

Derogation under Regulation 54

Application for Colm
Breslin to carry out surveys

Date: 22/01/2026

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1 Supporting Information

1.1 INTRODUCTION

A Derogation under Regulation 54 is sought to disturb bat species while conducting survey works. This derogation is being sought to conduct survey work during which there is a likelihood of encountering bat species. The nature of the survey work is widespread and varied.

Internal inspections of structures containing bats or likely to contain bats will be carried out using the methodologies described in Marnell et al., 2022 and Collins et al., 2023.

1.2 RELEVANT EXPERIENCE

Colm Breslin is an Ecologist and a Qualifying member of the Chartered Institute of Ecology and Environmental Management (advancement to full membership of CIEEM is currently under review). Colm was awarded a BSc in Ecology and Environmental Biology at University College Cork in 2023. Colm has experience in bat surveys for a large variety of projects including wind farms, residential, and linear infrastructure. Colm has previously been licensed by NPWS to disturb bats (2023 – 2025), photograph mammals (2023 – 2025), and handle bat species (2023-2025).

Colm has extensive experience in bat species identification through

- Acoustic surveys
- Internal inspection with endoscope
- Species ID in the hand using physical features
- Collection of faecal samples for genetic analysis.

From 2023 to present Colm has used these survey methodologies, under licence when required, to identify activity, behaviour and resting places for all Irish bat species in a wide variety of habitat contexts.

1.3 BACKGROUND TO PROPOSED ACTIVITY

Colm is a full time Ecologist. As part of this role using methodologies described in the introduction is required across varying site and planning contexts. As an Ecologist, previously bat-licensed 2023 to 2025, this licence is required in day-to-day work to survey and research protected bat species potentially encountered across projects. These surveys are intended for the best interest of wildlife to better help developers comply with National and EU legislation.

1.4 DEROGATION TESTS

Explanation as to why the derogation licence sought is the only available option for works and no suitable alternative exists as per Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations.



Colm Breslin intends to apply for a personal bat survey/roost disturbance licence. This licence application is intended to be year-round for all bat species across all counties in the Republic of Ireland.

As an Ecologist, previously bat-licensed from 2023 to 2025, this licence is required in day-to-day work to survey and research protected bat species potentially encountered across projects. These surveys are intended for the best interest of wildlife to better help developers comply with National and EU legislation.

Alternative solutions were considered, and none are available in this instance. The alternative 'do-nothing scenario' in this instance is remaining without licence to appropriately survey bat species through entering their roosting spaces. Surveys would therefore be required to be non-invasive. The results from non-invasive surveys may lead to inaccurate results (species, numbers etc.) and resultant improper assessment mitigation. This would serve to potentially negatively impact protected bat species.

Evidence that actions permitted by a derogation licence will not be detrimental to the maintenance of the populations of the species to which the Habitats Directive relates at a favourable conservation status in their natural range as is required under Section 54(2) of the European Communities (Birds and Natural Habitats) Regulations.

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Under the actions of this licence, if granted, appropriate and thorough survey of protected bat species will be facilitated. This will ensure the appropriate level of mitigation is applied to developments based on the high-confidence of results gathered.

It is considered with best available information that the proposal will not be detrimental to the maintenance of the bat populations at a favourable conservation status in their natural range and that the proposal will not have a detrimental effect on the local bat populations.

Details of any mitigation measures planned for the species affected by the derogation at the location, along with evidence that such mitigation has been successful elsewhere.

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There are no site-specific measures or specific roost location for which this application applies to. All roost surveys carried out will be non-destructive and minimally invasive, with cognisance to guidelines set out in Marnell et al. (2022) and Collins (2023).

As much information as possible to allow a decision to be made on this application.

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Colm Breslin BSc (Hons) has been a bat-licensed surveyor for the previous three calendar years under the following licences: DER/BAT 2023-59; DER/BAT 2024-09, and DER/BAT 2025-108. Additionally, Colm was licensed for the capture and handling of bat species in 2023, 2024, and 2025 (C182/2023; C03/2024; C003/2025).

Colm has extensive on-the-job experience in bat roost surveys and bat handling, for which he has been licensed for also. Under the previous survey licences, Colm has undertaken a wide range of roost surveys across the Republic of Ireland targeting a wide range of bat species, including Lesser Horseshoe Bat.

In addition to learning appropriate roost survey techniques 'on-the-job', Colm has read and understood relevant guidelines including Marnell et al. (2022) and Collins (2023) regarding roost surveys of both structures and trees.

Listed below are select examples of relevant training and work undertaken by Colm Breslin in relation to protected bat species:

Foynes to Limerick Motorway – Undertook surveys targeting structures proposed for demolition as part of major infrastructural road scheme. Surveys followed best-practice guidance and appropriate mitigation measures implemented dependant on the results of surveys.

Fota House – Undertook bespoke surveys targeting the known Brown Long-eared Bat maternity colony in advance of proposed reroofing works. The results of surveys and targeted mitigation resulted in the successful return of the maternity colony following the completion of works, with the population status remaining unchanged as a result.

Blarney Castle – Conservation research undertaken in collaboration with NPWS and Cork City Council targeting the elusive Lesser Horseshoe Bat population surrounding Cork City. The results of this work resulted in the identification and protection of a new Lesser Horseshoe Bat roosting location within Blarney Castle dungeon.

Manor House in Co. Clare – In 2025 a combination of all acoustic surveys, internal inspections and handling were used to establish species presence and fully characterise the use of a building in County Clare in which multiple species were roosting. Four targeted emergence surveys and an exhaustive internal inspection was carried out over the course 2025. Colm and his colleagues were able to establish species populations within the building and also their movement to different roosting locations throughout all seasons. Hibernation, maternity, and transitional roosting locations and populations were all established and defined within the building.

Private House, Co. Cork – Undertook surveys targeting structures proposed for renovation and maintenance works. Surveys followed best-practice guidance. A derogation licence was appropriately applied for the works. This private house is host to a multi-species roost (whiskered bat, Daubenton's bat, Natterer's bat, Common pipistrelle, Soprano pipistrelle, Brown long-eared bat), with maternity roosting by Whiskered bat at a minimum. Colm delivered a toolbox talk pre-commencement and supervised the works continually until completion. All mitigation measures outlined within the derogation application report were successfully implemented.

1.5 MONITORING IMPACTS OF DEROGATION

Monitoring the impacts of this derogation will be done through standard submission of derogation returns. During standard reporting of survey works undertaken with use of this derogation the results will show the level of disturbance under the derogation in methodology sections.

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