

Application Reference Number:	2025/0942		
Application Type:	Change of Use.		
Proposal Description:	Change of use of land to commercial car sales including the relocation of existing security fencing to new site boundary.		
Location:	M D Car Sales, Wombwell Lane, Stairfoot, Barnsley, S70 3NT.		
Applicant:	MRT Holdings.		
Third-party representations:	None.	Parish:	
		Ward:	Stairfoot.

This application is being brought before member because the Council is acting as the Agent and there is a financial contribution element which will be funded from the Council's Strategic Transport budget.

Summary:

The applicant is seeking planning permission for the change of use of land to commercial car sales including the relocation of the existing security fencing to the new site boundary.

The proposal is not considered to significantly affect the existing and potential greenspace needs of the Borough given the minimal loss proposed. Nevertheless, a financial contribution is proposed to compensate the loss that if viewed in the context of the need for significant highway infrastructure improvement works is considered acceptable in this instance, on balance.

The proposed development would result in the loss of an area of public greenspace. In accordance with Local Plan Policy GS1: Green Space and the adopted Open Space Provision on New Housing Developments SPD (May 2019), mitigation is required. As the Council is acting as Agent and the works form part of the Stairfoot highway improvement scheme, the greenspace contribution will not be secured via a Section 106 agreement. Instead, the required contribution will be funded from the Council's Strategic Transport budget and delivered through internal governance processes, and this commitment will be recorded in the Council's Infrastructure Funding Statement. This is to ensure the process achieves transparency and compliance with policy.

The proposal is also considered acceptable regarding its impact on trees, visual amenity, highways and public rights of way and residential amenity, and would also secure a 10% biodiversity net gain through the purchase of habitat units. Additional ecological mitigation would be secured by condition. The proposal is therefore considered to comply with national and local planning policies and adopted guidance.

Consequently, for the reasons given above, and taking all other matters into consideration, planning permission should be granted.

Recommendation: Approve with Conditions.

Site Description

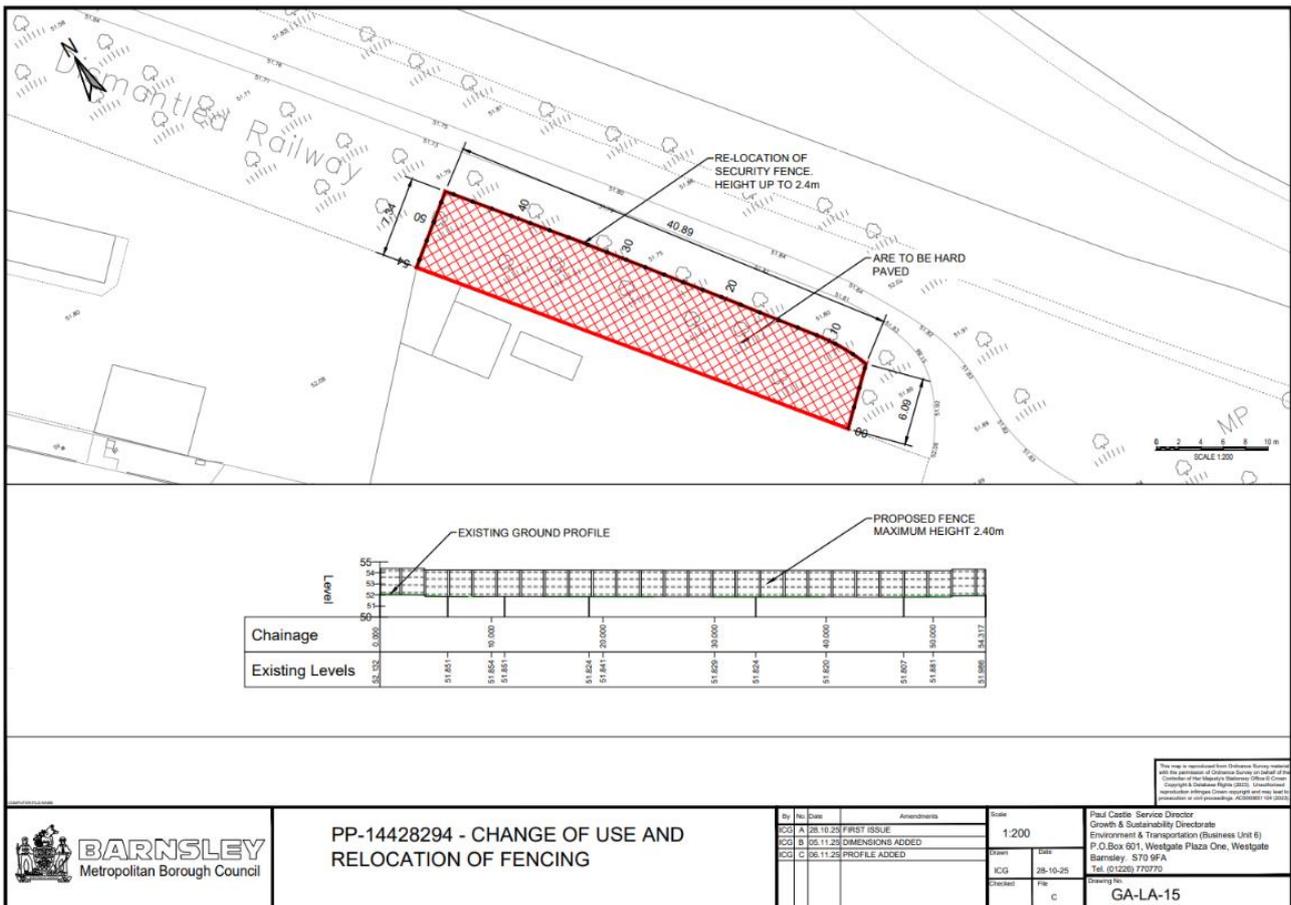
This application relates to an area of greenspace (Wombwell Lane) characterised by trees and shrub that acts as a vegetation buffer between the adjacent public bridleway (TPT) and the sales forecourt of the adjacent car sales business.

Planning History

2008/0717	Change of use of site from car sales to car wash, car sales and tyre sales and the siting of portacabin.	Approved.
2025/0737	Repositioning of 2no. existing 48-sheet digital advertising displays (Amended Description).	Approved.

Proposed Development

The applicant is seeking planning permission for the change of use of land to commercial car sales including the relocation of the existing security fencing to the new site boundary.



Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as greenspace within the adopted Local Plan. The following Local Plan policies are relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy GI1: Green Infrastructure.*
- *Policy GS1: Green Space.*
- *Policy GS2: Green Ways and Public Rights of Way.*
- *Policy I1: Infrastructure and Planning Obligations.*
- *Policy BIO1: Biodiversity and Geodiversity.*
- *Policy D1: High quality design and place making.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy T4: New Development and Transport Safety.*

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 8: Promoting healthy and safe communities.*
- *Section 9: Promoting sustainable transport.*
- *Section 12: Achieving well designed places.*
- *Section 15: Conserving and enhancing the natural environment.*

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take this guidance into account when taking decisions.

Supplementary Planning Guidance

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The following SPDs are relevant in this case:

- *Biodiversity and Geodiversity (Adopted March 2024).*
- *Open Space Provision on New Housing Developments (Adopted May 2019).*
- *Parking (Adopted November 2019).*
- *Planning Obligations (Adopted November 2019).*
- *Trees and Hedgerows (Adopted May 2019).*

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Representations

This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended).

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

A site notice and a press notice was used, expiring 05th December 2025.

No representations were received.

Consultations

Local Ward Councillors	<i>No comments received.</i>
Biodiversity Officer	<i>No objection(s) subject to condition(s).</i>
Forestry Officer	<i>No objection(s) subject to condition(s).</i>
Highways Development Control	<i>No objection(s).</i>
Pollution Control	<i>No objection(s).</i>
Public Rights of Way (PROW)	<i>Comment(s).</i>
Trans Pennine Trail (TPT)	<i>Comment(s).</i>

Planning Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

The applicant is seeking planning permission for the change of use of land to commercial car sales including the relocation of the existing security fencing to the new site boundary.

This application has been submitted in preparation of future infrastructure improvement works to the Stairfoot roundabout and surrounding area. To accommodate these improvement works, the existing advertisement displays located to the south-east corner of the existing car sales forecourt are to be re-positioned. This was approved under application 2025/0735. A land exchange deal is also needed to compensate the loss of forecourt space affecting the existing business that has led to this current application proposal. This application should be seen in conjunction with 2025/0735.

The proposal would result in the loss of an area of greenspace of approximately 0.03ha.

Local Plan Policy GS1: Green Space establishes that proposals that result in the loss of greenspace, or land that was last used as greenspace, will not normally be allowed unless: an assessment shows that there is too much of that particular type of greenspace in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or proposal is for small scale facilities needed to support or improve the proper function of the greenspace; or an appropriate replacement greenspace of equivalent or improved quality, quantity and accessibility will be provided which would outweigh the loss.

The proposal would not meet the above-mentioned criteria. However, the proposal is not considered to significantly affect the existing and potential greenspace needs of the Borough given the minimal loss proposed. Nevertheless, a financial contribution is proposed to compensate the loss that viewed in the context of the need for significant highway infrastructure improvement works is considered to be acceptable in this instance, on balance.

Considering the above, the proposal is considered acceptable in principle subject to an assessment of the following matters.

Planning Obligations

Paragraph 56 of the NPPF sets out that local planning authorities should consider whether otherwise unacceptable development could be made acceptable by conditions or planning obligations with the latter only being used where it is not possible to address unacceptable impacts through conditions.

Paragraph 58 of the NPPF sets out that planning obligations must only be sought where they meet all the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

These are statutory tests set out within the Community Infrastructure Levy Regulations 2010.

Local Plan Policy I1: Infrastructure and Planning Obligations and its supporting text establishes that developer contributions will be sought in relation to infrastructure and anything considered necessary to make a development acceptable.

The *Open Space Provision on New Housing Developments (May 2019)* establishes the contribution calculation concerning the loss of greenspace.

The contribution will be calculated at £125,640 per hectare of greenspace lost to development.

In this instance, a contribution of £3769 is required.

The proposed development would result in the loss of an area of public greenspace. In accordance with Local Plan Policy GS1: Green Space and the adopted Open Space Provision on New Housing Developments SPD (May 2019), mitigation is required. As the Council is acting as Agent and the works form part of the Stairfoot highway improvement scheme, the greenspace contribution will not

be secured via a Section 106 agreement. Instead, the required contribution will be funded from the Council's Strategic Transport budget and delivered through internal governance processes, and this commitment will be recorded in the Council's Infrastructure Funding Statement. This is to ensure the process achieves transparency and compliance with policy.

Considering the above, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy I1: Infrastructure and Planning Obligations and paragraphs 56 and 58 of the NPPF and is considered acceptable.

Impact on Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This proposal is subject to BNG.

This application is supported by a Statutory Biodiversity Metric, condition assessments, Preliminary Ecological Appraisal (PEA), and BNG report.

The reports confirm the presence of other neutral grassland and other woodland broadleaved within the site; both of which were recorded as being in poor condition. The findings are agreed with by the Council's Planning Ecologist.

The development will result in the loss of all habitats on site representing a 0.20 loss of habitat units. To secure the minimum 10% net gain requirement, 0.22 units of medium distinctiveness habitats or greater are required. The BNG report indicates that the applicant intends to purchase units from the Stairfoot Quarry habitat bank. This habitat bank is located within proximity to the site and is therefore welcomed.

Site clearance activities have the potential to injury and/or kill small mammals and nesting birds, if undertaken in the absence of mitigation. A single tree was identified as having potential to support small numbers of roosting bats, therefore soft felling of the feature will be required during clearance. A Precautionary Working Method Statement (PWMS) should be prepared to ensure the habitats are cleared sensitively. This could be secured by condition.

To mitigate for the loss of bird nesting and bat roosting habitat in the site, bat and bird boxes should be installed on or within proximity to the development site. This could be secured by condition.

The Council's Planning Ecologist was consulted; and no objections were received subject to required conditions.

Considering the above, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.

Impact on Trees

The development would extend into a verge adjacent to the TPT and would necessitate the removal of several trees and groups of trees and shrubs.

The Council's Forestry Officer was consulted. It was stated that the specimens to be removed are not particularly noteworthy nor of a quality making them a constraint to development. However, it is noted that the trees and shrubs provide screening for users of the TPT from the road and existing business.

The relocated boundary fence will act as sufficient protection for the trees during works and as such based on the information submitted, it is not felt that additional protections for retained off-site trees is required in this instance. The trees to be removed will need to be replaced on at least a 1:1 basis with as much of that replacement planting as possible being used as replacement screening along the new boundary line. This could be secured by condition.

The Council's Forestry Officer was consulted; and no objections were received subject to necessary conditions. To enable development to progress without delay prior to the bird nesting season and as not to prejudice future highway infrastructure improvement works, it may be necessary to amend the wording of the suggested condition.

Considering the above, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.

Impact on Visual Amenity

This application relates to an area of greenspace (Wombwell Lane) characterised by trees and shrub that acts as a vegetation buffer between the adjacent public bridleway (TPT) and the sales forecourt of the adjacent car sales business. It is noted that the trees and shrubs provide screening for users of the TPT from the road and existing business.

The Trans Pennine Trail and Walk Wheel Cycle Trust and PROW were consulted on this application, and comments were received regarding the need to secure additional replacement planting to lessen and mitigate the visual impact to the TPT and its users.

Additional planting would be provided by the Council who is acting as the Agent on this application as it forms part of preliminary works to facilitate wider planned highway infrastructure improvement works to the Stairfoot roundabout and surrounding area. While details are not provided at this stage they could be secured by a condition.

The proposal is therefore not considered to have a significant adverse impact on visual amenity and is considered acceptable subject to condition(s).

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding visual amenity.

Impact on Highways and Public Rights of Way

This application relates to an area of greenspace (Wombwell Lane) characterised by trees and shrub that acts as a vegetation buffer between the adjacent public bridleway (TPT) and the sales forecourt of the adjacent car sales business. While the sales forecourt would extend further north-east, a strip of land would be maintained between the extended forecourt and the TPT.

Highways Development Control were consulted; and no objections were received. It was stated that there is no anticipated impact on the public highway resulting from the proposal.

The Trans Pennine Trail and Walk Wheel Cycle Trust and PROW were consulted on this application, and comments were received regarding the need for the TPT to remain open to all users at all times. If a diversion is required, then this should be agreed with PROW. The proposal should accommodate all users and be fully accessible and appropriately signed. The preferred option would be Banksmen in situ with advanced warning notices.

While access to the TPT by users during work is not a material planning consideration, all comments have been relayed to the relevant parties for consideration. Appropriate informative notes could also be included on any positive decision.

It has also been suggested that works should be carried out from the existing forecourt to minimise the potential impact to trail users and any remaining vegetation. Further comments were received in relation to the need to maintain access to the TPT, to have appropriate signage in situ, and for rapid clearance of debris. If trail users insist on passing while works are being undertaken, then this should be accommodated. No vehicles should be parked on the TPT at any time and any tarmacking works should be undertaken from the existing sales forecourt. All comments have been relayed to relevant parties for consideration and informative notes could again also be included on any positive decision where necessary.

The proposal when completed would not affect the TPT.

The proposal is therefore not considered to be prejudicial to highway safety or to the proper function of the TPT.

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and Local Plan Policy GS2: Green Ways and Public Rights of Way and is considered acceptable regarding highway safety.

Impact on Residential Amenity, Health, Safety and Pollution Control

The proposal would not contribute to significant increased levels of overshadowing, overlooking and loss of privacy or reduced outlook. The development site is located in a principally commercial area and therefore, the proposal is unlikely to have a significant detrimental impact on the health and the quality of life of those living and/ or working in the locality. The Council's Environmental Health Officer (Pollution Control) was consulted; and no objections were received.

Considering the above, this is considered to weigh modestly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.

Planning Balance and Conclusion

In accordance with the provisions of paragraph 11 of the NPPF (2024), the proposed development is considered in the context of the presumption in favour of sustainable development.

The proposal is not considered to significantly affect the existing and potential greenspace needs of the Borough given the minimal loss proposed. Nevertheless, a financial contribution is proposed to compensate the loss that if viewed in the context of the need for significant highway infrastructure improvement works is considered acceptable in this instance, on balance.

The proposed development would result in the loss of an area of public greenspace. In accordance with Local Plan Policy GS1: Green Space and the adopted Open Space Provision on New Housing Developments SPD (May 2019), mitigation is required. As the Council is acting as Agent and the works form part of the Stairfoot highway improvement scheme, the greenspace contribution will not be secured via a Section 106 agreement. Instead, the required contribution will be funded from the Council's Strategic Transport budget and delivered through internal governance processes, and this commitment will be recorded in the Council's Infrastructure Funding Statement. This is to ensure the process achieves transparency and compliance with policy.

The proposal is also considered acceptable regarding its impact on trees, visual amenity, highways and public rights of way and residential amenity, and would also secure a 10% biodiversity net gain through the purchase of habitat units. Additional ecological mitigation would be secured by condition. The proposal is therefore considered to comply with national and local planning policies and adopted guidance.

Consequently, for the reasons given above, and taking all other matters into consideration, planning permission should be granted.

RECOMMENDATION: Approve with Conditions.

Justification

Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.

In dealing with the application, the Local Planning Authority (LPA) has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- To amend the red line Location Plan.
- To amend a submitted Arboricultural Report and Impact Assessment.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering representations, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Condition(s):

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out strictly in accordance with the amended plans:

GA-LA-19 A received 25th November 2025.

GA-LA-15 C.

Arboricultural Report and Impact Assessment prepared by AWA Tree Consultants ref. AWA7181 dated January 2026 and received 5th January 2026.

BM-8856-01 Statutory Biodiversity Metric completed by Brooks Ecological Ltd and dated 16th October 2025.

CA-8856-01 Condition Assessments completed by Alice Miller and dated 13th October 2025.

Preliminary Ecological Appraisal Report prepared by Brooks Ecological Ltd ref. ER-8856-01 and dated 21st October 2025.

Biodiversity Net Gain Assessment prepared by Brooks Ecological Ltd ref. ER-8856-02 and dated 21st October 2025.

and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making.

3. The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application [The Statutory Biodiversity Metric] by [Brooks Ecological Ltd] reference [BRT Stairfoot] and dated [16th October 2025].

Reason: In the interests of clarification and to help deliver a biodiversity net gain on site in accordance with Schedule 7a of the Town and Country Planning Act 1990.

4. Within 3 months of the date of this permission, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained, shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping details shall be implemented in the first planting season following the installation of the new boundary fence; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making and Local Plan Policy BIO1: Biodiversity and Geodiversity.

5. The development hereby approved shall be carried out in accordance with the following additional biodiversity mitigation and enhancement measures.

- At least two bat and bird boxes to be installed in suitable locations within the new building, or at a suitable location on-site;
- A sensitive lighting scheme; and
- A Precautionary Working Method Statement (PWMS) to ensure habitats on-site are cleared sensitively to avoid impacts to small mammals, birds and bats.

A scheme comprising the above-mentioned measures shall be submitted to and approved in writing by the Local Planning Authority prior to completion of the development. The approved details shall be implemented prior to completion and retained thereafter.

Reason: In the interests of biodiversity and in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

6. No part of the development hereby permitted shall cause surface water runoff from the site to discharge or flow onto the adjacent public right of way.

Reason: To protect and ensure the continued safe use of the existing public right of way in accordance with Local Plan Policy GS2: Green Ways and Public Rights of Way.

Informative(s):

1. The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

2. The Town and Country Planning Act has been amended to make every grant of planning permission deemed to have been granted subject to the following General Biodiversity Gain Condition:

The development may not be begun unless:

- a. a Biodiversity Gain Plan has been submitted to the planning authority; and
- b. the planning authority has approved the plan.

The purpose of the General Biodiversity Gain Condition is to secure the 'Biodiversity Objective', which requires the post-development biodiversity value to exceed the pre-development biodiversity value of the on-site habitat by at least 10%.

Biodiversity net gain can be achieved through habitat creation or enhancement on-site or off-site; the purchase of biodiversity units from a habitat bank; or as a last resort through the purchase of statutory credits; or a mixture of these.

3. The General Biodiversity Gain Condition has a separate legal basis in contrast to other planning conditions and will apply to all planning permissions, unless exempt. The General Biodiversity Gain Condition will therefore not appear on the decision notice along with the list of planning conditions imposed on the application, rather it will be referenced separately.

The General Biodiversity Gain Condition cannot be varied or removed by an application under section 73 of the Town and Country Planning Act. It also cannot be discharged as part of the grant of planning permission.

4. A public right of way (TPT) runs adjacent to the northeast of the proposed development site. Safe public access on the right of way should remain open and available at all times, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time, then a temporary closure should be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information

contact publicrightsofway@barnsley.gov.uk.

5. No vehicles shall be parked on the adjacent public right of way (TPT) at any time during works. The access from Wombwell Lane onto the TPT/NCN should also not be closed or blocked at any time during works.
6. Where possible works shall be undertaken from within the existing car sales forecourt and not from the adjacent public right of way (TPT).
7. The works should be undertaken outside of the bird nesting season (March-August inclusive). Should this not be possible then a suitably qualified ecologist should undertake a nesting bird check no more than 48 hours prior to the start of works. Should active nests be found, works should cease until the nests are no longer active and the chicks have fledged and the ecologist has deemed the area to be free of nesting birds.
8. If a protected species (such as any bat, great crested newt, badger, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. You should then seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.
9. If a bat or evidence of the presence of bats is discovered on site prior to or during development all work should stop immediately. A licensed bat consultant or Natural England must be contacted and works implemented only in accordance with methods advised by them. This advice note should be provided to any persons/contractors carrying out the development along with the contact details of a relevant ecological consultant. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017.
10. It is recommended that measures are taken to prevent a nuisance/ or effect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke or dust. No waste should be burnt. If a statutory nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, dust or smoke nuisance from being created.
11. The applicant/contractor should note that to deposit mud/debris on the public highway, or anything which may cause a nuisance or possible danger to road users, is an offence under provisions of the Highways Act 1980.