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Manchester City Council
Planning
PO Box 532
Manchester
M60 2LA

15 August 2025

Dear Sir/Madam

Re: Section 73 Application for Variation of Condition 2 (Approved Plans), Condition 11 (Opening Hours), Condition 14 (Food Delivery) and Condition 15 (Size and Layout of Food to Go) attached to Planning Permission Ref. 140764/FO/2024 in relation to the *"Demolition of existing sales building, removal of existing canopy and pump islands and construction of new sales building (Food to Go Class Ea and Sui Generis) and ATM, installation of new canopy, pump islands, bin store, car parking, car care facilities, new offset fills and all other associated works"* at Civic Centre Service Station, Rowlandsway, Manchester, M22 5RG

We are instructed by Motor Fuel Group Limited to submit a Section 73 Application for Variation of Condition 2 (Approved Plans), Condition 11 (Opening Hours), Condition 14 (Food Delivery) and Condition 15 (Size and Layout of Food to Go) attached to Planning Permission Ref. 140764/FO/2024 in relation to the *"Demolition of existing sales building, removal of existing canopy and pump islands and construction of new sales building (Food to Go Class Ea and Sui Generis) and ATM, installation of new canopy, pump islands, bin store, car parking, car care facilities, new offset fills and all other associated works"* at Civic Centre Service Station, Rowlandsway, Manchester, M22 5RG.

This application has been submitted via the Planning Portal (Ref: PP-14218382). The planning application fee has been paid via the Planning Portal.

Condition 2 currently states:

> *The development hereby approved shall be carried out in accordance with the following drawings and documents:*
>
> *13727-21 Rev D Proposed Site Plan 31st March 2025*
> *13727-23 Proposed Site Elevations 13th August 2024*
> *13727-24 Proposed Sales Building Layout 13th August 2024*
> *13727-26 Rev A Proposed Sales Building Elevations 7th May 2025*
> *Location Plan 13th August 2024*
> *Planning Design and Access Statement 30th August 2024*

EEC Noise Assessment 13th August 2024
The Ecology Practice Ecology Report 13th August 2024
BR Transport Assessment 13th August 2024 and additional information received 31st March 2025

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

It is therefore respectfully requested that **Condition 2** is reworded to say:-

2551-A13-MP-DR-0001-A4-P02 – Proposed Site Plan
2551-A13-MP-DR-0201-A4-P01-Proposed Site Elevations
2551-A13-MP-DR-0100-A4-P02 – Proposed Sales Building Layout
2551-A13-MP-DR-0200-A4-P02 – Proposed Sales Building Elevations
Location Plan 13th August 2024
Planning Design and Access Statement 30th August 2024
EEC Noise Assessment 13th August 2024
The Ecology Practice Ecology Report 13th August 2024
BR Transport Assessment 13th August 2024 and additional information received 31st March 2025

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

The plans have been amended to take into account the new layout for the sales building which broadly reflects the permitted layout.

Condition 11 currently states:

11) Before the Food To Go uses hereby approved commences, details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall not operate outside of the agreed hours.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

It is therefore respectfully requested that **Condition 11** is reworded to say:-

11) ~~Before the Food To Go uses hereby approved commences, details of the proposed opening hours shall be submitted to and approved in writing by the City Council as local planning authority. The units shall not operate outside of the agreed hours.~~
"The food-to-go uses hereby approved shall operate only within the following hours:

- *Wrights: 06:00 to 18:00 daily;*
- *Burger King: 10:00 to 00:00 daily.*

The wider sales building (excluding the food-to-go units) shall operate on a 24-hour basis.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

It is proposed that the following operating hours be formally agreed in respect of the approved food-to-go units:

- Wrights: 06:00 – 18:00 (Class Ea); and
- Burger King: 10:00 – 00:00 (Sui Generis)

It is also confirmed that the wider sales building is to operate on a 24-hour basis, as per the existing arrangements.

This variation is sought in the interests of clarity and to ensure the continued protection of residential amenity, in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

A Noise Impact Assessment has been prepared by Environmental Equipment Corporation Ltd. The assessment has identified the nearest noise-sensitive receptors as:

- Residential properties along Robinswood Road, located no less than 100m to the south of the application site; and
- Wythenshawe Methodist Church, approximately 170m to the east.

The report includes acoustic modelling of the proposed development, specifically assessing noise emissions associated with HVAC plant. Calculations have been carried out using industry standard modelling software in line with ISO 9613 methodologies.
The assessment concludes that, in a worst-case scenario, assuming a partially open window (10dB attenuation), the internal ambient noise levels within the Robinswood Road properties would not exceed 19 dB LAeq,T. This is significantly below the guideline threshold of 30 dB(A) for bedrooms and can therefore be categorised as achieving the No Observed Effect Level (NOEL).

It is also noted that the site is separated from residential properties by Simonsway, a major dual carriageway, and the Manchester Metrolink tram line. According to the Extrium Noise Map, background noise levels (Lden) in this area are typically within the 55–59.9 dB(A) range, meaning the calculated plant noise is significantly lower and unlikely to be perceptible in the context of existing background noise.

Based on the submitted acoustic assessment and the proposed operating hours, it is considered that noise impacts associated with the development have been robustly addressed and that there is no material harm to the amenity of nearby sensitive receptors.

It is therefore respectfully requested that planning permission is forthcoming for the variation of Condition 11 as detailed above.

Condition 14 currently states:-

> *14) The two ancillary Food To Go units shall only provide food for sale to customers visiting the site. There shall be no food delivery service provision associated with the two units.*
>
> *Reason - To safeguard the amenities of the occupiers of nearby residential accommodation. In accordance with saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.*

It is therefore respectfully requested that Condition 14 is reworded to say:-

> *14) ~~The two ancillary Food To Go units shall only provide food for sale to customers visiting the site. There shall be no food delivery service provision associated with the two units.~~*
>
> ***The two ancillary Food-to-Go uses may provide food for sale both to customers visiting the site and via a delivery service, including through third-party delivery platforms.***
>
> *Reason - To safeguard the amenities of the occupiers of nearby residential accommodation. In accordance with saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.*

The restriction on food delivery services is no longer considered necessary or reasonable, as the site has an established history of accommodating such operations without adverse impact on surrounding residential amenity. The inclusion of food delivery services reflects existing operational practices and is consistent with the current use of the site.

The layout of the site has been designed to accommodate this functionality. In particular, there are two dedicated motorcycle bays located adjacent to the sales building which provides an appropriate and safe space for delivery drivers to park and collect orders. This arrangement ensures that delivery activity remains well-contained within the site, without giving rise to on-street parking, congestion, or disturbance to nearby residential properties.

Moreover, enabling deliveries supports modern consumer behaviour and the viability of food-to-go businesses, particularly in a roadside location such as this, where customer convenience and accessibility are key.

It is therefore respectfully requested that planning permission is forthcoming for the variation of Condition 14 as detailed above.

Condition 15 currently states:-

> *15) The location and floorspace of each of the approved Food To Go units shall remain as approved on drawings ref 13727-26 Rev A Proposed Elevations and 13727-24 Proposed Sales Building layout.*
>
> *Reason - To ensure that there is no intensification of the uses hereby approved and that they remain ancillary to the primary use of the service station in order to safeguard the amenities of the occupiers of nearby residential accommodation. In accordance with saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.*

It is therefore respectfully requested that Condition 15 is reworded to say:-

> *15) The location and floorspace of each of the approved Food To Go units shall remain as approved on drawings ref ~~13727-26 Rev A Proposed Elevations~~* ***2551-A13-MP-DR-0200-A4-P02 – Proposed Sales Building Elevations*** *and* ~~*13727-24 Proposed Sales Building layout.*~~ ***2551-A13-MP-DR-0100-A4-P02 – Proposed Sales Building Layout.***
>
> *Reason - To ensure that there is no intensification of the uses hereby approved and that they remain ancillary to the primary use of the service station in order to safeguard the amenities of the occupiers of nearby residential accommodation. In accordance with saved policy DC26 of the Manchester Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.*

It is therefore respectfully requested that planning permission is forthcoming for the variation of Condition 15 as detailed above.

Should you have any queries regarding the above or any other matter relating to this application please contact me on julian@jmsplanning.com or on 07525 131145.

Yours faithfully



Julian Sutton
JMS Planning & Development
Encs