

<u>Consultee</u>	<u>Date Sent</u>	<u>Expires</u>	<u>Reply</u>
Conservation (CDC)			14.11.2017
CAMRA	09.10.2017	30.10.2017	09.11.2017
Sibford Gower Parish Council	26.10.2017	09.11.2017	02.11.2017
Sibford Gower Parish Council	06.10.2017	27.10.2017	30.10.2017
Local Highways Authority (OCC)	06.10.2017	20.10.2017	24.10.2017
Thames Water	06.10.2017	27.10.2017	
Environmental Protection (CDC)	06.10.2017	20.10.2017	09.10.2017
Housing Standards (CDC)	06.10.2017	20.10.2017	

17/01981/F - the Pheasant Pluckers Inn, Burdrop - change of use from A4 to C3

Tue 14/11/2017 10:50

Dear Bob

Thank you for consulting the Design and Conservation Team on the above application.

The proposal relates to the change of use of the former public house to residential. It is noted that there is a substantial planning history relating to this issue stretching back to 2006. There is also clearly strong public opinion about the issue.

The building is an Asset of Community Value and is also of cultural value to the area. The original name for the public house, Bishop Blaize Inn, relates to the important wool industry in the settlement. The Sibford Ferris, Sibford Gower and Burdrop Conservation Area Appraisal describes the importance of the woollen industry and states *'It is therefore of no small surprise that the former public house, the Bishop Blaize at Burdrop is named after the patron saint of the weavers (St Blaise, 4th century martyr). Legend says that wool auction were held on Burdrop Green, outside the inn, which bars on its wall the date 1640'*.

The conservation area appraisal acknowledges the building as a non-designated heritage asset which makes a positive contribution to the area. In Features of special interest it acknowledges *'Former Bishop Blaize, Public House – as this building shows typical vernacular construction of the period'* and states *'The above buildings are undesignated heritage assets which contribute significantly to the conservation area'*. It also acknowledges the community function of the building and under 'Threats' includes *'Loss of local facilities such as the village pub and village hall which help reinforce Burdrop's identity as a separate hamlet, not just a residential suburb of Sibford Gower'*.

The proposed change of use of the property to residential is considered to cause harm to the character and appearance of Burdrop Conservation Area through the loss of the central community function played by the public house. The change of use also impacts on the physical characteristics of the property including the loss of signage and the lack of public / community features such as clear entranceway and public garden. This harm is existing, but relates to the lack of active use of the building as a public house and the significance could be reinstated if the building were to return to its current and original use.

There is not considered to be any public benefit to outweigh the harm to the character and appearance of the designated heritage asset of the Sibford Ferris, Sibford Gower and Burdrop Conservation Area nor the non-designated heritage asset of the Bishop Blaize (Pheasant Plucker's Inn) Public House.

Best wishes

Jenny Ballinger

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CAMPAIGN
FOR
REAL ALE

Mr Bob Neville
Bodicote House
Bodicote
Banbury
Oxfordshire

9 November 2017

Dear Mr Neville,

Your Ref: 17/01981/F Application for Change of Use of The Pheasant Pluckers Inn, Burdrop

I write on behalf of the North Oxfordshire Branch of CAMRA, the Campaign for Real Ale to express our objection to the planning application for Change of Use from A4 to C3 (ACV Listed) of The Pheasant Pluckers Inn, Street Through Burdrop, Burdrop, Banbury, OX15 5RQ.

We still consider that this could be a viable public house if it were being run as such. The pub, then called The Bishop Blaize, had been listed in the CAMRA Good Beer Guide in 2003, 2004, 2005 and 2006, the year that Mr and Mrs Noquet purchased it. It was a going concern, popular with the village and with others from the villages around.

The more recent renaming and re-opening has been done in such a way as to deter anyone from visiting. There is nothing outside the property to advertise it is a public house, nor is there anything that advertises that the property is for sale. It now looks, as Mr and Mrs Noquet consider it to be, a private house. We do not believe that the current owners have proved that this is not a viable public house; they have only proved that if you over-value a public house it is not then possible to sell it as such.

There have been offers made to purchase the pub and run it but these have been declined as the owners are determined that they will not take any offers that are not at the valuation they have received. We would suggest that the offers were made by those who have experience of the licensed trade in the local area and that they were reasonable offers.

We would ask that the Council refuse this application for change of use as they have previous applications on the grounds that nothing has changed; this property is a viable public house and should be in use as such.

Yours sincerely,
Sarah Durham
Secretary – North Oxfordshire Branch of the Campaign for Real Ale

CHERWELL DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION – PLANNING APPLICATION

Application No: 17/01981/F

Date of Letter: N/A

Location: The Pheasant Pluckers Inn, Burdrop

COMMENTS FROM SIBFORD FERRIS PARISH COUNCIL

Dear Sirs

With regard to the application for a change of use from A4 to C3, the Parish Council has not changed its general view that this public house when functioning as such was a successful and an important community asset and its current Category A4 should be retained.

However, with regard to specific claims made in this application, that the business is neither viable nor economic to sell, In the absence of publicly available accounts and other relevant financial information, the Parish Council does not believe it is possible to form an opinion, and believes the application should be withdrawn.

Yours faithfully

Anita Spencer
Clerk
Sibford Ferris Parish Council
30.10.17

TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION – PLANNING APPLICATION

CHERWELL DISTRICT COUNCIL

Case officer: Bob Neville

Date: 06.10.2017

Application No.: 17/01981/F

Applicant's Name: Mr Geoffrey Richard Noquet

Proposal: Change of use from A4 to C3 (ACV Listed)

Location: The Pheasant Pluckers Inn Street Through Burdrop 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:

- ~~The Town/Parish Council wishes to raise no objections to the application and has no further observations.~~
- ~~The Town/Parish Council wishes to raise no objections to the application and makes the following observations:~~
- 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 response

PLANNING, HOUSING & ECONOMY				
HDCM	PLANNING	EDP	RES	CHS
02 NOV 2017				
PLANNING		COPY TO		
ACT	FILE			

Signed: 

(P. B. HARDMAN)
CHERWELL

Clerk/Correspondent.

On behalf of: Sibford Gower Parish Council

Date: 31.10.17

Planning Application 17/01981/F: Response by Sibford Gower Parish Council

This application was briefly discussed at a Parish Council meeting on 9th October 2017, on the basis of which a preliminary response was drafted and discussed at a Planning Subcommittee on 30th October. At the latter meeting there were present four councillors, the Clerk and sixteen local inhabitants, including the applicants. Parishioners were given the opportunity to speak, and two did so; the chairman also asked questions of the applicants for clarification and invited them to reply. As a result we make this response.

Sibford Gower Parish Council wishes once again to object to the application for change of use on the Pheasant Pluckers Inn (late Bishop Blaize) from A4 to C3 residential use, for the following reasons:

There have been nine refusals of previous applications for change of use on this property since 2006; two have gone to appeal (2013 and 2014) and have been rejected each time by the Inspectors. In addition the owners were on 29th Sept 2014 convicted in court of failure to comply with a valid order to cease to use the property for solely residential purposes. They continue to defy this court order.

The property has been subject to an ACV designation since Feb 2016, which precludes change of use. In order to challenge this, the owners put forward two arguments:

1. The property is unsaleable as a public house.

Response: The record of their recent attempts to market the property is curious. In May 2017 they provided evidence in the form of an email from their agent Sidney Phillips that during the twenty months it was on sale from October 2015 to May 2017 there had indeed been one inquiry, but not a single request to view (Complaint of Councillor Misconduct: 11 May 2017 by Mrs Noquet against Councillor Murray). In the last four months by contrast they appear to claim that there were 32 viewings and four offers. They should be asked to explain this strange disparity.

In 2012-3 the value of the property was established in two public inquiries, and agreed by professional valuers representing both sides to be between £240/275,000 (for the Council) and £262,000 (for the appellants: APP/C3105/A/13/2190714). The four offers received by the Noquets in the last months confirm these valuations: all offers were £300,000 or less.

It is therefore clear that the asking price of £395,000 overvalues the property by at least £100,000. It has not been accepted by the open market, and we question whether it was ever so intended. The claim that their agents have supported this price, if true, suggests that they are out of touch with the local market.

It was for this reason that the community of the Sibfords did not think it worth proceeding to mount an offer to purchase under the ACV procedure, until the owners indicated that they were willing to accept a realistic market price.

We also draw attention to the recent experience of a very similar property, the Chandlers Arms in Epwell. This was purchased in Sept 2013 in a run-down state for £215,000. It was completely refurbished for approximately £190,000, and was sold in 2016 as a going concern with considerable goodwill for £395,000. In the meantime the dynamic owners had achieved a weekly turnover of £7,000 and in 2016 an annual certified turnover of £366,718, with an annual profit of £72,534.

This example demonstrates that the Pheasant Pluckers would be currently viable, and might indeed achieve a sale price close to their desired figure, if the owners were minded to run it as a public house.

But the pub is closed and (according to their agents) no longer on the market. The owners seek the same price as the Chandlers Arms for a property without certified accounts, no longer trading, without goodwill and requiring considerable renovation to make it operational. This is clearly an unrealistic offer for sale.

The applicants were invited to comment on the fact that they had provided no documentary evidence of the price that their agents had suggested for the property, and had refused to respond to the request of Cherwell District Council for supporting evidence of viability studies, detailed financial records, valuations, viewings and marketing exercises (Mr Neville's email of 9/10/17). They simply repeated that any such evidence was available privately to individuals under strict conditions. In our opinion this amounts to a refusal to make a full disclosure of all evidence in support of their application. This means that there is no possibility of assessing the validity of their statements, and that therefore the application should fail.

2. Public Meeting 20th June 2016:

The public meeting called by the chairmen of Sibford Gower and Sibford Ferris Parish Councils was intended to gauge the extent of support for the ACV, and to discuss various ancillary activities that might be run alongside a reopened pub in order to assess their usefulness in relation to existing village operations. The description offered by the applicants completely misrepresents the discussions that took place. These ended with a unanimous endorsement by approximately 100 residents of continuing to press for the reopening of the public house as an Asset of Community Value, and the formation of a group of volunteers to take this matter forward if and when a realistic opportunity for purchase arose. We also rather naively hoped that the owners might take up some of these ideas, if they genuinely wished to reopen the pub.

In one respect the comments of Mrs Noquet appear to be correct (5.5). She states that she was approached after the meeting by a man with a proposal of accommodation between the parties involved. In fact in early May 2016 the Chairman of Sibford Gower had indeed been approached by an occasional resident in the village with such a proposal. The chairman formed the opinion that proposal seemed both illegal and immoral, and anyway lay outside the powers of the Parish Council: he therefore declined to present it to the PC or permit it to be discussed at the forthcoming meeting. The approach to Mrs Noquet, while it may well have happened, is therefore a personal initiative (as the individual seems to have stated to Mrs Noquet), not supported by anyone else in the community.

LOCAL HIGHWAY AUTHORITY CONSULTATION

through Area Liaison Officer

PART I: APPLICATION DETAILS

to be completed by Area Planning Officer

District Planning Authority: Cherwell District Council	Case Officer: Bob Neville	Application No: 17/01981/F
Parish(es), Location and brief description: Sibford Gower The Pheasant Pluckers Inn Street Through Burdrop Burdrop Change of use from A4 to C3 (ACV Listed)		
Date referred to Area Liaison Officer:		10.10.17

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:

1) S.C. DIA 'mo'

NB Proposal is for the conversion of the building to one small bed-room dwelling

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:
	24/10/17
for the County Council	

17/01981/F - The Pheasant Pluckers Inn Street Through Burdrop Burdrop Banbury OX15 5RQ

Mon 09/10/2017 11:43

This department has the following response to this application as presented:

Noise: No comments

Contaminated Land: No comments

Air Quality: No comments

Odour: No comments

Light: No comments

Kind Regards

Neil Whitton
Environmental Protection Officer
Cherwell District Council and South Northamptonshire Council