



DISTRICT COUNCIL  
NORTH OXFORDSHIRE

## Consultees for application 15/01103/F

<u>Consultee</u>	<u>Date Sent</u>	<u>Expires</u>	<u>Reply</u>
Sibford Gower Parish Council	29.06.2015	20.07.2015	15.07.2015
Waste & Recycling (CDC)	29.06.2015	13.07.2015	30.07.2015
Contaminated Land	29.06.2015	13.07.2015	
Conservation (CDC)	29.06.2015	13.07.2015	17.07.2015
Anti-social Behaviour (CDC)	29.06.2015	13.07.2015	
Highways/Transport (OCC)	29.06.2015	20.07.2015	30.07.2015

TOWN AND COUNTRY PLANNING ACT 1990  
CONSULTATION – PLANNING APPLICATION

CHERWELL DISTRICT COUNCIL

Case officer : Emily Shaw

Date : 29.06.2015

Application No.: 15/01103/F

Applicant's Name: Mr Geoffrey Noquet

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

Location: Bishops End Burdrop Banbury OX15 5RQ

Parish(es): Sibford Gower

Expected Decision Level:

Please complete ONE of the following sections and return to Development Management, Cherwell District Council, Bodicote House, Bodicote, OX15 4AA within 21 days of date of consultation letter :

1. ~~The Town/Parish Council wishes to raise no objections to the application and has no further observations.~~

2. ~~The Town/Parish Council wishes to raise no objections to the application and makes the following observations:~~

3. The Town/Parish Council wishes to object to the application on the following planning grounds. (Please quote relevant policies from Cherwell Local Plan or Structure Plan if possible):

*Please see attached*

Signed: 

(R.B. HARRISON)  
Clerk/Correspondent.

On behalf of: Sibford Gower Parish Council

Date: 15.7.15

holiday cottage application.doc | Download ▾

1 of 1

Over the long planning history of this application, Sibford Gower Parish Council has held consistent position. This can be seen from our attached response to Application no 13/00116/F. If retrospective planning permission was to be granted to this deliberate conversion of part of the curtilage of the Bishop Blake public house in contravention of planning regulations, then it was essential to impose a condition that the building not be separable from the working of the public house, but continue to function as an important asset by providing ancillary holiday accommodation. In particular we would reaffirm our view in one of the concluding paragraphs:

The previous planning history of this property suggests a continuing attempt to develop the curtilage of the property in ways incompatible with its position within the Conservation Area of Sibford Gower. If Charwell District Council is minded after investigation to grant retrospective planning permission, it should require a Section 106 agreement, to the effect that the store be used solely in relation to activities connected with the use of the main building.

This view was accepted by Charwell District Council, and imposed by the subsequent App Decision APP/C3105/A/13/2203362.

Since then two public inquiries and the criminal conviction of the owners in the crown court for illegal occupation of the public house as a private dwelling have all proceeded on the premise agreed by all parties that the car park and bottle store/holiday let were in the curtilage of and intrinsic parts of the suspended operation of the public house.

It follows that granting this application would frustrate the entire planning procedures so engaged in and the subsequent court judgment entered against the applicants. Sibford Gower Parish Council therefore wishes to register its opposition to this application.

Application no 13/00116/F

Mr G Noquet, Bishops End Burdrop OX15 5RQ

Sibford Gower Parish Council wishes to make the following comments on this application:

This is not the first application for planning permission on the bottle store ancillary to the public house. An earlier application was made in 2009 (09/01275/F). In the course of correspondence between yourselves and the applicant, various planning issues were raised, including the necessity of undertaking a bat survey before any work was carried out. For these reasons the application was withdrawn.

Since then, in the full knowledge of this correspondence, the applicants have without planning permission engaged in major reconstruction of the bottle store, both internally and externally. They appear to have added a second floor, and installed internal electricity and plumbing, until they have effectively achieved the result they were seeking earlier. They have failed to carry out a bat survey. All their work was done in the full knowledge that they required planning permission from Cherwell DC. It has moreover been carried out both before and during the six month grace period after a public inquiry (APP/C3105/C/12/217094) requiring them to return the public house to its former use. The inquiry established that the bottle store was an intrinsic part of the operation of the public house and included in the curtilage of the property in question.

The photograph of the previous state of the site is seriously misleading: we enclose the photograph submitted by the owners in the previous application, which presents an accurate picture of the state of the shed before building works were commenced.

The works carried out are far more than those described as a simple external repair of roof and installation of new windows. Regardless of the use which is proposed for this conversion, it has been carried out in contravention of previous advice given by Cherwell District Council and in defiance of planning regulations. Sibford Gower Parish Council asks you to insist on an inspection of the internal alterations that have been made, as well as an explanation of why no bat survey was carried out and why they proceeded without planning permission. The owners should be required to submit a full planning application detailing the future use of the store and the internal alterations already carried out.

The previous planning history of this property suggests a continuing attempt to develop the curtilage of the property in ways incompatible with its position within the Conservation Area of Sibford Gower. If Cherwell District Council is minded after investigation to grant retrospective planning permission, it should require a Section 106 agreement, to the effect that the store be used solely in relation to activities connected with the use of the main building.

In the absence of satisfactory explanations or such an agreement, the owners should be refused retrospective planning permission, and required to return the store to its former use as an intrinsic part of the operations of the public house.

Over the long planning history of this application, Sibford Gower Parish Council has held a consistent position. This can be seen from our attached response to Application no 13/00116/F. If retrospective planning permission was to be granted to this deliberate conversion of part of the curtilage of the Bishop Blaize public house in contravention of planning regulations, then it was essential to impose a condition that the building not be separable from the working of the public house, but continue to function as an important asset by providing ancillary holiday accommodation. In particular we would reaffirm our view in one of the concluding paragraphs:

The previous planning history of this property suggests a continuing attempt to develop the curtilage of the property in ways incompatible with its position within the Conservation Area of Sibford Gower. If Cherwell District Council is minded after investigation to grant retrospective planning permission, it should require a Section 106 agreement, to the effect that the store be used solely in relation to activities connected with the use of the main building.

This view was accepted by Cherwell District Council, and imposed by the subsequent Appeal Decision APP/C3105/A/13/2203382.

Since then two public inquiries and the criminal conviction of the owners in the crown court for illegal occupation of the public house as a private dwelling have all proceeded on the premise agreed by all parties that the car park and bottle store/holiday let were in the curtilage of and intrinsic parts of the suspended operation of the public house.

It follows that granting this application would frustrate the entire planning procedures so far engaged in and the subsequent court judgment entered against the applicants. Sibford Gower Parish Council therefore wishes to register its opposition to this application.

CHERWELL DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990  
CONSULTATION – PLANNING APPLICATION

Application No: 15/01103/F Relaxation of planning conditions to allow occupation of holiday cottage as a separate dwelling.

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Dear Sirs

The Parish Council objects to the above planning application for the following reasons:

The lawful use of the Bishop Blaize is as a public house although the owners have chosen to close this valued community amenity.

The conversion of the bottle store to holiday let accommodation (13/00781/F) was granted on the conditions that it be used for holiday lets only, remain ancillary to the Bishop Blaize and should only be let to the same person/s for a period of up to 8 calendar weeks in any one year.

It is the continuing view of Sibford Ferris Parish Council that these conditions should be upheld so that the building remains within the curtilage of the public house and its car park in order to provide a viable asset to the working public house.

Sibford Ferris Parish Council support Sibford Gower Parish Council in objecting strongly to this current planning application by the owners.

Yours faithfully

Anita Spencer  
Clerk  
Sibford Ferris Parish Council  
28.7.15

**From:** Nicky Wells

**Sent:** 30 July 2015 17:07

**To:** Emily Shaw

**Subject:** 13/00781/F Bishops End, Street through Budrop, Banbury allow holiday let by removal of conditions 3 and 4

Hi Emily

If I have interpreted the property history correctly and the former PH is now a dwelling this proposal would place two dwellings adjacent and I have no objection. If the holiday let turned dwelling is very close to the continued use of the main building as a pub there may be noise concerns I should consider. Similarly if there are wood burning stove chimneys on either property that may give rise to smoke nuisance I should consider such. I could not readily see any plans indicating such.

**Nicky Wells**

**Scientific Officer**

Community Services

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From: Design Conservation  
Sent: 17 July 2015 16:17  
To: Emily Shaw  
Subject: FW: [North Area]Bishops End Burdrop Banbury OX15 5RQ [15/01103/F]

The removal of conditions 3 and 4 of planning permission 13/00781/F is firmly resisted.

Bishops End (formerly The Bishop Blaze PH) is a building probably of C18 original and as such is a non-designated heritage asset. The building and its intimately associated outbuildings form a traditional group. Consent for guest accommodation use was granted to aid the trading potential of the public house. No consent has been granted to convert the building to alternative uses and the relaxation of conditions would be detrimental to the relationship between buildings and the functioning of the complex of buildings as a whole.

Recommend refusal.

Contra to Policy  
NPPF  
#135

The Cherwell Local Plan (Jan 2014 Submission draft)  
ESD16 - the proposal would harm the contribution the non-designated heritage asset make to the character and appearance of the area due to the increase in the paraphernalia associated with habitation. The proposal would impact on the significance of the buildings.

Dr Rose Todd

Team Leader (acting)  
Design & Conservation Team  
Development Management  
Cherwell District Council  
Extension: 1846  
Direct Telephone: 01295 221846  
mailto: [rose.todd@cherwell-dc.gov.uk](mailto:rose.todd@cherwell-dc.gov.uk)  
[www.cherwell.gov.uk](http://www.cherwell.gov.uk)



**LOCAL HIGHWAY AUTHORITY CONSULTATION**

through Area Liaison Officer

**PART I: APPLICATION DETAILS**

to be completed by Area Planning Officer

District Planning Authority:	Emily Shaw	Application No: 15/01103/F
Parish(es), Location and brief description: Sibford Gower Bishops End Burdrop Banbury Removal of conditions 3 and 4 of planning permission 13/00781/F to allow occupation of holiday let cottage as a separate dwelling		
Signed:	Date referred to	
Area Planning Officer	Area Liaison Officer:	09.07.15

**PART II: STATUS OF APPLICATION**

to be completed by Area Liaison Officer

Is the application in a class delegated to the Area Liaison Officer?	Yes*	No*
If 'No', date on which consultation forwarded to County Engineer:		

**PART III: ASSESSMENT**

for use of Area Liaison Officer

(Note: If consultation referred to County HQ, endorse to that effect in Part IV below and delete printed response)

*No objections subject to:  
J.S.C. D 21 'access and  
parking provision'*

**PART IV: RESPONSE TO DISTRICT PLANNING AUTHORITY**

to be completed by Area Liaison Officer

The Oxfordshire County Council as Local Highway Authority:

- \* HEREBY NOTIFY the District Authority that they do not propose to object to the grant of planning permission.
- \* HEREBY RECOMMEND the District Planning Authority TO REFUSE planning permission for the reasons set out above in Part III\*/overleaf\*.
- \* HEREBY RECOMMEND the District Planning Authority to impose upon any planning permission they may grant the CONDITIONS set out above in Part III\*/overleaf\*.

Signed:	Date returned to District Planning Authority:
for the County Council	30.07.15.



**From:** Hughes, Vaughan - Environment & Economy [<mailto:Vaughan.Hughes@Oxfordshire.gov.uk>]  
**Sent:** 17 August 2015 09:10  
**To:** Emily Shaw  
**Subject:** RE: Bishops End 15/01103/F

Hi Emily,

The absence of off road parking will in my view cause a problem here. The network in the immediate location is very narrow and tortuously aligned. So I do not agree that this will not cause a problem.

The plans submitted were not very clear but seemed to indicate that parking would be available for this proposal.

Could we please have a chat about this?

Kind regards,

Vaughan

**From:** Emily Shaw [<mailto:Emily.Shaw@Cherwell-DC.gov.uk>]  
**Sent:** 13 August 2015 15:52  
**To:** Vaughan Hughes; Hughes, Vaughan - Environment & Economy  
**Subject:** Bishops End 15/01103/F

Hi Vaughan,

You kindly commented on the above application on the 30<sup>th</sup> July with no objection subject to SC D21 to ensure the parking area and access is kept free from obstruction.

The current application seeks to establish an unrestricted residential use of the holiday let unit so not tied to the pub. The application has not indicated any allocated parking and if it becomes detached from the pub there will be no opportunity to use the front of the pub or the pub car park.

I have said in my report that this would lead to additional on street parking to the north of the building which would affect highway safety, but I do not consider this to be harmful enough to warrant refusal. Please could you advise if you agree with my assessment.

Thanks,

Emily

*Emily Shaw BA(Hons) MA MRTPI  
Principal Planning Officer (North)  
Public Protection & Development Management  
Cherwell District Council  
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Direct Dial: 01295 221819  
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*I trust this is of assistance, but must stress that nothing in the above can prejudice the ultimate determination of any application by this Council and cannot prejudice any further actions taken by this Council.*