



West Berkshire Local Plan Review 2022-2039
Proposed Submission Representation Form

Ref:

(For official use only)

Please complete online or return this form to:	Online: http://consult.westberks.gov.uk/kse
	By email: planningpolicy@westberks.gov.uk
	By post: Planning Policy, Development and Regulation, Council Offices, Market Street, Newbury, RG14 5LD
Return by:	4:30pm on Friday 3 March 2023

This form has two parts:

- Part A - Your details: need only be completed once
- Part B - Your representation(s): please fill in a separate sheet for each representation you wish to make

PART A: Your Details

Please note the following:

- *We cannot register your representation without your details.*
- *Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.*
- *All information will be sent for examination by an independent inspector*
- *All personal data will be handled in line with the Council's Privacy Policy on the Development Plan. You can view the Council's privacy notices at <http://info.westberks.gov.uk/privacynotices>*

	Your details	Agent's details (if applicable)
Title:	Mrs	
First Name:*	Kim	
Last Name:*	Lloyd	
Job title (where relevant):	Clerk to the Council	
Organisation (where relevant):	Chieveley Parish Council	
Address* Please include postcode:	1 Snelsmore Farm Cottage, Snelsmore Newbury RG14 3BU	
Email address:*	chieveley.pc@outlook.com	
Telephone number:	██████████	

*Mandatory field

Part B – Your Representation***Please use a separate sheet for each representation***

The accompanying guidance note available at: <https://www.westberks.gov.uk/lpr-proposed-submission-consultation> will assist you in making representations.

*Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change(s) as there will **not normally** be a subsequent opportunity to make further representations, **further submissions will ONLY be at the request of the Inspector, based on the matters and issues they identify for examination.***

Your name or organisation (and client if you are an agent):	Chieveley Parish Council
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Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	3 Shaping West Berkshire: Vision and Objectives Our Vision and Strategic Objectives Paragraphs 3.1 to 3.5
Policy:	
Appendix:	
Policies Map:	
Other:	

1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes

 Yes

No

Please give reasons for your answer:

2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development	Yes	
Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence	Yes	
Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	Yes	
Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF	Yes	

Please give reasons for your answer:

Chieveley Parish Council broadly agrees with the vision presented (3.1-3.4) Strategic Objectives of the plan (3.5) and, in particular, that the landscape in the North Wessex Downs should remain of outstanding value (3.4).

The plan must continue to conserve and enhance the North Wessex Downs AONB in accordance with national policies.

Any landscape-led development should be both appropriate within that policy context and deliver wider environmental, economic, and social benefits. These requirements should also have regard to local needs.

In particular CPC supports the following elements of the vision and Strategic Objectives: Making available carbon neutral housing of different types, sizes, tenures and affordability ... and Strategic Objective 1.

High quality design that is in keeping with the character and local distinctiveness of the area ... and Strategic Objective 3.

West Berkshire's landscape in the North Wessex Downs will remain of outstanding value and its biodiversity more abundant in settlements and the surrounding countryside. and Strategic Objective 8.

3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

No Comment

Please give reasons for your answer:

4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

5. Independent Examination

If your representation is seeking a change, do you consider it necessary to participate at the examination hearing session(s)?

Yes

No

No

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Part B – Your Representation

Please use a separate sheet for each representation

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Your name or organisation (and client if you are an agent):	Chieveley Parish Council
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Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	
Policy:	Policy SP2 - North Wessex Downs AONB
Appendix:	
Policies Map:	
Other:	

1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes

Yes

No

Please give reasons for your answer:

2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development	Yes	
Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence	Yes	
Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	Yes	
Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		No

Please give reasons for your answer:

Chieveley Parish broadly supports Policy SP2 which recognises the importance of the AONB and the protection that it must be given in accordance with National Planning Policy and that planning permission should be refused for major development in the AONB except in exceptional circumstances.

However, the presumption in the supporting text at 4.30 viii. Is not consistent with paragraph 177 of the NPPF which does not contain any presumption that just because something is proposed in the AONB, including housing, there must be a local need which should be met inside the AONB. See proposed changes below.

3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

No comment

Please give reasons for your answer:

4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SP2 supporting text.

4.30 viii. [Add Where under vi the need for development in the location proposed location is demonstrated,] the cost of, and scope for, meeting the need in some other way; [Delete ~~, on the assumption that it is a local need which should ideally not be met outside the AONB;~~]

5. Independent Examination

If your representation is seeking a change, do you consider it necessary to participate at the examination hearing session(s)?

Yes

Yes

No

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

We wish to ensure the reasons for these views on the transposition of national policy into the Local Plan are understood.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Part B – Your Representation

Please use a separate sheet for each representation

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Your name or organisation (and client if you are an agent):	Chieveley Parish Council
---	--------------------------

Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	
Policy:	Policy DM1
Appendix:	
Policies Map:	
Other:	

1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes

 Yes

No

Please give reasons for your answer:

2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development	Yes	
Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		No
Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground		No
Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		No

Please give reasons for your answer:

Policy DM1 seems to be one of the most profound re-writes of policy in the Proposed Submission Local Plan compared to the 2020 Emerging Draft (where it was Policy DC1). The main change is to a long-standing Policy West Berkshire for there to be a presumption against new development outside of adopted settlement boundaries (Policy DC1, 2020) to an apparent presumption in favour of residential development outside of settlement boundaries (DM1, 2023: ... *new residential development outside of adopted settlement boundaries will be permitted* (even if exceptionally)). Chieveley Parish Council objects to this change which is not in accordance with national policy and not justified. In addition, and irrespective of whether the policy is worded as a presumption against or a presumption in favour, this Council also objects to the weakening of the specific criteria where residential development outside of settlement boundaries will be permitted.

Not in accordance with National Policy

As now proposed, Policy DM1 is not in accordance with the NPPF. Paragraph 80 states: *Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply ...* i.e. that's worded as a presumption against, not in favour (as now in DM1).

Not justified

The structure and effect of NPPF Para 80 is clear and there is no justification for it to be reversed in West Berkshire.

The principle of NPPF Para 80 is not new. Paragraph 55 of the NPPF 2012 was, in this regard, substantively the same: *Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances ...* There is no national policy change that requires the change made at DM1 to be made.

The comments received on Policy DC1 as reported in the 'Consultation Statement for the Proposed Submission West Berkshire Local Plan Review 2022-2039 December 2022' were in the vast majority supportive of Policy DC1.

Some concern was expressed about the effect of Policy DC1 being overly restrictive in smaller villages without settlement boundaries. If that is the concern, it would be quite easy to address that

by framing one of the exceptions under Policy DC1 to apply to smaller villages where the settlement boundary-type criteria can be met, even if there is no actual settlement boundary; and/or more positive wording for Policy DC1 (2020) exception (l). It does not justify the profound changes to policy as set out in DM1 as a whole.

The general exception in Policy DM1: *exceptions to this are solely limited to development which is appropriately designed and located*, lacks clarity because there are no criteria to what 'appropriately designed and located' means. Paragraph 80 of the NPPF and Policy DC1 are clearer.

We acknowledge the need to allocate sites for Gypsies, Travellers and Travelling Showpeople but these should be allocated in accordance with other policies in the plan including Policy DM20 and not subject to an exception to policies restricting isolated dwellings in the countryside as now included in Policy DM1. Exception (b) - permitting sites for Gypsies and Travellers and Travelling Showpeople, should continue to be tied to other policies, as it was in DC1.

A presumption in favour of permitting individual dwellings in the countryside will have a negligible effect on the rural economy (that being already covered by Policy DM2), or the viability of settlements, however it will have a cumulative impact on the countryside and the AONB. The final sentence of Policy DM1 *'not be granted where ... would have an adverse cumulative impact on the environment ...'* Will not prevent this as the cumulative impact on the AONB will result from the policy and not be capable of assessment on individual proposals.

3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

Please give reasons for your answer:

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Revert to Policy DC1 in the Emerging Draft of 2020.

The exceptions (b) to (g) should continue to relate specifically to the other relevant DM policies (i.e. DM20, DM17, DM24, DM23, MD25, DM26 and MD27).

5. Independent Examination

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Yes

Yes

No

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

We wish to ensure the reasons for these views on the transposition of national policy into the Local Plan are understood.
We may be able to explain further with reference to specific examples.

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PART A: Your Details

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	Your details	Agent's details (if applicable)
Title:	Mrs	
First Name:*	Kim	
Last Name:*	Lloyd	
Job title <i>(where relevant):</i>	Clerk to the Council	
Organisation <i>(where relevant):</i>	Chieveley Parish Council	
Address* <i>Please include postcode:</i>	1 Snelsmore Farm Cottage Snelsmore Newbury RG14 3BU	
Email address:*	chieveley.pc@outlook.com	
Telephone number:	██████████	

*Mandatory field

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Your name or organisation (and client if you are an agent):	Chieveley Parish Council
---	--------------------------

Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	Sites Allocated for Residential Development: North Wessex Downs AONB
Policy:	Policy RSA17 Land at Chieveley Glebe, Chieveley
Appendix:	
Policies Map:	
Other:	

1. Legally Compliant

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Yes

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Please give reasons for your answer:

2. Soundness

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Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		✓
Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	✓	
Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		✓

Please give reasons for your answer:

Chieveley Parish Council broadly supports a number of aspects of the Proposed Submission Local Plan including the overall vision and strategic objectives of the plan, policies supporting the conservation and enhancement of the AONB, the settlement hierarchy, and the need for some development in villages such as Chieveley where it is acceptable in terms of visual impact in the AONB to support local needs. The Parish Council also considers that, of the sites potentially developable at present, Land at Chieveley Glebe, Chieveley identified at Policy RSA17 is most likely to be acceptable. It also supports several criteria listed at RSA17 points (a) to (i). That said, Chieveley Parish Council agrees with the Council and its landscape assessment that the larger area of land at RSA 26, which was previously shown in the December 2020 document and the HELAA, should not be developed.

Chieveley Parish Council still does not agree, however, that the strategy is appropriate with regard to a number of aspects of the Policy RSA17 Land at Chieveley Glebe, Chieveley allocation.

The specific objections which lead the Parish Council to conclude that, as it stands, Policy RSA17 is not justified are set out below.

Having regard to these objections the Parish Council believes the allocation is not in accordance with the following policies of the NPPF:

- NPPF para 126 – there are specific design aspects arising from this allocation and it is not clear how these are to be resolved and/or tested.
- NPPF para 127 to 130 – despite these aspects having been raised previously, the vision, expectations and assurances for this site still lack clarity in the context of these sections of the NPPF.
- NPPF para 93 and 96 - *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should ... plan positively for the provision ... of community facilities ... and other local services to enhance the sustainability of communities and residential environments.* The opportunity exists here to provide a much-needed community facility in the form of a burial ground, although there appears to be support for this by the community and promoter, it is not provided for in the supporting text of the policy.
- NPPF para 100 - *Planning policies ... should protect and enhance public rights of way and*

access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks ... This opportunity is also currently being missed. As described further below, the means of achieving the required footpath improvements along the frontage of the site are unclear and a unique opportunity for much needed enhancement to connectivity with the recreation ground which had been proposed by the promoter of this site previously, with a similar scheme, has been overlooked entirely.

The size of the allocation and number of dwellings

No site area is specified in the Proposed Submission LP document, but the December 2020 Emerging draft stated for the same site: *The site has a developable area of approximately 1.1ha, which is acceptable in landscape terms...*

The HELAA January 2023 - Figure 3.2: Density by location (Source: West Berkshire Density Pattern Book, 2019) gives indicative densities of Rural AONB – 15dph; Edge of Village/Settlement AONB – 20dph. These give a development potential of between 16 and 22 dwellings depending on whether classed as rural or edge of village. It is most certainly not ‘within village’.

Chieveley Parish Council has regard to many concerns raised about development in this location because of existing traffic problems at the medical practice opposite and elsewhere in the village including near the shop and at the west end of Graces Lane. Access from East Lane to the High Street and to the Oxford Road also have poor sight lines.

Other issues associated with the site concern access to the proposed dwellings, footpaths, and access to a proposed burial ground. Further extension to the site is also unacceptable in landscape terms.

Concerns about development density and traffic specific to this allocation have been raised in several representations made on the December 2020 draft and to the Parish Council since January 2023.

Having regard to the traffic issues; limitations imposed by site accesses; other access requirements (e.g., burial ground and PROWS); the rural nature of the site; and the existing character of the East Lane, Chieveley Parish Council believes the upper limit of *‘up to 15 dwellings to be delivered at a low density in keeping with the surrounding area’* at RSA17(a) is justified and must be adhered to. We remain concerned that this will be eroded, and the explanatory text must remain on this point.

Access to the site and hedgerows

It is still not clear how satisfactory accesses to the site will be achieved onto East Lane even if *‘accesses may need to serve more than one dwelling’*. It appears inevitable that multiple accesses with sight lines will remove large parts of the mature hedgerow with mature trees fronting East Lane. A better thought-out access arrangement should be prepared to ensure the site is deliverable and acceptable. Alternative access arrangements need proper assessment, including a possible single access point.

Wider Transport and Traffic Issues

In the Council’s responses to previous representations contained in the Proposed Submission LPR 2022-2039 Consultation Statement (Dec 2022), WBC responds to wider transport concerns with: *The Local Highway Authority have advised that they have no concerns regarding the provision of 15 dwellings with regards to traffic impact.*

Chieveley Parish Council is aware of many concerns about the acceptability of existing traffic conditions in the village, particularly problems at the Surgery and on the High Street near the shop and at the west end of Graces Lane. Access from East Lane to the High Street and to the Oxford Road also have poor sight lines.

Public Rights of Way

With regard to item (c), we agree that a footway must be provided on East Lane with this development but it difficult to see how this can be provided *‘fronting the site’* (RSA17 (c)) without removing the existing hedgerow fronting the site. More detail of footpath improvement on East Lane should be provided.

Secondly, we believe that PROW improvements are required with this scheme, on land withing the same control, to provide the footpath to the recreation ground that was previously proposed for this site as shown on the **attached plan**.

Burial Ground

Chieveley Parish Council welcomes the confirmation by the Diocese of Oxford that it is willing to provide land for a burial ground: lpr1940 Diocese of Oxford (Mr David Mason - 1272813). This is a significant commitment from the Diocese and is relevant to this Local Plan and allocation RSA17 because (i) it is a unique opportunity to provide a community facility and meet a local need and (ii) the possibility of providing the burial ground in this location is entirely dependent on access from East Lane which should be planned within this allocation.

However, in the document 'Consultation Statement for the Proposed Submission West Berkshire Local Plan Review 2022-2039 December 2022 (the Consultation Statement)', West Berkshire Council suggests an entirely different concept for the burial ground scheme and its access to that supported within the community. At page 2747 and 2748 of the Consultation Statement, West Berkshire Council says that access would need to be from Oxford Road. In the opinion of Chieveley Paris Council, that's unjustified and unreasonable. If East Lane can service the medical practice, existing dwellings, and allocation RSA17, it seems illogical to suggest it cannot also service a small burial ground extension requiring very few traffic movements, which would be entirely out of peak hours of traffic movement.

The reason for this being the preferred site for a burial ground is that land in the area of RSA17 on this part of the Glebe Land is one of the few sites within easy walking distance of St Mary's Church, Chieveley.

To take access to this land from Oxford Road as proposed by WBC would be seemingly absurd, both in terms of access and movement and visual impact.

The Regulation 18 response lpr 1940 which is repeated in full in the Consultation Statement relates to RSA17 and is not conditional on access from Oxford Road.

Therefore, Chieveley Parish Council continues to object strongly to the allocation as conceived by West Berkshire Council, with access to a burial ground extension from Oxford Road. The access needs to be from East Lane and that needs to be incorporated in the RSA17 allocation.

Social Housing

At least 40% of the proposed dwellings must be affordable housing, including housing for key workers, in accordance with other polices in this plan.

3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

No Comment

Please give reasons for your answer:

b. Alternative access arrangements to the site must be evaluated to provide a satisfactory solution that is also acceptable in terms of biodiversity, PROWs and access to a new burial ground. A transport assessment should also consider the wider traffic and transport issues including existing traffic issues at the medical practice, on the High Street and Graces Lane, and visibility issues at the junctions of East Lane with the High Street and Oxford Road.

c. What is currently stated about 'a footway fronting the site' appears likely to further impact the existing hedgerow. We do not believe this allocation can be justified or in accordance with the NPPF without some better understanding of how this will be achieved.

j. At least 40% of the proposed dwellings must be affordable housing, including housing for key workers, in accordance with other polices in this plan.

4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Problems at the medical practice in particular; and elsewhere in the village near the shop, at the west end of Graces Lane. Access from Est Lane to the High Street and to the Oxford Road also have poor sight lines.

5. Independent Examination

If your representation is seeking a change, do you consider it necessary to participate at the examination hearing session(s)?

Yes

Yes

No

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

This is an important allocation for the community of Chieveley and the Parish Council should be able to make these points and explain why they are relevant to the Plan.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

6. Notification of Progress of the Local Plan Review

Do you wish to be notified of any of the following?

Please tick all that apply:

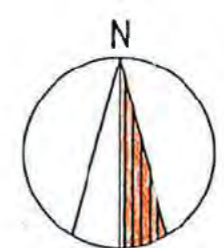
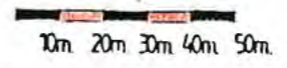
Tick

The submission of the Local Plan Review for Independent Examination	✓
The publication of the report of the Inspector appointed to carry out the examination	✓
The adoption of the Local Plan Review	✓

Please ensure that we have either an up to date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy team.

Signature	<i>Kim Lloyd</i>	Date	03.03.2023
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Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.



DO NOT SCALE from this drawing.
Contractors must verify all dimensions on site before setting out, commencing work, or making any shop drawings.

Notes

KEY.

- Housing Area 1.
Approx. 4 Houses.
- Housing Area 2.
Approx. 8 Houses.
- Housing Area 3.
Approx. 10 Houses.
- Affordable Housing.
Approx. 6 Houses.

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Client
Oxford Diocesan Board of Finance.

Job title
Proposal for Residential Development on Land at Chieveley, Newbury, Berks.

Drawing title
Development Strategy.

Scale	Date	Drawn
N.T.S.	Nov. 94.	J.L.F.

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