



DISEWORTH VILLAGE DESIGN STATEMENT

DRAFT REVISED VILLAGE DESIGN STATEMENT CONSULTATION

CONSULTATION RESPONSE ON BEHALF OF THE CADWALLADER FAMILY

LAND AT GRIMES GATE, DISEWORTH

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PROJECT REF.: P/300/C43

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RTPI
Chartered Town Planners



RICS



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Project Client: The Cadwallader Family

Project Location: Land at Grimes Gate
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1. Introduction

- 1.1. Andrew Granger & Co Ltd. specialises in the promotion of strategic land for residential development and commercial uses. As a company, we are heavily involved in the promotion of clients' land through various Local Plan representations throughout the country, and we also have vast experience in contributing to the Neighbourhood Plan process.
- 1.2. On behalf of the Cadwallader Family, we are seeking to work with North West Leicestershire District Council and Long Whatton & Diseworth Parish Council in promoting the Land at Grimes Gate, Diseworth (**Appendix 1**) for formal allocation for residential development.
- 1.3. This document provides a written submission to the Draft Diseworth Village Design Statement consultation, which is set to replace the earlier version of the Village Design Statement, which was adopted by the District Council as a Supplementary Planning Guide in 2000.

2. Planning Policy Context

2.1. **Policy S1: Future Housing and Economic Development Needs** of the adopted North West Leicestershire Local Plan (Adopted November 2017) states that provision will be made for the development of a minimum of 9,620 dwellings across the plan period.

2.2. The policy also commits the Council to undertaking a Local Plan Review and assisting in accommodating unmet residential development needs, where appropriate. It states the following:

'The Council will continue to work collaboratively with the Leicester and Leicestershire Housing Market Area (HMA) authorities to establish the scale and distribution of any additional provision that may be necessary in North West Leicestershire and elsewhere in the HMA as a result of the inability of one or more authorities to accommodate its own needs as identified in the Leicester and Leicestershire HMA.

The District Council will commence a review of this Local Plan (defined as being publication of an invitation to make representations in accordance with Regulation 18 of the Town and Country Planning ((Local Planning) (England) Regulations 2012) by the end of January 2018 or within 3 months of adoption of this Local Plan (whichever is the latter). The Plan Review will be submitted within two years from the commencement of the review. In the event that the reviewed plan is not submitted within two years, then this Local Plan will be deemed out of date'

2.3. The North West Leicestershire Local Plan: Partial Review was formally submitted for Examination in February 2020 and formal Examination Hearing Sessions were held during September 2020.

2.4. Furthermore, Leicester City Council have formally published the Draft City of Leicester Local Plan 2020 to 2036 for Regulation 18 Consultation in September 2020. This Draft Local Plan identifies an unmet housing need of 7,742 dwellings and an unmet employment land need of 23 hectares over the plan period. This formally declared unmet need is currently subject to assessment by the other HMA authorities, with a view to agreeing a Statement of Common Ground for the spatial redistribution of this unmet need across the authorities in Spring 2021.

2.5. **Policy S2: Settlement Hierarchy** of the adopted Local Plan classifies settlements across the District on the basis of their suitability of development, with different classifications being appropriate for differing levels of development. Diseworth is identified as a 'Sustainable Village' where a limited amount of growth is to take place within the defined Limits to Development. These Limits to Development are drawn tightly around settlements at this level of the hierarchy.

2.6. **Policy S3: Countryside** identifies that land outside the identified Limits to Development will be classified as 'Countryside'. Residential development on greenfield sites identified as countryside will only be considered acceptable for the purposes of agriculture, forestry and exceptions sites.

- 2.7. We have made North West Leicestershire District Council [NWLDC] (“the Council”) aware of the site’s availability for development through various submissions, including representations to the North West Leicestershire Local Plan: Partial Review consultation stages, as well as through the formal Call for Sites.
- 2.8. The site is included within the North West Leicestershire Strategic Housing Land Availability Assessment [SHLAA] (July 2019) [Site Ref: DW5]. The assessment concludes that development of the site would be potentially suitable; subject to a change in the Limits to Development for the village.
- 2.9. Furthermore, we have also discussed the potential development of the site with Long Whatton & Diseworth Parish Council at two Parish Council meetings held on 7th November 2019 and in March 2020.

3. Site & Development Potential

- 3.1. The proposed development site is located north-west of the village centre of Diseworth, accessed via Grimes Gate. Diseworth is located approximately 0.6 miles to the south of East Midlands Airport, between the A453 and A42, and is located within the Leicestershire International Gateway – a key location for growth and of substantial major employment opportunities. Diseworth is located at the heart of the UK logistics networks, which is commonly referred to as ‘The Golden Triangle’, and is uniquely placed in terms of its equidistant proximity to three major urban conurbations; Derby (approx. 14 miles), Nottingham (approx. 14 miles) and Leicester (approx. 18 miles).
- 3.2. It is also located within close proximity to a wide range of local services and employment opportunities found within Castle Donington (approx. 3.6 miles), Kegworth (approx. 3 miles), Long Whatton (approx. 2.4 miles), Shepshed (approx. 5.4 miles) and Loughborough (approx. 9.4 miles).
- 3.3. The site extends to approximately 1.14 hectares (2.81 acres), shown outlined in red below, and consists of a single field of Grade 3 agricultural land, clearly marked by semi-mature boundary vegetation. The site is bordered to the south by existing residential properties, to the east by Grimes Gate, and to the north and west by a brook with open countryside beyond. The site lies adjacent to the Limits to Development, as defined in the North West Leicestershire Local Plan (Adopted November 2017).



Figure 1: Aerial Photograph

- 3.4. The proposed development site is located within an appropriate walking distance from all of the local services and facilities situated within the village. These include Diseworth Church of England Primary School, a Village Hall, the Plough Inn, and St. Michael and All Angels Church.

3.5. Furthermore, the site is within walking distance of bus stops located on Grimes Gate/Clements Gate, adjacent to the former Bull and Swan Pub. These stops are served by the Skylink bus service which runs between Nottingham, Derby, Castle Donington, Leicester and Coalville. The bus calls at the village on an hourly basis on weekdays between 7am and 7pm, with the final service calling at the village at approximately 10:30pm. The bus service provides connections to further sustainable transport opportunities, including East Midlands Airport and East Midlands Parkway Railway Station, which provide additional national and international strategic connections. In addition, a Public Right of Way traverses the site and runs from Grimes Gate to Ashby Road in the north, as shown in Figure 2 below.



Figure 2: Map indicating the Public Right of Way crossing the application site

- 3.6. The site lies outside of the Diseworth Conservation Area, first designated in February 1974; and there are a number of listed buildings located within the village centre.
- 3.7. The site is located within Flood Zone 1 of the Environment Agency’s Flood Risk Maps. Therefore, the site is assessed as having low risk of flooding (less than 1 in 1000 annual probability of river flooding).
- 3.8. With reference to the adopted North West Leicestershire Local Plan, the site is identified as being within an area of Countryside and within the East Midlands Airport Safeguarding Area. There are no other statutory or non-statutory designations relevant to the site.
- 3.9. We consider that the site has the capacity to accommodate approximately 25 dwellings, including vehicular access, pedestrian links, public open space, car parking and electric charging, landscaping and drainage.
- 3.10. The landowners have worked closely with Long Whatton & Diseworth Parish Council in developing the proposals for the site. They key aspects of the development proposal include:

- On-site provision of affordable housing – including starter homes/first homes provided at a discounted value, beyond the statutory requirements, in perpetuity – targeted specifically at those with a local connection.
- A mix of house types, sizes and tenures – including bungalows, semi-detached and detached properties – ranging from two-bedroom to five-bedroom
- Areas of open space and landscaping
- Vehicular and pedestrian access from Grimes Gate
- A new pedestrian footpath along Grimes Gate from the site entrance to the A453 - connecting the village to East Midlands Airport
- Existing Public Right of Way L43 retained and re-routed
- Provision of a Sustainable Urban Drainage System; and
- Retention of semi-mature hedgerow and trees and enhancing planting.

3.11. Figure 3, below, provides an Indicative Site Layout showing how the site could accommodate the above development proposals.



Figure 3: Illustrative Site Layout

3.12. Therefore, we consider the site to be in a highly sustainable location, close to a wide range of services and employment opportunities. The site represents an opportunity to deliver a

suitable, available, achievable and viable source of housing land that can be developed now and make a valued contribution towards meeting the District and Parish housing needs, whilst delivering significant economic, social and environmental benefits for the village.

4. Comments on the Draft Diseworth Village Design Statement

4.1. On behalf of our clients, the Cadwallader Family, we wish to make the following observations on the Draft Diseworth Village Design Statement.

4.2. Paragraph 126 of the National Planning Policy Framework [NPPF] (“the Framework”) (Adopted February 2019) sets out the critical role that design guides can play in providing clarity about design expectations and providing ‘*a framework for creating distinctive places, with a consistent and high quality standard of design*’. In this regard, we fully support the overarching role of the Diseworth Village Design Statement and, specifically, we fully support the following statement which sets out the purpose of the Diseworth Village Design Statement:

‘The Statement sets out to explain the village in terms of its long history, and to articulate those features of the village that are seen by its residents as most attractive and distinctive, which deserve to be retained, and which together help to determine what is distinctive about Diseworth.’

4.3. However, it is our view that the current draft Diseworth Village Design Statement goes beyond the provisions set out within the above statement, and seeks to make a number of recommendations which would be more appropriately found within an adopted development plan document, such as a Neighbourhood Plan, rather than a Village Design Statement.

4.4. In particular, the Village Design Statement make two statements which provide a commentary on the direction of development within the village, these are as follows:

- *‘This Statement is addressed to developers, architects, designers and builders to inform them of local views on design, materials and location of new and adapted buildings’*
- *‘Recommendation: The view of the local community is that it would wish to see the existing countryside around Diseworth protected against inappropriate development’*

4.5. As detailed above, Paragraph 126 of the Framework identifies the valuable role that design guides can play in providing a framework for creating distinctive places with high quality design. Furthermore, the Planning Practice Guidance [PPG] provides advice on the characteristics of a good local design guide. Paragraph 005 Reference ID: 26-005-20191001 provides the following direction:

*‘Local design guides should be informed by the 10 important characteristics of good places set out in the National Design Guide, and need to be shaped by a clear understanding of the local area’s qualities and opportunities. Good local design guides are **concise, positive documents** which are accessible and use tools such as illustrations and checklists to **highlight key design issues and possible solutions**. **They are most effective when used alongside other relevant design tools to assess the quality of proposed schemes**. To be given as much weight*

as possible in the decision-making process, local design guides need to be adopted as supplementary planning documents or appended to a neighbourhood plan. [Emphasis added]

- 4.6. Therefore, it is not the role of the Village Design Statement to provide commentary on the appropriate location of development within the village; rather the Statement should seek to provide a design tool to assess the quality of proposed development schemes.
- 4.7. Policies relating to the location of development within the village are set out within the North West Leicestershire Local Plan (Adopted November 2017) and, specifically, Policy S2: Settlement Hierarchy which classifies the settlements across the district on the basis of their suitability for development. Diseworth is identified as a 'Sustainable Village' where a limited amount of growth is to take place within the defined Limits to Development. These Limits to Development are currently drawn tightly around the existing built form of the village. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the adopted development plan, unless material considerations indicate otherwise. Consequently, it is not necessary for the Village Design Statement to provide further commentary on the location of development within the village.
- 4.8. Paragraph 37 of the Framework states that *'Neighbourhood plans must meet certain 'basic conditions' and other legal requirements before they can come into force'*. The Framework also clarifies that such plans should be in general conformity with the strategic policies of the adopted development plan. It is accepted that the Village Design Statement is not subject to the same provisions as a Neighbourhood Plan; in terms of meeting the 'basic conditions' and other legal requirements. However, given that the Diseworth Village Design Statement is to be adopted as a Supplementary Planning Document and will, therefore, be a material consideration in the determination of planning applications, it is important that the document is in general conformity with the adopted development plan.
- 4.9. In light of the above, there is a risk that the Diseworth Village Design Statement, as currently drafted, could conflict with future provisions made within the strategic policies of the North West Leicestershire Local Plan. For example, our clients are currently promoting their land through the Local Plan Review with the objective of seeking an amendment to the current Limits to Development to result in the inclusion of their land within these limits. If they were successful in achieving this amendment, and the Village Design Statement is adopted as proposed, then the Village Design Statement would seek to restrict development on the site; whilst such development would, in this hypothetical context, be in accordance with the provisions of the Local Plan. As such, it is our view that the Village Design Statement should be amended to remove all commentary on the location of development within the village.
- 4.10. Alternatively, should the Parish Council wish to retain such comments, then they should be referencing the provisions of the Local Plan (namely the Limits to Development, or any other measures which may supersede these Limits to Development) rather than referring to greenfield land on the edge of the village.

4.11. Subject to the inclusion of a reference to ‘unless material considerations indicate otherwise’, an example of a more acceptable commentary is included at Page 3 of the Village Design Statement, where it states the following:

‘Where large scale developments do take place within both sight and sound of the village, then protective measures which largely existing – for example in the District Council’s Local Plan – should be applied firmly and consistently’

4.12. In relation to the above, Paragraph 78 of the Framework recognises the benefits of rural development in enhancing or maintain the vitality of rural communities. It goes on to state that *‘planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.’* The draft Diseworth Village Design Statement identifies that there are limited opportunities for infill development remaining within the existing village boundaries. Thus, any future development to support the vitality of the village and its existing services, is likely to be required on sites that abut the current built form. As such, this further emphasis the conflict that exists between national planning policy and the commentary on appropriate locations for development that is included within the consultation draft document.

4.13. Subject to the above amendments be implemented, we fully endorse the remaining provisions of the draft Diseworth Village Design Statement.

4.14. We fully support the objective of the Village Design Statement to for all new development within the village to achieve appropriate development densities, specifically, the recommendation for *‘New development should, as far as possible, not diminish the balance between buildings and green space, particularly within the Conservation Area’*. Paragraph 122 of the Framework states that planning policies and decisions should support development that makes efficient use of land. It goes on to state at Paragraph 123(b) that *‘it may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas’*.. Through direct engagement with the Parish Council in preparing the indicative proposals for their land, the client’s have sought to adhere to the desire for lower-density development within the village; the Illustrative Site Layout included at Figure 3 seeks development at circa 10 dwellings per acre; which is lower than the general industry provisions of circa 12-15 dwellings per acre in these locations. In this regard, it may be appropriate for the Village Design Statement to provide further clarity and/or guidance on the specific density and/or range of densities that new development will be required to demonstrate in order to accord with the above recommendation

4.15. In line with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Paragraph 195 of the Framework, we fully support the recommendations of the draft Village Design Statement which states that *‘Development should not be permitted that could adversely affect the setting of a listed building’* and *‘New development should, as far as possible, not diminish the balance between buildings and green space, particularly, within the Conservation Area’*.

- 4.16. As part of the preparation of the development proposals for their land, our clients have commissioned an Archaeological Desk Based Assessment, undertaken by University of Leicester Archaeological Services, to fully consider the potential implications of development on their land on any designated heritage assets. This Assessment confirms that the clients' land does not contain any designated heritage assets; the site lies outside of the Diseworth Conservation Area and the historic core of the village, where the listed buildings are situated, and, therefore, it is considered that development of their land will not impact on the setting and significance of these identified heritage assets.
- 4.17. Furthermore, it is considered that there is low potential for prehistoric, Roman or later archaeological remains to be revealed during development of the site. It is noted that there are medieval ridge and furrow earthworks within the site. However, the Illustrative Site Layout demonstrates how the site could be developed for 25 units, whilst also retaining this ridge and furrow within an area of Public Open Space. As such, it is our view that development of the client's site would fully accord with the above recommendations contained within the draft Village Design Statement.
- 4.18. In addition, we also support the recommendations of the draft Diseworth Village Design Statement which seeks to require all new residential development proposals within the village to be of an appropriate scale and to deliver a range of property types and sizes. Paragraph 8 of the Framework identifies that provision of a sufficient number and range of homes is a central component of the social objectives of the planning system, which is to be pursued in as part of attainment of sustainable development. Likewise, Policy H6 of the adopted North West Leicestershire Local Plan requires all development of 10 or more dwellings to deliver a mix of housing types, sizes and tenures with regards to evidence of housing needs. We consider that development of the clients' site at Grimes Gate, Diseworth could fully accord with these policy provisions and the requirements of the draft Village Design Statement. As detailed previously, the development proposals would seek to provide a mix of bungalows, semi-detached and detached properties, ranging from two-bedroom to five-bedroom in size, and a range of housing tenures, including the appropriate provision of affordable housing.
- 4.19. We fully endorse the comments included within the draft Diseworth Village Design Statement in respect of the local character and vernacular and in this respect the following recommendations:
- *'New buildings should be constructed from appropriate materials, to harmonise with traditional materials; the use of reclaimed materials should be encouraged, only if they are appropriate to the vernacular style of the village'*
 - *'Design details – such as windows, doorways, roofline and pitches – should, wherever possible, reflect sympathetically that of the traditional buildings of the village'*
 - *'Garages should not be the most prominent features of a property when viewed from the road'*

4.20. It is our view that the above statements would be consistent with and complement the provisions of the NPPF and the adopted North West Leicestershire Local Plan. Paragraph 127 of the Framework seeks developments which will function well and add to the overall quality of the area; are visually attractive as a result of good architecture; are sympathetic to local character and history; and establish or maintain a strong sense of place. Furthermore, Policy D1 of the adopted North West Leicestershire Local Plan requires development proposals to be well-designed, and for residential developments to perform positively against Building for Life 12; which includes a requirement for proposals to create a place with locally inspired or otherwise distinctive character.

4.21. As above, it is our view that development of our client's land at Grimes Gate, Diseworth has the capacity to accord with these provisions. Whilst any initial planning application for development on the site is likely to be in outline only, with appearance likely to be a reserved matter, the client's are keen to ensure that development of the site provides an appropriate legacy and is sympathetic to the local character and vernacular of the village. For example, the Illustrative Site Layout, shown in Figure 3, demonstrates how all garages would be set back from the established building line to ensure that they do not dominate the street-scene.

4.22. Finally, we fully support the recommendations set out within the draft Village Design Statement in respect of the highways impact of development proposals. It is noted that residents are particularly concerned about the levels of through-traffic that are passing through the village centre and, therefore, the Statement includes the following recommendations:

- *'There should be more constructive efforts made to ensure that traffic is only that appropriate to the roads as they are at present, or can be mitigated for through the scope of that planning application'*
- *Traffic calming measures should be introduced as early as possible, particularly on Lady Gate and Grimes Gate, where through traffic to and from the Airport is increasing rapidly, particularly light freight vehicles. Road markings are the most popular form of traffic calming'*

4.23. Paragraph 108 of the Framework states that in assessing sites for development it should be ensured that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network, or highway safety, can be mitigated to an appropriate degree. In this respect, the above recommendations would be consistent with the provisions of the Framework insofar as requiring all development proposals to mitigate against their potential impact. In addition, we consider that development of the clients' site at Grimes Gate could assist in achieving delivering the desired traffic calming measures identified above. Development of the site would be on the northern edge of the village and, therefore, future occupants of the development proposal would not be required to travel through the centre of the village to access the strategic road network and other employment opportunities available in this direction. Furthermore, as part of the formulation of the development proposals, the clients have commissioned a Transport Statement, undertaken by WYG, to assess the potential transport impacts of the proposed

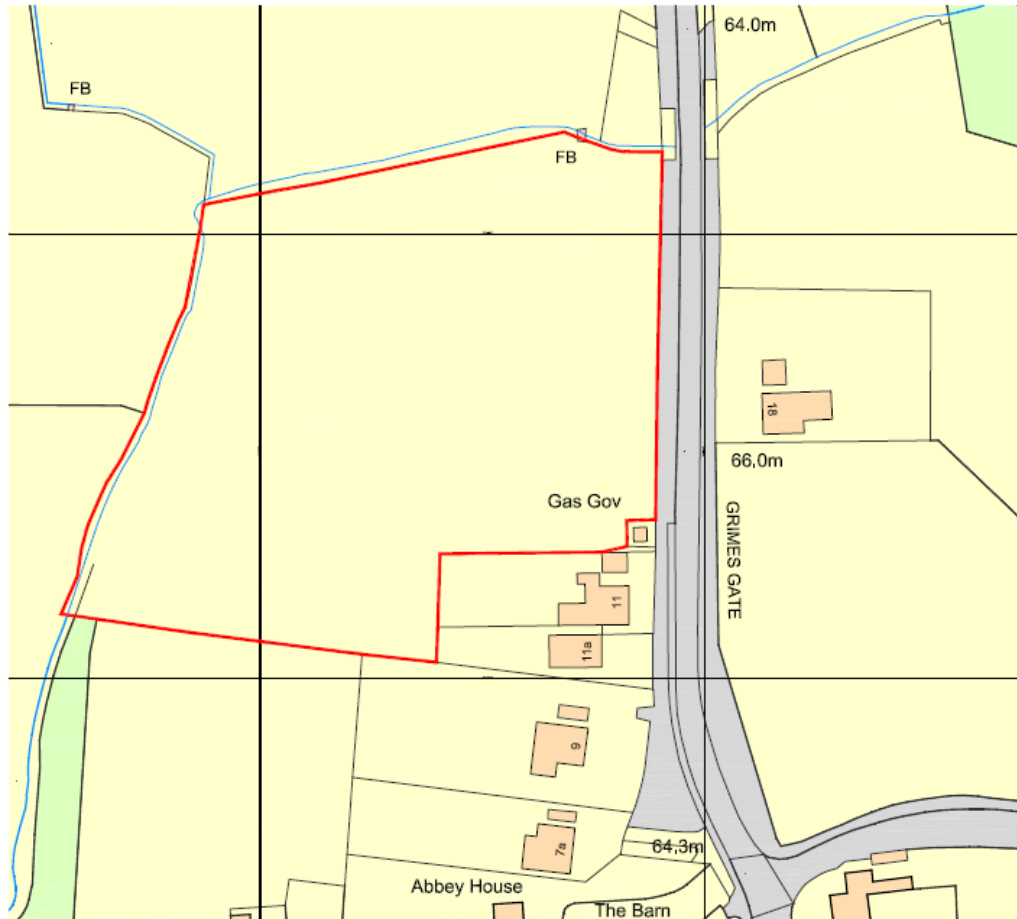
development. This Statement identifies that an appropriate access can be delivered onto Grimes Gate, via the upgrading of existing field access and the creation of a priority controlled T-junction. As part of these proposals, the 30mph speed limit on entry to the village would be extended north, circa 80m north of the proposed site access, and dragons teeth and a 30mph roundel would be provided to further encourage reduced speeds. The clients are also seeking to enhance the accessibility of the village by providing a footpath from the village entrance to the A453, circa 450m to the north of the village, which will assist with connectivity to the employment opportunities available at East Midlands Airport. As a result, development of the clients' land could deliver significant highways benefits for the village.

- 4.24. Consequently, we consider that the site represents an appropriate, achievable and viable source of housing land that can deliver residential development in the short-term in a manner that is consistent with the overall provisions of the draft Village Design Statement and deliver significant economic, social and environmental benefits for the village.

5. Conclusion

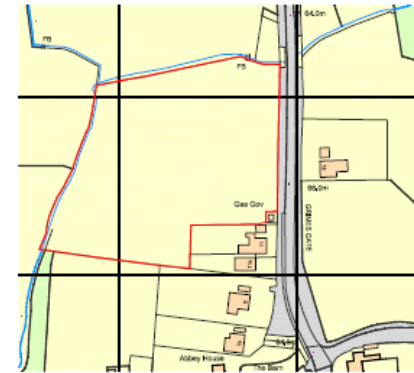
- 5.1. We consider that the proposed development site at Land at Grimes Gate, Diseworth has the capacity to accommodate up to 25 new dwellings, including vehicular access, pedestrian links, public open space, car parking and electric vehicle charging, landscaping and drainage. The proposed scheme would deliver a range of housing types, sizes and tenures including a proportion of affordable housing.
- 5.2. We fully support the overarching role of the Diseworth Village Design Statement. However, it is our view that the current draft document goes beyond the scope of a good Village Design Statement, as set out in the Planning Practice Guidance, and seeks to provide commentary on the direction of development within the village.
- 5.3. Planning policies relating to the location of development within the village set out within the North West Leicestershire Local Plan (Adopted November 2017) and, specifically, Policy S2: Settlement Hierarchy, which classifies settlements across the district on the basis of their suitability for development; Diseworth is identified as ‘Sustainable Village’ where a limited amount of growth is to take place within the defined Limits to Development. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the adopted development plan, unless material considerations indicate otherwise. Therefore, it is not necessary for the Village Design Statement to provide further commentary on the location of development within the village.
- 5.4. As currently drafted, there is a risk that the Village Design Statement could conflict with future provisions made by the strategic policies of the North West Leicestershire Local Plan. As such, we propose that the Village Design Statement is amended to remove all commentary on the location of development within the village. Alternatively, should the Parish Council wish to retain such commentary, then reference should be made directly to the provisions of the adopted Local Plan (namely the Limits to Development) rather than referencing greenfield land on the edge of the village.
- 5.5. Subject to the above amendments being made, we fully endorse all remaining provisions of the draft Village Design Statement and consider that development of our clients’ land at Grimes Gate, Diseworth would entirely accord with the provisions of the Statement.
- 5.6. Consequently, we consider that the site represents an appropriate, achievable and viable source of housing land that can deliver residential development in the short-term in a manner that is consistent with the overall provisions of the draft Village Design Statement and deliver significant economic, social and environmental benefits for the village.

APPENDIX 1: SITE LOCATION PLAN



Location Plan

1:300



Location Plan

1:1250

Do not scale from this drawing, work to given dimensions. Dimensions to be checked on site. Any discrepancies with this drawing to be reported and the client to be consulted before commencing work on site. In doubt - Ask Corporate Architects to accept responsibility for works not undertaken in accordance with this drawing and relevant specifications. Copyright © Corporate Architects Limited

North point:



Notes:

On Red Line = 11, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Author	Checked	Date
JAC	JAC	May 18

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Leicestershire, LE16 7NF



Scale: VARIOUS

Drawn by:	Checked:	Date:	Scale:
T.JN	JAC	May 18	A1

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