

## **Royal Borough of Kensington and Chelsea**

### **Replacement Windows in Residential Properties Local Development Order**

#### **Section 61A of the Town and Country Planning Act 1990, as amended ("the Act")**

### **STATEMENT OF REASONS**

#### **1. INTRODUCTION**

- 1.1 The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended ("the GPDO") sets out the types of development that can be carried out without the need to apply for planning permission through the normal planning application process. Proposals that comply with the provisions of the GPDO are known as "permitted development".
- 1.2 A Local Development Order ("LDO") is a mechanism under section 61A of the Act by which a Local Planning Authority ("LPA") can expand these national permitted development rights. A LDO deems planning permission to have been granted for a specific type of development within a defined area. It removes the need for a separate planning application where the proposed development meets all the requirements of the LDO. In this way, it can streamline the planning process, provide certainty and saving time and money for the landowner.
- 1.3 The purpose of this LDO is to remove the need for planning permission for alterations to existing windows for residential properties across the borough. The nature of the windows which are permitted and the types of properties which would be covered by the LDO are set out in the main body of the report.
- 1.4 Article 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, as amended ("the DMPO") sets out the procedure for making a LDO. It states under Article 38(1), that where a LPA proposes to make a LDO, it must first prepare a draft of the order and a "statement of reasons" which must include:
  - a description of the development which the order would permit; and
  - a plan or statement identifying the land to which the order would relate.
- 1.5 This document is the "statement of reasons" required by the DMPO. It also includes other information to further explain and justify the making of the LDO, as recommended in best practice.

## 2. DESCRIPTION OF DEVELOPMENT PERMITTED

2.1 If adopted, this draft LDO would grant planning permission for alterations to existing windows when these windows are within:

- flats (Class C3 of the Town and Country Planning (Use Classes) Order 1987, as amended (“the UCO”);
- dwelling houses (Class C3 of the UCO);
- small houses in multiple occupation (Class C4 of the UCO); and
- large houses in multiple occupation (sui generis/not specified in the UCO)

2.2 For the alteration to the window to be allowed under the LDO it must be “*of a similar appearance*” to the existing. “*Similar appearance*”, is defined within the Council’s [Householder’s Guide to Windows](#) , published in 2024 as:

*“Windows [which are] of a similar appearance to the ones you are replacing, so they are of the same material, style, pattern and design with minimal differences in frame dimensions and/or integrated glazing bar profiles”.*

2.3 The LDO will include the two conditions which reflect those within the relevant parts of the GPDO which are intended to protect residential amenity:

- Any window at first floor level or above which is currently obscure-glazed, shall be replaced with an obscure-glazed window to an equivalent specification.
- Any window at first floor level or above which is currently non-opening should be replaced with a non-opening window unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

2.4 The LDO will also allow replacing a window made from uPVC with one made of timber.

2.5 The permitted development rights relating to windows in dwelling houses have, in some cases, been removed by the Council by an Article 4 direction. The LDO will override the relevant parts of the Article 4 direction so that planning permission will not be required to replace such windows where the necessary conditions and limitations in this LDO are met.

2.6 For clarity it should be noted that the LDO does not allow the enlargement of existing windows, or the creation of new. It does not relate to doors, be these solid or glazed. It does not relate to rooflights; nor to windows within listed buildings. It does however relate to windows within residential properties in conservation areas.

- 2.7 As a result of the consultation the LDO has been amended to clarify that the adding of film to a window will not be allowed under this LDO.

### **3. JUSTIFICATION FOR MAKING THIS LDO**

- 3.1 Flats (within Class C3) and other residential uses that do not fall within Class C3 do not benefit from permitted development. This means that planning permission will always be required when a window is being altered and when that new window is “*materially different*” from the existing.

- 3.2 The Council is concerned that the need to apply for planning permission is discouraging homeowners from changing their windows even where these changes would have significant environmental benefits and would be appropriate in terms of design.

- 3.3 As such the LDO, and the removal of the need for a separate planning permission for replacement windows, will help deliver environmental benefits. The removal of the need for planning permission is also welcomed in its own right as removing a level of bureaucracy which usually adds little value.

#### *Environmental benefits*

- 3.4 Climate change is one of the greatest challenges of our times and in 2019 the Council declared a Climate Emergency. This makes it explicit that the Council is committed to reduce carbon emissions. This reduction will need a holistic approach. We must help our businesses, and our residents make the changes needed to become carbon-neutral by 2040.
- 3.5 This approach consists of several components that, when combined, can produce significant results. The Local Development Order (LDO) is one of these key components. By eliminating the need for separate planning permission to replace windows, with the associated costs and delays, the LDO aims to encourage residents to upgrade their windows.
- 3.6 Upgrading of windows is expected to make a material difference to energy use within the borough’s housing stock. It has been calculated that between 30 and 50 percent of heat loss from a building is from its windows and that double glazing has the potential to reduce heat loss through these windows by up to 60%. Even more modest changes such as replacing a single glazed frame with one which is more thermally efficient, can be beneficial in this regard.

*Reduction in bureaucracy which adds little value*

- 3.7 The Council has considered the applications in 2024 relating to replacement windows (only) and whether the planning process has added any value to these proposals.
- 3.8 Analysis shows that a total of 85 planning applications were determined for windows within non-listed buildings. Of these 85 applications, 79 were granted, the large majority being for windows which were similar to the existing. This would strongly suggest that the planning process has added limited value for such applications.
- 3.9 There were just six cases where a permission was sought and refused (or withdrawn to avoid refusal). In each case the refusal/ withdrawal was due to the proposed window being of an inappropriate material.
- 3.10 The LDO will remove the need for planning permission for the majority of proposals, or when the design of the new windows does not differ significantly from the existing. In addition, the LDO will not hinder the Council's ability to continue to resist inappropriate proposals as it will be drafted to ensure that only windows of a similar design and made of the same material as the existing will be allowed (except that changes from uPVC to timber will be permitted).
- 3.11 In this way the LDO removes an unnecessary level of bureaucracy, removing the need for a separate planning application for any windows which meet the requirements of the LDO. The planning application process can then be retained for proposals which are not straight forward and where an applicant needs an opportunity to make their case for a particular proposal.

*Cost to the Council*

- 3.12 Officers note that whilst removing the need for a planning application will be welcomed by the applicant, it will have an impact on the revenue available to the Planning Department.
- 3.13 However, this impact is not considered to be significant as the level of planning fees has been set on a cost recovery basis only. Officers are of the opinion that, in practice, the cost of determining a simple window application is about the same as the £528 fee charged. In any event, the difference between the two is unlikely to be significant.

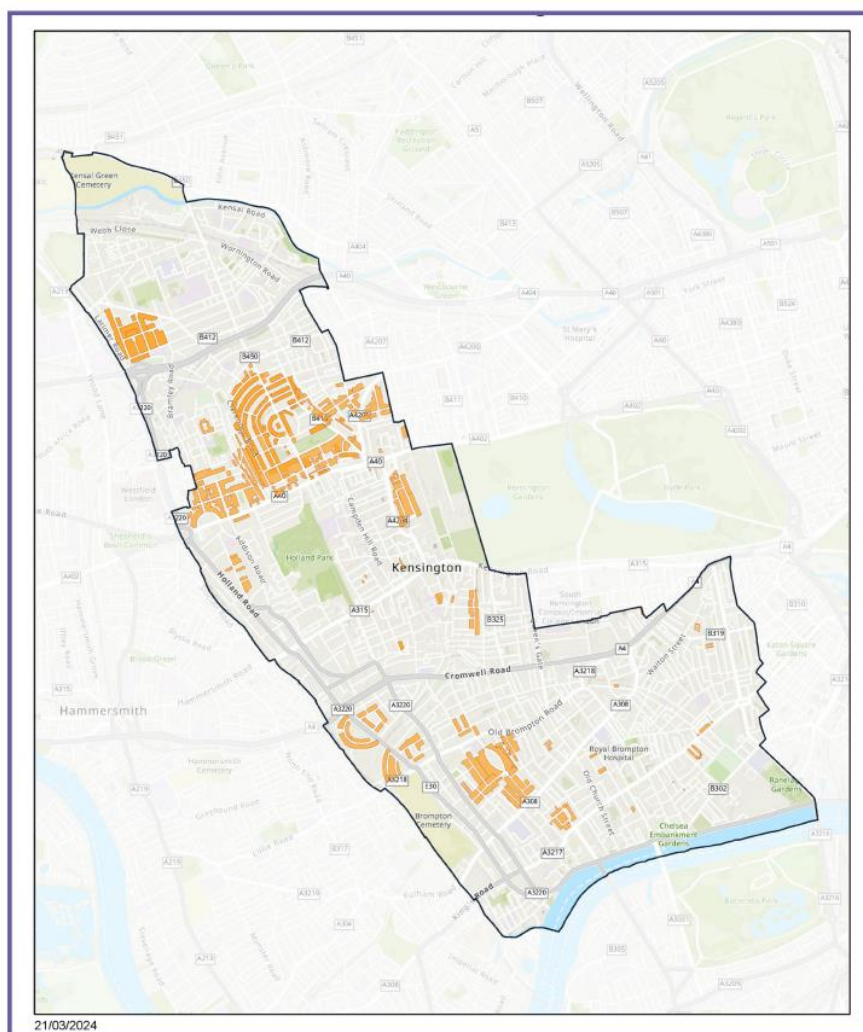
**4. THE NATURE OF THE LDO**

*Area to be covered*

- 4.1 The LDO will cover the Council's entire borough.

### *Types of property*

- 4.2 The Council intends to make a LDO which will cover all (non-listed) residential properties across the borough; not only Class C3 homes (single dwellings and flats) but also all houses in multiple occupation (HMOs - both “small” (C4) and “large” (*sui generis*)). For clarity it should be noted that Class C3 flats will include purpose-built flats, flats created by subdividing larger residential units and flats within mixed use properties.
- 4.3 Planning permission is not normally required to change a window within a dwelling house, as such an alteration is “permitted development” under Class A, Part 1, Schedule 2 of the GPDO. However, there will be cases where a dwelling house’s permitted development rights have been removed by an Article 4 Direction. The residential properties that are subject to an Article 4 Direction are shown in the Council’s Householder’s Guide to windows (“the Windows Guide”), reproduced below. Full details are available on the [Council’s indicative map](#).



*Figure1: Properties/Areas subject to an Article 4 Direction where planning permission is required for minor alterations, including works to windows.*

- 4.4 This LDO will override these Article 4 directions (which will remain in force) and ensure that all residential properties have the same freedoms. The provisions of the LDO for flats, HMOs and for dwelling houses will be identical.

*What windows are covered?*

- 4.5 The LDO covers all windows, whether they are in the walls of a building or within a dormer. However, it does not cover roof lights which fall within the scope of Class C, Part 1, Schedule 2 of the GPDO.

*Conditions*

- 4.6 The LDO has a number of requirements and conditions which will ensure that the new windows are of an appropriate design and will be of a nature which will protect the living conditions of those living nearby.
- 4.7 The Council recognises that whilst a new window can have considerable benefits in terms of energy efficiency a poorly designed window, or one using an inappropriate material, can harm the character and appearance of a building or of the surrounding area. This can be particularly problematic in this borough, much of which lies within a conservation area. As such whilst the LDO encourages the provision of new windows, the new window must be of “*similar appearance*” to the existing. This will allow the Council to comply with its statutory duty to preserve or enhance the character or appearance of the conservation areas.
- 4.8 What the Council means by “*of similar appearance*” is explained in the Council’s recently adopted Windows Guide. This makes it clear that the new windows do not have to be identical to the existing but do have to be of the “*same material, style, pattern and design*”. There can be differences in the frame dimensions and or/ integrated glazing bar profiles, but these differences must be minimal.
- 4.9 For the avoidance of doubt, it is clear from the Windows Guide (and the LDO) that a replacement double-glazed window can benefit from the provisions of the LDO as long as it is of the same material and (exterior) design as the existing single glazed window (except that the LDO permits changes from uPVC to timber).

- 4.10 It is noted that a window can overlook a neighbour. This is recognised by the GPDO which restricts the nature of some windows to ensure that neighbours will not be unduly affected by the provision of a new/replacement window.
- 4.11 As such the LDO includes the same restrictions as those in the GPDO<sup>1</sup> to It is noted that a window can overlook a neighbour. This is recognised by the GPDO which restricts the nature of some windows to ensure that neighbours will not be unduly affected by the provision of a new/replacement window.
- Any window at first floor level or above (or within a dormer) which is currently obscure-glazed, shall be replaced with an obscure-glazed window to an equivalent specification.
  - Any window at first floor level or above which is currently non-opening shall be replaced with a non-opening window unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

*uPVC to timber*

- 4.12 The Council recognises that replacing a non-original plastic/uPVC window with one of timber will be welcome as this change is very likely to have a positive impact on the character and appearance of many of the borough's buildings. However, such a change would not be permitted by the GPDO given that one of the conditions of the GPDO is that the materials within a replacement window must be "of similar appearance" to the existing.
- 4.13 To address this, the LDO will include a specific clause to allow the replacement of a uPVC window with one made of timber. Such a window must meet the privacy provisions referred to in the LDO.

*What is not covered?*

- 4.14 This LDO only applies to the replacement of windows and does not remove the need to apply for planning permission for the enlargement of existing openings, the provision of new openings or for any other alterations. It does not apply to rooflights or to alterations to glazed or solid doors.
- 4.15 The LDO does not remove the need for planning permission for alterations to conservatories, or windows within conservatories.
- 4.16 The LDO does not permit the alteration to windows in buildings which are statutory listed. Some listed buildings within the borough are subject to their

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<sup>1</sup> Class A (Enlargement, improvement or other alterations of a dwellinghouse) of Part 1 of Schedule 2 of the GPDO.

own Local Listed Building Consent Order, made under a different set of regulations.

## **5. STATEMENT OF POLICIES THAT THIS LDO WOULD IMPLEMENT**

- 5.1 This proposed LDO is consistent with and will help deliver a number of policies within the Council's Local Plan (2024). These include policies relating to design, the historic environment and sustainable energy. A list of relevant policies is set out below:

GB1 – Sustainable Retrofitting  
CD1 – Context and Character  
CD2 – Design Quality  
CD3 – Heritage Assets  
CD4 – Heritage Assets: Conservation Area  
CD10 – Small-scale Alterations and Additions

## **6. PROCESS FOR ALTERING WINDOWS UNDER THE PROVISIONS OF THE LDO**

- 6.1 Given that the purpose of the LDO is to encourage the installation of new windows without the need for planning permission the LDO has been designed to be very light touch. As such there is no requirement that the Council be notified before the window is changed/ the LDO implemented, no need for any drawings to be submitted to the Council and no need for the proposal to be "signed off" by the planning department. There is also no planning fee for making use of the LDO.
- 6.2 The owner/developer can, if they so choose, apply to the Council for a Certificate of Lawful Development to confirm that the altered window is "lawful", or complies with the detailed requirements of the LDO. However, there is no requirement, or expectation, that the owner/developer will do so.
- 6.3 If the Council is of the view that a replacement window does not meet the provisions of the LDO Council officers can require the submission of a retrospective planning application. This will be determined in accordance with all the relevant policies in the development plan, as well as other relevant material considerations, in the normal way.
- 6.4 The LDO only removes the need for an express grant of planning permission. Building regulations approval may still be required. Further information is available in the Council's Windows Guide.



## **7. LIFETIME OF THIS LDO**

- 7.1 It is intended that this LDO will remain in force for an indefinite period of time; although the Council can revise or revoke the LDO at any time.

## **8. HABITATS REGULATIONS ASSESSMENT (HRA) SCREENING**

- 8.1 The Council has carried out a screening assessment to identify impacts on the relevant ecological receptors of European Sites within the vicinity of development and to determine if the proposals as specified in this LDO are likely to have a significant impact on those receptors. This LDO has therefore been screened for 'likely significant effects' on Habitat Sites, undertaken in accordance with the Conservation of Habitats and Species Regulations 2017, as amended. The HRA Screening Assessment (attached to this SoR at Appendix A) has concluded that this LDO will have no significant effect on relevant European Sites.

## **Appendix A: Habitats Regulations Assessment (HRA Screening.)**



**Replacement Windows in Residential Units**  
**Local Development Order**  
Habitats Regulations Assessment (HRA) Screening



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

June 2025

## 1. Introduction

### Habitat Regulations Assessment (HRA) Process

- 1.1 The purpose of this report is to identify impacts on the relevant ecological receptors of European Sites within the vicinity of development and to determine if the proposals, as specified in the borough-wide replacement windows in residential units Local Development Order (LDO) are likely to have a significant impact on those receptors. The LDO has therefore been screened for 'likely significant effects' on Habitat Sites. This will be undertaken in accordance with 'The Conservation of Habitats and Species Regulations 2017' (as amended).
- 1.2 This screening report has been informed by the HRAs prepared for the Local Plan 2024 and the London Plan 2021.

### Local Development Orders (LDOs)

- 1.3 LDOs are produced by local planning authorities to provide a grant of planning permission to specific types of development within a defined area, streamlining the planning process. Under the National Planning Policy Framework (NPPF) LDOs are recognised as a means of relaxing planning controls to promote economic, social or environmental gains.
- 1.4 The procedures for making a Local Development Order are set out in [sections 61A to 61D](#) and [Schedule 4A of the Town and Country Planning Act 1990](#), as amended, and [articles 38 and 41 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#).
- 1.5 The [National Planning Practice Guidance \(NPPG\) on Strategic environmental assessment and sustainability appraisal](#) states in paragraph 3 that *"A plan or project may also require an appropriate assessment, as set out in the Conservation of Habitats and Species Regulations 2017 (as amended), if it is considered likely to have significant effects on a habitats site. A sustainability appraisal should take account of the findings of an appropriate assessment, if one is undertaken."*
- 1.6 [Regulation 80 \(1\) of the Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) sets out the requirement for undertaking an appropriate assessment of implications for European sites and European offshore marine sites when making a Local Development Order. It states that -  
*"80.— (1) Subject to paragraphs (2) and (3), the assessment provisions apply to the making of a local development order.*  
  
*(2) Regulation 64 (Considerations of overriding public interest) does not apply to the making of a local development order.*  
  
*(3) Paragraph (1) does not apply to a local development order made before 28th December 2018.*

*(4) Subject to paragraph (5) the review provisions apply to a local development order unless—*

*(a) the development permitted by that order was completed before 28th December 2018; or*

*(b) the development permitted by that order has been completed before the site became a European site or a European offshore marine site.*

*(5) The reference to regulation 64 in the review provisions does not apply to a local development order.”*

- 1.7 Regulation 80 above reflects the [European Council Directive 92/43/EEC on the Conservation of natural habitats and of wild flora and fauna](#) (the ‘Habitats Directive’). Article 6 of the Habitats Directive defines how Natura 2000 sites (European Sites, Special Area of Conservation (SAC) and Special Protection Area (SPA)) are managed and protected.

## **2. The replacement windows in residential units Local Development Order**

### **Site Location**

- 2.1 The LPO includes all relevant properties across the borough.

### **Development description**

- 2.2 The Council has drafted a LDO to encourage the replacement of existing windows in all residential properties.

- 2.3 If adopted, the LDO would grant planning permission for alterations to existing windows when these windows are within:

- flats (Class C3 of the use classes order);
- dwelling houses (Class C3);
- small houses in multiple occupation (Class C4); and
- large houses in multiple occupation (sui generis)

- 2.4 For the alteration to the window to be allowed under the LDO it must be “*of a similar appearance*” to the existing. “*Similar appearance*”, is defined within the Council’s [Householder’s Guide to windows](#), published in 2024 as

*Windows [which are] of a similar appearance to the ones you are replacing, so they are of the same material, style, pattern and design with minimal differences in frame dimensions and/or integrated glazing bar profiles.*

- 2.5 The LDO will include the two conditions which reflect those within the relevant parts of the GPDO which are intended to protect residential amenity:
- Any window at first floor level or above (including within roof slopes) which is currently obscure-glazed, shall be replaced with an obscure-glazed window to an equivalent specification.
  - Any window at first floor level or above (including within roof slopes) which is currently non-opening should be replaced with a non-opening window unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.
- 2.6 The LDO will also allow replacing a window made from uPVC with one made of timber.
- 2.7 The permitted development rights relating to windows in dwelling houses have, in some case, been removed by the Council by an Article 4 direction. The LDO will supersede the relevant parts of the Article 4 directions so that planning permission will not be required to replace such a window, where the necessary conditions are met.
- 2.8 The intention is to remove an unnecessary level of bureaucracy which discourages residents from improving their windows. These improvements can a significant positive impact in energy use of the buildings.

### 3. Relevant Natura 2000 Sites

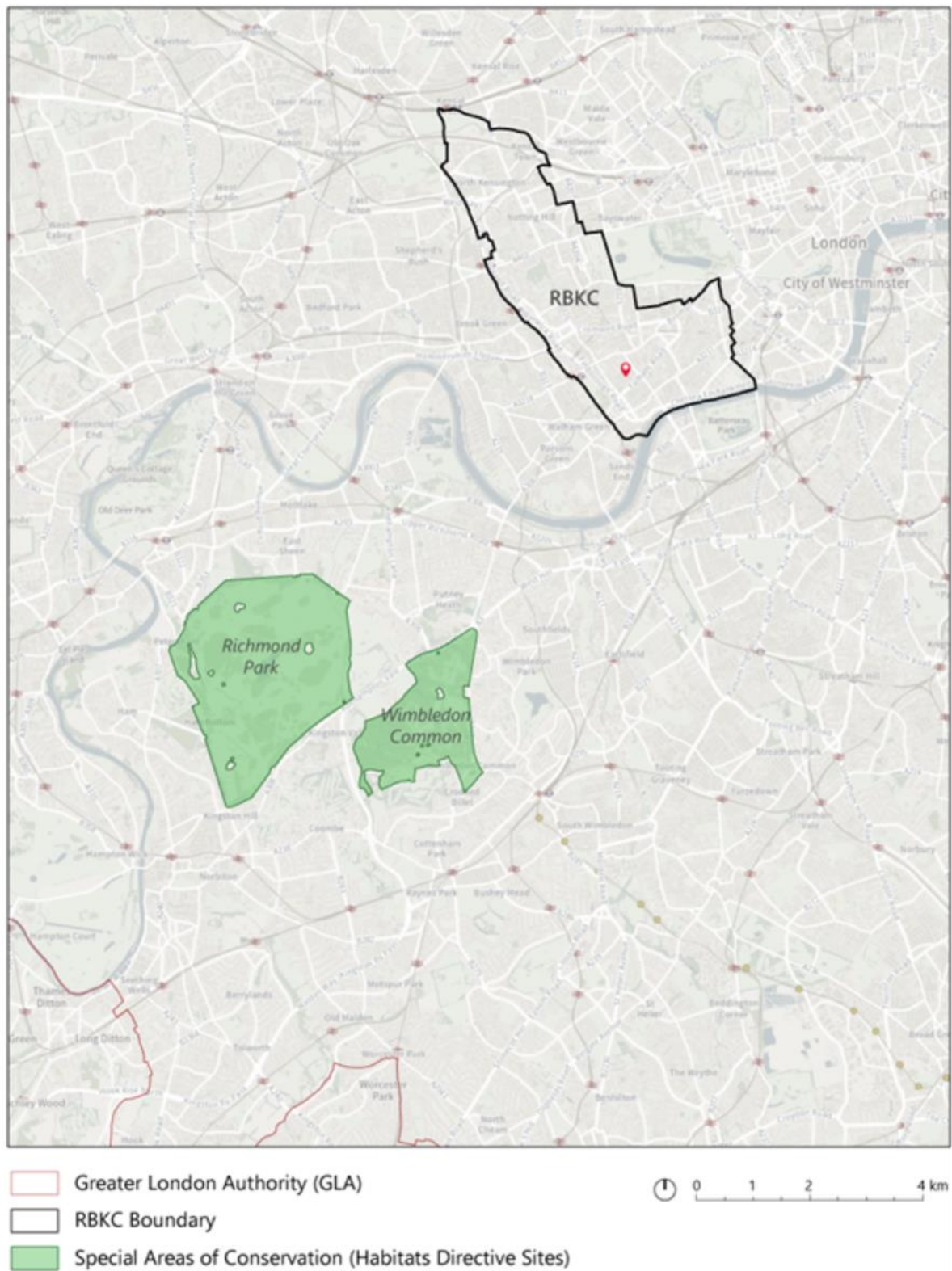
- 3.1 There are no European sites in Kensington and Chelsea. As evident from Figure 3.1, the two sites closest to the Royal Borough are (1) Richmond Park and (2) Wimbledon Common (Figure 3.2). The same sites were considered for the NLPR HRA Screening, as the remaining sites considered in the London Plan HRA are too distant from the Borough for the NLPR to have any influence on. Therefore, the two sites below (Table 3.1) are considered the most relevant for the HRA Screening of the LDO.

Site Name	Reason for Designation	Current Pressures
Richmond Park Special Area of Conservation (SAC)	<p>The site is designated as an SAC for the following Annex II species:</p> <ul style="list-style-type: none"> <li>• Stag beetle <i>Lucanus cervus</i></li> </ul>	None specifically identified in the Natural England Site Improvement Plan, although loss of habitat (dead wood) would affect the stag beetle population.

Wimbledon Common (SAC)	<p>The site is designated as an SAC for the following Annex I habitats:</p> <ul style="list-style-type: none"> <li>• Northern Atlantic wet heaths with <i>Erica tetralix</i></li> <li>• European dry heaths</li> </ul> <p>The site is designated as an SAC for the following Annex II species:</p> <ul style="list-style-type: none"> <li>• Stag beetle <i>Lucanus cervus</i></li> </ul>	<ul style="list-style-type: none"> <li>• Inappropriate behaviour by some visitors (e.g. collection and removal of dead wood)</li> <li>• Habitat fragmentation</li> <li>• Invasive species (specifically oak processionary moth <i>Thaumetopoea processionea</i>)</li> <li>• Atmospheric pollution (nitrogen deposition)</li> </ul>
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*Table 3.1 Relevant Natura 2000 Sites*

*Source: London Plan HRA, 2019*



*Figure 3.2: Relevant Natura 2000 sites in relation to the Royal Borough of Kensington and Chelsea*



#### 4. Screening of the Replacement Windows in Residential Units LDO

- 4.1 [Regulation 80 \(1\) of the Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) requires a HRA assessment to be undertaken by the competent authority when making a Local Development Order.
- 4.2 The authority must make an appropriate assessment of the implications of the [development](#) for that site in view of that site's conservation objectives. The making of the LDO should only proceed where, taking account of the assessment, it can be concluded that the development would not adversely affect the integrity of the European site or the European offshore marine site.
- 4.3 [The](#) European Commission has produced guidance on Assessment of plans and projects significantly affecting Natura 2000 sites, November 2001<sup>1</sup>.
- 4.4 The guidance identifies a four staged approach as shown in Table 4.2.

**Stage One: Screening** — the process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant;

**Stage Two: Appropriate assessment** — the consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

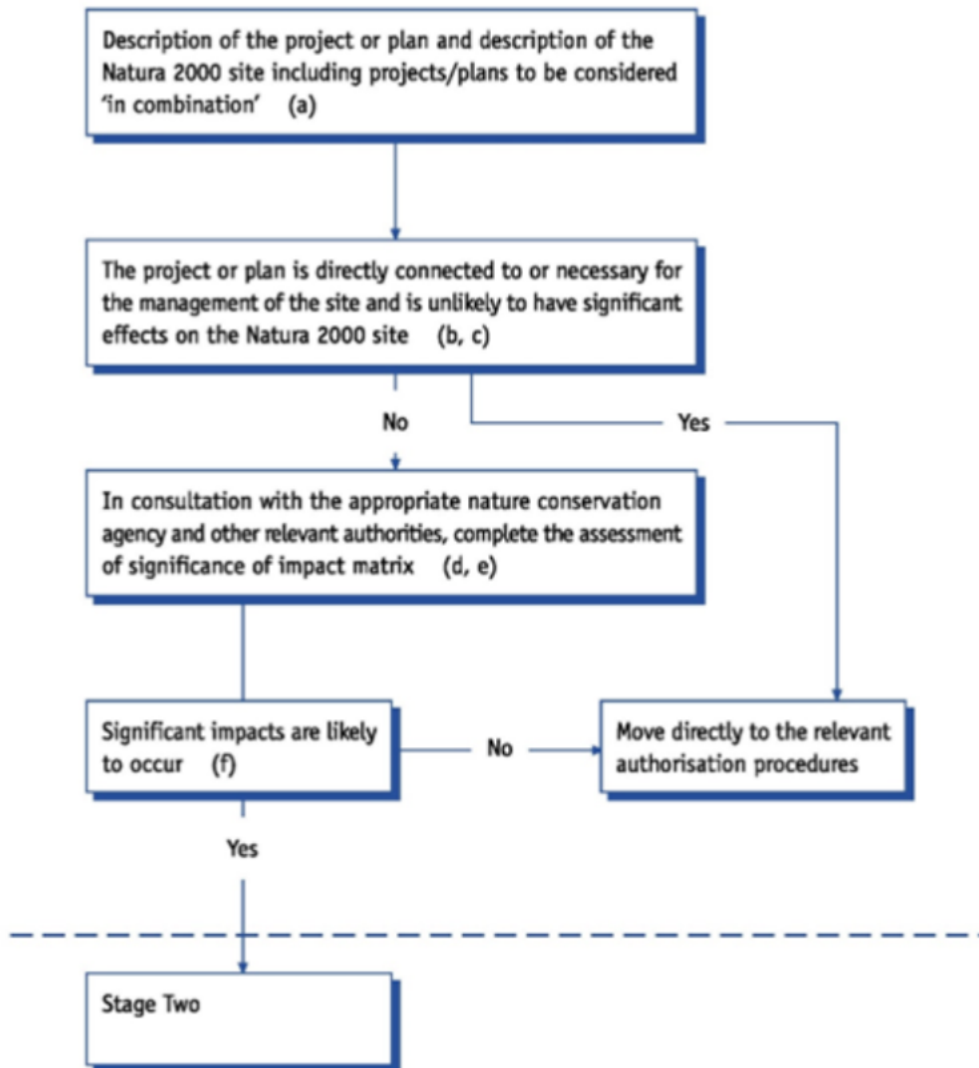
**Stage Three: Assessment of alternative solutions** — the process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

**Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain** — an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed (it is important to note that this guidance does not deal with the assessment of imperative reasons of overriding public interest).

*Table 4.2 Stages of undertaking a Habitats Regulations Assessment*

- 4.5 The European Commission's (EC) guidance [Assessment of plans and projects significantly affecting Natura 2000 sites](#), November 2001 includes a flowchart (Figure 4.1) elaborating the screening stage.

## Stage One: Screening



### Notes

- (a) In order to carry out an assessment of the project or plan, it is first necessary fully to characterise the project or plan and the receiving environment (see Section 3.1.4 below).
- (b) The assessment must address effects from other plans/projects (existing or planned) which may act in combination with the plan/project currently under consideration and generate cumulative effects (see Section 2.5 above).
- (c) Where a plan or project is directly connected to or necessary for the management of the site, and is unlikely to have significant effects on the Natura 2000 site, appropriate assessment is not required (see MN2000, paragraph 4.3.3).
- (d) Institutions vary from Member State to Member State. The institution to be consulted may be the one responsible for the implementation of the habitats directive.
- (e) Assessment of significance (see Section 3.1.5 below).
- (f) This evaluation is made using the precautionary principle.

Figure 4.1: Screening Stage, [Assessment of plans and projects significantly affecting Natura 2000 sites](#), EC, November 2001

- 4.6 The [European](#) Commission's guidance further includes an example of an assessment matrix. However, given the distance of the Royal Borough from the Natura 2000 sites and the nature of the proposals within an LDO, the Council considers that any likely effects can be assessed using a simple assessment matrix.
- 4.7 The [Table](#) 4.2 below presents a Habitat Regulations Assessment Screening for the provisions of the replacement windows in residential units Local Development Order.

Part of Order	Development Permitted	Comment	In accordance with the RBKC Local Plan 2024?	Likely significant effect on relevant European site
Part 1: Replacement windows	Replacement window as long as new window is of similar appearance as existing.	This will help with Council's ambitions for sustainability and reducing CO <sub>2</sub> emissions, and help protect character and appearance.	Yes	No significant effect
Part 2: uPVC windows can be replaced with windows made of wood.	uPVC windows can be replaced with windows made of wood	As above. Wood is considered to be a sustainable material and improve the character and appearance of buildings affected.	Yes	No significant effect

*Table 4.2 HRA Screening Assessment for replacement windows in residential units LDO*

#### **In-combination / Cumulative Effects**

- 4.8 [The](#) current Local Plan (2019) policies were assessed against the potential impact on relevant Natura Sites in Habitats Regulations Screening Assessment as part of the LPPR Issues and Options Consultation in 2015. The assessment concluded that the policies being reviewed were not likely to affect the relevant Natura 2000 sites and as such, the Council did not need to undertake Stage 2, 3 and 4 of the HRA process. This was confirmed by Natural England in their response to the consultation ([HRA Screening - Natural England Response](#)). The relevant Natura 2000 sites considered relevant were Richmond Park SAC and Wimbledon Common SAC.

- 4.9 More recently, as part of the Local Plan Review, the draft policies were assessed against the potential impact in Habitats Regulations Screening Assessment as part of the NLPR Draft Policies Consultation in 2022. The [assessment](#) concluded that the policies being reviewed were not likely to affect the relevant Natura 2000 sites and as such, the Council did not need to undertake Stage 2, 3 and 4 of the HRA process. This was confirmed by Natural England in their response to the consultation in March 2022 ([HRA Screening – Natural England Response](#)). The policies reviewed included the Policies GB1, Sustainable Retrofitting and CD10, Small-scale alterations. Therefore, this screening assessment confirms that there is no ‘likely significant effect’ in-combination.

## 5. Conclusion

- 5.1 This HRA Screening Assessment has been prepared to consider whether there are ‘likely significant effects’ on nearby Habitat Sites associated with the residential windows LDO.
- 5.2 The conclusion of ‘no likely significant effects’ alone and in-combination has been determined having considered the limited scope of development activities, the distance to Habitat Sites, and consequently the limited potential of impacts on those Habitat Sites.
- 5.3 Accordingly, no Appropriate Assessment is required as there will be no adverse effects on Habitat Sites integrity. This decision is made in accordance with Regulation 80 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 5.4 As required by the [Regulation 63\(3\) of the Conservation of Habitats and Species Regulations 2017 \(as amended\)](#), we will share this Screening Report with the “appropriate nature conservation body”, which for English Councils is Natural England.
- 5.5 The report is also being made available alongside the LDO Consultation. This will enable any interested party/stakeholder to comment on the Screening Report. This approach is in-line with the [Regulation 63\(4\) of the Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) which states that the competent authority “must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.”