

## 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/18/3216818**

#### DETAILS OF THE CASE

Appeal Reference APP/C3105/W/18/3216818

Appeal By MR GEOFFREY RICHARD NOQUET

Site Address  
The Pheasant Pluckers Inn  
Burdrop  
BANBURY  
Oxfordshire  
OX15 5RQ

#### SENDER DETAILS

Name MRS ADRIENNE PLATT

Address  
The Homestead, Church Lane  
Epwell  
BANBURY  
OX15 6LD

#### 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

I remember when the Bishop's Blaize was sold and we all had such high hopes that the new owners would keep the bar and dining room filled every weekend just like before. It became apparent soon after that the new landlords weren't as friendly and didn't offer the warm welcome we had all become accustomed to. That in itself wasn't a bad thing, they had very big shoes to fill. However, I recall an exchange between the new landlord and my husband, about six months after the pub changed hands: upon referring to the visible decrease in custom, the landlord replied something to the effect, "well, if it doesn't work out, we could always apply for planning permission to change it into a house". This casual offhand comment shows that the idea of converting the pub to a private dwelling was on their mind very early on, regardless of his current statements to the contrary.

There are many ways that a public house can be used by a village, the alcohol licence offering just one pathway to profitability. With an open mind and a cache of ideas, someone who wanted to succeed in offering a service to the community could do so. Any success wouldn't have to be to the detriment of the other pub in the village. The argument that there isn't room for two pubs in the village hasn't truly been tested because the execution has been limited to those whose interest isn't best served by success. Perhaps what the Blaize needs is to be bought by some new young entrepreneurs so that they can inject their enthusiasm and creativity into the business and add a fresh perspective to running a village pub.

If the owners were truly earnest in their desire to sell the pub, why doesn't there seem to be any evidence of that effort? There wasn't a sign advertising the sale outside the pub, no one was able to identify the agent who was acting for the owners in the purported sale, the pub didn't appear on Rightmove or any other online property selling medium, no one seems to know what the asking price was. It's almost as if the landlords didn't really want to sell at all.

The long and the short of it is this: we haven't forgotten our beloved Bishop's Blaize and we would really like to have it back now.

---

**From:** East 1  
**Sent:** 18 June 2019 07:19  
**To:** East 2  
**Subject:** FW: Reference: APP/C3105/W/18/3216818

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FAO Judith

---

**From:** Angela Butt [REDACTED]  
**Sent:** 17 June 2019 17:15  
**To:** [east1@pins.gsi.gov.uk](mailto:east1@pins.gsi.gov.uk)  
**Subject:** Fwd: Reference: APP/C3105/W/18/3216818

Sent from my iPhone

Begin forwarded message:

**From:** Angela Butt [REDACTED]  
**Date:** 17 June 2019 at 14:45:49 BST  
**To:** [Alison.Kendall@pins.gsi.gov.uk](mailto:Alison.Kendall@pins.gsi.gov.uk)  
**Subject:** Reference: APP/C3105/W/18/3216818

Dear Alison,

Reference to my attached, nothing has changed and in my opinion the Bishop Blaize/Pheasant Plucker inn has never been truly for sale even when he accepted an offer in 2017 of £575,000.00 and then put a development clause on the title which negated the purchaser being able to borrow any money to purchase the Pub.

Regards,

Angela Butt

<angela.butt.pdf>

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

**For the attention of Ms Judith Birch, the Planning Inspectorate,  
Room 3/N Kite. Temple Quay House. 2 The Square. Bristol. BS1 6PN.**

**Ref APP/C3105/W/18/3216818**

I had assumed that on an occasion when the Cherwell District Council has already submitted as detailed and comprehensive history of its long dealings with the applicant as Inspector Judith Birch could possibly want to reach a considered view of the applicants most recent appeal, it would not be necessary for me to make an independent submission of my own. The Parish Council, of which I am the Chairman, has in any case made its own representation. I concur wholeheartedly with the conclusions reached by both of them.

Since, however, the applicant on this occasion has chosen to make a number of personal allegations against me, and these are now on public record, I feel obliged to respond.

In his submission dated 22<sup>nd</sup> November 2018, Geoffrey Noquet charges me personally for failing to act on the community's behalf, for disregarding what he chose to interpret as Inspector David Murray's 4<sup>th</sup> July 2018 "Decision, Directive and Solution", and with the Planning Department of "being intent on progressing Enforcement/Eviction" proceedings.

What I believe to be entirely a mis-representation of Inspector David Murray's personally expressed opinion and his actual conclusion has been dealt with both in the report prepared for the Inspectorate by the Case Officer, Bob Neville, and in the submission of my own Parish Council, so I do not need to comment on that further.

If there was an enforcement action to be progressed, its legitimacy lies with the ruling in 2012 by Inspector Sara Morgan LLB (Hons) MA, who concluded 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 that had at that time already taken place without planning permission, an order in my understanding that is still in place. My own concern has only ever been that the Council's planning process should not be brought any further into disrepute.

As for failing to act on the community's behalf, I believe it would be helpful overall in setting the record straight, if I were to make available the full text of the 22<sup>nd</sup> August correspondence with Natalie Sanchez of the CDC's Infrastructure Department referred to by the applicant, and on which here and in other submitted document he has placed such emphasis.

The correspondence was referred to and summarized in the Case Officer's report, but it is not clear to me that Inspector Birch will have been provided with a full copy, and so I attach it to this note. It is the full text of the original formal response I was making at the time to the ending of the 6-week ACV Interim Moratorium period brought so much into question by the applicant.

The application for the change of use now the subject of this inquiry was made the day after the closing of the Moratorium. The property never was put on the open market.

**Hugh Pidgeon  
20<sup>th</sup> June, 2019**

## **Formal response to the ending of the ACV 6-week Interim Moratorium**

**Hugh Pidgeon**, *Chairman, Sibford Gower Parish Council*

**Wednesday, 22<sup>nd</sup> August, 2018**

Dear Natalie Sanchez,

I have today received a copy from my clerk, Peter Hardman, of your formal notification [Ref **NS/ACV/029 , 16<sup>th</sup> August 2018**] of the end of the Interim Moratorium for an Asset of Community Value on the former Bishop Blaize pub.

I am writing as Chairman of the Sibford Gower Parish Council to put on record that the fact that no community interest group came forward during the 6-week interim Moratorium period to be treated as a potential bidder for the asset should not be interpreted by the owners of the property in any way as an absence of interest in its potential purchase.

As you will know, applications to change the use of the premises to a dwelling house were refused in 2006, 2007, 2012 and certificates of lawfulness as a dwelling house were refused in 2012, 2013 and 2014. During that time there have been a number of unfulfilled declarations of intent to sell. The outcome has always been that the owners have declined to accept the offers made to them as being below their asking price, and the cycles of appeals and further applications for change of use have resumed.

In the light of this history, you will remember that my first enquiry on the 16<sup>th</sup> July , 2018 was first to Sue Marchand and consequently on the 17<sup>th</sup> July, 2018 with yourself, requesting you let us know the price being asked and the agent commissioned to negotiate the sale.

I explained at the time that given this history, we could not advise any community interest group potentially to get drawn into another cycle of a similar nature, particularly this time around without any indication of asking price or agency; and that you would understand why we felt we should not be attempting to deal directly with the vendor at this point, as you had first suggested to me.

We believed it was an obligation on the part of the CDC's Community Infrastructure office - and in the circumstances, entirely in the interest of the Council as a whole - to ensure the integrity of the declaration they had received at the least by establishing and making publicly available the name of the agency charged with putting the property on the market.

I was extremely grateful consequently to receive a telephone call consequently from Kevin Larner on behalf of the Community Infrastructure Office. He explained that you had contacted the owners by e-mail to enquire the name of the estate agent following my request for the agent's details, and that he had followed up that correspondence with a personal phone call to the owners in which he had again enquired the name of the acting estate agent so that a potential purchaser could establish what the price, terms and conditions of the sale were.

However, I understood that the vendor had declined to provide the requested information; they were not obliged to under the terms of the ACV, and they chose not to do so.

In the light of this, and of the fact that no details have been forthcoming since that date either of the proposed sale price of the property or of the agent commissioned to sell it, we could not consider the original declaration of intent to sell as credible.

We understand from your communication to our clerk that the conditions of the ACV with which the owners would otherwise have had to comply will now simply lapse for the coming 18 months during which time the vendors will be free to take whatever offers they can get on the open market. Thereafter, we understand that the property remains listed as an Asset of Community Value, and that if the vendor fails to sell the property for whatever reason by 4<sup>th</sup> January, 2020, the requirements of the ACV will be re-imposed and the sequence re-set. .

In these circumstances, and given all that we now know, I wish to confirm formally in writing on behalf of the Parish Council that:

- the owners should be encouraged to test the market unencumbered by the terms of the ACV
- the potential interest in the community remains as high as it was should no buyer come forward during this period, and that
- meanwhile as far as the parish is concerned we will be reserving our position and wishing the owners every success in making a sale.

I would be grateful if you could confirm your receipt of this mail.

**Hugh Pidgeon**

*Chair, Sibford Gower Parish Council*

**From:** Henry Butt  
**Sent:** 16 October 2018 22:20  
**To:** Bob Neville  
**Subject:** Ref Applicaton 18/01501/F - Objection

Dear Bob,

I am writing to object to planning application 18/01501/F relating to the change of use of the property known as The Pheasant Plucker's Inn, Burdrop, Banbury, OX15 5RQ from A4 to C3.

This planning application appears to be yet another attempt by the applicant to de-license the former Bishop's Blaize public house, however there has been no change to the fact that the public house remains a viable business if it was actually run as a public house.

I also note that the application implies the public house is or has recently been for sale. As a resident of the Sibford area I have not seen any marketing material or signage to indicate this and an online search reveals no current listings for the property. This leads me to believe this statement is untruthful.

Please refuse this application.

Kind Regards,

Henry Butt

College Barn Farm,  
Sibford Gower,  
Banbury,  
Oxfordshire,  
OX15 5RY

---

**From:** East 1  
**Sent:** 19 June 2019 09:07  
**To:** East 2  
**Subject:** FW: The Pheasant Plucker/ Bishop Blaize Inn ref APP/C3105/W/18/3216818

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** [REDACTED]  
**Sent:** 19 June 2019 09:03  
**To:** [Bob.Neville@cherwellandsouthnorthants.gov.uk](mailto:Bob.Neville@cherwellandsouthnorthants.gov.uk)  
**Subject:** The Pheasant Plucker/ Bishop Blaize Inn ref APP/C3105/W/18/3216818

Date 19<sup>th</sup> June 2019

Dear Inspector Judith Birch,

I have been asked to send to you a copy of my son Michael Butt's objection to the appeal  
**The Pheasant Plucker/ Bishop Blaize Inn ref APP/C3105/W/18/3216818**

Michael says he fully supports all of the Councils statements (including Parish Councils) against a change of use and that the pub is ACV listed and should remain a public house, and as this matter has now been going on for nearly 13 years he has not been able to use the pub throughout the past 13 years.

Yours sincerely

Richard Butt on behalf of:

Michael Butt

College Barn Farm

Sibford Gower

Banbury OX155RY



Virus-free. [www.avast.com](http://www.avast.com)

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---



DYER FAMILY

Hill House

Sibford Ferris

BANBURY

Oxon

OX15 5RA

27.05.19

APP/C3105/W/18/321 68 18

Dear Sir or Madam

I am asking you to refuse the above appeal for the following reasons:

- On February 9<sup>th</sup> 2012 the owner of the Bishop Blaize was served with enforcement 12/00020/ECOU. Stating the owner could only live in the building if it was being run as a public house.
- On 18<sup>th</sup> April 2016 Cherwell district council placed the Bishops End AKA the Bishop Blaize on the councils list of community value (The List) under the assets of community value (England) (regulation 2012)
- No progress has yet been made.

Therefore the decision made by the planning inspectorate on 4th October 2012 should be upheld.

Yours sincerely

D. G. Dyer & Mrs S. B. Dyer

"CORNISA"

David Dyer

BELLE ISLE FARM

HOOK NORTON

OX15 5JJ

1 Briar Close  
Banbury

REF APP/C3105/W/18/3216818

Dear Sir

Although I do not Live in The village of Sibford my roots are there.....The Pheasant Pluckers Inn {It's proper name is the Bishops Blaize). was a central point in the Village.

It was sold to the Norquets to be a PUBLIC HOUSE. They made impossible to be that. By being unfriendly to the villagers...

Opening at funny hours.

THIS IS A VILLAGE INN. AND SHOULD MADE TO OPEN AS ONE OR SOLD TO PEOPLE WHO RETURN IT TO ONE

Yours Faithfully



Mrs E Boughton

## 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/18/3216818**

#### DETAILS OF THE CASE

Appeal Reference

Appeal By

Site Address

#### SENDER DETAILS

Name

Address

Company/Group/Organisation Name

#### 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

Appellant: Mr G Noquet

Proposal: Change of Use from Class A4 (ACV Listed) to Class 3 dwelling house

Location: The Pheasant Pluckers Inn, Burdrop, Banbury, OX15 5RQ

Parish: Sibford Gower

Appeal Reference: APP/C3105/W/18/3216818

Appeal Interested Parties Comments due: 21st June 2019

Following further consideration at our recent Parish Council Meeting held on 17/06/19, we wish to reaffirm our earlier position submitted to Cherwell District Council in regard to Planning Application 18/01501/F, dated 22/10/18, namely:

The two paragraphs (20 & 21) extracted from the Planning Balance section of the Appeal Inspector's Report (04/07/18) are taken out of context by ignoring the final paragraph within that section (para 22). The Inspector identified all three paragraphs as informing his overall Planning Balance, leading to his decision for refusal (para 23).

The Content of paras 20 & 21, previously identified, constitute an opinion, not a directive or requirement.

There is no requirement for a party to bid within the Moratorium period of the ACV, rather there is an opportunity.

Issues relating to the ACV Moratorium period are identified in the Chairman's letter, dated 22/08/18, addressed to Natalie Sanchez, Office of Community Infrastructure at Cherwell District Council, which afforded clarification and contributed to our understanding.

Positive community action is evidence through the written offers to purchase by the Bishop Blaize Support Group, most recently for £250,501.00 on 15/10/18.

The expert opinion contained in the Bruton Knowles Report (13/11/17) continues to be current and relevant in respect of long-term financial viability, and is so acknowledged in the Appeal Inspector's Report (para 19).

Further, we strongly support the recommendations identified in the Cherwell District Council Planning Officer's Report to the CDC Planning Committee Meeting held on 17th January 2019.

The Committee have unanimously concluded that there is no material change in circumstances to the Appeal. As such, they strongly recommend that the Appeal be refused.

---

**From:** East 1  
**Sent:** 20 June 2019 09:44  
**To:** East 2  
**Subject:** FW: BBSG representation and email url for P.I.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

-----Original Message-----

From: [REDACTED]  
Sent: 18 June 2019 11:41  
To: [east1@pins.gsi.gov.uk](mailto:east1@pins.gsi.gov.uk)  
Subject: BBSG representation and email url for P.I.

Please forward this representation on to Judith Birch @ the Planning Inspectorate.

Thanking you in anticipation

Representation to the Planning Inspector Judith Birch re the appeal made by G R Noquet re The Pheasant Plucker/  
Bishop Blaize Inn ref APP/C3105/W/18/3216818

Date 18th June 2019

The Bishop Blaize Support Group would 100% support and fully agree with the Cherwell District Councils reasons for reporting that they would have been refusing the planning application made by Mr Noquet for change of use of The Pheasant Plucker/ Bishop Blaize Inn mentioned in the attached document.

The Bishop Blaize Support Group would also 100% support and fully agree with the comments of the Sibford Gower PC and also the Sibford Ferris PC.

IN our opinion Mr Noquet is making a mis-interpretation of Planning Inspector David Murray's last report.

Mr Noquet has stated that the Pheasant Plucker/Bishop Blaize was for sale and no buying group came forward to make an offer! As far as the BBSG are concerned we were not made aware that the Pheasant Plucker/Bishop Blaize was on the market for sale! no adverts or for sale signs anywhere and no selling agent contacted us, however when we heard that the pub was for sale we immediately made an offer.(see below)

The Bishop Blaize Support Group have made two separate offers for the pub for around £250,501.00 the most recent was sent to G Noquet by the Royal Mail recorded delivery on the 15th October 2018 and was refused acceptance by him and eventually returned to the support group by the Royal Mail. This offer of £250,501 in effect values the Pheasant Plucker/ Bishop Blaize Inn at over £350,000 as the Pub would need at least £100,000,00 spending on it to bring it back to a useable Public House. We have attached sale details of three Public Houses to compare prices with, The Gate Inn recently sold in Brailes 2.5 miles away for £290,000.00 (which was an up and running Public House when sold) and the 3 Horse shoes Pub at Garsington, Oxon currently on the market at £360,000.00 also another up and running Pub The George and Dragon at Sutton Cortney Abingdon currently just put on the market at £375,000 which would indicate that our offer was probably more than The Pheasant Plucker/ Bishop Blaize Inn was currently worth.

The Pheasant Plucker/ Bishop Blaize Inn is currently listed as an ACV and as previously stated by a planning Inspector at a previous local planning appeal public hearing it would be unlikely to be a viable proposition run by Mr & Mrs Noquet.

The Bishop Blaize/Pheasant Plucker would however be a viable proposition with the correct management.

We wonder why Mr Noquet has made this appeal as the application for change of use was due to be heard by Cherwell District Council a few hours after the final date for determination. Mr Noquet was made aware of the fact that the hearing was not going to be within the time limit set for the hearing of the application well before the time expired and he made no comment back to CDC (or no objection to the 24 hour delay)

We stand by our objection to:

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

We would ask you to dismiss the appeal

Attached

1. Offer for the Public House
2. Details of the Gate Inn Brailes,
3. Details of the 3 Horse shoes Garsington Oxon
4. The George and Dragon Abingdon Oxon
5. The BBSG objection to 18/01501/F | Change of use from A4 to C3 (ACV Listed) | The Pheasant Pluckers Inn Street Through Burdrop Banbury OX15 5RQ
6. Committee refusal decision

Richard Butt Coordinator for the BBSG

<[https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.avast.com%2Fsig-email%3Futm\\_medium%3Demail%26utm\\_source%3Dlink%26utm\\_campaign%3Dsig-email%26utm\\_content%3Demailclient&data=02%7C01%7Ceast1%40planninginspectorate.gov.uk%7C0138b18c291246e9bed008d6f3d9d124%7C5878df986f8848ab9322998ce557088d%7C1%7C0%7C636964514875337023&sdata=8NHY1vsf3SAsPtrrTst%2FG5xwtpVJVCpFMieFPJAwQpk%3D&reserved=0](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.avast.com%2Fsig-email%3Futm_medium%3Demail%26utm_source%3Dlink%26utm_campaign%3Dsig-email%26utm_content%3Demailclient&data=02%7C01%7Ceast1%40planninginspectorate.gov.uk%7C0138b18c291246e9bed008d6f3d9d124%7C5878df986f8848ab9322998ce557088d%7C1%7C0%7C636964514875337023&sdata=8NHY1vsf3SAsPtrrTst%2FG5xwtpVJVCpFMieFPJAwQpk%3D&reserved=0)> Virus-free. [www.avast.com](http://www.avast.com)  
<[https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.avast.com%2Fsig-email%3Futm\\_medium%3Demail%26utm\\_source%3Dlink%26utm\\_campaign%3Dsig-email%26utm\\_content%3Demailclient&data=02%7C01%7Ceast1%40planninginspectorate.gov.uk%7C0138b18c291246e9bed008d6f3d9d124%7C5878df986f8848ab9322998ce557088d%7C1%7C0%7C636964514875337020&sdata=YtIJsE6osw9CtsuuZjbevazUhfbbHaiqzTcEZe63nLs%3D&reserved=0](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.avast.com%2Fsig-email%3Futm_medium%3Demail%26utm_source%3Dlink%26utm_campaign%3Dsig-email%26utm_content%3Demailclient&data=02%7C01%7Ceast1%40planninginspectorate.gov.uk%7C0138b18c291246e9bed008d6f3d9d124%7C5878df986f8848ab9322998ce557088d%7C1%7C0%7C636964514875337020&sdata=YtIJsE6osw9CtsuuZjbevazUhfbbHaiqzTcEZe63nLs%3D&reserved=0)>

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

---

**From:** East 1  
**Sent:** 18 June 2019 07:24  
**To:** East 2  
**Subject:** FW: ref APP/C3105/W/18/3216818  
**Attachments:** Henry Butt.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FAO Judith

---

**From:** [REDACTED]  
**Sent:** 17 June 2019 16:13  
**To:** [east1@pins.gsi.gov.uk](mailto:east1@pins.gsi.gov.uk)  
**Subject:** ref APP/C3105/W/18/3216818

## Urgent

Please forward to Judith Birch

Regards Richard Butt

---

**From:** [REDACTED]  
**Sent:** Monday, June 17, 2019 4:09 PM  
**To:** 'Alison.Kendall@pins.gsi.gov.uk' <[Alison.Kendall@pins.gsi.gov.uk](mailto:Alison.Kendall@pins.gsi.gov.uk)>  
**Subject:** ref APP/C3105/W/18/3216818

Representation to the Planning Inspector Judith Birch re the appeal made by G R Noquet re The Pheasant Plucker/ Bishop Blaize Inn ref **APP/C3105/W/18/3216818**

Date 17<sup>th</sup> June 2019

Dear Inspector Judith Birch,

I have been asked to send to you a copy of my son Henry Butt's objection to

The original planning application ref **18/01501/F** (attached to this email) and a further comment to the appeal that Mr. Noquet has made.

Henry says he fully supports all of the Councils statements (including Parish Councils) against a change of use and that the pub is ACV listed and has several people that I know of who would be prepared to purchase the Pub if it came on the market at a sensible price without any added incumbrances like a development clause of 50 or 80%

Yours sincerely

Richard Butt on behalf of:



Henry Butt

College Barn Farm

Sibford Gower



Virus-free. [www.avast.com](http://www.avast.com)

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

**From:** Henry Butt  
**Sent:** 16 October 2018 22:20  
**To:** Bob Neville  
**Subject:** Ref Applicaton 18/01501/F - Objection

Dear Bob,

I am writing to object to planning application 18/01501/F relating to the change of use of the property known as The Pheasant Plucker's Inn, Burdrop, Banbury, OX15 5RQ from A4 to C3.

This planning application appears to be yet another attempt by the applicant to de-license the former Bishop's Blaize public house, however there has been no change to the fact that the public house remains a viable business if it was actually run as a public house.

I also note that the application implies the public house is or has recently been for sale. As a resident of the Sibford area I have not seen any marketing material or signage to indicate this and an online search reveals no current listings for the property. This leads me to believe this statement is untruthful.

Please refuse this application.

Kind Regards,

Henry Butt

College Barn Farm,  
Sibford Gower,  
Banbury,  
Oxfordshire,  
OX15 5RY

## 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/18/3216818**

#### DETAILS OF THE CASE

Appeal Reference APP/C3105/W/18/3216818

Appeal By MR GEOFFREY RICHARD NOQUET

Site Address  
The Pheasant Pluckers Inn  
Burdrop  
BANBURY  
Oxfordshire  
OX15 5RQ

#### SENDER DETAILS

Name MR STEPHEN HOPKINS

Address  
Austins Ground Farm, Hook Norton Road  
Sibford Ferris  
BANBURY  
OX15 5QR

#### 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**

Is it really this easy to keep submitting applications and appeals to allay any enforcement action?

## 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/18/3216818**

#### DETAILS OF THE CASE

Appeal Reference APP/C3105/W/18/3216818

Appeal By MR GEOFFREY RICHARD NOQUET

Site Address  
The Pheasant Pluckers Inn  
Burdrop  
BANBURY  
Oxfordshire  
OX15 5RQ

#### SENDER DETAILS

Name PROFESSOR JOHN WASS

Address  
Holmby House  
Sibford Ferris  
BANBURY  
OX15 5RG

#### 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**

The Sibford Ferris Parish Council wish the Cherwell District Council to note that nothing has changed since the previous applications and appeals have been refused. It is believe that the applicant is living in breach of planning regulations and a previous court order.

Sibford Ferris Parish Council reiterate their previous comments and indicate their support for the previous refusal of the council to grant planning permission for this repeated attempt to change the pub into a private house.

The Sibford Ferris Parish Council remain of the view that this public house when functioning as such was a successful and important community asset.

---

**From:** East 1  
**Sent:** 19 June 2019 07:14  
**To:** East 2  
**Subject:** FW: ref APP/C3105/W/18/3216818

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FAO Judith

**From:** [REDACTED]  
**Sent:** 18 June 2019 22:38  
**To:** [east1@pins.gsi.gov.uk](mailto:east1@pins.gsi.gov.uk); [bob.neville@cherwell-dc.gov.uk](mailto:bob.neville@cherwell-dc.gov.uk)  
**Subject:** Fwd: ref APP/C3105/W/18/3216818

-----Original Message-----

**From:** atonyeileen [REDACTED]  
**To:** east1 <[east1@pins.gsi.gov.uk](mailto:east1@pins.gsi.gov.uk)[Bob.Neville](mailto:Bob.Neville)>  
**Sent:** Tue, 18 Jun 2019 22:32  
**Subject:** ref APP/C3105/W/18/3216818

Tony Haynes Representation to the Planning Inspector Judith Birch re the appeal made by G R Noquet re The Pheasant Plucker/ Bishop Blaize Inn ref **APP/C3105/W/18/3216818**

Date 18<sup>th</sup> June 2019

I Fully support Cherwell District Councils and both The Sibford Gower Parish Council and Sibford Ferris Parish Councils reasons for recommending a refusal to Mr Noquet's application for a change of use from A4 to C3 for the Pheasant Plucker Inn/Bishop's Blaize.

I also stand by my objection to his planning application for change of use copied below:

Date 11/10/2018

Tony Haynes Cubbs Cottage Sibford Gower

**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 CDC the agents detail handling the sale or indeed the asking price.

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

I would also add re the viability of any pub, that it is down to the person running the pub to make it viable and they have to be liked by the clientele!!

I would also add the pub has not been open since December 2017!!!

Please refuse the application.

Signed Tony Haynes

---

This email has been scanned by the Symantec Email Security.cloud service.

For more information please visit <http://www.symanteccloud.com>

---