



Planning

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Mrs Deborah Baker Barnett
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Date: 22 April 2024

Dear Sir/Madam,

Application under Section 96a of the Town & Country Planning Act 1990 (as amended) for a Non-Material change to a planning permission

Application No: 139830/NMC/2024

Description: Non Material Amendment to planning permission referenced 138348/FO/2023 to allow changes to the wording of conditions 29 (affordable housing) and 30 (use) to allow an updated Affordable Housing Scheme and to widen the definition of Use Class C3

Location: 112 Kenyon Lane, Manchester,

I refer to your application for a non-material amendment to planning permission reference 138348/FO/2023.

The proposed amendment relates to changes to the wording of condition 29 to allow for an updated affordable housing scheme and to condition 30, to include use Class C3b into the definition of the authorised use of the development.

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed change will not result in any significant or material alterations to the host planning permission.

Therefore I can confirm that the proposed amendments are hereby **approved**.

It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 138348/FO/2023. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to approval 138348/FO/2023 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended conditions also now apply:

29) The development hereby approved shall be carried out in accordance with the Affordable Housing Scheme prepared by Housing 21, received by the City Council, as Local Planning Authority on 19 April 2024 subject to the following exceptions:

1. The affordable housing scheme and the requirements of this condition shall not be binding upon a mortgagee, chargee or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (however appointed) including a housing administrator (each a receiver) of the whole or any part of the affordable housing or any persons or bodies deriving title through such mortgagee or chargee or receiver;

2. The affordable housing scheme and this condition shall cease to apply (and shall be of no further effect) to any dwelling that has been acquired by an individual owner/purchaser and/or their mortgagee OR any dwelling in respect of which a statutory or voluntary right to buy or acquire has been exercised.

29.1 This condition shall not be binding on any purchaser or persons or bodies deriving title from any of the parties referred to at 29.1 or 29.2 above (whether immediate or subsequent).

Reason - To contribute to the delivery of affordable housing, pursuant to policy H8 of the Manchester Core Strategy and to allow for appropriate exceptions.

30) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the apartments hereby approved shall not be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a) and/or C3(b).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework (NPPF).

Should you wish to discuss the matter further, please contact Steven McCoombe using the details above.

Yours faithfully,



Julie Roscoe
Director of Planning, Building Control & Licensing