14 July 2026
L260714 S73 Cover Letter

Julie Roscoe
Director of Planning, Licencing and Building Control
Manchester City Council

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**SUBMITTED VIA PLANNING PORTAL REFERENCE: PP-15030815**

Dear Mrs Roscoe,

**SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**
**APPLICATION TO VARY CONDITIONS 2, 6, 8, 9, 10, 12, 14, 18 and 23 ATTACHED TO PLANNING PERMISSION REFERENCE 140907/FO/2024**
**HATCH COURT, 103 OXFORD ROAD, MANCHESTER, M1 7ED**
**APPLICATION BY STACK (MANCHESTER) LIMITED**

We write on behalf of our client, Stack (Manchester) Limited, to apply for amendments to conditions imposed on Permission Reference 140907/FO/2024 .

The proposal seeks to amend details approved as part of a permission for a new STACK food and beverage market hall social and entertainment venue that has been approved in the location of the former Hatch venue on Oxford Road. At the same time, information is submitted to turn pre-commencement conditions into compliance conditions to enable a start on site in September this year.

In accordance with the Town and Country Planning (Development Management Procedure) Order 2015, the documents which comprise the application include the following:

- This covering letter
- The completed application forms
- Condition 1 – the following drawings:
  - 1162-EW-EX-000 Rev PL02 – Site Location Plan
  - 1162-EW-[00]-001 Rev PL03 – Existing Site Layout
  - 1162-P0-[20]-000 Rev PL10 – Proposed Floor Plan – Ground Level
  - 1162-P0-[20]-001 Rev PL05 – Proposed Ground Floor Accommodation Plan
  - 1162-P1-[20]-100 Rev PL10 – Proposed First Floor Plan
  - 1162-P1-[20]-101 Rev PL05 – Proposed Upper Floor Accommodation Plan
  - 1162-EL-[00]-210 Rev PL05 – Proposed West Elevation (Oxford Road)
  - 1162-EL-[00]-211 Rev PL06 – Proposed South Elevation
- Condition 6 – Acoustic Assessment Report
- Condition 8 – the following:
  - Waste Management Strategy
  - Drawing: 85453 CUR XX 00 D TP 06001 Rev P05 – Waste Management Strategy
- Condition 10 – Ground Investigation Report
- Condition 12 – Construction Phase Plan
- Condition 18 – the following drawings:
  - 1162-P0-[20]-004 Rev PL02 – Ground Floor Soft Landscape Layout
  - 1162-P1-[20]-005 Rev PL01 – First Floor Soft Landscape Layout
- Condition 23 – Schedule of External Materials (Rev P01)

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As the application has been submitted online, payment has been made via the Planning Portal.

The changes relate to the following conditions on Permission Reference 140907/FO/2024:

- Condition 1:

  The layout and appearance of the proposed development have been updated to reflect water main and electrical cable easements. The layout has therefore been designed in accordance with the requirements of these statutory undertakers. This has resulted in reducing the number of bars and foodstalls and relocating the stage and seating areas and the external elevation layout has been reconfigured to reflect new access points and the way that internal uses will present.

  The proposal remains a high quality food and beverage market hall provision that reflects the container-style design ethos that is already supported for use under the A57(M).

  We therefore request the approved plans list is updated to reflect the submitted plans.

- Condition 6:

  Part (a) of Condition 6 requires a noise study. Included with the submission is a Noise Impact Assessment that assesses the noise from the proposed venue and demonstrates that the noise emissions will comply with the levels required in Condition 6(a) and that therefore, no significant effects are expected on local sensitive noise receptors.

  We therefore request that in line with the findings of the Noise Impact Assessment, Condition 6 is updated as tracked as follows:

  *6) a) ~~Prior to the commencement of the development, a noise study to acoustically insulated and limit the break out of noise from the premises and a scheme of acoustic treatment, shall be submitted to and approved in writing by the City Council as local planning authority~~The development shall be carried out in accordance with the requirements of the Noise Impact Assessment, dated 9 July 2026 and referenced 794-ENV-ACO-21426.*

  *~~The scheme shall be implemented in full before the use commences.~~*

  *Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.*

  *b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved ~~acoustic consultant's report~~Noise Impact Assessment. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.*

- Condition 8 is a compliance condition in relation to an approved Waste Management Strategy. As the layout has been updated, so have the details in the Waste Management Strategy and we therefore request that the condition is updated with the following tracked changes:

  *The scheme for the storage and disposal of refuse as detailed within the Waste Management Strategy, received 14 July 2026 and Drawing: 85453 CUR XX 00 D TP 06001 Rev P05 – Waste Management*

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*Strategy, and shall be implemented and be in place prior to the first use of the development and shall remain in situ whilst the use or development is in operation.*

- Condition 9 requires an Air Quality Assessment prior to development commencing. The site is in a sustainably located city centre location that is accessible by a wide range of transport modes and is located in close walking distance from the MetroLink on St Peter's Square and Oxford Road Station as well as multiple bus stops that are located along Oxford Road. The site is within easy walking distance of surrounding residential areas and cycling to the site is a viable option. Further, the proposed development replaces an existing similar type of facility.

  Given the nature of the use as a food and beverage market hall style use, it is a destination that will principally be accessed by sustainable, public and active travel modes. The proposal is not considered to be one that will trigger the need to review air quality in the area and we therefore requested that Condition 9 is removed.

- Condition 10 requires a site investigation and remediation measures. A Ground Investigation Report is submitted and concludes that no further work is required other than materials for the pipework and the removal and decommissioning of Site Investigation Monitoring Wells. It is suggests that is soils are re-used then a Materials Management Plan should be enacted.

  With the above in mind, we request that Condition 10 is amended as tracked as follows:

  *10) a) ~~Before the development hereby approved commences, a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) shall be submitted to and approved in writing by the City Council as local planning authority~~The development shall be carried out in accordance with the Ground Investigation Report, dated 9 October 2025 and submitted on 14 July 2026.*

  *~~b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.~~*

  *b) Prior to the re-use of any soils on site, a Materials Management Plan shall be submitted to and approved in writing by the City Council as local planning authority.*

  *c) If soils are re-used on site and prior to the occupation of the development, verification of the earthworks and Material Management shall be submitted to and approved in writing by the City Council as local planning authority.*

  *In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the ~~Revised~~ Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the ~~Revised~~ Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier ~~Revised~~ Remediation Strategy.*

  simply to Condition 5 of the Permission. The Condition requires details of a scheme of intrusive site investigations to establish the risks posed to the development by past coal mining activity; and any remediation works and / or mitigation measures to address land stability arising from coal mining legacy.

- Condition 12 requires a Construction Management Plan prior to commencement of development. Enclosed is a Construction Phase Plan. We therefore request that Condition 12 is amended to a compliance as follows:

*The development shall be carried out in accordance with the submitted Construction Phase Plan, dated 13 July 2026.*

- Condition 14 provides the ground floor plan and requires compliance with it for the delivery of cycling spaces. As the ground floor layout has been updated, so has the location of the cycle parking spaces. We therefore request that the condition is updated as follows:

*14) They cycle parking spaces as shown on drawing no ~~1162.1-P0-(20)-000.2 PL05~~ 1162-P0-[20]-000 Rev PL10 shall be made available for use prior to the occupation of the development and shall be retained and maintained thereafter for the lifetime of the development.*

- Condition 18 requires details of the landscaping scheme prior to the commencement of development. Landscaping details are provided with this application and therefore we request the condition is updated to a compliance condition as follows:

*~~Before the development hereby approved commences, a soft landscaping treatment scheme shall be submitted to and approved in writing by the City Council as local planning authority.~~ The development shall be carried out in accordance with the landscaping scheme shown on 1162-P0-[20]-004 Rev PL02 and 1162-P1-[20]-005 Rev PL01. The approved scheme shall be implemented prior to the first occupation of the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.*

- Condition 23 requires details of the materials to be provided prior to commencement of development. Materials details are provided with this application and therefore we request the condition is updated to a compliance condition as follows:

*23) ~~Prior to the commencement of the development, samples and specifications of all material to be used on all external elevations and boundary treatments of the relevant phase of development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall include the agreement of a materials panel which shall include samples and specifications of all materials to be used on all external elevations of the development along with window reveals, soffits, jointing and fixing details, details of the drips to be used to prevent staining, ventilation/louvre details, air bricks and a strategy for quality control management.~~*

*The approved materials shown on the approved Schedule of External Materials (Rev P01)~~used~~ shall ~~then~~ be implemented as part of the development and prior to the occupation of any floorspace at the site.*

We trust that the submission includes sufficient information to register the application and commence its formal consultation.

We will contact you shortly to confirm details of the Council's timescales for determining the application. In the meantime, if you have any questions please contact Matthew Sobic.

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Yours sincerely



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