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**From:** Hugh Pidgeon <[REDACTED]>  
**Sent:** 10 January 2016 14:26  
**To:** Team P11  
**Subject:** Re: For the attention of Kerr Brown AMENDED ref APP C3015/W/15/3136680  
**Attachments:** For the personal attention of Kerr Brown ii.docx; Bishop Blaize history.docx  
**Importance:** High

Kerr, thank you for your note. I appreciate the care you are taking.

For the sake of clarity, in this e-mail I have removed my original submission which I realised I had left attached in the correspondence chain.

My revised submission is now only in the form of the two attachments (unchanged), which I send again with this note for ease of reference.

I have taken account of your concerns and amended my submission which I now attach as one of two attachments, the submission itself and a supporting document of the appeal's published history.

**Hugh Pidgeon**

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### Collective Intelligence

Burdrop Green, Sibford Gower, Banbury, Oxon, OX15 RQ

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**From:** Team P11 <[TeamP11@pins.gsi.gov.uk](mailto:TeamP11@pins.gsi.gov.uk)>  
**Date:** Friday, 8 January 2016 08:54  
**To:** [REDACTED]  
**Subject:** RE: For the personal attention of Kerr Brown re Appeal APP C3015/W/15/3136680

Dear Mr Pidgeon

Thank you for your comments regarding this appeal.

We have to be very careful about what we publish in our files, as we could be held liable if they contain potentially libelous comments. We aren't happy with the comments "blatant and cynical manipulation" and "duplicity" that appear in your comments. If you would remove these and re-submit, I will ensure that they are added to the file

Kind regards

Kerr Brown

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

For the personal attention of **Kerr Brown**

Submission by:

**Hugh Pidgeon**

Burdrop Green, Sibford Gower,  
Banbury, Oxon, OX15 5RQ

Re: Application Number: **APP/C3105/W/15/3136680**

I write as someone who has lived opposite the Bishop Blaize pub for the last 25 years, and as one who has had the opportunity of observing activity there on a daily basis for the last 9 years in which the property has been in continuous dispute.

I have already contributed to the detailed compilation of statements offered as presentation by the Bishop Blaize Support Group to the Planning Inspector hearing the appeal statement contained in APP/C3105/W/15/3136680, but feel I should write additionally to you in my personal capacity as a local resident.

I want to say just how very angry I am that 8 years after I wrote my first letter to the Planning Control Manager of Cherwell District Council, I am being asked to write yet again to yet another appeal made by the appellant to the National Inspectorate. I regard what the Noquet family are doing as a gross waste of public money and of the Inspectorate's time, and a direct threat to the integrity of the entire planning process.

In the first letter I wrote on this matter – at the time to the Planning Control Manager, Cherwell District Council, in response to Mrs.Noquet's proposed change of use from licensed premises to dwelling house (Application No 07/00630/F) – I described their application then as manipulation of planning regulation. That was on the 15<sup>th</sup> April 2007 – nearly nine years ago.

I think it is proper that the Inspectorate take into account in their judgment of this latest appeal the fact that the history to the appeal over that time now runs to **17 Planning Applications , 9 Planning Appeals, the attempt by Cherwell District Council to introduce 6 Planning Enforcements and three week-long National Inspectorate hearings with legal representation in court \***.

And still the Inspectorate are being asked to review yet another appeal by the same family over the same issues that have already been the subject of repeated determination by the National Planning Inspectorate. The numbers of appeals and applications, the number of years over which the case has been pursued and the repetitive and cyclical pattern it has followed just in themselves speak to the manipulation of planning law I first alleged in 2007. I am dismayed as a citizen of this country as much as a neighbour to a blighted property.

My principal concern is not that the repeated refusal of planning applications for the conversion of the pub to a private dwelling (e.g. 06/01697/F and 07/00630/F) appear to make absolutely no difference, nor that the continued building development

continues to this day without either building regulations approval or planning permission – although I am truly astonished at family's persistence and disregard of all constraint. My principal concern were this application to succeed is that it will finally bring the entire planning process at local and government level into entire disrepute and open up the possibility of further speculative building both on the existing site and on the adjoining land which for local residents is still our greatest fear.

I attach as an addendum the last time I made a submission to the Inspectorate on this matter just over 2 years ago, in October 2013. I think it is appropriate that I ask the Inspectorate to review what I wrote then in the light of the present appeal. It only serves to highlight the way in which I believe each move in the cycle of applications and appeals builds on the previous one - and it is this pattern which I believe contextually should be as much the subject of this current appeal adjudication as the immediate claims of the appellant.

If I may take just this one instance, which for me exactly exemplifies the manipulation of the planning process that I believe the history attests to: the opening sentence of the Introduction to the Appeal Statement by Geoffrey Noquet describes the building as “formerly a stone barn.....”. It was never ‘formerly a stone barn’: it was the working bottle store to the Bishop Blaize pub, which was then the subject of the appeal in October 2013 on which the National Inspectorate was being asked at that time to adjudicate. This is what I wrote in my submission then. I am attaching it in its entirety. It is deeply shocking to me that everything I say here about pattern and sequence is still relevant. Everything I write here, I might as well be writing about the present appeal. It is as if nothing has changed in 2 years. The only variation, and it is a critical one, is that the Noquet family now want the freedom to use the self-contained holiday let they were seeking to create then as a permanent dwelling.

**As the Inspectorate read what I write here, they should be aware that just as the application then was ostensibly for a self-contained holiday let *which they had already built*, so the Inspectorate are now being asked to adjudicate on whether the building might be used as a permanent dwelling when *it is already in occupation*.**

Mr. and Mrs. Noquet have been regularly using the building as a residence, and even as I write this e-mail to you, on Wednesday 6<sup>th</sup> January the Inspectorate should know that the Noquet's daughter is there now: all the lights are on, the stove is burning, her car is parked outside - in complete disregard of the very enforcement order on which the Inspectorate is now being asked to adjudicate.

Every element I wrote then is still pertinent to the present appeal, although with greater urgency. The Planning Inspectorate rejected the application then, and I urge them to see the present application for what it is – and reject it for the same reasons.

**Hugh Pidgeon**

Wednesday 6<sup>th</sup> January 2016

Addendum to submission re. Application No. **APP/C3105/W/15/3136680**

**\* See also attached updated summary history of appeals and applications as currently published on the website of the Cherwell District Council.**

For the immediate attention of Kerr Brown

Ref: **APP/C3105/A/13/2203382** | Change of use of a 'redundant barn/store' into a '1 bedroom self-contained holiday letting cottage': appeal by the owners in respect of Cherwell District Council's non-determination of planning application Ref. No: **13/00781/F**

I write to you as one who lives directly opposite the site of the Bishop Blaize pub, and who stands to be directly affected by the decision reached by the Inspectorate on this appeal.

The Planning Inspectorate needs to be very clear this is not a new application for a change of use. The conversion has already taken place. In fact, it was completed under the guise of repairing the building's roof in a previous retrospective application (**Ref. No: 13/00116/F**) for which no planning permission had previously been sought, and no building regulations had been agreed, for all that this involved dropping the floor level below ground and raising the roof level by 3 feet, introducing French doors opening on one side and adding an access door from the adjoining car park at the newly installed upper floor.

Retrospective planning approval was given then despite all of this extra work having been added to the terms of the original application. The change of use originally proposed in Application **13/00781/F** and now subject to appeal is in effect a second retrospective application with regard to the same building *for a change of use that has again already been undertaken and completed.*

I feel it is important that the Inspectorate are made aware that this is one of a whole succession of planning applications, applications for certificates of lawful use and public appeals relating to this property over what is now 7 years. The sequence follows a pattern of which this is simply the most recent example, and in my view threatens the integrity of the entire planning process.

This is not even a second application related to the conversion of the pub's bottle store into dwelling accommodation: it is the third. The first move on it came with Ref. No: **09/01275/F** ['Alterations and extension to barn to provide 4no. en-suite letting rooms']. The application was withdrawn. Two further applications were made, the third of which is now the subject of the present appeal.

**The sequence can be summarized thus:**

- **Make preliminary application to test likely rejection**
- **Withdraw application and proceed with alterations anyway**
- **Apply for retrospective planning**
- **Having achieved that, propose second change of use**

- **Proceed with further alterations anyway**
- **Be prepared to appeal if turned down.**

Exactly the same sequence is being played out in relation to the larger game-plan of the owner's constant application and re-application for change of use from licensed premises to dwelling house - which they began within 6 months of arriving and has now gone through 10 iterations (detailed in a footnote below for ease of reference\*).

The process has been absolutely relentless, but essentially it is the same sequence. By any means possible the owners have demonstrated (and declared openly in the local press) that they are determined to close the pub and remove all prospects of the pub functioning in order to capitalise on the conversion of the pub to a house - which they have already completed.

The National Planning Inspectorate is now being asked to collude in the same process playing out over the conversion of the bottle store to living accommodation - similarly in effect already completed without any prior recourse to planning permission or building regulation. The appeal is a charade.

My principal concern were this appeal to be upheld is that it will bring all Council regulation finally into complete disrepute locally and continue to give encouragement to the owners that their ambitions for further speculative building both on the existing site and on the adjoining land – including the recently ‘withdrawn’ application submitted on their behalf for two new detached houses in the grounds of the pub – can now proceed with little likelihood of any further enforcement action.

The owners made clear in their interview with Roseanne Edwards for the Banbury Guardian [Ref Banbury Guardian, 1.8.13, p. 7, para 7) their ambitions of making “further development” on the pub's present car park their next move, and have already installed underground electricity cabling by Western Power for a conurbation capable of providing energy to at least 14 further houses.

By removing the bottle store, the owners would effectively be removing the last remaining support system for the pub to operate as a fully functioning pub, and would be one step closer to making their contention that the pub was "not viable" a self-fulfilling prophecy. The fact that they have an Enforcement Notice against them for the last year, they continue to disregard with what appears to me to be complete disdain.

I see no reason for the owners pursuing this appeal once again to the level of the National Planning Inspectorate other than in hope of achieving a final humiliation of the local Council whose decisions thus far they have continued to by-pass with impunity.

**By upholding this application, the Planning Inspectorate will itself risk simply becoming a pawn in advancing the whole sequence: bringing the possibility of further larger scale development one step closer, putting at risk the entire reputation and standing of the Cherwell District Council and putting in question whether it has the resources or the capability to prevent any of it.**

I urge the Planning Inspectorate to see this application for what it is, and reject it outright.

Hugh Pidgeon  
19th October '13

For ease of reference, the history of all the owner's previous applications to date for change of use from licensed premises to dwelling house, directly or indirectly:

[Change of use from licensed premises to dwelling house.](#) [Ref. No: 06/01697/F | Status: Application **Refused**]

[Resubmission of 06/01697/F - Change of use from licensed premises into dwelling house](#) [Ref. No: 07/00630/F | Status: Application **Refused**]

[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**]

[Certificate of Lawful Use Existing - Change of use from A4 to A1.](#) [Ref. No: 13/00808/CLUE | Status: Application **Refused**]

**Appeal against Refusal of [Certificate of Lawful Use Existing - Change of use from A4 to A1.](#)** [Ref. No: APP/C3105/X/13/2203574 | Status: **Appeal Withdrawn**]

**[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: **Withdrawn**]

Property History 0100119006679/Bishops End Street Through Burdrop Burdrop, Banbury OX15 5RQ

- [Address](#)
- [Property History \(35\)](#)
- [Constraints \(8\)](#)
- [Map](#)

## 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](#)

Ref. No: 15/00192/EUNDEV | Status: Pending Consideration

## **Properties (0)**

### **Building Control Applications (3)**

- [Extensions to bar and kitchen store](#)

Ref. No: 00/00006/OTHFP | Status: Building Started

- [Internal alterations, level floor, repair exterior walls and raise for new roof, new doorway and three roof lights](#)

Ref. No: 13/00302/OTHRGD | Status: Building Notice Approval

- [Installed a Gas Boiler](#)

Ref. No: CP/GASAFE/02279/2014 | Status: Building Work Completed

## **Licensing (0)**

### **Licensing Application (0)**