

Silkstone

Neighbourhood Development Plan

2022 – 2033

Basic Conditions Statement




Silkstone Parish Council, July 2022

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Prepared by Silkstone Parish Council

with the assistance of  Kirkwells
The Planning People

1.0 Introduction

- 1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)¹ sets out that only a draft Neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B of the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. A draft neighbourhood plan or order meets the basic conditions if—
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
 - the making of the plan contributes to the achievement of sustainable development
 - the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations.
- 1.2 Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:
- the making of the neighbourhood plan is not likely to have significant effects on a European site or a European offshore marine site either alone or in combination with other plans or projects and
 - having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to the examination of the NDP as it is not about a neighbourhood development order).
- 1.3 A further Basic Condition was added by legislation on 28 December 2018. The Neighbourhood Planning (General) Regulations 2012 para 1 states:
- In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act - The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.4 This Basic Conditions Statement sets out how the Silkstone NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

¹ <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

2.0 Legal Requirements

2.1 The Submission Plan is being submitted by a qualifying body

The Submission Plan is being submitted by a qualifying body, namely Silkstone Parish Council.

2.2 What is being proposed is a neighbourhood development plan

The plan being proposed relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

2.3 The proposed Neighbourhood Plan states the period for which it is to have effect

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2022 to 2033 (from the current year and referring to the same period as the adopted Barnsley Local Plan, adopted 2019).

2.4 The policies do not relate to excluded development

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

2.5 The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The Neighbourhood Plan proposal relates to the designated Silkstone Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on Map 2 in the NDP.

3.0 Basic Conditions

3.1 a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan

The Silkstone Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, updated on 20th July 2021)².

Note - only those policies and sections in the NPPF that are relevant to the NDP are addressed below.

2. Achieving Sustainable Development

Paragraph 1 of the NPPF explains that 'The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.'

Paragraph 7 sets out that 'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.'

The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These objectives should be delivered through the preparation and implementation of plans (paragraph 9). The NDP includes various policies which, together, should deliver sustainable development. Table 1 sets out how the Silkstone NDP delivers the 3 overarching Objectives.

Table 1 Delivering Sustainable Development

NPPF Overarching Objectives	Silkstone NDP Policies and Proposals
a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;	Silkstone parish has two villages, Silkstone and Silkstone Common, which are inset in the Green Belt. The NDP notes that there are a number of small businesses largely concentrated in the built-up areas of the 2 villages which provide services and local employment. The area is accessible to larger centres such as Barnsley, Leeds, Wakefield and Sheffield and attracts commuters. There is a growing visitor economy and the NDP supports opportunities arising from this, building on the area's interesting industrial heritage, pretty countryside and attractiveness to walkers and cyclists with various routes. Objective 6 is to support the development of a sustainable local economy, with

² <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

	<p>particular emphasis on maximising local tourism assets.</p> <p>NDP Policy RD1 Supporting Rural Diversification and Tourism Development supports proposals which promote appropriate rural diversification and provide local employment opportunities will be supported within the built-up areas of the two villages and particularly schemes which support the visitor economy such as those linked to food and drink and accommodation.</p> <p>In addition, the opportunities linked to the Trans Pennine Trail (TPT) and local routes such as the Waggonway are addressed in the NDP.</p> <p>Objective 7 is to preserve and improve accessibility and connections to the Trans Pennine Trail, the Waggonway, local beckside, local footpaths and bridle paths and Objective 9 is to support better access to local public transport networks. These objectives should be delivered by Policy T1 which encourages development to provide linkages to footpaths, cycle routes and public transport and requires landscaping and screening where development is located close to PRow and various actions for the Parish Council.</p>
<p>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;</p>	<p>Silkstone NDP has a strong focus on social sustainability, reflecting the needs and aspirations of the local community. Silkstone and Silkstone Common are identified as villages in the Local Plan settlement hierarchy and are surrounded by Green Belt.</p> <p>Objective 1 is to support the development of housing provision to meet local needs that is in keeping with the character of the surrounding area.</p> <p>There are no housing site allocations in the NDP but several policies support the provision of some new housing within the villages. Policy H1 supports smaller housing (up to 3 bedrooms) suitable for first time buyers and young families or housing suitable for older people including those seeking to downsize in line with identified</p>

	<p>local housing needs and responses to public consultations. Policy H2 has been prepared to help ensure infill development and development in gardens does not have an adverse impact on local character.</p> <p>Health and wellbeing are also addressed in the NDP. Objective 5 is to support the protection and improvement of community leisure, sports and recreation facilities. NDP Policy R1 supports improvements to local community and recreation facilities identified through community consultations. Active travel is promoted through Objectives 7 and 9 and various Policies including D1, RD1 and T1.</p> <p>In addition the identified Non-designated Heritage Assets (see Policy BH1 and Appendix 3) include a number of buildings and structures which have significant social, religious and cultural significance such as chapels, pubs, a monument to a tragic local pit disaster and various other assets with a strong association to the area's industrial heritage.</p>
<p>c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p>	<p>The NDP has a strong emphasis on protecting and enhancing the natural and built environment.</p> <p>Objective 2 is to protect, enhance and develop the Parish's wildlife and biodiversity, natural assets and amenity areas, including the Trans Pennine Trail, the green belt, green open spaces, woodland, open farmland, and community allotments. NDP Policy NE1 sets out how local landscape character should be protected and enhanced through landscaping, protecting green corridors and identifying important views that should be considered and Policy NE2 sets out how wildlife should be protected, and biodiversity net gain achieved. The NDP includes a great deal of information about local wildlife and habitats. Policy LGS1 identifies a number of Local Green Spaces.</p> <p>Silkstone Parish has significant industrial heritage linked to the area's mining activity and this is highly valued by residents and visitors. Objective 3 is to protect and enhance the Parish's built industrial and residential heritage and history. NDP</p>

	<p>Policy BH1 protects a list of Non-designated Heritage Assets identified through the NDP process and provided in Appendix 3. Policy D2 sets out how proposals should be sympathetic to the relevant local Character Area (see Appendix 4) and requires new housing to have regard to the Silkstone Design Codes.</p> <p>Objective 4 is to support climate change and carbon net zero objectives and to promote resource efficiency in all new development. This will be achieved through NDP Policy D1 Sustainable Design which incorporates key principles from the Design Codes. In addition the various policies and proposals which promote active travel and use of public transport should contribute towards reduced carbon emissions.</p>
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The presumption in favour of sustainable development is explained in relation to plan making in NPPF paragraph 11:

'11. Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Silkstone NDP takes a positive and balanced approach to development, recognising that housing development would be acceptable within the settlement boundaries, subject to addressing the criteria set out in the NDP planning policies.

Paragraph 13 explains that 'the application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.'

3. Plan Making

In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address.

Table 2 sets out how the Silkstone NDP addresses each of these in turn.

Table 2 Plan Making

NPPF Plan Making	Silkstone NDP
a) be prepared with the objective of contributing to the achievement of sustainable development	The NDP has been prepared to contribute to sustainable development; NDP policies support appropriate housing development and there is a strong emphasis on sustainable and high quality design. Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.
b) be prepared positively, in a way that is aspirational but deliverable;	The NDP has been prepared positively. The Steering Group has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable and appropriate development. Design codes were commissioned through the Locality Technical Support programme to underpin policies on design and to provide more detail.
c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;	The work on the NDP has been led by a Steering Group of local residents and parish councillors. The NDP's preparation has been supported by officers from Barnsley Council and independent planning consultants. The accompanying Consultation Statement sets out the details of the various community consultation and engagement activities which have been undertaken at various stages of the Plan's preparation. Briefly these have included: <ul style="list-style-type: none"> - Public meetings to assess local interest and commence work on the NDP - Issues and Options consultation with local stakeholders - Informal consultation on Local Green Spaces and Non designated Heritage Assets with local building and land owners. - Regulation 14 formal consultation.
d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;	The NDP policies and proposals have been prepared by the Committee, with support from a planning consultant. The technical evidence underpinning policies and proposals includes design codes prepared by AECOM through the Locality technical support programme. Amendments have been made through the process in response to suggestions

	provided through public consultation. It is understood that the Examiner is likely to recommend further changes to wording following the examination process.
e) be accessible through the use of digital tools to assist public involvement and policy presentation; and	All relevant documents have been provided on the NDP website at various stages and the website has been updated to include all documents from each stage prior to submission. Responses by email and using an online response form were invited at informal and formal consultation stages. Copies of presentation material from the drop ins at Reg 14 were published on the website for those unable to attend in person.
f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).	The NDP has been amended and updated throughout its preparation to reduce duplication with Barnsley Council policies and national policies.

The Plan Making Framework

Paragraph 18 sets out that 'Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.'

The Silkstone NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies.

Non-strategic policies

Paragraph 29 advises that 'Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.'

The NDP refers to the relevant Barnsley Local Plan policies and paragraphs of the NPPF in the supporting text. Silkstone and Silkstone Common are identified as villages in the Local Plan settlement hierarchy. Paragraph 7.3 of the Local Plan sets out that villages will be expected to deliver approximately 5% of the overall housing requirement figure through housing allocations or windfall sites. There are no housing allocations in Silkstone or Silkstone Common but, as has happened historically, there is likely to be continued windfall development over the Plan period.

Paragraph 30 goes on to say that 'Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.'

5. Delivering a sufficient supply of homes

Rural housing

Paragraph 65 sets out that 'strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.'

The Parish has seen some housing development in recent years and the NDP recognises that some further modest growth should be supported where housing is located within the built-up areas or is exception housing to meet local needs. Development should be sensitively designed and be of a suitable size and type which responds to local needs and community consultation responses.

Paragraph 78 advises that 'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.' The NDP supports this principle in **Policies H1 and H2**.

6. Building a strong, competitive economy

Supporting a prosperous rural economy

Paragraph 84 advises that 'Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'

The NDP recognises the Parish's location in the Green Belt with opportunities to grow the visitor economy and includes **Policy RD1 Supporting Rural Diversification and Tourism**.

The NDP describes the various local community facilities in the Parish and supports improvements in **Policy R1**.

8. Promoting healthy and safe communities

Paragraph 92 sets out that 'Planning policies and decisions should aim to achieve healthy, inclusive and safe place which c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling' Paragraph 98 goes on to say 'Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.'

The NDP has a strong emphasis on healthy lifestyles and active travel through policies and proposals which support enhancements to local community and recreation facilities and develop improved linkages to important local walking and cycling routes such as the wagonway and Trans Pennine Trail which runs through the Parish.

9. Promoting sustainable transport

Paragraph 104 c) advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. The NDP promotes walking and cycling in Policies **D1, RD1, T1**.

11. Making effective use of land

Paragraph 119 advises 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.' Paragraph 120 goes on to say, ' Planning policies and decisions should: a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside.'

The NDP supports development within the villages and includes **Policies NE1 and NE2** which encourage landscaping schemes to enhance local wildlife, provide new and restored habitats and to contribute to biodiversity net gain.

12. Achieving well-designed places

Paragraph 126 explains that 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.' Paragraph 125 goes on to say that 'Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.'

The application of Design Codes is encouraged and promoted in paragraphs 128 and 129. Paragraph 128 advises 'Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design.' Paragraph 129 sets out ' Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.'

The NDP is underpinned by the **Silkstone Neighbourhood Plan Design Code** background document which was commissioned through the Locality Technical Support programme. The Design Code has been used to inform NDP **Policies D1 and D2**.

13. Protecting Green Belt land.

Silkstone Parish is largely protected by the Green Belt and this is noted in the NDP. Policies guide development to the 2 villages which are inset.

Paragraph 149 sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this [include] f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites).

The NDP includes supporting text referring to Local Plan policies.

14. Meeting the challenge of climate change, flooding and coastal change

Paragraph 152 advises that 'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'

Paragraph 154 advises that 'New development should be planned for in ways that: b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.'

Paragraph 155 sets out 'To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts); b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.'

NDP Policy D1 sets out that proposals should demonstrate how designs have incorporated high standards of resource and energy efficiency as recommended in the guidance set out in Design Code 1: Sustainability and Climate Change.

15. Conserving and enhancing the natural environment

Paragraph 174 advises that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'

The NDP describes the distinctive local landscape character around Silkstone and includes **Policies NE1** which seeks to protect and enhance landscape character and **NE2** which promotes biodiversity net gain. The supporting text provides significant detail about local natural environmental assets in the Parish and was provided with the support of a local wildlife group.

Ground conditions and pollution

Paragraph 185 sets out that 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.' This includes considering such matters as noise and light pollution. NDP Policies which encourage developments to be located close to walking and cycling routes and public transport facilities such as **T1** should contribute towards managing improvements in air quality and reduced CO₂ emissions.

16. Conserving and enhancing the historic environment

Paragraph 189 advises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 190 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

The NDP includes **Policy BH1** to protect local heritage and notes the many built heritage assets in the Parish.

3.2 b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

The NDP notes the listed buildings in the Parish.

[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

3.3 c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Plan area does not include any Conservation Areas.

[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

3.4 d. Contributes to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development. This is set out in more detail in Table 1 above in relation to the economic, social and environmental objectives of the NPPF.

3.5 e. In General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic policies set out in the adopted Barnsley Local Plan up to 2033. Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the development plan.

Table 3 General Conformity with Strategic Planning Policies in the Barnsley Local Plan up to 2033, adopted January 2019

Silkstone NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>Policy H1 Criteria for New Housing Development in Silkstone Parish</p> <p>Proposals for new housing development in Silkstone Parish will be supported where proposals:</p> <ol style="list-style-type: none"> 1. Are on sites within the settlement boundaries of the two villages of Silkstone and Silkstone Common 2. Or they comprise sensitive conversions or other development not considered inappropriate in the Green Belt, including rural exception housing in accordance with Barnsley Local Plan Policies. <p>Schemes should include smaller housing (up to 3 bedrooms) suitable for first time buyers and young families or housing suitable for older people including those seeking to downsize.</p> <p>Designs should be of a high quality and respond positively to the NDP design policies in terms of height, density, scale, detailing and materials.</p>	<p>Policy LG2 The Location of Growth Priority will be given to development in the following locations: Urban Barnsley; Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (which includes Thurnscoe and Bolton on Dearne), Penistone and Royston; and Villages.</p> <p>Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town, and the Principal Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.</p> <p>Policy H1 The Number of New Homes to be Built</p> <p>We will seek to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033.</p> <p>A minimum five year supply of deliverable sites will be maintained.</p> <p>Policy H4 Residential Development on Small Non-allocated Sites</p>	<p>NDP Policy H1 supports new housing within the settlement boundary of the 2 villages Silkstone and Silkstone Common or where it comprises not inappropriate development in the Green Belt. Developments for smaller units are preferred and high quality design is promoted.</p> <p>This policy is in general conformity with several Local Plan policies including Policy LG2 which sets out the settlement hierarchy. Silkstone and Silkstone Common are villages which are not expected to accommodate significant growth. Relevant housing policies include Policy H1 which sets out the housing target for the Borough, Policy H4 restricts residential development on small non allocated sites to 0.4ha, and Policy H6 encourages a mix of house sizes and tenures to create balanced communities.</p>

	<p>Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan.</p> <p>Policy H6 Housing Mix and Efficient Use of Land</p> <p>Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.</p> <p>A density of 40 dwellings per hectare net will be expected in Urban Barnsley and Principal Towns and 30 dwellings per hectare net in the villages.</p> <p>Lower densities will be supported where it can be demonstrated that they are necessary for character and appearance, need, viability or sustainable design reasons.</p>	
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<p>Policy H2 Residential Development in Rear Gardens</p> <p>Residential development in rear gardens and other infilling should demonstrate that there would not be an unacceptable impact on the character of the local area in terms of loss of openness, mature trees, hedges and shrubbery.</p> <p>Development should not lead to a significant increase in the density of built form, taking into account the character of the surrounding area.</p>	<p>Policy H6 Housing Mix and Efficient Use of Land</p> <p>A density of 40 dwellings per hectare net will be expected in Urban Barnsley and Principal Towns and 30 dwellings per hectare net in the villages.</p> <p>Lower densities will be supported where it can be demonstrated that they are necessary for character and appearance, need, viability or sustainable design reasons.</p> <p>Policy D1 High Quality Design and Place Making</p> <p>Design Principles: Development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including: - Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features; ... - Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.</p>	<p>NDP Policy H2 has been prepared in response to local concerns about the impacts of development in gardens on local character.</p> <p>The Policy is in general conformity with Local Plan Policy H6 which sets out a lower housing density of 30dph in villages and supports lower densities where necessary for character reasons. Local Plan Policy D1 requires development to be of high-quality design taking advantage of and reinforcing local character including landscape character and green infrastructure, and townscape character including scale and layout of buildings in the locality.</p>
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<p>Policy NE1 Protecting and Enhancing Local Landscape Character</p> <p>1. Landscaping Schemes</p> <p>Development proposals should protect and enhance local landscape character by using locally appropriate materials and suitable landscaping schemes and boundary treatments. Proposals should demonstrate how siting and design have taken into consideration local landscape character.</p> <p>Developments should incorporate the following landscape design principles:</p> <p>A. Key local landscape features including hedgerows, meadows, woodland and mature trees and stone walls should be conserved, and opportunities should be taken to restore and repair such features where they have been neglected; and</p> <p>B. Watercourses should be protected and re-naturalised. Wherever possible opportunities should be taken to incorporate natural drainage solutions as part of measures to reduce flood risk. This could include for instance providing wetland areas and planting trees.</p> <p>2. The 'Green Corridor' and Development on Settlement Edges</p>	<p>Policy D1 High Quality Design and Place Making</p> <p>Design Principles: Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:</p> <ul style="list-style-type: none"> - Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features; - Views and vistas to key buildings, landmarks, skylines and gateways; and - Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality. <p>.....</p> <p>Policy CC4 Sustainable Drainage Systems (SuDS)</p> <p>The Council will also promote the use of SuDS on minor development.</p> <p>Policy CC5 Water Resource Management</p> <p>To conserve and enhance the Boroughs water resources proposals will be supported which:</p> <ul style="list-style-type: none"> a. Do not result in the deterioration of water courses and which conserve and enhance: 	<p>NDP Policy NE1 requires development proposals to protect and enhance local landscape character by including features which are characteristic of the local Silkstone area in landscaping schemes, protecting the green corridor between the 2 villages and providing a soft transition to the rural area and identifying important public views which should be considered.</p> <p>This policy is in general conformity with Local Plan Policy D1 which requires development to respect, take advantage of and reinforce distinctive local character including landscape character, views and heritage.</p>
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<p>A. The 'green corridor' separating Silkstone and Silkstone Common should be maintained. Residential development within or adjacent to this area should respond sensitively and positively to the green corridor and provide hedgerow boundary treatments and tree planting to screen the visual impact of development on the wider landscape.</p> <p>B. Development at the settlement edge should be of a lesser density than the rest of the settlement area to achieve a soft and graduated transition into the rural landscape.</p> <p>3. Views</p> <p>A. New buildings should not obscure views to local landmarks. The Key Views shown on the Policies Maps 1A and 1B and Map 3 make an important contribution towards local visual amenity and the neighbourhood area's landscape character. Any development on sites which sit within or would be visible in these views should be designed to have a minimal visual impact. Size, scale, use of materials, on-site landscaping and use of natural screening should ensure that the development nestles within the settlement and is not unduly prominent.</p> <p>B. Development proposals which impact on the Key Views should be accompanied by a landscape and visual impact assessment.</p>	<p>i. The natural geomorphology of water courses;</p> <p>ii. Water quality; and</p> <p>iii. The ecological value of the water environment, including watercourse corridors.</p> <p>b. Make positive progress towards achieving "good" status or potential under the Water Framework Directive in the boroughs surface and ground water bodies;</p> <p>c. Manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling; and</p> <p>d. Dispose of surface water appropriately and improve water quality through the incorporation of SuDS, in accordance with Policy CC4.</p>	
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<p>Policy NE2 Wildlife</p> <p>Development proposals should conserve and enhance biodiversity in Silkstone Parish, and opportunities to incorporate biodiversity improvements are encouraged. All developments should mitigate any impacts from the loss of countryside, wildlife and the natural environment.</p> <p>As a principle, there should be a measurable net gain enhancement of biodiversity assets wherever possible, with an aim of achieving a biodiversity net gain of 10% as a minimum requirement and increased to attain maximum possible biodiversity outcome. Biodiversity net gain should be provided on site, unless it is not technically possible, in which case off-site contributions would be sought.</p> <p>A biodiversity net gain could be achieved through development by:</p> <ol style="list-style-type: none"> 1. Managing any habitats retained within the development site to improve quality. This could be done, through for example, by <ol style="list-style-type: none"> A. Retaining mature trees and hedgerows and using traditional local species in landscaping schemes and tree planting; 	<p>Policy BIO1 Biodiversity and Geodiversity</p> <p>Development will be expected to conserve and enhance the biodiversity and geological features of the borough by:</p> <ul style="list-style-type: none"> - Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006 (for list of the species and habitats of principal importance) and in the Barnsley Biodiversity Action Plan. - Maximising biodiversity and geodiversity opportunities in and around new developments. - Conserving and enhancing the form, local character and distinctiveness of the boroughs natural assets such as the river corridors of the Don, the Dearne and Dove as natural floodplains and important strategic wildlife corridors. - Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest. 	<p>NDP Policy NE2 has been prepared to conserve and enhance local biodiversity.</p> <p>The Policy has been prepared in response to the significant areas of local wildlife interest in the Parish, including a SSSI, woodlands and water courses and sets out local biodiversity may be retained and enhanced.</p> <p>Policy C2 is in general conformity with Local Plan BIO1 which expects development to conserve and enhance biodiversity features and to maximise biodiversity opportunities, conserve river and wildlife corridors, protect trees and provide biodiversity enhancements.</p>
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<p>B. Improving existing hedgerows and improving the management of hedgerows to improve biodiversity. where they are retained as boundary treatments, and where fences are used on boundaries, incorporating gaps so hedgehogs and other wildlife can pass through;</p> <p>C. Retaining and improving the management of any ponds; and</p> <p>D. Creating new priority habitats.</p> <p>2. Securing local off-site habitat management to provide an overall benefit. In particular, contributions will be sought for the following:</p> <p>A. Restoring or creating wildflower-rich unimproved grassland and meadows on farmland, areas of public open space and grass verges;</p> <p>B. Woodland management;</p> <p>C. Creation and enhancement of wetland areas.</p> <p>3. A combination of the above.</p> <p>Developers should also incorporate wildlife friendly measures into buildings. Such measures could include for example incorporating swift bricks, bat and owl boxes and bug hotels.</p>	<ul style="list-style-type: none"> - Protecting ancient and veteran trees where identified. - Encouraging provision of biodiversity enhancements. <p>Development which may harm a biodiversity or geological feature or habitat, including ancient woodland and aged or veteran trees found outside ancient woodland, will not be permitted unless effective mitigation and/or compensatory measures can be ensured. Development which adversely effects a European Site will not be permitted unless there is no alternative option and there are imperative reasons of overriding public interest (IROPI).</p>	
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<p>Policy LGS1 Local Green Spaces</p> <p>The following are designated and protected as Local Green Spaces:</p> <ol style="list-style-type: none"> 1. 'Hillside', High Street, Silkstone; 2. 'Ribbon' open-space along Silkstone Waggonway from Silkstone Cross to the Parish boundary; 3. Broad Gates play area, Silkstone; 4. Martin Croft playground adjacent to the war memorial, Silkstone; 5. The Chestnuts, Martin Croft, Silkstone; 6. Woodland and grassed area between Towngate and Manor Park, Silkstone; 7. Manor Park, Silkstone – areas A, B and C within the estate and fronting bungalows facing on to Barnsley Road at Silkstone Cross; 8. Manor Park playground, rear of Silkstone Primary School; 9. Orchard Wood and meadow, off Moorend Lane, Silkstone Common; 10. Silkstone Common Recreation Ground, Holroyd Walk, Silkstone Common; and 11. Jay's Wood, Hall Royd Lane, Silkstone Common. <p>These are identified on the Policies Maps 1A and 1B and at a larger scale on the Maps in Appendix 2.</p>	<p>Policy GI1 Green Infrastructure</p> <p>We will protect, maintain, enhance and create an integrated network of connected and multi functional Green Infrastructure assets that:</p> <ul style="list-style-type: none"> - Provides attractive environments where people want to live, work, learn, play, visit and invest; - Meets the environmental, social and economic needs of communities across the borough and the wider City Regions; - Enhances the quality of life for present and future residents and visitors; Helps to meet the challenge of climate change; - Enhances biodiversity and landscape character; - Improves opportunities for recreation and tourism; - Respects local distinctiveness and historical and cultural heritage; - Maximises potential economic and social benefits; and - Secures and improves linkages between green and blue spaces; <p>....</p> <p>The network of Green Infrastructure will be secured by protecting open space, creating new open spaces as part of new development, and by using developer contributions to create and improve Green Infrastructure.</p>	<p>NDP Policy LGS1 identifies several areas for protection as Local Green Spaces in the neighbourhood area.</p> <p>Such areas would be considered as contributing to Green Infrastructure to be protected and enhanced under Local Plan Policy GI1. The Policy is therefore in general conformity with Policy GI1.</p> <p>Some of the areas are identified as Green Space and would be afforded some protection under Local Plan Policy GS1, but as Local Green Spaces their importance to local people is highlighted and they may have some additional protection.</p>
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<p>Inappropriate development of Local Green Space is ruled out other than in very special circumstances.</p>	<p>We have produced a Green Infrastructure Strategy for Barnsley which is informed by the Leeds City Region and South Yorkshire Green Infrastructure Strategies.</p> <p>Policy GS1 Green Space</p> <p>We will work with partners to improve existing green space to meet the standards in our Green Space Strategy.</p> <p>Green Spaces are green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks.</p> <p>Proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:</p> <ul style="list-style-type: none"> - An assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or - The proposal is for small scale facilities needed to support or improve the proper function of the green space; or 	
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	<ul style="list-style-type: none"> - An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss. 	
<p>Policy BH1 Conserving and Enhancing Heritage Assets on the Local List</p> <p>A candidate list of buildings and structures identified as non-designated heritage assets in the Local List is set out at Appendix 3. All development proposals affecting these locally important heritage assets (once formally approved by Barnsley Council), or their settings, will be assessed in terms of Barnsley Local Plan Policy HE1 The Historic Environment.</p> <p>When designing development proposals for non-designated heritage assets, owners and developers should have regard to conserving the significance of the asset and the components which positively contribute to its character or appreciation as a heritage asset.</p>	<p>Policy HE1 The Historic Environment</p> <p>We will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley’s historic environment, especially for those assets which are at risk This will be achieved by:-</p> <ul style="list-style-type: none"> a. Supporting proposals which conserve and enhance the significance and setting of the borough’s heritage assets, paying particular attention to those elements which contribute most to the borough’s distinctive character and sense of place. ... d. By ensuring that proposals affecting an archaeological site of less than national importance or sites with no statutory protection conserve those elements which contribute to its significance in line with the importance of the remains. In those cases where development affecting such sites is acceptable in principle, mitigation of 	<p>NDP Policy BH1 identifies a list on Non-designated Heritage Assets which have been identified and assessed through the NDP process.</p> <p>This policy is in general conformity with Local Plan Policy HE1 which supports proposals which conserve and enhance the significance and setting of heritage assets supports proposals which conserve Barnsley’s non-designated heritage assets.</p>

	<p>damage will be ensured through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, an understanding of the evidence to be lost must be gained in line with the provisions of Policy HE6.</p> <p>e. By supporting proposals which conserve Barnsley’s non-designated heritage assets. We will ensure that developments which would harm or undermine the significance of such assets, or their contribution to the character of a place will only be permitted where the benefits of the development would outweigh the harm.</p> <p>f. By supporting proposals which will help to secure a sustainable future for Barnsley’s heritage assets, especially those identified as being at greatest risk of loss or decay.</p>	
<p>Policy D1 Sustainable Design</p> <p>New housing development in Silkstone Parish should have regard to the Silkstone Design Code 1: Sustainability and Climate Change.</p> <p>Developments should mitigate impacts from the loss of countryside, wildlife and the natural environment (see NDP Policies NE1 and NE2) and demonstrate that, wherever possible they are responding to</p>	<p>Policy CC1 Climate Change</p> <p>We will seek to reduce the causes of and adapt to the future impacts of climate change by:</p> <ul style="list-style-type: none"> - Giving preference to development of previously developed land in sustainable locations; - Promoting the reduction of greenhouse gas emissions through sustainable design and construction techniques; 	<p>NDP Policy D1 is drawn from Design Codes prepared for Silkstone NDP promotes the use of various measures to ensure buildings are energy and resource efficient.</p> <p>This Policy is in general conformity with Local Plan Policies CC1 Climate Change which seeks to reduce the causes of and adapt to the future impacts of climate change by various broad measures and Policy CC2 Sustainable Design and</p>

<p>climate change by including high standards of insulation, and energy and resource conservation.</p> <p>Schemes should, wherever possible and viable, consider and include examples from the following sustainability principles in their design:</p> <p>1. Energy and Resource Efficiency</p> <p>A. Cavity wall and under floor insulation should avoid heat loss through thermal bridging and schemes should include double or triple glazing, window and door draft sealing.</p> <p>B. Solar, heat recovery, air source and ground source energy are encouraged but should be designed to have a minimal visual impact. Where technologies have a visual impact on sensitive areas (such as solar shingles and photovoltaic slates within or close to the setting of a heritage asset) they should be designed in from the start.</p> <p>C. The orientation of buildings and roof pitches should consider passive solar design principles and allow for efficient solar energy collection.</p> <p>D. The use of green roofs is encouraged to assist with insulation and summer cooling requirements and to enhance solar energy efficiency.</p> <p>E. Gardens and parking areas should have the majority of their area soft</p>	<ul style="list-style-type: none"> - Locating and designing development to reduce the risk of flooding; - Promoting the use of Sustainable Drainage Systems (SuDS); - Promoting and supporting the delivery of renewable and low carbon energy; and - Promoting investment in Green Infrastructure to promote and encourage biodiversity gain. <p>Policy CC2 Sustainable Design and Construction</p> <p>Development will be expected to minimise resource and energy consumption through the inclusion of sustainable design and construction features, where this is technically feasible and viable.</p> <p>All non-residential development will be expected, to achieve a minimum standard of BREEAM ‘Very Good’ (or any future national equivalent). This should be supported by preliminary assessments at planning application stage.</p>	<p>Construction which sets out that development will be expected to minimise resource and energy consumption through the inclusion of sustainable design.</p> <p>The NDP Policy provides a greater level of detail in the suggested measures.</p>
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<p>landscaped, with permeable surfacing used on hard landscaped areas to enable rainwater absorption and to reduce the rate of run off.</p> <p>F. Rainwater and greywater should be stored and reused to reduce demand on mains supplies. Installation of water butts is encouraged to collect rainwater from roofs and reduce the overall rainwater run off impact of any development.</p> <p>G. Developments should aim to re-use existing materials or procure reclaimed and recycled materials from local suppliers.</p> <p>2. Open Spaces and Green Infrastructure</p> <p>A. Residential areas should be located within walking and cycling distance of open spaces and other recreational opportunities (see Policy T1).</p> <p>B. Opportunities should be taken to link open spaces through a series of green networks or corridors which allow wildlife to move along corridors to access foraging opportunities and habitats and people to access a range of different recreational facilities.</p>		
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<p>Policy D2 Promoting High Quality Design and Responding to Local Character</p> <p>All development should be sympathetic to the distinctive character of the relevant Character Area - see Appendix 4.</p> <p>New housing development in Silkstone Parish should have regard to the Silkstone Design Codes.</p> <p>1. New development proposals should address the following principles:</p> <p>A. Development should have a maximum height of two storeys and scale should be informed by adjacent dwellings. Additional storeys may be provided within the roof space with sky lights and/or gable end windows.</p> <p>B. Materials and detailing should reflect the local vernacular of slate roofs (except where green roofs are proposed to improve sustainability), sandstone, brick or render walls, sills and lintels, and sash or casement windows. However imaginative modern designs which use other high-quality materials in an innovative way will also be supported</p> <p>C. Parking should be provided in line with Design Code 4 - Parking, Gardens and Boundary Treatments. Overall parking should be provided on-plot wherever possible and on-street parking as the only</p>	<p>Policy D1 High Quality Design and Place Making</p> <p>Design Principles: Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:</p> <ul style="list-style-type: none"> - Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features; - Views and vistas to key buildings, landmarks, skylines and gateways; and - Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality. <p>Through its layout and design development should:</p> <ul style="list-style-type: none"> - Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment; - Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas; - Help to transform the character of physical environments that have become run down and are lacking in distinctiveness; 	<p>NDP Policy D2 has been prepared from detailed Design Codes for Silkstone neighbourhood area building on local character appraisals.</p> <p>This is in general conformity with Local Plan Policy D1 which sets out broad design principles for new development in the Borough including the need to reinforce distinctive local character and features.</p>
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<p>means of parking should be avoided in future development to minimise visual impacts. Electric vehicle and cycle charging points should be provided.</p> <p>D. Back gardens should be a minimum depth of 10m and provide a minimum area of 50m² of usable amenity space. North facing back gardens should exceed 10m in length to ensure sunlight is maximised.</p> <p>E. Distances between buildings and elevations should refer to Design Code 5 - Privacy, Space and Natural Surveillance. Designs should avoid overlooking of habitable rooms and gardens. Windowed front elevations of dwellings should face the street where this is in keeping with local character.</p> <p>2. Where proposals involve conversions of historic buildings schemes should address the following principles:</p> <p>A. Conversions of historic buildings into residential use should preserve and enhance existing heritage features, to maintain the integrity of the original building.</p> <p>B. Any new openings (windows and doors) should be positioned carefully to maintain the character and balance of the building and detailing should reflect the existing design through use of complementary materials and finishes.</p>	<ul style="list-style-type: none"> - Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces; - Provide clear and obvious connections to the surrounding street and pedestrian network; - Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances; - Promote safe, secure environments and access routes with priority for pedestrians and cyclists; - Create clear distinctions between public and private spaces; - Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details; - Make the best use of high quality materials; <p>Include a comprehensive and high quality scheme for hard and soft landscaping; and Provide high quality public realm.</p> <p>In terms of place making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.</p>	
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<p>C. The area around the building should be designed to the same standard as the changes to the building. Landscaping should respond to the existing character and defining features of the local landscape and consider any views into the site in line with NDP Policy NE1.</p>		
<p>Policy R1 Supporting Suitable Improvements to Local Recreation and Community Facilities</p> <p>Proposals for improvements in existing recreation, sports and community facilities in Silkstone Parish will be supported where they widen the choice of local sports provision, provide opportunities for informal activities, and promote healthy and active lifestyles for all.</p> <p>In particular proposals which enhance provision at Silkstone Common Recreation Ground will be encouraged. Such enhancements could include for instance:</p> <ul style="list-style-type: none"> • Improvements to the changing facilities, football and cricket pitches; • New facilities such as a bike track, a skateboard park, running track, boule court or tennis court; • Provision of a picnic area / family area; and • A nature trail and meadow. 	<p>Policy GS1 Green Space</p> <p>We will work with partners to improve existing green space to meet the standards in our Green Space Strategy. Green Spaces are green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks.</p> <p>Policy I2 Educational and Community Facilities</p> <p>We will support the provision of schools, educational facilities and other community facilities.</p> <p>New schools, educational and community facilities such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship, should be located centrally to</p>	<p>NDP Policy R1 supports improvements in local sports and community facilities, including those identified through community consultations for Silkstone Common Recreation Ground.</p> <p>This is in general conformity with Local Plan Policy GS1 which sets out that the Council will work with partners to improve existing green spaces including recreation grounds and sports pitches. Policy I2 goes on to say the provision of community facilities will be supported including sports venues and these should be centrally located and accessible to the communities they serve.</p>

<p>All proposals should be informed by a thorough process of local community consultation and engagement and should be designed to be fully accessible to older people, children and those with mobility impairments. Designs should ensure that local residential amenity is protected.</p> <p>Landscaping schemes should be designed to protect and enhance local biodiversity and provide linkages to surrounding woodland areas.</p> <p>Development in the Green Belt should be consistent with national and local Green Belt policy.</p>	<p>the communities they serve, in places where they will be accessible by walking, cycling and public transport.</p> <p>Such uses will be protected from development unless it can be demonstrated that the sites and premises are no longer required by the existing or an alternative community facility.</p>	
<p>Policy RD1 Supporting Rural Diversification and Tourism</p> <p>Development proposals which promote appropriate rural diversification and provide local employment opportunities will be supported within the built-up areas of the two villages. In particular small scale rural schemes which support the visitor economy will be encouraged. Such proposals could include for example:</p> <ul style="list-style-type: none"> • food and drink establishments; • development promoting the area's industrial heritage and • development providing accommodation, for example through Airbnb (where this would not comprise the loss of existing larger dwellings), and overnight stabling; and 	<p>Policy E5 Promoting Tourism and encouraging Cultural Provision</p> <p>We will promote tourism and encourage the growth and development of cultural provision by:</p> <ul style="list-style-type: none"> - Encouraging the provision of a wide range of venues and opportunities for cultural activity; Safeguarding and sustaining existing cultural provision; - Promoting the existing cultural provision and tourism offer (for example museums, theatres, accommodation and hospitality); and - Encouraging the growth of the tourism business sector. 	<p>NDP Policy RD1 supports proposals linked to diversification of the rural economy such as tourism such as those related to food and drink and accommodation. The policy has been prepared in response to opportunities linked to the growing visitor numbers in the area and assets linked to walking, cycling and interesting local heritage.</p> <p>This is in general conformity with Local Plan Policy E5 which promotes tourism including in the rural area as part of measures to diversify the rural economy and Policy E6 which allows development in rural areas if it supports sustainable diversification, results in growth and improves local services, subject to Green Belt policy and other criteria.</p>

<ul style="list-style-type: none"> • facilities linked to local and long-distance walking, cycling and horse riding routes including the Waggonway and Trans Pennine Trail (TPT). <p>All development proposals should demonstrate sufficient parking provision for visitors and employees and safe access to and from existing rural roads.</p> <p>Development in the rural area will be expected to not have a harmful impact on the Green Belt.</p>	<p>Major new tourist and cultural facilities will be focused within existing centres where possible.</p> <p>Tourist related development in rural areas will be protected and encouraged to support and diversify the local economy, subject to the requirements of Policy E6 Rural Economy.</p> <p>Policy E6 Rural Economy We will encourage a viable rural economy by allowing development in rural areas if it:</p> <ul style="list-style-type: none"> - Supports the sustainable diversification and development of the rural economy; - Results in the growth of existing businesses; <p>Is related to tourism or recreation; or</p> <ul style="list-style-type: none"> - Improves the range and quality of local services in existing settlements. <p>Development in rural areas will be expected to:</p> <ul style="list-style-type: none"> - Be of a scale proportionate to the size and role of the settlement; - Be directly related, where appropriate, to the needs of the settlement; - Not have a harmful impact on the countryside, biodiversity, Green Belt, landscape or local character of the area; - Consider the re-use of existing rural buildings in the first instance; and - Protect the best quality agricultural land, areas of lower quality agricultural land should be used for development in 	
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	<p>preference to the best and most versatile land.</p>	
<p>Policy T1 Improving Access and Sustainable Travel</p> <p>With the exception of former agricultural buildings converted for residential use, new housing developments should be accessible to local facilities and amenities and where possible provide fully accessible linkages to sustainable transport routes such as footpaths, multi-use routes and public transport.</p> <p>Developments close to PRoW including public footpaths and multi-use bridleways and cycleways such as the Waggonway and the Trans Pennine Trail (TPT) should include a suitable buffer zone of landscaping and screening.</p> <p>Proposals to improve car and cycle parking provision at the station will be supported.</p>	<p>Policy T3 New Development and Sustainable Travel</p> <p>New development will be expected to:</p> <ul style="list-style-type: none"> - Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists; - Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document; - Provide a transport statement or assessment in line with guidance set out in the National Planning Policy Framework and guidance including where appropriate regard for cross boundary local authority impacts; and - Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate regard for cross boundary local authority impacts. Travel plans will be 	<p>NDP Policy T1 seeks to increase walking and cycling and use of public transport and reduce reliance on the car in the neighbourhood area. (The Policy was amended slightly prior to submission to take into account the fact that former agricultural buildings may be located in less accessible locations.)</p> <p>This is in general conformity with Local Plan Policy T3 which sets out that developments should be located and designed to reduce travel and to be accessible to public transport and walking and cycling routes.</p>

	<p>secured through a planning obligation or a planning condition.</p> <p>Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with policy I1.</p> <p>If it is not possible or appropriate for the minimum amount of parking for cycles, motorbikes, scooters and mopeds to be met on site, the developer must provide, or contribute towards, off-site parking, or improve or provide other forms of travel.</p>	
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3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).

A neighbourhood plan must be compatible with EU obligations, as incorporated into UK law, in order to be legally compliant. Notwithstanding the United Kingdom's departure from the EU, these obligations continue to apply unless and until repealed or replaced in an Act of Parliament.

Strategic Environmental Assessment (SEA)

To meet the 'basic conditions' which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.

A screening report (Silkstone Neighbourhood Development Plan Screening Assessment, November 2021) was prepared prior to the Regulation 14 public consultation to determine whether the Silkstone Neighbourhood Development Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and / or a Habitat Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive.

The report concluded that the Silkstone Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to SEA.

The report was sent to the three consultation bodies, Environment Agency, Natural England and Historic England.

Responses were provided from Historic England and Natural England. Natural England advised that in their 'view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.' Natural England went on to advise that 'the responsible authority should raise environmental issues that we have not identified ... before determining whether an SA/SEA is necessary.' The Draft Plan included detailed information about local wildlife and habitats. Local wildlife groups Barnsley Natural History and Scientific Society, Barnsley Biodiversity Trust, South Yorkshire Badger Group and Barnsley Biological Records Centre were all closely involved in drafting both the supporting text and Policy NE2 Wildlife.

The relevant supporting text and Policy NE2 were reproduced in Appendix 2 of the revised, updated Screening Assessment. Barnsley Council advised by email that their ecologist agreed with this approach.

Historic England advised that ‘on the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the Sea Directive] Historic England concurs with your conclusion that the preparation of a Strategic Environmental Assessment is not required for the Silkstone Neighbourhood Plan.’ Historic England also provided some broad comments on the emerging Draft Plan.

The updated report concluded that it is considered that a full Environmental report will not be required for Silkstone Neighbourhood Development Plan. It was published on the NDP website prior to the Regulation 14 public consultation.

Requirement for Habitats Regulations Assessment (HRA)

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan’s implementation.

The report Silkstone Draft Neighbourhood Development Plan Habitats Regulations Screening Assessment, November 2021 was produced prior to the Regulation 14 consultation and forwarded to the 3 consultation bodies for comments.

Natural England responded setting out it ‘agrees with the report’s conclusions that the Silkstone Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.’

Historic England did not respond to the consultation on the HRA draft Screening Assessment and Environment Agency did not respond.

The updated report was published on the NDP web pages prior to the Regulation 14 consultation.

European Convention on Human Rights

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“The Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on

development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

It is unlikely there would be any detrimental impact on the 'protected characteristics' set out in the Equality Act and, generally, the Plan would bring positive benefits. Whilst the Plan does not directly address needs in respect of particular protected characteristics within the plan area, the Silkstone NDP is not prejudicial to any group in its policies.

3.7 The NDP must not breach the requirements of Chapter 8 of the Conservation of Habitats and Species Regulations 2017 (d)

The NDP does not include any site allocations for development. Natural England concurred with the findings of the HRA assessment and advised that the Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

3.8 g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan)

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, effective from 28 December 2018, prescribes the following additional Basic Condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:

'The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017'.

Regulation 106(1) of Chapter 8 states that: 'a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under Regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required'.

The prescribed conditions have been met in relation to the Neighbourhood Development Plan (NDP) and prescribed matters have been complied with in connection with the proposal for the Plan.

Prepared by Silkstone Parish Council
with the assistance of 