



Mr Ross Fraser
(Response via email: ross.fraser@montagu-evans.co.uk)

Dyddiad/Date: 20th August 2024

Ein Cyf./Our ref.: PA/24/0027
Eich Cyf./Your
ref.:

Gofynnwch am/Please ask for: Mel Ferreira
Llinell Uniongyrchol/Direct 01685 726278
Line:
e-bost/e-mail: mel.ferreira@merthyr.gov.uk

Dear Sir,

RE: PRE-APPLICATION ENQUIRY FOR THE PROPOSED OCCUPATION OF UNIT A PENGARNDU INDUSTRIAL ESTATE, DOWLAIS BY DUNELM (RETAIL USE - A1 USE CLASS)

I refer to your pre-application enquiry including supporting information received on 31st July 2024.

Pre-application Site

The pre-application site relates to a large, detached unit measuring approximately 43 metres wide and 78 metres deep, known as Unit A, at Pengarnddu Industrial Estate. The unit, which lies within the settlement boundary, is currently occupied by Poundstretchers. It sits within the vicinity of 2 other large commercial units, one occupied by Carpertright and one occupied by B&M Bargains, and is served by an extensive car parking area which appears to be shared amongst all 3 businesses.

Pre-application Proposal

The information submitted with your pre-app indicates that you seek confirmation as to whether the occupation of the unit by Dunelm would require planning permission. Indeed, you state that *'the purpose of this pre-app request is simply to confirm that the occupation of Unit A by Dunelm is lawful within the boundaries of the prevailing planning permission'*. Whilst I would advise that the submission of a certificate of lawful development application, which would offer a legally binding decision, would be better suited to deal with your query, I have considered your enquiry and this has been addressed in detail below.

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... lle i fod yn falch ohono

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Planning History

The following planning history is relevant to the site:

- P/09/0315 - Erection of 2 free standing directional signs – Approved: 25th January 2010
- P/09/0192 - Change of use of 3 parking bays for the provision of a hot food takeaway vehicle (retrospective) – Approved: 3rd September 2009
- P/05/0680 - Advertisement signage (Retrospective) – Approved: 8th February 2006
- P/99/0334 - Addition of two directional slats to existing 5m totem sign – Approved: 22nd October 1999
- P/99/0028 - Non-illuminated 5m totem system – Approved: 11th March 1999
- P/98/0463 - Non-illuminated 5m totem sign at entrance to Business Park – Refused: 7th January 1999
- P/95/0040 - 2 No. internally illuminated box fascia signs and 1 No. non illuminated panel fascia signs – Approved: 28th April 1995
- P/94/0112 - Erection of internally illuminated static signs – Approved: 6th May 1994
- P/93/0410 – 2 pole illuminated signs – Refused: 17th June 1994
- P/91/0132 – 1 free standing directional sign – Refused: 13th November 1991
- P/89/0371 - Retaining wall and perimeter fencing – Approved: 21st August 1989
- P/88/0644 - Three externally illuminated fascia signs – Approved: 31st August 1988
- P/87/0845 - Erection of DIY retail warehouse unit (3250sq m) – Approved: 16th October 1987
- P/86/0831 - Construction of 1 No. industrial Unit and 2 No. retail warehouses, with associated car parking – Approved: 16th January 1987

Considerations

As clarified above, you do not seek to find out whether an application to use the unit by Dunelm is likely to be acceptable, but instead, you seek to find out whether planning permission is required to do so. Thus, in order to simplify my response, I have not included the relevant planning policies and guidance, nor have I discussed the different planning considerations (i.e. principle of development, visual impact, parking and highway safety, etc) when dealing with a planning application for this nature of development. Indeed, this information would not be relevant in this instance, due to the nature of your query.

- Planning Application History of the Site

Having checked through the planning history in respect of this site, it would appear that the most relevant planning history would be permissions P/87/0845 and P/86/0831, as noted in your submission.

The original application in 1986, P/86/0831, proposed the construction of 1 industrial unit and 2 retail warehouses with associated car parking. The application, which includes the site in question, was approved on 16th January 1987 with 11 planning conditions, one of which (condition 1) stated:

- 1. This approval relates strictly to the uses application for viz: 1 no. DIY store (35,000 sq ft), 1 No. retail furniture warehouse (40,000 sq ft) and 1 No. Industrial Unit (20,000 sq ft) – use class III/IV and no other retail or other use.*

The subsequent planning application in 1987, P/87/0845, proposed the erection of a DIY retail warehouse unit (3250 sq m). This application described as Unit F Pengarnddu Industrial Park, relates to the site in question, and is now known, and referred to above, as Unit A Pengarnddu Industrial Estate. This application was approved on the 16th October 1987 without planning conditions and as such, does not restrict the retail use to a DIY store only.

It would therefore appear that following consideration of the planning history, the use of the unit for retail purposes would be lawful.

- Historic use of the Site

A review of the uses/businesses that have occupied the unit has also been undertaken. This indicated the following:

- April 2011: No Frills Superstore;
- May 2018 - November 2021: Subdivided into Pet Hut and Poundstretcher
- May 2022 until August 2024: Poundstretcher

It would appear that having reviewed the use of the unit since April 2011, its use for retail purposes would be acceptable.

Conclusion

As a result, I would advise that, having considered the relevant planning history and historic uses, the use of the site by Dunelm would not appear to require planning permission. However, should you wish to have formal confirmation via a legally binding decision, you should submit a certificate of lawful development application for the proposed development. The following information would also need to be included:

- A full set of completed application forms (this can be found on the Council's website: www.merthyr.gov.uk);
- A site location plan (1:1250 or 1:2500) which clearly identifies the application site (outlined in red) and the surrounding area (and includes a north point);
- Existing and proposed elevations (scale 1:50 or 1:100);
- Existing and proposed floorplans (scale 1:50 or 1:100);
- Relevant planning fee of £230.

I can confirm that the above advice is an informal opinion made at officer level and would therefore not prejudice any decision that may be made, in the future, by the Council. I trust the above is of assistance and self-explanatory, however, if you wish to clarify any issues raised, please do not hesitate to contact Mel Ferreira on the above noted details.

Yours faithfully,

p.p. 

MISS J JONES

**CYFARWYDDWR GWASANAETHAU CYMDOGAETH/ DIRECTOR OF NEIGHBOURHOOD
SERVICES**