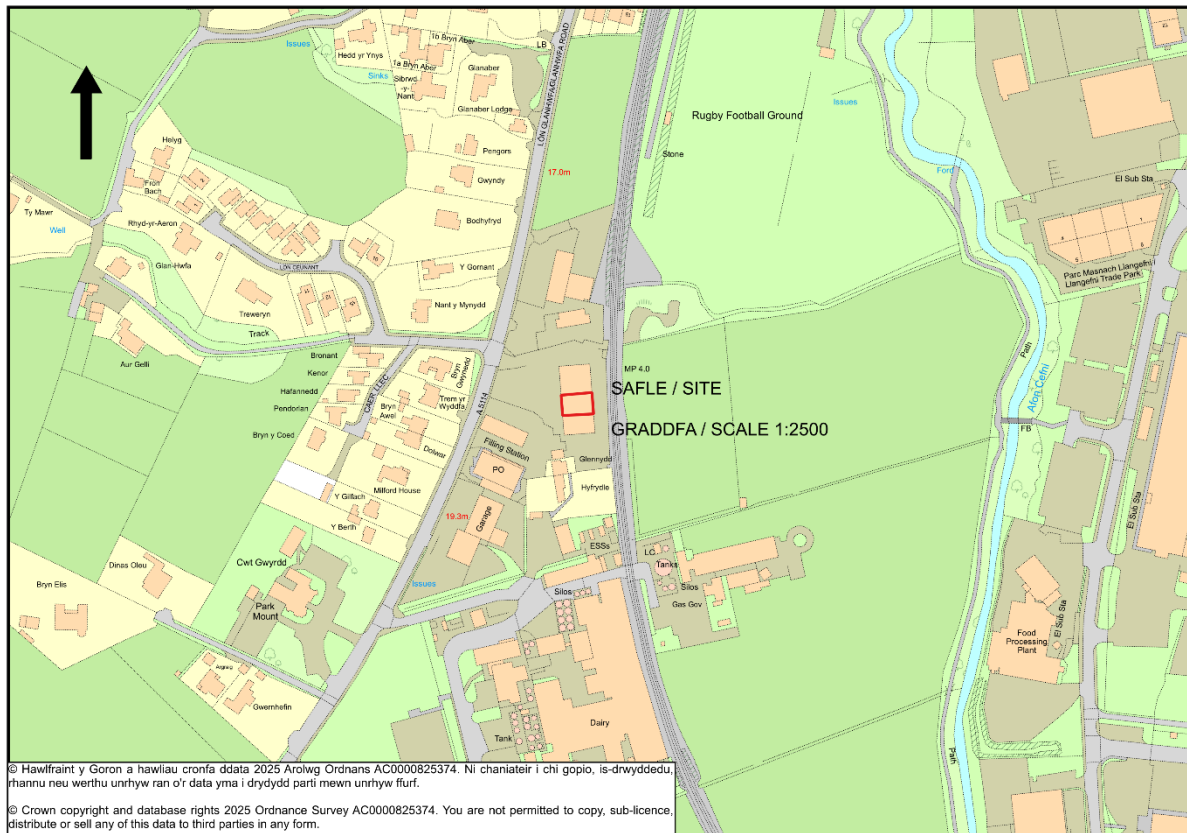


Application Reference: VAR/2025/18

Applicant: Greggs PLC

Description: Application under Section 73 for the variation of condition (02) (sale of non-food goods only) of planning permission reference FPL/2023/18 (Retrospective consent for the sub-division of a single retail unit into 2 separate retail units) so as to allow for the sale of food from Unit 2a at

Site Address: Unit 2a, Herron Services, Glanhwfa Road, Llangefni.



Report of Head of Regulation and Economic Development Service (Joanne Roberts)

Recommendation: Permit

Reason for Reporting to Committee

The application is presented to the Planning and Orders Committee at the request of the Local Member, Councillor Geraint Bebb.

At its meeting held on the 4th June 2025 the Committee resolved to refuse the application contrary to officer recommendation. The recorded reasons being as follows:

- The proposal is contrary to JLDP policies MAN 3 and MAN 7.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

- The proposal is contrary to JLDP policies MAN 3 and MAN 7.

Policy MAN 3 relates to retailing outside defined town centres but within development boundaries. The policy seeks to safeguard existing A1 retail shops from change of use to other uses and to the development of new A1 retail shops.

The existing unit benefits from planning permission as an A1 retail unit subject to a condition restricting it to the sale of non-food goods. As outlined in the original report, analysis of the original planning application indicated that the permission sought was specifically for 'non-food' retail use. The officer's delegated report provides no clear planning or policy justification to restrict the use of the units to non-food retail and it therefore appears that the condition was imposed solely on the basis of the applicant's original specification.

No material change of use is proposed under the current application and the use of the unit would continue to be A1 retail, consequently it is not considered that policy MAN 3 is relevant to the proposal.

Policy MAN 7 relates to hot food take-away uses. Hot food take-away's fall under use class A3 of the Town and Country Planning (Use Classes) Order 1995 (as amended). As outlined above, no material change of use is proposed and the use of the units would remain as an A1 retail unit. Consequently, policy MAN 7 is not relevant to the proposal.

Conclusion

The proposal is considered to be acceptable and accords with relevant local development plan policies and it is not considered that the proposal would give rise to detrimental impacts upon the amenities of neighbouring properties or the character and appearance of the area.

Recommendation

That the application is permitted subject to the following conditions:

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990.

(02) Retail unit 2b hereby approved shall only be used for the sale of non-food goods and for no other purpose specified in Class A1 of the Schedule to the Town and Country Planning (Use Classes) order 1987 (as amended) (or any Order re-voking or re-enacting that Order).

Reason: To define the scope of this permission.

(03) The bird boxes shall be installed as noted on drawing reference RPEN/S6751/07 Rev. A prior to the use of the development hereby approved, and thereafter shall be retained as such for the lifetime of the development hereby approved.

Reason: To ensure the proposal provides biodiversity enhancements in accordance with Policy AMG5.

(04) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission:

- **Location Plan**
- **As Built First Floor Units 1, 2A, 2B and 3: 002/ALL UNITS approved under planning permission reference FPL/2023/18**
- **As Built Elevations All Units (Sheet 1 of 2): 003/ALL UNITS approved under planning permission reference FPL/2023/18**
- **As Built Elevations All Units (Sheet 2 of 2): 003/ALL UNITS approved under planning permission reference FPL/2023/18**
- **As Built Ground Floor Units 4, 5 and 6: 004/ALL UNITS approved under planning permission reference FPL/2023/18**
- **As Built Units 1, 2A, 2B and 3 without mezzanine: 008/ALL UNITS approved under planning permission reference FPL/2023/18**
- **As Built Units 1, 2A, 2B and 3 plus mezzanine: 009/ALL UNITS approved under planning permission reference FPL/2023/18**
- **As Built Plan View: 010 approved under planning permission reference FPL/2023/18**
- **Sequential Test Report, Owen Devenport Ltd, Ref 1506B/05/22 dated 09/01/2023 approved under planning permission reference FPL/2023/18**
- **Proposed Shop Front Elevation: RPEN/S6751/07 Rev. A**
- **Proposed GA: RPEN/S6751/03**
- **Green Infrastructure Statement, JMS Planning dated March 2025.**

Reason: To ensure that the development is implemented in accord with the approved details.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1, PS5, PS13, PS15, PS19, PCYFF1, PCYFF2, MAN 3, AMG5.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.