

Neighbour Consultee List

Planning Application Reference:	15/01103/F
Location Of Development:	Bishops End Burdrop Banbury OX15 5RQ
Proposed Development Details:	Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling

Neighbour(s) Consulted

1. [REDACTED]
2. [REDACTED]
3. 2 Shepherds Close Burdrop Banbury OX15 5RN
4. Weston Mead Acre Ditch Sibford Gower Banbury OX15 5RW
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. Rose Cottage West Street Shutford Oxfordshire OX15 6PH
9. 1 Shepherd Close Burdrop Banbury Oxon OX15 5RN
10. [REDACTED]
11. Burdrop Green Burdrop Oxfordshire OX15 5RQ
12. Barn Close Banbury OX15 5RQ
13. [REDACTED]
14. College Barn Farm Colony Road Sibford Gower Banbury OX15 5RY
15. Austin Grounds Farm Hook Norton Road Sibford Ferris Banbury OX15 5QR
16. Austin Grounds Farm Hook Norton Road Sibford Ferris Banbury OX15 5QR
17. Brakelands Farm Shutford Road Sibford Ferris Banbury Oxfordshire OX15 5HE

18. 105 Cromwell Road Banbury Oxon OX16 OHF

19. Jasmine Cottage Burdrop Sibford Gower OX15 5RN

1. Mr Chris Radcliffe
[REDACTED]
2. Margie Taylor
3. Jane Cleaver
2 Shepherds Close Burdrop Banbury OX15 5RN
4. Mr M Drake
Weston Mead Acre Ditch Sibford Gower Banbury OX15 5RW
5. Mr R Butt
6. P Hobson
7. Mr N Bryan
8. Mr Ian OHare
Rose Cottage West Street Shutford Oxfordshire OX15 6PH
9. Davies
1 Shepherd Close Burdrop Banbury Oxon OX15 5RN
10. Mr Henry Butt
[REDACTED]
11. Owner / Occupier
Burdrop Green Burdrop Oxfordshire OX15 5RQ
12. Owner / Occupier
Barn Close Banbury OX15 5RQ
13. Mr Dennis Checkley
[REDACTED]
14. Mr Michael Butt
College Barn Farm Colony Road Sibford Gower Banbury OX15 5RY
15. Mr S Hopkins
Austin Grounds Farm Hook Norton Road Sibford Ferris Banbury OX15 5QR
16. J Thomas
Austin Grounds Farm Hook Norton Road Sibford Ferris Banbury OX15 5QR
17. Duncan, Cora , And Clinton Jack
Brakelands Farm Shutford Road Sibford Ferris Banbury Oxfordshire OX15 5HE
18. JM Mcaulay
105 Cromwell Road Banbury Oxon OX16 OHF
19. Anne Adams
Jasmine Cottage Burdrop Sibford Gower OX15 5RN



BBSG objection to planning application 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F

We would make the LPA aware that the original planning permission APP/C3105/A/13/2203382 was given by David Murray BA (Hons) DMS MRTPI from the Planning Inspectorate on 17th Feb 2014 and it was he who set the conditions attached to the planning permission for the Holiday Let. The concluding statement in Point 14 of his appeal decision 17th February 2014 is very clear: 'I will therefore impose these conditions as I have described above..... We conclude that the proper course of action for the applicant, having himself taken his original appeal to the National Inspectorate is that he should have reverted to the National Inspectorate in seeking to overturn the conditions imposed, and should not now expect the local authority to overturn that decision.

Notwithstanding what we believe to be the mis-directed nature of the appeal, we submit that:

1. The Holiday Flat was originally was (and in our opinion) still should be part of the Bishop Blaize Pub. (the tie to the Bishop Blaize/End Public House is via the conditions attached to the planning permission.)

2. In the event of the public house being re-opened it is the view of the BBSG that it is wholly unrealistic for the appellant to expect someone paying rent for the flat as an independent dwelling rather than a short-let holiday cottage to accept the noise and disturbance of the pub in such close proximity 7 days a week on a long term basis.

3. The document put forward by Mr Noquet [REDACTED] 'The Cottage now has its own garden'. It does not. The applicant's plans nevertheless show a garden behind the Holiday Flat. There is no planning permission for a garden in the Bishop Blaize/End car park which has A4 use, a garden has C3 use.

4. Taking two car parking spaces from the Bishop Blaize pub car park for the Holiday let is against the Planning Inspectors conditions (see attached) also the two car parking spaces for residential use would be a change of use so a planning application would be needed to legalise the change from A4 to C3. Losing two spaces would also diminish the parking for the Bishop Blaize/End public house.

It is specified in the Planning Inspectors decision that there should be one car parking space for the use of holiday tenants outside the front of the Holiday Let building only.

5. The support document put forward by Mr Noquet argues on his behalf that "currently the Holiday Cottage cannot be operated efficiently due to Enforcement Action brought by Cherwell District whereby the Applicant is prevented from occupying the adjoining property. This situation means that greeting clients, giving out keys and collecting payments are all extremely difficult to carry out. In addition letting opportunities are lost for walk-in nightly and week-end lets."

In our view, there is a simple remedy to the above; the applicant should reopen the Bishop Blaize as a Public House.

[REDACTED]
[REDACTED] The applicant chose his current rented house near Charlbury and could have easily rented a property closer to the holiday let if he intended being efficient.

From the planning statement:

2.1 The property is located within the village of Sibford Gower approximately 8 miles from Banbury. The nearest main road is 1.5 miles away, the B4035 which runs from Shipston-on-Stour to Banbury.

6. The property is NOT LOCATED IN SIBFORD GOWER it is located in BURDROP (G. Noquet & Innsite have stated it is located in Sibford Gower)

2.2 There is a Locals Pub, School and Village Hall; all are within easy walking distance

7. The holiday let/Guest cottage/Holly Cottage is an integral part of the Bishop Blaize pub as it was formerly the bottle store. The Wykham Arms is in Sibford Gower. It is a 'gastro pub' as opposed to a 'local pub'. The two pubs fulfil different functions

8. The Holiday flat is situated in an area of Outstanding Natural Beauty and a Conservation area which is why the attached conditions were imposed. Had the applicant applied for C3 planning as a separate residence, planning permission would NOT have been obtained.

9. We question whether all the conditions imposed by the Planning Inspector regarding plans and agreed parking in APP/C3105/A/13/2203382 have been met by the applicant and in common with other provisions for the site that have been currently disregarded by the applicant, this lapse is indicative of the questionable integrity of the entirety of the present application.

10. There is a current valid enforcement notice applicable to the Bishop Blaize/End car park. The BBSG are informed that no other planning application can be considered until the conditions of the enforcement notice have been met.

11. The current use of the Holiday flat does not conform to the planning permission given. The use appears to be currently mixed use: a business is being carried on within the Holiday Let by Innsite licensing consultants as their business premises and the other use is by Mr & Mrs Noquet who have been using the premises as living accommodation for themselves.

Pre-empting their own appeal, and in disregard of the condition imposed by the appeal decision of the National Inspectorate that the premises should be used only for the

purposes of a Holiday Let, they have already been residing there on various occasions, the last of which was from July 3rd 2015 to late on July 5th 2015.

Regards

Richard Butt
Coordinator for the 518 supporters of the BBSG



Appeal Decision

Site visit made on 4 February 2014

by **David Murray BA (Hons) DMS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 February 2014

Appeal Ref: APP/C3105/A/13/2203382

'Bishops End', Burdrop, Banbury, Oxfordshire, OX15 5RQ.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Geoffrey Richard Noquet against Cherwell District Council.
 - The application Ref. 13/00781/F, is dated 23 May 2013.
 - The development proposed is the conversion of a redundant barn/store into a 1 bedroom and bathroom self contained holiday letting cottage.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of a redundant barn/store into a 1 bedroom and bathroom self contained holiday letting cottage at 'Bishops End', Burdrop, Banbury, Oxfordshire, OX15 5RQ, in accordance with the terms of the application, Ref. 13/00781/F, dated 23 May 2013, and the plans submitted with it, subject to the conditions set out in the attached Schedule.

Procedural matter

2. The appellant says that that an application for costs will be made if the Council unsuccessfully defend the non-determination of the application, however, I have not treated this intention as a formal application for costs.

Main Issues

3. The main issues are the effect of the proposed conversion and use of the existing barn/store into a 1 bed-room self-contained holiday letting cottage on the character of the building itself, the wider area and on the use of 'Bishops Blaize'/'Bishops End'.

Reasons

Background

4. The site comprises a stone barn/store which lies to the front of a long main building lying near the centre of the dispersed village of Burdrop which is located in open countryside. The stone building has a mono pitch roof sloping to the front, and is of two storey form, although as the building is partly set into a bank, a door to the upper floor opens out to the higher ground level at the rear. The stone building is attached to the main building at a corner although there is no direct internal link between the buildings. At the front of the building there is an informal loose surfaced area used for parking and at the time of my site visit the barn/store was in the process of being fitted out.

5. It is apparent from the planning history of the site that 'Bishops End' was previously known as 'Bishops Blaize', and was a public house where the building the subject of this appeal was the bottle store. It is said that the pub closed in 2006 and the parties and representations from the local community make reference to a long running conflict between the owners, and their desire to use the property as a dwellinghouse, and the local community's desire for the licensed premises to reopen as a pub. In this regard I note the appeal decisions APP/C3105/C/12/2170904 and APP/C3105/A/13/2190714 where an enforcement notice requiring the owners to cease using the premises as a wholly residential property was upheld. Planning permission to change the use of the premises to a dwellinghouse was subsequently refused and the appeal was dismissed. However, it is apparent from the representations that this dispute is not finally resolved.
6. Since the lodging of the appeal against non-determination, the Council have indicated that if the application had still been before it for determination, it would have been approved subject to the five conditions as set out in the minute of the Planning Committee meeting of the 3 October 2013.

Effect on the character of the building

7. Saved policy H19 of the Cherwell Local Plan (1996) indicates that proposals for the conversion of a rural building to a dwelling will be favourably considered provided various criteria are met. In particular the policy applies to historic rather than modern buildings and which do not require major rebuilding or alteration.
8. In this case, I note that while the building appears to have been modified recently with some new stonework, overall the building is of an appropriate form for conversion and the alterations carried out maintain the architectural character of the building. This character would not be harmed by the intended use as a holiday cottage.

Effect on the character of the area

9. In terms of the wider area, there would be little visual or physical impact stemming from the intended use. The loose surfaced area at the front could be used to accommodate a parking space but this would not detract from the wider setting of the area which forms part of the Sibford Gower and Burdrop Conservation Area, and I find that the proposal would have a neutral effect on the character and the appearance of this sensitive area.

Effect on the use of the main building

10. Many of the representations on the appeal refer to the dispute over the legal status of the main property and whether it is a dwellinghouse, a public house or something else. Local people are concerned that allowing the barn/store to be used as a holiday home may threaten the possible return of the pub. However, while the legal status of the main building is not a matter before me, even if the pub use was resumed, the use of the barn/store as a holiday cottage would not be likely to prejudice this being continued. The building is functionally separate and there appeared to be other means of storing pub trade products securely around the site. Further, I do not consider it unusual that a rural pub also offers some form of holiday accommodation. In principle, the use accords with the National Planning Policy Framework which supports

sustainable rural tourism and the expansion of rural businesses and enterprise especially through the conversion of rural buildings.

11. I therefore conclude that the use proposed would not prejudice the use of the main building as a public house, and that the use for a small unit of holiday accommodation would be appropriate for the development of rural tourism.

Conclusions

12. Bringing together my conclusions on the main issues, I find that the use proposed would generally accord with the provisions of the development plan and national guidance. It would not harm the character and appearance of the host building and would have a neutral effect on the local Conservation Area. Finally the nature of the use and the circumstance of the site are such that the proposal will not prejudice a public house use of the main building of 'Bishops Blaize' in the long term. I will therefore allow the appeal.

Conditions

13. The Council request that 5 conditions are imposed if I am minded to allow the appeal. A condition (No.2) referring to the specific plans approved is necessary in the interests of clarity. Further, as the proposal is for the use of the building as a holiday letting cottage, it is important that a condition is imposed (No.3) to ensure that the use is not separated from the main planning unit of 'Bishops Blaize/Bishops End' because of the close proximity of the relative buildings and because the barn/store does not have adequate amenity space or parking facilities for independent residential use. Moreover, a condition (No.4) to ensure that the period of occupation by any particular person or group is limited so that the premises are used for holiday lets and not permanent residential accommodation. Finally, as the submitted site plan for the development proposed does not show any parking facilities for the use, a plan showing an acceptable space should be submitted and agreed by the Council and retained thereafter (No.5). The Council says that four spaces are required but this is excessive and only one space need be provided given the limited nature of the letting unit.
14. I will therefore impose these conditions as I have described above, modified as necessary to better meet the guidance in Circular 11/95.

David Murray

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans as follows: site plan; proposed ground floor layout; proposed first floor layout; north and east elevations; west and south elevations; roof plan.
- 3) The building shall be used for holiday lets only and remain ancillary to the property 'Bishops Blaize/Bishops End'. The building shall not be used for any other purpose including those within Class C of Schedule 2 to the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005.
- 4) The holiday letting unit hereby approved shall not be let to or be occupied by any person, or connected group of persons for a period exceeding eight weeks in any calendar year.
- 5) Prior to the occupation of the development hereby approved, a plan showing a car parking space for the letting unit, including the surfacing and drainage of the space, shall be submitted to and approved in writing by the local planning authority. Thereafter, and prior to the first occupation of the letting unit, the parking space shall be laid out, drained and surfaced in accordance with the approved details and shall be retained for the parking of vehicles thereafter.

Bishops End Design and Access Statement

Intention

The intention is to create a self-catering Holiday Letting Cottage providing 1 Bedroom with Ensuite Facilities on the first floor. On the ground floor is a proposed open-plan kitchen, dining and lounge area incorporating a sofa bed. The Cottage will sleep 4 and will be ideal for small families to visit and base themselves in this area of Natural Beauty. The proposal will provide an income stream to help and maintain the property and grounds and will also attract visitors to the area hopefully giving much needed support to the Wykham Arms and the village shop. In the extremely unlikely event that the property was ever to re-open as a public house there is more than enough storage space required for a rural pub. Full barrels and bottles can easily be stored in the cellar as they always have been and empty crates and barrels could be placed in the garage in the car park. I would also point to the fact that the George & Dragon in Shutford and the Stag in Swalcliffe have none of their own on-site parking.

Building Conversion

The converted building will retain all of the original character and features associated with a structure of this kind and date. The old leaking asbestos roof has been removed and the stonework strengthened and new timber trusses have been installed at a slightly higher pitch to take the weight of the recycled Welsh slates. 3 velux skylights have also been installed to provide natural light making the building more sustainable. A large window is installed behind the existing barn doors enabling occupants to enjoy and experience the views from this elevated position.

Access

Access will be available from two levels by use of the existing door at the lower level and from a newly incorporated stable door opening onto the upper level, there will be an internal staircase connecting the 2 levels. Unfortunately the layout and different levels in effect make the building difficult to accommodate wheelchairs.

Car Parking

There is more than adequate on-site parking.

Marketing

The facility will be marketed world-wide by web-site and aimed primarily at overseas tourists who wish to holiday in this picturesque area and visit the numerous historical attractions that are close by. Other nearby amenities and attractions will also be promoted as part of the overall experience that can be sampled by visitors to this area.

Document list

Design and Access Statement
A4 Ground Floor Plan
A4 First Floor Plan
A3 West and South Elevations
A3 North and East Elevations
A3 Roof Plan
Site Plan
Location Map

13/00781/F

From: Richard Butt

Sent: 17 July 2015 11:49

To: Emily Shaw

Subject: Objection to 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling | Bishops End Burdrop Banbury

Objection to 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling | Bishops End Burdrop Banbury

The impact that the holiday let accommodation has upon the financial viability of the lawful use of the flat if planning permission were given to change the use of the Holiday let to residential at the Bishop Bla

Letting as a residential unit as a 1 bed room flat

Rent per month	Rent per year
£550.00	£6,600.00
£575.00	£6,900.00
£600.00	£7,200.00
£625.00	£7,500.00

Letting as a Holiday unit as 1 bedroom flat sleeping 4

Rent per week	Rent per year	assume 80% letting per annum	Assume 90% letting per annum
£550.00	£28,600.00		£22,880.00
£575.00	£29,900.00		£23,920.00
£600.00	£31,200.00		£24,960.00
£625.00	£32,500.00		£26,000.00

assumed extra food and drink in

Total extra income that the Holiday

Assume that the residents of the Holiday flat eat and drink in the Bishop Blaize Public house evenings 3 nights per week. Amount of residents spend per evening 156 days income

1	£20.00	£3,120.00
2	£40.00	£6,240.00
3	£60.00	£9,360.00
4	£80.00	£12,480.00

Regards

Richard Butt

Coordinator for the 518 supporters of the BBSG

Emily Shaw

From: Richard Butt <[REDACTED]@ch.com>
Sent: 24 July 2015 15:00
To: Sue Smith
Subject: Cherwell District Council, are you aware of this action by other Councils?
Attachments: Property developers told to rebuild London pub.pdf

For your info the attached was copied from the Independent Newspaper this morning.

I was asked to send you this by the BBSG.

Regards

Richard Butt
Coordinator for the BBSG

*unable to scan
newspaper article
due to copyright
rules.*



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: Anne Adams
Sent: 13 July 2015 13:02
To: Planning
Subject: Objection

Re Application No: 15/01103/F

I wish to object to the above application to remove conditions 3 and 4 of planning permission 13/00781/F to allow occupation of the holiday let cottage as a separate dwelling at Bishops End, also known as The Bishops Blaize.

This latest application by Mr Noquet is yet another attempt to manipulate the planning process in order to achieve his ambition to de-license the pub and develop it as a house and build more properties on the car park.

The Planning Inspectorate ruled clearly on the conditions which applied to granting permission for this holiday let and those state that the holiday flat is part of and should remain tied to the Bishop Blaize pub. It is highly unlikely anyone would want to live long term in a cottage which is a few feet away from the main entrance of the pub with all the noise, disruption etc that would entail.

There is no allocated garden and only one parking space for the cottage which is sited on Burdrop on a steep narrow hill with no room for on road parking.

Meanwhile it seems the cottage is being lived in by the Nocquets, I have seen evidence that they are living there for periods of time, although this surely contravenes the current planning?

Yours Sincerely
Anne M Skowronska
Jasmine Cottage
Burdrop
Sibford Gower
Nr Banbury
OX15 5RN

From: Richard Butt

Sent: 14 July 2015 14:34

To: Emily Shaw

Subject: Objection to 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling | Bishops End Burdrop Banbury OX155RQ,

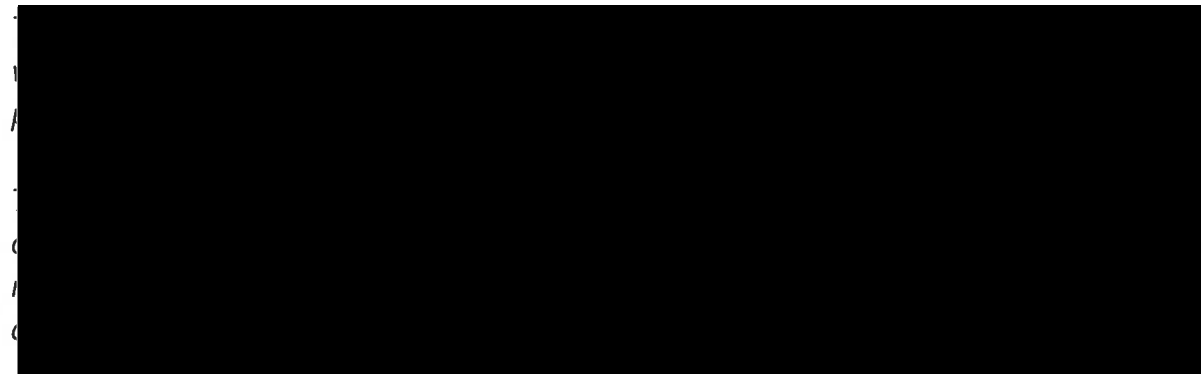
Dear Emily Shaw,

Please find the attached objection to 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling | Bishops End Burdrop Banbury OX155RQ, and supporting document.

Yours sincerely

Richard Butt

Objection to planning application 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F

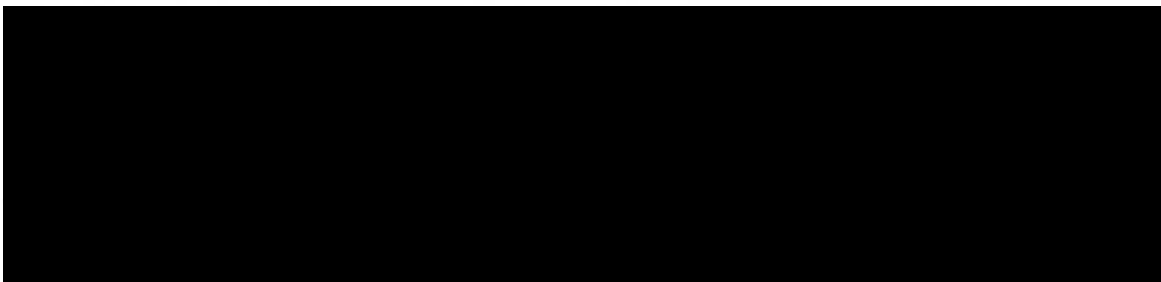


I would also point out that there is no current planning permission for the change of use in the Bishop Blaize Car Park from A4 to C3 for the two car parking places and the garden as indicated on Noquets block plan.

The Holiday Cottage is in Burdrop not Sibford Gower. His wife has owned the property since February 2006 (9 Years) and he still does not know where he lives? or is it part of the subterfuge?

The applicant states in 4.8

Security of the property is also a genuine and major concern.



Parking is a major problem in Burdrop and no permanent planning permission should be given without proper permanent parking spaces for this property. To deprive the Bishop Blaize Public House of any further parking is not acceptable as it would reduce the valuable ongoing income from customers for Public House thereby reducing its future viability.

The original planning permission APP/C3105/A/13/2203382 was given by David Murray BA (Hons) DMS MRTPI from the Planning Inspectorate on 17th Feb 2014 and it was he who set the conditions attached to the planning permission for the Holiday Let. If the applicant wanted to change those conditions he could have followed the appeal process through the Planning Inspectorate.

The Holiday flat must remain tied to the Bishop Blaize Public House as per the planning Inspectors decision, the applicant [REDACTED] of not being able to operate the flat because he lives so far away is [REDACTED] for a change of use. The applicant in his previous planning application stated under **marketing** (see attached) that he would market the Holiday flat worldwide on the worldwide web. **NO MARKETING** has been carried out in this respect over the past 18 months. If the applicant is finding the holiday flat is too much of a burden he has the choice to advise his wife to sell the property.

I would also point out that there is another enforcement notice on the Bishop Blaize/End site that has NOT been complied with and another enquiry into a breach of planning conditions on the Bishop Blaize/End site.

I was under the impression that no further planning applications would be validated until such time as they had been satisfied.

The applicant states:

6. CONCLUSIONS 6.1 The Potential Benefits to the Local Economy gives weight to this Application.

I would say there would be little if any benefit to the local economy, Opening up the Bishop Blaize Public House would bring far more benefit to the local economy.

6.2 Cherwell District Council has no Local Plan in place and therefore in the absence of any Housing Policy Statement weight should be given to any application that seeks to provide another permanent dwelling.

There are far better sites within the Sibford's that can provide better family housing than a small one bed flat attached to a pub

6.3 There are literally thousands of Pubs that are terraced or attached to buildings that have separate title deeds and there are 4 examples within a 4 mile radius. Appendices 6, 7, 8,9,10, and11.

I would suggest that the applicant read the appeal statement once again and the conditions attached to the Holiday let and then read again his application for planning permission for the Holiday let, in particular the letting (which has not happened) was to support the Public House and the repair etc of buildings. To have a separate title and no conditions as per the P.I's appeal decision releases the Public House owner to sell the Holiday flat which cannot then be used to support the income to the Public House.

6.4 There is no logical or valid reason to impose occupancy conditions on a property that is now suitable as an independent dwelling and can be sold by separate title. Further the Inspector has decided that the Cottage is not vital to the operation of the adjoining building, whatever that use might be.

If the applicant is suggesting that the Inspector mentioned in the above paragraph is the planning inspector that decided the appeal and he stated "that the Cottage is not vital to the operation of the adjoining building" i [REDACTED] why did he impose the conditions.

" (No.3) to ensure that the use is not separated from the main planning unit of 'Bishops Blaize/Bishops End' because of the close proximity of the relative buildings and because the barn/store does not have adequate amenity space or parking facilities for independent residential use. Moreover, a condition (No.4) to ensure that the period of occupation by any particular person or group is limited so that the premises are used for holiday lets and not permanent residential accommodation."

6.5 Conditions 3 and 4 do not satisfy the relevant tests for conditions now contained within the NPPF and the Planning Practice Guidance that revoked Circular 11/95 in 2014. 6.6 Cherwell District has deemed that the former public house is not an asset of community value (ACV) and therefore there are no grounds on which to link the use of the Cottage to that of the former pub. Appendices 13

In respect of 6.5 above I conclude that the proper course of action for the applicant, having himself taken his original appeal to the National Inspectorate is that he should have reverted to the National Inspectorate in seeking to overturn the conditions imposed, and should not now expect the local authority to overturn that decision.

I have read and agree with the content of the BBSG Objection to this planning application.

Please refuse the application.

***Richard Butt,
College Barn Farm,
Sibford Gower, Banbury,
OX15 5RY***

***13/00781/F | Change of use of a redundant barn/store into a 1 bedroom self-contained holiday letting cottage | Bishops End Burdrop Banbury OX15 5RQ
Objection to 13/00781/F by Richard Butt, College Barn Farm, Sibford Gower,
Banbury OX155RY***

The applicant G Noquet is trying to subvert the planning system with this application, It was never a redundant barn and is not now a redundant barn, it is the "Old Bottle Store" at the Bishop Blaize and is therefore part of the licensed premises. The i conversion was carried out between 29th November 2011 to early 2013 WITHOUT planning permission or building regulations into a one bed roomed flat by Noquet.

Noquet to start a business off on the ground floor by buying three wood burning stoves and displaying them for sale, to commission a web site or a telephone number for the business. I would also

point out that there does not seem to be anyone employed within the business who is [REDACTED] to give advice on the fitting of the products being sold.

From the Sibford Gower Parish Council objection it appears that the "blaze-inn stoves" business has not sold a stove in the 5 months it has been trading, I agree with the SGPC "blaze-inn stoves business is an attempt by Noquet to usurp the planning system. (I would also state that I have read the SGPC response to the three planning applications and would agree whole heartedly with their response to them)

A [REDACTED] landlord was running the Bishop Blaize and a "Bike night" event was held once a month similar to that held at the Norman Night recently as described below:

On the evening of 20th of June 2013 the Norman Knight at Whichford, Warks a similar sized pub to the Bishop Blaize held a "Bike night" the pub took £3000.00 in beer sales ,which represents around 1000 bottles.

Any future operator of the Bishop Blaize would not be able to restock the bar from anywhere on the site but the Old Bottle store.

The Bishop Blaize had/has little internal storage space for bottles or barrelled beer.

The Bishop Blaize does not have cellar for the storage of beer or bottles, only a chilled small area for the ready use barrelled beer.

The closest effective storage space is the old Bottle store, which was always used for the storage of beer and bottles because of the ease of restocking the bar which is close by (approx 4 metres).

It would be impossible for a future Landlord to restock the bar during an event as described above from anywhere but the old bottle store without a serious disruption/danger to the customers.

Noquet states that the chalet/garage building that he has built in the car park could be used for bottle storage, it cannot without planning permission, this building was built in a conservation area next to a grade 2 listed building without planning permission. In the event that the planning permission was obtained it would be a nightmare trying to restock the bar through the

customer areas from the Car Park apart from being dangerous due to the steepness of the steps into the pub.

There is not enough car parking spaces within the curtilage of the site for further accommodation requiring spaces necessary for at least two cars.

The retrospective planning permission given recently on the old bottle store was specific and does NOT cover many items that were not applied for in Noquet's retrospective planning application, I would have thought that these contraventions would need addressing before the application for a change of use is considered.

Please refuse the application.

Richard Butt

From: Richard Butt
Sent: 07 August 2015 14:27
To: Emily Shaw
Subject: Ref. No: 15/01103/F

Dear Emily Shaw,

We note that Mr Noquet has sent you the attached rebuttal statement regarding the BBSG. All of the hard evidence that Mr Noquet has requested of the now 519 supporters not 518 supporters as per Mr Noquets statement, can be found within the CDC's records in the various 22 applications listed below. Also you can add all of our supporters to your list that attended the 7 day trial at Oxford Magistrates Court and the initial hearing at Banbury Magistrates Court, together with the signatures on the Asset of Community Value applications.

We would ask you what has happened to the objections that were sent to Planning@Cherwell-DC.gov.uk as per your automated out of office email that were sent to Planning@Cherwell-DC.gov.uk up to 5th August as they do not yet appear on the CDC web site?

From: Emily Shaw [<mailto:Emily.Shaw@Cherwell-DC.gov.uk>]
Sent: 24 July 2015 15:01
To: Richard Butt
Subject: Automatic reply: Cherwell District Council, are you aware of this action by otherCouncils?

Your e-mail has reached the in-box of Emily Shaw. I am out of the office until Wednesday 5th August. Should your email require urgent assistance please email Planning@Cherwell-DC.gov.uk. If you would like to speak to someone please phone planning reception on 01295 227006.

Did you know you can access advice on the need for planning permission at www.planningportal.gov.uk and you can access details of current enforcement cases on the public access page of the Council's website at www.cherwell.gov.uk

Yours sincerely

Richard Butt
Coordinator for the 519 supporters of the BBSG

Planning Applications (17)

- 2 No. pre-destination directional signs to public house. (RETROSPECTIVE)
Ref. No: 01/00716/ADV | Status: APPREF
- Single storey extensions to bar area and to form a new freezer store and replacement garden store, as amended by plans received 5.11.99.
Ref. No: 99/01783/F | Status: Application Permitted
- Single storey bar extension to provide non-smoking restaurant facility.
Ref. No: 06/00248/F | Status: Application Permitted
- Retrospective - 3 no. free standing signs (in accordance with drawing received on 09/11/06)

Ref. No: 06/01579/ADV | Status: Application Permitted

- Change of use from licenced premises to dwelling house.

Ref. No: 06/01697/F | Status: Application Refused

- Resubmission of 06/01697/F - Change of use from licenced premises into dwelling house

Ref. No: 07/00630/F | Status: Application Refused

- Alterations and extension to barn to provide 4no. en-suite letting rooms.

Ref. No: 09/01275/F | Status: Application Withdrawn

- Change of use from closed public house to dwelling

Ref. No: 09/01557/F | Status: Application Withdrawn

- Certificate of Lawful Use Existing - Use as a single dwelling house

Ref. No: 12/00011/CLUE | Status: Application Refused

- Change of use of a vacant public house to C3 residential (as amended by site location plan received 18/07/12)

Ref. No: 12/00678/F | Status: Application Refused

- Certificate of Lawful Use Existing - Use as a single dwelling house

Ref. No: 12/00796/CLUE | Status: Application Refused

- Retrospective - New roof to barn; 3 No rooflights and door installed to the upper floor

Ref. No: 13/00116/F | Status: Application Permitted

- Change of use of a redundant barn/store into a 1 bedroom self-contained holiday letting cottage

Ref. No: 13/00781/F | Status: Undetermined

- Certificate of Lawful Use Existing - Change of use from A4 to A1.

Ref. No: 13/00808/CLUE | Status: Application Refused

- Certificate of lawful use existing - A1 use for the sale of wood burning stoves and fireside accessories

Ref. No: 13/01511/CLUE | Status: Application Returned

- Certificate of Lawful Use Proposed - Change of use from A4 to A1.

Ref. No: 14/01383/CLUP | Status: Application Refused

- Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling

Ref. No: 15/01103/F | Status: Pending Consideration

Planning Appeals (9)

- Appeal against

Ref. No: 12/00024/ENFAPP | Status: Appeal Dismissed

- Change of use of a vacant public house to C3 residential (as amended by site location plan received 18/07/12)

Ref. No: 13/00001/REFAPP | Status: Appeal Dismissed

- Certificate of Lawful Use Existing - Change of use from A4 to A1.

Ref. No: 13/00041/REFAPP | Status: Appeal Withdrawn

- Change of use of a redundant barn/store into a 1 bedroom self-contained holiday letting cottage

Ref. No: 13/00042/NONDET | Status: Appeal Allowed

- Certificate of Lawful Use Existing - Use as a single dwelling house

Ref. No: 13/00071/REFAPP | Status: Appeal Invalid

- Appeal against

Ref. No: 13/00073/ENFAPP | Status: Appeal Dismissed

- Appeal against

Ref. No: 14/00015/ENFAPP | Status: Appeal Valid

- Appeal against

Ref. No: 12/00068/ENFAPP | Status: Appeal Dismissed

- Certificate of Lawful Use Proposed - Change of use from A4 to A1.

Ref. No: 14/00037/REFAPP | Status: Appeal In Progress

Planning Enforcements (6)

- Enforcement Enquiry

Ref. No: 12/00020/ECOU | Status: Case Closed

- Enforcement Enquiry

Ref. No: 12/00050/EUNDEV | Status: Case Closed

- Enforcement Enquiry

Ref. No: 13/00259/ECOU | Status: Case Closed

- Enforcement Enquiry

Ref. No: 13/00383/EUNDEV | Status: Appeal Lodged

- Enforcement Enquiry

Ref. No: 15/00087/EUNDEV | Status: Pending Consideration

- Enforcement Enquiry

From: Jayne Thomas
Sent: 18 July 2015 15:11
To: Emily Shaw
Subject: 15/01103/F

I object to this application.

The previous appeal decided that a holiday let was appropriate, not any permanent dwelling.

It would be totally impractical to have a dwelling adjacent to licensed premises.

This could set a precedent for anyone in this Conservation Area to obtain permission on any garden structure as a holiday home, then after a very short time, change this to a permanent residential dwelling.

Jayne Thomas

Austin Farm
Sibford Ferris

From: dennischeckl
To: emily.shaw@cherwell-dc.gov.uk
Subject: Ref 15/01103/F
Date: Sun, 2 Aug 2015 22:03:38 +0000

Hi Emily

As one of the 518 BBSG members, I would like to add my comment about this application.

The removal of clause 3 & 4 will make it more difficult to reopen The Bishops Blaize as a pub.

Why should these conditions be removed so soon after the original adjudication ?

[REDACTED]

I ask you not to allow this change of use, which will help us get the Bishops Blaize back to a pub eventually.

Thank you
Dennis Checkley



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: Michael Drake [
Sent: 13 July 2015 12:58
To: Emily Shaw
Subject: Objection to 15/01103/F

Dear Emily Shaw

I would like to register my objection to the application for removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling at Bishops End (Blaize) Burdrop Banbury OX155RQ.

This property in total is a pub.

That the current owners do not wish to run it as a pub is entirely their own decision.

There are many iterations in pursuit of having this building classified as residential and as many denials, including court cases and enquiries.

Here we are yet again with a further chipping away at the decisions already made.

To change the tiny bottle store into a separate dwelling seems ridiculous. The proverbial cat would suffer greatly and we all know that no one could possibly live there long term with the pub in full swing right next door.

I urge you to deny this [REDACTED] attempt to remove the conditions which will inevitably lead to further appeals and applications for the whole of Bishops End to be turned into residential use thereby yielding a huge profit for the current owners.

I also note with some degree of alarm that the nearby Bell public house in Hook Norton was granted residential use in a bizarre decision with the result that the property is currently up for sale at a huge profit.

Clearly such large profits attract ambition and attention for the fortunate few and their advisors, whilst I would just like to see Bishop Blaize restored to its former profitable use as our community pub.

I urge you to please deny the application.

Yours sincerely

Michael Drake
Weston Mead
Sibford Gower
OX15 5RW

From: brakelands farm
Sent: 28 July 2015 09:19
To: Planning
Subject: 15/01103/F - Removal of conditions 3 and 4 of planning 13/00781/F

Conditions 3,4, and 5 were put on this property by the Planning Inspector for a very good reason!
To keep the holiday flat as a part of the -Bishop Blaize Pub – and help the viability of the pub by
allowing holiday makers to stay there.
Removing those conditions is NOT an option. Please refuse the application.

Duncan, Cora , and Clinton Jack
Brakelands Farm,
Swalcliffe, OX15 5HE

From: Richard Butt]

Sent: 13 July 2015 09:22

To: Emily Shaw

Subject: 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling | Bishops End Burdrop Banbury

Dear Emily Shaw,

Please find the attached BBSG objection to 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling | Bishops End Burdrop

Banbury OX155RQ,

and the original appeal decision.

Would you please acknowledge receipt of this email and the attached documents.

Regards

Richard Butt

Coordinator for the 518 supporters of the BBSG

My name is Chris Radcliffe previously of Birch Hill, Burdrop. where our family had lived for nearly 40 years.

We now reside in Chipping Norton, but still visit Burdrop and Sibford Gower regularly.

I object to the removal of the conditions stipulated by the Planning Inspectorate when granting retrospective planning permission, and as a member of the Bishop Blaize Support Group fully support their submission.

Planning permission for the conversion of the bottle store was initially rejected and before applying again for planning permission it was a requirement that a Bat Survey should be conducted as there were bats in the roof of the old bottle store.

Mr and Mrs Noquet [REDACTED] and proceeded to raise the roof by more than 1 meter and convert the old bottle store.

There have been no charges regarding the bats.

Retrospective planning permission was applied for and rejected.

On taking the retrospective planning application to appeal the restrictions were made by the Planning Inspectorate which tie the holiday letting of the now converted bottle store to the operation of the public house.

Apart from not giving in to Mr and Mrs Noquet's continual (since they purchased a thriving business) endeavours to capitalize on converting the Public House into residential property and developing other dwellings on the land of the Public House, it is important to see that the planning laws have some meaning. Many of us who uphold the law and apply, sometimes with great difficulty, to get planning permission, and then keep to that planning permission including any restrictions find their actions totally unacceptable.

The Bishop Blaize was a well known and very successful public house enjoyed by people from miles around with its old world character and magnificent views over this area of outstanding natural beauty and a conservation area. It can be this again when the Noquets give up their quest for making a lot of money out of this local and much cherished amenity.

Sincerely

Chris Radcliffe

From: mike butt

Sent: 30 July 2015 09:15

To: Planning

Subject: Objection to 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F

Mr .Michael G.V. Butt
College Barn Farm
Sibford Gower
OX15 5RY

30/07/2015

Objection to 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F

I object to this planning application for the following reasons:

1. The applicant does not have planning permission for a garden to the rear of the Holiday flat as shown on the block plan submitted, neither does the applicant have planning permission for two car park spaces for a residential flat ,both are situated in the Bishop Blaize Car Park which is currently A4 use only.
2. If the conditions 3,4,& 5 were removed and residential planning permission given it would deprive the Bishop Blaize of valuable income which in turn would affect its viability.
3. I note that Innsite Licensing Consultants have given their address as Holly Cottage, Burdrop OX155RQ. There is no Holly Cottage in Burdrop ! Until such time as their identity and address is verified I would regard this application as a spurious application designed to waste the Council Tax payers cash.
4. No one in their right minds would live in a one bed flat permanently within 3 feet of a Public House front door, due to human traffic , noise and cooking smells.

Please refuse the application.

Signed

M. Butt

From: Henry Butt
Sent: 30 July 2015 22:31
To: Planning
Subject: Objection to 15/01103/F

Re Application No: 15/01103/F

I wish to object to application 15/01103/F to remove conditions 3 and 4 of the previously granted application 13/00781/F.

Given the numerous previous applications by the applicant pertaining to the former Bishop's Blaize public house, and the applicant's clear intentions to de-license the premises for the purposes of converting it to a dwelling house, it would seem that this application is merely an attempt to erode the viability of the public house as a business proposition to further the applicants pursuit of achieving a change of use.

Please refuse this application.

Kind Regards

Henry Butt


From: Dennis Checkley
Sent: 02 August 2015 23:04
To: Emily Shaw
Subject: Ref 15/01103/F

Hi Emily

As one of the 518 BBSG members, I would like to add my comment about this application.

The removal of clause 3 & 4 will make it more difficult to reopen The Bishops Blaize as a pub.

Why should these conditions be removed so soon after the original adjudication ?


I ask you not to allow this change of use, which will help us get the Bishops Blaize back to a pub eventually.

Thank you

Dennis Checkley

1, Shepherd Close

BURDROP

BANBURY

OXON

OX15 5RN

July 16. 2015.

CDC
20 JUL 2015
POST ROOM


APPLICATION No 15/01103/F

I have lived in BURDROP for over 60 years. just up the road from the BISHOPS BLAZE (BISHOPS END) the holiday cottage as always been part of the BISHOPS BLAZE in all that time (it was the bottle store for the pub). The council gave permission for it to be turned in to a holiday let but with conditions, one was it was to be let as long as it was run a long side the pub. As the pub is not in use can the holiday be let? and there was more conditions. Now Mr Naquet wants to change the conditions so it can be a separate dwelling is this for rent or to be sold.

Parking is not good in the village, roads are narrow and very well used.

We hope you will turn this planning application down and one day the village will have it pub back

Yours Mrs R Davis



From: Nigel Bryan
Sent: 10 July 2015 19:50
To: Emily Shaw
Subject: Planning Application15/01103/F Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling.

6 Cotswold Close

Sibford Ferris

Banbury

OX155QP

10/07/15

OBJECTION to Planning Application15/01103/F Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling.

FTAO Emily Shaw

I am writing to you about the continuing [REDACTED] of the Bishop Blaize Inn public house in Burdrop Sibford. I would like to object very strongly to the application for the holiday let to be turned into a permanent residence. The main clause in the planning permission being granted for the holiday let by the planning inspector was that it would never be allowed to be a permanent dwelling. [REDACTED]

The pub itself has already been converted into a house without permission, the Holiday let was built before permission was granted, buildings were erected in the car park without permission,(parts of which are still there despite an enforcement notice requiring that they be removed by the start of 2015) the holiday let has been occupied and lived in by Noquets despite the conditions forbidding it by the Planning Inspector and a business has been run there at times.

[REDACTED] Surely this application should not even be considered?

Yours Sincerely
Nigel Bryan

From: Jane Cleaver
Sent: 27 July 2015 22:43
To:
Subject: Subject 15/01103/F

15/01103/F - Removal of conditions 3 and 4 of planning permission 13/00781/F

OBJECTION

The holiday cottage should not be separated from the Bishops Blaize, as this is a valuable asset to the business. If permission was given this would make the Bishops Blaize public house less viable.

The holiday cottage has no off road parking and no garden, the roads surrounding the holiday let are very narrow.

Where the applicant lives is not a valid reason for relaxation of these conditions.

Please refuse this application.

Regards

Jane Cleaver
2 Shepherds Close
Burdrop

PLANNING HOUSING & ECONOMY					CDC
HDCMD	HPAHP	HEDE	HBCE	HHS	
30 JUN 2015					30 JUN 2015
30 JUN 2015					POSTROOM
PASSED TO		COPY TO			
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LYTHE BOURNE
HOOT NOTION
OX 15 SPD

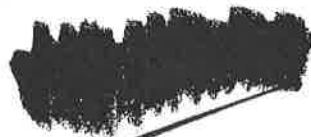
28 JUNE 2015

RE PLANNING,

FOR FOR REMOVAL OF CONDITIONS

TO THE HOLIDAY LET AT THE
BISHOPS BLAIZE PUB AT BURDIGN SILSFORD

 ON THIS
BUILDING AT THE OUTSET ALL YOUR RECORDS
WILL CONFIRM THIS AND SHOULD NOT BE
ALLOWED -

Yours


From: stephen hopkins [REDACTED]
Sent: 18 July 2015 14:46
To: Emily Shaw
Subject: 15/01103/F

Dear Ms Shaw

I object to the relaxation of the Planning Conditions of this holiday cottage.

It would be totally unsuitable as a permanent home so close to licensed premises which may be in separate ownership, in the future.

Many holiday cottages in the U.K are owned and let from overseas. So the present owner's choice to live a few miles from Burdrop is not a valid reason for relaxation of the conditions.

Yours sincerely

Stephen Hopkins

Austin Grounds
Sibford Ferris

From:

Sent: 12 July 2015 11:00

To: Emily Shaw

Subject: 15/01103/F | Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling

Hello

The Bishop Blaize was taken over and, in my opinion, [REDACTED] by the Noquets, [REDACTED] Having made the pub unviable they sought change of use to a dwelling which would turn [REDACTED] profit. They seem to believe that if they persist with their planning applications and appeals they will eventually get their way, I therefore wish the council to stand firm and not permit anything that could in any way create an opportunity for the Noquets to find a way to circumvent the planning rules. I object to the removal of conditions 3 & 4 of APP/C3105/A/13/2203382 'Bishops End', Burdrop, Banbury, Oxfordshire, OX15 5RQ.

Paul Hobson

BLENHEIM FARM

SHUTFORD

BANBURY

OXON OX15 6HD

Cherwell District Planning

Dear Emily Shaw

Planning Application 15/01103/F Bishops End Formerly Bishops Blaze Holiday Let

THIS IS AN OBJECTION TO APPLICATION NO 15/01103/F

We strongly object to the removal of the conditions 3 and 4 of the planning the permission of 13/00781/F, on the following grounds.

This building under discussion is an important part of the property of the Bishops End public house and should not be separated from the public house. It is a viable business as a whole.

It will be a valuable asset as a holiday let to the business of the public house when it reopens as a public house, which the local community desire.

It has no off road parking no garden and should it try to poach parking from the public house it will compromise the parking to the public house.

Should it become a separate dwelling, it will be an aggravation to the public house business and the persons living right on top of a public house.

It would compromise the long standing street scene. The road access for those road users in the area would be blocked through due to the small lane beside the property which is very narrow.

Yours Sincerely

John Margie Henry Sally Ben Taylor Hannah Allen

105, Cromwell Road
Banbury
OXON, OX16 0HF

9/7/2015.

Ref: NO: 15/01103/F

CDC
13 JUL 2015
POST ROOM

Dear Sirs.

I am writing to you in respect of the holiday let at the Bishop Blaize (End) in Burdhop. This should not be allowed to go ahead, as it is part of the public house, which is not in operation at present.

The present occupiers were told that the cottage couldn't be let unless the pub was in operation, which it isn't. Also they couldn't live there either, but that doesn't stop them

staying there a some week-ends.

Yours Sincerely

 (Mrs)