

Bat Fauna Impact Assessment for the proposed development of 2 no.  
existing cottages at Deer Park, Howth Demesne,  
Howth, Co. Dublin



9<sup>th</sup> January 2024

**Prepared by:** Bryan Deegan (MCIEEM) of Altemar Ltd.

**On behalf of:** WSHI Unlimited Company

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Document Control Sheet			
<b>Client</b>	WSHI Unlimited Company		
<b>Project</b>	Bat Fauna Impact Assessment for the proposed development of 2 no. existing cottages at Deer Park, Howth Demesne, Howth, Co. Dublin		
<b>Report</b>	Bat Fauna Impact Assessment		
<b>Date</b>	9 <sup>th</sup> January 2025		
<b>Version</b>	<b>Author</b>	<b>Reviewed</b>	<b>Date</b>
Version 01	Bryan Deegan	Gayle O'Farrell	09 <sup>th</sup> October 2024
Version 02	Bryan Deegan	Gayle O'Farrell	09 <sup>th</sup> January 2025

## Summary

<b>Structure/features:</b>	2 no. two storey semi-detached cottages
<b>Location:</b>	Deer Park, Howth Demesne, Howth, Co. Dublin.
<b>Bat species in the site outline:</b>	Two Common pipistrelle ( <i>Pipistrellus pipistrellus</i> ) bats recorded roosting onsite. Foraging activity of Leisler's Bat ( <i>Nyctalus leisleri</i> ) and Common Pipistrelle ( <i>Pipistrellus pipistrellus</i> ) noted onsite.
<b>Proposed work:</b>	Restoration & re-use of 2 no. cottages
<b>Impact on bats:</b>	The proposed development will change the local environment as new lights and structures are to be erected. A bat roost containing two common pipistrelle bats within the cottage stone buildings will be lost. A compensatory bat roost has been designed into the proposed development to offset the loss this existing bat roost. It would be expected that, with a sensitive lighting strategy, foraging activity will continue on site. A pre-construction inspection will be carried out on onsite buildings proposed for restoration. The proposed development will result in a long term/low adverse/not significant/negative impacts on bats. A derogation licence is required for the proposed development.
<b>Surveys by:</b>	Frank Spellman & Gayle O'Farrell
<b>Survey dates:</b>	18 <sup>th</sup> September 2024 & 24 <sup>th</sup> September 2024.

# Competency of Assessors

This report has been prepared by Bryan Deegan 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).

Frank Spellman (MSc Zoology, BSc Zoology) has extensive experience in carrying out a wide range of fauna surveys as both a sub-contractor and employee for environmental consultancies and organisations in Ireland and the US. These include both roving and static acoustic bat surveys, terrestrial non-avian mammal surveys, breeding/wintering bird surveys, freshwater ecology surveys as well as flora/invasive plant surveys. Frank has been lead surveyor on numerous development projects within Ireland carrying out full avian/non-avian mammal, wintering bird and breeding bird assessments.

Gayle O'Farrell (BSc (Hons.) Agri-Environmental Sciences) is a full-time ecologist with Altamar and has a range of experience carrying out breeding/wintering bird assessments, non-volant terrestrial mammal surveys, flora and habitat mapping. Gayle is skilled in bat detection through static detector surveys, dusk emergence, and dawn re-entry surveys.

## Legislative Context

*Wildlife Act 1976 (as amended by, inter alia, the Wildlife (Amendment) Act 2000).*

Bats in Ireland are protected by the Wildlife (Amendment) Act 2000. Based on this legislation it is an offence to wilfully interfere with or destroy the breeding or resting place of any species of bat. Under this legislation it is an offence to *“Intentionally kill, injure or take a bat, possess or control any live or dead specimen or anything derived from a bat, wilfully interfere with any structure or place used for breeding or resting by a bat, wilfully interfere with a bat while it is occupying a structure or place which it uses for that purpose.”*

Habitats Directive- Council Directive 92/43/EEC 1992 on the conservation of natural habitats and of wild fauna and flora has been transposed into Irish Law, including, via, *inter alia*, the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended). See Art.73 of the 2011 Regulations which revokes the 1997 Regulations.

Annex II of the Council Directive 92/43/EEC 1992 on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) lists animal and plant species of Community interest, the conservation of which requires the designation of Special Areas of Conservation (SACs); Annex IV lists animal and plant species of Community interest in need of strict protection. All bat species in Ireland are listed on Annex IV of the Directive, while the Lesser Horseshoe Bat (*Rhinolophus hipposideros*) is protected under Annex II which related to the designation of Special Areas of Conservation for a species.

Under the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), all bat species are listed under the First Schedule and, pursuant to, *inter alia*, Part 6 and Regulation 51, it is an offence to:

- Deliberately capture or kill a bat;
- Deliberately disturb a bat particularly during the period of breeding, hibernating or migrating;
- Damage or destroy a breeding site or resting place of a bat;
- Keep, sell, transport, exchange, offer for sale or offer for exchange any bat taken in the wild.

# Description of the Proposed Project

WSHI Unlimited Company intends to apply for permission for the restoration and re-use of 2 no. existing cottages at Deer Park, Howth Demesne, Howth, Co. Dublin, D13 TR62 within the grounds of Howth Castle (RPS Ref. No. 556).

The proposed works will comprise new lime render finish to existing exposed stone and brickwork; repairs to existing stone finish; new stairs to access first floor levels; removal and replacement of party wall between units; existing windows and doors to be repaired or replaced; new window / door openings; existing roof to be repaired or replaced; provision of bin store and bicycle store, associated car parking, site development, drainage and landscaping works.

The proposed site outline and site plans are demonstrated in Figures 1 - 3.

## Landscape

The landscape strategy for the proposed development has been prepared by Griffin Landscape Architects to accompany this planning application. The proposed landscape plan is demonstrated in Figure 4.

## Bat Survey

This report presents the results of two emergent and handheld detector surveys (18<sup>th</sup> & 24<sup>th</sup> September 2024), undertaken by Frank Spellman MSc BSc and Gayle O'Farrell BSc. Trees and buildings on site were examined for bat roosting potential. Bat detector and emergent detector survey used an Echo Meter Touch 2 Pro detector to determine bat activity.

## Survey Methodology

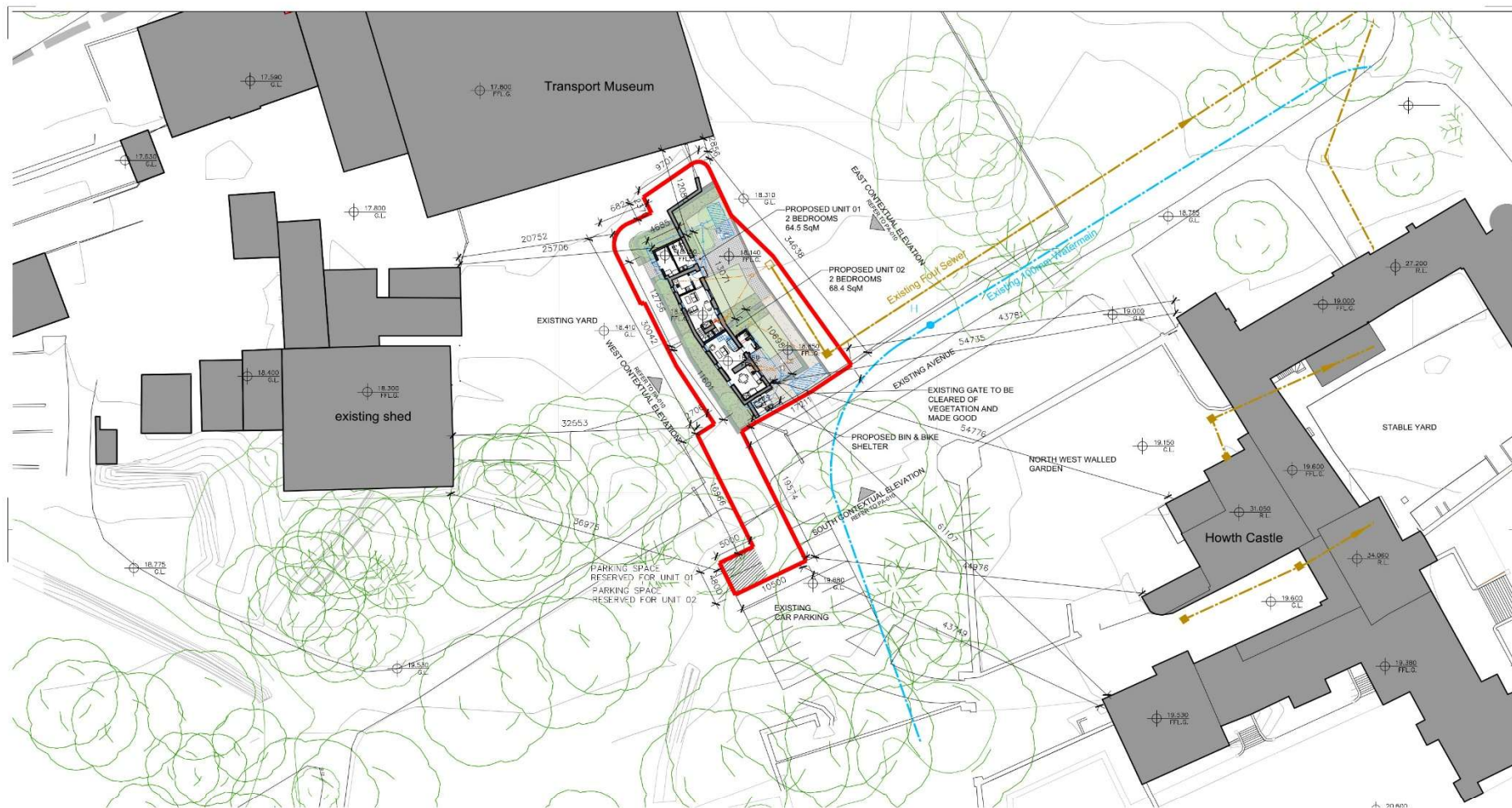
As outlined in Marnell et al. 2022 *'The presence of a large maternity roost can normally be determined on a single visit at any time of year, provided that the entire structure is accessible and that any signs of bats have not been removed by others. However, most roosts are less obvious. A visit during the summer or autumn has the advantage that bats may be seen or heard. Buildings (which for this definition exclude cellars and other underground structures) are rarely used for hibernation alone, so droppings deposited by active bats provide the best clues. Roosts of species which habitually enter roof voids are probably the easiest to detect as the droppings will normally be readily visible. Roosts of crevice-dwelling species may require careful searching and, in some situations, the opening up of otherwise inaccessible areas. If this is not possible, best judgement might have to be used and a precautionary approach adopted. Roosts used by a small number of bats, as opposed to large maternity sites, can be particularly difficult to detect and may require extensive searching backed up by bat detector surveys (including static detectors) or emergence counts.'* In relation to the factors influencing survey results the guidelines outlines the following *'During the winter, bats will move around to find sites that present the optimum environmental conditions for their age, sex and bodyweight and some species will only be found in underground sites when the weather is particularly cold. During the summer, bats may be reluctant to leave their roost during heavy rain or when the temperature is unseasonably low, so exit counts should record the conditions under which they were made. Similarly, there may be times when females with young do not emerge at all or emerge only briefly and return while other bats are still emerging thus confusing the count. Within roosts, bats will move around according to the temperature and may or may not be visible on any particular visit. Bats also react to disturbance, so a survey the day after a disturbance event, may give a misleading picture of roost usage.'*

*The survey involved the methodologies outlined in Collins (2016) which included the roost inspection methodologies i.e. external methodology outlined in section 5.2.4.1 and the internal survey outlines in section 5.2.4.2 of the guidelines. In addition, the methodologies for Presence absence surveys (Section 7) was carried out for dust emergent surveys.'*

*As outlined in Collins (2016) 'The bat active period is generally considered to be between April and October inclusive (although the season is likely to be shorter in northern latitudes). However, because bats wake up during mild conditions, bat activity can also be recorded during winter months.'*







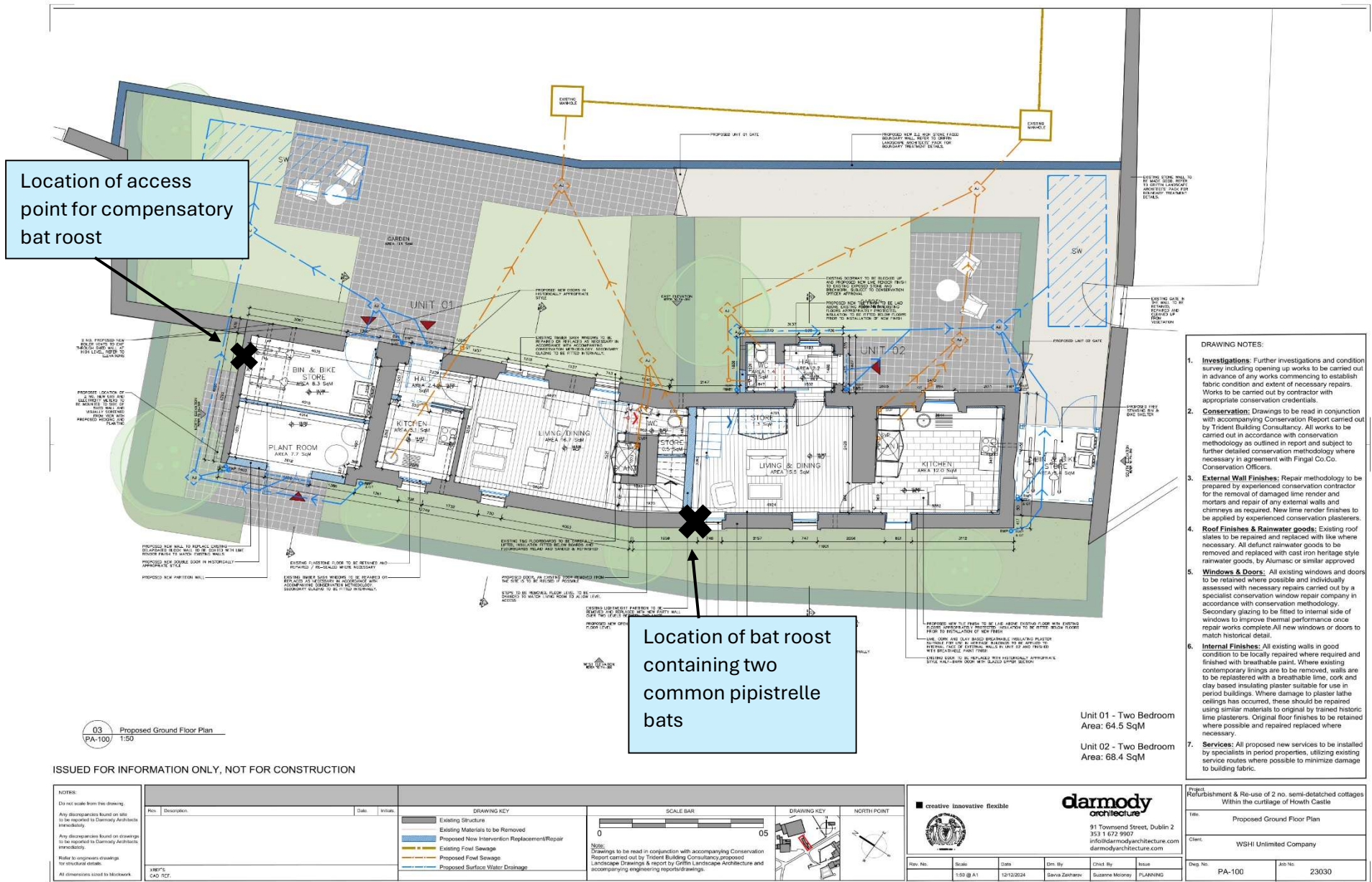
1 Proposed Site Plan  
PA-003 1:500

ISSUED FOR INFORMATION ONLY, NOT FOR CONSTRUCTION

<p>NOTES:</p> <p>Do not scale from this drawing.</p> <p>Any discrepancies found on site to be reported to Clarmody Architects immediately.</p> <p>Any discrepancies found on drawings to be reported to Clarmody Architects immediately.</p> <p>Refer to engineers drawings for structural details.</p> <p>All dimensions stated to blockwork.</p>		<p>Rev. Description Date Index</p>		<p>DRAWING KEY</p>		<p>SCALE BAR</p> <p>0 10 20m</p>		<p>DRAWING KEY</p>		<p>NORTH POINT</p> <p>N</p> <p>W E S</p>		<p>creative innovative flexible</p> <p><b>clarmody architecture</b></p> <p>91 Townsend Street, Dublin 2 553 1 672 9907 info@clarmodyarchitecture.com clarmodyarchitecture.com</p>		<p>Project: Howth Cottages Howth, Co. Dublin</p> <p>Title: Proposed Site Plan</p> <p>Client: WISHI Ltd.</p> <p>Dwg. No: PA-003 Job No: 23030</p>	
<p>Rev. No: 1</p> <p>Scale: 1:500 @ A3</p> <p>Date: 26/11/2024</p> <p>Des. By: Berna Zaidman</p> <p>Chk. By: Suzanne Moloney</p> <p>Issue: PLANNING</p>															

Figure 2. Proposed Site Plan





**Figure 3. Proposed Ground Floor Plan**







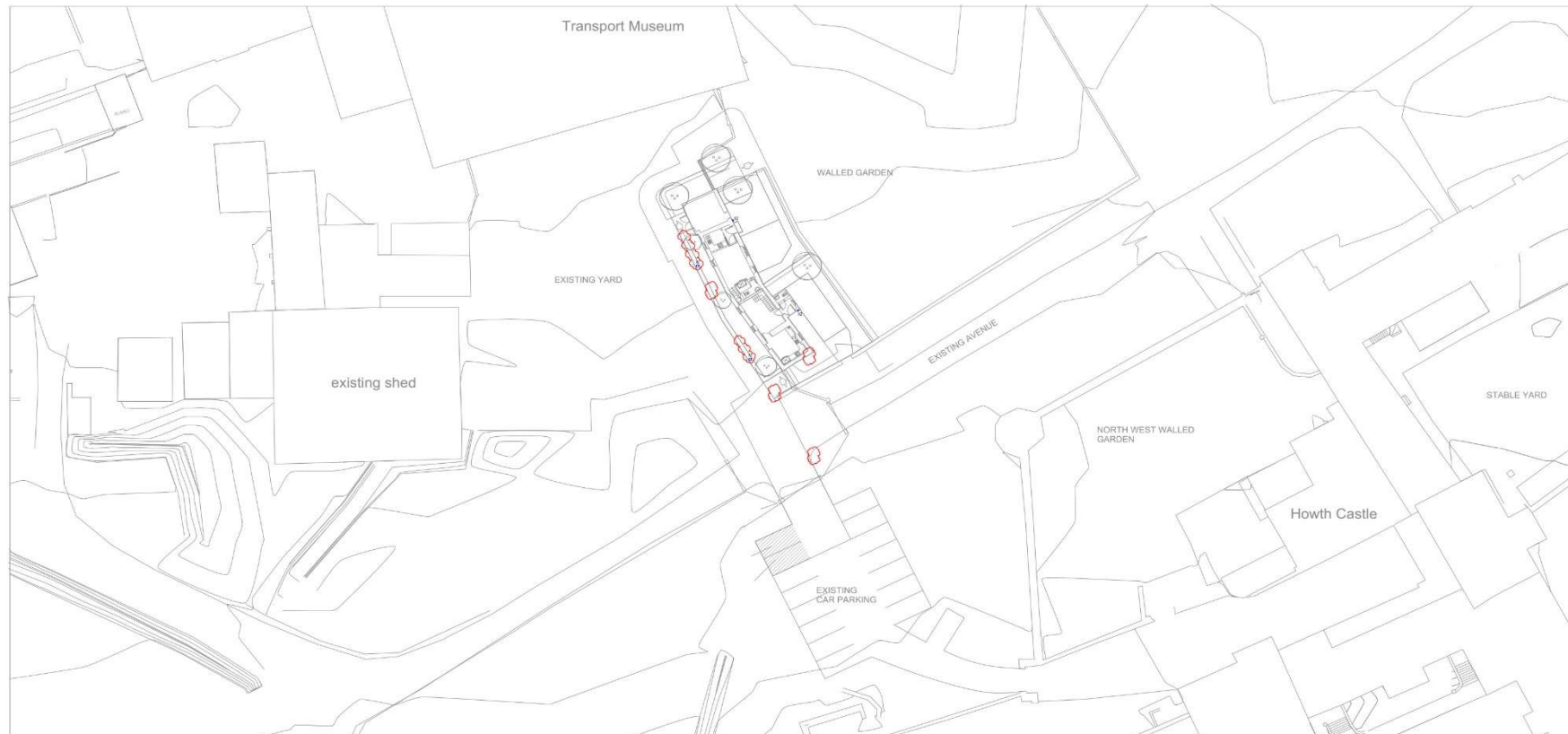
Figure 4. Proposed Landscape Plan

## Lighting

A lighting services layout has been prepared by Renaissance Engineering to accompany this planning application. The lighting layout is demonstrated in Figure 5. Consultation between Altemar and Renaissance Engineering to incorporate bat-friendly external lighting into the proposed lighting design. This will ensure that bats can continue to utilise the site post-construction. Given the small scale of the proposed development, minimal external lighting is required. Low-level downward-facing light fittings and bollards are proposed. The northern portion of the site will remain unlit. Access to the compensatory bat roost is located within the unlit northern portion of the site. The final lighting design and installation will be carried out in conjunction with the project ecologist. Lighting is compliant with bat lighting guidelines and is set to 3000°K.

### *Light fixtures proposed for the development*

Lighting Fixture Schedule					
Type Mark	Image	Description	Manufacturer	Model	Count
X1		Bollard Light	Northcliffe	Nodus LED1x1200 J707 T830	2
X2		Rectangular Wall Mounted LED Bulkhead	Northcliffe	Cube Up LED1x1100 J805 T830 R36	2



Lighting Fixture Schedule					
Type Mark	Image	Description	Manufacturer	Model	Count
A1		Isolated Light	Herbolite	Model LED120 200 1600	2
A2		Rectangular Wall Mounted LED Bulbhead	Herbolite	Class 40 LED141 100 200 1600 K90	2

#### Legend

- Isolated Light
- Rectangular Wall Mounted LED Bulbhead

Note: Final lighting design and installation to be carried out in conjunction with ecologist requirements regarding bat protection.

#### Lighting Services Notes:

- Lighting Wiring & 5-core PVC cable including earth, keep in mind, no joints allowed. Protection 10A RCD Type B, BS 271.
- Exact location of light fittings to be agreed on site in consultation with the Architect and/or Engineer.
- External lighting using external 5-core PVC cable. External lighting controlled by circuit breaker.
- All luminaires shall be subject to approval by the Client Design Team. The Specialist shall allow for a cost and the relevant contractor engineering requirements for each type of luminaire specification.
- All emergency lighting shall be designed, supplied and installed by the Specialist Contractor. This secondary requirement shall be accepted and installed as per the specification and schedule.
- The exact mounting height and location of luminaires shall be agreed on site with the Engineer and Architect prior to installation.
- The electrical contractor shall include for the supply, installation, test and commissioning of the entire lighting system, including fixings and the commissioning of same.
- Final selection of luminaires shall be agreed with the Client Design Team prior to order.
- Light switching control system shall generally be the same for the drawing. The final location of the light switches to be agreed with the Engineer prior to installation.
- Lighting control system shall be provided by a 10A type B RCD to be installed and general lighting shall be provided by a 10A type B RCD.
- All luminaires shall be as per the Architect's fixture schedule.
- All luminaires to be supplied in complete, correct gear, supports and accessories to complete the installation to the manufacturer's recommendations.

#### Emergency Lighting Services Notes:

- Emergency lighting using 5-core PVC cable in routing and control conducted by proprietary emergency lighting test leads.
- Emergency lighting installation to comply with BS 5266:2009+A1:2017 (or current edition).
- The contractor/ Specialist shall supply, install, mount, earth, test and commission a complete emergency lighting installation in accordance with the requirements of BS 5266:2009+A1:2017 (or current edition).
- All emergency lighting equipment shall be supplied from a single vendor/ supplier/ manufacturer. The contractor shall provide complete installation for inclusion in the building safety file and BS 5266:2009+A1:2017 (or current edition).
- All equipment shall be supplied as per the manufacturer's specifications and schedule.
- A sample of each item of equipment shall be provided to the Architect and Engineer for inspection for sign off approval prior to the commencement of fit to installation work.

#### General Notes:

- This drawing is to be read in conjunction with all relevant Architect and Structural Engineer's Construction and drawings, Part Conditions and Part Drawings, along with the relevant Mechanical and Electrical specifications and any other documentation.
- Do not scale from this drawing.
- The drawing is a representation only. All dimensions are in millimeters (mm), unless otherwise stated. Use the Imperial dimension system.
- The installation of all services and fittings to be agreed on site with the Architect and/or Structural Engineer prior to installation.
- The installation of all services and fittings to be agreed on site with the Architect and/or Structural Engineer prior to installation. The contractor shall allow for the setting out and installation around all structures. Additional cable required by the contractor due to the location of services shall not be entered into.
- Connections to equipment to be made by the contractor.
- Any discrepancies between this drawing and on-site conditions must be reported to Renaissance Engineering LTD immediately. Any changes from the design drawing must be agreed with the Engineer in writing. A letter to give the approval must be issued to the Engineer prior to the installation.
- Installation - Contractor shall ensure that the design drawing is in compliance with the relevant standards and specifications.
- All electrical work to comply with the National Rules for Electrical Installations, the IET Code of Practice, BS 7671:2018.
- All Mechanical and Electrical work to comply with the current Building Regulations.



1 Lighting Services - Site  
1 : 250

Renaissance Engineering Address: 271/281, 40-42 South Street, Dublin 8, D08 V4N4, Ireland Email: info@renaissance-engineering.com Phone: +353 (0) 1 455 0800		<b>WSH Unlimited Company</b> Project Name: <b>Darmody Architecture</b> Client Name: <b>Howth Cottages</b> Drawing Title: <b>Lighting Services Site</b>	
Date: 2024-07-11 Rev: 1 Description: Revisions Covered: 1. Initial Design		Author: <b>As indicated</b> Checked: <b>gms</b> Drawn: <b>gms</b> Project Number: <b>24293-REN-ZZ-SS-DR-M-6300</b> Revision Number: <b>01</b> Drawing Version Legend: P = Plan, Section, C = Context	

Figure 5. Proposed Lighting Layout



## Survey Constraints

The emergent / detector surveys on the 18<sup>th</sup> & 24<sup>th</sup> September 2024 were within the active bat season and the transects covered the entire site multiple times during the night. Weather conditions were good with mild temperatures of greater than 10°C after sunset. Winds were light and there was no rainfall. Insects were observed in flight during the survey.

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 surveys carried out. All areas of the site were accessible, and weather conditions were optimal for bat assessments.

## Survey Results

### Trees as potential bat roosts.

A ground level roost assessment was carried 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. No bats were noted emerging from trees on, or adjacent to, the site. No trees are proposed to be felled as part of the development.

### Buildings as potential bat roosts

Prior to the emergent surveys, the buildings were examined for features that could form bat roosts. Potential roosting features include crevices in stonework walls and crevices in brick work of chimneys. It should be noted that the buildings on site were considered of high bat roosting potential, with multiple crevices noted in the stone walls and in the roof slates.



**Plate 1.** Stone building proposed for restoration



**Plate 2.** Stone cottage buildings.

## Emergent / Detector Surveys.

At dusk, bat detector surveys were carried out onsite using an *Echo meter touch 2 Pro* detector to determine bat activity. Bats were identified by their ultrasonic calls coupled with behavioural and flight observations. It is worth noting that there is currently minimal external lighting on site, with only motion-detector lights located in the vicinity of the cottages.

Two bat species were recorded on site:

- Common pipistrelle (*Pipistrellus pipistrellus*) (roosting)
- Lesser Noctule (*Nyctalus leisleri*)

An internal building inspection was carried out during the survey on the 18<sup>th</sup> of September 2024. An emergent survey was conducted on 18<sup>th</sup> September 2024 & 24<sup>th</sup> September 2024 by two surveyors. A single common pipistrelle was noted during the first survey emerging from a crevice in the stone building along the partition between the two cottages. A follow up emergent survey was conducted, and two common pipistrelle bats were noted emerging from the same crevice in the stone building (see plate 1 for exact location). A derogation licence is therefore required for works that may impact on this identified bat roost. Foraging activity of Lesser Noctule (*Nyctalus leisleri*) and common pipistrelle (*Pipistrellus pipistrellus*) was also noted on site. No bats were noted emerging from any trees on site. No trees of bat roosting potential are proposed for removal as part of the development.

## Derogation Licence

In relation to the onsite buildings, two common pipistrelle bats were observed emerging from the stone cottage buildings. Although these structures are not proposed for demolition, restoration works (including roof replacement) are proposed and will impact on the identified bat roost. A derogation licence is therefore required for the proposed works. Failure to comply with the acquisition of the Derogation Licence, the carrying out of the mitigation measures, and any conditions listed in the Derogation licence could result in the impact negative impact on bats or bat roost. A compensatory bat roost is proposed above the bike store and boiler room extension. A bat access point will be installed at this location (as demonstrated in Figure 3) to provide bats access to this roosting habitat. The building will be developed in consultation with a project ecologist and will be insulated from noise and heat below.





**Figure 6.** Locations of bat activity on site



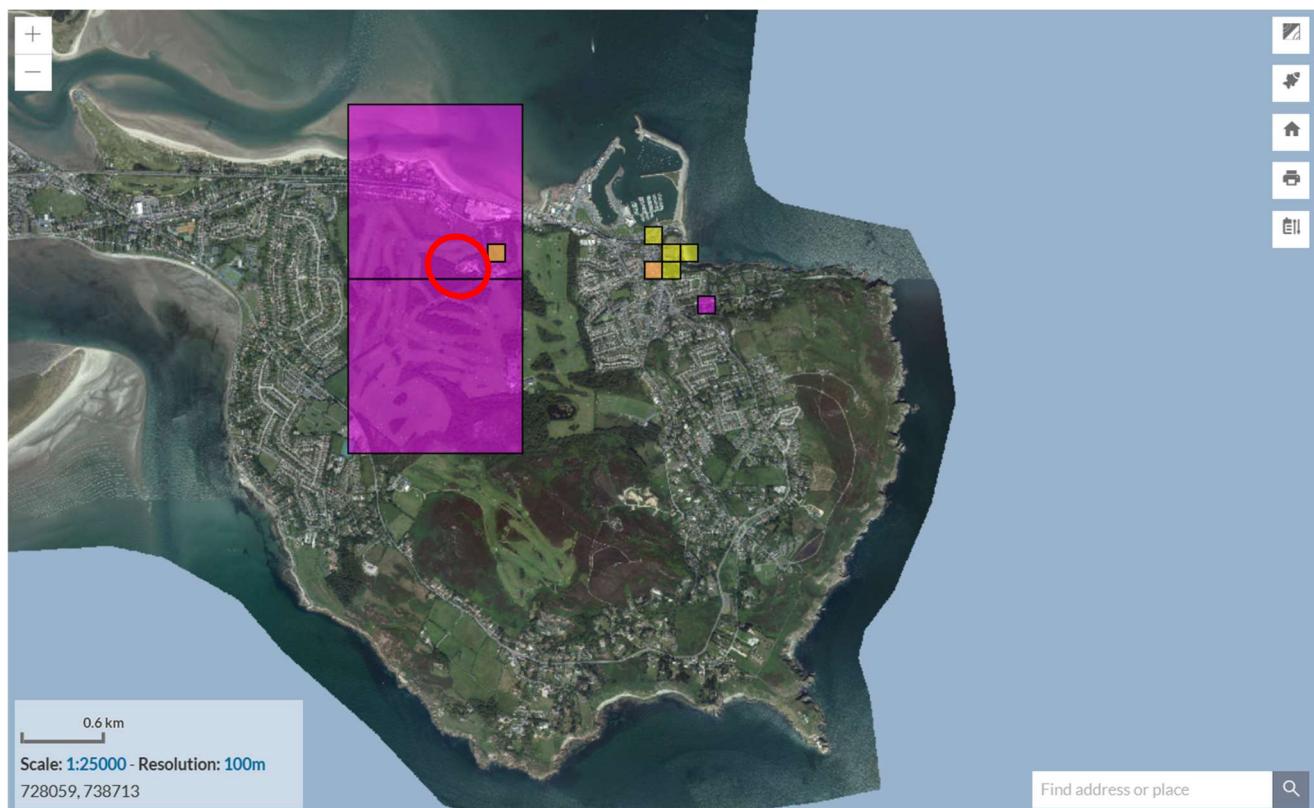
## Bat Assessment Findings

### Review of local bat records

The review of existing bat records (sourced from Bat Conservation Ireland's National Bat Records Database) within a 2km<sup>2</sup> grid (Reference grid O23U) encompassing the study area reveals that four of the nine known Irish species have been observed locally (Table 1). The National Biodiversity Data Centre's online viewer was consulted to determine whether there have been recorded bat sightings in the wider area. This is visually represented in Figures 7 & 8. The following species were noted in the wider area: Common Pipistrelle (*Pipistrellus pipistrellus*), Soprano Pipistrelle (*Pipistrellus pygmaeus*), Brown Long-eared Bat (*Plecotus auritus*), and Lesser Noctule (*Nyctalus leisleri*).

Table 1. Status of bat species within a 2km<sup>2</sup> grid encompassing the subject site (Reference No. O23U)

Species name	Record count	Date of last record	Designation
Brown Long-eared Bat ( <i>Plecotus auritus</i> )	5	19/04/2016	Protected Species: EU Habitats Directive    Protected Species: EU Habitats Directive >> Annex IV    Protected Species: Wildlife Acts
Common Pipistrelle ( <i>Pipistrellus pipistrellus sensu stricto</i> )	1	23/05/2006	
Lesser Noctule ( <i>Nyctalus leisleri</i> )	1	23/05/2006	Protected Species: EU Habitats Directive    Protected Species: EU Habitats Directive >> Annex IV    Protected Species: Wildlife Acts
Soprano Pipistrelle ( <i>Pipistrellus pygmaeus</i> )	1	23/05/2006	Protected Species: EU Habitats Directive    Protected Species: EU Habitats Directive >> Annex IV    Protected Species: Wildlife Acts



**Figure 7.** Brown Long-eared Bat (*Plecotus auritus*) (purple) and Lesser Noctule (*Nyctalus leisleri*) (yellow) and both (orange) (Source NBDC) (Approximate proposed site location – red circle).



**Figure 8.** Common pipistrelle (*Pipistrellus pipistrellus*) (purple), Soprano pipistrelle (*Pipistrellus pygmaeus*) (yellow) and both Common and Soprano Pipistrelle (orange) (Source NBDC) (Approximate proposed site location – red circle).

## Potential Impact of the Development on Bats

Two common bat species (lesser noctule & common pipistrelle) were recorded on site. A bat roost containing two common pipistrelle bats was located within the stone cottage buildings proposed for restoration. The development will result in the removal of this confirmed bat roost. Foraging activity was relatively low across the site. No trees are proposed for removal on site. No bats were noted emerging from any trees on or adjacent to the site. It would be expected that bats would continue to forage on site post construction.

## Mitigation Measures

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.’*

The following mitigation will be put in place:

- A derogation licence will be acquired for the bat roost located in the partition of the cottages.
- A pre-construction inspection of the buildings will be carried out by a bat specialist. 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 buildings in compliance with derogation licence conditions.
- External lighting will be carried out in consultation with a bat specialist with bat friendly lighting being put in place. This will include maximum of two bollard lights (front of cottages) and two wall mounted (rear of cottages), warm lighting (3000K) with downward lighting fittings.
- As a compensatory measure to offset the loss of the roost for two common pipistrelle bats, the roof space above the bin and bike store (Figure 3) will be developed as a compensatory bat roost with access from the northern portion of the site. The northern portion of the site will be unlit. This area will be insulated (noise and heat) from the bin and bike store. The bat access point will be developed in consultation with the project ecologist and will involve the use of natural stone opening to provide access, in keeping with the building design.



**Plate 3.** Potential style of access point.



## Predicted Residual Impact of Planned Development on Bats

The proposed development will change the local environment as new lights and structures are to be erected. A bat roost containing two common pipistrelle bats within the cottage stone buildings will be lost. A compensatory bat roost has been designed into the proposed development to offset the loss this existing bat roost. It would be expected that, with a sensitive lighting strategy, foraging activity will continue on site. A pre-construction inspection will be carried out on onsite buildings proposed for restoration. The proposed development will result in a long term/low adverse/not significant/negative impacts on bats. A derogation licence is required for the proposed development.

## Derogation Licence Application

A derogation licence application has been prepared by Altemar for the proposed development (Appendix I). In response to question 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” the answer C is selected (*“In the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of social or economic nature and beneficial consequences of primary importance for the environment”*).

Answer C has been selected as it is required to remove the bat roost for two soprano pipistrelle bats to allow for the proposed development to take place. The current cottages are in an uninhabitable condition as it is required to renovate the cottages. It was noted as a bat roost for two soprano pipistrelle bats were noted emerging from a crack in the exterior wall of one of the cottages. In order to prevent water ingress into the building structure pointing of stonework will be required.

The derogation licence is being sought for renovation of the cottage. Due to the location of the crack in the stonework at the top of the wall just beneath the roof, it is highly likely there is access to the roof space. As a result it is not possible to just to leave the crack unpointed as works are required to the roofspace. In addition, even if there was no access to the roof space there would be significant disturbance in the vicinity of the crack in the wall, where the roost would undergo significant disturbance/destruction. Therefore the integrity of the roost cannot be guaranteed even if the works were done under supervision of an ecologist.

Mitigation measures will be in place on site including the developing a long term compensatory roost in a dark area of the site. This will be developed in consultation with the project ecologist.

In relation to alternatives the project team reviewed the viability of retaining the roost on site. It was deemed not to be not viable to retain the roost as the integrity of the roost cant be guaranteed and the works would involve significant impacts in the vicinity of the roost making it unviable. The only viable alternative was deemed to be to remove the roost and provide suitable roosting opportunities in the darker area of the site. This alternative roost would be a long term insulated roost that would allow for a larger number of bats.

## References

**Collins, J. (ed.) (2016).** *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd edn). The Bat Conservation Trust, London. ISBN-13 978-1-872745-96-1

**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.

**Chartered Institute of Ecology and Environmental Management (2021).** *Bat Mitigation Guidelines: A guide to impact assessment, mitigation and compensation for developments affecting bats. Beta version.* Chartered Institute of Ecology and Environmental Management, Winchester.

**Chartered Institute of Ecology and Environmental Management (2018).** *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal, and Marine.* Chartered Institute of Ecology and Environmental Management, Winchester.

**Institution of Lighting Professionals (2018).** *Bats and Artificial Lighting in the UK – Bats and the Built Environment Series: Guidance Note 08/18.* Institution of Lighting Professionals and the Bat Conservation Trust.

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**Bat Conservation Trust (May 2022).** *Interim Guidance Note: Use of night vision aids for bat emergence surveys and further comment on dawn surveys.* The Bat Conservation Trust, London.

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An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreacht  
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](mailto: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
Leon	Eoin	Quinlan
(b) Address Line 1	WSHI Unlimited Company	
Address Line 2	10 Earlsfort Terrace, Dublin 2, D02 T380.	
Town	Dublin	
County	Dublin	
Eircode	D02 T380.	
(c) Contact number	+ 353 87 4062783	
(d) Email address	Eoin@howthcastle.com	
(e) Address where works are to be carried out if different from (b) above.		
Address Line 1	Deer Park, Howth Demesne,	
Address Line 2	Howth, Co. Dublin, D13 TR62	
Town	Howth	
County	Co. Dublin	
Eircode	D13 TR62	

## 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 (MCIEEM)
(b) Company Name	Altamar Environmental Consultants	
Address Line 1	50 Templecarrig Upper	
Address Line 2		
Town	Greystones	
County	Wicklow	
Eircode	A63F902	
(c) Contact number	086-8366641	
(d) Email address	bryan@altamar.ie	
(e) Relationship to Applicant	None	

## 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): Soprano Pipistrelle (*Pipistrellus pygmaeus*)

3. Please provide the maximum number of individuals affected\* 2

4. Please provide the maximum number of breeding or resting sites affected\* 1

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.

The emergent / detector surveys on the 18th September 2024 & 24th September 2024. Two Soprano Pipistrelle (*Pipistrellus pygmaeus*) were noted emerging from a crack in the wall of a cottage to be restores. It is proposed to update the cottages as part of the development..

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

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.

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 Q2-2025 (approx.)  
End Date: Planning Dependant Q1-2027 (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	<input type="checkbox"/>
b.	To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>
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	<input type="checkbox"/>

**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.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
11.4	As much information as possible to allow a decision to be made on this application.	<input checked="" type="checkbox"/>

**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**

1/04/2025

**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](http://www.npws.ie/licences)



