

E/09/0174/B

11. **E/09/0174/B – The unauthorised change of use of the site from a printers to a tanning studio (sui generis) at 14B High Street, Stanstead Abbots, SG12 8AB**
-

Parish: STANSTEAD ABBOTTS

Ward: STANSTEAD ABBOTTS

RECOMMENDATION

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the cessation of the unauthorised use of the building.

Period for compliance: 6 months.

Reason why it is expedient to issue an enforcement notice:

The development has resulted in the loss of a retail unit and creates an unacceptable concentration of non-shop uses within the Secondary Shopping Frontage. The development is thereby detrimental to the vitality and viability of Stanstead Abbots town centre contrary to policy STC4 of the East Herts Local Plan Second Review April 2007.

_____ (017409.CA)

1.0 Background

- 1.1 The site is shown on the attached Ordnance Survey extract. It is situated within the town centre and Conservation Area of Stanstead Abbots, on the south side of High Street at its junction with Glenmire Terrace. Members will note that the Ordnance Survey base map is incorrectly numbered showing the street number as 14C. The correct site has been outlined in red.
- 1.2 The site comprises a ground floor lock up shop with flats over. The shop was previously known as Kit U Out and had apparently been in business as a promotional T shirt printers specialising in the supply of personalised staff uniforms.
- 1.3 In April 2009 a concern was expressed to the Authority that the shop was being converted into a tanning studio without the benefit of planning

E/09/0174/B

permission.

- 1.4 On 23rd April 2009 the enforcement visited the site and spoke to the proprietor who was in the process of fitting out the premises as a tanning studio. The officer informed him that such a change of use required planning permission and confirmed that advice in a letter, also on 23rd April 2009.
- 1.5 The change of use of the premises took place after this visit and an application for retrospective planning permission was submitted on 7th May 2009 under application number 3/09/0691/FP. The application was refused planning permission on 31st August 2009 under delegated authority.
- 1.6 The enforcement officer has spoken to the proprietor on a number of occasions and it is noted that the unauthorised use of the premises as a tanning studio continues.
- 1.7 Photographs of the site will be available at the meeting.

2.0 Planning History

3/85/0865/FP	Erection of three storey building comprising 3 retail units with 6 flats over.	Granted
3/09/0691/FP	Change of use from B1 (printers) to tanning studio (sui generis) - retrospective.	Refused

3.0 Policy

- 3.1 The relevant policies in this matter are:-

STC4 – Shopping Frontages – Smaller Centres

4.0 Considerations

- 4.1 The main consideration in this matter is the change of use of the premises to a tanning centre, a 'sui generis' use. Policy STC4 lists a range of uses that will be encouraged within this shopping frontage and which are, therefore considered appropriate.
- 4.2 The use of the shop as a tanning studio is not one of the uses detailed

E/09/0174/B

within Policy STC4 as being appropriate for the Stanstead Abbots shopping frontage. It is therefore considered to be an inappropriate use of the site which dilutes the amount of retail uses within the local shopping units thereby adversely affecting the overall vitality and viability of the centre.

5.0 Recommendations

- 5.1 It is therefore recommended that authorisation be given to issue and serve a Planning Enforcement Notice requiring the cessation of the unauthorised use.