**From:**
**Sent:** 15 October 2018 13:36
**To:** Bob Neville
**Subject:** 18/01501/F. pheasant Pluckers Inn

Tony Haynes Cubbs Cottage Burdrop.

**My Objection  to 18/01501/F | Change of use from A4 to C3 (ACV Listed) | The Pheasant Pluckers Inn Street Through Burdrop Burdrop Banbury OX15 5RQ**

**The viability of the property as a public house:**

With regard for the viability of the property as a public house, a series of appeals by the family to secure a change of use, led to several judgements being made by the national Planning Inspectorate, the most significant in 2012, when Sara Morgan LLB (Hons) MA ruled in a substantial judgement running to many pages that the Cherwell District Council had acted lawfully in imposing an enforcement order on Mr and Mrs Noquet for the material change of use from a public house to a residential dwelling house without planning permission.

The hearing itself It was the culmination an exhaustive and painstaking legal process. The rulings the Inspector made in her final judgement run to 60 paragraphs. The following extracts are taken from these paragraphs:

Section 7 “At the time of my site visit the ground floor had been converted almost entirely to residential purposes, the bar and most of the public house fittings having been removed, and the whole building was in occupation as a dwelling house.

Section 10. “Because the public house use has ceased, the ancillary use cannot exist on its own”.

Section 25 “There was little evidence from the appellant to suggest that at the time of this marketing exercise the Bishop Blaize could not be a viable public house in the long term. It had clearly been viable under the previous owners not so very long before. Mr and Mrs Noquet were making losses while the public house was still open but that appears to have been specifically due to a dispute between Mr and Mrs Noquet and the village. That does not mean to say that the Bishop Blaize could not be viable under another operator”

Section 26 “I conclude that the marketing exercise carried out by Fleurets does not show that the public house was unviable at that time.”

The Inspector’s final conclusion was that it had not been shown in the evidence presented that the public would not be viable in the long term, but “it seems likely that given the history of Mr and Mrs Noquet’s dispute with the village, for the public house to re-open it would have to be **under a new owner**”. The appeal was dismissed. The enforcement notice was upheld.

So the pub being run by a landlord who wanted to be successful would be viable.

Mr Noquet states in his support document that the **The Pheasant Pluckers Inn is for sale !!**He has refused to give Cherwell District Council the agents handling the sale details or indeed the asking price.

So in effect **The Pheasant Pluckers Inn** is not for sale  to anyone including the ACV listed buying group.

Tony Haynes.  Burdrop.