

18th April 2024

Steven McCoombe
Planning
Manchester City Council
PO Box 532
Manchester
M60 2LA

Dear Steve,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING PORTAL REFERENCE PP- PP-12985201
NON-MATERIAL AMENDMENT APPLICATION FOR THE VARIATION OF CONDITIONS ATTACHED TO
APPLICATION REF 138348/FO/2023
112 KENYON LANE, MANCHESTER

This application is submitted on behalf of Adelphi (Kenyon Lane) Developments Limited and Housing 21. The application seeks very minor changes which have arisen at the request of the registered provider. Changes are to be secured via the amendment of conditions attached to application ref 138348/FO/2023 which was granted on 22nd December 2023 for the following:

Erection of 4 storey building to form 37 residential apartments (Use Class C3) with associated car parking, amenity space and access

The suitability of a Section 96a application has been agreed with officers, as the proposed amendment to the conditions would not change the nature of the scheme in any way.

Condition 29

Wording

A revised form of words is sought for condition 29. Instead of the current wording, the following is sought:

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 [date] 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.'

Replacement Affordable Housing Scheme

A further alteration which is sought in relation to condition 29 is the replacement of the existing Affordable Housing Strategy with the Updated Affordable Housing Scheme which forms part of this submission.

Condition 30

We are seeking the addition of the phrase '**and/or C3(b)**' to the end of the condition. The existing condition is set out as follows, with the addition shown in bold:

*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)**.*

I look forward to hearing from you in due course.

Yours sincerely,



Deborah Baker Barnett
Associate Director