



# The Planning Inspectorate

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Your Ref: 21/04166/F  
Our Ref: APP/C3105/W/22/3295704

Matthew Swinford  
Cherwell District Council  
Public Protectn & Development  
Bodicote House  
Bodicote  
Banbury  
Oxon  
OX15 4AA

15 August 2022

Dear Mr Swinford,

Town and Country Planning Act 1990  
Appeal by Mr Geoffrey Richard Noquet  
Site Address: The Pheasant Pluckers Inn, Burdrop, BANBURY, OX15 5RQ

Thank you for your statement. I have sent a copy to the appellant.

I enclose for your information a copy of the third party correspondence on the above appeal(s).

Normally, no further comments, from any party, will now be taken into consideration. However, we will still accept an agreed statement of common ground, which should have been submitted by the 5-week deadline.

Comments submitted after the deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours sincerely,

***Nicholas Patch***  
Nicholas Patch

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## The Planning Inspectorate

### COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

### Appeal Reference: APP/C3105/W/22/3295704

#### DETAILS OF THE CASE

Appeal Reference APP/C3105/W/22/3295704

Appeal By MR GEOFFREY RICHARD NOQUET

Site Address  
The Pheasant Pluckers Inn  
Burdrop  
BANBURY  
OX15 5RQ

#### SENDER DETAILS

Name MR DAVID ALLEN

Address  
Oaklands  
Sibford Gower  
BANBURY  
Oxfordshire  
OX15 5RW

#### ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

## YOUR COMMENTS ON THE CASE

Although now retired as a Councillor, I was Chair of the Sibford Gower Parish Council when the original application 21/04166/F was reviewed, and I STAND BY the unanimously agreed planning response that was duly minuted and submitted to Cherwell District Council by SGPC in January 2022.

I totally REFUTE the gross misrepresentation and perverse extrapolation of our original planning response which is contained in the appellant's evidence and, for the avoidance of doubt, I repeat below this response in confirmation of my unchanged view as a former Councillor:

"Sibford Gower Parish Council OBJECTS to this application. The site is identified as within the curtilage of a non-designated historical asset, located within the Sibford Gower Conservation Area. There is an extensive planning history associated with the property. Parish Council Minutes provide evidence of several unsuccessful planning applications for dwellings on this site in 1982. Planning Appeal APP/C3105/W/16/3165654 (further referenced as APP) is particularly relevant to this application.

A number of significant issues have been identified, namely:

### Time Limit:

APP identifies a start date for the relevant time limitation, while the current application offers a vague reference to "early 2020". In order to determine that APP Condition 1 has been met in full, a specific work commencement date is required, together with verifiable evidence.

### Evidence Review:

Material evidence (1922 OS map section and c1920 photograph) have been submitted in support of the application. Subject to further verification by CDC, the original photograph has been identified and confirmed within the local community. This is acknowledged as identifying a possible precedent on the current car park site.

### Relocation of the currently approved building:

This is a separate matter for consideration prior to any consideration regarding the proposed amended building.

Should the supporting evidence be validated by CDC, such relocation of the currently identified building, comprising 3 en-suite rooms with associated conditions (APP Schedule of Conditions p5), could be considered to be appropriate.

### Viability Issues:

The application identifies a "Biker Pub Café Bar" trading operation with an "outdoor trading model with "limited internal space", although no evidence is offered to identify the particular limits of the internal space. Further references state that "the major part of our income is derived from our letting business....our pub is not presently viable", although no evidence is offered in support.

It is noted that these business premises have recently been identified by the applicant in correspondence with CDC Community Services as closed from "3rd October 2021 and will not re-open until maybe the spring of 2022 and therefore for at least 7 months our property will become our home/residence and not a pub" (13/08/21). This was further reinforced by a notice posted on the main gate: "We have now finished trading for this year`s Biker season. We hope to reopen in the Spring of 2022..."(08/10/21). Clearly, an extended period of conscious closure is likely to have a significantly negative impact on potential viability, offering a tenuous justification for seeking additional rental income, which would be at variance to the existing APP Condition 8 ("short-term holiday lets only"), to compensate for such closure.

Further, any letting activity for the proposed building when not operating as a pub would be directly contravening the existing planning permission, whilst also raising concerns regarding the current business operation, identified in the Planning Application Existing Use (6) as "public house".

### Use of proposed new building:

The Application Statement references "longer term letting facilities. needed for 3 to 6 months. or even longer" (p1) whereas the APP conclusions make very clear and specific reference to "conditions

restricting the use of the building to that of short-term holiday lets only, to be used in conjunction with the PH" (p4, para 21). This identifies a material variance between a long-term residential property rental model to be associated with the proposed relocated new building rather than the agreed short-term holiday lets model currently specified through APP Condition 8 (p5).

**Proposed building:**

There are particular concerns, namely:

**Location:**

Given the proximity of the neighbouring Grade 2 barn, it appears likely that any building in this location may have a negative impact on the structural integrity of the barn.

**Size and Scale** – the proposed building has a significantly larger footprint and height, comprising 3 bedrooms, together with kitchen, utility & boots, bathroom and sitting room. This would appear to constitute an entirely new building, identified by the applicant as the Proposed Cottage" (p4), rather than an Amendment (p5).

**Design** – the proposed design does not appropriately reflect the photographic evidence provided to support the relocation and is not complementary to this location, thereby having a negative impact on the identified street scene in this sensitive conservation area

**Materials** – the photographic evidence clearly identifies local stone and thatch, which has been retained for the existing neighbouring barn. A similar use of materials would complement the adjacent Grade 2 listed building, generating a positive impact on the street scene in this sensitive conservation area. No specific details are included for doors, windows, rainwater goods

**Conditions:**

The scope and detail identified in the APP Schedule of Conditions (p5) continue to be appropriate and relevant for any building in this location."

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### Appeal Reference: APP/C3105/W/22/3295704

#### DETAILS OF THE CASE

Appeal Reference APP/C3105/W/22/3295704

Appeal By MR GEOFFREY RICHARD NOQUET

Site Address  
The Pheasant Pluckers Inn  
Burdrop  
BANBURY  
OX15 5RQ

#### SENDER DETAILS

Name MRS KIRSTY BUTTLE

Address  
74 Beaulieu Close  
BANBURY  
OX16 4FQ

Company/Group/Organisation Name Sibford Gower Parish Council

#### ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

## **YOUR COMMENTS ON THE CASE**

Since the submission of the original planning application and the Parish Council's subsequent response the membership of the Parish Council has changed resulting in the applicant, the applicant's wife, and 1 neighbour mentioned in the application now being council members. Due to their personal interests in this application they cannot be involved in the Parish Council discussions relating to this application and obviously it would not be an option for them to speak on behalf of the council at the appeal, particularly as the Parish Council's response was to object to the application. This does not leave a quorum of councillors who can make a decision about any further response therefore I must use my delegated powers to respond as the Proper Officer.

In order to make my decision regarding how to proceed I have discussed the appeal with the remaining councillors and have considered the strong feeling within the parish about this application. On the basis that we believe an appeal is just to review the correctness of Cherwell District Council's decision on this application and does not include any amendments from the original application (as surely that would require a new application rather than an appeal?) the Parish Council have nothing further to add to the original response. We cannot send someone to speak on behalf of the Parish Council at the appeal hearing but would like to ensure that the original objection from the Parish Council is fully taken into account when deciding the outcome of the appeal.

We are aware that individual responses to the appeal have been submitted by Mr Roger Mallows and Mr David Allen. We can confirm that Mr Mallows and Mr Allen were councillors at the time of the original Parish Council response.

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**Appeal Reference: APP/C3105/W/22/3295704**

#### DETAILS OF THE CASE

Appeal Reference APP/C3105/W/22/3295704

Appeal By MR GEOFFREY RICHARD NOQUET

Site Address  
The Pheasant Pluckers Inn  
Burdrop  
BANBURY  
OX15 5RQ

#### SENDER DETAILS

Name MR ROGER MALLOWS

Address  
Yew Tree House  
Sibford Gower  
BANBURY  
OX15 5RT

#### ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

## YOUR COMMENTS ON THE CASE

Having recently retired as a Parish Councillor, I was Vice Chair of Sibford Gower Parish Council (SGPC) when the original planning application 21/04166/F was reviewed.

The following observations reference the Appellant`s submission document "Response to Sibford Gower Parish Councils Letter of Objection and Unintentional Support dated 21/01/22022:

1. The Sibford Gower Conservation Area is a material consideration in all planning applications located within the conservation area.
2. The random profusion of question marks evidenced in the Appellant`s submission (p2 & p3) was due to an electronic data malfunction from the SGPC Clerk to the Cherwell District Council (CDC) Planning Portal. A corrected version was subsequently added.
3. SGPC`s duly quorate submission to 21/04166/F offers a reasoned and balanced response for due consideration by CDC planning officers.
4. It is noted that the Appellant clearly identifies appropriate notification to CDC of works permitted under Planning Appeal APP/C3105/W/16/3165654 (p1), yet fails to recognise any significance of this within the context of the CDC planning officers report for 212/04166/F (para 8.5).
5. The Appellant`s inference that the SGPC identifies historical documentation associated with the application ie c1920 photograph and 1922 )S Map section, as fake is entirely without foundation. While SGPC acknowledged this historical documentation, it is for the CDC planning officer to officially validate. To suggest by inference that SGPC actually supported the application is both misleading and inaccurate.
6. Reference as "no surprise that the more open-minded Councillors have very recently resigned" (p4) is both subjective and without foundation.
7. With the Asset of Community Value (ACV) referenced by the Appellant (p4) having been previously identified by CDC specifically as a community issue, it was considered as irrelevant to the particular planning application.

May 2022 Local Elections:

Following the May 2022 Local Elections, the compilation of SGPC experienced significant change with only 1 previous councillor remaining. It should be noted that 3 of the recently elected Parish Councillors were directly involved in the 21/04166/F planning application, either as the applicant or objector, and, therefore, now have a continued involvement with this Appeal.

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**From:** Adrian Watts [REDACTED]  
**Sent:** 13 July 2022 08:38  
**To:** North1  
**Subject:** Re: Planning Appeal - 22/00035/REF

Team North 1

The pins number is 3295704  
APP/C3105/W/22/3295704

Kind Regards

A.Watts

On 13 Jul 2022, at 06:37, North1 <[north1@planninginspectorate.gov.uk](mailto:north1@planninginspectorate.gov.uk)> wrote:

Dear Mr Watts,  
Please can you supply our seven digit PINS reference number. The reference you have supplied is not recognised.  
Regards  
Team North1

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**From:** Adrian Watts [REDACTED]  
**Sent:** 12 July 2022 21:24  
**To:** North1 <[north1@planninginspectorate.gov.uk](mailto:north1@planninginspectorate.gov.uk)>  
**Cc:** Phillippa watts [REDACTED]  
**Subject:** Planning Appeal - 22/00035/REF  
- Photograph 0594 New Dwelling attached to a Listed Building in Burdrop  
Dear Matthew Swinford,

We would just like to comment on the incorrect statement attached to the above photograph 0594 and planning appeal evidence for appeal 22/00035/REF.

As the owner of the property we can confirm firstly that the property "Bank House" is **not** listed as stated and that it is **not** a new build attached either.

It is an extension to the existing accommodation we used the existing front wall belonging to the existing barn attached to Bank House. The roof and new gable were reinstated to reflect the original building including the door on the gable end. We have historic photographs to confirm this.

If you need further information or clarification on this matter please let us know.

Yours sincerely

Adrian Watts MRICS LLM MSc BSc(Hons)  
On behalf of Mr and Mrs A.Watts  
Bank House, Burdrop

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DPC:76616c646f72



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**From:** Margie Taylor [REDACTED]  
**Sent:** 07 August 2022 13:44  
**To:** North1  
**Subject:** Objections to this application APP/C3105/W/22/3295704

We object to the appeal of the refusal of planning permission to build a three bed house in the car park, of this licensed public house property.

The planning application was completely inappropriate for a house to be built on that site. No use to the public house whatsoever, just the removal of valuable car parking for the public house which it still is. With little on street parking.

It is a joke, that after 16 years we are still having to protect this licensed public house.

The people of Sibford Ferris, Sibford Gower, Burdrop, and other villages and visitors to this area of outstanding natural beauty also a conservation protected area, have to keep fighting to save this pub, that legally should remain as one.

As soon as the property returns to a active public house it will need all of its car park, that is a major asset to the public house.

It is clear that the applicant and his family, clearly do not wish to run a public house in the usual way, but wish to develop this site.

The Cherwell District Council and the people of The Sibfords can not seem to make the applicant understand that we want the pub back and we will continue to peruse our objective.

Therefore time and money is wasted on all sides when a final line should be drawn under the affair and then everyone can put their minds to returning this property to a going concern and a lovely pub. Not necessarily what the applicant wanted but that's the fact of it.

Against all the laws of licensed premises they live in the whole of pub as a full home, with no bar and variable opening times in the garden?

Yes there is an alternative pub in the village but with the increasing size of this village and many others in the surrounding area, this pub offers an alternative with the best garden view in this village for families to enjoy.

Many memories have been made in this public house. Unfortunately the applicant did not understand the importance that it held, to so many people plus it's long successful history.

The business side of the public house was indeed excellent prior to the applicant taking over.

My family strongly object to this appeal. We wish it to remain as was, a wonderful relaxed family public house.

With respect

Margie Taylor

FAO: Mr Matthew Swinford,

Dear Mr Swinford,

I wish to continue to express my objections made previously to the planning application (reference 21/04166/F and now subject of appeal reference APP/C3105/W/22/3295704) made by the Appellant, Mr Noquet (together with his wife, the “Appellants”), in respect of planning permission for a 3 bedroom cottage supposedly (but likely not really) for commercial holiday lettings. My earlier arguments and objections remain fully valid but I would now like to make two further points, as follows:

1. **Future use:** it is my expectation that if the cottage planning permission appeal is allowed, then the Appellant will at some point seek to change the use of the new build cottage purely to residential use and so obtain a planning approval by a backdoor route that would not be open directly. He probably would then at some point sever the connection between the Pheasant Pluckers Inn (the “Inn”) and the then private residential property and so obtain a large unmerited uplift in capital value to the detriment of the local environment. This would be an abuse of the planning process and should not be permitted. Moreover, the detachment of the new cottage and land associated with it may then undermine the future financial viability of the Inn and so give rise to yet another attempt by the Appellant to de-litigate the Inn and then, again, realise a further uplift in capital value, and so thereby deprive the local community of an important and valued amenity asset (viz, the Inn).
2. **The Sibford Parish Council (the “SPC”) views:** the SPC has previously strongly objected to the planning application, and rightly so in my view, reflecting the long-term opposition of the local community to various proposals and changes in name and uses of the Inn. I understand that the Appellant and his wife have fairly recently got themselves appointed to the SPC [I understand with limited external support, if any, and before the local community could respond with alternative candidates for election to the SPC more representative of the general views of the local community] and so I hope and trust that the Appeal process will be fully cognisant of the revised composition of the current SPC when considering any further updates from it demonstrating any new and substantially different views, especially any potentially reflecting its changed composition and the specific interests of the Appellants in this matter. It would be unfortunate and more if the SPC were allowed to be influential in the Appeal process if it no longer represents the broad views of the local community on this Appeal issue, in which the Appellants have a clear interest.

Yours faithfully,

Nick Butt – a long-term proud regular visitor to and supporter of the two Sibford villages, dating back well over 50 years (nearly 60) and a former happy customer of the Bishop’s Blaize Inn (the earlier and proper name for the now egregiously and offensively entitled Pheasant Pluckers Inn).

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**From:** [REDACTED]  
**Sent:** 07 August 2022 10:12  
**To:** North1  
**Subject:** Objection to this application APP/C3105/W/22/3295704

## **Objection to this application APP/C3105/W/22/3295704**

### **The BBSG (Bishop Blaize support group) state:**

The APPEAL by Mr. Noquet against the correct decision by Cherwell District Council should not be allowed:

Please bear in mind that Mrs. Noquet purchased the Bishop Blaize Public House on 30<sup>th</sup> March 2006, 16 years ago with the intention of developing the Public House and site for domestic housing (see record of planning applications and appeals) she made this conversion statement to a customer who she thought was not a local as the person lived and worked in London.

1. Regarding the 16 years of the Pub meant to be open as a pub it has not been open for many of those years and was closed for several years while the Noquet's lived in Spain thus costing the Noquet's a substantial amount of money and us the use of a favoured Public House.
2. The fact that customers for the Public House NOW have to eat and drink out of doors also severely affects the profitability of the pub as does the Pub being shut due to cold wet weather from around October one year until April the following year (7 months) and then is only open for around 2 to three days of the week. We have asked Cherwell District Council to enforce the conditions that apply to the pub whereby it cannot be lived in if it is not open as a Public House and the Holiday cottage cannot be let if this is the case.
3. The pub always used to have a bar, restaurant and all the other useful areas that attracted customers to it until the Noquet's made a change of use from the public house bar and restaurant into a living area (without planning permission)
4. The application if allowed would take several existing car parking places away from the Public House which will affect the number of future customers being able to use the pub and thereby curtail income further.

If the application is allowed It would derogatively affect Burdrop and Barn close which is a listed building, and is situated next door to the Pub and the proposed house would be an eyesore compared with Barn Close and other local Houses.

5. If as Noquet states in his supporting statement for the pub to be profitable it needs additional rental accommodation, Why has he not built the existing rental

accommodation that he already has planning permission for? He has had it for 4 years or more? The Planning permission has apparently now expired.

6. There have been previous planning applications for houses to be built in the Car Park of the Bishop Blaize made by this applicant, all of which have been correctly refused.
7. The area that has been applied for the building of a 3 Bed house is a conservation area and this Planning application if allowed would affect the area in a deleterious way so should therefore be refused.
8. The 3 bed proposed house would seriously affect the Barn Close Listed building in several ways (a) interfering with a protected species of Bats (b) under mining the footings of a listed building (c) severely increase the noise level to the occupants of Barn Close.
9. We are more than suspicious that this appeal that has been made by two recently appointed Sibford Gower Parish Councilors Mr. & Mrs. Noquet. When one looks back at all of the planning applications, appeals and High Court and other Court Cases over the past 16 years that Mr. & Mrs. Noquet have been involved in to do with The Bishops Blaize we would be suspicious of any submission made in respect of planning while they are SGPC councilors.
10. On the basis of the aforementioned we would therefore ask you to refuse this appeal **APP/C3105/W/22/3295704** for a refused planning application

Richard Butt

Coordinator for the Bishop Blaize Support Group (for 16 years)



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**From:** [REDACTED]  
**Sent:** 08 August 2022 16:24  
**To:** North1  
**Subject:** appeal APP/C3105/W/22/3295704

FAO the Planning Inspectorate

Dated 8<sup>th</sup> August 2022

This appeal **APP/C3105/W/22/3295704** should be refused for the following reasons:

The Proposed house would deleteriously seriously affect the Grade 2 Listed house and building at Barn Close which abuts the Car Park and other houses close by.

The protected bat population that used to be in the Bishop Blaize (barn/store, now letting accommodation) moved to Barn Close on the development of it to letting accommodation and will once again be disturbed if this application is allowed, they are a protected species!

It would take many Car Parking spaces away from the Public House, making what used to be a very active profitable Pub far less profitable all in the applicant's efforts to get the Public House delicensed.

It would also seriously negatively affect the Conservation area.

I would also ask why the applicant has not applied for a change of use at the Public House from a Public House to domestic use property by converting the bar and restaurant to domestic use, and the siting of a "Fixed" (to sewer and water and electricity) Shepherds Hut in the rear of the Public House for Holiday letting without planning permission.

Please REFUSE the application and take action against the APPLICANT for the breaches of planning permission on and around this site and as they are Councilors' get them dismissed from the Sibford Gower Parish Council.

Richard Butt ,College Barn Farm, Sibford Gower, Banbury OX155RY



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**From:** christopher steane [REDACTED]  
**Sent:** 26 July 2022 19:32  
**To:** North1  
**Cc:** Pidgeon Fiona and Hugh  
**Subject:** For Matthew Swinford, case officer

Planning ref

APP/C3105/W/22/3295704

The Pheasant Pluckers Inn, Burdrop OX15 5RQ

I am the owner of Burdrop House, some 150m from the Pheasant Pluckers Inn.

I am writing to oppose the proposal, by the owners of the Inn, which is the subject of appeal. I support the decision of the planning officer.

My prime reason for opposition is that I believe the property should be operated as a Public House providing an amenity to the village, in line with the legal use of the property. The property has an attractive location and properly run would attract custom both from within the village and from further afield. For the property to be operated successfully it requires a substantial car park. The proposal materially reduces the car parking space available and consequently undermines the commercial viability of the Public House.

I consider that the inspector should visit the property and review whether it is being operated as a Public House or whether the owners are acting in defiance of planning requirements. The property is being used as a residence, the part of it available as a Public House is immaterial, and the opening hours are infrequent. There is little inside hospitality space: the bar has been removed: it is operated for a small number of days as a public garden not a Public House. It appears to me that this is attempting to achieve a de facto change of use. Repeated attempts by the owner to seek change of use have failed, on the grounds that the property would clearly be viable as a Public House if run properly. Then current appeal appears to be a further attempt to render the property commercially unviable.

I do not accept that the characterisation of the proposal as repositioning and amendment of a previously allowed building for two reasons:

1. The applicant has stated that work has commenced on the prior permission. That is not compatible with the assertion that this is an amendment.
2. This is a new proposal of very different character in terms of location and bulk.

The planning history of the site over the last 15 years is a saga of failures by the owner to accept planning restrictions and the nature of the property that was purchased. The property should be operated in good faith as a Public House.

Yours sincerely  
Christopher Steane