

**Consultation Response from KC,
Policy****2023/90491 Teas Me, 6, Albert Street, Lockwood, Huddersfield, HD1 3PR****Erection of extension to existing building for outdoor dining/smoking use****Date Responded: 06/06/2023****Responding Officer: HR****Responding Ref:**

The proposal is for an extension to an existing café in Lockwood adding additional dining space and a smoking area. The development is proposed on an area of land which is currently hard standing used for parking. The application site is designated as a Priority Employment Area (PEA23) in the adopted Kirklees Local Plan, the site is also located in EA flood zone 2 and 3 and SFRA flood zone 3a.

The Local Plan was adopted on 27 February 2019. The Local Plan Strategy and Policies should be fully considered, however the following response relates to specific Local Plan policies which are of particular relevance to the proposal, other policies that are not mentioned here may also apply.

Flood Risk LP27

The proposed extension is located within Flood Zone 2 and 3 (EA) and Flood Zone 3a (SFRA). Buildings used for restaurants, cafes and hot food takeaways are a less vulnerable use set out in the flood risk vulnerability classification, Annex 3 of the NPPF. NPPG states that the Sequential Test should be applied to 'Major' and 'Non-major development' proposed in areas at risk of flooding, unless the application is for a development type that is exempt from the test, as specified in [footnote 56 of the National Planning Policy Framework](#). Footnote 56 states that small non-residential extensions (with a footprint of less than 250sqm) are exempt therefore a sequential test is not required. The proposed extension is approximately 106sqm.

Priority Employment Area LP8

The site is located within a Priority Employment Area (PEA23), therefore Policy LP8 (Safeguarding employment land and premises) applies in this case. As the use proposed is considered as 'employment generating' (as defined in the Local Plan glossary), part one of this policy is relevant: Proposals for development or re-development of employment generating uses (as defined in the glossary) located within the PEA will be supported where there is no conflict with the established employment uses in the area. In instances where the site is out of centre and the proposal includes main town centre uses then policy LP13 will need to be applied.

The proposal will have no conflict with established employment uses in the area and in terms of policy LP8, the proposal is considered acceptable.

Town centres LP13

The proposal is to extend a main town centre use in an out of centre location. Local Plan Policy LP13 Town centre uses directs main town centre uses to defined centres in the Local Plan.

The floor plans (drawing No:HAD3462-03) indicates that the proposed extension is greater than the existing premises and will include a servery counter and a bar as such it is not ancillary to the overall operation. Therefore, the applicant needs to justify the scale of the extension proposed and why the proposal can only be facilitated in that location to accord with policy LP13.