BAT DEROGATION LICENCE APPLICATION – GLASPISTOL CASTLE

Project Reference	240209-a
Date	14/01/2026
Subject	Glaspistol Castle Phase 3 - Derogation License
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Introduction

MKO have been commissioned by Charles Markey c/o 7L Architects to carry out ecological surveys for a phased project to stabilise and conserve the ruins of Glaspistol Castle. The proposed works involve the stabilisation and conservation of the castle to prevent any deterioration or further collapse. No stabilisation works were undertaken in 2025 under the previous derogation licence and therefore an extension of the derogation licence is being requested.

In preparation of Phase 3 works, a dedicated daytime inspection and dusk emergence survey were carried out in June 2025. While no bats were found to be roosting within the proposed Phase 3 works area during the surveys, the castle provides opportunistic roosting features. Additionally, a previous survey carried out in 2022 confirmed a single brown long-eared bat roosting in a stone crevice on the ground floor which has been retained. Surveys in 2024 observed three Brown long-eared bats within the building.

MKO employs a dedicated bat unit within its Ecology team, experienced in scoping, carrying out, and reporting on bat surveys, as well as producing impact assessments in relation to bats. MKO ecologists have relevant academic qualifications, licences and are qualified in undertaking surveys to the levels required. The daytime inspection and dusk emergence survey were carried out by Saoirse Fitzsimons (BA., MSc.) and Noel Fahy (BSc.) under the supervision of licenced Bat Ecologist Aoife Joyce (BSc., MSc.) (DER-BAT-2025-117).

This briefing note includes a brief description of the works proposed in this phase of the conservation works, the survey works that have been undertaken by MKO and the proposed mitigation that is designed to ensure that there will be no adverse effects on protected fauna.

Background

Proposed Activity

The proposed Phase 3 works aim to support the stabilisation and conservation of Glaspistol Castle. The proposed works will involve the erection of scaffolding, removal of ivy, raking, pinning and pointing along with specialist stone repairs. Pinning and pointing of joints will be carried out using a mixture of salvaged stone and lime & sand mortar.

Location

The site of the proposed works area is Glaspistol Castle, Glaspistol Co. Louth located close to Clogherhead Co. Louth. (Grid reference: E315814, N283242).

Ownership

The castle lies within the grounds of Glaspistol House and is privately owned by the Markey family.

Reason for Activity

The tower house is approximately thirteen meters high, with walls 8m x 9m in plan with the addition of an offshoot (2 x 4.5m) containing the spiral staircase, that once gave access out onto a wall walk along the north side. Wall thicknesses vary from 1.1 up to 1.9m along the west side.

The walls are constructed with coursed limestone rubble with larger dressed quoins. Its walls are thick and of robust construction and its simple square plan form lends itself to stability, however the tower has suffered from water ingress through the centuries.

Of most concern for the conservation of the tower house is its advanced state of decay. This gradual process will continue unless the structure is stabilized and weathered, while sections of its walls being at risk of collapse. Works to the north wall internally and externally, along with some repairs to the basement vault, were carried out in 2022. The Phase 3 works will focus on the northwest corner and west wall of the castle.

The aim of the proposed works is:

- To protect and maintain the existing built and archaeological heritage of Glaspistol Castle, while minimising the impact of the conservation repairs.
- To carry out specialist repairs to the existing tower to assist in its preservation as well as the security of the site.

Planning History

Please refer to the Conservation Methodology & Specifications in Appendix 1 for full details on the planning history.

Proposed Works

Phase 3 works will include the installation of a limecrete screed capping to the floor vault. Protective measures will be put in place for nearby landscape features not included in the current phase. Scaffolding will be limited to necessary areas, with a method statement required from the contractor for approval. All vegetation will be removed and treated walls washed. Existing pointing will be raked out and repointed using a gauged quicklime and sand mortar to match the original, with small stone pinnings used to tighten joints. Lime grouting may be applied to large voids. Existing openings and voids will be repaired following CORA methodology, including new Irish Blue Limestone lintels installed to match existing courses. Larger voids in walls will be refaced with recessed rubble stone, and the stone dovecote will be cleaned, dismantled to a stable base, and reassembled under archaeological

supervision. Openings altered by stone loss will be carefully assessed and restored. Smaller voids will be filled with salvaged facing stone in lime mortar. Parapets, stone roofs, and wall tops will be inspected post-ivy removal, with disturbed wall heads consolidated and capped using flat salvaged limestone or rough-racked with lime mortar.

Please refer to the Conservation Methodology & Specifications in Appendix 1 and CORA Engineering Drawings in Appendix 2 for full details on the proposed works for Phase 3.

The works are proposed to start once the appropriate derogation licence has been obtained and a pre-commencement survey has taken place. Works are expected to be completed before the 31st of October 2025 due to funding.

Ecological Surveys and Site Assessment

Existing Information

Previous Survey Results - 2024

A winter daytime inspection survey was carried out on the 6th March 2024 by two licenced bat ecologists, Kate Greaney and Ryan Connors (DER-BAT-2024-54) to assess the castle. Full access was granted to the structure on the day. The castle was assessed for the potential to support roosting bats. A systematic search of all accessible interiors was undertaken. The exterior of the building was inspected first from ground level up. The inspection was carried out with the aid of torches, an endoscope, a thermal camera and binoculars, and searched for evidence of bat use, including live and dead specimens, droppings, feeding remains, urine splashes, fur oil staining and noises, as well as the potential access points into the structure. No evidence of bats were discovered on the day of the inspection; however, it was concluded that the castle does provide multiple potential roosting opportunities for bats both within the interior and exterior.

A report was completed, and a derogation licence was sought for completion of phase one of the works. A derogation licence (DER/BAT 2024 –95) was obtained for works to commence from the 14th March 2024 to 1st July 2024.

A pre-commencement bat inspection was then conducted by licensed ecologist on the 26th April 2024, following scaffolding installation. The works area was thoroughly inspected using an endoscope and torch, with any crevices large enough to support bats temporarily filled. No roosting bats were found during the inspection, though five suitable crevices were marked for retention, including one previously known Brown long-eared bat roost on the ground floor, which was protected and excluded from works.
A toolbox talk was given to all site workers to outline measures for bat protection, including stopping work if bats or roosts were found, minimising lighting and noise, and ensuring roost locations were not obstructed.
A final site inspection on 18th July 2024 confirmed that all works were completed as per licence conditions, mitigation measures were implemented, the five identified crevices were retained, and the ground floor roost remained undisturbed. Three Brown long-eared bats were observed within the building during the final visit.

Previous Survey Results - 2022

An initial inspection of the castle was completed on the 26th of May 2022 by Donna Mullen from Wildlife Surveys Ireland Ltd. A dusk emergence and a dawn re-entry survey followed the initial inspection. Conditions were suitable for bat surveys on the night. The purpose was to identify any bat species, numbers, access points and roosting locations within the structure.

Four species of bat were found to be commuting and foraging around the building. They included Soprano and Common pipistrelles, Leisler's bat and Brown long-eared bat. One Brown long-eared bat was confirmed to re-enter a roosting location on the ground floor of the castle on the morning of the dawn re-entry survey. No other roosting bats were identified during the surveys.

A report was completed, and a derogation licence was sought for completion of phase one of the works. A derogation licence (DER/BAT 2022-80) was obtained for works to commence from the 15th of August 2022.

Status of species in local/regional area

Table 1 Irish Bat Species Conservation Status and Threats (NPWS, 2019). Pressures and Threats are ranked from medium importance (M) to high importance (H) in the 2019 Article 17 report.

Bat Species	Conservation Status	Principal Threats
Common pipistrelle *Pipistrellus pipistrellus*	Favourable	**A05** Removal of small landscape features for agricultural land parcel consolidation (M) **A14** Livestock farming (without grazing) [impact of anti-helminthic dosing on dung fauna] (M) **B09** Clear--cutting, removal of all trees (M) **F01** Conversion from other land uses to housing, settlement or recreational areas (M) **F02** Construction or modification (e.g. of housing and settlements) in existing urban or recreational areas (M) **F24** Residential or recreational activities and structures generating noise, light, heat or other forms of pollution (M) **H08** Other human intrusions and disturbance not mentioned above (Dumping, accidental and deliberate disturbance of bat roosts (e.g. caving) (M) **L06** Interspecific relations (competition, predation, parasitism, pathogens) (M) **M08** Flooding (natural processes) **D01** Wind, wave and tidal power, including infrastructure (M)
Soprano pipistrelle *Pipistrellus pygmaeus*	Favourable	
Nathusius' pipistrelle *Pipistrellus nathusii*	Unknown	
Leisler's bat *Nyctalus leisleri*	Favourable	
Daubenton's bat *Myotis daubentoni*	Favourable	
Natterer's bat *Myotis nattereri*	Favourable	
Whiskered bat *Myotis mystacinus*	Favourable	
Brown long-eared bat *Plecotus auritus*	Favourable	
Lesser horseshoe bat *Rhinolophus hipposideros*	Inadequate	

Survey Objective(s)

The main objective of the surveys was to gather information on roosting, commuting, and foraging bats using the site and to identify any important features for bats. The surveys were designed to determine the nature, scale, and locations of potential bat activity in the castle and to assess the need for further surveys or recommendations to safeguard bats.

Description of Survey Area

As described within the Conservation Methodology & Specifications in Appendix 1, Glaspistol Castle, one of the 'ten-pound towers' of the fifteenth century built to fortify the Pale, has a rich sense of place and continuity with its owner's family over the generations. As recently as the nineteenth century, it formed part of a larger complex of farm buildings set around a yard. Evidence of an attached two-storey building can be seen with a prominent roof scar high up on the north wall. Well-preserved including the remains of a wall walk (now inaccessible), with fine stone carvings and architectural detail, contribute to a place of regional cultural significance.

Figure 1 Site Location

Plate 1 external northwest extent of Glaspistol Castle

Plate 2 Internal northwest corner of Glaspistol Castle

Plate 3 Internal western wall of the castle where works are proposed

Survey Methodology

A daytime inspection and dusk emergence survey were conducted on the 18th June 2025 two MKO bat ecologists to assess the castle for its potential to support roosting bats. Full access to the structure was provided. The daytime inspection survey included a thorough examination of all accessible interior spaces and an external inspection from ground level upwards. Equipment used included torches, an endoscope, a thermal camera, and binoculars to search for signs of bat activity, such as live or dead bats, droppings, feeding remains, urine stains, fur oil marks, and vocalisations, as well as potential access points.

During the dusk emergence survey, one surveyor was located within the castle on the second floor to the southeast, whilst the other was located to the northwest of the castle in the surrounding vegetation. The purpose was to identify any bat species, numbers, access points and roosting locations within the castle building. Night vision aids (NVAs), including a thermal camera, aided the survey effort. Surveys were carried out in favourable weather conditions. The roost emergence survey commenced at least 15 minutes before sunset and concluded approximately 1.5 hours after sunset. The survey effort is summarised in Table 2 below.

Table 2 Bat Activity survey effort

Date	Surveyors (initials)	Survey Type	Sunrise/ Sunset	Start	End	Weather
18/06/2025	SFitzs, NF	Roost Emergence	22:03	21:38	23:30	14˚C, Dry, Calm

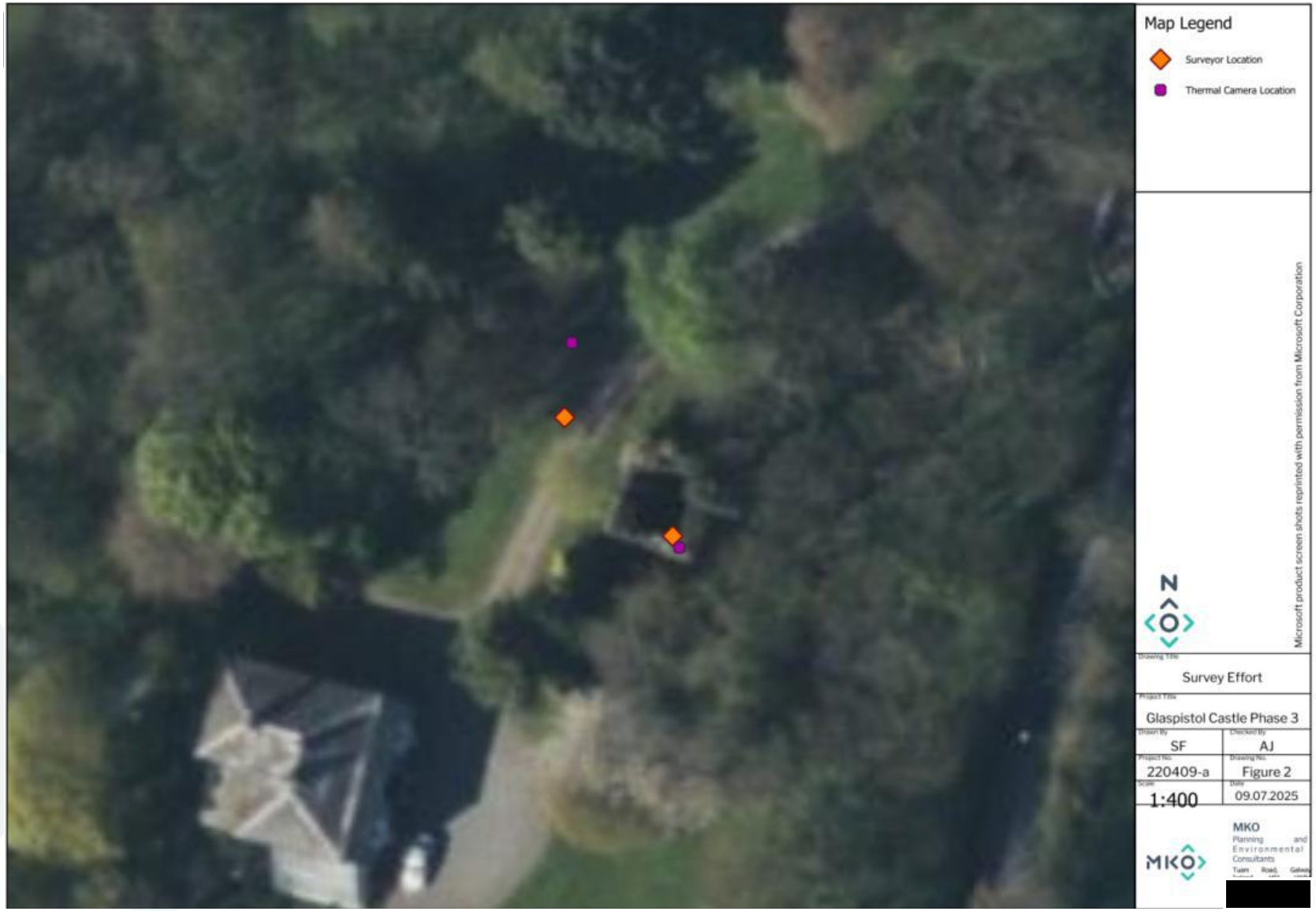

Figure 2 Survey Effort – 18th June 2025

Survey Results

2025

No evidence of bats was found during the inspection; however, the castle was determined to offer multiple potential roosting opportunities both inside and out. A dusk emergence survey was carried out later that evening, with one surveyor stationed inside the southeast corner of the castle and the other outside to the northwest focusing on the proposed works areas. No bats were seen emerging from the castle. However, Leisler's bat, brown long-eared bat, and both common and soprano pipistrelle bats were observed commuting and foraging within and around the castle and its surrounding habitats.

Population size and class assessment

A previous survey carried out in 2022 confirmed a single brown long-eared bat roosting in a stone crevice on the ground floor which has been retained. This is outside the Phase 3 proposed works area. A site visit in July 2024 observed three brown long-eared bats within the building. However, surveys in 2025 did not reveal any additional roosting bats within the site. No roosting bats have been identified within the proposed Phase 3 works area.

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). We are of the opinion that the following reasons apply:

> *(c) In the interest 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 site comprises a sixteenth-century castle in poor condition, located close to Clogherhead, Co. Louth. A structural assessment has been carried out by CORA Consulting Engineers, and they have identified large cracks in the walls along with smaller cracks to structural elements such as lintels which require repair. In the interest of public safety, structural repair works are required to maintain the site and to prevent any further damage. The proposed works are necessary for the conservation of a protected heritage building, without which the structure would fall into further decline, thus rendering the structure unsafe. Glaspistol Castle – tower house (LH022-019) is listed as a protected structure.
Additionally, historic built fabric, archaeology and natural heritage are given protection under the following legislation:

- Planning & Development Acts
- National Monuments Acts, 1930–2004, and the Record of Monuments & Places, established under Section 12 of the 1994 Act.
- EU Habitats Directive (92/43/EEC)
- EU Birds Directive (79/409/EEC as amended 2009/147/EC)
- Wildlife Amendment Act (2000)

Subject to funding and approvals, the 2025 phase will address major defects on the west side of the tower, including a large high-level void and a severely damaged dovecote. The proposed works aim to preserve the built and archaeological heritage of the site through specialist conservation repairs, while minimising impact and improving overall site stability. Although no roosting bats were found within the proposed works area, the derogation licence is being applied for on a precautionary basis in the unlikely event that bats are identified during the works. Additionally, as there were bats identified roosting in other locations within the castle, there is potential for temporary disturbance.

Test 2 – There is no Satisfactory Alternative

There are no alternatives to the structural works. The repair works have been designed with specialist architecture in mind to retain the remainder of the castle ruin and to prevent any further damage. The current structure has been identified as presenting a high risk and needs to be repaired. If the works are not carried out, the stability of the structure will be compromised and there is a high risk of further damage occurring, if the building were to collapse it would cause damage to the current roosts on site.

As outlined in the Conservation Methodology & Specifications in Appendix 1, the CORA consulting engineer have assessed the building as being at risk structurally. They have identified large cracks in the walls along with smaller cracks to structural elements such as lintels which require repair.

Test 3 – Favourable Conservation Status

We are applying for the licence on a precautionary basis. The works are proposed to start once the appropriate derogation licence has been obtained and a pre-commencement survey has taken place. All works are proposed in the northwest corner of the castle and no works are proposed in the vicinity of the previously confirmed Brown long-eared roost. No roosting bats were identified in 2025, however, three Brown long-eared bats were observed within the building during the final visit in 2024. To ensure no significant effects on bats occurs, a number of additional mitigation measures will be in place as outlined below. The licence has been applied for on a precautionary basis to ensure that, in the event that bats are found to be roosting in the structure they are appropriately cared for, and no potential for detrimental impacts on the local bat population or their conservation status exists.

Monitoring the impacts of the derogations

Whilst no bats were found to be roosting within the proposed works areas during the inspection, the castle does provide multiple opportunistic roosting features and a previous survey, carried out during the main bat activity period in 2022, confirmed a single Brown long-eared bat roosting in stonework on the

ground floor. Three brown long-eared bats were also noted within the building in 2024. Following the precautionary principle, a derogation licence is being sought for this phase of the proposed works.

- A precautionary derogation licence will be obtained from NPWS prior to works commencing.
- Prior to the commencement of works, a toolbox talk will be undertaken to ensure that all staff members are fully aware of the sensitivities of the site.
- No works are proposed in the vicinity of the previously confirmed Brown long-eared roost.
- Following the erection of the scaffolding, a pre-commencement endoscope and visual inspection survey will be carried out by a licenced ecologist, including inspection of all areas where maintenance is proposed, to search for roosting bats or evidence of roosting bats.
- Should roosting bats be found, no works will be undertaken in the vicinity that could disturb the identified roost.
- Crevices identified and earmarked for retention in the previous phase of works will be retained.
- The loss of potential roosting habitat within the castle will be minimised through the maintenance of some suitable crevices in the stonework.
- There will be no lighting associated with the proposed works.

The surveys and recommendations provided in this report are in accordance with the relevant industry guidance. Provided that the works are carried out in accordance with the measures outlined within this report, no impacts on bats are anticipated at any geographic scale.