

Councillors block restaurant's plan to offer takeaway food

A restaurant development on a business park in West Lothian will only be able to offer sit down service with no takeaway food or shop added on.

The building on the Alba campus has permission to change from being a nursery but an appeal to broaden its prospective use for retail has been blocked by councillors on the Local Review Body (LRB).

Alba, a popular business park with occupiers including the Quintiles Labs, Sky Television, Ossur Technologies and the Glenmorangie Company is around a mile from the centre of Livingston and its supermarkets and food shops.

The nursery closed as a result of the pandemic.

Planning officers argued that removing conditions of use on the building could see it becoming a small supermarket in what is otherwise a business park of light industrial use units.

There was broad support from neighbouring businesses for the change of use from nursery to restaurant. Planners recognised that the restaurant would be a valuable service for surrounding firms.

A report by planners said: "No objections have been received to the proposed change of use. The use of the unit for a

restaurant will have no adverse implications for the neighbouring units, will contribute to the range of services within the local area and should not undermine the amenity of any residential properties through noise or disturbance given the context of the site.”

However they maintained that any wider retail operation would have to be applied for in planning permission to protect existing retail operations in Livingston town centre. Without conditions restricting the use to a restaurant, the building could be transformed to retail as permitted development.

The applicant, Philip Sparks, Peak Holdings, 33 Hanger Lane, London, provided drawings showing a part of the restaurant set aside for a small retail outlet.

In an appeal to the LRB an agent for the applicants said: “The applicant wants to compliment the food facility with a shop environment for sandwiches, milk, tea, coffee, toilet rolls etc to provide to the surrounding offices.

“It is unreasonable to restrict this activity where none currently exist and the demand is evident by the accompanying supporting documents from vested stakeholder.”

Chairing the meeting Councillor Tom Conn described the drawings as “aspirational”.

Planning officer Steve Lovell told the LRB that the condition restricting use to a restaurant: “ allows the council to intervene.”

He told the committee: “The concern is because of the size of the property. It is more than 500 square metres, roughly half the size of an Aldi/ Lidl development. If it was to move from restaurant to shop it would be a very big shop and there are consequences and implications in that, introducing a retail use into a non retail area, and the impact that it could have

on existing retail areas to be considered.”

Councillor Willie Boyle said: “I think the officers are working with policies we have and are doing their best. Businesses can fail. If this business was to fail, then what follows it? If there’s no restrictions to conditions then it would be open season as to what could come in. We have to future proof the building’s use. It’s a difficult balance. Should the owner wish to come forward with another application then that could be considered.”

Councillor Conn moved to uphold the refusal to change the conditions. Councillor Boyle supported this.

With no alternative proposed the restriction to use only as a restaurant was retained.

By Stuart Sommerville, Local Democracy Reporter