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Dear Kate,

RE: Section 73 Application - Nightingale Farm

This letter accompanies a Section 73 application seeking to vary Condition 1 of planning permission ref. SP/53/99, which related to the conversion of an agricultural building to stabling at Nightingale Farm, Sincox Lane, Shipley.

The condition currently restricts the use of the building to equestrian purposes only. The purpose of the Section 73 application is to remove that limitation and replace it with a more neutral position, allowing equestrian use, agricultural use, or any other use that would otherwise be permitted by the General Permitted Development Order.

The intention is not to secure, nor to pre-judge, any form of residential use of the building. In particular, this application is made entirely without prejudice to any future proposal to convert the building under Class Q. Varying or removing the condition would not imply that the Local Planning Authority accepts that the building qualifies for Class Q conversion, nor would it fetter the Authority's ability to assess that question in the normal way.

Rather, the objective is simply to allow the proper debate about the lawful use and status of the building to take place without the impediment of a restrictive condition that no longer appears to serve a clear or necessary planning purpose.

As things stand, the condition operates as a barrier to that discussion, rather than as a control that delivers a definable planning benefit.

In that sense, the Section 73 application is a procedural step intended to regularise the position and clarify the planning baseline, rather than to secure any particular form of redevelopment.

Yours sincerely,



Steve Hesmondhalgh BA(Hons) MRTPI
Managing Director
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