

Application Reference: 2026/0690.

Location: 15 Tuscany Gardens, Barnsley, S70 3QH.

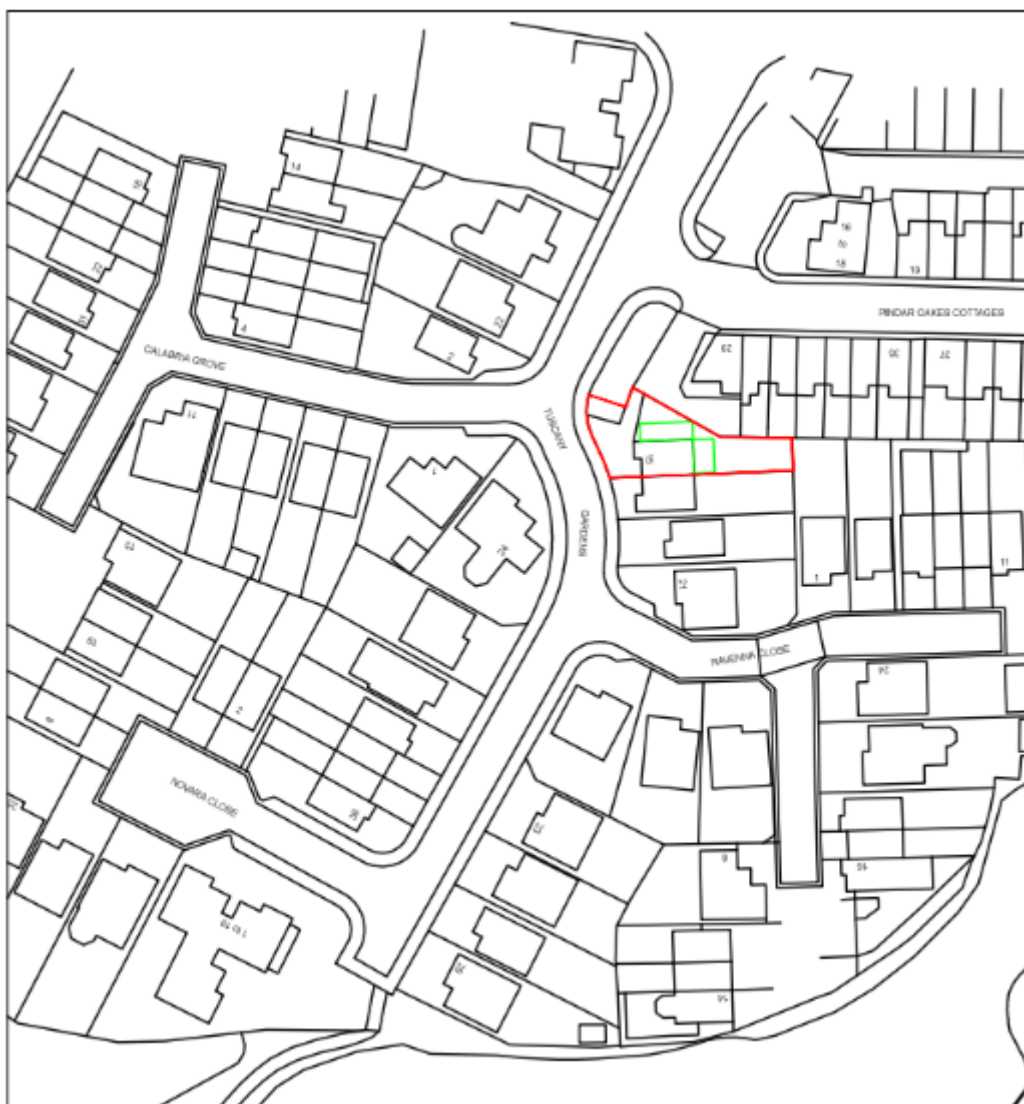
Introduction

This application seeks planning permission for the erection of a proposed side and rear extensions to the existing dwellinghouse.

Relevant Site Characteristics

This application relates to a modest-sized plot located within the Urban Barnsley settlement on the east side of Tuscany Gardens and in an area that is principally residential characterised by detached, semi-detached and terraced two-storey dwellinghouses of similar scale and varying appearance. The topography of the area falls east-to-west and south-to-north.

The application dwellinghouse is a semi-detached two-storey dwellinghouse constructed of brickwork with a pitched rosemary tiled roof. The application dwellinghouse benefits from a single storey porch on its front (west) elevation that is partially rendered. The application dwellinghouse is fronted by some soft landscaping and a driveway. To the rear is a larger private garden enclosed with timber fences.



Site History

B/77/1464/BA	Erection of boundary fence.	Historic.
B/80/1313/BA	Erection of R. B. chlorination plant.	Approved.
B/99/1236/BA	Outline for residential development.	Approved.
B/02/1527/BA	Residential Development of 69 dwellings (Reserved Matters).	Approved.
B/02/1871/BA	Residential development of 70 dwellings.	Approved.
B/03/1530/BA	Residential Development - Erection of 100 two and three-storey houses and flats.	Approved.

Detailed Description of Proposed Works

This application seeks planning permission for the erection of a proposed side and rear extensions to the existing dwellinghouse.

The proposed rear extension would measure approximately 5.2 metres (W) x 3.0 metres (D) x 3.5 metres (H). This proposed extension would adopt a mono-pitched roof with an approximate eaves height of 2.7 metres and would be constructed of closely matching external materials comprising brickwork and roof tiles.

The proposed side extension would measure approximately 2.6 metres (W) x 7.7 metres (D) x 3.5 metres (H). This proposed extension would adopt a lean-to roof with an approximate eaves height of 2.7 metres and would be constructed of closely matching external materials comprising brickwork and roof tiles.

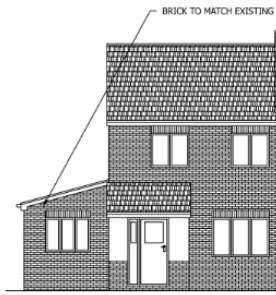
Drawing No.	Rev No.
NMS001	-003

IF IN DOUBT ASK!

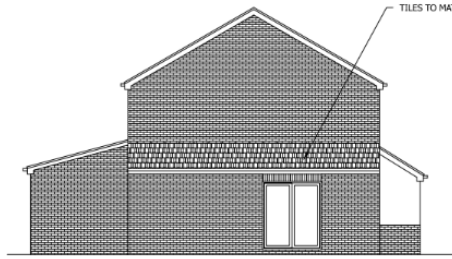
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DO NOT SCALE: Contractor to check all dimensions and report any omissions or errors

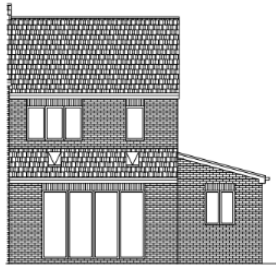
NOTES



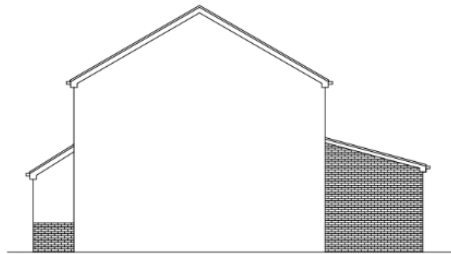
PROPOSED FRONT ELEVATION
SCALE 1:100 AT A3



PROPOSED END ELEVATION
SCALE 1:100 AT A3



PROPOSED REAR ELEVATION
SCALE 1:100 AT A3



PROPOSED END ELEVATION
SCALE 1:100 AT A3

Rev	Description	By	CHK	App	Date
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288 ELSIZING LANE
15 Tuscany Road
Barnsley
S70 3QH
Tel: 01226 185040
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Email: j.park@tmcgroup.co.uk
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Client: **NICHOLA SMITH**

Drawing Title: **PROPOSED ELEVATIONS**

Address: **15 TUSCANY GARDENS
BARNSELEY
S70 3QH**

Project Name: **PROPOSED SINGLE STOREY SIDE
& REAR EXTENSION**

Project Status: **PLANNING**

Drawing Status: **FIRST ISSUE**

Scale	Drawn By	Drawn Date	Checked By	Checked Date	Approved By	Approved Date
AS SHOWN	AS	15/05/2024	AS	15/05/2024	AS	15/05/2024

Project No: **NMS001** Drawing No: **003** Revision: **003**

Approval: ☒ Approved ☐ Rejected ☐ Cancelled ☐ Construction

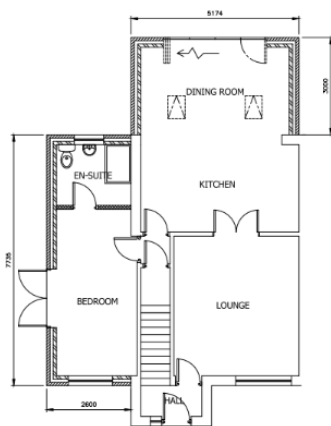
Drawing No.	Rev No.
NMS001	-004

IF IN DOUBT ASK!

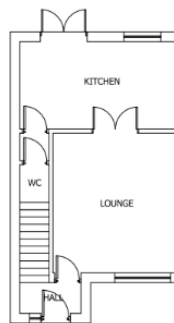
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DO NOT SCALE: Contractor to check all dimensions and report any omissions or errors

NOTES



PROPOSED GROUND FLOOR PLAN
SCALE 1:100 AT A3



EXISTING GROUND FLOOR PLAN
SCALE 1:100 AT A3

Rev	Description	By	CHK	App	Date
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Email: j.park@tmcgroup.co.uk
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Client: **NICHOLA SMITH**

Drawing Title: **PROPOSED PLANS**

Address: **15 TUSCANY GARDENS
BARNSELEY
S70 3QH**

Project Name: **PROPOSED SINGLE STOREY SIDE
& REAR EXTENSION**

Project Status: **PLANNING**

Drawing Status: **FIRST ISSUE**

Scale	Drawn By	Drawn Date	Checked By	Checked Date	Approved By	Approved Date
AS SHOWN	AS	15/05/2024	AS	15/05/2024	AS	15/05/2024

Project No: **NMS001** Drawing No: **004** Revision: **004**

Approval: ☒ Approved ☐ Rejected ☐ Cancelled ☐ Construction

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 was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

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.

Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the NPPF should be given very limited weight. The only exception to this is where they have been examined and adopted or made against the NPPF (August 2026). Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the NPPF (August 2026).

The development site is located within the Royston settlement and is allocated as Urban Fabric in the adopted Local Plan which is land within the settlement with no specific allocation.

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

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy D1: High Quality Design and Place Making.*
- *Policy T4: New Development and Transport Safety.*
- *Policy CC3: Flood Risk.*

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:

- *House extensions and other domestic alterations (Adopted March 2024).*
- *Parking (Adopted November 2019).*

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

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

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF, 2026) sets out the overarching planning framework for England. It has replaced the previous version published in December 2024 and introduced a revised structure

comprising national decision-making policies organised by policy code rather than paragraph number in the main body of the NPPF. Paragraph 1 confirms that the NPPF is a material consideration of critical importance for making decisions on development proposals in England.

Paragraph 15 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and NPPF Policy S3 sets out a presumption in favour of sustainable development, with paragraph 17 setting out the three overarching objectives of sustainable development: economic, social and environmental. Relevant policies have been taken into account throughout the assessment of this application according to the issues raised by the proposal.

The following NPPF sections and NPPF policies are relevant in this case:

Section 3: Decision-making policies

- *DM3: Determining development proposals.*
- *DM6: Use of planning conditions and obligations.*
- *DM7: Relationship with other regulatory regimes.*

Section 4: Achieving Sustainable development

- *S3: Presumption in favour of sustainable development.*
- *S4: Principle of development within settlements.*

Section 14: Achieving well-designed places

- *DP3: Key principles for well-designed places.*

Section 15: Promoting sustainable transport

- *TR3: Locating development in sustainable locations.*
- *TR4: Street design, access and parking.*
- *TR6: Assessing transport impacts.*

Section 17: Pollution, public protection and security

- *P3: Living conditions and pollution.*

Section 18: Managing flood risk and coastal change

- *F4: Assessing flood risk for decision-making.*
- *F5: The sequential test.*
- *F6: Development in areas at risk of flooding from rivers or the sea.*
- *F7: Ensuring development is safe from flooding.*

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.

Other Material Considerations

- *South Yorkshire Residential Design Guide (SYRDG) 2011.*
- *Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).*

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.

No representations were received.

Consultees

No statutory or non-statutory consultees were consulted on this application.

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

NPPF Policy S3(1): Presumption in favour of sustainable development establishes that decisions on development proposals should apply a presumption in favour of sustainable development. This means that NPPF Policy S4 should be applied when considering development proposals within settlements; and in all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in the NPPF should be approved without delay.

In this instance, the development site is located within the Urban Barnsley settlement and therefore, NPPF Policy S4 is applicable.

NPPF Policy S4(1): Principle of development within settlements establishes: Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework (NPPF).

Extensions and alterations to a dwelling are acceptable in principle if the development would remain subservient and would be of a scale and design which would be appropriate to the host property and would not be detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety.

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

Impact on Neighbouring Amenity

NPPF Policy P3(1): Living conditions and pollution establishes: Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of

pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. Within this context development proposals should accord with NPPF Policy P3(2) (a-f) where applicable.

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 proposed rear extension would be erected to the north of the rear curtilage of 17 Tuscany Gardens and to the south of the rear curtilage of 29 Pindar Oaks Cottages. Whilst some overshadowing impact could occur – particularly to the south – this proposed extension would adopt a modest scale and restrained roof height. Existing boundary treatments and topography differences would also act to lessen the extent of any potential impact.

The proposed side extension would be erected to the south of the rear curtilage of 29 Pindar Oaks Cottages. Whilst some overshadowing impact could occur, this proposed extension would adopt a modest scale and restrained roof height. Existing boundary treatments and topography differences would also act to lessen the extent of any potential impact.

A sufficient separation distance would be maintained between the rear elevation of the proposed rear extension and the boundary opposite with the rear apertures facing into the development site and not towards the habitable room windows of surrounding neighbouring properties. No windows would be installed on either side elevation of this proposed extension.

A sufficient separation distance would be maintained between the front and rear elevations of the proposed side extension and the surrounding neighbouring properties. One glazed aperture would be installed on the side elevation of the proposed side extension facing toward the curtilage of 29 Pindar Oaks Cottages. However, this aperture would not be located directly opposite the habitable room windows of 29 Pindar Oaks Cottages and existing boundary treatments and topography differences would also act to lessen the extent of any potential impact.

Within the context of existing boundary treatments and topography differences it is not considered that this proposal would contribute to significant reduced levels of outlook.

Considering the above, it is not considered that this proposal would contribute to significant increased overshadowing, overlooking and loss of privacy, or reduced outlook impacts which would otherwise adversely affect the amenity of the occupants of the application or adjacent neighbouring properties, and therefore, significant weight is attributed in favour of this proposal and its approval.

Notwithstanding the above, this proposal would comply with all relevant criteria and conditions established by Class A, Part 1 of Schedule 2 of the GPDO and could be erected as permitted development (not requiring planning permission).

This proposal is therefore considered to comply with NPPF Policy P3: Living conditions and pollution and Local Plan Policies GD1: General Development and POLL1: Pollution Control and Protection and is considered acceptable regarding its impact on residential amenity.

Scale, Design and Impact on Character

NPPF Policy DP3(1): Key principles for well-designed places establishes development proposals should respond to their context so that they integrate with and enhance their surroundings. This should not preclude innovation or change where appropriate.

NPPF Policy DP3(3) establishes that substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

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 adopted House extensions and other domestic alterations SPD establishes guidance in respect of single storey side extensions. It establishes that the design of a single storey side extension should reflect the design of the existing dwellinghouse in terms of roof style, pitch, materials and detailing, and should not have an excessive sideways projection more than two thirds the width of the original dwellinghouse.

In this instance, the proposed side extension would comprise a single storey and would not adopt an excessive sideways projection. This proposed extension would also adopt an appropriate scale and sympathetic appearance, including a pitched roof type and the use of closely matching external materials.

The adopted House extensions and other domestic alterations SPD establishes guidance in respect of single storey rear extensions. It establishes that all such extensions to the rear of semi-detached houses should not project more than 4 metres beyond the rear elevation and the eaves height should not exceed 2.5 metres where the extension would project beyond 3 metres.

In this instance, the proposed rear extension would comprise a single storey and would adopt a rearward projection of approximately 3 metres with an approximate eaves height of 2.7 metres. This proposal would therefore be compliant with adopted design guidance in this regard. This proposed extension would also adopt an appropriate scale and sympathetic appearance, including a pitched roof type and the use of closely matching external materials.

Considering the above, there is no evidence to indicate that this proposal would result in unacceptable levels of impact in respect of visual amenity that would warrant refusal of planning permission. Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals in accordance with NPPF Policy DP3.

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

Notwithstanding the above, this proposal would comply with all relevant criteria and conditions established by Class A, Part 1 of Schedule 2 of the GPDO and could be erected as permitted development (not requiring planning permission).

This proposal is therefore considered to comply with NPPF Policy: Key principles for well-designed places and Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding its impacts on scale, design, character and visual amenity.

Impact on Highways

NPPF Policy TR3: Locating development in sustainable locations supports development that is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure.

NPPF Policy TR4: Street design, access and parking establishes that to contribute to creating well-designed places, transport considerations should be integral to the design of development, proposals for which should: give priority first to walking, wheeling and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services. Proposals should also provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan.

NPPF Policy TR6(4): Assessing transport impacts establishes that development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

This proposal is not considered to be prejudicial to highway safety because existing off-street parking and access arrangements within the development site would not be affected and the proposal would not result in a requirement to provide additional spaces.

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

Notwithstanding the above, this proposal would comply with all relevant criteria and conditions established by Class A, Part 1 of Schedule 2 of the GPDO and could be erected as permitted development (not requiring planning permission).

This proposal is therefore considered to comply with NPPF Policies TR3: Location development in sustainable locations and TR4: Street design, access and parking, and Local Plan Policies T3: New Development and Sustainable Travel and T4: New Development and Transport Safety and is considered acceptable regarding its impact on highway safety.

Impact on Flood Risk

The development site lies partially within Flood Risk Zone 3 which means there is a greater probability of flooding.

NPPF Policy F4: Assessing flood risk for decision-making establishes that to inform the assessment of flood risk and, where relevant, appropriate mitigation, a site specific flood risk assessment should accompany all development proposals in Flood Zones 2, 3a, and 3b. Site-specific flood risk assessments should be appropriate to the scale, nature, and location of development and should, where relevant, support an assessment of whether a development proposal satisfies the sequential and exception tests set out in NPPF Policies F5 and F6.

NPPF Policy F5: The sequential test establishes that the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, other than for stated exceptions, including Household development.

NPPF Policy F6: Development in areas at risk of flooding from rivers or the sea establishes that development proposals should be refused if the use is incompatible with the risk from river or sea flooding, as set out in Annex F, table 3 of the NPPF. In certain other circumstances set out in Annex F, table 3, in addition to satisfying the sequential test in policy F5 where applicable, development will only be appropriate where an 'exception test' is satisfied. The application of the exception test should be informed by a site-specific flood risk assessment. The exception test does

not need to be applied To those forms of development, or in those circumstances, where the sequential test is not required, as set out in policy F5, including Householder development.

NPPF Policy F7: Ensuring development is safe from flooding establishes that development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere. Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused unless the proposed development meets the circumstances set out by paragraphs a-e.

It is acknowledged that this application is not supported by a site-specific Flood Risk Assessment as required by the NPPF and that the proposed development would fall under the more vulnerable flood risk vulnerability classification set out by Annex F, Table 2 or the NPPF and that NPPF Policy F7 would ordinarily provide grounds for refusal. However, potential flood risk impacts could have been considered under the original application for this residential development and it should be noted that this proposal would comply with all relevant criteria and conditions established by Class A, Part 1 of Schedule 2 of the GPDO and could be erected as permitted development (not requiring planning permission) if planning permission were to be refused.

Planning Balance and Conclusion

In accordance with the provisions of NPPF Policy S3 and Local Plan Policy SD1 this proposal is considered within the context of the presumption in favour of sustainable development.

For the reasons given above, and taking all other matters into consideration, this proposal complies with the relevant national and local planning policies and guidance and as such, planning permission should 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.

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

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 approved plans:

NMS001 001 Site Plans.

NMS001 003 Proposed Elevations.

NMS001 004 Proposed Plans.

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 external materials shall match those used in the existing building (15 Tuscany Gardens, Barnsley, S70 3QH) and specified by the approved documents listed above.

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.

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.
4. Under the Building Act 1984, the Council is required to be notified of any demolition exceeding 50 cubic metres carried out within the Borough. This can be done by contacting us via email at demolition@barnsley.gov.uk or by telephone on 01226 773555.
5. The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: [Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)