MWP

Bat Survey Derogation Licence Application to Wildlife Licencing Unit of the National Parks and Wildlife Service

Supporting Information

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1. Introduction

This document provides supporting information which has been compiled by the Applicant (Robert Beer) to accompany an application for a Derogation Licence under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations, 2011.

The Applicant is a Senior Ecologist (BSc, MRSB) working with Malachy Walsh and Partners (MWP), Engineering and Environmental Consultants, since March 2024. He is currently in his ninth year working as a professional ecologist and has previously worked in the UK with both Arup and a small ecological consultancy, gaining extensive experience across a wide range of ecological disciplines. He is experienced in ecological surveying and impact assessment and has a diverse survey portfolio including habitats, mammals (including bats), reptiles, amphibians and birds. A copy of the Applicant's Curriculum Vitae, specifically in relation to experience with bat work, is included for information in Appendix 1 of this document.

The purpose of this document is to provide sufficient information to the National Parks and Wildlife Service (NPWS) and the Department of Housing, Local Government and Heritage to allow them to make an informed decision regarding the granting of a Derogation Licence to the Applicant to carry out certain bat surveys, where disturbance of bats and/or roosts will/may occur.

As per Section 11 of the 'Application for Derogation Licence' form which is available on the NPWS website and is required to be completed, this supporting document details relevant information in response to the four criteria which are set out, in relation to the level of supporting information required. These are discussed under the following sub-headings.

2. 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

The Applicant seeks to apply for a Derogation Licence to facilitate specific bat surveys, which are necessary for the effective assessment and management of potential ecological impacts. In particular, the surveys may involve activities that could disturb bats and/or a bat roost, particularly during sensitive periods such as the maternity and hibernation periods as outlined in Regulation 51 of the 2011 Regulations. The primary reason for the application, as specified in Regulation 54 of the 2011 Regulations, is based option c:

(c) In the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature, and beneficial consequences of primary importance for the environment.

The need for the derogation license arises due to the necessity of conducting these surveys in locations where bat roosts are either confirmed or suspected. Such surveys could involve a range of methods, including building/structure and tree inspections (e.g., using endoscopes, mirrors, etc.), presence/absence surveys, roost characterisation surveys, and other established best-practice techniques as detailed in Collins (2023), Marnell et al. (2022), SNH (2021), Collins (2016), and Kelleher & Marnell (2006). These surveys are often a requirement as part of baseline ecological assessments, which in turn inform planning applications for development projects.

It is important to note that various alternatives to the proposed derogation licence have been considered, but they have proven to be unsatisfactory for several reasons. First, non-invasive survey methods that would not disturb bats or roosts are either not feasible or would provide insufficient data to meet the regulatory requirements for assessing ecological impact. For instance, standard observation techniques or use of non-intrusive technologies may not provide the level of detail necessary to determine the presence and or the type of bat roosts, particularly in complex or hard-to-reach areas.

Furthermore, alternative approaches, such as relying solely on external licensed surveyors, would not fully address the timing or scope of the surveys required for compliance. Given the sensitivity of the species and the need for timely, accurate data to inform planning decisions, external licensed surveyors may not always be available within the necessary timeframes, leading to delays in the development process and potentially impacting public interest.

Without the granting of this derogation licence, it would not be possible to undertake the necessary surveys in a timely manner, and essential ecological data would remain uncollected. This would significantly hinder the Applicant's ability to evaluate and mitigate potential impacts on bat populations and their roosts, ultimately preventing developers from fulfilling their obligations under current environmental legislation. The granting of the derogation licence is, therefore, essential to ensure that important survey work can proceed without undue disturbance to the bat population, ensuring that the development proposals are in compliance with both ecological and regulatory standards.

In conclusion, after careful consideration of all available alternatives, it has been determined that the derogation licence is the only viable option to allow these critical surveys to be carried out. The importance of obtaining accurate ecological data to assess the potential impacts of development on bat populations, and the associated risks to public and environmental safety, make the derogation license the most appropriate and necessary course of action.

3. 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.

As discussed above, the Derogation Licence is being applied for to facilitate general bat survey work carried out as part of the normal role of a professional ecologist (the Applicant), who is adequately qualified and experienced. There will be no: • killing, injuring, taking/capturing of any bats • wilful interference with any breeding/resting places of bats • damage or destruction of any breeding/resting places of bats • retaining, selling, transport or exchange of any bats taken in the wild. The licence is intended to allow for bat surveys to be undertaken where surveys could potentially cause disturbance of bats or their roosts, and/or allow for more comprehensive bat surveys to be undertaken, where roosts are confirmed present. There will be no physical interference with any bats or roost-sites. All survey work will be undertaken in accordance with current best-practice guidance, as outlined in Section 2 above, and with any best-practice guidance which may be published within the licence period. Bearing the above factors in mind, the actions permitted by the Derogation Licence being applied for will not be detrimental to the maintenance of the populations of any bat species at their respective favourable conservation status in their natural ranges, as required under Section 54(2) of the 2011 Regulations.

4. 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

With regard to survey methods, equipment etc, all survey work will be undertaken in accordance with bestpractice guidance, as outlined in Section 2 above. All surveys will be carried out in as short a time as possible to allow for the capture of adequate information, while minimising disturbance to bats and roosts. No specific mitigation measures, over and above what is in line with standard survey methods, are deemed required with regard to any bat species which may be affected.

5. Other Relevant Information

A copy of the Applicant's Curriculum Vitae, specifically in relation to relevant experience with bat surveys and bat impact assessment, is included for information in Appendix 1 of this document. Further information in relation to the Applicant's general professional ecological experience can be supplied, if required.

6. References

Collins, J. (ed.) (2023). Bat Surveys for Professional Ecologists: Good Practice Guidelines, (4th edn). The Bat Conservation Trust, London.

Marnell, F., Kelleher, C. & Mullen, E. (2022). Bat mitigation guidelines for Ireland v2. Irish Wildlife Manuals, No. 134. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland.

SNH, (2021). Bats and On-shore Wind Turbines: Survey, Assessment and Mitigation. Version: August 2021. Published by Scottish Natural Heritage.

Collins, J. (ed.) (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines, (3rd edn). The Bat

Conservation Trust, London.

Kelleher, C. & Marnell, F. (2006) Bat Mitigation Guidelines for Ireland. Irish Wildlife Manuals, No. 25. National Parks and Wildlife Service, Department of Environment, Heritage and Local Government, Dublin, Ireland.

Appendix 1

Curriculum Vitae of Applicant

Rob Beer

Senior Ecologist

2017 Bachelor of Science (Hons.) Environmental Management and Ecology – University of Hertfordshire
Full Member of the Chartered Institute of Ecology and Environmental Management MCIEEM
Member of the Royal Society of Biology MRSB

Particular Expertise	Rob is a Senior Ecologist with nine years' full-time professional experience since graduating in 2017. He joined Malachy Walsh and Partners (MWP) in March 2024, having previously worked in the UK across both large multidisciplinary consultancies and smaller specialist ecological practices. Rob has extensive experience in a range of standard and complex ecological surveys and impact assessment work in accordance with UK and Irish best-practice guidance. His survey experience includes, but is not limited to, UK habitat classification and JNCC Phase 1 habitat surveys, Biodiversity Net Gain (BNG) metric calculation and reporting, bat surveys (preliminary roost assessment and activity surveys), reptile surveys, badger surveys and great crested newt (GCN) surveys. Rob has authored a wide range of ecological reports within an Irish context including Screening for Appropriate Assessment Reports, Natura Impact Statements and Ecological Impact Assessments. He holds a Natural England bat licence (Level 2), a Natural England great crested newt licence (Level 1) and a Field Identification Skills Certificate (FISC) Level 2. He has also previously held a National Parks and Wildlife Service (NPWS) bat survey derogation licence and regularly undertakes bat surveys and related assessment work within the Republic of Ireland. Rob has extensive experience undertaking Ecological Clerk of Works (ECoW) roles for a range of protected species across diverse project types, from small-scale residential developments to large infrastructure projects including road and rail schemes. This includes supervising and overseeing licenced works in relation to bats, badgers and great crested newts.
Employment History	March 2024 – Present Senior Ecologist MWP April 2022 to Feb 2024 – Arup March 2018 to April 2022 – Cherryfield Ecology
Health and Safety	MWP in-house H&S (Construction) Regulations. Construction Skills Certification Scheme (CSCS) card holder SafePass card holder
CPD	BCT lighting symposium 2023 BNG version 3.1 and 4.0 CIEEM course 2023 UK Habitats training course 2022 FISC training course and exam 2023 National Bat Conference - Bat Conservation Trust 2024 Teagasc: Putting Links in the Landscape for Lesser Horseshoe Bats 2024 Bat group talk – VWT Daniel Hargreaves, 'Bat work of the Vincent Wildlife Trust 2024 Bats and Large-scale Housing Maintenance Projects Guidance Webinar Bat Conservation Trust 2025

Relevant Experience

Project	**10 Basin Road Development**
Duration	2025–Present
Description	Ecology lead for a permitted development at 10 Basin Road requiring updated bat survey and licensing inputs to enable works to proceed. This involved undertaking an updated Preliminary Roost Assessment (PRA) and detailed review of previous bat survey data to establish current roost potential and licensing requirements. The development had received planning permission subject to conditions requiring further bat survey and, if necessary, a derogation licence prior to works commencing. Based on survey findings and assessment, a bat derogation licence was required and successfully secured to facilitate the proposed works. Ongoing advisory input is being provided to guide the client through licence compliance and pre-construction requirements ahead of works commencing.
Role	Ecology lead
Project	**Project Killarney LRD (Large-Scale Residential Development)**
Duration	2025–Present

Description	Bat ecology lead for a large-scale residential development in Killarney. The project has required extensive bat survey effort including Preliminary Roost Assessments (PRAs), nocturnal bat walkover surveys and static detector deployments. Survey design and assessment has had a particular focus on lesser horseshoe bat (LHB) due to the site's proximity to known roosts and Killarney National Park, where the species is a qualifying interest. Bat survey findings have informed iterative design inputs, including site-specific lighting recommendations to minimise disturbance and enhance connectivity, and the development of sensitive planting proposals to improve habitat suitability for bats and their invertebrate prey. Broader ecological enhancement measures have also been incorporated to promote the biodiversity value of the scheme.
Role	Bat ecology lead
Project	**Ardsallagh Estate**
Duration	2024-2025
Description	Re-development of the Ardsallagh Estate, this included for baseline ecological surveying of the site, wildlife camera trapping, and extensive preliminary bat survey work. This project has received planning permission and is ongoing, with further bat surveys to be conducted.
Role	Ecology lead
Project	**Abbeyfeale residential development**
Duration	2024-Present
Description	Preliminary Roost Assessment survey to inform on any roosting and or potential for roosting bats. Upon evidence of droppings being found and a full PRA conducted further survey was recommended and started within the 2024 survey season. This involved a single dusk survey with further surveys to be conducted in 2025.
Role	Bat ecology lead
Project	**Shronowen Wind Farm**
Duration	2024
Description	Upon obtaining planning permission conditions required a Bat post construction monitoring programme. My role was to develop this robust strategy in order to meet the conditional requirements of planning and ensure that the post construction monitoring plan enable for as much data gathering as possible and when interpreting the data allowed for adjustments to the wind farm operations as necessary.
Role	Bat ecology lead
Project	**Muster Bridge lighting**
Duration	2024
Description	My role was to carry out baseline survey work of a bridge and its surrounds to support a planning application for the installation of decorative lighting along the bridge. Extensive preliminary bat survey work was undertaken which also included for nighttime bat activity walkover surveys and the use of nighttime static bat detectors to gather as much data as possible of the current usage of the bridge and surrounds by bats. Through this survey effort a strategy around the works and the proposed lighting was established and planning granted.
Role	Bat ecology lead
Project	**Proposed construction of the Lodgewood Battery Energy Storage System (BESS), Co. Wexford**
Duration	2024
Description	My role was to conduct baseline ecological surveys of the site and its immediate surrounds to enable a full ecology impact assessment to be undertaken along with an Appropriate Assessment (AA) and Natura Impact Statement (NIS), to support a planning application for the installation of a battery storage system to support an existing power station.
Role	Ecology lead
Project	**Killarney Lakes greenway**
Duration	2024
Description	My role was to conduct and oversee a suite of bat surveys within the Killarney National Park (known to support Lesser Horseshoe bats) to support a planning application for a walkway/cycleway linking other existing routes within the National Park. Preliminary bat survey work was undertaken which also included for nighttime bat activity walkover surveys and the use of nighttime static bat detectors to gather as much data as possible of the current usage of the site by bats. Using this data, a report was produced on the baseline of the site and proposed recommendations and mitigation to enable the works.
Role	Bat ecology lead
Project	**Hastings Public Relam and Green Connections Project, Hastings, UK**

Duration	2023-2024
Description	Re-designing of Hastings Town Centre based on the principles and strategies identified to address urban greening, active travel, flood management, activation of public space and community stewardship. My role involved baseline ecological surveying of the site and providing an ecological strategy working in conjunction with landscape architects, drawing inspiration from surrounding statutory and non-statutory sites and their ecology.
Role	Ecology lead

Project	**Members Hill Retirement Village, Surrey, UK**
Duration	2022-2024
Description	Redevelopment of the site to provide an Integrated Retirement Community (C2 Use Class) through the partial demolition of the existing building and multi-storey car park; conversion of and extensions to the existing building; erection of two new buildings above the retained car park; alterations and change of use of the existing pavilion building to a flexible commercial/community space; provision of resident's facilities, car and cycle parking, refuse storage, servicing, hard and soft landscaping, infrastructure and all associated works. My role involved baseline ecological surveys, a BNG metric calculation and report, an EcIA, stage 2 bat surveys and supervision of arboricultural works, the creation of a landscape and ecological management plan and an Ancient woodland protection strategy.
Role	Project Ecologist

Project	**LD14 Data Centre, Slough, UK**
Duration	2022-2023
Description	The erection of Use Class B8 data centre (46MW) with ancillary Use Class E office space together with hard and soft landscaping, utilities, car parking and associated site clearance, demolition, engineering, ground works, infrastructure and site access. My role involved baseline ecological surveys which included UK habitat mapping and an Ecological Appraisal and BNG metric calculation and report.
Role	Project Ecologist

Project	**M1 link road, Central Bedfordshire, UK**
Duration	2020 - 2022
Description	Ecological services to support the planning application for the creation of a new link road joining the M1 motorway to a 'A' road. Comprising of a stage 1 EA report with further survey effort for badger. Overseeing the creation of an artificial badger sett and closure and supervised destruction of the old one under license
Role	Ecology lead

Project	**RSPB Headquarters, Sandy, Bedfordshire, UK**
Duration	2019-2022
Description	Ecological services to support the planning application for renovation works at the former stately home on site at RSPB HQ, comprising of stage 1 and stage 2 bat surveys and supervision of renovation works with associated mitigation measures
Role	Ecologist

Project	**Electrical power station, Essex, UK**
Duration	2019-2022
Description	Ecological services to support the planning application for the creation of a new electric storage facility. Comprising of a stage 1 EA report with further survey effort for GCN and reptile. An eDNA survey for GCN was conducted and due to the delays in the project and new implementation of district level licensing (DLL), also successfully guided the client through the GCN DLL process. Further reptile surveys indicated likely absence and so simple enhancements were added to the project design.
Role	Ecologist

Name
Qualifications
Role/Job Title