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Marine & Environmental Consultancy

Supporting Bat derogation license for Proposed Large-Scale Residential Development (LRD) at Kilnahue, Gorey, Co. Wexford

Document Control Sheet			
Client	Glenveagh Homes LTD		
Project	Proposed Large Scale Residential Development (LRD) at Kilnahue, Gorey, Co. Wexford		
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Contents

1) Introduction 3

2a).Objective of Proposed works 3

b). Scientific Staff 4

2).Background 5

Proposed Activity 5

Location 5

Ownership 5

Reason for Activity 5

Planning History 6

3). Proposed Works 7

4. Ecological Surveys and Site Assessment 9

Bat roosts. 9

Emergent/detector surveys. 9

Status of species in local/regional area 9

Survey Objective(s) 9

Description of Survey Area 9

Survey Methodology 10

Survey Results 10

..... 12

Population size and class assessment 14

5.) Evidence to support the Derogation Tests 14

Test 1 – Reasons for Seeking Derogation 14

Test 2 – There is No Satisfactory Alternative 16

Test 3 – Favourable Conservation Status 18

6.)Monitoring the impacts of the derogations 18

References 19

1) Introduction

Glenveagh Homes LTD proposes a Large-Scale Residential Development (LRD) on lands at Kilnahue, Gorey, Co. Wexford. The development comprises : 413 no. residential units (comprising 349 no. houses and 64 no. apartment/duplex/maisonettes); 1 no. creche; and all associated site development works including the provision of road widening works, pedestrian/cyclist facilities and a raised pedestrian crossing along Kilnahue Lane, a right hand turning lane on Carnew Road, drainage upgrade works, 4 no. ESB substations, footpaths, lighting, parking, bicycle and bin stores and landscaping/amenity areas located at Kilnahue, Gorey, Co. Wexford. Access will be provided via 2 no. new entrances onto Killnahue Land and 1 no. new entrance onto the Carnew Road

While in the original ecological surveys a single Soprano Pipistrelle (Pipistrellus pygmaeus) roost in a Oak tree along the northern boundary, this will be removed as part of road widening works.

This documents outlines the proposed development, ecological surveys undertaken, and mitigation measures to protect bats during construction and operation.

2a).Objective of Proposed works

The objective of the proposed works is to facilitate the delivery of the permitted Large-Scale Residential Development at Kilnahue, Gorey, Co. Wexford, comprising 413 residential units (349 houses and 64 apartment/duplex/maisonette units), a creche, and all associated infrastructure and amenity provisions. The development is intended to provide a high-quality, sustainable residential community that responds to local housing demand while incorporating landscaped open spaces, sustainable drainage infrastructure, pedestrian and cycle facilities, and supporting community infrastructure.

The proposed works subject to this application arise from Condition 3(a) of the Grant of Planning Permission, which requires the widening of Kilnahue Lane to provide a minimum 6.0 m carriageway and the removal of a section of existing roadside hedgerow east of the proposed creche entrance to improve visibility at a proposed pedestrian crossing. The works are therefore necessary to achieve compliance with the planning condition, provide safe vehicular and pedestrian access arrangements, and meet the visibility requirements set out in the Design Manual for Urban Roads and Streets (DMURS). The proposed road widening and associated vegetation removal will improve intervisibility between motorists, pedestrians, and cyclists, enhance road safety along Kilnahue Lane, and facilitate the safe operation of the development.

In addition to the access and road improvement works, the wider development includes drainage upgrade works within Gorey town, four ESB substations, internal roads, footpaths, public lighting, parking, bicycle and bin storage facilities, and extensive landscaping and amenity areas. Ecological considerations have informed the design, including the retention of the western boundary native hedgerow where practicable, the establishment of a native species-rich parkland area that will remain unlit to provide foraging habitat for bats, and compensatory planting measures to offset unavoidable vegetation loss. Overall, the proposed works aim to deliver a safe, functional, and well-integrated residential development while balancing engineering, ecological, and planning requirements and maintaining opportunities for biodiversity enhancement across the site.

b). Scientific Staff

Name	Position	Qualification	Relevant experience
Jack Doyle	Ecologist	(MSc Sustainable Environments)	Jack Doyle (MSc Sustainable Environments) also carried out fieldwork elements of this Bat Fauna Assessment. Jack is an experienced environmental project manager, joining Altemar in March 2021. Jack has led and carried out a wide range of flora and fauna surveys across Ireland and produced ecological assessments on residential, commercial, and infrastructure projects. Jack is skilled in breeding & wintering ornithological surveys, roving and static acoustic bat surveys, terrestrial non-avian mammal surveys, and habitat identification.
Luke Dodebier	Ecologist	BSc Wildlife Biology	Luke holds a BSc (Hons.) in Wildlife Biology and has 6 years' experience in ecological consultancy, Luke has worked on a large variety of projects from large scale renewable projects to small scale residential projects and seen them to completion. Luke is a skilled terrestrial ecologist experienced in Bird, mammal and flora surveying as well as associated reporting in AA, NIS and EcIA. Designing and implementing mitigation for bat including lighting and habitat enhancement. Luke has attended the following courses: Bat Detector Workshop (BCI, July 2018), Bat mitigation course (CIEEM, November 2019) Bat Handling Course (BCI, 2025
Bryan Deegan	Managing Director	MSc, BSc (MCIEEM).	Bryan has over 30 years of experience providing ecological consultancy services in Ireland. He has extensive experience in carrying out a wide range of bat surveys including dusk emergence, dawn re-entry and static detector surveys. He also has extensive experience reducing the potential impact of projects that involve external lighting on Bats. Bryan trained with Conor Kelleher author of the Bat Mitigation Guidelines for Ireland (Kelleher and Marnell (2022)) and Bryan is currently providing bat ecology (impact assessment and enhancement) services to Dun Laoghaire Rathdown County Council primarily on the Shanganagh Park Masterplan. The desk and field surveys were carried out having regard to the guidance: Bat Surveys for Professional Ecologists – Good Practice Guidelines 3rd Edition (Collins, J. (Ed.) 2016) and Marnell, Kelleher and Mullen (2022), Bat Mitigation Guidelines for Ireland V2 (which update and replace the Bat Mitigation Guidelines for Ireland published in 2006).

2).Background

Proposed Activity

The proposed development consists of 413 residential units (349 houses and 64 apartment/duplex/maisonette units), a creche, and all associated infrastructure and amenity provisions.

In addition to the access and road improvement works, the wider development includes drainage upgrade works within Gorey town, four ESB substations, internal roads, footpaths, public lighting, parking, bicycle and bin storage facilities, and extensive landscaping and amenity areas.

Location

- The site of the proposed works is in Kilnahue, Gorey, Co. Wexford. Grid reference (52.67464142235065, -6.31902036630935)

Ownership

The proposed development client is Glenveagh Homes LTD

Reason for Activity

As part of the development the adjacent roads to the site require widening. This will remove a number of trees and hedgerows including an oak tree where a bat roost had been recorded on previous surveys.

Bat surveys recorded a Soprano Pipistrelle emerging from an Oak tree. As this tree is planned for removal as part of the development a derogation license is required. The tree removal is necessary to enable the development but requires appropriate mitigation and ecological oversight to ensure compliance with wildlife legislation.

Justification for removal of the tree as part of road widening is as follows:

The road widening design / Kilnahue boundary treatment revised so that the main carriageway is a minimum of 6 m wide and the section of existing roadside hedgerow east of the creche entrance point removed so as to provide improved visibility of the proposed crossing point on Kilnahue Lane.."

Kilnahue Lane is an existing local county road providing a connection between Gorey and the surrounding rural hinterland. The existing carriageway is constrained, with a width of approximately 5.0 m. As part of the planning process, a carriageway widening to 5.5m was originally proposed along the site frontage. However, Condition 3(a) now requires that the carriageway be increased to a minimum width of 6.0m. As the existing northern road boundary is fixed by existing houses, the additional road widening can only be accommodated within the proposed development site, necessitating revisions to the site boundary treatment.

The provision of adequate visibility at site accesses and pedestrian crossing points is a fundamental road safety requirement. The ***Design Manual for Urban Roads and Streets (DMURS)*** is the national design standard governing the layout and design of urban roads and streets in Ireland. ***DMURS*** requires that visibility splays at junctions are measured from a setback distance of 2.4 m, with unobstructed visibility provided to the appropriate stopping sight distance for the prevailing speed environment. In this location, where the posted speed limit is 60 km/h, a minimum visibility splay of **2.4m x 59m** is required in both directions.

These visibility splays must remain clear and unobstructed to allow drivers exiting the development and approaching the proposed pedestrian crossing to detect other road users in sufficient time to react safely. Existing hedgerows, trees and other vegetation located within the required visibility envelope obstruct these critical sightlines and therefore cannot be retained without compromising compliance with DMURS and reducing the level of road safety.

Accordingly, the removal of the existing hedgerow and trees within the required visibility splay is necessary to:

- facilitate the 6.0 m carriageway width required by the planning condition;
- achieve the minimum visibility standards required by DMURS for a 60 km/h road environment;
- improve intervisibility between motorists, pedestrians and cyclists at the proposed crossing location;
- provide a safer access arrangement for the development; and
- satisfy the requirements of Condition 3(a) of the planning permission.

The extent of vegetation removal has been kept to the minimum necessary to accommodate the required carriageway widening and visibility splays. Outside these essential engineering constraints, existing vegetation will be retained wherever practicable, with replacement planting and landscaping provided as part of the overall site design to mitigate the loss of existing hedgerow and trees.

Planning History

The planning permission was granted subject to conditions (reference: 20251724W-LRD.)

3). Proposed Works

The proposed activity consists of works required to facilitate the implementation of Condition 3(a) of the permitted Large-Scale Residential Development at Kilnahue, Gorey, Co. Wexford. The works include the widening of Kilnahue Lane to provide a minimum carriageway width of 6.0 m, the removal of a section of existing roadside hedgerow east of the proposed creche entrance, and the removal of trees and vegetation within the required visibility splays to achieve compliance with the visibility requirements of the Design Manual for Urban Roads and Streets (DMURS) and the planning condition.

As part of these works, one mature oak tree containing a confirmed bat roost will require felling to facilitate the required road widening and visibility improvements. The tree is located within the area required to accommodate the carriageway widening and associated sightline requirements and cannot be retained without compromising compliance with the planning condition and road safety standards. As the tree supports a bat roost, its removal will be undertaken under a derogation licence and in accordance with all licence conditions and mitigation measures.

The works form part of the wider permitted development comprising 413 residential units (349 houses and 64 apartment/duplex/maisonette units), a creche, and all associated site development works. The permitted development includes new vehicular access points onto Kilnahue Lane and the Carnew Road, road widening works, pedestrian and cyclist facilities, a raised pedestrian crossing, drainage upgrade works, four ESB substations, footpaths, public lighting, parking, bicycle and bin storage facilities, and landscaped amenity areas.

The proposed activity also includes ecological mitigation and enhancement measures, including the retention of the western boundary native hedgerow where practicable, the establishment of a native species-rich parkland area that will remain unlit to provide dark foraging habitat for bats, compensatory planting to offset vegetation loss, and the undertaking of pre-construction surveys of trees and buildings. These measures have been incorporated to minimise ecological impacts while facilitating the necessary road safety and infrastructure improvements required for the development.

Mitigation Measures

As a result of the moderate level of foraging activity and roosting within the trees, no lighting is proposed in the proposed open areas, where mature trees are proposed for retention. Lighting has involved mitigation through design and will be restricted to key areas of the development only and will not be within open spaces or directed onto retained mature trees. Lighting on site during construction will not be directed towards existing trees on site. A post Construction light spill assessment/compliance with proposed lighting strategy will be carried out.

As outlined in Marnell et al. (2022) "*Mitigation should be proportionate. The level of mitigation required depends on the size and type of impact, and the importance of the population affected*." In addition, as outlined in Marnell et. al (2022) '*Mitigation for bats normally comprises the following elements:*

- *Avoidance of deliberate, killing, injury or disturbance – taking all reasonable steps to ensure works do not harm individuals by altering working methods or timing to avoid bats. The seasonal occupation of most roosts provides good opportunities for this*
- *Roost creation, restoration or enhancement – to provide appropriate replacements for roosts to be lost or damaged*
- *Long-term habitat management and maintenance – to ensure the population will persist*
- *Post-development population monitoring – to assess the success of the scheme and to inform management or remedial operations.*'

As a result, the following mitigation measures will be implemented:

- A pre-construction inspection of trees to be felled will be carried out.
- Lighting at all stages will be done sensitively on site with no direct lighting on perimeter treelines and will comply with the sensitive public lighting design. Lighting will follow the Bat Conservation Ireland "Bats & Lighting Guidance Notes for: Planners, engineers, architects and developers (December 2010).
- Lighting will comply with bat lighting guidelines with no lighting directed onto boundary treelines.
- A post construction lighting assessment will be carried out by the project ecologist.

- A pre felling inspection of the trees will be carried out by a bat specialist. If no bats are present during the inspection the tree will be felled in sections and lowered to the ground, where the sections will remain for 24 hours. If a bat is, or bats are, found a specialist, licenced in manual handling of bats. will oversee the removal of the bat from the tree and the safe relocation of the bat to a suitable site within the site outline. This may include the placing or the bat in a cardboard box for release at night or placing the bat in a safe suitable temporary roosting location, depending on weather conditions.
- Any tree felling will be undertaken at an appropriate time of year, as deemed by the project ecologist.
- All trees with bat roosting potential that are scheduled for felling will undergo a pre-felling inspection by a suitably qualified ecologist or bat worker, using appropriate survey techniques such as endoscope inspection, thermal imaging, and, where suitable, emergence surveys.
- Lighting during construction should only be used during working hours with no floodlighting of the site.
- A post construction bat survey and light spill assessment will be carried out to ensure compliance with the lighting plan.
- A post construction bat survey will be carried out.
- A number of bat boxes will be placed in dark vegetated areas to mitigate the loss of the bat roost. The installation and number put in place will be determined by the project ecologist as deemed appropriate.
- Landscaping has been designed to include bat friendly plants including trees and native hedgerows to attract insects.

4. Ecological Surveys and Site Assessment

Bat roosts.

Ground level roost assessments were carried out and used to examine the trees on site for features that could form bat roosts. Potential roosting features include heavy ivy growth, broken limbs, areas of decay, vertical or horizontal cracks, cracks in bark etc. All trees on site were assessed for bat roosting potential An original bat roost was recorded in a tree that will be retained on site during surveys on the 29th April 2025 and the 14th May 2025.

A single Soprano Pipistrelle (Pipistrellus pygmaeus) was noted emerging from an oak tree along the northern site boundary.

Emergent/detector surveys.

At dusk, a bat detector survey was carried out onsite using an Echo meter touch 2 Pro detector to determine bat activity. Bats were identified by their ultrasonic calls coupled with behavioral and flight observations. The weather conditions were ideal for bat surveying for the emergent survey and for one complete survey area transect.

Weather conditions were good with mild temperatures greater than 10oC immediately after sunset. Winds were light and there was no rainfall. Insects were observed in flight during the survey and bats were observed on site.

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Status of species in local/regional area

Table 1 Irish Bat Species Conservation Status and Threats (NPWS, 2019)

Bat Species	Conservation Status
Soprano Pipistrelle Pipistrellus pipistrellus	Favourable
Soprano pipistrelle Pipistrellus pygmaeus	Favourable
Leisler's bat Nyctalus leisleri	Favourable

Survey Objective(s)

The primary aim of the surveys was to collect information on roosting, commuting, and foraging bats within the site and to identify key features of importance to bats. The surveys were undertaken to establish the type, extent, and locations of potential bat activity on site and to evaluate whether additional surveys or mitigation measures would be required to protect bats.

Description of Survey Area

The survey area is a primarily agricultural fields with hedgerow and treeline borders with a small batch of immature woodland near the roadside in which the bat roost resides.

Survey Methodology

The exterior and interior of all accessible onsite buildings were inspected for evidence of bat activity (e.g. bat droppings, grease markings at potential access points). Accessible areas of these structures were inspected for bat roosts using a Petzl Tikkina 300 Lumens headtorch and a Magnusson IM18 Inspection Camera (Endoscope).

Ground level roost assessments were carried out and used to examine the trees on site for features that could form bat roosts. Potential roosting features include heavy ivy growth, broken limbs, areas of decay, vertical or horizontal cracks, cracks in bark etc. All trees on site were assessed for bat roosting potential

As outlined in Collins (2016) in relation to weather conditions '*The aim should be to carry out surveys in conditions that are close to optimal (sunset temperature 10°C or above, no rain or strong wind.), particularly when only one survey is planned…. Where surveys are carried out when the temperature at sunset is below 10°C should be justified by the ecologist and the effect on bat behaviour considered.*' There were no constraints in relation to the survey carried out. All areas of the site were accessible. Weather conditions were optimal for the emergent survey and acoustic transect survey.

At dusk, a bat detector survey was carried out onsite using a*n Echo meter touch 2 Pro* detector to determine bat activity. Bats were identified by their ultrasonic calls coupled with behavioural and flight observations. The weather conditions were ideal for bat surveying for the emergent survey and for one complete survey area transect.

Survey Results

A single Soprano Pipistrelle (*Pipistrellus pygmaeus)* was noted emerging from an oak tree along the northern site boundary. Foraging activity by the species Lesser Noctule (*Nyctalus leisleri*), Soprano Pipistrelle (*Pipistrellus pygmaeus)* and Common *Pipistrellus (pipistrellus sensu lato*), were detected along tree lines and hedgerows within the survey area.

At dusk, a bat detector survey was carried out onsite using a*n Echo meter touch 2 Pro* detector to determine bat activity. Bats were identified by their ultrasonic calls coupled with behavioural and flight observations. The weather conditions were ideal for bat surveying for the emergent survey .

No evidence of a larger bat roost (e.g maternity roost) was recorded within the buildings on site.



Plate 1 & 2. Immature Oak tree covered in Ivy where Soprano was recorded emerging (red circle).

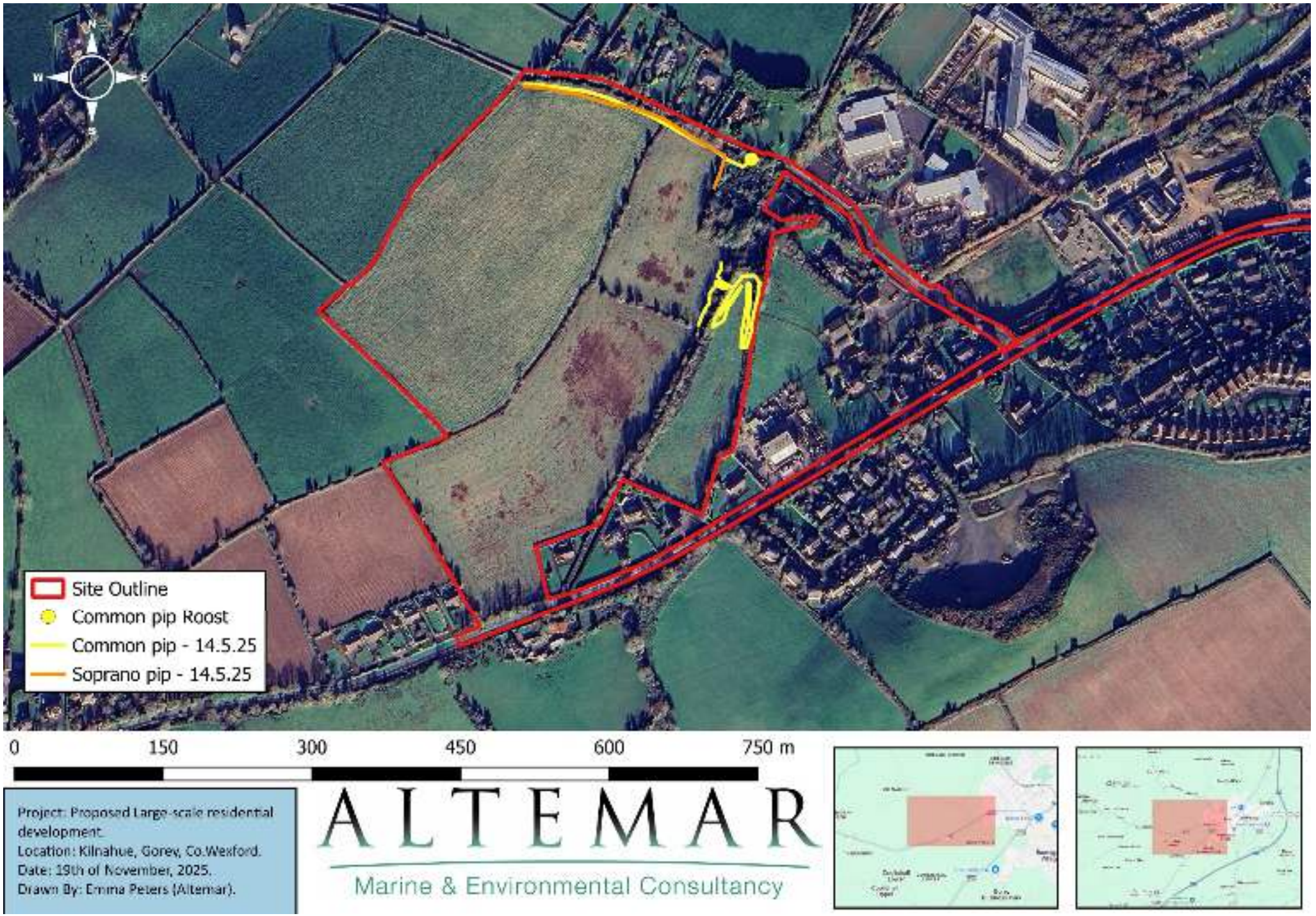


Figure 1. Bat activity recorded on site (April 2025).


N
W
E
S
Site Outline
Common pip Roost
Common pip - 29.04.25
Leisler - 29.04.25
0
150
300
450
600
750 m
Project: Proposed Large-scale residential development
Location: Kilnahue, Gorey, Co.Wexford.
Date: 19th of November, 2025.
Drawn By: Emma Peters (Altemar).
ALTEMAR
Marine & Environmental Consultancy

Population size and class assessment

Considering that the confirmed Soprano Pipistrelle roost supports only 1 individual and given the species' 'Least Concern' conservation status, widespread distribution, and stable population in Ireland, it is concluded that with implementation of the mitigation measures outlined above, the proposed development will not be detrimental to the maintenance of the local bat population at a favourable conservation status within its natural range.

5.) Evidence to support the Derogation Tests

The NPWS document, Guidance on the Strict Protection of Certain Animal and Plant Species under the Habitats Directive in Ireland - National Parks and Wildlife Service Guidance Series 1 (2021), was reviewed before undertaking this derogation application. Article 16 of the Habitats Directive sets out three pre-conditions, all of which must be met before a derogation from the requirements of Article 12 or Article 13 of the Directive can be granted. These preconditions are also set out in Regulation 54 of the Regulations.

The preconditions are:

1. A reason(s) listed in Regulation 54 (a)-(e) applies
2. No satisfactory alternatives exist
3. Derogation would not be detrimental to the maintenance of a population(s) at a favourable conservation status.

It is believed that the pre-conditions for granting a derogation licence have been met, as follows:

Test 1 – Reasons for Seeking Derogation

Regulation 54(2) (a)–(e) states that a derogation licence may be granted for any of the reasons listed (a) to (e).

Under Regulation 54(2)(a)–(e) of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), a derogation licence may be granted where there is a legitimate justification for doing so.

It is the opinion of the applicant that the following reason applies in this instance:

(c) In the interest of overriding public interest, including those of a social or economic nature.

The proposed works relate to the implementation of planning condition 3(a) of the permitted Large-Scale Residential Development at Kilnahue, Gorey, Co. Wexford, comprising 413 residential units (349 houses and 64 apartment/duplex/maisonette units), a creche, and all associated site development works, including road infrastructure, pedestrian and cyclist facilities, drainage upgrades, landscaping, amenity areas, and supporting utilities. The condition requires the widening of Kilnahue Lane to provide a minimum carriageway width of 6.0 m and the removal of vegetation along the site frontage to achieve the visibility standards necessary for the safe operation of the development and the proposed pedestrian crossing. The proposed works are considered to be in the interest of overriding public interest, including those of a social and economic nature. The permitted development will provide a substantial number of new residential units within Gorey, contributing to the delivery of much-needed housing at a time of significant housing demand within County Wexford and nationally. The development will support population growth, provide housing choice, and contribute to the sustainable expansion of Gorey in accordance with national, regional, and local planning policy objectives.

The road widening and visibility improvement works are necessary to facilitate the safe delivery and operation of the permitted development. The works will provide improved road safety for motorists, pedestrians, and cyclists through the provision of a widened carriageway, enhanced visibility at site accesses, and a safer pedestrian crossing environment. These improvements are required to satisfy Condition 3(a) of the planning permission and to achieve compliance with the visibility requirements set out in the Design Manual for Urban Roads and Streets (DMURS). To facilitate these works, the felling of one mature oak tree containing a confirmed bat roost is required. The tree is located within the area necessary to accommodate the required road widening and visibility splays and cannot be retained without compromising compliance with the planning condition and the associated road safety objectives. The removal of the roost is therefore unavoidable in order to implement the permitted development and associated infrastructure works. The development will also provide wider public benefits

through the creation of residential accommodation, supporting infrastructure, public open space, landscaping, and active travel facilities, while generating employment during both the construction and operational phases. The scheme will contribute positively to the local economy and the sustainable development of Gorey.

All works will be undertaken in accordance with the requirements of a derogation licence and relevant wildlife legislation. Appropriate mitigation, compensation, and monitoring measures will be implemented as detailed in the accompanying ecological documentation, including the provision of replacement roosting opportunities, retention and enhancement of bat foraging habitat, a sensitive lighting strategy, and the creation of unlit native parkland habitat to minimise impacts on bats and maintain the conservation status of the local bat population.

Test 2 – There is No Satisfactory Alternative

Under Regulation 54(3)(a) of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), a derogation licence may only be granted where there is no satisfactory alternative that would avoid impacts on a protected species.

In this case, the proposed works at Kilnahue, Gorey, Co. Wexford, require the felling of one mature oak tree containing a confirmed bat roost to facilitate the implementation of Condition 3(a) of the permitted Large-Scale Residential Development. The tree is located within the area required for the widening of Kilnahue Lane and the provision of the visibility splays necessary to achieve compliance with the planning condition and the requirements of the Design Manual for Urban Roads and Streets (DMURS). The following alternatives were considered:

1. Do Nothing Scenario

Under a “do nothing” scenario, the site would remain in its current condition and the proposed residential development and associated infrastructure would not be delivered. This would fail to address critical local and regional housing needs at a time of severe housing shortage and would represent an inefficient use of zoned and serviced urban land. Given the site’s residential zoning, it is likely that redevelopment would be pursued at a future date, with similar impacts on the existing structure and roost. The tree roost would continue to be used intermittently as an opportunistic night roost for a small quantity of bats.

2. Retention of the Roost Tree

The option of retaining the oak tree supporting the bat roost was considered. However, the tree is located within the footprint of the required road widening works and associated visibility splays. The northern boundary of Kilnahue Lane is constrained by existing residential properties, meaning that the required widening can only be accommodated within the development site to the south. In addition, DMURS requires unobstructed visibility splays of 2.4 m × 59 m in both directions at this location to ensure safe operation of the development access and pedestrian crossing. Retention of the tree would obstruct the required sightlines and prevent compliance with both the planning condition and applicable road safety standards. Consequently, retention of the roost tree is not considered feasible

3. Alternative road design or Site Layout

Alternative road layouts and boundary treatments were examined to determine whether the road widening and visibility requirements could be achieved while retaining the roost tree. However, the extent of the carriageway widening and visibility splays is dictated by Condition 3(a), the geometry of Kilnahue Lane, and the requirements of DMURS. Given the fixed nature of the existing northern road boundary and adjacent residential properties, there is insufficient flexibility to relocate the carriageway or adjust the visibility envelope to avoid the tree. Any reduction in the visibility splays or carriageway width would result in non-compliance with the planning condition and road safety requirements. Therefore, no alternative road design capable of retaining the tree was identified.

4. Alternative Site Location

Relocating the development or associated road improvement works to an alternative location is not considered a satisfactory alternative. The road widening works are intrinsically linked to the permitted development and are required to facilitate safe access to the site. The proposal relates specifically to the implementation of a consented residential development on lands that have been subject to a comprehensive planning process. Relocation would not address the road safety requirements associated with the approved development and would not provide a realistic means of avoiding impacts on the bat roost.

Conclusion

Having regard to the location of the confirmed bat roost within the footprint of the required road widening and visibility improvement works, the constraints imposed by the existing road corridor, and the requirements of Condition 3(a) and DMURS, no satisfactory alternative exists that would avoid impacts on the bat roost while still achieving the necessary road safety objectives and facilitating the implementation of the permitted development. The felling of the roost tree is therefore unavoidable. The proposed derogation, together with the mitigation, compensation, and monitoring measures outlined in the accompanying ecological documentation, will ensure that impacts on bats are minimised and that the favourable conservation status of the species is maintained at both the local and wider population level.

Test 3 – Favourable Conservation Status

The proposed works required to facilitate Condition 3(a) of the permitted Large-Scale Residential Development at Kilnahue, Gorey, Co. Wexford, namely the road widening of Kilnahue Lane, associated visibility improvements, and the felling of one mature oak tree containing a confirmed bat roost, will not adversely affect the favourable conservation status of local bat populations. Bat surveys have confirmed the presence of a bat roost within the mature oak tree proposed for removal. The roost is considered to be of limited extent in the context of the wider site and is associated with foraging and commuting activity linked to surrounding linear landscape features, including hedgerows and treelines. The removal of this roost is required solely to facilitate essential road safety improvements, including carriageway widening and the provision of DMURS-compliant visibility splays (2.4 m × 59 m) at a constrained section of Kilnahue Lane. Suitable alternative roosting and foraging habitat will remain available within and adjacent to the site. The western boundary native hedgerow will be retained where practicable and will continue to function as an important commuting feature for bats. In addition, a native species-rich parkland area will be established within the development, designed to remain unlit and to provide dark foraging habitat. These retained and created habitats will ensure continued ecological connectivity across the site and the wider landscape. The loss of the roost will be compensated for through the provision of appropriately designed bat roosting features, to be installed under ecological supervision in suitable locations within the development. These measures will be incorporated alongside a sensitive lighting strategy designed to maintain dark corridors and reduce light spill into key foraging and commuting areas, thereby minimising disturbance to bat activity. The presence of Soprano Pipistrelle (Pipistrellus pygmaeus) on site is not unexpected, as this species is widespread and common throughout Ireland and is known to exploit a broad range of roosting and foraging habitats, including trees, buildings, parkland, and urban edge environments (NPWS, 2019). National populations are considered stable, and the species is not regarded as being under significant conservation threat. The accompanying ecological documentation sets out a suite of mitigation measures to avoid and minimise potential impacts, including pre-construction bat surveys, timing restrictions on vegetation clearance, ecological supervision during works, retention of key foraging corridors, and implementation of the site-wide sensitive lighting design. These measures will ensure that disturbance is minimised and that habitat functionality is maintained wherever practicable. Having regard to the small-scale nature of the roost, the availability of alternative roosting and foraging habitat, the ecological mitigation and enhancement measures proposed, and the widespread and adaptable nature of the species, it is concluded that the proposed development will not be detrimental to the maintenance of the local or wider bat population at a favourable conservation status.

6.)Monitoring the impacts of the derogations

Monitoring of the impacts associated with the derogation licence and implementation of mitigation measures will be undertaken by a suitably qualified ecologist to ensure full compliance with licence conditions and best practice. As outlined in the mitigation an ecologist be present during works at the identified roost locations. This will allow for: Confirmation of bat presence/absence at the time of works, Verification of the nature of the roost and Will provide guidance on appropriate reinstatement or replacement of roosting features. Should any bats be found to be roosting during the site works, the removal of the roost will be carried out by a bat specialist under NPWS license.

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An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage

Application for Derogation Licence

Under the European Communities (Birds and Natural Habitats) Regulations 2011 – 2021

- This form is to be used by any person applying for a derogation licence under Regulation 54 or by the Minister under Regulation 54(A)
- Please ensure that you answer questions fully in order to avoid delays
- If you experience any problems filling in this form, please contact the Wildlife Licensing Unit;
- Please note – applications/reports received and licences issued under this derogation may be published on the NPWS website and/or the Department's Open Data website

Wildlife Licensing Unit,

Department of Housing, Local Government and Heritage

National Parks and Wildlife Service

Wildlife Licensing Unit, R. 2.03

90 North King Street

Smithfield

Dublin 7 D07 N7CV

Email: wildlifelicence@npws.gov.ie

Part A. The Applicant: Personal Details

These questions relate to the person responsible for any proposed works and who will be the **named licensee**. As the licensee you will be responsible for ensuring compliance with the licence and its conditions, even though you may employ another person to act on your behalf.
If this application is being submitted on behalf of a third party please also complete Part B below.

1. (a) Name of Applicant

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
Mr	Eoin	Deffely
(b) Company Name, if applicable	Glenveagh Homes	
(c) Address Line 1	Block C, Maynooth Business Campus,	
Address Line 2	Straffan Road	
Town	Maynooth	
County	Co Kildare	
Eircode	W23 F854	
(d) Contact number	[redacted]	
(e) Email address	[redacted]	
(f) Address where works are to be carried out if different from (b) above.		
Address Line 1	Kilnahue,	
Address Line 2		
Town	Gorey,	
County	Co. Wexford	
Eircode		

Part B. Details of Person Submitting Application on Behalf of Applicant/Licensee

Information relating to the person (e.g. ecologist) responsible for submitting the application on behalf of the applicant/licensee should be entered below:

1. (a) Name of Person/Ecologist

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
Mr	Bryan	Deegan
(b) Company Name	Altemar	
Address Line 1	50 Templecarrig Upper	
Address Line 2		
Town	Delgany	
County	Wicklow	
Eircode		
(c) Contact number	[redacted]	
(d) Email address	[redacted]	

(e) Relationship to Applicant	Project Ecologist

Part C. The Application

1. **Species of Animal:** Please indicate which species is affected by the proposed works:

- Bat ☒
- Otter ☐
- Kerry Slug ☐
- Natterjack Toad ☐
- Dolphin ☐
- Whale ☐
- Turtle ☐
- Porpoise ☐

2. Please detail the exact species (scientific name): Pipistrellus pygmaeus

3. Please provide the maximum number of individuals affected* 1

4. Please provide the maximum number of breeding or resting sites affected* 1 x bat roosts

5. Please provide the maximum number of eggs to be taken* N/A

6. Please provide the maximum number of eggs to be destroyed* N/A

*If no figures can be provided for the maximum number of individuals, breeding sites, resting places and eggs to be covered by the derogation please provide reasons why.

7. **Species of Plant:** Please indicate which species is affected by the proposed works:

- Killarney Fern ☐
- Slender Naiad ☐
- Marsh Saxifrage ☐

8. If you previously received a derogation for any species of animal or plant please state licence number and confirm that you have made a return to NPWS on the numbers actually affected by that licence

Licence No. C 158/2021 translocation of frogs.

Licence No.: DER/BAT 2023 – 126- Removal of bats in Greenore Co. Co. Louth.

Licence No.: Der/Bat (151-2024)- Removal of bats from Central Mental Hospital.

Altemar have also been involved in the translocation of 7 badgers at the Glass Bottle site in Ringsend (Dr Chris Smal)

9. **Proposed Dates for Works:** Please indicate the timeframe that you propose to carry out works. Dates set by NPWS may differ from dates proposed here.

Start Date:	Planning Dependant Q2-2026 (approx.)
End Date:	Planning Dependant Q1-2028 (approx.)

10. Please tick which reason below explains How this Application Qualifies under Regulation 54(2)(A-E) of the European Communities (Birds and Natural Habitats) Regulations:

a.	In the interests of protecting wild flora and fauna and conserving natural habitats	☐
b.	To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property	☐
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	☒
d.	For the purpose of research and education, of re-populating and re-introducing these species and for the breeding operations necessary for these purposes, including artificial propagation of plants	☐
e.	To allow, under strictly supervised conditions, on a selective basis and to a limited extent, the taking or keeping of certain specimens of the species to the extent specified therein, which are referred to in the First Schedule	☐

11. Report Checklist: Please append a detailed report to support this application and ensure that it contains the following information:

11.1	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.	☒
11.2	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.	☒
11.3	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.	☒
11.4	As much information as possible to allow a decision to be made on this application.	☒

Part D. Declaration

I declare that all of the foregoing particulars are, to the best of my knowledge and belief, true and correct. I understand that the deliberate killing, injuring, capturing or disturbing of protected species, or damage or destruction of their breeding sites or resting places or the deliberate taking or destroying of eggs is an offence without a licence and that it is a legal requirement to comply with the conditions of any licence I may be granted following this application. I understand that NPWS may visit to check compliance with a licence.

Please note that under Regulation 5 of the European Communities (Birds and Natural Habitats) Regulations 2011-2021 an authorised officer may enter and inspect any land or premises for the purposes of performing any of his or her functions under these Regulations or for obtaining any information which he or she may require for such purposes.

Signature of the Applicant  **Date** 01/07/2026

Name in BLOCK LETTERS Bryan Deegan

PRIVACY STATEMENT

Please note that under Data Protection legislation Wildlife Licencing Unit staff may only discuss licence applications with the applicant, and not with any third party. See Privacy Statement at www.npws.ie/licences

npws.ie

Department of Housing, Local Government and Heritage