

Callum Harrison
Kirklees Council
Planning Services
PO Box B93
Civic Centre III, off Market Street
Huddersfield
HD1 2JR

Our ref: ER-SKEL-NMABR-20230718
Your ref:

Date: 18th July 2023

Dear Mr. Harrison,

Section 96A Non-Material Amendment to Full Planning Permission 2019/62/90151/E “ERECTION OF 190 DWELLINGS AND ASSOCIATED LANDSAPING AND INFRASTRUCUTRE” at LAND TO THE NORTH OF CUMBERWORTH ROAD, SKELMANTHORPE, HUDDERSFIELD, HD8

As stated in the Chief Planner’s Letter to Local Planning Authorities (“LPA”) dated 31 May 2022, the Government has made changes to the Building Regulations which will influence housing design and result in an increase in applications to amend planning approvals.

Please find enclosed a Non-Material Amendment submitted under Section 96A of the Town and Country Planning Act 1990 to the above planning permission at land to the north of Cumberworth Road, Skelmanthorpe granted by Kirklees Council on 2nd July 2020 which is necessary to comply with the Government’s changes to the Building Regulations. It must be noted that the planning permission above was granted for 190 dwellings however following a re plan approved on 30th May 2022 (planning permission 2021/62/93948/E), 189 dwellings will now be delivered in total. The area of the site that was subject of the re-plan is unaffected by this Non-Material Amendment application.

The changes to Part L of the Building Regulations 2021 came into effect on 15 June 2022 and form transitional arrangements for the introduction of the Future Homes Standards by 2025. Any plots not started by 15 June 2023 will fall under the new 2021 Part L and will require a 31% reduction in carbon emissions over the 2013 Regulations, whilst The Future Homes Standards are expected to come into force in 2025 and will require an 80% reduction in carbon emissions over the 2013 Regulations.

The Chief Planner’s Letter expects LPAs to support the transitional arrangements to Building Regulations, stating: *“We expect these changes coupled with the new transitional arrangements to cause an increase in the number of planning applications that need amending. The transitional arrangements for the regulations (the means by which older regulations can be applied) apply on a building-by building basis, not site wide. Therefore, any building that has not been started by June 2023 will need to comply with the new regulations and may need to get re-approved.”*



It is Persimmon's aim to be net zero by 2030 and therefore we have created a path to net zero carbon homes in use as illustrated in the enclosed leaflet entitled 'Persimmon Energy Transition Leaflet'.

As illustrated on the enclosed Building Regulation Plan (ref CRSK-2019-BRPB) of the 189 dwellings granted under this planning permission, 122 will have commenced by June 2023 under Building Regulations Part L 2013. It is forecast that the remaining 67 dwellings are anticipated to start between June 2023 and June 2025 and will therefore fall under Part L 2021 which requires a 31% reduction.

In order to ensure compliance with Part L 2021, amendments are required to plots 70-74, 91-135 and 142-158 within the framework of the existing planning permission.

The amendments to house types to achieve Part L compliance include the provision of energy efficient boiler and controls; more thermally efficient walls and floors; and solar PV on roofs. The majority of these items are internal with no noticeable change to the external appearance of house types. This Non-Material Amendment is proposed to address the external addition of solar PV to the roofs of plots. Inline photovoltaic panels are proposed which are integrated into the roof flush with the tiles for better aesthetics.

The proposed amendments would not result in a material change within the context of the approved overall development and are necessary to satisfy Part L 2021 of the Building Regulations and form part of Persimmon's move towards net zero by 2030.

Persimmon Homes fully appreciates the current strain on the planning system, and, through the submission of this S96A application, has chosen the most simple and effective mechanism of helping the LPA with what needs to be done to address the Government's changes to the Building Regulations and move proactively towards achieving net zero carbon.

Application Submission

The application has been submitted via the Planning Portal (Ref: PP-12323755) and comprises the following documents:

- Covering Letter (this document);
- Skelmanthorpe Building Regulation Plan (ref CRSK-2019-BRPB);
- Planning Layout (ref CRSK-2018-001); and
- Persimmon Energy Transition Leaflet

The requisite fee of £298.00 (including the Planning Portal service charge of £64.00) has been paid through a BACS transfer on the Planning Portal.

I trust the information submitted enables the application to be validated but should you require any additional details please do not hesitate to contact me.



Yours sincerely,

For and on the behalf of
PERSIMMON HOMES (WEST YORKSHIRE)



Ellie Ritchie
Graduate Planner

Email: ellie.ritchie@persimmonhomes.com

