear and unambiguous guide to the choice of colour, texture, durability, and quality of material that will be exacted through the discharge of a materials planning condition.

The nature and qualities of chosen finish materials needs to be clearly set out to ensure an understanding of the design intent and prevent later changes which dilute the design and cheapen the product. The longevity and durability of materials is something which needs to be considered, particularly in connection with the proposed use of a building.

Whilst reference may be made to a yellow stock, a myriad of yellow stock bricks exists, ranging in tone from buff to gold and varying in texture from creased to smooth to crumbly, including tonal variation or being consistent in colour. A yellow stock brick leaves a lot of options and ultimately offers the opportunity to opt for a brick which is cheaper, chosen due to it being readily available without supply chain challenges, or which is less bespoke. It is important to gain a clearer understanding of the qualities of the material proposed. In some instances, a brick change might be recognised as necessary due to availability issues. However, if the original chosen brick were confirmed at an earlier point in the build process, this might mean that it could be ordered earlier to prevent delays and importantly, degradation of the design quality thereby maintaining the choice of brick as that of the designer, rather than dictated by market availability.

Architectural detailing

Application drawings often depict the general outline of windows, but key details—such as materials, opening mechanisms, window reveal depths, opening lights, trickle ventilation integration, and framework dimensions—are frequently ambiguous or unspecified. While this allows flexibility for the applicant, it can lead to design compromises when discharging conditions, especially when cost savings are needed. These changes can significantly impact the development's quality.

If specific detailing is to be provided later by a specialist, a lack of clarity on the design intent and key considerations can undermine the original vision.

Public realm and landscaping

When putting together proposals for landscaping, the buildings which surround these spaces should be of high quality and enhance, activate, and appropriately frame the public realm created. Their massing, scale and layout should help make public spaces coherent and should complement the existing streetscape and surrounding area.

The relationship between the buildings and the open spaces which they adjoin should be clearly annotated on the drawings.

Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. Approved landscaped drawings must demonstrate they are capable being consistent and are not compromised by other details of scheme, e.g., works managed by s278 agreement, agreed biodiversity measures, and detail required to achieve Secured by Design accreditation, etc.

Particular attention should be paid to the design of the public realm itself, particularly its legibility, use, detailing, materials, and location of entrances. Creating a comfortable pedestrian environment, with regard to levels of sunlight, shade, wind, and shelter from precipitation is important, as is making it multi-functional. The most successful spaces are used by a variety of people in a multitude of ways.

Lighting should be carefully considered and well-designed to minimise intrusive lighting. Early consideration should be given to boundary treatments.

Care should be taken to ensure that space is not left over, if this requires a building to be angled or shaped to ensure that this is the case then this is expected.

Thought should be given to long term care and maintenance. This can be particularly important when the council is to be responsible for looking after it.

Samples of hard landscaping should be provided.

Design and access statement

It is imperative that within the application documentation, including within and alongside the design and access statement (DAS), there is a clear design intent shown in submitted technical drawings, that strives to be exemplary in design quality.

It is essential to have detailed drawings alongside the DAS because relying on detail only set out in a DAS in a bid to deliver upon design intent and quality is not satisfactory, as it is not capable of enforcement action.

Additional guidance about the structure and content of the DAS can be found above in section 6 – the pre-application stage.

Follow-up engagement with the Quality Review Panel

It is expected that developments are considered by the Quality Review Panel (QRP) during the application stage as well as at the pre-application stage. Follow-up reviews must reference and build upon the recommendations of the first design review. The applicant is advised that they should be able to demonstrate how recommendations of an earlier review have been considered and addressed. A statement setting this out may be required.

In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels².

A summary of the panel's comments will be included in the report for committee members. Reports will clearly demonstrate the way in which these comments have been addressed. Where comments have not been addressed, this may provide justification for a scheme to be refused.



Approval



Following the process of pre-application advice, submission of a successful scheme, and a recommendation for approval, it is in everyone's interest to try to ensure that the development goes ahead as envisaged. Locking in design quality is critical.

The approval stage refers to granting of planning permission, subject to:

- Planning conditions
- Architect retention clauses and design certification in a Section 106 Agreement
- Updates to PPAs to manage and discharge planning conditions

Conditions

The aim should be to try to have as few conditions on the consent as possible or reduce them to compliance conditions.

This is beneficial for everyone, providing certainty around quality and reducing potential delays during delivery.

Conditions tend to address incomplete levels of detail at the time of determination, and whilst some are inevitable, the aim should be to frontload the application and reduce the number of conditions required. Conditions should not be used to compensate for incomplete details, and discussions about conditions should be part of the pre-application and determination stages, with greater engagement between applicants and authorities needed to address this.

Duplication of consideration of details at application stage and discharge of condition stage is not an efficient use of officer time. Time spent understanding the details as part of the overall scheme is relatively easier at application stage when the application in its entirety is being reviewed. It becomes more difficult and time-consuming later if the details of the scheme need to be revisited and reconsidered. It can also result in dispute and delay at delivery stage when understanding of what is shown on the drawings differs.

Ideally case officers that dealt with original applications should also review the discharge of conditions and any amendments to these proposals.

A lack of detail at this point means a lack of certainty about the quality. Whilst it might seem easier to both parties to rely on conditions, it simply means uncertainty about what will be delivered. For the developer, there is uncertainty regarding what the planning authority will require and its affordability, and for the borough, there is the lack of certainly about the quality of the scheme and its sensitivity to context.

For the level of detail required in the planning submission, please see the application submission section of this document and refer to Appendix 1.

Architect retention clauses and design certification

The heightened level of detail in development proposals, as described in the earlier sections of this guidance, helps others to understand the design rationale, and what was intended when the design was formulated.

The council will, as set out in the <u>Planning</u> <u>Obligation SPD</u>, seek a clause in the legal agreement requiring design certification where appropriate. Planning obligations relating to design quality may be sought for major residential and commercial developments.

The planning obligation will require the development be subject to design certification through to completion of the project. This is to ensure that the original design intent for which planning permission was granted is achieved.

Before work commences, it shall be agreed in writing with the Local Planning Authority that an appropriately qualified design professional will supervise the construction of the approved scheme. Any proposed changes to the agreed supervision arrangements shall be subject to the prior written agreement of the LPA.

Based on the information provided, the council will recommend one of the following:

- original architect recommended to act as design certifier;
- different architect recommended to act as design certifier; or,
- · design certifier not required.

The developer will be required to engage the recommended architect as a design certifier for the remainder of the project. It is expected that the design certifier should be adequately resourced by the developer to undertake the following: reviewing construction drawings and material amendments, site visits, and regular submissions of design certification reports to the council.

For further guidance to assist developers and design certifiers to understand what the council expects post-permission, refer to <u>Planning</u> Obligations Supplementary Planning Document.

In instances where the original architect is not retained through to completion of the project the applicant should inform the council of this change in writing, including the reasons for the change and the details of the replacement architect. It is vital that the replacement architect has appropriate expertise in the nature of the design and delivery of the development.



Updated Planning Performance Agreement (PPA)

When planning permission is granted it may be necessary to review the PPA and update it as necessary. This will form a post consent PPA that will provide greater certainty about the delivery of the approved scheme and the resources that the council will need to commit to ensure that the high design standards are maintained.

It will further help to manage and discharge planning conditions.



Post-consent



"Post-consent is not always viewed as an integral part of the development process from project inception to on-site delivery occupation and ongoing management, yet post-consent is a crucial stage at which key details are agreed and change can occur. There is a need for far greater oversight, interest and management of post-consent processes at a strategic level to reduce the potential for erosion of quality at this stage."

(Design: the whittling away of wonderful ideas: post consent and the diminution of design quality (April 2021))

The post-consent stage refers to:

- Discharge of conditions
- Amendments
- Post consent PPAs
- Site visits and enforcement

The WECA report https://uwe-repository.worktribe.com/output/7318606 recommended the need for authorities to create a structured and standardised post-permission service to be able to manage and scrutinise the delivery process until completion.

Discharge of conditions

The trigger point to discharge conditions can be discussed to make the process quicker and ensure no delays. The way in which the submission of a material palette is proposed, with the option to condition the materials and then submit final materials in line with the original palette, is an example of this. Early discussion also allows applicants and architects to consider whether they want to frontload information at determination stage, so certain conditions may no longer be required.

If this is a joint process with the applicant, it is possible to annotate the conditions on the drawings, with an indication of what the intent of imposing the condition is.

To gain approval for the discharge of conditions, you are required to provide information concerning the condition itself, how you intend to meet the condition, and how the proposals relate to the development as a whole.

When considering a discharge of materials condition, adequate plans, drawings and information, including physical samples of key materials, must be submitted together with a copy of the design concept drawing, which formed part of the original application. An array of sample materials, with no accompanying commentary, can require substantial amounts of time to assimilate and understand what the materials provided are and where they are to be used. In some instances, materials can be used in more than one way, and the intended use needs to be clearly set out together with the context and background.

It is likely that you will have needed to submit a bay study with the original application, and the materials identified on this should have been provided on a supporting sample board, where the materials can be considered as a complete palette. If the intention is to change any of the materials at delivery stage, then a comparative palette should be prepared, so that the extent to which the revised materials reflect those originally intended can be assessed.

A physical samples board is necessary to ensure that the properties of a particular material and their compliance with the design concept drawing can be properly assessed. Colour and texture, and varying angles for viewing, all change the way a material is perceived, and generally, assessment of a physical sample is more appropriate than reviewing a photograph.

Amendments

Changes to designs after the initial / outline planning permission has been granted are often allowable as minor amendments through section 73 or 96a process of the Town and Country Planning Act 1990. However, even minor changes can have a substantial effect on design quality, environmental quality and visual impact. It is important to understand any potential amendments to the scheme likely to be required during delivery. These need to be assessed cumulatively rather than on an ad hoc basis. All changes should be clearly set out, with an explanation of the change, its impact, and justification for the change.

Pre-app engagement with the officers should precede submission of any prospective minor material amendment (\$73) or non-material amendment (\$96a) application. The purpose of that pre-app engagement is to:

- help streamline the subsequent determination of the application
- help establish if officers may be able to support the amendments or not
- gain early feedback as to whether officers are of the opinion the amendments are indeed minor or not, and whether they lend themselves for processing as a \$73 or a \$96a.

The effect of amendments can often be significant. All minor amendments should be dealt with cumulatively, to ensure that they can be reviewed holistically and to ensure a broader deterioration of the design quality is not occurring.

The pre-app submission (and any subsequent submission) should set out:

- what the main amendments are, clearly identifying how an amendment is departing from the original application
- highlight all other changes however minor they are – changes should be considered cumulatively rather than drip fed
- set out the reasoning / justification for the changes
- prepare a revised drawing schedule and supporting documentation schedule setting out each drawing/document that would be superseded if the amendment was approved and the title of the new drawing or document
- the original drawings which accompany the submission of revised proposals, highlighting changes and clearly annotating the proposed changes which should be required regardless of how small the changes are
- if the profile of the development in plan form, on elevation or in section would change as a result of the amendment a red wireline of that change should be shown on the plan of the original consented profile of the building (3D modelling software can be used to map amendments and assess impact on the built form)
- where new drawings are prepared, the same CAD software package and rendering packages should be used as was used with the original approved drawings to avoid ambiguity around the extent of sought changes that can arise from introducing a new CAD or render package
- where amendments to the original consent have come through as a series of formal changes, or the application is controlled by reserved matter changes, a Comprehensive Change Tracker should be prepared

Amendments to a scheme may result in conditions applied to the original consent no longer being fit for purpose. Conditions should form part of the preapplication discussions to ensure that conditions remain relevant and appropriate.

Post Consent Planning Performance Agreement (PPA)

At the current time, PPAs are generally set up to cover the planning process up to permission. However, the largest applications, outline consents, or schemes involving significant heritage sensitivities, may often benefit from putting in place a post-consent PPA. This can structure the discharge of conditions, manage important timescales from the developer's side, and can play a vital role in dealing with the discharge of conditions or managing possible amendments without the design quality being changed or diminished.

There needs to be recognition on all sides that working through the issues that arise during the implementation of a consent is resource intensive. This process involves a series of site visits with people present who have the right skill set, have a familiarity with the scheme, and, whenever possible, maintaining the continuity of personnel, from the schemes design conception through to its execution (a factor important to maintaining quality). This sustained process requires the financial support to be put in place to resource it. This needs to be reflected in how a post consent PPA is structured and how the fee attached to the PPA is set

It is suggested that a post-consent PPA should begin with an initiation meeting, and this should seek to map out a strategy for the discharge of conditions and a timeline, setting out:

- · estimated number of meetings
- venues for meetings, including the proportion of meetings that need to take place on-site
- details of who will attend the meetings from

 (i) the developer side, (ii) the council, as well
 as consider (iii) if future attendance will be
 necessary from other parties such as statutory
 agencies (e.g., Historic England, Canals & River
 Trust, GLAAS, and Transport for London)

From the council, it is important that the relevant people are present or actively engaged in the post-consent delivery process. For example, not just the relevant DM case officer and their line manager, but also an officer from the Place Shaping Team to deal with architectural detailing and choice of materials.

In many instances, this team of officers will also be negotiating with internal colleagues to ensure that the team's requirements also meet those overarching design quality requirements. These include:

- Legal Team (to complete s106 agreements)
- Highways DM Team (to consider proposals, including Construction Management Plan and Service Delivery Plans)
- Highway Design and Delivery Team (to review s278 and related matters)
- Waste & Recycling Team (to review the waste disposal and recycling strategies)
- Biodiversity Officer (to review proposals and ensure the inclusion of biodiversity measures)
- Energy Officer (to review energy efficiency and promote the reduction of carbon)
- Affordable Housing linking to the Occupation Health Team (in connection with the delivery of new social rent disability adapted homes
- Infrastructure Planning Team (in relation to the discharge of S106 obligations, agreeing and issuing of CIL notices and dealing with matters of CIL in kind)
- Environmental Health Sub-Teams (in relation to AOD's (Approval of Details) connected with noise & vibration, land contamination, air quality, construction effects including control of dust)
- Growth & Economic Team (to discharge obligations relating to provision of affordable workspace, training & employment opportunities, and enterprise obligations including provision of local supply chains).

From the developer side there would similarly need to be a commitment from:

- Planning agent to be present at meetings (with the individual involved ideally the same as who led on the scheme at pre-app and submission stage)
- The lead designer or the contractor's design manager, who is overseeing preparation of equivalent to RIBA technical/tender drawings
- When the lead designer remains responsible for RIBA Stage 3 drawings but is not novated to produce Stage 4 technical drawings, this must be clearly communicated to the LPA at the earliest opportunity to address any implications. It should also be agreed that an appropriate design certification process is established and approved by the LPA
- Project Manager from the Lead Contractor
- Project's heritage advisor who supported the applicant at pre-application and application stage should be involved in heritage sensitive schemes if the developer is not engaging a Clerk of Works
- Lead designer or the contractor's design manager responsible for landscape works including installation where applicable of play equipment

Refer to Draft Post Consent PPA Template (see Appendix 2).

Site visits

Prior to commencement on site, a meeting should be held to consider discharge of conditions and to discuss a programme of site visits to review construction of the scheme at key stages in the development's delivery.



Implementation and monitoring



The council considers that effective implementation of this guidance aimed at providing quality of design, can be achieved through engagement with officers. When preparing planning applications, applicants and developers should have regard to the requirements set out in this document.

This practice note is one of several council initiatives aimed at improving design quality in the borough. The initiatives include:

- An improved design review process that is linked to planning performance agreements. This will ensure that planning proposals are reviewed at appropriate stages of the design process by a multidisciplinary panel of built environment experts.
- Design guidance for officers to help empower them to articulate their thoughts and make decisions about design matters.
- Updated character appraisals and management

plans for the borough's 58 conservation areas. These will provide members of the public, planning officers and developers, with detailed information about the borough's most important historic areas, and guidance on how they can be managed in the context of ongoing change.

- Detailed information about the borough's locally listed buildings to help understand the impact of development proposals on these important nondesignated heritage assets.
- Design guidance about elements of new development, which have been identified as important in the borough, such as shopfronts and active frontage.
- Development awards that will provide recognition of the design quality of new development in the borough, raising the profile of design, engaging local people, and ensuring that design contributes to health and wellbeing.

The council will monitor high quality design through:

- Post occupancy evaluation, by asking building occupiers about the building in which they live to see how it performs against a number of criteria.
- Design Development awards, which assess and recognise buildings of outstanding quality. Where the highest standards of design have been achieved from conception to occupation; and,
- compliance checking at the CIL commencement notification stage
- quality audits carried out by either the council's own officers, another local authority or an agency,
- use of 3D visualisation software to understand the changes
- KPIs both qualitive and quantitative
- statements of common ground
- online portals for sharing information
- requirements for the on-going engagement of architects, etc.
- funding of design monitoring role through delivery phase
- retention of architect clause / design certifier clauses
- · triggers for compliance checking
- requirements for self-reporting on project completion. The council will look to report on monitoring at regular intervals.

This guidance is intended to provide for a collaborative approach to secure quality design and therefore avoid the need for enforcement. However, the council does recognise that for whatever reason, things can go wrong, and the council has powers to take action.

The council will seek confirmation that completed buildings are constructed in accordance with the approved plans. Where buildings are not built as consented, and this is considered to have a detrimental impact on the design quality of the scheme, the council will require remedial action to address issues it has identified.

Appendices

Appendix one – planning submission requirements

To provide certainty around the design details that lie at the heart of delivery, design excellence information, that might have only been set out previously in a design and access statement or contained on images of the scheme submitted with a full planning application, need to be set out fully on detailed drawings.

All drawings should be clearly dated and where appropriate include a north point. It is expected that an application will include the following drawings:

- · A location plan, with a clear north point
- A site analysis plan with details about levels, the site context, and any opportunities and constraints
- · Floorplans, elevations and sections including,
 - existing drawings of the site at 1:50 or 1:100, including existing floorplans and elevations where appropriate,
 - proposed drawings, including floorplans and elevations of the proposals in context, should include key dimensions and heights at scales of 1:50 and 1:100
 - roof plan and plant, including plant enclosure
 - proposals for waste storage
 - proposals for bike storage
 - services, including drainage
 - 3D massing, showing building heights and views analysis
- These drawings should be accompanied by 3D images of the proposals in context
- Public realm and lighting
 - landscape plans to include blue and green infrastructure
 - public and private boundary treatments
 - planting
- Sunlighting daylighting impacts

- Detailed drawings of the following elements at an appropriate scale, generally 1:10 or 1:20 but with details at 1:5 or half full size
 - Windows (plan, section, and elevation to show arch, sill and reveal details, as well as opening method)
 - doors
 - railings
 - balconies, in particular internal wall surfaces, balustrades, and soffits
- Details of materials palette colours and textures, to include,
 - Façade and roof cladding materials
 - Where brickwork is proposed, the brick type and mortar including mortar joint profile
 - Window / door types (including finishes, glass types and any manifestation)
 - Curtain walling (including finishes, glass types and any manifestation)
 - Facing metalwork (e.g., balustrades, service doors, screens, gates)
 - All items which are fixed / integrated to the façade (e.g., fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes)
 - Soffit and canopy materials
 - Balcony and terrace floor finishes
 - Any landscape materials which do not form part of a landscape condition should be listed here e.g., planters and loggias - ensure coordination to avoid duplication or omission.
 - Any other materials not listed, but bespoke to the building's requirements
 - Location and description/specs of movement joints, masonry, fascias and cladding details

Samples of the key materials should be provided. The junctions between materials can be important and how these are treated should be clearly shown. Similarly, if the material is a cladding, it will be important to be clear about the visibility of the fixing mechanism. If brickwork is in different plains, it will be important to show how these work

- · Full size mock up of facades
- Waste management strategy
- · Microclimate considerations including,
 - wind testing and any design elements included to mitigate harm
- Included within the application pack should be a design concept drawing which pulls together key facts about the proposals, and annotates those details of the design which are considered to be particularly important.

As well as a comprehensive set of plan, elevation and section drawings, typically provided at 1:100 (1:200 on some of the larger schemes) and 1:50 on small schemes to ensure the necessary clarity and certainty from the outset (without unwanted reliance on detail provided only by planning condition) for the determination of the application, to ensure design quality is secured, the following will be needed:

- preparation of measured survey drawings with existing and proposed level datums
- plan, section and elevation drawings of all external windows, providing dimensioned details of reveals, jambs, head and cill details, together with opening and trickle vent details
- full details of doors at a scale of 1:10
- plan, section and elevation drawings submitted with the application, detailing the approaches to external façade cladding at a scale of 1: 10 or 1:20, in particular the detail of the junctions between external cladding materials to understand the relationship between materials
- balustrades and boundary treatments: drawing details of all new balustrade / railings at a scale of 1:10 with finials at 1:1, including method of fixing

- balcony soffit details: when considering balconies, the underside is often highly visible from street level and can significantly impact the appearance of a building from pavement level. Therefore, it is important that details of the treatment of the soffit are provided
- typical bay study clearly indicating details and materials at 1:50
- roof surfaces, roof top and other based plant
- strategy for extract duct flues to not result in ad hoc additions on facades, or internal voids disrupting geometry of internal layouts

Appendix two – standard planning conditions

Wherever possible, design details should be agreed at the application stage. However, if conditions are required some standard ones are provided here for reference.

Design – Materials and Detailed Drawings

No above ground works shall take place until details and a schedule of materials and products of all external facing materials to be used in the construction of the building hereby approved, along with material sample boards and/or full-size mock-ups, have been submitted to and approved in writing by the local planning authority. The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Detailed drawings including drawings of: add / remove as necessary from list below as part of consent. Scales have been suggested but should be reviewed and amended as appropriate. All details to be agreed between planning officer and design officer.

- Principal features on the facades e.g., bay studies (1:50 @ appropriate paper size)
- Details of each envelope / roof type (1:20 @A3)
- Detailed brick elements including mortar joint profile (1:20 @A3)
- Details of glazing and curtain walling systems including any manifestation (1:20 @A3)
- Key junctions/bonds between materials/finishes (1:20 @A3)
- Ground floor frontages including entrances, glazing and signage zones, infill panels on plant rooms/bike stores etc, shopfronts or commercial/workspace frontages (1:50 @ appropriate paper size)
- Parapets, roof edges, rooftop plant screening, lift over runs etc (1:20 @A3)

- Elevational location of all joints e.g., structural, movement, panels (1:100 @ appropriate paper size)
- Elevational location of all openings in envelope e.g., ventilation grilles, bird & bat boxes (1:100 @ appropriate paper size)
- Elevational location of all items which are fixed to the façade e.g., fins/louvres, rainwater pipes, lighting, CCTV, alarms including any provision for cable runs boxes (1:100 @ appropriate paper size)
- Head, jamb and sill details, including profiles, for typical openings, and all ground floor entrances and doors to balconies / terraces (1:20 @A3)
- Details of key architectural metalwork / screens / gates (1:20 @A3)
- Details of balconies and terraces including floor finishes (1:20 @A3)
- Balustrade details (1:20 @A3)
- Details of soffits and canopies (1:20 @A3)
- Details of external stairs (1:50 @A3)
- Junctions with neighbouring buildings (1:20 @A3)
- External signage details, including elevations and sections (1:50 @A3), only where signage is not contained within its own condition
- Details of green / brown roof system (1:20 @A3), but it is noted that species planting may form part of landscape condition
- Any landscape items which do not form part of a landscape condition should be listed here e.g., planters, loggias - ensure coordination to avoid duplication or omission
- Any other items not listed but bespoke to building requirements

Details of materials and products

Add / remove as necessary from list below. Should coordinate with the above detail list. All details to be agreed between planning officer and design officer.

- Façade and roof cladding materials
- Brick and mortar type, including mortar joint profile
- Window / door types (including finishes, glass types and any manifestation)
- Curtain wall (including finishes, glass types and any manifestation)
- Facing metalwork (e.g, balustrades, service doors, screens, gates)
- All items which are fixed / integrated to the façade (e.g., fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes)
- · Soffit and canopy materials
- Balcony and terrace floor finishes
- Any landscape materials which do not form part of a landscape condition should be listed here e.g. planters, loggias - ensure coordination to avoid duplication or omission
- Any other materials not listed but bespoke to building requirements

Samples of the above materials should be provided.

Full-size mock-ups of facades shall be provided at a size to be agreed with the local planning authority. This includes, as a minimum, [ADD project specific requirements] OR a list of façade types and junctions shall be agreed with the local planning authority in advance. (delete as appropriate.)

Reason: To secure high-quality design and detailing and to ensure that materials will make an acceptable contextual response, resulting in the satisfactory appearance of the development in accordance with [ADD relevant Local Plan policies].

Details and materials compliance condition

The scheme shall be completed in accordance with the approved drawings and the materials as annotated on the approved drawings and set out in IADD title of relevant materials schedulel.

Materials condition

Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

- a. Plan, elevation and section drawings, including jambs, head and cill, of all external windows and doors at a scale of 1:10.
- b. Samples and manufacturer's details at a scale of 1:10, of all facing materials including windows and door frames, glazing, and brickwork, with a full scale sample panel of brickwork, spandrel panel and glazing elements of no less than 1m by 1m including junction window opening demonstrating the proposed colour, texture, face-bond and pointing.
- c. Details of all new balustrade, railings at a scale of 1:10 with finials at 1:1, including method of fixing with samples of railings (to be provided on site).
- d. A sample panel of brickwork, no less than 2m by 2m, including junction with window opening demonstrating the proposed colour, texture, face-bond, pointing, expansion joints and vertical and horizontal banding, shall be erected on site for inspection for the local planning authority and maintained for the duration of the works.
- e. A sample panel of all facing materials should be erected on-site for inspection for the local planning authority and maintained for the duration of the works.
- f. Detailed plans of all new external servicing, including but not restricted to vents, flues, rainwater goods and SVPS.

Façade clutter

No lights, meter boxes, flues, vents or pipes, and no telecommunications, equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority, unless explicitly shown on the drawings.

Reason: To avoid extraneous visual clutter and deterioration in the visual quality of new development

	Scope of principles, strategies, details & materials to be safeguarded
Building	 Detailed drawings, including drawings of: Principal features on the facades e.g., bay studies Details of each envelope / roof type Detailed brick elements including mortar joint profile. Details of glazing and curtain walling systems, including any manifestation Key junctions/bonds between materials/finishes Ground floor frontages, including entrances, glazing and signage zones, infill panels on plant rooms/bike stores etc, shopfronts or commercial/workspace frontages Parapets, roof edges, rooftop plant screening, lift over runs etc Elevational location of all joints eg structural, movement, panels Elevational location of all openings in envelope e.g., ventilation grilles, bird & bat boxes Elevational location of all items which are fixed to the façade e.g., fins/louvres, rainwater pipes, lighting, CCTV, alarms including any provision for cable runs boxes Head, jamb and sill details, including profiles, for typical openings and all ground floor entrances and doors to balconies / terraces Details of key architectural metalwork / screens / gates
	 Details of key architectural metalwork / screens / gates Details of balconies and terraces, including floor finishes Balustrade details Details of soffits and canopies Details of external stairs Junctions with neighbouring buildings External signage details, including elevations and sections Overarching shopfront design strategy and design detailing Details of materials and products, including finishes, of: Façade and roof cladding
	 Brick and mortar type, including mortar joint profile Window / door types (including finishes, glass types and any manifestation) Curtain wall (including façade finishes, glass types and any manifestation) Facing metalwork (e.g., balustrades, service doors, screens, gates) All items which are fixed / integrated to the façade (e.g., fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes) Soffit and canopy materials Balcony and terrace floor finishes Samples of the above materials should be provided.

	Scope of principles, strategies, details & materials to be safeguarded
Landscape	Detailed drawings, including drawings of:
	 Hard + soft landscaping details/paving Tree planting Retaining structures Ecology features Interface/ conflict with highways Details of green / brown roof system External lighting Details of materials and products, including finishes, of: Hard and soft landscaping details/paving
	Any other materials not listed but bespoke to building requirements

Appendix three – post consent planning performance agreement

This Agreement is made on the between:

- (1) London Borough of Tower Hamlets, Tower Hamlets Town Hall, 160 Whitechapel Road, London, E1 1BJ ("LBTH"); and
- (2) ("Developer").

Recitals

- 1.1. LBTH is the local planning authority for developments falling within its local government area boundary.
- 1.2. Following the approval of planning applications application or resolution to grant, the Developer is seeking to deal with the discharge of a number of planning condition applications and to discharge a series of s106 legal obligations. The Developer may also be responsible for discharging other associated obligations such as s287 agreements made under the Highways Act 1980.
- 1.3. In total the Developer will submit the discharge of X discharge of condition applications [amend as appropriate] and Y discharge of s106 legal obligations.
- 1.4. This agreement covers the process of managing the discharge of these conditions and s106 obligations.
- 1.5. The discharge of these conditions and obligations will start DATE and anticipated will run until DATE.
- 1.6. This Planning Performance Agreement (PPA) is made pursuant to Section 111 of the Local Government Act 1972, Section 2 of the Local Government Act 2000 and Section 93 of the Local Government Act 2003
- 1.7. This agreement will not fetter LBTH in exercising its statutory duties as local planning authority. It will not prejudice the outcome of the discharge of any conditions, legal obligations, or any associated planning applications relating to amendments to the consented scheme.
- 1.8. This agreement will not restrict or inhibit the Developers from exercising the right to give notice for deem discharge of a condition as set out under Section 28 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
- 1.9. The scope of the PPA recognises that the discharge of planning conditions for large and complex development consents can be a complex matter and require drawing upon input from a series of specialists and consultants, both from the Developer and the Council side. Accordingly, the PPA is entered into to best manage that process in a time efficient and effective way, including the opportunity for engagement on the future approval of details application prior to their formal submission to help smooth the process for formal discharge.

2. Term

- 2.1 This agreement will be effective for the period from DATE
- 2.2 The Term will be subject to review as may be agreed between the Developers and LBTH.
- 2.3 The PPA covers the following discharge of conditions set out in the table at Paragraph 3.9.
- 2.4 The agreement will be terminated where:
 - i. the Developers has given notice for deem discharge of a condition in accordance with article 29 as set out under Section 28 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

3 Timescales and Obligations

- 3.1 Both parties will act with fairness and in good faith in respect of all matters related to the handling of the discharge of condition applications and will work jointly in complying with their respective obligations under this agreement.
- 3.2 Both parties will use their reasonable endeavours to adhere to the timetable for the project.
- 3.3 The timetable will be reviewed between both parties and amended as necessary to take account of any relevant unforeseen matters that might arise.
- 3.4 Both parties will address expeditiously any requests for clarification and/or further information.
- 3.5 Both parties undertake to meet and/or discuss matters by telephone, by e-mail or in person in a spirit of co-operation and where necessary seek early resolution of any areas of misunderstanding or dispute.

Outputs

3.6 The outputs shall include:

Application validations and decisions issued in a timely manner as agreed by all parties. This is assumed to be validation confirmation within seven working days of the submission of an application (pending the appropriate fee and validation requirements). For decision making it is assumed that decisions will be issued within 8 weeks of validation of an application unless a formal extension of time is agreed by both parties following the reasonable request of LBTH for any outstanding information.

LBTH Resourcing

3.7 LBTH will designate a dedicated planning officer who will carry out the above services, with overseeing input from a Principal Planner or Team Leader and technical support from other specialist staff as detailed below.

The dedicated case officer will be

NAME Title E-mail address Tel Number Supported and overseen by:

NAME Title E-mail address Tel Number

Where relevant, the case officer will liaise and gain input and, where necessary, attend meetings or provide input from

Highways Officer

Place Shaping Officer

Affordable Housing & Occupation Health Teams

Energy Officer

Biodiversity Officer

Tree Officer

Sustainable Urban Drainage Officer

Air Quality Officer

FH Noise & Vibration Officer

EH Air Quality Officer

FH Pollutants Officer

S106 Discharge Officer

Viability Team Officer

Employment & Enterprise Officer

Schools Team

3.8 If any of the above officers change, LBTH will offer the Developer a meeting with the new officers at the earliest available date, in order to appraise them of the scheme and its evolution to date

Developer Resourcing

3.9 To achieve time efficient clearing of planning conditions, simultaneous with insurance of delivery of the original design intent and excellence, it is vital the Borough specialist resourcing is matched with same specialist input from the developer team, and continuity of personality and presence on joint site visits and other meetings from the developer team.

Where relevant, the following developer project team professionals will attend meetings, input into preparation of AOD documents, and engage with relevant officer from LBTH.

Project Architect/ Design Lead:

Heritage Consultant

Planning Agent Acoustic Consultant

Transport Consultant

Landscape Consultant

Arboricultural Consultant

Ecologist

Energy & Sustainability Consultant

Submission of the Discharge of Conditions

3.10 Discharge of conditions will be broadly timetabled as set out below: (Below for illustrative purposes only)

Planning Condition Number	Theme	Phase 1a	Phase 1b	Anticipated Submission Date
Condition 49, 57	Site Access			July 2020
Condition 33	Flood Evacuation			July 2020
Condition 8	Noise (1a)			*Live Application*
Condition 29	Landscape (1a)			*Live Application*
Condition 20, 67, 68				*Live Application*
Condition 14, 15	CHP and Energy			July 2020
Condition 53	Cycle Parking			July 2020
Condition 24	Lighting (1a)			July 2020
Condition 24	Lighting (1b)			September 2020
Condition 37	Southmere Lake			September 2020
Condition 51, 65	Waste and Servicing			August 2020
Condition 59	Car Parking Management			August 2020
Condition 3	Contamination (1a)			January 2021
Condition 3	Contamination (1b)			Sept 2021 and July 2022
Condition 32	BREEAM (1a)			February 2021
Condition 32	BREEAM (1b)			December 2022
Condition 47	Crossing Facilities			July 2020
Condition 58	EV Charging (1a)			July 2020
Condition 58	EV Charing (1b)			July 2020
Condition 66	Overheating (1a)			July 2020
Condition 30	Windows and Balconies (1b)			July 2020
Condition 18	Bat Boxes (1b)			July 2020
Condition 26 and 29	Landscaping (1b)			August 2020
Condition 62	CCTV (1b)			July 2020
Condition 41	Shopfronts (1b)			October 2020
Condition 41	Shopfronts (1a)			October 2020
Condition 54	Parking (1a)			October 2020
Condition 54	Parking (1b)			October 2020

Managed Process of Discharge

- 3.10 The Developer's Team will discuss each submission with LBTH case officer at least 30 working days before formal submission, or as otherwise agreed between the parties, to help understand the content of the subsequent submission and how it would be structured and formatted.
- 3.11 Where the information submitted is inadequate or insufficient in content to discharge the condition, or further clarification is required, LBTH will, as necessary, set this out in writing within 28 working days of the validation of each application.
- 3.12 The Developers will, in turn, respond to any queries or issues raised by LBTH within a 28-day period. Such responses shall be clearly set out and include a formal Cover Letter which sets out matters for discussion and/or any superseded or amended plans as necessary. A further 28-day extension of time will be agreed as part of such a submission where necessary. LBTH has the right to refuse to accept additional information if and where it is considered that this has not be set out in a suitably presented manner for the consideration of a formal applications, or when, following the second response from the Developer is found to not address the matters raised in the initial written response from LBTH parties.

4 Fees

- In consideration of this agreement, the Developers agrees to pay to LBTH £20,000, inclusive of VAT, to assist the Council in providing the level of service required to meet its obligations under this Planning Performance Agreement. This fee is in addition to the application fees payable under the Town and Country Planning (Fees for Applications and Deemed Applications) Amendment) (England) Regulations 2012 (as amended).
 - Should the discharge of any specific planning condition come to be recognised by parties to require extended pre-application advice from officers prior to submission of the approval of details LBTH reserve the right, in agreement with the Developer, to seek a separate fee for that matter, similarly to recover costs where external specialist consultants are required to discharge fees.
- 4.2 The fee will be £X, inclusive of VAT, and will be paid upon date of this agreement

Signatures

Name (Area Manager)
Signature
Date
Name (Duly authorised and on behalf of the Developer)
Date

The company registration must match the company name and address provided below. - Invoice Details

Contact Name for invoicing	
Name of Organisation or Individual the invoice should be addressed to	
Company registration number (must be UK mainland-based company)	
Contact number	
Invoicing Address	
Email address	
If a secondary email needs to receive the invoice, please provide details. Name, Address, Email etc.	

Appendix four – Example of S106 design monitoring agreement

PART 1 - OPERATIVE PROVISIONS

DEFINITIONS

Term	Definition
"Approved Drawings"	means the drawings approved by the Planning Permission together with the drawings and other design details to be approved pursuant to the Design Conditions (suggest we include specific reference to a design concept drawing and require this as part of any consent issued
"Architect"	means [INSERT NAME OF ARCHITECT USED TO PREPARE PLANNING APPLICATION DRAWINGS]
"Design Application"	means one of the following:
	(a) an application to the LPA for the approval of details pursuant one or more Design Conditions;
	(b) an application to the LPA for a S96A Amendment which seeks amendments to the Approved Drawings;
	(c) an application to the LPA for a S73 Permission which seeks amendments to the Approved Drawings
"Design Application Report"	means a report (incorporating an executive summary) by the Monitoring Team in relation to a Design Application to include the following:
	(a) report on the compliance of the Design Application with the Approved Drawings;
	(b) commentary in respect of any deviations from the Approved Drawings with reference where applicable to Design Monitoring Reports showing the decision-making process; and
	(c) conclusion stating clearly whether the Monitoring Team supports the approval of the Design Application, giving reasons
"Design Conditions"	means Conditions [INSERT THE NUMBERS OF THE PLANNING CONDITIONS THAT REQUIRE ADDITIONAL DESIGN DETAILS/MATERIALS TO BE SUBMITTED TO THE LPA FOR APPROVAL. WHERE THIS SCHEDULE IS BEING USED IN CONNECTION WITH AN OUTLINE PLANNING APPLICATION, DO NOT INCLUDE RESERVED MATTERS CONDITIONS AS THIS SCHEDULE IS NOT INTENDED TO REQUIRE A CONTRIBUTION FOR CHANGING DESIGN TEAM BETWEEN GRANT OF OUTLINE AND SUBMISSION OF RMAS (ONLY A CHANGE IN DESIGN TEAM POST GRANT OF RMA)] of the Planning Permission land any conditions imposed on Reserved Matters Approvals requiring the submission and approval of design details, materials and samples] [ONLY INCLUDE WHERE THE AGREEMENT RELATED TO AN OUTLINE PLANNING APPLICATION] and "Design Condition" means any one of them

Term	Definition
"Design Monitoring Completion Letter"	means a letter (incorporating an executive summary) from the Monitoring Team to include the following:
	(a) report on the compliance of the completed Development with the Approved Drawings; and
	(b) conclusion stating clearly whether the Monitoring Team consider that the Development has been constructed in accordance with the Approved Drawings, giving reason
"Design Monitoring	means the sum of:
Contribution"	(a) £[INSERT SUM TO BE CALCULATED WITH REFERENCE TO THE DRAFTING NOTE]
	where the Trigger Event falls within parts (a), (b),
	(c) or (d) of the definition of Trigger Event
	(b) £[INSERT SUM WHICH IS 25% OF THE AMOUNT CALCULATED PURSUANT TO (A) (THIS IS LOWER TO REFLECT THE FACT THAT THE LPA'S COSTS WOULD ONLY RELATE TO MONITORING CONSTRUCTION AND NOT REVIEWING DESIGN PROPOSALS)]
	in the event of a Trigger Event falling within part
	(e) of the definition of Trigger Event(b) £[INSERT SUM WHICH IS 25% OF THE AMOUNT CALCULATED PURSUANT TO (A)
	(THIS IS LOWER TO REFLECT THE FACT THAT THE LPA'S COSTS WOULD ONLY RELATE TO MONITORING CONSTRUCTION AND NOT REVIEWING DESIGN PROPOSALS)]
	in the event of a Trigger Event falling within part
	(e) of the definition of Trigger Event
	to be paid in accordance with 3.1 of this Schedule to meet the LPA's reasonable costs incurred in monitoring the design quality of the Development as detailed drawings are prepared and/or construction works are carried out on the Site and to ensure that all such drawings and/or works are completed to a satisfactory quality and are consistent with the Approved Drawings and which may include the LPA's internal staff costs and/or the costs of third party consultants retained by the LPA (including the costs of the Monitoring Team)

Term	Definition
"Design Monitoring	means a written document identifying the following:
Plan"	(a) the Original Design Principles;
	(b) the Design Conditions (including target dates for submission and discharge);
	(c) the process for involvement of the Monitoring Team in the design and construction phases of the Development, to include workshops between the Monitoring Team and the Design Team;
	(d) the detailed scope of Design Monitoring Reports and frequency and dates for their submission to the LPA (typically monthly at specified stages);
	(e) the physical material samples, mock-ups and benchmarks required to be submitted for review and approval by the Monitoring Team and the LPA;
	(f) key dates and milestones for information release and package reviews;
	(g) technical requirements in respect of the information to be submitted to the Monitoring Team for review;
	(g) the construction phasing plan;
	(h) elements requiring development and resolution;
	(g) any risk elements (such as those matters requiring resolution with suppliers and/or subcontractors); and
	(j) a summary of the actions required of the Developer and the Design Team to ensure the implementation of the plan

Term	Definition
"Design Monitoring Report"	means a desktop report (incorporating an executive summary) by the Monitoring Team on progress against the Design Monitoring Plan during the period covered by the report which shall include as a minimum the following information (to the extent applicable):
	(a) report on workshops held with overview of conclusions;
	(b) comments and recommendations on the following matters submitted to the Monitoring Team and/or the LPA for review: physical materials; samples; details; design information; sub contractor/ supplier information;
	(c) comments and recommendations on Design Applications;
	(d) any deviations from the Approved Drawings;
	(e) progress of construction of the Development and conformity with Approved Drawings;
	(f) status of previous comments and recommendations;
	(g) actions and decisions required in the next period;
	(h) conclusions; and
	(i) any other matters identified in the detailed scope of such reports set out in the Design Monitoring Plan
"Design Team"	means the design team instructed by the Developer as set out in the relevant Design Team Statement
"Design Team Statement"	means a written statement by the Developer setting out the following information which shall be factually correct at the date the statement is given:
	(a) the members of the design team retained by the Developer in connection with the Development and their contact details; and
	(b) the scope of appointment of each member of the design team; and
	(c) if applicable identifying any members of the Planning Team no longer retained and the Design Team member(s) taking over their role
"Development"	means for the purposes of this Schedule only the development of the Site and all other operations and/or works authorised by the Planning Permission as may be amended and/or replaced by a S96A Amendment and/or a S73 Permission
"Initial Design Monitoring Workshop"	means the workshop to be held pursuant to paragraph 5.2
"Landscape Architect"	means [INSERT NAME OF LANDSCAPE ARCHITECT USED TO PREPARE PLANNING APPLICATION DRAWINGS]

Term	Definition
"Monitoring Team"	means a team to be appointed pursuant to paragraph 5.5 comprising:
	(a) the Architect, Landscape Architect and any other consultant(s) from the Planning Team that the LPA considers is integral to monitoring the design quality of the Development and overseeing adherence to the Original Design Principles; or
	(b) such architect(s), landscape architect(s) and other design consultant(s) the LPA considers are qualified to monitor the design quality of the Development and oversee adherence to the Original Design Principles
"Original Design Principles"	means the key design principles, elements, strategies, details and materials underpinning the Development as set out in Part 2 of this Schedule
"Planning Team"	means the full design team responsible for preparation of [Planning Application] [Reserved Matters Applications] [USE "PLANNING APPLICATION" FOR DETAILED APPLICATIONS AND "RESERVED MATTERS APPLICATIONS" FOR OUTLINE APPLICATIONS. AS PER NOTE ABOVE, THIS SCHEDULE IS NOT INTENDED TO REQUIRE A CONTRIBUTION FOR CHANGING DESIGN TEAM BETWEEN GRANT OF OUTLINE AND SUBMISSION OF RMAS (ONLY A CHANGE IN DESIGN TEAM POST GRANT OF RMA)] including the Architect and the Landscape Architect
"RIBA Stage 3"	means RIBA Stage 3 Spatial Coordination as defined by the RIBA Plan of Work [THIS RELATES TO LEVEL OF PLANNING DRAWINGS REQUIRED FOR DETAILED PLANNING PERMISSION].
"RIBA Stage 4"	means RIBA Stage 4 Technical Design as defined by the RIBA Plan of Work [THIS RELATES TO LEVEL OF DETAILED DRAWINGS TO BE SUBMITTED FOR APPROVAL AS AODs]
"RIBA Stage 5"	means RIBA Stage 5 Manufacturing and Construction as defined by the RIBA Plan of Work [THIS RELATED TO LEVEL OF DETAILED DRAWINGS REQUIRED TO BE SUBMITTED FOR APPROVAL AS AODs]
"S73 Permission"	means a permission granted pursuant to an application for a minor material amendment to the Planning Permission pursuant to section 73 of the 1990 Act
"S96A Amendment"	means a non-material amendment to the Planning Permission approved pursuant to section 96A of the 1990 Act
"Terminated"	means (in the context of the appointment of a member of the Planning Team) ended or suspended for any reason including due to termination, expiry, insolvency, winding up, retirement, illness or death and "Termination" shall be construed accordingly

Term	Definition
"Trigger Event"	means the occurrence of one of the following events:
	(a) a Design Team Statement submitted pursuant to paragraph 2.1 confirms one or more members of the Planning Team are no longer retained;
	(b) a Design Team Statement submitted pursuant to paragraph 2.2.1 confirms RIBA Stage 3 is being commenced at a time when one or more members of the Planning Team are no longer retained;
	(c) a Design Team Statement submitted pursuant to paragraph 2.2.2 confirms RIBA Stage 4 is being commenced at a time when one or more members of the Planning Team are no longer retained;
	(d) a Design Team Statement submitted pursuant to paragraph 2.2.3 confirms the appointment of one or more members of the Planning Team is Terminated prior to the completion of RIBA Stage 4 in respect of the entire Development;
	(e) a Design Team Statement submitted pursuant to paragraph 2.2.4 confirms one or more members of the Planning Team are no longer retained to oversee the delivery of Development in accordance with the Approved Drawings

DESIGN TEAM STATEMENT

No Design Application shall be submitted unless it is accompanied by a Design Team Statement specifying the design team involved in the preparation of that Design Application.

Without prejudice to paragraph 2.1, the Developer shall submit a Design Team Statement to the LPA:

- prior to commencement of the preparation of RIBA Stage 3 in connection with any Design Application if one or more members of the Planning Team has not been retained to prepare the design; [THIS WOULD COVER DESIGN WORK FOR S96A/S73 APPLICATIONS FOR AMENDMENTS TO APPROVED DRAWINGS]
- prior to commencement of the preparation of RIBA Stage 4 in connection with any Design Application
 if one or more members of the Planning Team has not been retained to prepare the design; [THIS
 WOULD COVER DEIGN WORK FOR AODs RELATING TO DETAILED DESIGN AND MATERIALS]
- save where RIBA Stage 4 has been completed in respect of the entire Development, within 10 Working Days of Termination of the appointment of one or more members of the Planning Team; and
- prior to commencement of the Development, and thereafter every 6 (six) months during the construction of the Development, until its completion.

DESIGN MONITORING CONTRIBUTION

The Developer shall pay the relevant Design Monitoring Contribution to the LPA within 10 Working Days of a Trigger Event.

It is hereby acknowledged and agreed that:

- · there may be more than one Trigger Event; and
- the relevant Design Monitoring Contribution shall be payable in respect of each Trigger Event.

RESTRICTION ON DEVELOPMENT

No Development shall be Commenced until the Developer has either:-

- provided evidence to the LPA's reasonable satisfaction that the Planning Team are retained to oversee the delivery of Development in accordance with the Approved Drawings; or
- paid the relevant Design Monitoring Contribution(s) to the LPA, in accordance with paragraph 3 above.

No Development shall be carried out except in strict accordance with the Approved Drawings.

DESIGN MONITORING PROCESS

The Parties hereby agree that:

- this paragraph 5 shall apply (and shall only apply) following a Trigger Event;
- the obligations on the LPA in this paragraph 5 are subject to the payment of the Design Monitoring Contribution to the LPA in respect of that Trigger Event.

Not more than 20 Working Days following the Trigger Event the Developer and the LPA shall hold an initial workshop to:

- · discuss and agree how the Original Design Principles will be safeguarded;
- · discuss the appointment of the Monitoring Team;
- · discuss and agree proposed ways of working between the Monitoring Team and the Design Team; and

· review the draft Design Monitoring Plan prepared by the Developer pursuant to paragraph 5.4.

The following parties shall be invited to attend the Initial Design Monitoring Workshop:

- the Design Team;
- the Planning Team;

(if already appointed and different to the Planning Team) the Monitoring Team.

The Developer shall prepare and submit a draft Design Monitoring Plan to the LPA not less than 10 Working Days in advance of the Initial Design Monitoring Workshop.

Not later than 10 Working Days, following the Initial Design Monitoring Workshop, the LPA shall appoint the Monitoring Team to act independently and impartially in undertaking the following role:

- to monitor the design of the Development;
- to oversee compliance with the Original Design Principles;
- to oversee compliance with the quality of the Approved Drawings;
- to ensure technical issues do not give rise to conflicts with the Original Design Principles;
- to work together with the Design Team in a collaborative manner, in order to achieve the best quality built outcomes that realise the original design aspiration and vision;
- to review the draft Design Monitoring Plan prepared by the Developer pursuant to paragraph 5.4, and prepare and submit the final Design Monitoring Plan to the LPA for agreement not more than 20 Working Days following the Initial Design Monitoring Workshop;
- to prepare and submit Design Monitoring Reports to the LPA periodically (in the frequency set out in the final Design Monitoring Plan);
- to prepare and submit a Design Application Report to the LPA in respect of each Design Application;
- to prepare and submit a Design Monitoring Completion Letter to the LPA upon completion of the Development;
- to carry out any other roles and responsibilities on the part of the Monitoring Team, as set out in the final Design Monitoring Plan;
- to carry out reviews of samples, mock-ups, and benchmark areas of those external envelope and landscaped areas identified in the final Design Monitoring Plan, and to re-inspect the areas as necessary once comments have been incorporated (with the intention such areas will then be used as a quality reference benchmark with which to measure the remainder of the Development);
- to undertake site visits to review each building block during construction and monitor against design intent and Approved Drawings, and sample, mock-up and benchmark areas; and
- to undertake site inspections prior to the LPA determining applications to discharge Design Conditions
- and the appointment of the Monitoring Team will incorporate the table, set out in Part 3 of this Schedule.

The Developer shall:

- comply with the requirements of the Developer identified in final Design Monitoring Plan; and
- procure the compliance of the Design Team with the requirements of the Design Team, as identifed in the Design Monitoring Plan, including but not limited to attendance at workshops with the Monitoring Team, submission of information to the Monitoring Team for review, and facilitating site visits and inspections.

ORIGINAL DESIGN PRINCIPLES

An example of principles, strategies, details and materials to help ensure quality design. This should be reviewed and tailored to the project with the design officer, and should be aligned to the Design Conditions.

Area	Principles, strategies, details & materials to be safeguarded
Building	Detailed drawings including drawings of: [Note for internal use: add / remove as necessary from long list below as part of consent. To be agreed between planning officer and design officer]
	 Principal features on the facades e.g., bay studies Details of each envelope / roof type Detailed brick elements including mortar joint profile Details of glazing and curtain walling systems including any manifestation Key junctions/bonds between materials/finishes Ground floor frontages, including entrances, glazing and signage zones, infill panels on plant rooms/bike stores etc, shopfronts or commercial/workspace frontages Parapets, roof edges, rooftop plant screening, lift over runs etc Elevational location of all joints eg structural, movement, panels Elevational location of all openings in envelope e.g., ventilation grilles, bird & bat boxes Elevational location of all items which are fixed to the façade e.g., fins/louvres, rainwater pipes, lighting, CCTV, alarms including any provision for cable runs boxes Head, jamb and sill details, including profiles, for typical openings and all ground floor entrances and doors to balconies / terraces Details of key architectural metalwork / screens / gates Details of balconies and terraces including floor finishes Balustrade details Details of external stairs Junctions with neighbouring buildings External signage details, including elevations and sections Details of materials and products, including finishes, of: <i>INote for internal use: add / remove as necessary from list below. To be agreed between planning officer and design officer.</i>
	 Façade and roof cladding materials Brick and mortar type including mortar joint profile Window / door types (including finishes, glass types and any manifestation) Curtain wall (including finishes, glass types and any manifestation) Facing metalwork (e.g. balustrades, service doors, screens, gates) All items which are fixed / integrated to the façade (e.g., fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes) Soffit and canopy materials Balcony and terrace floor finishes Samples of the above materials should be provided.

Area	Principles, strategies, details & materials to be safeguarded
Landscape	Detailed drawings including drawings of: [Note for internal use: add / remove as necessary from long list below as part of consent. To be agreed between planning officer and design officer]
	Hard + soft landscaping details/paving
	Tree planting
	Retaining structures
	Ecology features
	Interface/conflict with highways
	Details of green/brown roof system
	Details of materials and products, including finishes, of: [Note for internal use: add / remove as necessary from list below. To be agreed between planning officer and design officer.]
	Hard + soft landscaping details/paving
	Any other materials not listed but bespoke to building requirements
Sustainability/ M&E (Building	Sustainability strategy (thermal performance, airtightness, renewables, zero carbon, material use)
Services Engineer)	Heated/ unheated space & airtightness strategy
	Overheating prevention strategy
	MEP principles and strategies
	RCP plans where these affects external appearance such as walkways
	Elements affecting façade such as vents or lighting

MONITORING TEAM - ACTIONS AND DELIVERABLES

[Note for internal use: This table should be reviewed and tailored to the project]

Workstage	Action	Deliverables	Completion Date
Pre-RIBA Stage 3/4 Significantly before any work developing the detail of the design beyond that which is already consented	Initial Design Monitoring Workshop: Following submission of the Design Team Statement, a workshop meeting should take place between the Developer & LPA and should include discussion about: Proposed Design Team members / organisations Proposed Monitoring Team members / organisations Proposed ways of working between the Monitoring Team and the Design Team Representatives of the Planning Team should be present for this meeting. A draft Design Monitoring Plan should be available for discussion, setting out the principles of how design quality will be safeguarded. It is suggested that key members of the Design Team and the Monitoring Team are present for this discussion.	Draft Design Monitoring Plan (provided by the Developer). For discussion with LLDC LPA.	Submission: DDMMYY Approval: DDMMYY

Workstage	Action	Deliverables	Completion Date
Workstage At RIBA Stage 3/4 Commencement Immediately prior to design commencing the relevant workstage depending on the nature of the application	Design Monitoring Plan: Design Monitoring Plan to be produced by Monitoring Team & submitted to the LPA for sign off, identifying: The Original Design Principles Physical material samples, mockups & benchmarks for review & sign off by Monitoring Team/LPA (including relevant planning conditions) Elements requiring development and resolution Risk elements (such as those	Design Monitoring Plan to be submitted to the LPA prior to start of RIBA Stage 3/4.	Submission: DDMMYY Approval: DDMMYY
	Elements requiring development and resolution		
	stages)Information release schedule and construction phase plan		

Workstage	Action	Deliverables	Completion Date
RIBA Stages 3 – 5 During the above RIBA Work Stages	Design Monitoring Reports: Workshops with Monitoring Team and the Design Team during RIBA Stage 3/4 Monitoring Team to provide periodic (typically monthly) desktop reports, including progress monitoring, commentary and recommendations, as follows; Executive summary Report on progress against the Design Monitoring Plan Report on workshops held, with overview of conclusions Report and provide comments and recommendations in regard to: physical materials; samples; details; design information; sub-contractor/supplier information, as reviewed by Monitoring Team or submitted to the LPA in the period Provide commentary and recommendations regarding submission of Design Applications by Design Team Report on any deviations from the Approved Drawings Report on progress on site, and conformity with design / approved planning documents (during stage 5) Commentary on S73 or 96A applications in the period if applicable Status of previous comments and recommendations Actions and decisions required in the next period Conclusions	Submit Design Monitoring Reports to LPA as supporting information to discharge of each relevant design condition	Submission: DDMMYY Approval: DDMMYY

Workstage	Action	Deliverables	Completion Date
RIBA Stages 3 – 5 During the above RIBA Work Stages	Design Application Report For each design related condition discharge, a supporting report should be provided, including: • Executive summary • Report on compliance with the Approved Drawings • For any deviations from the Approved Drawings, provide commentary, and reference, where applicable, Design Monitoring Reports, showing the decision making process • Conclusion – clearly stating whether the Monitoring Team give their support to the discharge of the condition	Submit Design Application Report(s) to the LPA	Submission: DDMMYY Approval: DDMMYY
RIBA Stage 5 During the above RIBA Work Stage	Design Monitoring Sample Reviews & Site Visits: Sample reviews: Carry out reviews of samples, mock-ups & benchmarks areas of external envelope and landscaped areas (identified in planning condition & Design Monitoring Plan). Re-inspect the areas as necessary once comments have been incorporated and are representative of the quality required by the Approved Drawings. The areas will then be used as a quality reference benchmark with which to measure the remainder of the Works. Reviews to be combined with site visits where possible. Site Visits: Undertake site visits to review each building block during construction, and monitor against design intent and approved planning drawings, and sample, mock-up and benchmark areas. Site inspections prior to relevant condition sign off by the LPA of building elements such as façade brickwork or landscaping.	Monitoring Team to attend site visits with the LPA as requested	Submission: DDMMYY Approval: DDMMYY

Workstage	Action	Deliverables	Completion Date
RIBA Stage 6 During the above RIBA Work Stage	Design Monitoring Completion Letter: For each design related condition a supporting letter at completion should be provided including: • Executive summary • Report on compliance with the Approved Drawings • Commentary on compliance with the information submitted for discharge of conditions • Conclusion – clearly stating whether the Monitoring Team consider that the Development has been constructed in accordance with the Approved Drawings	Submit Design Monitoring Completion Letter to the LPA	Submission: DDMMYY Approval: DDMMYY

DRAFTING NOTE

CALCULATION OF DESIGN MONITORING COSTS

[Note for internal use: Table 1 below shows indicative scopes and fees for a selection of examples. Developments where monitoring is appropriate are typically medium or large projects (such as 10 homes or above), but may include smaller significant or strategic projects as appropriate. The exact fee and scope should be determined during the negotiation of the S106. It should reflect the particulars of the project; for example, in the case of a small but complex projects, projects with significant areas of public realm, or complex engineering projects such as bridges, the fee and scope is likely to need to be greater.]

[Note: Table 1 should be edited as appropriate for each project so it only shows the specific fee applicable]

Table 1 - Schedule of Fees and Scope Overview for Design Monitoring

Scale of Development	Indicative fee	Monitoring Team Indicative Scope Consultant time shown indicatively in italics, includes associated workshops/reviews & activities as shown in table 3.
10-24 dwellings/ up to 15000sqm GIA non- residential	£18,000 plus VAT	 Design Monitoring Plan (Including workshop) 2 days Design Monitoring Reports: 8no. (including 2 reports by landscape architect, approx 4 workshops) 9 days Sample reviews/ site visits: 8no. 3 days Design Monitoring Letter 1 day
25-49 dwellings/ Up to 2999 sq m GIA non- residential	£24,000 plus Vat	 Design Monitoring Plan (Including workshop) 2 days Design Monitoring Reports: 10 no. (Including reports 2 by landscape architect, approx 5 workshops/ package reviews) 10 days Sample reviews/ site visits: 4no. 4 days Design Monitoring Letter 1 day
50-99 dwellings/ 3000- 4999sqm GIA non- residential	£40,000 plus Vat	 Design Monitoring Plan (Including workshop) 2 days Design Monitoring Reports: 15 no. (Including reports 3 by landscape architect, approx 8 workshops/ package reviews) 16 days Sample reviews/ site visits: 6no. 5 days Design Monitoring Letter 1 day

Scale of Development	Indicative fee	Monitoring Team Indicative Scope Consultant time shown indicatively in italics, includes associated workshops/reviews & activities as shown in table 3.
100-149 homes/ 5000- 99999sqm GIA non- residential	£60,000 plus Vat	 Design Monitoring Plan (Including workshop) 3 days Design Monitoring Reports: 18 no. (Including reports 3 by landscape architect, approx 10 workshops/ package reviews) 20 days Sample reviews/ site visits: 8no. 8 days Design Monitoring Letter 1 day
150-300 dwellings / 10000-14999sqm GIA non-residential	£70.000 plus Vat	 Design Monitoring Plan (Including workshop) 3 days Design Monitoring Reports: 20 no. (Including reports 5 by landscape architect, approx 12 workshops/ package reviews) 23 days Sample reviews/ site visits: 10no. 8 days Design Monitoring Letter 1 day
300+ dwellings/ 1500sqm + GIA non- residential	£80,000 plus VAT	 Design Monitoring Plan (Including workshop) 3 days Design Monitoring Reports: 25 no. (Including reports 5 by landscape architect, approx 14 workshops/ package reviews) 28 days Sample reviews/ site visits: 10no. 9 days Design Monitoring Letter 1 day

Appendix five - design guardian role

This document sets out the scope of an architect 'Design Guardian'. It is assumed that the architect has been previously appointed as the design lead for the project up to and including planning and delivery of the Employer's Requirements. Following the appointment by the client of a Design & Build Contractor, the Architect is to be retained client-side for the duration of the design and construction of the project to provide the 'Design Guardian' services, to ensure that the original design intent is retained in the completed project.

Broadly, the scope of the Design Guardian is to be limited to the review of external elevations/items impacting the aesthetic look and feel of the building. This may include, for example, internal items that can be seen externally and any M+E packages that have been identified as requiring 'architect's review' that have an impact on the elevations. The broad scope of items to be reviewed are set out in Item B4 below.

Additionally, the scope of Design Guardian can be increased to include the review of key internal spaces including communal areas, principle lobby areas, and amenity spaces. This additional scope is set out in Item B5 below.

The contractor and their design team remain fully responsible for all technical, contractual, and statutory compliance matters.

A - Tender Return to Start on Site

Item	Category	Proposed Design Guardian Scope
1	Handover meetings	Attend handover meetings between the Design Guardian and the contractor's delivery architect (and if required their wider design team). This will be an opportunity for the Design Guardian to highlight specific areas of the specification and details, and to ensure that this knowledge is not lost during the handover period. These meetings will be minuted so the wider team are clear regarding the design intent that has been discussed.
2	Contractor's Information Release Schedule	 Provide commentary on the contractor's proposed Information Release Schedule (IRS), which should include design team drawings, sub contractors design information, samples and mock-ups, with a focus on the following: Commentary on the overall scope of drawings within the IRS that the contractor's architect proposes, and suggest any additional drawings that may be required to maintain design quality for particular areas of detail Commentary on the level of detail required within specific drawing packages with a focus on ensuring sufficient information is included to ensure quality Commentary on the timescales proposed for design information release in order to ensure sufficient review process prior to information being released for construction The timely receipt of a detailed IRS is critical to allow sufficient time to review and adequately plan the resourcing of the Design Guardian role.
3	Design Team Meetings & Workshops	Provide a presence at design team meetings and/or designated workshops. Number and frequency of meetings is to be confirmed.

Item	Category	Proposed Design Guardian Scope
4	Review of samples	Review and report on the contractor's schedule of samples, based on an agreed list as part of the IRS review, focussing on providing a commentary with respect to the quality of materials proposed for the external envelope. Reviewing of samples will relate to visual intent and quality only.
5	Review of mock-up panels	Advise on scope and/or provide drawings for full size mock-up panel(s) of key elevation components. Subsequently, visit site to review the completed mock-up panel(s) and provide commentary on their compliance with the design intent. In addition to the samples and mock-up panels, and subject to the contractor's favoured method of construction, it may be necessary to review prefabricated elements and subassemblies by way of factory visits to ensure quality prior to site installation. The Design Guardian's focus will be to advise on compliance on the mock-up panel(s) with the commentary on potential quality issues when subassemblies are integrated into the site works.
6	Town Planning Submissions	Attend specific planning meetings and/or provide feedback on elements of specific design development prior to submission(s) of any required materials affecting the external appearance of the building. In addition, provide reasonable resource for attendance at planning meetings with the local authority and the supervision of the preparation of presentation items relating to these meetings, excluding externally produced CGIs. The Design Guardian is to review and report on the proposed drawn and written material relating to the discharge of conditions, or for Section 73 planning submission(s), as required.

B - Technical design & Construction Phase

Item	Category	Proposed Design Guardian Scope
1	Attendance at contractor's design workshops	Attend designated meetings/workshops with the contractor, their subcontractors and delivery architects, to advise on and assist the development of the detailed construction packages by the contractor and their team. The intention is for the Design Guardian to provide feedback on elements of specific design development prior to final submission for approval. Number and frequency of meetings is to be confirmed.

Item	Category	Proposed Design Guardian Scope
2	Site visits	Visit site on a monthly basis to inspect the visual quality of the agreed works. The Design Guardian is to issue comments to the Employer's Agent and assist in reaching conclusions as to the suitability of completed external envelope installations. In addition to the above, the Design Guardian may from time to time be required to attend site to inspect and review specific items of work. Number and frequency of meetings is to be confirmed.
		Note that specific visits to inspect works will be required and agreed for setting the standard for items such as brickwork and window installation, etc. The agreed standard shall then be monitored by the EA and/or Clerk of Works for the remainder of the work thereafter. Likewise, external envelope mock-ups will require inspections by the Design Guardian upon their completion. Site visits to review sample panels and benchmarking to be limited to the agreed packages – See Item B4 below.
3	Review and contribute to the Employer's Agent (or Clerk of Works) reports	Review and provide commentary on the Employer's Agent (or Clerk of Work's) reports, as required.

Item	Category	Proposed Design Guardian Scope
4	Review of external design packages	It is proposed that the Design Guardian reviews a number of agreed contractor's / sub contractor's packages for compliance with the design intent. The Design Guardian is to comment on the status of the work as outlined in the architectural specification, ERs, and on the agreed list of drawings, and will feed all comments by way of tracking documents or reports back through the Employer's Agent for formal instruction.
		A summary of external items to be reviewed, in terms of integration/coordination details, location, type and finishes, are:
		All external facing materials and components – brickwork, concrete, stonework, terracotta, aluminium components etc, including type/size/setting out/finishes of all panels, components and joints, and including coordination details with adjacent materials
		Window / glazing assemblies – including details and to allow the review of adjacencies to ensure differing glass specifications are coordinated for their visual effect on the facade
		External doors and/or shutters
		Balconies – all components and faces of either inset- or outset- type balconies
		Copings / parapets / balustrades – including 'internal' faces
		Communal and/or visible roof areas – including all finishes, lift overruns, M+E coordination etc
		External soffits – to colonnades, canopies, balconies etc
		Internal and external signage
		Visible M+E components including but not limited to:
		– Vents, grilles, louvres intakes and extracts
		 External light fittings, including to all balconies, if required
		 Rainwater goods and downpipes including their coordination with adjacent finishes and materials
		CCTV cameras
		Access control systems
		Dry/wet riser inlets
		Lightning protection strips

Item	Category	Proposed Design Guardian Scope
5	Review of internal design packages	Additionally, the scope of Design Guardian can be increased to include the review of key internal spaces including:
		 principle lobby / reception areas communal corridors communal amenity spaces
		A summary of items to be reviewed in relation to the above spaces, in terms of integration/coordination details, location, type and finishes, includes:
		GA plan arrangements
		Fixed FFE / reception desks
		Principal internal finishes strategies - including indicative setting out as required
		Principal internal finishes samples
		Reflected Ceiling Plans
		 Visible M+E components, including but not limited to light fittings, vents, and access control systems, etc
		• Signage

