

Objection to: 17/01981/F | Change of use from A4 to C3 (ACV Listed) | The Pheasant Pluckers Inn Street Through Burdrop Burdrop Banbury OX15 5RQ

Dated 9th November 2017

For the attention of Mr. Bob Neville.

I have read both the Sibford Ferris Parish Council Objection to this planning application and also the Sibford Gower Parish Council Objection and completely agree with both of them.

This is the 10th application that the applicant has made for the change of use since 2006!

He states that he cannot sell the Bishop Blaize/Bishop End / Pheasant Plucker Inn for the asking price that they have put on it of £395,000.00 and state the pub is not financially viable. If he/they had sold it back in 2006/7 they would have received £575,000.00 from a willing buyer and made close to £100,000.00 profit, but the idea that he could get the change of use and develop the site into a housing estate and make more money was so overwhelming that he put a development clause in the contract which stopped the sale.

**Current Saleability:** Compare the pub with the other nearby pub sold in the area, The Chandlers arms was sold for £215,000.00 by Hook Norton, Brewery in 2013 as a closed run down pub with no trading figures to complement it. (similar to the current Pheasant Plucker) It then had £190,000.00 spent bringing it up to standard and has traded with an average weekly turnover of over £7000.00 with a yearly profit of around £72,500.00

**Current Viability:** The Pheasant Plucker is not in effect open as a Public House and has not been since it was closed in 2007. To carry out a viability test one would need to have a welcoming landlord and a pub selling cask beer etc and be open normal Public House hours. I have attached a record of opening hours from 10th July 2016 to date below. Several potential customers have telephoned the pub to book a meal only to be told that they are fully booked! the available figures on viability would indicate that they were not told the truth!

It would appear that Mr & Mrs Noquet are once again breaking the law by using the Public House to live in while in effect not being open as a Public House for which they have already been found Guilty of doing before in 2014.

I would like you as the designated Planning Officer to include in your summary of comments made on this case for the Planning Committee, the proposal at their meeting of 23rd November 2017 that they now ask the Enforcement Department of the CDC to serve an injunction to finally ensure compliance with the often repeated requirement that they not continue to live above the premises if it is not functioning as a pub.

Mr and Mrs Noquet have repeatedly frustrated all previous attempts to serve an enforcement order on the decision reached by the Magistrates Court hearing on 29th September 2014, maintaining an appearance of the premises being open by putting out a pop-up sign, advertising bottled beers and chilled wine for sale for two hours at midday for just two days in the week.

On the recent record we have maintained (see attached) they are now not even doing this. In the last two weeks, no attempt has been made to sustain this subterfuge. The premises are now in no sense at all a pub. An injunction would relieve the Planning Committee of being put through yet another cycle of appeals that otherwise doubtless follow their proper decision to reject this latest application for change of use from A4 to C3.

The use of a direct injunction would ensure compliance for this constant breach of planning control at a fraction of the cost that 10 years of manipulation of planning law has brought on the council in this case.

**Please refuse the application**

Signed Richard Butt

College Barn farm Sibford Gower, Banbury, OX155RY

**Attached: Record of openings for the Pheasant Plucker Inn, July '16 – November '17.**