

Silkstone Neighbourhood Development Plan
Independent Examination

Barnsley Metropolitan Borough Council and Silkstone Parish Council

Responses to the Examiner's Questions

*Note: Barnsley Metropolitan Borough Council (BMBC) and Silkstone Parish Council (SPC) joint responses are shown in **blue bold text***

*SPC responses shown in **black bold text***

*Barnsley responses shown in **red bold text***

Following my assessment of the Neighbourhood Plan and representations, I would appreciate clarification and comment on the following matters from the Qualifying Body and/or the Local Planning Authority as appropriate. In order to ensure openness and transparency of the examination process, these questions and the responses should be published on the Council's website.

Action: BMBC and SPC to publish Examiner's Questions and final responses on the NDP pages of both bodies' websites.

In addition to questions, I am including proposed modifications to the wording of policies and the justifications where I consider it necessary, in order to give the QB and/ or LPA the opportunity to respond, if they wish, in advance of receiving my examination report. A full explanation will be included in my examination report of the reasons for proposing the modifications.

Noted.

Q1 The Policies Map should cover the whole of the Plan area. Would the LPA provide me with a map of the parish as a whole and showing the location of the Inset Maps for the 2 villages and any sites referred to in the policies located outside the Inset Maps (eg the Green Corridor).

Action: BMBC to provide Kirkwells with:

- 1. Jpeg or pdf of Local Plan Policies Map (A4) showing neighbourhood area.**
- 2. GIS information / tiles of village insets / settlement boundaries for Kirkwells to prepare mapping as required.**

Q2 The **Policies Map** shows some areas shaded green on Map 1A and green hatched on Map 1B. What do they represent? They are not marked in the key.

Response: The light green and green hatching areas are included on the standard OS base maps and cannot be removed.

Q3 What is the status of the **Silkstone Design Code**? Does it form part of the SNP or is it proposed to adopt it as SPD?

Response: It forms an important part of the technical evidence base for the Silkstone NDP and is referred to in the relevant NDP policies. BMBC does not intend to adopt it as an SPD.

Q4 **Policy H1** – the settlement boundaries for the two villages are not shown on the Policies Map. I note that there is grey shading over the villages in the Barnsley Local Plan Maps in Appendix 6 but it is not clear what this defines. Have settlement boundaries been defined in the Local Plan or are the grey areas on the Local Plan maps the areas inset from the Green Belt. Are settlement boundaries to be defined through the SNDP? If not, I propose replacing the term “settlement boundaries” with “areas inset from the Green Belt”.

Response: The 2 villages of Silkstone and Silkstone Common are inset in the Green Belt and the boundaries have been determined through the Local Plan process.

The 2 bodies support the proposed change.

Q5 Are there any proposals for development on the safeguarded land SL25?

Response: There are no known proposals at the current time. This site was safeguarded in the 2000 UDP and the safeguarded land designation was retained in the 2019 Local Plan. The land is subject to national and local policies which indicate that planning permission will only be granted for development that is needed for the operation of existing uses or alternative uses that protect the open nature of the land; and permanent development of safeguarded land will only be permitted following review of the Local Plan which proposes such development.

Q6 **Paragraph 5.1.25** – The statement in paragraph 5.1.22 is anecdotal evidence. In order to provide the evidence to justify a Rural Exception Site, a local housing needs assessment should be carried out for the parish. It is suggested that reference to this is included in paragraph 5.1.25. Is the QB aware that sites for rural exceptions housing may be considered through the route of planning applications as well? Should the reference be to a “Community Right to Build Order or Neighbourhood Development Order”. Would the QB confirm that the following is acceptable:

In the first instance a Local Housing Needs Assessment would be carried out to determine whether there was a need for affordable housing and the type and size of homes required. If the need was demonstrated, there would be a ‘call for sites’ ‘preferred sites’. The scheme could be progressed through an application for planning permission or through a Community Right to Build Order or Neighbourhood Development Order.”

Response: Parish Council would also like to make it clear that there is no intention to progress a scheme for affordable housing at the current time. As there are local sensitivities about a proposed site which was put forward for consideration during the Local Plan process (Site EC11) the Parish Council would prefer that this section paras 5.1.22 – 5.1.27 inclusive) is deleted from the NDP. The proposed revised wording would not then be required.

If it is agreed to delete paras 5.1.22 – 5.1.27, the Parish Council would request that the following sentence be added to the end of para 5.1.13:

In addition, the Parish Council would wish to make clear that there is no proposal nor intention in the NDP for the Green Belt site near Throstle Nest Equestrian Centre (known in the draft Barnsley Local Plan as site EC11) to be developed.

Q7 **Policy NE1** – The green corridor is shown indicatively in the Design Code. To enable Part 2A to be interpreted consistently it should be shown on the Policies Map. Would the QB and LPA agree on the area to be shown and provide me with a map.

Response: This area is in the Green Belt and the Parish Council and BMBC agree that the green arrow does not need to be shown on the NDP Policies Map.

The Policy wording could be amended to refer to the image in Code 2 and / or the image could be reproduced in the supporting text or in an appendix.

Q8 Policy NE2 – paragraph 3 of the policy and points 1 -3 set out examples of how biodiversity net gain could be achieved. As such they explain how the policy could be applied and would be more appropriate in the justification. Similarly, the second sentence of the fourth paragraph gives further examples. Would the QB confirm that they accept that these examples should be placed in the justification.

Response: Agreed.

Q9 Policy LGS1 – Most of the proposed LGS appear to be identified on the Local Plan as Green Spaces to be safeguarded under BLP Policy GS1. As far as I can make out from the on line plan, only sites 1 and 2 are not identified on the BLP Map. Would the LPA / QB confirm that this is correct.

Response: Yes - this is correct.

Q10 Would the QB confirm what additional benefits would be gained by designating the sites as Local Green Space?

Response: BMBC and SPC agreed that Local Green Space designation would add a greater level of protection as Local Plan Policies (eg GS1) allow for development / loss of green space where certain criteria apply.

Q11 Policy LGS1 - The Policies Map shows a narrow ribbon of land as sites 2A and 2B. The Assessment refers to the landscaping one to two metres either side of the path adding to its attractiveness. Is it intended that an area on both sides of the path incorporating the adjacent landscape belt should be included as Local Green Space or solely the route of the footpath? Would the QB confirm that the area shown on the Policies Map A1 is correct.

Response: The NDP Policies Map 1A and NDP Map 4 p74 are correct. The LGS boundary is clearly defined by walls and fences for the length of the route through the NDP area.

Q12 Policy BH1 – The map in Appendix 3 shows the location of the candidate non-designated heritage assets with asterisks on each location. In order for decision makers to interpret the policy consistently, the properties and their curtilages should be shown on a clear OS base map in the assessment and on the Policies Map. It would be helpful to include photographs of the properties in the assessment.

Response: The candidate list of Non-designated Heritage Assets (NdHAs) referred to in NDP Policy BH1 will be reviewed as part of a wider South Yorkshire Local Heritage List project, with which BMBC is involved. It is not intended that the identified candidate assets in the NDP include the curtilages, however whether or not any buildings and associated structures are adopted as NdHAs is a matter for BMBC and will depend on the outcome of the ongoing project.

The Parish Council will aim to put photographs of the candidate assets on the website. However this may take some time and will form part of an ongoing project outside the timeline of the NDP.

Q13 **Policy D1 section 1** - I have concerns that these generic sustainable building design principles from the Design Code are too prescriptive to be included in a neighbourhood planning policy. Some of these topics are addressed through Building Regulations. Would the QB and LPA confirm that they would accept that they should be included in the justification as examples of how the policy could be implemented, otherwise they should remain solely within the Design Code document.

Response: The 2 bodies accept this and note that there is a need for flexibility in the Policy to allow for different approaches and technologies to be used, taking into account the fast-changing policy context and technological advances.

Q14 **Policy D1 Point 2A** relates to the location of new residential areas. As possible future windfall locations are set out in Policy H1, it is recommended that this point should be included in Policy H1.

Response: Agreed.

Q15 **Policy D1 Point 2B** encourages opportunities to be taken to link open spaces to create wildlife corridors. It is recommended that it would be better positioned in Policy NE2.

Response: Agreed.

Q16 **Policy D2** - It is considered that point 1D is overly prescriptive for a planning policy. In any case the Design Code sets different standards for 2 and 3 bedroomed homes. Would the QB confirm that the following modification is acceptable: ***“Private amenity space should be provided relevant to the size of the dwelling.”***

Response: Agreed. The LPA has a clear position on this as set out in the adopted SPD Design of Housing Development.

Q17 **Policy D2 section 2** – I am proposing to recommend that a cross reference to this section should be included in 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.”***

Response: Agreed.

Q18 **Policy R1** – If the type of improvements are examples rather than firm proposals, I am proposing to recommend that they should be set out in the justification to the policy.

Response: Agreed.

Q19 Is the penultimate paragraph of the policy on landscaping schemes necessary in this policy in view of the more detailed Policy NE1?

Response: Agreed that it is not necessary.

Q20 The paragraph on Green Belt policy replicates national and strategic policy and is not necessary.

Response: The Parish Council would prefer to see this part of the Policy retained to reassure local residents.

Response: BMBC is content for the Neighbourhood Plan to restate national/local Green Belt policy. BMBC has recently undertaken a review of the Local Plan (November 2022) where it was determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan

in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances require it.

Q21 **Policy RD1** – This policy only supports “appropriate” proposals in the built up areas of the two villages. How do you define “appropriate”? How are proposals outside the villages to be considered? How is overnight stabling to be provided in the villages? To overcome these issues, I am proposing to recommend that the restriction to “within the two villages” is deleted and reference is included to development being in accordance with BLP Policy E6. Would the QB and LPA confirm that this is acceptable:

Revise the first paragraph of the policy to read: “Development proposals which promote appropriate rural diversification and provide local employment opportunities will be supported in accordance with Barnsley Local Plan Policy E6.”

Response: Agreed.

I shall propose that the examples should be included in the justification. Reference to Airbnb should be deleted as it is an example of a letting company.

Response: Agreed.

The paragraph on Green Belt policy replicates national and strategic policy and is not necessary.

Response: The Parish Council would prefer to see this part of the Policy retained to reassure local residents and BMBC is content for the Neighbourhood Plan to restate national/local Green Belt policy

Q22 **Policy T1** – I am proposing to recommend that the first paragraph of this policy should be moved to Policy H1 (to be consistent with my recommendation on Policy D1 point 2A) as it relates to the location of new residential areas.

Response: Agreed.

Would the QB confirm that the station referred to is at Silkstone Common. The station should be named in the policy for clarity.

Response: Agreed.

Points from Representations

Q23 Does the QB wish to include a reference to Noblethorpe Woods in Section 5?

Response: Noblethorpe Woods is site 6 on the list in Policy LGS1 - woodland and grassed area between Towngate and Manor Park, Silkstone

Would the LPA confirm that site EC11 referred to in a number of representations was not allocated in the BLP.

Response: Yes Site EC11 was not allocated in the BLP and remains in the Green Belt.

An additional second sentence could be added to section 5.1.27:

In addition, the Parish Council would wish to make clear that there is no proposal nor intention in the NDP for the Green Belt site near Throstle Nest Equestrian Centre (known in the draft Barnsley Local Plan as site EC11) to be developed.

However, with reference to Q6 above, the preference of the Parish Council is that sections 5.1.22 to 5.1.27 inclusive should be deleted. In this case, it would be proposed that the above sentence be added to the end of section 5.1.13