



**RTPI**

mediation of space · making of place

**Silkstone**

**Neighbourhood Development Plan**

**SEA Screening Assessment**

**Kirkwells**

The Planning People

## 1. Introduction

- 1.1 Kirkwells Planning Consultants has prepared this screening report on behalf of Silkstone Parish Council to support the Parish Council in determining whether the contents of the proposed Silkstone Neighbourhood Plan Review are likely to require a Strategic Environmental Assessment (SEA).
- 1.2 The requirement to undertake environmental assessment of plans and programmes was established in the EU Directive 2001/42/EC (SEA Directive), transposed into English law in the Environmental Assessment of Plans and Programmes Regulations 2004. Under the Environmental Assessment of Plans and Programmes Regulations SEA is required where a plan or programme is likely to have a significant effect on the environment. The assessment provides the main mechanism for ensuring that the environmental implications of decisions are considered before decisions are made and should be an integral part of plan preparation where potential for significant effects on the environment have been identified.
- 1.3 Where a Neighbourhood Plan could have significant environmental effects, it may require SEA. Guidance states that the requirement for SEA and the level of detail needed will depend on what is proposed. SEA may be required, for example, where:
  - a Neighbourhood Plan allocates sites for development;
  - the Neighbourhood Area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
  - the Neighbourhood Plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.
- 1.4 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA.
- 1.5 However, the 2008 Planning Act amended the requirement to undertake SA for Development Plan Documents (DPDs) only but did not remove the requirement to produce SEA. Neighbourhood Plans are not DPDs meaning there is no legal requirement to have SA undertaken on them; however, Neighbourhood Plans may still require SEA.
- 1.6 In accordance with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, Draft Neighbourhood Plan proposals should therefore be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a “screening” assessment and determines whether a full assessment is needed.
- 1.7 To fulfil the legal requirement to identify if the Silkstone NDP requires SEA, a screening for SEA and the criteria for establishing whether a full assessment is needed, is undertaken in Section 4 of this report.
- 1.8 Silkstone Parish Council provided draft policy iterations for Barnsley Council's informal comments. A draft version of the Plan (October 2021) formed the basis of the first screening opinion and consultation with the relevant bodies. A final, updated Draft Plan with a few minor editorial revisions was prepared and was approved by the Parish Council for consultation (Regulation 14).

- 1.9 Silkstone Parish Council undertook a pre-submission consultation and publicity of the Neighbourhood Plan in accordance with Regulation 14 of Neighbourhood Planning (General) Regulations 2012 (as amended) from 28<sup>th</sup> February 2022 until 11<sup>th</sup> April 2022. The Plan was updated and revised following consideration of the responses to the Regulation 14 public consultation. The submission version of the Plan (May 2022) has formed the basis of this updated screening opinion. Most amendments to the NDP were minor in nature but one Policy (Former Policy H3) was deleted following objections from a community group and local residents.

## 2. Background

- 2.1 Neighbourhood Planning gives local communities the opportunity to prepare planning documents for their area, enabling them to shape the future of where they live and giving them greater ownership of the plans and policies that affect them. Introduced under the Localism Act in 2011 Neighbourhood Plans provide a relatively new tier of planning policy.
- 2.2 Planning policy for the borough is established in the Barnsley Local Plan. This currently consists of policies contained in the Barnsley Local Plan, adopted January 2019 and accompanying Policies Map, which covers the period up to 2033<sup>1</sup>.
- 2.3 The Neighbourhood Plan area for Silkstone was formally designated on 3<sup>rd</sup> May 2017. This confirmed the Parish Council's commitment to preparing a Neighbourhood Plan and identified the proposed Neighbourhood Plan area. The Parish Council set up a Neighbourhood Planning Committee as a sub-committee of the Parish Council, to oversee the preparation of the proposed NDP on behalf of the Parish Council.
- 2.4 An Issues and Options document was prepared by the NP Committee and was published for informal public consultation from 5<sup>th</sup> April until 17<sup>th</sup> May 2021. The Committee considered the responses and used the findings to inform emerging policies in the Draft Plan. The Draft Plan was also informed by Design Codes prepared through the Locality Technical Support programme, information relating to wildlife sites, assessment of potential Local Green Spaces and consideration of potential local non designated heritage assets.
- 2.5 Kirkwells used the information in the emerging Draft NDP to undertake the initial SEA screening and consultation with the relevant bodies. The Screening Assessment was updated prior to the Regulation 14 consultation taking into account the responses from the consultation bodies.

## 3.0 Silkstone Neighbourhood Development Plan (NDP)

- 3.1 The designated neighbourhood area is shown on Map 1 in the Plan. The Parish of Silkstone is located approximately 4 miles west of Barnsley and 4 miles northeast of Penistone in the local authority area of Barnsley District Council, South Yorkshire. The Parish comprises the two villages of Silkstone to the north and Silkstone Common to the south and a wider rural area of rolling countryside with areas of woodland, pasture and farms.

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<sup>1</sup> <https://www.barnsley.gov.uk/services/planning-and-buildings/local-planning-and-development/our-new-local-plan/barnsleys-local-plan/>

- 3.2 The Parish has good public transport connections with a rail station at Silkstone Common on the Huddersfield to Sheffield line and regular bus services to Barnsley. The A628 runs through the Parish to the south of Silkstone village, connecting the area to Junction 37 of the M1 about 2 miles to the east and Manchester to the west (via the Woodhead Pass).
- 3.3 The population of the Parish was 3,153 usual residents on Census day 2011 . The average (mean) age of residents was 43.4 years.
- 3.4 The Parish extends over 630.69 hectares and is located in Barnsley's Green Belt. Silkstone and Silkstone Common are identified as villages under Local Plan Policy LG2 The Location of Growth and are inset within the Green Belt on the Policies Map. The Local Plan sets out that there will be a slower pace and scale of growth in villages and rural areas. Villages will be expected to deliver approximately 5% of the overall housing requirement figure through housing allocations or windfall sites. There are no allocated housing sites in the Local Plan in either of the two villages.
- 3.5 There are 24 Listed Buildings including Grade I Church of All Saints and Grade II\* Knabbs Hall in the Parish. In addition, the area has significant local heritage interest linked to its industrial/mining heritage which is being explored further as part of work on the NDP.
- 3.6 The Parish includes several areas of wildlife interest. There is a Site of Special Scientific Interest (SSSI) partially within the Parish at Pye Flatts Meadows which is one of the 3% of wildflower meadows remaining in Britain, and various areas of woodland including ancient woodland.
- 3.7 Sections of two long distance paths pass through the Parish: the National Trans Pennine Trail (TPT) which crosses the UK from Hornsea on the north east coast to Southport on the north west coast; and the Dove Valley Trail which runs on a former railway line from Silkstone Common towards Wombwell and beyond, passing through Dodworth and Worsborough and forming a section of the Trans Pennine Trail.
- 3.8 The NDP includes a Vision and nine Objectives which are set out under the key planning themes of the NDP.
- 3.9 **The Vision is: To maintain the character of the villages by ensuring that any development is sensitive to the existing built and natural environment but recognises the need to support 21st century living in a sustainable way.**
- 3.10 The **Nine Objectives** are:
- **Housing**  
Objective 1. To support the development of housing provision to meet local needs that is in keeping with the character of the surrounding area.
  - **Green Space, Heritage and Sustainability: Natural Environment**  
Objective 2. 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.
  - **Green Space, Heritage and Sustainability: Built Environment**  
Objective 3. To protect and enhance the Parish's built industrial and residential heritage and history.  
Objective 4. To support climate change and carbon net zero objectives and to promote resource efficiency in all new development.

- **Activities: Leisure, Recreation and Tourism**

Objective 5. To support the protection and improvement of community leisure, sports and recreation facilities.

Objective 6. To support the development of a sustainable local economy, with particular emphasis on maximising local tourism assets.

- **Access: Travel and Infrastructure**

Objective 7. To preserve and improve accessibility and connections to the Trans Pennine Trail, the Wagonway, local beckside, local footpaths and bridle paths.

Objective 8. To better manage local traffic to reduce highway congestion and increase road safety.

Objective 9. To support better access to local public transport networks.

3.11 These objectives provide the basis for five policy areas in the Plan. No site allocations are proposed in the Plan.

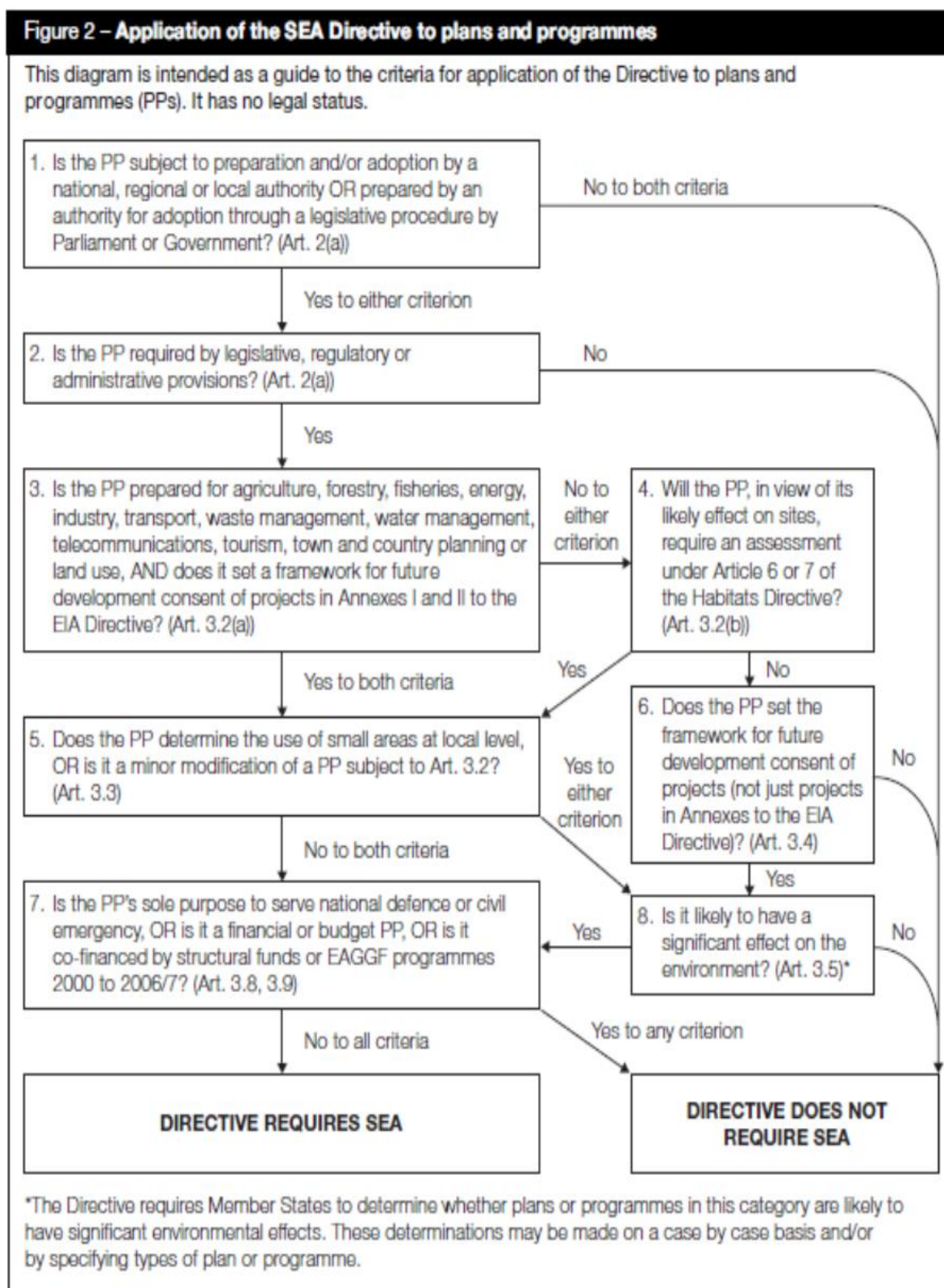
3.12 The NDP includes planning policies which:

- Provide local criteria to guide housing development in the Parish (Policies H1 Criteria for New Housing Development in Silkstone Parish and H2 Residential Development in Rear Gardens)
- Protect and enhance the natural environment of the parish including landscape character, wildlife and green spaces (Policies NE1 Protecting and Enhancing Local Landscape Character, NE2 Wildlife and LGS1 Local Green Spaces)
- Protect local built heritage and promote high quality design (Policies BH1 Conserving and Enhancing Heritage Assets on the Local List, D1 Sustainable Design and D2 Promoting High Quality Design and Responding to Local Character)
- Promote improvements to recreational facilities (Policy R1 Supporting Suitable Improvements to Local Recreation and Community Facilities)
- Support appropriate local business growth (Policy RD1 Supporting Rural Diversification and Tourism) and
- Promote walking and cycling (Policy T1 Improving Access and Sustainable Travel).

## 4. SEA Screening

4.1 The Neighbourhood Plan has been assessed using guidance provided in the Department of the Environment 'A Practical Guide to the Strategic Environmental Assessment Directive' (September 2005) (Figure 2). This describes the process through which plans and programmes should be assessed.

**Figure 1: Application of the SEA Directive to plans and programmes**



4.2 The Parish Council has followed this process with the findings of the assessment described in Table 1.

**Table 1: SEA Assessment**

Stage	Y/N	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority or prepared by an authority for adoption through a legislative procedure by Parliament or Government? (ART. 2 (a))	Y	The Neighbourhood Plan is not a Development Plan Document, however if the document receives 50% or more 'yes' votes through a referendum it will be 'made' (adopted) by Barnsley Council.
2. Is the PP required by legislative, regulatory or administrative provisions (ART. 2 (a))	N	<p>Parish Councils have a right to prepare a Neighbourhood Plan, however they are not required by legislative, regulatory or administrative purposes to produce one.</p> <p>The Plan however if made (adopted) would form part of the Development Plan and as such it is considered necessary to answer the following questions to determine further if SEA is required.</p>
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and does it set a framework for future development consent of projects in Annexes I and II of the EIA Directive? (Art 3.2 (a))	Y	The Neighbourhood Plan is being prepared for town and country planning and land use and will when adopted set out a framework for future development in the Neighbourhood Plan designated area. This could potentially include uses detailed in Annexes I and II of the EIA Directive.
4. Will the PP, in view of its likely effects on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art 3.2 (b))	N	<p>The proximity of three European sites (SACs) within approx. 15 km of the NDP area boundary indicates that there could be potential for the plan to have a significant adverse effect on a European site.</p> <p>However the NDP (and Local Plan) do not include any site allocations for new development in the neighbourhood area and there are unlikely to be significant environmental effects on any of the sites from the Plan policies.</p> <p>This is confirmed in the initial HRA screening of the Neighbourhood Plan.</p> <p>There is also a strong focus of the Plan on the environment and existence of higher level Local Plan and other plan policies should help to mitigate any significant effects.</p>

Stage	Y/N	Reason
5. Does the PP determine the use of small areas at local level, or is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	N	<p>The Neighbourhood Plan has potential to determine the use of small areas at a local level, through the application of detailed criteria or the allocation of land.</p> <p>The Plan includes a number of proposed Local Green Spaces but does not include any site allocations for new development. The 2 settlements of Silkstone and Silkstone Common are inset in the Green Belt and are both identified as Villages in the Barnsley Local Plan settlement hierarchy. Paragraph 7.3 sets out that villages will be expected to deliver approximately 5% of the overall housing requirement figure through housing allocations or windfall sites.</p> <p>It does not propose to significantly increase the quantum of development already planned for in the Local Plan Review.</p> <p>A number of sites are identified as proposed Local Green Spaces which would have a similar level of protection from development to Green Belt.</p>
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (ART 3.4)	Y	The Neighbourhood Plan contains policies through which planning applications within the designated area will be determined, alongside policies in the Local Plan.
7. Is the PP's sole purpose to serve the national defence or civil emergency, or is it a financial or budget PP, or is it co-financed by structural funds or EAGGF programmes 2000 to 2006/07? (Art 3.8, 3.9)	N	N/A
8. Is it likely to have a significant effect on the environment? (Art 3.5)	N	<p>The Neighbourhood Plan will need to be in full conformity with national planning policy and general conformity with local planning policy. This includes policies contained in the Barnsley Local Plan.</p> <p>There are 24 Listed Buildings including Grade I Church of All Saints and Grade II* Knabbs Hall in the Parish. In addition, the area has significant local heritage interest linked to its industrial/mining heritage which is being explored further as part of work on the NDP.</p> <p>The policies within the Plan are criteria based and place a strong focus on protecting the</p>



Stage	Y/N	Reason
		<p>natural environment and the historic environment. Design Codes have been prepared and these have informed design policies which aim to protect local character and built and natural heritage.</p> <p>Given the nature of the plan the Parish Council would conclude that the Plan is unlikely to have a significant effect on the environment. Confirmation on this is requested from the three statutory bodies.</p>

4.3 Further analysis on the likely significant effects of the Neighbourhood Plan in relation to Schedule 1 of the Regulations is provided in Table 2 below.

**Table 2: Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004**

SEA Requirement	Comments / Justification	Is the Silkstone NDP likely to have a significant environmental effect?
<b>The characteristics of plans and programmes, having regard, in particular, to:</b>		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<p>The Neighbourhood Plan has potential to determine the use of small areas at a local level, through the application of detailed criteria.</p> <p>The Silkstone Neighbourhood Plan sets a local policy framework for development proposals. It supports the implementation of policies in the adopted Local Plan which have already been subject to SEA as part of the Sustainability Appraisal.</p>	No
b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The Plan sits in a hierarchy and must be in conformity with strategic policies in the development plan. It is unlikely to influence other plans and programmes.	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The Neighbourhood Plan will promote sustainable development. It has a strong focus on environmental protection and ensuring natural and built assets are protected. This includes protection of proposed local (non designated) heritage assets.	Possibly Yes.

SEA Requirement	Comments / Justification	Is the Silkstone NDP likely to have a significant environmental effect?
<b>The characteristics of plans and programmes, having regard, in particular, to:</b>		
(d) environmental problems relevant to the plan or programme	<p>There are several watercourses in the neighbourhood area, including Silkstone Beck, and there are known problems related to fluvial and surface water flooding in the neighbourhood area.</p> <p>The legacy of coal mining still persists - most notably by the Silkstone Minewater Treatment Plant and is where the EA have intercepted an uncontrolled minewater 'rebound' breakout upstream of Horsfield's into Silkstone Beck.</p>	No
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The Neighbourhood Plan has no relevance to the implementation of Community legislation.	No
<b>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -</b>		
(a) the probability, duration, frequency and reversibility of the effects	<p>The Neighbourhood Plan covers a 12 year plan period (up to 2033) and seeks to meet residents' needs and aspirations, balanced with the protection of the wider natural and historic environment. The need to maintain the biodiversity and landscape character of the Parish is given a strong focus.</p> <p>The limited opportunities for development in the area make it unlikely that significant effects will occur.</p>	No
(b) the cumulative nature of the effects	The protective criteria in the plan policies will assist with mitigating any negative significant environmental effects individually or cumulatively with other development and decisions.	No

SEA Requirement	Comments / Justification	Is the Silkstone NDP likely to have a significant environmental effect?
<b>The characteristics of plans and programmes, having regard, in particular, to:</b>		
	<p>The Plan must also be in conformity with the Barnsley Local Plan. This will ensure the protection of environmental assets.</p> <p>There are no site allocations in the Local Plan or NDP and new development is likely to be limited to small scale windfall development in the settlement boundaries. Development limited in the wider rural area of the parish will be constrained by national and local Green Belt policies.</p>	
(c) the transboundary nature of the effects	There are no transboundary effects. The Plan applies to the Neighbourhood Plan only.	No
(d) the risks to human health or the environment (for example, due to accidents)	<p>The Plan poses no risk to human health.</p> <p>In fact, the Plan is likely to improve human health by supporting improvements to local community and recreational facilities, promoting walking and cycling, and improving access to the countryside.</p>	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	<p>Silkstone is a small rural parish extending over 630.69 hectares and with a population of 3,153 usual residents on Census day 2011.</p> <p>Effects are considered to be limited to the Neighbourhood Plan area only.</p>	No
(f) the value and vulnerability of the area likely to be affected due to - (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	<p>The Parish is in the Green Belt and enjoys an attractive countryside setting of woodland and farmland. There are 24 Listed Buildings including Grade I Church of All Saints and Grade II* Knabbs Hall in the Parish. In addition, the area has significant local heritage interest linked to its industrial/mining heritage which is being explored further as part of work on the NDP.</p>	No

SEA Requirement	Comments / Justification	Is the Silkstone NDP likely to have a significant environmental effect?
<b>The characteristics of plans and programmes, having regard, in particular, to:</b>		
	<p>Natural heritage assets within the Parish include several areas of wildlife interest. There is a Site of Special Scientific Interest (SSSI) partially within the Parish at Pye Flatts Meadows which is one of the 3% of wildflower meadows remaining in Britain, and various areas of woodland including ancient woodland.</p> <p>Whilst there is potential for impacts on environmental and heritage assets the wording of the plan and strong focus on protection make this unlikely. The Plan is very much focussed on ensuring that the special qualities of this area are protected.</p> <p>The plan contains specific policies for the protection of these assets.</p>	
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The Plan is very much focussed on ensuring that the special qualities of this area are protected.	No

## 5. Screening Outcome

- 5.1 Initial internal screening of the Neighbourhood Plan concluded that it is likely that the Neighbourhood Plan would not result in a significant environmental effect due to the distance of the neighbourhood area from any of the European habitat sites, and the strong focus of the Neighbourhood Plan on the protection of the natural environment and built heritage assets which should help to mitigate any significant effects.
- 5.2 The Parish Council is satisfied that the Plan is unlikely to result in significant negative effects and policies and proposals may lead to positive effects.
- 5.3 The main reasons for this conclusion are:
- The Silkstone Neighbourhood Plan supports the implementation of policies in the adopted Barnsley Local Plan which have already been subject to SA.
  - The Silkstone Neighbourhood Plan falls within the hierarchy of planning documents for the area, and therefore has limited influence on the strategic policies of other plans or programmes.

- The Plan is concerned with development at the neighbourhood level. Its impacts are therefore unlikely to be strategic.
  - Through its policies, the Silkstone Neighbourhood Plan seeks to avoid or minimise negative environmental effects.
- 5.4 As a result of the assessments in Table 1 and Table 2 above, it is unlikely that there will be any significant environmental effects arising from the Silkstone NDP that were not covered in the Sustainability Appraisal / SEA of the Barnsley Local Plan. The Silkstone NDP does not allocate sites for development, no sensitive natural heritage assets are adversely affected by the proposals in the plan (in fact they are protected) and as such, it is concluded that the Silkstone NDP does not require a full SEA to be undertaken.
- 5.5 Under its 'duty to support', Barnsley Council reviewed the first version of the SEA Screening Assessment and agreed that, based on the preparation of the November 2021 emerging Draft NDP, the NDP did not appear to require a full Environmental Report.
- 5.6 The views of the three statutory bodies were requested before this could be confirmed.

## 6. Consultation Responses

- 6.1 Responses to the initial Screening Assessment were received from Natural England, and Historic England. There was no response from Environment Agency. The complete responses are provided in Appendix 1.

- 6.2 **Natural England** advised that:

'We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.'

- 6.3 The Parish Council sought advice from Barnsley Council in relation to Natural England's response.
- 6.4 The Plan includes 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.

- 6.5 The relevant supporting text and Policy NE2 are reproduced in Appendix 2 of this revised, updated Screening Assessment. Barnsley Council advised by email that their ecologist agreed with this approach.
- 6.6 **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 and these are included in Appendix 1 for completeness.
- 6.7 In conclusion it is considered that a full Environmental report will not be required for Silkstone Neighbourhood Development Plan.

## Appendix 1 Consultation Responses from Consultation Bodies

### 1. Natural England

Date: 23 November 2021  
Our ref: 375071  
Your ref: Silkstone Neighbourhood Plan



Louise Kirkup  
Kirkwells

**BY EMAIL ONLY**

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Ms Kirkup

#### **Silkstone Neighbourhood Plan SEA/HRA screening**

Thank you for your consultation on the above dated 19 November 2021 which was received by Natural England on 19 November 2021

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### **Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

#### **Neighbourhood Plan**

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

**Habitats Regulations Assessment (HRA) Screening**

Natural England 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.

For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Jacqui Salt  
Consultations Team



## 2. Historic England



Ms . Louise Kirkup,  
Kirkwells,  
Lancashire Digital Technology Centre,  
Bancroft Road,  
Burnley,  
Lancashire,  
BB10 2TP

Our ref: PL00760682  
Your ref:  
Telephone 01904 601 879  
Mobile 0755 719 0988

4<sup>th</sup> January 2022

Dear Ms. Kirkup,

### Silkstone Neighbourhood Development Plan for Silkstone Parish Council Strategic Environmental Assessment Screening Opinion Consultation

We write in response to your consultation, seeking a Screening Opinion for the Silkstone Neighbourhood Plan.

For the purposes of this consultation, Historic England will confine its advice to the question, “Is it likely to have a significant effect on the environment?” in respect to our area of concern, cultural heritage. Our comments are based on the information supplied within the Silkstone Neighbourhood Plan.

The Draft Neighbourhood Plan indicates that within the plan area there is a wide range and number of designated cultural heritage assets. There are also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape.

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 ‘SEA’ Directive], Historic England concurs with your conclusion that the preparation of a Strategic Environmental Assessment is not required for the Silkstone Neighbourhood Plan.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. We should like to stress that this opinion is based on the information available in the Silkstone Neighbourhood Plan.

To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

We would be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Historic England strongly advises that the conservation and archaeological staff of the Barnsley Council and the South Yorkshire Archaeology Service are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.

We look forward to receiving a consultation on the Pre-submission Draft of the Silkstone Neighbourhood Plan in due course.

Yours sincerely



Craig Broadwith  
Historic Places Adviser  
E-mail: [Craig.Broadwith@HistoricEngland.org.uk](mailto:Craig.Broadwith@HistoricEngland.org.uk)

**Historic England comments on the emerging Draft NDP**

Ms . Louise Kirkup, Kirkwells, Lancashire Digital Technology Centre, Bancroft Road, Burnley, Lancashire, BB10 2TP	Our ref: PL00759906 Your ref:	Telephone 01904 601 879 Mobile 0755 719 0988
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4<sup>th</sup> January 2022

Dear Ms. Kirkup,

**Silkstone Neighbourhood Development Plan for Silkstone Parish Council  
Draft Neighbourhood Plan Consultation**

Thank you for consulting Historic England in connection with the Initial Draft Silkstone Neighbourhood Plan.

We do not wish to comment in detail upon the Neighbourhood Plan. We note that the Neighbourhood Plan area is located 5.8 kilometres/3.6 miles west-south-west of Barnsley. It contains 1 Grade I, 1 Grade II\* and 21 Grade II Listed Buildings and 1 Scheduled Monument.

It will also contain a number of buildings, structures, places and sites of local historic interest. We note that the Neighbourhood Plan incorporates Heritage and Heritage Asset policies. These policies should be worded in a way which will help to protect these sites and their settings and ensure that any change is managed appropriately.

Historic England provides comprehensive guidance on its [Neighbourhood Planning webpage](#), as well as publishing Historic England Guidance Note 11, [Neighbourhood Planning and the Historic Environment](#). You may also wish to view our [Neighbourhood Planning webinar](#).

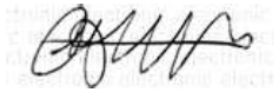
We consider that the planning and conservation staff at the Barnsley Council are best placed to assist you in the development of your Neighbourhood Plan and, in particular, how the strategy might address the area's heritage assets. Consequently, we do not consider that there is a need for Historic England to be involved in the further development of your plan.

If you have not already done so, we would recommend that you speak to the staffs at the [South Yorkshire Archaeology Service](#) who look after the South Yorkshire Historic Environment Record. They should be able to provide details of not only any designated heritage assets but also locally important buildings, archaeological remains and landscapes. Some Historic Environment Records may also be available on-line via the Heritage Gateway ([www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)). It may also be useful to involve local voluntary groups such as the local Civic Society or local historic groups in the production of your Neighbourhood Plan.

We trust the above is satisfactory and look forward to being consulted on the Strategic Environmental Assessment Screening for the Silkstone Neighbourhood Plan in due course.

We hope the above is of assistance, but if you require clarification, please do not hesitate to contact us.

Yours sincerely



Craig Broadwith  
Historic Places Adviser  
E-mail: [Craig.Broadwith@HistoricEngland.org.uk](mailto:Craig.Broadwith@HistoricEngland.org.uk)

### 3. Environment Agency

## Automatic reply: Silkstone NDP SEA and HRA Screening Assessments

Inbox



**Sustainable Places, Yorkshire <sp-yorkshire@environment-agency.gov.uk>**

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to Louise

Thank you for contacting the Environment Agency's local Sustainable Places Team.

#### **Resource Impacts on Service Delivery**

We normally respond to any planning consultations or development enquiries within 21 days, unless we agree another timescale with you.

**However, we have recently experienced a number of staff moves in the team and are operating with significantly reduced resource at least until the New Year.**

**We will aim to provide the best possible service that we can, however as you will understand in the current circumstances, we will not be able to operate as normal. Our response times will be delayed. We will also need to stop or slow some of our normal activities in order to focus on the most important and urgent.**

**Please be assured that we will do our very best to deal with your query as quickly as possible. Your patience and understanding while we recruit to our vacant positions is appreciated.**

#### **Planning advice**

Our planning advice can help you solve key environmental issues early, reduce the chance of an objection and help you design a more sustainable development. If you'd like to take advantage of this service, our advisers will be able to provide further information, including a preliminary opinion and estimated costs for any detailed advice.

**Useful links for councils and developers**

- Consulting the Environment Agency for planning advice: webpages for [councils](#) and [developers](#)
- [Flood risk standing advice](#)
- [Site-specific flood risk assessment checklist](#)

Kind regards,

**Sustainable Places, Yorkshire**  
Environment Agency

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**(No further response received)**

## Appendix 2 NDP Wildlife Section and Policy NE2

**The following (updated) sections are the relevant extracts from the NDP Supporting text in relation to local wildlife and habitats that may be affected by NDP Policies and Proposals:**

5.2.15 The following areas are identified as of particular local wildlife significance and should be considered in the NDP. This list includes all areas identified in the Parish Design Statement.

### **Silkstone Common**

- Nabs Wood
- Nether Royd Wood
- Moorend Woods
- Orchard Wood and Meadow
- Jays Wood (Hall Royd Lane Wood)
- Hall Royd Wood
- Hill Top Wood
- Royd, Vicar, Lindley and Coates Great Wood

### **Silkstone**

- Silkstone Fall Wood
- Conroyd Wood
- Blacker Green Wood
- North Wood
- Silkstone Church and church yard
- Pye Flatts SSSI

### **Wildlife Corridors**

- Trans Pennine Trail
- Silkstone Waggonway and sewage works

### **Other aspects to be considered**

- Veteran Trees/Ancient Trees
- Ancient Hedgerows
- Protected Species - Badgers and Bats

5.2.16 Pye Flatts Meadows is a Site of Special Scientific Interest (SSSI) notified under Section 28 of the Wildlife and Countryside Act, 1981. The meadows are located between Silkstone and Hoylandswaine and consist of three fields of neutral hay meadow grassland, the best of known scattered examples in the Barnsley area. They comprise diverse grasses and flowering plants species

which suggests that the meadows are a product of a long period of consistent traditional agricultural management. The meadows are privately owned with no access without the owner's permission. All records for this site are held at the Barnsley Biological Records Centre.

### **Woodlands**

- 5.2.17 **Nabs Wood** includes some ancient woodland and is in the ownership of the Woodland Trust. The management plan for the site runs from 2017 – 2022 when it will be reviewed. The wood is a predominantly broadleaved woodland composed of mainly native species including oak, sycamore, ash and beech with minor components of other tree species which include birch, rowan, English elm, field maple and Scots pine, holly and hazel. Nabs Wood has good examples of woodland wildflowers which include bluebell, wood anemone, wood sorrel, ransoms and dog's mercury. Extensive plant surveys have been conducted by a local Natural History Society and invertebrates are recorded well. A moth survey is being carried out by Barnsley Natural History Society in 2021. All natural history records for this site are currently held in Barnsley Biological Records Centre. The wood is an excellent area for woodland birds including woodpeckers, tawny owls and nut-hatch. This wood has strong historical links with the local mining industry and was the scene of the 1838 Huskar Pit Disaster. Nabs Wood is accessible to the public from Moor End Lane, Silkstone Common.
- 5.2.18 **Nether Royd Wood**, also known as Johnson's Wood, is privately owned. It is located adjacent to Nabs Wood and has a similar habitat in both tree and plant species. Local knowledge has established that there has been little woodland management.
- 5.2.19 **Moor End Wood** is owned by a private landowner with little evidence of any woodland management. The wood is a mixed woodland, and the tree species comprise beech, ash, sycamore, oak and holly. Flowering plants include bluebell. It is an excellent area for woodland bird species with great spotted woodpecker and owls being recorded. In 2018-2019 an extensive moth survey was carried out by members of Barnsley Natural History Society. These records have been sent to Barnsley Biological Records Centre. This area has strong historical links to the mining industry and is the site of Moor End Colliery. Access to this area is via Moorend Lane, past the riding stables with a public footpath which skirts round Moor End Houses or via a footpath off House Carr Lane. The woodland runs parallel to the Trans Pennine Trail which is a wildlife corridor. The whole of this area is worthy of a detailed wildlife survey.
- 5.2.20 **Orchard Wood and Meadow** are owned and managed by Silkstone Parish Council. Although there is no formal woodland management plan, audits are carried out on a yearly basis and actions are taken as necessary. The wood includes a small meadow area, which is home to the PALS memorial stone. Work has been carried out for many years in the wood to improve footpaths and create wildlife habitats.



- 5.2.21 **Jays Wood / Hall Royd Lane Wood** - prior to the Parish Council taking responsibility for the wood, this was the only remaining evidence of the local pit, pit heap and depot in the village. The wood was originally planted on poor land to provide a screen from the pit for the benefit of the villagers. Part of the land was sold with a small area retained by Barnsley Council as an amenity feature. It is this area that Silkstone Parish Council took responsibility for improving and maintaining this small area of woodland with the support of Silkstone Care Group leading on the improvement works and the Parish Council responsible for the management of the wood. The wood changed its name to Jays Wood and was formally opened to the public on 19 April 2016. Initially the wood was dominated by mature silver birch trees with some young oak trees and over time this will become a small oak woodland. A seat has been installed along with interpretation boards.
- 5.2.22 **Hall Royd Wood** is a privately owned wood with little evidence of woodland management. Access to the wood is via a locked gate on Ben Bank Road, Silkstone Common by a footpath from Silkstone Common Recreation Ground and via the TPT. This wood has a variety of typical woodland plants such as bluebell, violets and an excellent range of woodland birds including great spotted woodpecker.
- 5.2.23 **Hill Top Wood** lies between Silkstone and Silkstone Common, on either side of the railway line. There are very few records for the wood and it would appear to be another under-recorded site. The records available include beech, birch oak and bluebell. It is privately owned and a management plan is not available.
- 5.2.24 **Royd, Vicar, Lindley And Coates Great Wood** is a complex of woodland sites based around the course of Storrs Dike and its tributaries which come together to form Lindley Dike in the north-eastern part of the complex. These woodlands have been granted Local Wildlife Site status and the LWS Assessment and Phase I Survey completed in January 2011 for Barnsley Council divides the woods into areas with species of trees and plants recorded. Royd Wood has been replanted over an ancient woodland site. Vicars Wood is on the register of ancient and semi-natural woodlands. Lindley Wood can be described as a broadleaved plantation. Coates Great Wood can be described as semi-natural broadleaved woodland. Important plant species include bluebell, wood melick, dog's mercury, wood millet, greater stitchwort, yellow archangel, wood speedwell, wood sorrel, remote sedge, and sessile oak are all present on this site. These species are all indicators of ancient woodland in South Yorkshire. Information from the Biological Records Centre indicates that an insect survey by local naturalists has been carried out.
- 5.2.25 **Silkstone Fall Wood** lies to the west of Dodworth and the M1, occupying an area that is on the register of replanted ancient woodland sites. The site slopes from the SE to the NW, from about 150m above sea level to around 90m above sea level in the valley of Silkstone Beck, on its NW edge. The wood is crossed in the north by the A628 road and by the railway between

Penistone and Barnsley in the south. Silkstone Fall Wood is a Local Wildlife Site registered with Barnsley Council and was last surveyed March 2019. The 2019 report divides the wood into areas for recording of species, details of which are very complex. Large areas of the woodland have been planted with coniferous plantation, and mixed plantation with some semi-natural broadleaved woodland. It can only be described as diverse. The flora that has been recorded are all ancient woodland indicator species for South Yorkshire. Breeding bird species including dunnock, bullfinch, song thrush, great and lesser spotted woodpecker have been recorded. Records also indicate that UKBAP species brown hare are present. The Local Natural History Society have completed a fungi survey and these records can be found in the Biological Records Centre.

- 5.2.26 Silkstone Fall Wood has recently returned to the management of the Cannon Hall Estate, which has been in discussion with BMBC regarding woodland management improvements. One issue for the woodland is the damage caused by mountain bikers who have recently constructed tracks, jumps and ramps, some of which cross the historic public footpath. Silkstone Fall Wood is also home to Silverwood Scout Camp on the eastern side of the woods just south of the A628.
- 5.2.27 **Conroyd Wood** is owned and managed by the Parish Council with support from Silkstone Care Group. Access is either from Cone Lane or from the Silkstone Recreation Ground. It is split down the middle by Silkstone Beck and the footpath on the recreation ground side of the wood is part of Silkstone Waggonway. The Care Group have been involved with Phase 1 of the footpath improvement programme project designed to enhance the circular footpath around the wood and improve access to the woodland and beck. This project was grant-funded with work carried out by the Care Group with support from Groundwork South Yorkshire. Phase 2 of the project extends the work of the first phase and includes tree planting.
- 5.2.28 **North Wood** - only part of this wood is within the Parish. North Wood has developed along the narrow valley of a stream that flows in a north-easterly direction south of the A628. The long narrow wooded area is set in an agricultural landscape with mixed arable and pasture land with hedgerows and hedgerow trees. North Wood is included in Natural England's register for semi-natural and ancient woodlands. It is a Local Wildlife Site registered with Barnsley Council and a survey report was completed in December 2011. Ancient woodland indicator species for South Yorkshire have been recorded within North Wood. The wood is divided into areas according to its habitat, with the different tree and plant species specified for each area. This wood is privately owned with very little indication of wood management. The presence of Himalayan Balsam (Schedule 9 invasive species) has been recorded along the streams which is concerning and needs to be addressed.
- 5.2.29 **Blackergreen Wood** is privately owned. The reference given to the Biological Record Centre for the records just specifies the site as Blacker Green Dam. These records have specified tree species and the plant species which

are indicators of ancient woodland. The bird records within the Blacker Green Dam area reflect typical woodland bird species and wildfowl.

### **Hedgerows and Trees**

- 5.2.30 There are a number of traditional hedgerows close to the villages which are of significant conservation interest. They are protected under The Hedgerow Regulations of 1997 (made under Section 97 of the Environmental Act of 1995). Important hedgerows include hedgerows that mark all or part of a parish boundary that existed before 1850 or is part of a field system that existed before 1845. These have to be checked on a case by case basis in maps held by the archives and record centres. In 2006 Barnsley Council produced the Barnsley Hedgerow Survey which included Silkstone and Silkstone area. Information has been obtained from Biological Records Centre based in Sheffield which states the areas that were surveyed by Grid Reference only. A check of these Grid References to establish where the sites has commenced, but early indications show that not all the sites are within the Parish.
- 5.2.31 The Chestnuts is a green open space in Silkstone, surrounded by chestnut trees and is the site of a disused quarry. It is situated near an older people's housing complex and provides an area of tranquillity which needs to be protected. It is owned and managed by Silkstone Parish Council.
- 5.2.32 Noblethorpe Hall is a Grade II Listed building of Georgian design dating back to the 18<sup>th</sup> century and sits in a delightful parkland estate in Silkstone. The trees within the Parkland should be described as 'significant' and are identified for protection under TPO legislation and registered with Barnsley Council. The woodland strip running alongside the A628 appears to be ancient woodland. The Biological Records Centre have records of ancient woodland plant species but without a field visit, the actual locations are difficult to pinpoint. Great crested newts (which are a protected species) have been recorded. An invertebrate survey was carried out by Sorby Natural History Society and these records can be found at the Biological Records Centre.
- 5.2.33 Woods in Silkstone contain a small group of the rare black poplar (*populus nigra*). Female catkins develop characteristic fluffy cotton-like seeds, which fall in late summer. The protection of these trees is very important, particularly given recent encroachment by Japanese knotweed, one of the most invasive weeds in Britain.

### **Veteran and ancient trees**

- 5.2.34 Veteran trees are survivors that have developed some of the features found on ancient trees, and are usually in their second or mature stage of life. Ancient trees are irreplaceable, steeped in history, have been standing tall for hundreds of years, witnessing important historical events, while providing important homes for wildlife. The older the tree, the more vital to wildlife it becomes. All Veteran and Ancient trees should be registered on the TPO register at Barnsley Council and are covered by TPO legislation.

### **Wildlife Corridors**

- 5.2.35 The term Wildlife Corridor is used to refer to any linear feature in the landscape that can be used for migration or dispersal of wildlife. Wildlife or biological corridors offer the possibility of linking habitats and redirecting the isolation of populations. These linear features vary considerably in size.
- 5.2.36 **Silkstone Waggonway** runs through the village of Silkstone and down the valley, and is a pleasant walk away from busy roads. It was the route of a horse drawn railway, built in 1809 by the Barnsley Canal Navigation Company and still retains its stone block sleepers. This early railway transported coal from the mines in the Silkstone Valley 2.5 miles from Silkstone Cross to Barnaby Basin Cawthorne.
- 5.2.37 Silkstone Sewage Works is a very popular site amongst local bird watchers and well recorded. Species recorded included yellow hammer, willow tit, bullfinch and dipper, along with typical woodland bird species. Records also highlight that this area has had a small invertebrate survey carried out with butterflies being recorded. Further along the Waggonway is Low Mill Farm and it is in this area that ancient hedgerows have been recorded.

### **Trans Pennine Trail (TPT)**

- 5.2.38 The TPT is a long-distance path running from coast to coast across Northern England entirely on surfaced paths and using only gentle gradients. It forms part of the European walking route E8 and is part of the National Cycle network as Route 62.
- 5.2.39 There are several access points in Silkstone Common to the TPT which runs parallel to Moorend Wood and Houses and Nether Royd Wood.
- 5.2.40 For recording purposes the TPT in the Silkstone Common area has been divided into four kilometre squares which are SE 2803, SE 2804, SE 2904 and SE 3004. Three of these recording squares have highlighted an under recording of species to be found on the TPT and have been designated for areas to be surveyed for 2021. Grid square SE 3004 (Dove Valley Trail ) has been well surveyed and the records are held in the Barnsley Biological Records Centre.

### **Watercourses**

- 5.2.41 The parish is lucky to host the headwaters of small streams in a rural setting, so they have not been affected much by industry or urban population. However the legacy of coal mining still persists - most notably by the Silkstone Minewater Treatment Plant where the EA have intercepted an uncontrolled minewater 'rebound' breakout upstream of The Potting Shed into Silkstone Beck.

### **Protected Species - Badgers and Bats**

- 5.2.42 Badgers and their setts are protected species under the Badger Protection Act Of 1992. Silkstone Parish has a good selection of badger setts and is fortunate that local setts are rarely interfered with. For obvious reasons the whereabouts of the setts are not in the public domain. South Yorkshire Badger Group are happy to speak to members of the public or groups and give advice when requested.
- 5.2.43 Bats are protected species under The Wildlife and Countryside Act (1981) as amended and The Conservation of Habitat and Species Regulations of 2017. Legislation states that any structures or place which bats use for shelter are protected from damage or destruction whether occupied or not. This legislation has been incorporated into planning policies. Silkstone Parish has some excellent sites for various species of bats. Surveys in certain areas of the Parish have been carried out especially prior to any construction work. All records of the different bat species have been registered with the Barnsley Biological Records Dept. For purposes of this report research has been carried out to identify species and habitat locations.
- 5.2.44 The Church of All Saints' and St James the Great in Silkstone dates from the 15<sup>th</sup> century and a church has been on this site from approximately 1150 AD. The memorial to the children killed in the Huskar Pit Disaster of 1838 can be found in the graveyard. Churches and churchyards can be great places for wildlife and the Living Churchyard Project could be implemented to help manage the churchyard in a wild-friendly way. Two species of bats have been recorded between 1987/2010, and the PCC Secretary has confirmed that bats are still present as at 5 November 2020. A further bat survey is recommended to establish the present status of the bat population.
- 5.2.45 Invasive species of Japanese knotweed and Himalayan balsam have been identified in the parish.

## **Policy NE2 Wildlife**

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.

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.

A biodiversity net gain could be achieved through development by:

1. Managing any habitats retained within the development site to improve quality. This could be done, through for example, by
  - A. Retaining mature trees and hedgerows and using traditional local species in landscaping schemes and tree planting;
  - 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;
  - C. Retaining and improving the management of any ponds; and
  - D. Creating new priority habitats.
2. Securing local off-site habitat management to provide an overall benefit. In particular, contributions will be sought for the following:
  - A. Restoring or creating wildflower-rich unimproved grassland and meadows on farmland, areas of public open space and grass verges;
  - B. Woodland management;
  - C. Creation and enhancement of wetland areas.
3. A combination of the above.

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.



# Kirkwells

The Planning People

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