



JohnsonMowat
Planning & Development Consultants

Orion Homes

Bankfield Drive, Holmfield

**Residential development
(2023/62/91212/W)**

Discharge of Conditions Statement

JM260043.dc10

Johnson Mowat References

Client	Orion Homes
Site	Bankfield Drive, Holmfield
Development	Residential development (2023/62/91212/W)
Local Planning Authority	Kirklees
Document Type	Discharge of Conditions Statement
Document Reference	JM260043.dc10
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Limitations

The assessments and interpretation have been made in line with legislation and guidelines in force at the time of writing, representing best practice at that time.

All of the comments and opinions contained in this report, including any conclusions, are based on the information obtained by Johnson Mowat Planning Limited during our investigations.

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- a) the date on which this assessment was undertaken; and
- b) the date on which the final report is delivered.

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1. Introduction

- 1.1 This Discharge of Conditions Statement is prepared on behalf of Orion Homes in relation to land at Bankfield Drive, Holmfield.
- 1.2 The relevant planning permission for the Site (2023/62/91212/W) was granted 04.10.2023.

2. Condition Number 10

Condition Wording from Decision Notice

10. Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence on the superstructure of any dwelling hereby approved until the off-site highway works shown on drawing 22027/GA/01 rev D have been completed in full.

Reason: To ensure suitable access is provided, in the interests of highway safety, and to accord with Policies LP20, LP21, LP24 and LP67 of the Kirklees Local Plan and the National Planning Policy Framework.

3. Addressing the Condition requirements

- 3.1 The first clause of Condition 10 allows for a written agreement as a way in which for condition 10 to be discharged.
- 3.2 It is considered that a formal section106 agreement is the most robust and relevant form of written agreement that can satisfy the requirements and deliver the intended consequences that condition 10 was originally devised to deliver.
- 3.3 The Council has confirmed (letter dated 19.03.26) that a commuted sum of £114,664.12 is a suitable amount to mitigate the proposed development, in relation to Condition 10. This payment would enable the Council to deliver the works detailed as shown on drawing 22027/GA/01 rev D.
- 3.4 Additionally, the applicant has provided a scope of works (2405-03-007 - Proposed Road Marking Improvements) that will be delivered at cost to the applicant. The submitted Letter to Victor Grayson (dated 20th April 2026) explains this in more detail.

4. Submission documents

- 4.1 The following documents have been submitted with this application:
 - Letter to Victor Grayson dated 20th April 2026
 - Draft Section 106 Agreement (prepared by Walker Morris solicitors)
 - 2405-03-007 - Proposed Road Marking Improvements
 - 22027/GA/01 - DOBB TOP ROAD/BANKFIELD DRIVE PROPOSED IMPROVEMENTS

5. Summary

- 5.1 On the basis of the above information, it is considered that the requirements of Condition 10 have been satisfied.