



**CONSULTATION RESPONSE FROM WARWICKSHIRE COUNTY COUNCIL: ECOLOGY**

<b>DISTRICT OR BOROUGH</b>	Rugby Borough Council
<b>APPLICATION NUMBER</b>	R25/0565
<b>ADDRESS</b>	Land South East Of, Rugby Road, Clifton Upon Dunsmore
<b>PROPOSAL</b>	Outline application with some matters reserved for the demolition of all buildings and the residential development of up to 160 dwellings, and creation of associated vehicular access off Rugby Road, pedestrian/cycle access points, parking, landscaping, drainage features, open space, childrens play area and associated infrastructure (all matters reserved except for vehicular access off Rugby Road).
<b>PLANNING CASE OFFICER</b>	Lucy Davison
<b>DEPARTMENT</b>	ECOLOGY
<b>ECOLOGY OFFICER</b>	Jane Harrison, Ecologist
<b>DATE COMMENTS SENT</b>	19/12/2025
<b>RESPONSE:</b>	
No comment	
No objection	
Deferral/refusal	
Consolidation of agreed information required	✓
Condition	
Advice Notes	
<b>REASON FOR RECOMMENDATION:</b>	
<p><b>Biodiversity Net Gain (BNG)</b>          Although it agreed that aiming high is desirable, it is better to make realistic and achievable recommendations. The progress towards moderate condition will be subject to monitoring and remedial measures can be taken if the target condition is not on track.</p> <p><b>Protected species</b>  <u>Bats</u>          A photograph of the interior of B1 was provided, which confirms the description in the PEA.</p>	

Reasons given for not undertaking bat activity surveys across the site are justified. They should be included in the PEA as an addendum.

#### Badger

**\*CONFIDENTIAL\***

Thank you for providing additional information regarding the drainage route location. I see this was mentioned in the badger report but the additional information shows that other options were discussed and the solution does appear to be the most pragmatic solution. It is possible that the closure will be temporary.

We would expect to see a 30m exclusion zone for anywhere where heavy machinery will be used. This can be secured by condition.

#### Birds

We agree with the conclusions of the PEA with the additional information provided.

The two fields do support potential for ground nesting species, and skylark would be the most obvious species if any species are impacted. The CEMP should advise that any site clearance **including any crops growing in the fields** should be timed to take place outside of April - August.

#### Amphibians and reptiles

I agree it is a tentative connection and increased information about P3 and P4 would be desirable. An eDNA test would be a good solution which will increase confidence in the appropriateness of precautionary measures for GCN in a CEMP, which will be expected, whatever the eDNA outcome because of the wider benefits to other species.

#### **Summary/Recommendations:**

The information provided explains information gaps in the PEA and badger report and there is no objection provided an eDNA test on P3 and P4 is undertaken, clearance of crops is clearly included in the PWMs and

To keep all information for easy reference (consolidation) the information provided in the email should be included as an addendum to the PEA or badger report as appropriate. Once all documentation is in order, we will be able to make final recommendations.

#### **FURTHER INFORMATION/CLARIFICATION REQUIRED:**

- None at this stage

#### **AMENDMENTS RECOMMENDED:**

- Incorporation of new information provided into PEA or badger report as appropriate so all documentation is in an accessible format for LPA.

#### **DOCUMENTS REVIEWED:**

- RE: R25/0565 - Land South East Of Rugby Road, Clifton Upon Dunsmore – Ecology Comments, Aspect Ecology, 19<sup>th</sup> November 2025

#### **RECOMMENDED CONDITIONS TO BE APPLIED:**

##### Likely to be recommended:

- Construction Environmental Management Plan (Biodiversity)
- Schedule of badger mitigation measures
- Habitat Management and Monitoring Plan (HMMP)  
Lighting design strategy c) Practical measures (both physical measures and sensitive working

<b>RECOMMENDED ADVICE NOTES TO BE APPLIED:</b>
<ul style="list-style-type: none"> <li>• None</li> </ul>
<b>RECOMMENDED SECTION 106 REQUIREMENT</b> (standard clause, contribution amount, trigger for payment)
<ul style="list-style-type: none"> <li>• Biodiversity Net Gain - to secure onsite monitoring fees</li> </ul>
<b>DISCHARGE OF CONDITIONS ONLY:</b> (Please confirm which condition(s) is/are being discharged)
<ul style="list-style-type: none"> <li>• N/A</li> </ul>

**Note for applicants: Please be aware that this specialist advice is provided to the Local Planning Authority through a Service Level Agreement with Warwickshire County Council.** If you have any queries about the content of this document, please correspond **directly with the Planning Officer** dealing with the planning application or discharge of condition application. We are unable to respond directly to applicant enquiries regarding the advice that we have provided as part of this service.

Warwickshire County Council also offers a **chargeable support service for applicants** and information can be found about this service here:

<https://www.warwickshire.gov.uk/sdcecolologypreapp>

The following legislation is used to assist in the assessment of planning applications:

(edit as appropriate):

Legislation source	Reference
NPPF Dec 2024	Paras 8, 187, 188, 192, 193, 194, 195
Environment Act 2021	Mandatory net gain Biodiversity Duty Local Nature Recovery Plan
District or Borough Local Plan and supporting SPD's	Local Plan policy reference: Rugby Borough Council Local Plan 2011-2031 (2019) Policy NE1 Protecting Designated Biodiversity and Geodiversity Assets Policy NE2: Strategic Green and Blue Infrastructure
ODPM circular 06/2005: Biodiversity and Geological Conservation	Requirement for species survey work to be carried out prior to the determination of a planning application. Paras. 98 and 99
NERC Act 2006	Biodiversity Duty (see also Environment Act 2021) Section 41, habitats and species of Principal Importance (previously BAP)
Various International, European and National laws in relation to the protection of species and habitats	International and national site protection: Ramsar sites (from Ramsar Convention), Habitat and Birds Directives (Natura 2000 sites include SAC's and SPA's), SSSI's, National Nature Reserves, Local Wildlife Sites, Local Nature Reserves.  Habitats and Species protection: Habitat and Species Regulations (protected sites and species). Wildlife and Countryside Act 1981 (as amended including special Schedule 1), Natural England Standing Advice. Badger Act.

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