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## Appendix A: Application and Appeal Timeline

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Selected key milestone events and supporting commentary (please note this is not intended to be a comprehensive list of all correspondence over the period given):

1. Site allocated for development - Mar 15
2. Original Outline Permission granted - Mar 21
3. Site acquired by CSS - Oct 21
4. Planning Performance Agreement ('PPA') signed - Jan 22
5. Pre-application discussions between CSS, SBC and LLFA - Feb 22 - Jan 23
  - a. Engagement in the form of meetings and correspondence with a focus on exploring the implications of a drainage strategy pursuant to the Original FRA Addendum.
  - b. Selected meetings during this period included below.
6. Meeting between CSS, SBC and LLFA - 7 Feb 22
  - a. To discuss drainage scheme and the implications of attenuating above flood level.
  - b. Meeting notes included at **ACD41**.
7. Email from Planning Consultant to SBC and LLFA - 1 Mar 22
  - a. Enclosing information to demonstrate levels raising implications of attenuating above flood level. Alternative drainage scheme prioritising housing enclosed.
  - b. Meeting notes included at **KC13**.
8. Meeting between CSS, SBC, LLFA and Councillor - 21 Mar 22
  - a. To discuss drainage implications including inconsistencies between the Original FRA Addendum and approved Parameter Plans.
  - b. Meeting notes included at **ACD42**.
9. Email from CSS to Head of Planning and Councillor - 23 Mar 22
  - a. Following on from meeting of 21 March raising concerns and setting out CSS's position in relation to drainage matters.
  - b. Copy of email included at **KC14**.
10. Email from CSS to Head of Planning - 13 May 22
  - a. Identified to then Head of Planning that viability work underpinning the Outline Permission had not accounted for the costs associated to the scale of levels raising required to implement the requirements of the Original FRA Addendum.
  - b. Copy of email included at **KC15**.
11. Submission of drainage scheme - Jul 22
  - a. Application seeking approval of a strategic site wide drainage scheme under Condition 46 of the Outline Permission submitted (ref. S/COND/22/1184). The scheme sought to prioritise residential capacity and limit levels raising.
12. LLFA objection to drainage scheme received - Sep 22
  - a. LLFA comments included at **ACD43**.

13. Revised drainage scheme submitted - Oct 22
  - a. CSS submitted a drainage scheme under Condition 46 which was considered to be in full compliance with the Original FRA Addendum.
  - b. Aside the submission, CSS sent a letter to the Head of Planning, CEO of the Council and local MP outlining that if the development was to be implemented in line with the revised drainage scheme, site levels would be substantially raised and residential capacity would be impacted.
  - c. Letter included at **ACD44**.
14. LLFA objection to drainage scheme received - Dec 22
  - a. LLFA comments included at **ACD45**.
15. Meeting between CSS, SBC and LLFA - 18 Jan 23
  - a. As set out in Section 2 of the Statement of Common Ground (above).
  - b. Meeting notes included at **KC1**.
16. Revised drainage scheme submitted - 26 Jan 23
  - a. Submitted in response to SBC / LLFA comments.
  - b. SBC did not upload these plans to the website and no further substantive comments were received from SBC or the LLFA on this submission.
17. Meeting between CSS, Senior SBC Officers - 31 Jan 23
  - a. As set out in Section 2 above.
  - b. Meeting notes included at **KC2**.
18. Submission of s73 application - 31 Mar 23
  - a. This is the application that is the subject of this Appeal.
19. SBC appointment new (and current) Case Officer - w/c 1 May 23
  - a. Since CSS acquired the Site in October 2021, 4 different SBC case officers have been responsible for the day-to-day management of matters relating to the Site. The current case officer (correct at the time of the submission of the Appeal), joined SBC as an external consultant on this date.
20. Validation of s73 application - 11 May 23
21. Expiry of 21 day consultation period - 1 Jun 23
22. Email from Case Officer to Planning Consultant - 6 Jun 23
  - a. Indicating they were not aware that any pre-application dialogue was entered into with the Local Planning Authority or any consultees.
  - b. Copy of email included at **KC16**.
23. Initial meeting between CSS and Case Officer - 22 Jun 23
  - a. Meeting held on Site.
  - b. Meeting notes included at **ACD46**.
24. Email from Case Officer to Planning Consultant - 23 Jun 23
  - a. Outlining points on which they seek greater detail.
  - b. Stating that the LLFA would be objecting to the proposals, with full comments expected in the next few days.
  - c. Copy of email included at **KC17**.
25. Email from Planning Consultant to Case Officer - 10 Jul 23
  - a. Seeking comments/confirmation of meeting notes.

- b. Seeking update on LLFA comments.
  - c. Providing update on additional information being prepared in response to Case Officer requests in 22 June meeting.
  - d. Seeking fortnightly catch up meetings.
  - e. Copy of email included at **KC18**.
26. Email from Case Officer to Planning Consultant - 11 Jul 23
- a. Contrary to agreement at meeting on 22 June, Case Officer turned down CSS's requests for meetings to work through issues and references "*moving toward a refusal and potential appeal*", prior to the Applicant being provided with any proper feedback from the Case Officer or the LLFA.
  - b. Copy of email included at **KC19**.
27. Email from Countryside Managing Director to SBC Head of Planning - 18 Jul 23
- a. Raised CSS's concerns that recent correspondence from SBC Case Officer was a departure from position agreed with SBC prior to the submission of the s73 application (see 31 January 2023).
  - b. Copy of email included at **KC20**.
28. Receipt of LLFA comments - 1 Aug 23
- a. Copy of comments (dated 27 July) included at **ACD25**.
  - b. These are the only formal comments from the LLFA during the determination period.
29. Email from Countryside Managing Director to SBC Head of Planning - 1 Aug 23
- a. Further to the receipt of LLFA comments, CSS expressed frustration at this response given the requests from SBC Senior Officers at meeting on 31 January 2023.
  - b. Copy of email included at **KC21**.
30. Receipt of Environment Agency comments - 10 Aug 23
- a. Copy of comments included at **ACD40**.
  - b. Comments confirm the EA have no objection to the proposals.
31. Submission of updated application pack to SBC - 16 Aug 23
- a. Updated pack submitted by CSS which included further evidence relating to all matters requested by Case Officer at meeting on 22 June, a written response to LLFA comments received on 1 August and acknowledging the EA's "no objection" to the proposals.
32. Meeting between CSS and SBC - 23 Aug 23
- a. Virtual 30-minute meeting held between CSS, Planning Consultant, Case Officer and SBC Head of Planning, despite Countryside Partnerships West seeking meeting to be longer and in person.
  - b. Purpose of meeting was primarily for CSS to talk SBC Officers through updated application pack and to understand whether SBC feel they can support the application.
  - c. SBC advised that an internal workshop was required before they could provide feedback. Officers confirmed internal workshop would be held w/b 4 August and that they would then meet again with CSS during w/b 11 August.
  - d. Copy of meeting notes included at **ACD27**.
33. Submission of updated s73 Cover Letter - 25 Aug 23
- a. This introduced reference to the meeting between CSS, SBC and LLFA on 18 January (including submission of the meeting notes and the Phase 1 Drainage Section (ref. 22006-HYD-P1-XX-DR-C-2710 REV P02)).
  - b. SBC did not upload this to the SBC website. In any event, this was superseded by material submitted on 10 November 2023.

34. Submission of ES Addendum - 31 Aug 23  
 a. ES Addendum submitted by CSS, revoking ES Statement of Compliance submitted at the outset of the s73 application.
35. S73 statutory determination deadline - 31 Aug 23  
 a. Further to the expiry of this date, no extension of time has been requested or agreed between CSS and SBC.
36. Email from Planning Consultant to current Case Officer - 7 Sep 23  
 a. Seeking response to questions to Case Officer in email of 31 August (that which enclosed Environmental Statement Addendum).  
 b. Seeking feedback to SBC internal meeting, which was meant to take place during w/b 4 August.  
 c. Copy of email included at **KC22**.
37. Email from Case Officer to Planning Consultant - 11 Sep 23  
 a. Case Officer advised that the Council's Urban Design Officer was still to review material submitted by Applicant on 16 August.  
 b. Stating that the LLFA had reviewed the latest information and considered the drainage strategies ignore a large amount of existing ditches on the Site.  
 c. Copy of email included at **KC10**.
38. Email from Planning Consultant to Case Officer - 11 Sep 23  
 a. Seeking clarity on timescales for comprehensive feedback.  
 b. Confirming CSS will prepare further information regarding use of existing drainage features on Site in response to 11 September email.  
 c. Copy of email included at **KC23**.
39. Email from Case Officer to Planning Consultant - 12 Sep 23  
 a. Stating Case Officer had reviewed proposals with SBC Urban Design, Landscape and Drainage, and that they had concerns. However, these concerns were not set out. Case Officer advised a further internal SBC meeting was to take place before feedback is provided to CSS.  
 b. Copy of email included at **KC24**.
40. SBC upload ES Addendum to SBC website - 13 Sep 23  
 a. Documents were submitted to SBC on 31<sup>st</sup> August.
41. Email from Countryside Partnerships West to SBC Head of Planning - 13 Sep 23  
 a. Sent by Managing Director of Countryside Partnerships West.  
 b. Outlining the position of the s73 as they understood it and seeking SBC to confirm whether, based on the information SBC have been provided, the Council have any intention to positively determine the s73 in a timely fashion.  
 c. SBC's Head of Planning provided a holding response on 14 September, however, no further correspondence was received in response.  
 d. Copy of emails included at **KC11** and **KC12**.
42. Email from Planning Consultant to Case Officer - 14 Sep 23  
 a. Following up to find out when feedback from SBC on the updated application pack (submitted 16 August) and the ES Addendum (submitted 31 August) would be received.  
 b. Seeking meeting to be held on Site between CSS, LLFA and Hydrock to discuss LLFA concerns regarding use of existing drainage features (see email of 11 September).  
 c. Copy of email included at **KC25**.

43. Email from Case Officer to Planning Consultant - 15 Sep 23
- a. Raising high level queries in response to residential capacity and density work submitted to SBC on 16 August.
  - b. Suggested increasing densities beyond the maximums approved on the Outline Permission Parameter Plans rather than varying Original FRA Addendum. This is contrary to position agreed with SBC in 31 January 2023 meeting.
  - c. Confirming meeting with wider SBC Officer team to be held the following week.
  - d. Copy of email included at **KC3**.
44. Email from Planning Consultant to Case Officer - 15 Sep 23
- a. Providing a response to the queries/statements regarding residential capacity and density.
  - b. Seeking an update on the newspaper advertisement for the ES Addendum.
  - c. Copy of email included at **KC26**.
45. Email from Case Officer to Planning Consultant - 15 Sep 23
- a. Setting out queries regarding residential capacity.
  - b. No response was provided to newspaper advertisement query.
  - c. Copy of email included at **KC4**.
46. Letter from Sovereign to SBC Officers and Leader of the Council - 20 Sept 23
- a. Sent by Sovereign's Chief Investment and Development Officer to SBC Case Officer, Head of Planning and Leader of the Council.
  - b. Letter set out context and status of the s73 application and implications for Homes England funding if CSS is unable to deliver the Site.
  - c. Only response received was from the Housing Enabling Team (20 September) stating issue had be raised with the Cabinet Member for Housing.
  - d. Copy of email and letter included at **KC27** and **KC27a**, respectively.
47. Email from Planning Consultant to Case Officer - 22 Sep 23
- a. Providing a response to Officer queries on residential capacity and density.
  - b. Seeking update on the newspaper advertisement for the ES Addendum.
  - c. Copy of email included at **KC28**.
48. Email from Case Officer to Planning Consultant - 25 Sep 23
- a. Setting out disagreement relating to densities put forward and views on housing mix/type.
  - b. Providing feedback on acceptability of the Original / Revised FRA Addenda and drainage strategies provided pursuant.
  - c. Stating that the conclusion of the SBC internal meeting was that the starting point needs to be a review of proposed densities, contrary to agreement with SBC Senior Officers prior to submission (see 31 January 2023).
  - d. Copy of email included at **KC5**.
49. Email from Case Officer to Planning Consultant - 25 Sep 23
- a. Seeking to provide clarity on the acceptability of the Original / Revised FRA Addenda and drainage strategies provided pursuant by stating "*The point is that we consider neither of the two proposed options to be in accordance with the original FRA addendum*".
  - b. Copy of email included at **KC6**.
50. Email from Planning Consultant to Case Officer - 26 Sep 23
- a. Providing a holding response and seeking an update on the newspaper advertisement for the ES Addendum.
  - b. Copy of email included at **KC29**.

51. Email from Countryside Partnerships West to SBC Head of Planning - 26 Sep 23
- Sent by Managing Director of Countryside Partnerships West.
  - Raising concerns over Case Officer's emails of 25 September and seeking confirmation as to how SBC want CSS to proceed. Questions posed in context of what was discussed and agreed in meeting of 31 January (which the SBC Head of Planning attended).
  - No response was received.
  - Copy of email included at **KC30**.
52. Email from Planning Consultant to Case Officer - 3 Oct 23
- Providing a comprehensive response to Case Officer emails of 25 September 2023.
  - Seeking a clear answer to SBC's view on the acceptability of the Revised FRA Addendum and the Strategic Site Wide Drainage Strategy designed pursuant to it.
  - Seeking update on the newspaper advertisement for the ES Addendum.
  - Copy of email included at **KC9**.
53. Email from Planning Consultant to Case Officer - 11 Oct 23
- Following up on previous email as no response received.
  - Seeking in person meeting over the coming week to work through matters.
  - Proposed meeting agenda.
  - Copy of email included at **KC31**.
54. Email from Case Officer to Planning Consultant - 11 Oct 23
- Stating they are working on another site and will respond during w/b 16 October.
  - Copy of email included at **KC32**.
55. Email from Planning Consultant to current Case Officer - 12 Oct 23
- Seeking 30 minute virtual meeting.
  - Seeking update on the ES Addendum consultation/advertisement.
  - Copy of email included at **KC33**.
56. Email from Case Officer to Planning Consultant - 16 Oct 23
- Confirmed SBC are "*not happy with the principle of the Revised FRA Addendum*", however, no justification or explanation provided.
  - Agrees it would be sensible to meet and discuss but no times offered.
  - Copy of email included at **KC7**.
57. Email from Planning Consultant to Case Officer - 16 Oct 23
- Agreeing that a meeting would be helpful and seeking a date to be agreed.
  - No response is received from the Case Officer.
  - Copy of email included at **KC34**.
58. Email from Planning Consultant to SBC and PINS - 26 Oct 23
- Submitting formal pre-notification of CSS's intention to appeal against non-determination of the s73 planning application.
  - Copy of email and notice included at **KC35** and **KC35a**.
59. Updated s73 application package submitted to SBC (see **KC36**) - 10 Nov 23
- Submitting further information in response to informal comments from Case Officer and LLFA.
60. Appeal against non-determination submitted to PINS - **13 Nov 23**