

Public Protection & Development Management

Andy Preston – Head of Public Protection & Development Management



DISTRICT COUNCIL
NORTH OXFORDSHIRE

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Our Ref: 12/00678/F

6 February 2013

Dear Sir/Madam

Town and Country Planning Act 1990

Appeal by	Mr & Mrs Noquet
Site	Bishops End, Burdrop, Banbury
Proposed Development	Change of use of a vacant public house to C3 residential (as amended by site location plan received 18/07/12)
Appeal Reference	APP/C3105/A/13/2190714
Appeal Start Date	31 January 2013

I am writing to let you know that an appeal has been made to the Secretary of State for Communities and Local Government in respect of the above site.

The appeal follows the refusal of planning permission by this Council.

The appeal is to be decided at a Hearing. I will write to you again to inform you of the date for the Hearing once the arrangements have been made.

Any comments that may have been made following the original application for planning permission will be forwarded to the Planning Inspectorate and copied to the appellant, and will be taken into account by the Inspector in deciding the appeal. Should you wish to make any additional comments, you should write direct to the Planning Inspectorate, Room 3/06 Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN quoting the appeal reference number.

Cont'd/.

It would be helpful if you would enclose three copies of any letters of representation when writing to the Planning Inspectorate.

Please ensure that any further comments you may wish to make are received at the Planning Inspectorate by **Thursday 14 March 2013** at the latest. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned.

The Planning Inspectorate will not acknowledge representations. They will however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal.

A leaflet entitled "Guide to taking part in Planning Appeals" is available free of charge by contacting the Council on the above telephone number or online at www.planningportal.gov.uk.

The Planning Inspectorate has introduced an online appeals service that you can use to comment on this appeal. You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pes. The Inspectorate may publish details of your comments, on the internet (on the Appeals area of the Planning Portal). Your comments may include your name, address, e-mail address or phone number. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information about someone else, please ensure that you have their permission. More detailed information about [data protection and privacy matters](#) is available on the Planning Portal.

The appeal decision will be published on the planning portal in due course.

Yours faithfully

Andy Preston

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Head of Public Development and Development Management

NB: Cherwell District Council has informed the Planning Inspectorate and Mr & Mrs Noquet that it intends to make an application for costs against Mr & Mrs Noquet if they should decide to proceed with this appeal.

The application will be made for the following reasons (in summary):

The right of appeal should be exercised in a reasonable manner. An appellant is at risk of an award of costs being made against them if, on the basis of the available evidence, the appeal plainly had no reasonable prospect of succeeding on the basis of the application submitted to the planning authority. This may occur when:

- **The appeal follows a recent appeal decision in the respect of the same, or very similar development on the same, or substantially the same site where the Secretary of State or Inspector has decided that the proposal is unacceptable and circumstances have not materially changed in the intervening period**

An Inspector appointed by the Secretary of State concluded as recently as 4 October 2012, following a four day public inquiry, that the same development on the site as this new appeal was contrary to the Development Plan policies and the National Planning Policy Framework and should not be allowed.

The District Council respectfully submits, therefore, that this new appeal has no reasonable prospect of success.