

# **Cawthorne Neighbourhood Development Plan (NDP)**

## **Basic Conditions Statement**

(Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)



**Cawthorne Parish Council**

**September 2019**

With assistance from



## 1.0 Introduction

1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)<sup>1</sup> 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 to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

*a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*

*b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.*

*c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.*

*d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*

*e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*

*f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*

*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).*

1.2 In December 2018 a further Basic Condition was added relating to the Conservation of Habitats and Species Regulations 2017. The NDP must not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (d).

1.3 This Basic Conditions Statement sets out how the Cawthorne NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

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<sup>1</sup> <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**

This Submission Plan is being submitted by a qualifying body, namely Cawthorne 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 up to 2033 (the same period as the Barnsley Local Plan, adopted January 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 Cawthorne 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 1 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 Cawthorne Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, February 2019)<sup>2</sup>.

#### 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.*' The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These should be delivered through the preparation and implementation of plans (paragraph 9).

Table 1 sets out how the Cawthorne NDP delivers the 3 overarching Objectives:

**Table 1 Delivering Sustainable Development**

NPPF Overarching Objectives	Cawthorne NDP Policies and Proposals
<p><i>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;</i></p>	<p>Cawthorne NDP recognises the important role of local businesses to the economic sustainability of the area. The NDP includes policies which support suitable economic investment and growth, taking into account the area's rural location in the Green Belt and historic character. The parish includes major tourist attractions at Cannon Hall Farm and Cannon Hall Country Park which both attract significant visitor numbers. The NDP chapter on tourism and business was prepared by a subgroup with representatives from local businesses.</p> <p>Objective 5 is to preserve the unique atmosphere of the award-winning village of Cawthorne, whilst at the same time encouraging visitors to</p>

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

	<p>the area, so that business and tourism can thrive. Local businesses will be nurtured to allow the agricultural and rural economy to diversify and grow, enhanced by the provision of community led sustainable green energy and improved communication technologies.</p> <p>Policy C11 sets out a criteria based policy which supports proposals for small scale business and live / work units and proposals linked to diversification of the rural economy such as tourism. Suitable mitigation measures including those addressing impacts from traffic are required.</p> <p>Policy C12 seeks to address problems in the area arising from high levels of parking from visitors. The policy supports proposals which provide additional public car parking and secure, safe and convenient cycle parking in Cawthorne Village and at the Cannon Hall Leisure Cluster, subject to Green Belt policies.</p>
<p><i>b) <b>a social objective</b> –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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</i></p>	<p>Cawthorne NDP recognises the importance of contributing to the social sustainability of the local community.</p> <p>Objective 2 is to support the provision of improved community leisure, sports and recreation facilities for future generations and Objective 4 is to enhance the wellbeing of all members of our community by supporting the provision of fair, accessible housing to meet the needs of local people.</p> <p>Policies C4 and C5 identify various community and recreational facilities of recognised importance and there is a presumption in favour of the re-use of such facilities for similar uses where proposals respond positively to design policies in the NDP.</p> <p>Policy C9 General Principles for New Housing Development in Cawthorne Parish sets out design criteria for new housing taking into</p>

	<p>account local character and Policy C10 Criteria for New Housing Development sets out proposed house types, sizes and mix and the need for proposals to address local parking and flooding issues effectively.</p>
<p><i>c) <b>an environmental objective</b> - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>Cawthorne NDP has a very strong emphasis on environmental sustainability, reflecting its location within attractive countryside and the area's many built and natural heritage assets.</p> <p>Objective 1 is to protect and enhance the natural and physical environment of Cawthorne Parish including local landscape character, wildlife and biodiversity assets, amenity areas, green open spaces, open farm land, and community allotments. Objective 3 is to protect the distinctive built heritage and character of Cawthorne Village and Parish by ensuring new development is designed sensitively, conserves and enhances its significant buildings, places and their setting. Objective 5 is to preserve the unique atmosphere of the award-winning village of Cawthorne, whilst at the same time encouraging visitors to the area, so that business and tourism can thrive. Local businesses will be nurtured to allow the agricultural and rural economy to diversify and grow, enhanced by the provision of community led sustainable green energy and improved communication technologies.</p> <p>Policy C1 Protecting Local Landscape Character sets out how the location, design and layout of new development should respond positively to Cawthorne Parish's local landscape character and requires development to respect the identified Locally Important Views.</p> <p>Policy C2 Protecting Local Wildlife notes biodiversity assets in the parish of local and national importance and requires landscaping schemes to provide new habitats and opportunities for wildlife.</p> <p>Policy C3 Renewable Energy recognises the possible contribution the parish could make to addressing climate change by supporting small</p>

	<p>scale renewable energy schemes and community energy schemes subject to mitigating any adverse impacts on local landscape and built character and Policy C6 Local Green Spaces identifies several local green spaces for protection.</p> <p>The NDP contains detailed policies to promote high quality design and to protect enhance built heritage and is supported by a recently commissioned conservation area appraisal and management plan. Such policies include Policy C7 Heritage and Design in the Conservation Area, Policy C8 Protecting Non Designated Heritage Assets and Policy C9 General Principles for New Housing Development in Cawthorne Parish.</p>
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### 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 Cawthorne NDP addresses each of these in turn.

**Table 2 Plan Making**

NPPF Plan Making	Cawthorne NDP
a) be prepared with the objective of contributing to the achievement of sustainable development;	The Cawthorne NDP has been prepared to contribute to sustainable development; 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;	<p>The NDP has been prepared positively to provide a robust local planning policy framework to guide new development in the parish over the plan period. The NDP will help to ensure new development is of a high quality and designs take into consideration the need to protect and enhance the significant natural and built heritage assets of the Parish.</p> <p>The Parish Council, through the Steering Group, has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable and appropriate development. Policy criteria have been prepared through a thorough approach to community engagement and reflect local aspirations for high quality design which considers local context and character.</p> <p>Planning officers at Barnsley Council have kindly provided detailed advice on policy wording and supporting text at all stages of the plan's preparation, helping policies to reflect local peoples' concerns and aspirations for their Parish whilst ensuring they are appropriate for determining planning applications.</p>

<p>c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;</p>	<p>All the policies have been prepared through an extensive and thorough approach to community engagement. This has led to a relatively high proportion of local people taking part in questionnaires and surveys as the Plan has moved forward through the process.</p> <p>The accompanying Consultation Statement sets out the details of the extensive, wide ranging and multiple community consultation and engagement activities which have been undertaken since 2017 at all stages of the Plan's preparation.</p> <p>Briefly this has included:</p> <ul style="list-style-type: none"> <li>- An open meeting and setting up of various subgroups to look in more detail at identified planning themes in January 2017</li> <li>- Preparation and publication of an Issues and Options document for consultation in 2017</li> <li>- Preparation of a first draft plan and informal public consultation in April 2019</li> <li>- Regulation 14 public consultation in summer 2019.</li> </ul> <p>Various methods were used to engage with local stakeholders and promote consultation stages including open events / drop ins, meetings with representatives of local businesses, publicity including posters, notices, articles in the Parish magazine and use of social media (Facebook).</p> <p>At each consultation stage representations have been considered carefully and appropriate amendments to the NDP made.</p>
<p>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</p>	<p>The NDP policies and proposals have been prepared by a Steering Group on behalf of the Parish Council, with support from a planning consultant and planning officers at Barnsley Borough Council.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner is likely to</p>

	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	Updates and documents have been provided on the NDP website at all stages of plan preparation.  Responses by email were invited at informal and formal consultation stages.
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 to reduce duplication with policies in the Barnsley Local Plan and duplication with national policies. Again, it is understood that the Examination may lead to further changes to policies and supporting text.

### **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 Cawthorne NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Barnsley Local Plan. The supporting text for the NDP policies refers to the relevant 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. Cawthorne NDP supports development in line with the development strategy set out in the Local Plan. Cawthorne's location within the Green Belt means that opportunities for new housing development will be very limited. Under Local Plan Policy LG2 Location of Growth, Cawthorne is identified as a village. Villages are identified as the third tier for development and the supporting text sets out that "*there will be a slower pace and scale of growth in villages and rural areas*". The NDP includes a planning policy to guide local residential development within the existing development boundary (identified by Barnsley Council) and policies which promote high quality design and sensitive development within the conservation area.

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**

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. Cawthorne's identification as a Village inset within the Green Belt mean that it is not a priority area for growth in the Local Plan and a target housing requirement has not been set by Barnsley Council.

Cawthorne is located within a rural area. Paragraph 78 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The NDP supports this principle by guiding new development proposals to within the identified settlement boundary of the village.

### **6. Building a strong, competitive economy**

Paragraph 83 advises that in rural areas planning policies 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 Cawthorne NDP supports appropriate economic development in the rural area by including a policy which promotes suitable local economic development and tourism.

### **8. Promoting healthy and safe communities**

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The NDP includes policies which protect and encourage investment in local community facilities and sets out non planning proposals in an appendix to address parking and traffic problems in the area and support a safer environment for walkers and cyclists.

### **9. Promoting sustainable transport**

Paragraph 102 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. The NDP includes a section which sets out proposals for appropriate traffic calming and management measures and public transport improvements, following consideration of feedback from various public consultations undertaken before and during the preparation of the Draft NDP.

## **11. Making effective use of land**

Paragraph 118 advises that planning policies 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; and b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production. The Cawthorne NDP identifies important wildlife areas in the Parish and supports habitat protection and enhancement in Policy C2.

## **12. Achieving well-designed places**

Paragraph 124 explains that the creation of high quality 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 plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. The Cawthorne NDP includes several detailed policies which together promote high quality design which responds to existing character and context and which should help to protect and enhance the conservation area. The Parish Council commissioned a conservation area appraisal and management plan during the NDP's preparation and design guidelines from this have been brought forward into a planning policy, Policy C7. All policies have been prepared with the close involvement of the local community.

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

Paragraph 148 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. Paragraph 151 goes on to set out that to help increase the use and supply of renewable and low carbon energy and heat, plans should 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 and in paragraph 152, local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning. Cawthorne NDP includes Policy C3 which supports renewable and low carbon energy technologies.

### **Planning and flood risk**

Paragraph 157 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including c) using opportunities provided by new development to reduce the causes and impacts of flooding (where

appropriate through the use of natural flood management techniques). Policy C10 which requires development proposals to provide effective surface water drainage measures to protect existing and future residential areas from flooding.

### **15. Conserving and enhancing the natural environment**

Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. NDP Policy C1 aims to protect and enhance local landscape character and Policy C2 protects local wildlife.

#### **Ground conditions and pollution**

Paragraph 180 sets out that planning policies and decisions should 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. The NDP notes local problems of pollution from discharges into local water courses and impacts on local wildlife following advice from Environment Agency. Sensitive lighting schemes are promoted in Policy C2 to help protect wildlife.

### **16. Conserving and enhancing the historic environment**

Paragraph 184 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 185 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. The NDP process has helped to identify a list of local heritage assets and includes Policy C7 Heritage and Design in the Conservation Area and Policy C8 Protecting Non Designated Heritage Assets to protect and enhance local heritage.

## **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 that there are 81 listed buildings in the Parish including Grade II\* Cannon Hall, Church of All Saints and Wool Greaves Farmhouse, a Scheduled Monument and a Historic Park/Garden. Policy C7 addresses the protection of built heritage assets and requires new development to be sensitive to the character and setting of the conservation area, and to other identified nationally significant heritage assets, and Policy C8 protects the locally significant heritage assets identified in the non-designated heritage assets list.

*[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 NDP area includes a conservation area and a conservation area appraisal and management plan was commissioned to support policies in the NDP and to provide evidence for a review of the boundary.

*[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 Local Plan policies contained 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 Local Plan.

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

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p><b>Policy C1 Protecting Local Landscape Character</b></p> <p>The location, design and layout of new development should respond positively to Cawthorne Parish's local landscape character as set out in the Barnsley Borough Landscape Character Assessment and regard should be had to the Cawthorne Village Design Statement Draft Supplementary Planning Document .</p> <p>For larger sites (10 houses or with an area of 1 hectare or more) the developer will be required to produce an evidence-based mitigation plan covering the wildlife, mature hedges, mature trees, and any watercourses and ponds. This should include the retention of existing distinctive and important features of local landscape character interest, such as woodlands and traditional field boundaries including hedgerows and stone walls. Such proposals should assess their visual and environmental impacts on Cannon Hall Registered Park and Garden and its setting within the wider landscape.</p> <p>Development proposals should be designed to minimise any adverse visual impacts on the</p>	<p><b>Policy D1 High Quality Design and Place Making</b></p> <p>Design Principles:</p> <p>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"> <li>- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;</li> <li>- Views and vistas to key buildings, landmarks, skylines and gateways; and</li> <li>- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.</li> </ul> <p>.....</p>	<p>NDP Policy C1 requires the location, design and layout of new development to respond positively to Cawthorne Parish's local landscape character as set out in the Barnsley Borough Landscape Character Assessment. The Policy identifies important features of local landscape character interest which should be retained and sets out how development should respect a number of locally important views which are shown on a map.</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>



Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>identified Locally Important Views shown on Map 2A and Map 2B, and the Key Views into and within the conservation area as shown on Map 1 Spatial Analysis of the Conservation Area Appraisal, and reproduced as Map 2C.</p> <p>Where a development proposal impacts on an identified Locally Important View or Key View, a Landscape and Visual Impact Assessment or similar study should be carried out to ensure that scheme is designed and sited sensitively and appropriately.</p> <p>In the wider rural area, new farm buildings should blend into the countryside as much as possible and should be landscaped with careful planting of appropriate trees. The uses of materials for agricultural buildings that are visually complementary to the rural landscape setting are encouraged. Dark brown or grey-green roofing, lighter brown or timber cladding and if possible stone coloured block work should be encouraged. White, blue or bright green sheeting, cladding or roof materials should be avoided.</p> <p>Proposals at Cannon Hall and Cannon Hall Country Park should protect and retain drystone walls and hedgerows, include planting of native trees and hedges where</p>		

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
possible, and avoid planting of Leylandii and other fast growing conifers.		
<p><b>Policy C2 Protecting Local Wildlife</b></p> <p>Natural heritage assets are protected as shown on Maps 3, 4, 5, 6, 7 and 8. The priority for new development should be to avoid direct and indirect impacts on biodiversity. Where impacts cannot be avoided, mitigation and then compensation measures should be provided.</p> <p>Wherever possible, landscaping schemes should incorporate locally prevalent species and provide areas of new habitat, such as grassland, deciduous woodland, wood pasture and parkland, ponds and water courses to support local wildlife.</p> <p>Development should take into consideration the need to protect existing wildlife which may be using local buildings as habitats, such as barn owls which are known to nest locally. Buildings should incorporate bird nest boxes and roosting opportunities for bats wherever possible.</p> <p>Lighting schemes should be designed sensitively to reduce any adverse impacts on wildlife.</p>	<p><b>Policy BIO1 Biodiversity and Geodiversity</b></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"> <li>- 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 &amp; Rural Communities Act 2006 (for list of the species and habitats of principal importance) and in the Barnsley Biodiversity Action Plan.</li> <li>- Maximising biodiversity and geodiversity opportunities in and around new developments.</li> <li>- 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.</li> <li>- Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to</li> </ul>	<p>NDP Policy C2 refers to natural heritage assets in the Parish as shown on maps in the NDP and sets out that the priority for new development should be to avoid direct and indirect impacts on biodiversity and that where impacts cannot be avoided, mitigation and then compensation measures should be provided. The policy goes on to include suggestions for habitat enhancements to support local biodiversity.</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>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
	<p>evaluate the impacts of a development on biodiversity interest.</p> <ul style="list-style-type: none"> <li>- Protecting ancient and veteran trees where identified.</li> <li>- Encouraging provision of biodiversity enhancements.</li> </ul> <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.</p> <p>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>	
<p><b>Policy C3 Renewable Energy</b></p> <p>Small scale renewable energy schemes and community energy schemes will be supported in Cawthorne Parish where any adverse impacts on landscape character and built heritage are mitigated by siting, design and landscaping / screening.</p> <p>Proposals which have an unacceptable adverse impact on the Registered Park and Garden of Cannon Hall will be resisted.</p>	<p><b>Policy RE1 Low Carbon and Renewable Energy</b></p> <p>All developments will be expected to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.</p> <p>We will allow development that produces renewable energy as long as there is no material harm upon:</p>	<p>NDP Policy C3 Renewable Energy supports small scale renewable energy schemes and community energy schemes where any adverse impacts on landscape character and built heritage are mitigated by siting, design and landscaping / screening. The policy makes reference to heritage assets in the Parish such as Cannon Hall Park and Garden and the conservation area.</p> <p>This is in general conformity with Local Plan Policy RE1 which sets out that development that produces renewable energy will be</p>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>Proposals for solar panels and solar voltaic schemes which require planning permission should be designed sensitively so that they do not have an adverse visual impact on the conservation area and other nearby heritage assets.</p>	<ul style="list-style-type: none"> <li>- The character of the landscape and appearance of the area;</li> <li>- Living conditions;</li> <li>- Biodiversity, Geodiversity and water quality;</li> <li>- Heritage assets, their settings and cultural features and areas;</li> <li>- Key views of, from or to scenic landmarks or landscape features;</li> <li>- Highway safety, or Infrastructure including radar.</li> </ul> <p>In assessing effect, we will consider appropriate mitigation which could reduce harm to an acceptable level.</p> <p>Proposals will be expected to include information regarding their efficiency.</p> <p>Proposals must be accompanied by information that shows how the local environment will be protected, and that the site will be restored when production ends.</p>	<p>allowed provided that there is no material harm on landscape character and appearance of the area and heritage assets.</p>
<p><b>Policy C4 Protecting and Enhancing Community Facilities</b></p> <p>The following local community facilities are of recognised importance:</p> <ol style="list-style-type: none"> <li>1. Village Hall</li> <li>2. Museum</li> <li>3. Church and Parish Room</li> <li>4. Methodist Chapel</li> <li>5. Cawthorne School</li> </ol>	<p><b>Policy E7 Loss of Local Services and Community Facilities in Villages</b></p> <p>Planning permission for changing the use of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses, places of worship, post offices and petrol stations; to new uses will only be allowed if it can be shown that:</p> <ul style="list-style-type: none"> <li>- The business or facility cannot be economically successful; or</li> </ul>	<p>NDP Policy C4 identifies local community facilities of recognised importance and sets out a presumption in favour of the re-use of such facilities for community type uses unless certain circumstances apply. The policy also supports investment in existing facilities.</p> <p>This is in general conformity with Local Plan Policy E7 which protects community facilities in villages subject to circumstances such as failing economic viability and there is not a</p>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>These are shown on Map 9.</p> <p>There will be a presumption in favour of the re-use of such facilities for community uses unless:</p> <ol style="list-style-type: none"> <li>1. Clear evidence is provided to demonstrate that there is no longer a need for the facility to remain in community use; or</li> <li>2. The proposal includes alternative provision, on a suitable site within the village of Cawthorne, of equivalent or enhanced facilities which are accessible by walking and cycling and have adequate car and cycle parking including catering for those with disabilities, and developers can provide evidence of appropriate local community support for the re-provision.</li> </ol> <p>Development which contributes towards the improvement of existing, or provision of new community and educational facilities will be supported. Proposals for the re-use of existing buildings or for new development should be of a high quality design which is sensitive to the character of the surrounding area. Where proposals are within the conservation area they will be required to address the design principles set out in Policy C7.</p>	<p>- The change of use would not have a significant effect on the ability of local people to access local services.</p>	<p>significant effect on local people's ability to access services.</p>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p><b>Policy C5 Protecting and Enhancing Recreational Facilities</b></p> <p>The following recreational facilities are of recognised importance:</p> <ol style="list-style-type: none"> <li>1. Cannon Hall Country Park</li> <li>2. Cricket Ground</li> <li>3. The Orchard Play Area</li> <li>4. Allotments: 4a: Allotments behind Horncroft, 4b: Allotments at Church Walk and 4c: Allotments opposite school</li> <li>5. Peace Gardens</li> <li>6. Football Field</li> <li>7. Village Green</li> </ol> <p>These are shown on Map 10.</p> <p>There will be a presumption in favour of the re-use of such facilities for recreational and health type uses. The change of use of these existing facilities to other uses will not be permitted unless the following can be demonstrated:</p> <ol style="list-style-type: none"> <li>1. The proposal includes alternative provision, on a suitable site within the village of Cawthorne, of equivalent or enhanced facilities which are accessible by walking and cycling and have adequate car and cycle</li> </ol>	<p><b>Policy GS1 Green Space</b></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"> <li>- 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</li> <li>- The proposal is for small scale facilities needed to support or improve the proper function of the green space; or</li> <li>- An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.</li> </ul> <p>In order to improve the quantity, quality and value of green space provision we will require qualifying new residential developments to provide or contribute towards green space in</p>	<p>NDP Policy C5 identifies recreational facilities of recognised importance in Cawthorne. It sets out a presumption in favour of the re-use of such facilities for recreational and health type uses unless certain circumstances apply. The policy also supports improvements to existing facilities.</p> <p>This is in general conformity with Local Plan Policy GS1 which advises that proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless certain circumstances apply.</p>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>parking including catering for those with disabilities; and</p> <p>2. Developers can provide evidence of appropriate local community support for the re-provision.</p> <p>Otherwise, developers should demonstrate that there is no longer a need for the facility or there is evidence that the facility is no longer viable.</p> <p>Development which contributes towards the improvement of existing, or provision of new recreational facilities will be supported. Proposals for new facilities will be supported subject to Green Belt policies where they are of a high quality design which is sensitive to the character of the surrounding area. Where proposals are within the conservation area they will be required to address the design principles set out in Policy C7.</p>	<p>line with the standards set out in the Green Space Strategy and in accordance with the requirements of the Infrastructure and Planning Obligations Policy. The Supplementary Planning Document 'Open Space Provision on New Housing Developments' offers guidance to developers on what will be expected in terms of open space provision in order to achieve those standards.</p> <p>Where there is a requirement to provide new green space an assessment will be carried out to determine the most appropriate provision, taking into account site characteristics and constraints.</p> <p>In cases where it is deemed unsuitable to make provision for open space within or adjacent to a development site, suitable off-site open space facilities may be acceptable either as new facilities or improvements to those existing. Where appropriate new green space should secure access to adjacent areas of countryside.</p>	
<p><b>Policy C6 Local Green Spaces</b></p> <p>The following are designated as Local Green Spaces where development is ruled out except in very special circumstances:</p> <p>1. Side of Methodist Chapel</p>	<p><b>Policy G11 Green Infrastructure</b></p> <p>We will protect, maintain, enhance and create an integrated network of connected and multi functional Green Infrastructure assets that: Provides attractive environments where people want to live, work, learn, play, visit and invest;</p>	<p>NDP Policy C6 identifies several areas for protection as Local Green Spaces. Such areas would be considered as contributing to Green Infrastructure to be protected and enhanced under Local Plan Policy G11. The Policy is therefore in general conformity with Policy G11.</p>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>2. Millstone and Woodland 3. Entrance to the Park.</p> <p>These are shown on Maps 11a and 11b.</p>	<ul style="list-style-type: none"> <li>- Meets the environmental, social and economic needs of communities across the borough and the wider City Regions;</li> <li>- Enhances the quality of life for present and future residents and visitors;</li> <li>Helps to meet the challenge of climate change;</li> <li>- Enhances biodiversity and landscape character;</li> <li>- Improves opportunities for recreation and tourism;</li> <li>- Respects local distinctiveness and historical and cultural heritage;</li> <li>- Maximises potential economic and social benefits; and</li> <li>- Secures and improves linkages between green and blue spaces;</li> </ul> <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>We have produced a Green Infrastructure Strategy for Barnsley which is informed by the Leeds City Region and South Yorkshire Green Infrastructure Strategies.</p>	



Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p><b>Policy C7 Heritage and Design in the Conservation Area</b></p> <p>New development within the conservation area should be sensitive to the character and setting of the conservation area, and to other identified nationally significant heritage assets, and to the locally significant heritage assets identified in the non-designated heritage assets list.</p> <p>All buildings, views, green spaces and trees which contribute to the character of the conservation area should be protected and enhanced.</p> <p>Proposals should have regard to the Cawthorne Village Design Statement Draft Supplementary Planning Document and incorporate the following design principles:</p> <p>1. There will be a presumption in favour of retaining buildings that make a positive contribution to the conservation area. Where buildings are demolished, any replacement building should be of a proportionate size and scale, be in keeping with the density and character of the surrounding area, and be appropriate in terms of design and materials.</p>	<p><b>Policy HE1 The Historic Environment</b></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</p> <p>This will be achieved by:-</p> <p>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.</p> <p>These elements and assets include:-</p> <p>...</p> <ul style="list-style-type: none"> <li>- A number of important 18th and 19th century designed landscapes and parks including Wentworth Castle parkland (the only grade I Registered Park and Garden in South Yorkshire), and Cannon Hall Park.</li> <li>- 18 designated conservation areas of special and architectural interest including three town centre conservation areas, as well as large areas incorporating Stainborough Park, Cawthorne, Penistone and Thurlstone.</li> <li>- Relatively widespread evidence of pre-historic settlements, and occupation which are often archaeological and below ground but sometimes expressed as physical or topographic features.</li> </ul>	<p>NDP Policy C7 sets out that new development within the conservation area should be sensitive to the character and setting of the conservation area, and to other identified nationally significant heritage assets. The Policy goes on to set out design criteria to guide new development and ensure it is sensitive to heritage assets.</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 the borough’s heritage assets and refers to Cannon Hall Park and the conservation area.</p>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>2. Extensions to dwellings should be subordinate in scale to the original building and of a design that reinforces the historic character and appearance of the conservation area.</p> <p>3. Alterations to buildings of heritage value should use traditional materials and designs for roofs and roof pitches, chimneys, porches, elevations, walling, joinery and windows and doors. Historic detailing should be retained and repaired wherever possible, and where replacement is necessary these should copy the historic detail. Pointing should be flush or rounded off to a gently concave joint and lime pointing is preferable for re-pointing of historic buildings and walls. Strap or ribbon pointing which utilises hard cement should always be avoided.</p> <p>4. Roof pitches should respond to the characteristics of properties in the surrounding area. Natural stone slate is the preferred material, or high quality natural alternatives (where appropriate) such as natural grey slate, or where this does not accord with the individual characteristics of the site context, use of good quality, matching artificial stone slates will be supported. However for listed buildings stone slates are preferable.</p>	<p>- The boroughs more rural western and Pennine fringe characterised by upland and (often) isolated settlements or farmsteads surrounded by agricultural land and dominated by historic and vernacular buildings built from local gritstone.</p> <p><b>b.</b> By ensuring that proposals affecting a designated heritage asset (or an archaeological site of national importance such as a Scheduled Ancient Monument) conserve those elements which contribute to its significance. Harm to such elements will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a designated heritage asset (or an archaeological site of national importance) will be permitted only in exceptional circumstances where there is a clearly defined public benefit.</p> <p><b>c.</b> By supporting proposals that would preserve or enhance the character or appearance of a conservation area. There are 18 conservation areas in the borough and each is designated for its particular built and historic significance. This significance is derived from the group value of its constituent buildings, locally prevalent styles of architecture, historic street layouts</p>	

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>5. Traditional window openings are a significant local feature. Replacement windows should whenever possible reflect the original period design and where appropriate new buildings should use stone jambs, heads and sills. Doors should reflect the age and character of the property and be in balance with the architectural form.</p> <p>6. Porches on the older houses tend to have an exposed wooden framework on a stone base or sometimes on pad stones and should be retained. Where possible the pitch of the porch roof should be similar to the pitch of the house roof.</p> <p>7. Chimneys are important features of many historic and traditional houses and form an attractive characteristic of the village. Where chimneys are of stone or of two shades of brick they should be retained.</p> <p>8. Materials such as locally quarried coursed stone or rustic brick are characteristic of the village and should be used in new buildings and in alterations to older buildings where appropriate. Historic stone walling and other stone in reasonable condition should be retained wherever possible.</p>	<p>and its individual setting which frequently includes views and vistas both into and out of the area. Particular attention will be given to those elements which have been identified in a Conservation Area Appraisal as making a positive contribution to its significance.</p> <p>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 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>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>	

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>9. Proposals for satellite dishes and other new technologies such as air conditioning units should be sited sensitively to minimise adverse visual impacts.</p> <p>10. The Village Green, Orchard Recreation Area, Churchyard and Rowland Sports Area are identified as significant open spaces and development proposals should minimise any adverse visual impacts on these areas and retain the rural character.</p> <p>11. Proposals for public realm enhancements should retain historic floor surfaces and stone kerbs. Streetlamps should be replaced with swan neck style and new seating should match existing designs.</p> <p>12. Proposals for new signage and alterations to shop fronts should be sympathetic to the traditional character of the property and rural village. Proposals should have regard to the adopted Shopfront Design Supplementary Planning Document.</p>		
<p><b>Policy C8 Protecting Non Designated Heritage Assets</b></p>	<p><b>Policy HE1 The Historic Environment</b></p> <p>We will positively encourage developments which will help in the management,</p>	<p>NDP Policy C8 identifies locally significant heritage assets. The Policy includes a list of local heritage assets which have been</p>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>The following assets have been identified for protection as non-designated heritage assets:</p> <ol style="list-style-type: none"> <li>1. Clay Hall</li> <li>2. 2 Hill Top</li> <li>3. Maltkiln Row</li> <li>4. Kirkfield Close</li> <li>5. Manor House</li> <li>6. Hill House</li> <li>7. Jubilee Museum</li> <li>8. War Memorial</li> <li>9. Village School building</li> <li>10. Methodist Chapel</li> <li>11. The Institute</li> <li>12. The Comrades Club</li> <li>13. West Lodge</li> <li>14. Village Hall</li> <li>15. Looby Bridge</li> <li>16. Bridge at Cinder Hill</li> <li>17. Bridge north of Kexborough Bridge</li> <li>18. Waterfall and Dam on Cinder Hill, known as Damstakes</li> <li>19. Clapper Bridge</li> <li>20. Chantry House</li> <li>21. Spencer Arms</li> <li>22. Village Green</li> <li>23. The Forge.</li> </ol> <p>Development proposals which have an effect on any such assets will be assessed having</p>	<p>conservation, understanding and enjoyment of Barnsley’s historic environment, especially for those assets which are at risk</p> <p>This will be achieved by:-</p> <p>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.</p> <p>These elements and assets include:-</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>identified and justified 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 the borough’s heritage assets including non designated heritage assets.</p>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
regard to the scale of any proposed harm or loss and the significance of the asset.		
<p><b>Policy C9 General Principles for New Housing Development in Cawthorne Parish</b></p> <p>Proposals for new housing development within the settlement boundary of Cawthorne and outside the conservation area, should demonstrate how designs respond positively to the characteristics of the surrounding area as set out in the character area appraisals in Appendix III, and the Village Design Statement Draft Supplementary planning Document.</p> <p>Proposals will be supported subject to the following criteria:</p> <ol style="list-style-type: none"> <li>1. New buildings follow a consistent design approach in the use of materials, fenestration and the roofline to the building and make reference to the local characteristics identified in the Village Design Statement;</li> <li>2. Materials should be chosen to complement the design of a development and add to the quality or character of the surrounding environment. Suitable materials should be used to provide noise insulation where development is located close to main roads, and to enhance energy efficiency;</li> </ol>	<p><b>Policy D1 High Quality Design and Place Making</b></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"> <li>- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;</li> <li>- Views and vistas to key buildings, landmarks, skylines and gateways; and</li> <li>- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.</li> </ul> <p>Through its layout and design development should:</p> <ul style="list-style-type: none"> <li>- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;</li> <li>- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;</li> </ul>	<p>NDP Policy C9 sets out local criteria for new housing development within the settlement boundary of Cawthorne. Criteria include the need to designs to compliment local character but also support contemporary and imaginative modern designs. 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>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>3. New development proposals need not imitate earlier architectural periods or styles and could be the stimulus for the use of imaginative modern design using high quality traditional materials such as local stone or brick in innovative ways;</p> <p>4. New development should provide suitable garden space and include integrated storage facilities for cycles and waste and recycling bins; and</p> <p>5. At least 1 charging Electric Vehicle Charging point is provided per dwelling as a minimum.</p>	<ul style="list-style-type: none"> <li>- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;</li> <li>- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;</li> <li>- Provide clear and obvious connections to the surrounding street and pedestrian network;</li> <li>- 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;</li> <li>- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;</li> <li>- Create clear distinctions between public and private spaces;</li> <li>- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;</li> <li>- Make the best use of high quality materials; Include a comprehensive and high quality scheme for hard and soft landscaping; and Provide high quality public realm.</li> </ul> <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>	

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p><b>Policy C10 Criteria for New Housing Development</b></p> <p>New housing schemes on sites below 0.4 hectares within the development boundary of Cawthorne village will be supported where:</p> <ol style="list-style-type: none"> <li>1. Development is within or adjoins the existing built form and is preferably on previously developed (brownfield) land;</li> <li>2. New developments should be designed to be sensitive to the character of the surrounding area in terms of plot density, size, height, scale, density, massing and the materials (see the Cawthorne Village Design Statement Draft SPD, August 2018 and NDP Policies C8 and C9);</li> <li>3. Schemes are small in scale (up to 10 houses) and are of a suitable density, taking into account the character of the surrounding area;</li> <li>4. Development contributes towards a mix of house sizes and tenures and meets local needs. Where possible schemes should include smaller housing (2 bedroom properties) for first time buyers, young people and older residents wishing to downsize to smaller properties;</li> </ol>	<p><b>Policy GD1 General Development</b></p> <p>Proposals for development will be approved if:</p> <ul style="list-style-type: none"> <li>- There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;</li> <li>- They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;</li> <li>- They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;</li> <li>- They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;</li> <li>- Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;</li> <li>- Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;</li> <li>- Any drains, culverts and other surface water bodies that may cross the site are considered;</li> </ul>	<p>NDP Policy C10 sets out locally appropriate criteria to guide new housing on small sites within the settlement boundary of Cawthorne. Criteria address such matters as sensitivity to local context, scale of development, housing mix, parking, reducing reliance on cars and addressing flood risk.</p> <p>This policy is in general conformity with several Local Plan policies including Policy GD1 which refers to landscaping, access and consideration of drains and surface water bodies, Policy LG2 which sets out the settlement hierarchy whereby Cawthorne is a village and development will be limited and Policy H4 which restricts development on small non allocated sites to 0.4ha.</p>



Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>5. Adequate on-site parking should be provided to Barnsley MBC’s most up to date parking standards and catering for those with disabilities and any communal or shared parking areas should be screened using suitable landscaping and boundary treatment which is sympathetic to the local context and conservation area; and</p> <p>6. Developments should aim to reduce reliance on the private car and should provide physical linkages to existing walking and cycling networks in the parish (see Section 5 of the NDP).</p> <p>Reducing Flood Risk, and Providing Adequate Water and Sewerage</p> <p>Development proposals will be required to provide effective surface water drainage measures to protect existing and future residential areas from flooding. New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. Sustainable drainage systems (SuDS) should be implemented in accordance with the SuDS hierarchy unless deemed inappropriate.</p>	<p>- Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;</p> <p>- Any pylons are considered in the layout; and Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.</p> <p><b>Policy LG2 The Location of Growth</b> 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><b>Policy H4 Residential Development on Small Non-allocated Sites</b></p>	

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>All new residential developments should include suitable provision for water supply and sewage treatment.</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><b>Policy C11 Supporting Local Economic Development and Tourism</b></p> <p>Proposals for the re-use or conversion of existing redundant former agricultural buildings, workshops or previously used brownfield sites, and new development proposals for small scale business and live / work units and proposals linked to diversification of the rural economy such as tourism will be supported where:</p> <ol style="list-style-type: none"> <li>1. Development is appropriate to Cawthorne Parish’s rural location in the Green Belt, the local landscape character and surrounding land uses in terms of design, scale and materials; and</li> <li>2. Proposals incorporate appropriate suitable mitigation measures to minimise any adverse impacts on the local road network, and adequate car, other motor vehicle and</li> </ol>	<p><b>Policy E5 Promoting Tourism and encouraging Cultural Provision</b></p> <p>We will promote tourism and encourage the growth and development of cultural provision by:</p> <ul style="list-style-type: none"> <li>- Encouraging the provision of a wide range of venues and opportunities for cultural activity; Safeguarding and sustaining existing cultural provision;</li> <li>- Promoting the existing cultural provision and tourism offer (for example museums, theatres, accommodation and hospitality); and</li> <li>- Encouraging the growth of the tourism business sector.</li> </ul> <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</p>	<p>NDP Policy C11 supports development proposals for small scale business and live / work units and proposals linked to diversification of the rural economy such as tourism subject to local criteria such as where development is appropriate to the rural area and Green Belt, mitigation measures are provided to minimise impacts on the road network and proposals are for conversions of existing buildings or re-use brownfield sites.</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>

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p>cycle parking including catering for those with disabilities is provided on site for employees and visitors.</p>	<p>diversify the local economy, subject to the requirements of Policy E6 Rural Economy.</p> <p><b>Policy E6 Rural Economy</b>  We will encourage a viable rural economy by allowing development in rural areas if it:</p> <ul style="list-style-type: none"> <li>- Supports the sustainable diversification and development of the rural economy;</li> <li>- Results in the growth of existing businesses; Is related to tourism or recreation; or</li> <li>- Improves the range and quality of local services in existing settlements.</li> </ul> <p>Development in rural areas will be expected to:</p> <ul style="list-style-type: none"> <li>- Be of a scale proportionate to the size and role of the settlement;</li> <li>- Be directly related, where appropriate, to the needs of the settlement;</li> <li>- Not have a harmful impact on the countryside, biodiversity, Green Belt, landscape or local character of the area;</li> <li>- Consider the re-use of existing rural buildings in the first instance; and</li> <li>- Protect the best quality agricultural land, areas of lower quality agricultural land should be used for development in preference to the best and most versatile land.</li> </ul>	

Cawthorne NDP Policies	Barnsley Local Plan Policies	General Conformity
<p><b>Policy C12 Car and Cycle Parking in Cawthorne Village and at Cannon Hall Leisure Cluster</b></p> <p>Development proposals which provide additional public car parking including catering for those with disabilities and secure, safe and convenient cycle parking will be supported in Cawthorne Village and at the Cannon Hall Leisure Cluster, subject to Green Belt policies.</p> <p>Such schemes should be designed sensitively and use suitable materials which are sympathetic to the historic environment and conservation area. Schemes should incorporate appropriate landscaping and tree planting to provide adequate screening, shade and enhancements to the public realm.</p>	<p><b>Policy T1 Accessibility Priorities</b></p> <p>Working with city region partners and other stakeholders transport investment will be set out in Transport Strategy programmes focused on development-transport corridors as shown in the Accessibility Priorities diagram below to:</p> <p>...</p> <p>B. Implement transport network improvements as supported by evidence from modelling, feasibility studies, consultation, surveys, community engagement etc.</p> <p>C. Facilitate sustainable transport links to and from existing and proposed employment, interchange, community and leisure and tourism facilities in the borough, including provision for car parking and enhancing the non car role of the transport corridor shown on the Accessibility Priorities diagram as 'potential enhanced road based public transport corridor'.</p> <p>....</p>	<p>NDP Policy C12 seeks to promote additional public car parking and secure, safe and convenient cycle parking in Cawthorne Village and at the Cannon Hall Leisure Cluster, subject to Green Belt policies.</p> <p>This is in general conformity with Local Plan Policy T1 which sets out how the Council will implement transport improvements evidenced by community consultation etc and will facilitate transport links to employment, community and tourism facilities including car parking.</p>

### 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).**

### **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 ("Cawthorne Neighbourhood Development Plan (NDP) Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report, February 2019") was prepared prior to the Regulation 14 public consultation to determine whether the Cawthorne 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 Cawthorne 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 and both concurred with the conclusion that there are unlikely to be significant environmental effects from the proposed plan and the preparation of a Strategic Environmental Assessment is not required. No response was provided from the Environment Agency although a reminder email was sent out prior to publication of the Draft NDP.

### **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 screening report also included a Habitat Regulations Assessment Screening. The report sets out in paragraph 5.15 that "*The Cawthorne Neighbourhood Plan policies and proposals are in conformity with those in the adopted Barnsley Local Plan which has been subject to Appropriate Assessment. This confirms that most policies and policies would not result in significant environmental effects on the South Pennine Moors Special Area of Conservation/Special Protection Area, except in the case of housing allocations within the 5km buffer zone. None of these fall within the*

*Cawthorne Neighbourhood Plan area. It is therefore concluded that no further work will be required in order to comply with the Habitat Regulations."*

In their response to the Screening Opinion report, Natural England set out 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.*" They went on to say "*Natural England agrees with the report's conclusions that the Cawthorne 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.*"

### **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.

### **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 Cawthorne 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).**

The prescribed conditions have therefore 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.

**Cawthorne Parish Council**

**September 2019**