

Application Reference Number:	2026/0298
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Application Type:	<i>Full.</i>
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Proposal Description:	<i>Change of use of upper floors from storage to create 3x flats (Use Class C3) including conversion of roof space and installation of rooflights.</i>
Location:	<i>36 Hoyland Road, Hoyland Common, Barnsley, S74 0PB.</i>

Applicant:	<i>MUH Properties Hudds Ltd.</i>
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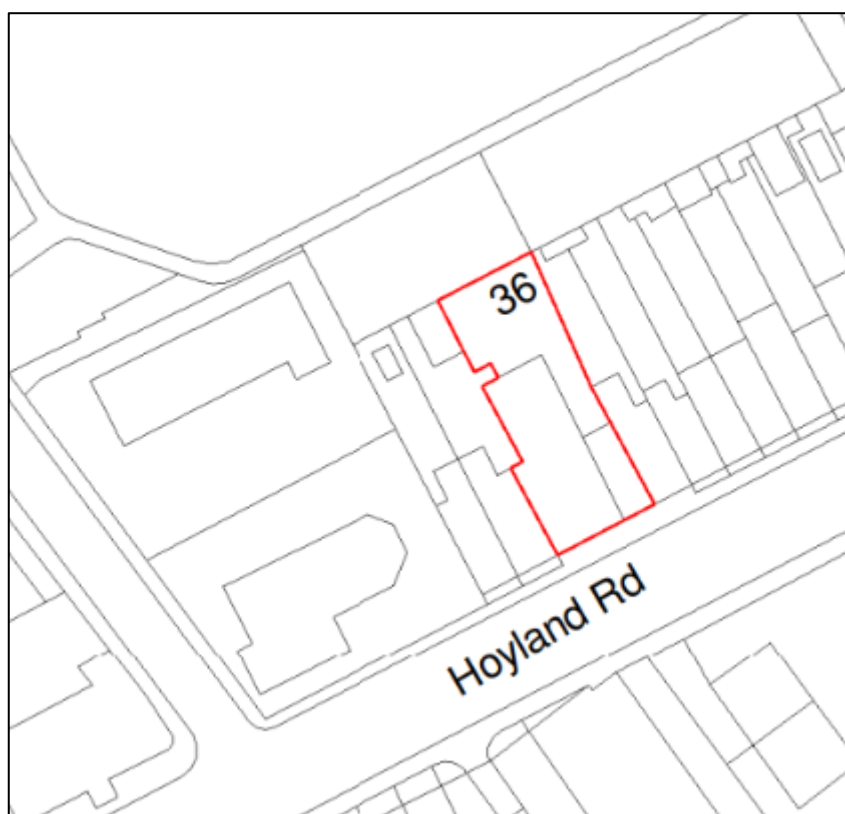
Third-party representations:	<i>None.</i>	Parish:	
		Ward:	<i>Rockingham.</i>

Summary: This proposal for small-scale residential development to create three flats (Use Class C3) located in an under-utilised building within an existing residential settlement and sustainable location would aid meeting the Borough's housing needs through a more effective use of the existing building and land and is considered acceptable in principle in accordance with paragraphs 73(d), 124, 125(d), 128(a), and Local Plan policies H1, H2, LG2, and H4. The principle of development is attributed great weight in favour of this proposal in accordance with paragraph 73(d) of the NPPF. This proposal is considered acceptable regarding its potential impacts on visual amenity, residential amenity, health and pollution control, highways, and biodiversity and geodiversity, and is considered acceptable regarding Local Plan policies GD1, POLL1, D1, T3, T4, and BIO1. The anticipated benefit(s) of allowing this proposed development to proceed, such as providing three flats within an under-utilised building within an existing settlement and sustainable location, without prejudicing the vitality and viability of the Hoyland Common Local Centre, are not considered to be outweighed by any other material planning considerations in this instance. For the reasons given above, and taking all other matters into consideration, this proposal conforms with all relevant national and local planning policies and supplementary guidance. Planning permission should therefore be granted subject to necessary conditions. Recommendation: APPROVE subject to conditions.
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Site Description

This application relates to a two-storey terraced building comprising a vacant ground floor office unit and ancillary first-floor storage space located in an area that is characterised by a mix of residential and commercial uses comprising financial, professional, or other services, offices, small-scale retail premises, cafés, barbers and hair salons, public houses, and a community centre. Hoyland Common Primary School is located to the west alongside the Rockingham Centre Sports Ground and links to Junction 36 of the M1 and the Dearne Valley Parkway. The King George's Field Recreation Ground and associated sports court and play area is located to the north. Residential uses within the locality comprise a mix of size, type and tenure, including bungalows, two-storey dwellinghouses and flats. The area is served by regular public transport services. There are on-street parking spaces available and limited on-street parking restrictions.

The application premises is constructed of stone and brickwork with a concrete tiled pitched roof. To the rear is a modest area of hardstanding used for off-street parking enclosed by timber fences and brick walls. There are existing two-storey and single storey rear projections. The rear courtyard area is accessed via a car port and existing dropped kerb access off Hoyland Road. All first-floor windows are boarded with metal railings to the rear. There are remnants of some ground level fascia signage on the front (south) elevation.



Planning History

Application Reference	Description	Status
B/74/0146/A/HN	Erection of 2 advertisement hoardings.	Historic.
B/93/1151/HN	Installation of new shop front.	Approved.
B/98/0417/HN/AD	Display of illuminated and non-illuminated signs.	Approved.

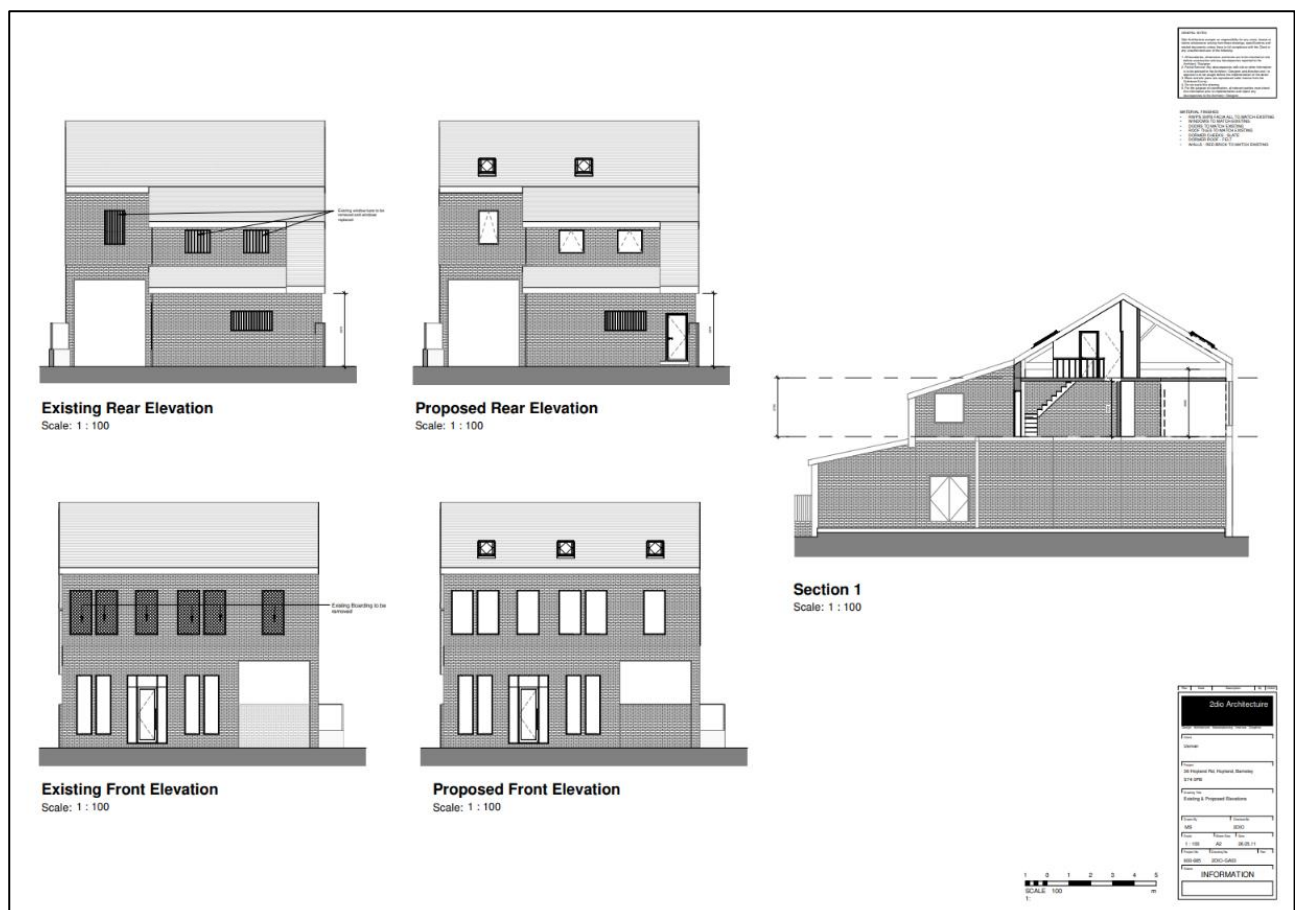
Proposed Development

The applicant is seeking planning permission for the change of use of the upper floors from storage to create three flats (Use Class C3) including the conversion of the roof space and the installation of rooflights.

An existing door on the rear (north) elevation would be used to provide access to the proposed flats.

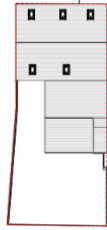
All of the proposed flats would comprise an open plan kitchen, dining and living area, and a bathroom on the first floor, and a bedroom with storage on the second floor. Flats one and two would also have rooms for a home office.

Rooflights would be installed to the north and south roof slopes of the main building. Three vehicular parking spaces, alongside a cycle store and a bin store would be provided to the rear, and existing window boards and bars would be removed and the windows replaced.





Existing Site Plan
Scale: 1 : 200



Proposed site plan
Scale: 1 : 200



Existing Ground Floor Plan
Scale: 1 : 100



Proposed Ground Floor Plan
Scale: 1 : 100



Existing First Floor Plan
Scale: 1 : 100



Proposed First Floor Plan
Scale: 1 : 100



Proposed Second Floor Plan
Scale: 1 : 100



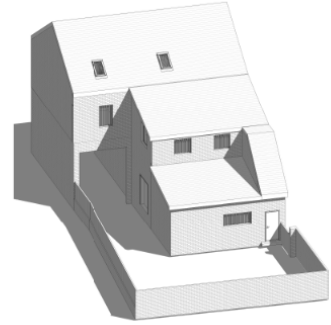
OS Plan
Scale: 1 : 1250

2dtd Architecture
35 Hayland Rd, Hayland, Barnsley
S14 5PB
01226 885 2000
info@2dtd.co.uk
www.2dtd.co.uk



Key Plan

AREA SCHEDULE
FLAT 1 - 1 BEDROOM - 59 SQM
FLAT 2 - 1 BEDROOM - 59 SQM
FLAT 3 - 1 BEDROOM - 59 SQM



3D Model
Scale:

No.	Title	Description	Date
1	2dtd Architecture		
2	Urban		
3	35 Hayland Rd, Hayland, Barnsley S14 5PB		
4	Existing & Proposed Floor Plans		
5	IK	2020	
6	AK	28.05.11	
7	600-685	2020-04-30	
8	INFORMATION		

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 urban fabric within the adopted Local Plan which has no specific allocation and is located within the Hoyland Common Local Centre.

The following Local Plan policies are therefore relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy LG2: The Location of Growth.*
- *Policy TC1: Town Centres.*
- *Policy H1: The number of New Homes to be Built.*
- *Policy H2: The distribution of New Homes.*
- *Policy H4: Residential Development on Small Non-allocated Sites.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy D1: High Quality Design and Place Making.*
- *Policy T3: New Development and Sustainable Travel.*
- *Policy T4: New Development and Transport Safety.*
- *Policy BIO1: Biodiversity and Geodiversity.*

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 5: Delivering a sufficient supply of homes.*
- *Section 9: Promoting Sustainable Travel.*
- *Section 11: Making effective use of land.*
- *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).*
- *Design of housing development (Adopted July 2023).*
- *Parking (Adopted November 2019).*

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

Other Material Considerations

- *South Yorkshire Residential Design Guide 2011 (SYRDG).*

Representations

This planning 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 was placed nearby which expired 08th June 2026.

No representations have been received.

Consultations

Highways Development Control	<i>No objection(s) subject to condition(s).</i>
Pollution Control	<i>No comment(s) received.</i>
Local Ward Councillors	<i>No objection(s) – One Councillor Response.</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 unless the NPPF establishes a specific weight:

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

Principle of Development

Paragraph 73(d) of the NPPF establishes that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built out relatively quickly. To promote the development of a good mix of sites local planning authorities should: support the development of windfall sites through their policies and decisions – giving great weight to benefits of using suitable sites within existing settlements for homes.

Paragraph 124 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs that makes use of previously developed or brownfield land.

Paragraph 125(d) of the NPPF establishes that planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Paragraph 128(a) of the NPPF states Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to: a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.

Local Plan Policy H1 establishes that the local planning authority will seek to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033.

Local Plan Policy H2 establishes that Hoyland is set to accommodate 12% of the borough's housing needs during the period 2014 to 2033 with a total of 2,567 dwellings.

Local Plan Policy H4: Residential developments on small non-allocated sites establishes proposals for residential development on sites below 0.4ha will be allowed where the proposal would comply with other relevant policies in the Local Plan.

Local Plan Policy TC1: Town Centres establishes support will be given to maintaining and enhancing the vitality and viability of Hoyland Common Local Centre. Local Centres serve smaller catchments, and development here will be expected to meet the needs of the local area and not adversely impact on the vitality or viability of other nearby centres.

Paragraph 15.1 of the Local Plan which supports Local Plan Policy TC1 sets out that the main town centre uses to which this policy applies are defined by the NPPF.

Annex 2: Glossary of the NPPF establishes the types of uses that constitute main town centre uses. While it is acknowledged that a residential use is not a main town centre use, this proposal is unlikely to prejudice the vitality and viability of the Local Centre given the existing ground floor office unit will be retained. It is considered this proposal could support the vitality and viability of the Local Centre and could help to attract a new occupant for the ground floor premises.

This proposal for small-scale residential development to create three flats (Use Class C3) located in an under-utilised building within an existing residential settlement and sustainable location would aid meeting the Borough's housing needs through a more effective use of the existing building and land and is considered acceptable in principle in accordance with paragraphs 73(d), 124, 125(d), 128(a), and Local Plan policies H1, H2, LG2, and H4 subject to the consideration of the following matters.

The principle of development is attributed great weight in favour of this proposal in accordance with paragraph 73(d) of the NPPF.

All new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable degree, for existing and new and future residents, including visual amenity and highway safety.

Impact on Residential Amenity, Health and Pollution Control

Local Plan Policy GD1: General Development, indicates that support will be given to development if there will be no significant adverse impact on the living conditions and residential amenity of existing and future residents, and the development would be compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land.

Local Plan Policy POLL1: Pollution Control and Protection, establishes that support will be given to development if it is demonstrated that proposals would not be likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause nuisance to the natural and built environment or to people.

The South Yorkshire Residential Design Guide (SYRDG) sets out internal space standards for new dwellings. Support will be given to development if the internal space standards are complied with.

This proposal is considered acceptable regarding potential overshadowing impact given that it would be contained within the building's existing footprint.

The proposal would achieve acceptable separation distances that reflect the prevailing development pattern of Hoyland Road and maintain existing separation distances between the properties located to the south, in accordance with the Council's adopted design guidance. The rear habitable windows would face onto the King George's Field Recreation Ground and would not affect any neighbouring habitable room windows. This proposal is considered acceptable regarding potential loss of privacy and overlooking impacts.

This proposal would utilise all existing apertures and no new windows are proposed beside rooflights on the north and south roof slopes of the main building.

Considering the above, it is not considered that this proposal would contribute to significant reduced levels of outlook.

All habitable rooms would benefit from access to a window(s) or rooflight(s) and a reasonable degree of natural light.

All flats would comply with the minimum internal space standards for 1-bed 2-person dwellinghouses as established by table 4A.1 in the SYRDG. Individual rooms would also be compliant with minimum internal space standards. Whilst the bedroom in Flat 2 is shown as a double bedroom, it would only comply with the space requirements for a single bedroom, although it is acknowledged that a minor internal alteration could create a space large enough for a double bedroom without obtaining further planning permission.

It is normally expected that shared private amenity space for apartments or flats should be provided at a minimum of 50 square metres plus an additional 10 square metres per unit as balcony space or added to shared private amenity space. Where private amenity space cannot be provided, balconies should be provided to a minimum of 3 square metres. The total amount of amenity space that should be provided would also depend on the quality, quantity, and accessibility of local public open spaces.

In this instance, no shared private amenity spaces have been proposed due to the limited opportunity

to facilitate these within the existing footprint and curtilage of the application building. In this instance, no balconies have been proposed either. Whilst this absence of shared private amenity space(s), or balconies, would normally weigh against a proposal, the development site is located in a sustainable location within the Hoyland Common Local Centre with a good level of access to local amenities and facilities and public transport links. The development site is also in reasonable walking and wheeling distance of local green spaces and sports facilities to the north and west. As such, while the absence of shared private amenity spaces or balconies is undesirable, its weight against this proposal in this instance is considered to be limited, and therefore, acceptable, on balance.

Environmental Health (Pollution Control) colleagues were consulted but no comments were received on this occasion. As such, the Local Planning Authority (LPA) has had to rely on its own assessment of potential impacts.

The proposed flats would be created above a vacant office unit and in an area that comprises a mix of residential and small-scale commercial premises that are considered to have low potential to have a significant adverse impact on the amenity of any potential future occupants. Notwithstanding this, such impacts would also be considered during future regulatory stages and is covered by Approved Document E: Resistance to the passage of sound, of The Building Regulations 2010 (as amended).

It is acknowledged that there could be some disruption and nuisance caused to people in the locality during construction works. However, any impact is anticipated to only be temporary and construction hours could be controlled by condition.

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

This 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, health and pollution control.

Impact on Visual Amenity

Paragraph 135(c) of the NPPF sets out planning policies and decisions should ensure that proposals would be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Local Plan Policy D1: High Quality Design and Placemaking, establishes support would be given to development if proposals would achieve a high quality of design and would respect, take advantage of, and reinforce the distinctive local character and features of Barnsley.

The Design of housing development sets out detailed guidance in support of Local Plan Policy D1.

No extensions or significant alterations are proposed beyond the removal of existing window boards and bars, and the installation of replacement windows and rooflights, which are welcome works that would bring about a limited benefit in respect of improving the external appearance of the application building. This proposal would not significantly alter or detract from the character of this street scene and is therefore considered acceptable.

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

This proposal is therefore considered to comply with Paragraph 135(c) of the NPPF and Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding visual amenity.

Impact on Highways

Paragraph 116 of the NPPF sets out development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe following mitigation and considering all other reasonable future scenarios.

Highways Development Control colleagues were consulted; and initial concerns were identified with respect of the apparent loss of off-street parking spaces serving the ground floor offices unit and the existing access being unsuitable for an intensified use because of it being substandard with respect of achieving the required visibility splays.

The Agent responded and argued that the ground floor office unit has been vacant for approximately two-years and is currently vacant. As such, there is no active commercial occupancy generating any parking demand at present and does not result in a material loss of operational parking provision for an existing functioning office use. The existing rear yard and parking areas are being retained within this proposal with an intention to make efficient use of an existing arrangement without any alteration to the site access. It is also argued that there is a car park within walking distance approximately 53-metres to the north-west of the development site located on Tinker Lane to the north of The Star.

Highways Development Control colleagues were re-consulted; and it was stated the proposal would provide three off-street vehicular parking spaces to required dimensions and a bicycle storage facility of sufficient size to accommodate at least three bicycles (one per flat) to encourage alternative mode of transport and improve the sustainability of the site.

The ground floor offices and existing ancillary first-floor storage areas would normally require at least eight off-street vehicular parking spaces (1 space per 30m²).

It is acknowledged that there is an argument that the ground floor offices are vacant. However, these could be brought back into use at any time. Nevertheless, it is also acknowledged that the rear yard area cannot accommodate the required eight spaces to service the offices and ancillary storage use and therefore, it is accepted that the site has been operating with insufficient parking facilities which has not had a detrimental impact on the public highway.

The proposed use of the first floor and second floor roof space to create three flats would result in a requirement to provide three off-street parking spaces.

Given that the existing use of the first floor requires the provision of four off-street parking spaces, it is evident that this proposal would not result in increased demand for parking provision if compared with the potential for the application building being brought back into use under current classification.

Considering the above, Highways Development Control colleagues have not raised objections from a highways perspective subject to conditions that secure a suitable surfacing material and proposed bicycle storage facilities.

The Local Planning Authority has no reason to disagree with the professional opinions of Highways Development Control colleagues in this instance, and the proposal is not considered to be prejudicial to highway safety, nor is there sufficient ground to warrant refusal under Paragraph 116 of the NPPF.

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

The proposal is therefore considered to comply with Local Plan Policies T3: New Development and Sustainable Travel and T4: New Development and Transport Safety and is considered acceptable regarding highway safety.

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 falls within the de minimis exemption and is therefore not subject to BNG in this instance.

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 BIO1: Biodiversity and Geodiversity and is considered acceptable regarding impact on biodiversity and geodiversity and trees.

Planning Balance and Conclusion

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

This proposal for small-scale residential development to create three flats (Use Class C3) located in an under-utilised building within an existing residential settlement and sustainable location would aid meeting the Borough's housing needs through a more effective use of the existing building and land and is considered acceptable in principle in accordance with paragraphs 73(d), 124, 125(d), 128(a), and Local Plan policies H1, H2, LG2, and H4.

The principle of development is attributed great weight in favour of this proposal in accordance with paragraph 73(d) of the NPPF.

This proposal is considered acceptable regarding its potential impacts on visual amenity, residential amenity, health and pollution control, highways, and biodiversity and geodiversity, and is considered acceptable regarding Local Plan policies GD1, POLL1, D1, T3, T4, and BIO1.

The anticipated benefit(s) of allowing this proposed development to proceed, such as providing three flats within an under-utilised building within an existing settlement and sustainable location, without prejudicing the vitality and viability of the Hoyland Common Local Centre, are not considered to be outweighed by any other material planning considerations in this instance.

For the reasons given above, and taking all other matters into consideration, this proposal conforms with all relevant national and local planning policies and supplementary guidance.

Planning permission should therefore be granted subject to necessary conditions.

RECOMMENDATION: Approve subject to 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:

- Amendments to include the removal of existing window boards and bars and the installation of replacement windows.
- Amendments to address insufficient room and vehicular parking spaces sizes.
- Additional information sought to address Highways Development Control colleague's initial concerns.

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.

Conditions:

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:

600-685 2DIO.GA02 Existing and Proposed Floor Plans received 29th May 2026.

600-685 2DIO.GA03 Existing and Proposed Elevations received 29th May 2026.

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. Construction or demolition-related activity shall only take place between the hours of 08:00am – 18:00pm Monday to Fridays, 09:00am – 14:00pm Saturdays and at no time on Sundays and Bank Holidays.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby and in accordance with Local Plan Policy POLL1: Pollution Control and Protection.

4. There shall be no burning of any material within the development site during demolition and/or construction phases.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby and in accordance with Local Plan Policy POLL1: Pollution Control and Protection.

5. Prior to the development hereby permitted being brought into use, the scheme for the parking of bicycles shown on the submitted plans [600-685 2DIO.GA02 Existing and Proposed Floor Plans received 29th May 2026] shall be implemented in full and retained thereafter.

Reason: In the interests of encouraging the use of sustainable modes of transport in accordance with Local Plan Policy T3: New Development and Sustainable Travel.

6. The access, parking and manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the access, parking and manoeuvring of motor vehicles prior to the development being brought into use, and shall be retained for said purposes at all times.

Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard; to ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway and to prevent the migration of loose material on to the public highway to the detriment of road safety and in accordance with Local Plan Policy T4: New Development and Transport Safety.

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. 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.
3. 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.