

Barnsley Metropolitan Borough Council

Decision Statement – Silkstone Neighbourhood Development Plan

Planning and Compulsory Purchase Act 2004 & The Neighbourhood Planning (General) Regulations 2012

Regulation 18 Decision Statement

1. Summary

- 1.1. Following an independent examination, modifications are being made to the Silkstone Neighbourhood Development Plan as set out in Table 1 below.
- 1.2. In accordance with the Independent Examiner’s recommendations, the Silkstone Neighbourhood Plan will proceed to referendum based on the Silkstone Neighbourhood Area as designated by Barnsley Metropolitan Borough Council on 3 May 2017.
- 1.3. This Decision Statement, the Examiner’s report and the draft Submission Silkstone Neighbourhood Development Plan and the final Silkstone Neighbourhood Development Plan incorporating the recommendations of the Independent Examiner, together with the supporting documentation are available on the Council’s website at [Silkstone Neighbourhood Development Plan \(barnsley.gov.uk\)](https://www.barnsley.gov.uk/silkstone-neighbourhood-development-plan)
- 1.4. Paper copies of the Decision Statement and the Examiner’s report and the submission and final versions of the Silkstone Development Plan will be made available for inspection at:
 - The Library @ the Lightbox, 1 The Glass Works Barnsley S70 1GW and:
 - Penistone Library, High Street, Penistone, Sheffield, S36 6BR.

2. Decisions and Reasons

- 2.1. The Examiner has concluded that the legislative requirements set out under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act have been met, and in particular that the Plan has been prepared and submitted for examination by a qualifying body; for a designated neighbourhood area; meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004; and the policies relate to the development and use of land for a designated Neighbourhood Area.
- 2.2. The Examiner has concluded that subject to the specified modifications being made to the Plan, the Silkstone Neighbourhood Development Plan meets the Basic Conditions stated and other relevant legal requirements.
- 2.3. The Council accepts all the modifications and the reasons put forward by the Examiner for them. The Examiner’s reasons and recommended modifications are set out in Table 1.
- 2.4. The Council is satisfied that subject to the modifications specified in Table 1 below, the Plan meets the relevant Basic Conditions mentioned in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990, is compatible with the Convention Rights and complies with the provision made by or under S38A and S.38B of the Planning and Compulsory Purchase Act 2004.
- 2.5. To meet the requirements of the Localism Act 2011, a referendum which poses the question “Do you want Barnsley Metropolitan Borough Council to use the Neighbourhood Development Plan for Silkstone to help it decide planning applications in the neighbourhood area?” will be held in the Silkstone Neighbourhood Area.

This Decision Statement is dated 6 September 2023

Table 1: Silkstone Neighbourhood Development Plan Schedule of Modifications

**Policy H1 Criteria for New Housing Development in Silkstone Parish
Recommendation 1**

Modification Number	Page Number (Examiners Report)	Examiner’s Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner’s Reasons
1.	14	<p>Revise Policy H1 as follows:</p> <p>Revise point 1 to read: Are on sites within <i>the areas inset from the Green Belt</i> in the two villages of Silkstone and Silkstone Common</p> <p>Delete ‘Criteria for’ from the Title to Policy H1</p>		<p>Para 3.13</p> <p>Para 3.19</p>

**Future Provision of Affordable Housing
Recommendation 2**

Modification Number	Page Number (Examiners Report)	Examiner’s Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner’s Reasons
2	15	<p>Delete the section titled “Future Provision of Affordable Housing” and paragraphs 5.1.22 to 5.1.27</p> <p>Add the following at the end of paragraph 5.1.13: <i>“In addition, the Parish Council would wish to make clear that there is no proposal nor intention in the SNDP for the Green Belt near Throstle Nest Equestrian Centre (known in the draft Barnsley Local Plan as site EC11) to be developed.”</i></p>		<p>Para 3.27 – 3.29</p> <p>Para 3.28 - 3.29</p>

**Policy NE1 Protecting and Enhancing Local Landscape Character
Recommendation 3**

Modification Number	Page Number (Examiners Report)	Examiner’s Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner’s Reasons
3	16 & 17	<p style="text-align: center;">Revise Policy NE1 as follows:</p> <p style="text-align: center;">Delete “and Map 3” from point 3A.</p> <p>Review the viewpoints to ensure that they are all publicly accessibly and revise where necessary</p> <p style="text-align: center;">Include the map from page 42 on the Design Code 2 within the text to show the indicative Green Corridor</p> <p style="text-align: center;">Add the following at the end of the second sentence in paragraph 5.2.11, after “green corridor”: “Map XX, from Design Code 2, shows the indicative location of the Green Corridor.”</p>		<p>Para 3.36</p> <p>Para 3.35</p> <p>Para 3.34</p> <p>Para 3.34</p>

**Policy NE2 Wildlife
Recommendation 4**

Modification Number	Page Number (Examiners Report)	Examiner's Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner's Reasons
4	17	<p>Revise Policy NE2 as follows:</p> <p>Move the following text from the policy to the justification:</p> <p>Paragraph 3 (A biodiversity net gain...by :) and point 1 A-D, point 2 A-C, Point 3 and the second sentence of the fourth paragraph (Such measures could include ...)</p> <p>Delete "also" from the first sentence of the fourth paragraph of the policy.</p> <p>Correct the typographical error in the first line of the paragraph 5.2.50 "could".</p>		Para 3.39

**Policy LGS1 Local Green Spaces
Recommendation 5**

Modification Number	Page Number (Examiners Report)	Examiner's Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner's Reasons
5	18 & 19	Revise the final paragraph of the policy to read: "Development will not be permitted within a Local Green Space unless there are very special circumstances which outweigh the harm to the Local Green Space including the loss of the particular local significance that justified the designation." Delete paragraphs 5.2.56 – 5.2.57		Para 3.48 Para 3.49

**Policy BH1 Conserving and Enhancing Heritage Assets on the Local List
Recommendation 6**

Modification Number	Page Number (Examiners Report)	Examiner's Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner's Reasons
6	19	Show the location of the properties proposed as candidate non-designated heritage assets on a clear OS map so that they can be identified and on the Policies Map		Para 3.53

**Policy D1 Sustainable Design
Recommendation 7**

Modification Number	Page Number (Examiners Report)	Examiner's Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner's Reasons
7	20	<p align="center">Revise Policy D1 as follows:</p> <p align="center">Move the third paragraph of the policy and points 1 A to G to the justification to Policy D1 in paragraph 5.3.25</p> <p align="center">Move point 2A to form a new paragraph in Policy H1 under point 2. Delete "(see Policy T1)"</p> <p align="center">Move point 2B to the beginning of the final paragraph of Policy NE2.</p>		<p align="center">Para 3.57</p> <p align="center">Para 3.58</p> <p align="center">Para 3.59</p>

**Policy D2 Promoting High Quality Design and Responding to Local Character
Recommendation 8**

Modification Number	Page Number (Examiners Report)	Examiner's Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner's Reasons
8	20 & 21	<p align="center">Revise Policy D2 as follows:</p> <p>Revise the first paragraph to read: "...relevant Character Area as defined in Appendix 4."</p> <p>Revise the second sentence of Point 1C to read: "Parking should be provided on-plot wherever possible. On-street parking as the only means of parking should be avoided in future developments. Electric vehicle..."</p> <p>Revise Point 1D to read: "Private amenity space should be provided relevant to the size of the dwelling in accordance with the SPD Design of Housing Development."</p> <p>Add the following to the justification to Policy BH1: "Policy D2 and the Silkstone Design Code 3 set out principles for the design and landscaping of proposals that involve the conversion of historic buildings."</p>		<p align="center">Para 3.61</p> <p align="center">Para 3.61</p> <p align="center">Para 3.61</p> <p align="center">Para 3.62</p>

**Policy R1 Supporting Suitable Improvements to Local Recreation and Community Facilities
Recommendation 9**

Modification Number	Page Number (Examiners Report)	Examiner's Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner's Reasons
9	21	<p align="center">Revise Policy R1 as follows:</p> <p>Retail the first sentence of the second paragraph of the policy. Place the examples from the second paragraph of the policy to the justification to the policy: "Enhancements for improving at Silkstone Common Recreation Ground could include: the 4 bullet point."</p>		Para 3.64

**Policy RD1 Supporting Rural Diversification and Tourism
Recommendation 10**

Modification Number	Page Number (Examiners Report)	Examiner's Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner's Reasons
10	22	<p>Revise the first paragraph of the policy to read: <i>"Development proposals which promote appropriate rural diversification and provide local employment opportunities will be supported in accordance with Barnsley Local Plan Policy E6"</i></p> <p>Place the examples in the justification to the policy: <i>"Rural diversification proposals that support tourism could include: 4 bullet points"</i>. Delete <i>"for example through Airbnb"</i>. Add <i>"of 4 or more bedrooms"</i> after <i>"existing larger dwellings"</i> in the third bullet point.</p> <p>Revise the final paragraph of the policy to be the same as that in Policy R1: <i>"Development in the Green Belt should be consistent with national and local Green Belt policy."</i></p>		<p>Para 3.66- 3.68</p> <p>Para 3.69-3.70</p> <p>Para 3.71</p>

Policy T1 Improving Access and Sustainable Travel
Recommendation 11

Modification Number	Page Number (Examiners Report)	Examiner’s Recommendations/Proposed Changes	Page Number in examined Neighbourhood Plan	Paragraph number of Examiner’s Reasons
11	22-23	<p style="text-align: center;">Revise Policy T1 as follows:</p> <p style="text-align: center;">Move the first paragraph to Policy H1 after the paragraph from Policy D1 (2A).</p> <p style="text-align: center;">Revise the second paragraph to read: “...public footpaths and <i>the</i> multi-use bridleway and cycleways of the Waggonway and the Trans Pennine Trail (TPT)...screening.”</p> <p style="text-align: center;">Revise the third paragraph to read: “...parking provision at <i>Silkstone Common Station</i>...”</p>		<p>Para 3.72</p> <p>Para 3.73</p> <p>Para 3.74</p>