**From:** Oswyn Murray
**Sent:** 06 December 2016 16:25
**To:** Bob Neville
**Cc:** Councillor George Reynolds; Sibford Gower PC
**Subject:** 16/01525/F Pheasnt Pluckers

Dear Mr Neville

Here are the comments of Sibford Gower PC on this application as agreed by our Planning Sub-Committee last night. I confirm that I will be applying to speak to this matter at the meeting on 15th December.

Yours sincerely

Oswyn Murray

Chair of Sibford Gower Parish Council

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**16/02030/F The Pheasant Pluckers Inn, Burdrop, Sibford Gower
Comments of Sibford Gower Parish Council**

 From the records it appears that in the last ten years there have been 18 planning applications on this property and 10 appeals, together with two full-scale planning appeals. 9 of these applications have been for change of use of the property to residential use. We question whether this constitutes a vexatious abuse of planning procedures.

There have been 7 applications for building on the car park: it has been clear from this that the applicants seek to develop the car park, in order to profit from creeping development and to reduce the viability of the public house.

Nevertheless In 2013 the Parish Council supported a retrospective application for a holiday cottage, with a condition that it was used in conjunction with the reopening of the pub (13/00116/F). We felt that, despite the application resulting from the unauthorised rebuild of a shed at a considerably larger size, on balance the result would be beneficial to the community, provided the holiday cottage remained within the curtilage of the public house and helped to encourage its reopening. The owners promptly applied for the removal of the holiday letting condition. Since then in the last three years there has been no attempt to reopen the property as a public house; on 29th September 2014 the owners were convicted of failing to comply with a valid Enforcement Order to cease to live in the property as a private house; they continue to ignore this conviction. We are informed by the Cherwell Enforcement Officer Michelle Jarvis that the current use of the property as an occasional restaurant is an illegal change of use and does not constitute a reopening of it as a public house as required. Those who have visited the premises complain of erratic opening times, the limited choice of drinks and the absence of a bar: they regard the operation as an attempt at a ruse to avoid the planning rules. We would oppose any application for a change of use to a restaurant on the grounds that the current unauthorised use is in direct competition with the existing Wykham Arms. Our information is that Cherwell legal services are considering taking action.

The Parish Council is firmly of the opinion that this application should be rejected on the following grounds:

1. The development proposed is on the car park of the former public house, which has been accepted by all parties to be an intrinsic part of the curtilage of the public house in a series of Public Inquiries and Appeals from 2012 onwards (APP/C3105/C/12/2170904; APP/C3105/A/13/219074; APP/C3015/C/13/2207390; APP/C3015/W/15/3136680). In all of these it has been recognised that the car park is essential to the future opening of the public house, since without its unencumbered use the pub would find it difficult to attract business from a wider area. As such the car park was included in the successful application by Sibford Gower Parish Council in 2016 for the property to be listed as an Asset of Community Value. On 20th June 2016 a public meeting of over a hundred inhabitants of the three villages of the Sibfords and Butdrop supported the aim of a community purchase of the property; plans for this are currently being pursued.
2. The car park lies at the centre of the conservation area between the two villages of Sibford Gower and Sibford Ferris in a prominent position. Whereas the previous cottage was created on the footprint of an existing shed, this proposal constitutes a new building without justification in a conservation area, which would seriously affect the amenities of neighbouring properties and damage the conservation area. The proposed building is within the Sibfords Conservation Area; it does not satisfy the legal requirement ‘to preserve or enhance the character of the Conservation Area.’ Indeed the Conservation Plan for the Sibfords published in 2012 by Cherwell District Council identified the Sibford Gap between the two villages of Sibford Gower and Sibford Ferris as an essential feature to be protected against all intrusion on ‘the inherent visual aesthetic of the Sib valley’, and warned that ‘housing infill and “settlement building creep” should be resisted’ (section 8). A number of earlier historic applications to build in the Sibford Gap had already been refused for similar reasons.
3. The building itself is sub-standard in design and not likely to be viable as an attractive holiday letting property, since it consists of three small horseboxes without amenities apart from a shower room/toilet, facing on to a car park. Such accommodation would be more suitable for overnight stays at a motorway service station than as holiday accommodation.

We note also the recent appearance of some highly obtrusive signage within the conservation area, for which permission does not appear to have been obtained from Cherwell DC.

1. The case for the proposal has not been made out on business grounds; indeed the incomplete accounts provided seem to have the dual purpose of proving the non-viability of the proposal in order to support their declared intention to renew an application for change of use to residential. The owners claim that the property has been on the market without success, but our information is that the asking price is too high, and that prospective purchasers have been deterred by the owners from viewing the property.