

<b><u>Consultee</u></b>	<b><u>Date Sent</u></b>	<b><u>Expires</u></b>	<b><u>Reply</u></b>
Environmental Protection (CDC)	08.11.2016	22.11.2016	17.11.2016
Sibford Gower Parish Council	25.10.2016	15.11.2016	16.11.2016
Local Highways Authority (OCC)	25.10.2016	08.11.2016	24.11.2016
Archaeology (OCC)	25.10.2016	15.11.2016	31.10.2016
Conservation (CDC)	25.10.2016	08.11.2016	24.11.2016

Dear Bob,

I have no objections to this application but would mirror Trevor's comments on the previous application that in view of the potential impact of noise from the public house on the proposed development it is recommended that any such development, if approved, should be tied to the public house and used only as short term holiday lets or as letting rooms. Conversely there are also the potential impacts on the ability of the public house to develop without unreasonable restrictions being imposed as a result of the proposed development being present if approved, contrary to paragraph 123 of the National Planning Policy Framework.

This side to the potential noise and disturbance from patrons arriving and departing as the proposed development is in the car park of the public house. In addition there may be noise and odour disturbance from plant related to the pub that whilst being acceptable for short term lets may prove to be a problem if it were to become a residential property.

Kind Regards

Neil Whitton

Environmental Protection Officer

Cherwell District Council and South Northamptonshire Council

Tel - 01295 221623

Email - [Neil.Whitton@cherwellandsouthnorthants.gov.uk](mailto:Neil.Whitton@cherwellandsouthnorthants.gov.uk)

**From:** Oswyn Murray  
**Sent:** 06 December 2016 16:25  
**To:** Bob Neville  
**Cc:** Councillor George Reynolds; Sibford Gower PC  
**Subject:** 16/01525/F Pheasant Pluckers

Dear Mr Neville

Here are the comments of Sibford Gower PC on this application as agreed by our Planning Sub-Committee last night. I confirm that I will be applying to speak to this matter at the meeting on 15th December.

Yours sincerely

Oswyn Murray

Chair of Sibford Gower Parish Council

Oswyn Murray, Glebe Farm, Sibford Gower, Banbury OX15 5RT  
Tel: 01295-780723

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**16/02030/F The Pheasant Pluckers Inn, Burdrop, Sibford Gower  
Comments of Sibford Gower Parish Council**

From the records it appears that in the last ten years there have been 18 planning applications on this property and 10 appeals, together with two full-scale planning appeals. 9 of these applications have been for change of use of the property to residential use. We question whether this constitutes a vexatious abuse of planning procedures.

There have been 7 applications for building on the car park: it has been clear from this that the applicants seek to develop the car park, in order to profit from creeping development and to reduce the viability of the public house.

Nevertheless In 2013 the Parish Council supported a retrospective application for a holiday cottage, with a condition that it was used in conjunction with the reopening of the pub (13/00116/F). We felt that, despite the application resulting from the unauthorised rebuild of a shed at a considerably larger size, on balance the result would be beneficial to the community, provided the holiday cottage remained within the curtilage of the public house and helped to encourage its reopening. The owners promptly applied for the removal of the holiday letting condition. Since then in the last three years there has been no attempt to reopen the property as a public house; on 29<sup>th</sup> September 2014 the owners were convicted of failing to comply with a valid Enforcement Order to cease to live in the property as a private house; they continue to ignore this conviction. We are informed by the Cherwell Enforcement Officer Michelle Jarvis that the current use of the property as an occasional restaurant is an illegal change of use and does not constitute a reopening of it as a public house as required. Those who have visited the premises complain of erratic opening times, the limited choice of drinks and the absence of a bar: they regard the operation as an attempt at a ruse to avoid the planning rules. We would oppose any application for a change of use to a restaurant on the grounds that the current unauthorised use is in direct competition with the existing Wykham Arms. Our information is that Cherwell legal services are considering taking action.

The Parish Council is firmly of the opinion that this application should be rejected on the following grounds:

1. The development proposed is on the car park of the former public house, which has been accepted by all parties to be an intrinsic part of the curtilage of the public house in a series of Public Inquiries and Appeals from 2012 onwards (APP/C3105/C/12/2170904; APP/C3105/A/13/219074; APP/C3015/C/13/2207390; APP/C3015/W/15/3136680). In all of these it has been recognised that the car park is essential to the future opening of the public house, since without its unencumbered use the pub would find it difficult to attract business from a wider area. As such the car park was included in the successful application by Sibford Gower Parish Council in 2016 for the property to be listed as an Asset of Community Value. On 20th June 2016 a public meeting of over a hundred inhabitants of the three villages of the Sibfords and Butdrop supported the aim of a community purchase of the property; plans for this are currently being pursued.
2. The car park lies at the centre of the conservation area between the two villages of Sibford Gower and Sibford Ferris in a prominent position. Whereas the previous

cottage was created on the footprint of an existing shed, this proposal constitutes a new building without justification in a conservation area, which would seriously affect the amenities of neighbouring properties and damage the conservation area. The proposed building is within the Sibfords Conservation Area; it does not satisfy the legal requirement 'to preserve or enhance the character of the Conservation Area.' Indeed the Conservation Plan for the Sibfords published in 2012 by Cherwell District Council identified the Sibford Gap between the two villages of Sibford Gower and Sibford Ferris as an essential feature to be protected against all intrusion on 'the inherent visual aesthetic of the Sib valley', and warned that 'housing infill and "settlement building creep" should be resisted' (section 8). A number of earlier historic applications to build in the Sibford Gap had already been refused for similar reasons.

3. The building itself is sub-standard in design and not likely to be viable as an attractive holiday letting property, since it consists of three small horseboxes without amenities apart from a shower room/toilet, facing on to a car park. Such accommodation would be more suitable for overnight stays at a motorway service station than as holiday accommodation.

We note also the recent appearance of some highly obtrusive signage within the conservation area, for which permission does not appear to have been obtained from Cherwell DC.

4. The case for the proposal has not been made out on business grounds; indeed the incomplete accounts provided seem to have the dual purpose of proving the non-viability of the proposal in order to support their declared intention to renew an application for change of use to residential. The owners claim that the property has been on the market without success, but our information is that the asking price is too high, and that prospective purchasers have been deterred by the owners from viewing the property.

**16/02030/F The Pheasant Pluckers Inn, Burdrop, Sibford Gower**

**Comments from Sibford Ferris Parish Council**

The Parish Council wishes to object to the above application and makes the following observations:

- It has not been demonstrated by the applicant that the Pheasant Pluckers Inn is being run as a viable public house.
- Construction in the car park to the public house would remove parking spaces from the public house which, in the view of the parish council, would be detrimental to its future viability.

Anita Spencer  
Clerk  
16.11.2016

**From:** Bbosa, Rashid - E&E [<mailto:Rashid.Bbosa@Oxfordshire.gov.uk>]  
**Sent:** 24 November 2016 12:59  
**To:** Bob Neville  
**Subject:** Ref: 16/02030/F - The Pheasant Pluckers Inn Burdrop Banbury

Hi Bob,

Please find observations I wish to make regarding the application referenced below;

### Application Summary

**Reference:** 16/02030/F

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

**Proposal:** Erection of a single storey building providing 3 No en-suite letting rooms - re-submission of 16/01525/F

**Recommendation:** No Objection. Oxfordshire County Council as Local Highway Authority do not wish to object to the grant of planning permission hereby sought, making observations that the proposals would not have a significant detrimental impact on highway safety and traffic movement.

### Comments

First, I would like to point out an inconsistency in the supporting statement accompanying this application. I notice that paragraph 3.2 of the statement suggests that the footprint of the proposed structure shall be over part of the a private garden whereas Paragraph 4.3 states that the proposed building shall be in the pub's car park. Clarification on this needs to be made. However, for this consultation I shall lean on the worst case, thus assuming that the proposals shall sit within an existing car park.

My understanding is that the proposal is not likely to affect the parking provision much as it shall be sited within the car park. The application form (section 10) indicates that there are 20 existing and 20 proposed after the development.

The question is really, whether an additional 2-3 vehicles (as a result of the development) could be accommodated safely in nearby roads. That being said, I remain of the opinion that any overflow parking can be accommodated and would not have a severe impact on road safety. I now appreciate that the land actually is in use as a pub car park.

Whether 20 spaces is adequate for the viability of the pub is something we cannot really comment on. Based on this, I wish to raise no objection from a Highways and Traffic movement perspective.

Should you wish to clarification please do not hesitate to contact me.

Kind regards,

Rashid

**Rashid Bbosa**

Transport Engineer - Transport Development Control

Cherwell and West Localities Team - Oxfordshire County Council

County Hall

New Road

Oxford OX1 1ND



**From:** Bbosa, Rashid - E&E [<mailto:Rashid.Bbosa@Oxfordshire.gov.uk>]  
**Sent:** 01 December 2016 13:20  
**To:** Bob Neville  
**Subject:** RE: 16/02030/F - The Pheasant Pluckers Inn Burdrop Banbury

Hi Bob,

Thanks for clarifying the location of the building. May I equally clarify that part of my assessment was based on a site visit, for which I observed a single vehicle parked on Hawkes Lane, to the west of the site, and about 3-4 fronting the dwellings across the green space north of the site. Although I should point out that my visit was outside of the local network peak times. Desk study shows that all this area around the green is highway verges for which in a rural setting occasional parking is not restricted.

I hope you find this helpful.

Kind regards,

Rashid.

**Rashid Bbosa**

Transport Engineer - Transport Development Control

Cherwell and West Localities Team - Oxfordshire County Council

County Hall

New Road

Oxford OX1 1ND

Mobile: 07917 53 4264

**From:** Bob Neville [<mailto:Bob.Neville@cherwell-dc.gov.uk>]  
**Sent:** 01 December 2016 10:41  
**To:** Bbosa, Rashid - E&E  
**Subject:** FW: 16/02030/F - The Pheasant Pluckers Inn Burdrop Banbury

Rashid

Further to my email below, have you any further comments to make on this one? As I am currently preparing my report for this application, which is due tomorrow.

Regards

**Bob Neville MSc**

Senior Planning Officer

Development Management

Cherwell District Council

Ext: 1875

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[Mailto:robert.neville@cherwell-dc.gov.uk](mailto:robert.neville@cherwell-dc.gov.uk)

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**From:** Bob Neville  
**Sent:** 25 November 2016 08:41  
**To:** 'Bbosa, Rashid - E&E'  
**Subject:** RE: 16/02030/F - The Pheasant Pluckers Inn Burdrop Banbury

Hi Rashid

Just to confirm the proposed building is predominantly to be located within the existing car park; part of it would be on an existing fenced off garden area and part within the car park.

I would have concerns with regard to the suitability of the surrounding roads for over-spill on-street; could you confirm whether your assessment is based on a desk study or site visit so that I am clear when responding to the objections that I have received in this respect.

Regards

**Bob Neville MSc**

Senior Planning Officer

Development Management

Cherwell District Council

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From: Archaeologydc - E&E  
Sent: 31 October 2016 10:32  
To: Planning  
Subject: RE: Planning Application Consultation - 16/02030/F

16/02030/F - The Pheasant Pluckers Inn Burdrop

Dear Sir or Madam

The above proposal would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

Regards

Richard

Richard Oram  
Planning Archaeologist

Archaeology  
Planning Regulation  
County Hall  
New Road  
Oxford  
OX1 1ND

**From:** Rose Todd  
**Sent:** 24 November 2016 17:18  
**To:** Bob Neville  
**Subject:** RE: THE PHEASANT PLUCKERS INN : 16/02030/F

The design of the proposed building is both unacceptable and uninspiring. There is nothing that reflects the local built heritage in respect to inns or their ancillary buildings. May I suggest the applicant takes the following buildings as potential inspiration:

18<sup>th</sup> century stable building at College Farm in Wendlebury



18<sup>th</sup> century stable building North Arms Wroxton



In the case of the Wroxton building the idea would be to have a single external door to a lobby with rooms off.

I recommend that the current application is withdrawn or refused as contra to policies ESD15 and NPPF 131 – fails to make a positive contribution to local character and distinctiveness. It is also recommended that the applicant engage in pre-app discussions.

Dr Rose Todd

Senior Conservation Officer  
Design & Conservation Team  
Development Management  
Cherwell District Council  
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**From:** Rose Todd <[Rose.Todd@Cherwell-DC.gov.uk](mailto:Rose.Todd@Cherwell-DC.gov.uk)>  
**Sent:** 25 November 2016 14:52  
**To:** [geoffnoquet@hotmail.com](mailto:geoffnoquet@hotmail.com)  
**Cc:** Bob Neville  
**Subject:** FW: THE PHEASANT PLUCKERS INN : 16/02030/F

Dear Mr Noquet

Thank you for your observations.

Regards your proposed residential building it was no so much the scale that I was alluding as the design of the building.

It is always good to do a bit of research when looking for inspiration; I trust a tour of the district looking at other historic stable and ancillary buildings might assist you in your quest for an acceptable design to you proposed building.

Kind regards

Rose Todd

Dr Rose Todd

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**From:** Bob Neville  
**Sent:** 25 November 2016 11:28  
**To:** Rose Todd  
**Subject:** FW: THE PHEASANT PLUCKERS INN : 16/02030/F

**From:** geoff noquet [<mailto:geoffnoquet@hotmail.com>]  
**Sent:** 25 November 2016 11:05  
**To:** Bob Neville  
**Subject:** Re: THE PHEASANT PLUCKERS INN : 16/02030/F

Dear Mr Neville,

Is Dr Todd's being serious or am I missing something?

I am more than happy to replicate the monstrosity of a Stable Building pictured at College Farm and can submit revised plans by Monday if you actually think that type of structure would be an improvement on mine. Alternatively I can build something like the structure at the North Arms in Wroxton. However I would point out that both are much higher and larger than my proposal but that would be an advantage and enable me to increase the size of the rooms.

In regard to Mr Butt, if you think it is alright for him to constantly question my honesty then my understanding of the libel laws is obviously wrong.

In regard to planning issues in the Main the objectors have implied that parking would not be adequate, there are no Objections from the Highway Authority.

Kind Regards



**Geoff Noquet**