

Our ref: 6976_R25_0565_CliftonUponDunsmore_EcologyCommentResponse_v1_MM

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Sent By E-Mail Only

RE: R25/0565 - Land South East Of Rugby Road, Clifton Upon Dunsmore – Ecology Comments

CONFIDENTIAL DUE TO BADGER INFORMATION

Dear Jane,

I am writing in response to your comments of 2nd October 2025 regarding ecological matters at the above site. Each comment requesting additional information has been addressed in turn below, to provide clarification.

Biodiversity Net Gain (BNG)

We note that your comments state that “A Defra Statutory Biodiversity metric submitted shows a habitat area gain of 3.38 units (17.09%) and a hedgerow unit gain of 0.90 units (22.75%). Watercourse units are not included in the application. Trading rules are satisfied” and that “Sustainable urban drainage system (SuDS) are shown on plans, but not on the metric. This may be a realistic expectation that these areas will often not hold water. However, this may need to be revised at reserved matters stage when drainage engineering plans are closer to finalisation.”

You are correct in your assumption that the SuDs basins are designed to not permanently hold water and that they will be seeded with an appropriate species-rich grassland and wildflower mix combining species that can tolerate wetter conditions and those that can tolerate drier conditions, such that a varied grassland habitat that can tolerate periodic inundation will establish. The SuDS basins are not consequently not called SuDs on the accompanying Post-Development BNG plan, as they are shown as “Proposed Other Neutral Grassland (wet)”.

We note your comment regarding the establishment of the other neutral grassland being difficult on nutrient enriched soils. We have adopted a precautionary approach in the calculations of adopting a condition of Moderate for the majority of the grassland areas as a consequence, although the goal will be to surpass these condition states and achieve good, if reasonably feasible.

Habitat

No responses requested to the statements made under this section.



Protected Species

Bats

Lighting

All external lighting would be designed to be bat friendly, and would be designed to avoid light spill onto the retained hedgerows and the newly created habitats that are of higher value for bat foraging.

Roosting

I have included some photographs of the building taken during the baseline ecological walkover survey on 9th January 2025.

The 'skylight' looking features in the roof on Photograph 1 are actually holes. The building is single skin corrugated composite panel, with some sections of concrete panel on the lower walls. The upper walls were a mish-mash of corrugated panel, timber, and big gaps. The structural integrity of the building was dubious at best, and some panels were flapping loose in the wind, which blew through the building. It does not provide a stable environment or temperature for bat roosting. None of the panels appeared to provide suitable crevices for roosting where they rested on the rafters and nor did the horizontal beams at the top of the walls. Whilst it's not impossible that a bat may find a temporary resting place within the debris inside the building, the risk of significant roosts being present is considered negligible and clearance under a precautionary method statement is considered appropriate.



Photograph 1: Showing the interior of B1



Photograph 2: showing the exterior of B1

As stated, all trees with potential for bat roosting will be retained. If that changes for any reasons, such as works being required for health and safety etc. then the trees will be inspected prior to the commencement of the works. This will typically be via a climbing survey, but if this is considered unsafe, then activity survey with detectors would be conducted in accordance with industry guidance.

Bat Activity Surveys

An explanation was requested as to why bat activity surveys were not completed. Bat activity surveys were considered unnecessary as all potential roosting sites and commuting routes are being preserved and enhanced within the proposals, and the post development habitats represent a significant improvement for bat foraging over the current intensively farmed cropland. All hedgerows are being retained and supplementary planting implemented, and the development design avoids light spill on the potential commuting routes. Therefore, it is considered that it is possible to demonstrate that there will be no negative impacts on bat commuting routes or the ability for bats to disperse through the landscape, and that with the planting of scrub and hedgerows, the dispersal corridors will be enhanced, particularly along the western boundary of the site.

Similarly, the habitat being lost is overwhelmingly intensively managed arable crop, which typically provides a low biomass of invertebrate prey for bats, due to pesticide application and monoculture. The creation of species-rich grassland, scrub and wet grassland within the landscaping, and the cessation of pesticide application is expected to increase the diversity and biomass of available invertebrates. The gardens associated with the residential properties will further increase diversity of habitat and the inclusion of bat boxes in the buildings and on trees will provide increased roosting opportunity. We consider that post maturation of the landscaping the development will demonstrably provide enhanced foraging and roosting opportunities for bats compared to the intensive arable field with poor condition sparse hedgerows that is currently present.

As the development design avoids any features considered to have potential to support roosting and foraging bats, and will provide enhancements to roosting, foraging and commuting habitats post completion,



it is considered that bat activity survey is unnecessary, as the development's positive impact on the local bat population can be determined. I agree that should the development proposals have sought to destroy roosts or remove significant sections of linear vegetated habitat then activity survey would have been required to determine whether any proposed mitigation and enhancement was sufficient. However, whilst activity survey would indicate that "x" number of bats of "y" species were recorded flying along the hedgerows or foraging within the site, the ultimate conclusion and recommendations following such a survey would not change from those currently proposed.

As all potential roost features and linear habitats are being retained and the habitats post development will represent an enhancement for bat foraging and commuting compared to the existing, this will demonstrably result in an overall positive effect based on habitat improvements and the avoidance of negative impacts, regardless of what bat species or numbers may be present.

Badger

S8, S9 and S10 require closure as they lie within 20m of the route of the drains taking the surface water to the outfall in the ditch to the east. A number of options were considered in a team meeting in order to avoid the need to close these setts, including re-routing the outfall pipe. However, due to site topography and the required fall and flow rates of the pipe, the route could not be realigned. Due to the required depth of the pipe (several metres) the width of the trench needed for safe installation is very large and will impinge sufficiently close to the setts to risk damage or destruction of tunnels. Heavy machinery will be required to complete the excavation, due to the depths required.

Moling the pipe through was discussed but eliminated as it would not be possible to guarantee it would be sufficiently below the sett tunnels to ensure no damage, or to tell if damage was caused. The mitigation proposal considered to represent the least risk to the Badgers is to exclude the setts, then excavate the trench for the pipe under supervision of an ecologist. Should this determine that there has been no significant damage to a sett and a potentially functional sett remains, then the sett will be reopened once the installation work is complete. Live sett reduction was considered, but eliminated as representing an unnecessary risk to the badgers.

All works on site would be completed taking into account the presence of the Badgers, with licensed mitigation and buffer zones as appropriate. This would be implemented under a Badger Method Statement, which would also be used to support the required licence application from Natural England.

Birds

Skylark is a medium-sized passerine species, typically associated with farmland habitats. Within such areas it is often associated with cultivated land, especially set-aside, ungrazed grassland and large arable fields, often without hedges and other cover, albeit it also breeds on open grasslands in uplands, on heaths and on coastal marshes. Skylark feed on both plant and animal material, including small invertebrates, grains, seeds and leaves of a wide variety of plants, including Nettles *Urtica* sp. and Docks *Rumex* sp.

Skylark can raise up to three broods in a season, with nesting beginning in late March or April. Skylark nests are located on the ground amongst short vegetation, typically in a shallow depression lined with grass.



Nesting density varies depending on habitat and crop type, although is typically between 0.05 and 0.1 territories per ha within grassland and arable habitats, increasing to 0.3 territories per ha within set-aside land¹.

When considering Skylark mitigation both RSPB and Government guidance^{4,2} indicate that fields supporting Skylark plots should be more than 5ha in size if they have an open aspect, or more than 10ha if bounded by trees, woodland or hedgerows, whilst plots should be located at least 24 - 50m from field boundaries or margins to minimise predation risk. The site is 7.84 ha in size with hedgerows and trees to all sides, the effect of which is compounded by the field's irregular shape at the western end. Applying a precautionary 35m buffer zone around the field edges leaves approximately 3.8 ha of potentially suitable Skylark nesting habitat, which may be expected to support 0.19 to 0.38 territories. However, no Skylark were observed or heard within the site by surveyors completing Badger surveys in June and July 2025. It is also considered that predation risk for ground nesting birds will be very high. The field is surrounded by active badger setts, including a main sett, and whilst the presence of domestic pets was not reported in the Preliminary Ecological Appraisal, at least three different cats were observed in the field during the January 2025 survey. It is considered that the field is too small, with vegetated boundaries, to be support significant Skylark nesting territories and it is highly unlikely that the site is critical to the maintenance of the local population.

Yellow Wagtail nesting habitat requirements are similar to those of Skylark: large open aspect fields of arable crops, grassland or wet grassland. It is considered that for similar reasons that Yellow Wagtail is unlikely to be nesting at the site. The site is highly unlikely to be important for any ground nesting bird species, being a small field with residential development to the west and north.

With respect to bird nesting in general, there will undoubtedly be a range of common bird species utilising the boundary hedgerows, but these will be retained and enhanced through planting and management, and additional scrub planting will further enhance the site for nesting and foraging birds.

Amphibians

We will endeavour to gain access to Ponds 3 and 4 to undertake eDNA surveys during the 2026 survey season. Whilst these ponds are connected to the site via Clifton Disused Railway, a 250m radius via GCN accessible routes extends into the site by approximately 15m. Several studies demonstrate that the vast majority of GCN remain within 100m of their breeding pond and it is considered highly unlikely that any GCN would travel through 235m of ideal habitat in order to forage within the poor-quality foraging offered by the crop field, and the proposed development is considered to have no significant risk of negatively affecting local GCN populations (if any are present). Post development the habitats in this area will be improved for amphibians and reptiles, comprising species rich grassland, wet grassland and scrub.

A precautionary working method statement can be prepared and encompassed within the CEMP, which would involve pre-site stripping checks. In the unlikely event that GCN are found, then works would stop in the area and mitigation employed, either licensed translocation or district licensing as appropriate.

Closure

I trust that the above clarifies the situation, but please do not hesitate to contact me should you have any further questions.

Yours sincerely

¹ Donald, P.F. and Vickery, J.A. (2000). 'The importance of cereal fields to breeding and wintering Skylarks *Alauda arvensis* in the UK.' Ecology and Conservation of Lowland Farmland Birds p140-150.

² Rural Payments Agency and Natural England (2024). 'AB4: Skylark plots.' Available at: <https://www.gov.uk/countryside-stewardship-grants/skylark-plots-ab4>



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