



Our Ref: 211035-b

21<sup>st</sup> May 2024

**Re: 211035-b Westport Estate Renovation and Interpretation**

Dear Sir/Madam,

I am applying for a bat derogation licence, on behalf of Taylor McCarney Architects, in relation to the renovation and interpretation of Westport Estate, Westport, Co. Mayo.

**Background**

MKO was commissioned to undertake bat surveys at Westport House grounds, Co. Mayo (Grid Ref: R 57051 57119). The project will consist of restoration works within the Westport Estate, and will include refurbishment works on Westport House, the coach house and the structures located within the existing walled garden to create and improve exhibition and visitor hub spaces.

Bat habitat appraisals, inspections, ground level static surveys, roost surveys and transect surveys were conducted in Summer 2022 and ground level tree assessments of trees proposed to be felled were conducted in November 2023. A planning application was submitted to Mayo County Council in December 2023 (P23/60534). A submission by the Heritage Council in February 2024 recommended that all mitigations provided in the bat reports be followed to prevent any negative impacts on bats. Mayo County Council submitted a Request for Further Information on February 15<sup>th</sup> 2024, requesting:

*(Item 22) Submit an updated Bat Report and derogation licenses required to comply with the requirements of the details above in response to the submission received by the Department of Housing, Local Government and Heritage.*

Upon consultation with the NPWS, it was agreed to proceed with presence/absence surveys of all trees identified as having high potential, by means of inspection at height.

No roost of ecological significance (e.g. maternity roost) was identified within the site, however due to the scale of the demesne, the high suitability of the site for foraging and commuting bats, the roosting potential identified throughout, and the evidence of roosting found in the form of old droppings or small recent accumulations, the site is recognised to be serving bats of all species, providing a valuable habitat.

Details of roosting evidence found is submitted in the documents accompanying this letter, and particularly summarised in Table 2 of the Briefing Note dated 21.05.2024. A list of mitigation measures was provided to avoid any potential impacts on bats and their roost resource and are presented in the Briefing Note (BN) accompanying this application. All other resources relating to the planning submission are available in the planning portal.

List of accompanying documents:

- Briefing Note with updated survey findings, mitigations and previous reports appended: BN F – Bat Survey Top-ups – 2024.05.21
- Derogation Licence Application Form
- Relevant Drawings:
  - Westport House: CDG-WH-12-0205\_Pro Roof; CDG-WH-12-0201\_Pro Basement
  - Coach House: 85119-CH-ZZ-ZZZ-DR-TMA-AR-PL104-P3.1 – Proposed First Floor Layout



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- Arborist Documentation: 1285\_TPHC\_Tree Removals

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

The proposed works include structural renovation works, particularly on the Coach House and in the walled garden outbuildings, as well as landscaping and reinterpretation across the estate. Relevant drawings have been provided with this application.

#### Coach House & Walled Garden

The Coach House and walled garden outbuildings are in a state of disrepair and will likely continue to deteriorate further were works not to go ahead. The works required in areas of interest to bats, where roosting evidence was identified (i.e attic spaces), will be justified for architectural conservation reasons. In the interest of public safety, and for the maintenance of heritage structures, structural repair works are required to maintain the site and to prevent any further damage.

#### Westport House

The vast majority of the works to be undertaken within Westport House do not include areas with roosting potential. The works in the dungeons are expected to repair and upgrade the current heating systems, works in the cellar will be limited to system upgrades and roof works will include updating existing insulation and adding an insulated roof build-up.

#### Trees

A number of trees are proposed to be felled across the estate. The felling was either justified by proposed design requirements or by health and safety reasons, as recommended by a qualified arborist (Report summary provided). No roosts were found within the trees however the application for a derogation licence is considered precautionary.

### 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 renovate and extend the coach house and renovate the walled garden outbuildings. The works on Westport House aim at improving the efficiency of the existing systems, particularly heating systems. If



the works are not carried out, the stability of the structures will be compromised and there is a high risk of further damage occurring, particularly by water incursion from the roofs.

It has been reiterated that any tree felling being undertaken needs to be justifiable. An initial proposal of 300+ trees to be felled was reduced to 201 as strictly necessary due to health and safety concerns and to serve the proposed designs. To support this information the following is an extract from the landscape plan submitted with the application:

*Existing vegetation has been valued significantly during the design process with proposals focusing on areas already devoid of trees and planting and only encroaching into vegetated areas where essential. The existence of sensitive vegetation such as the woodlands around the lough have impacted on the choice of path locations and visitor movement avoiding these locations in favour of routes with less impact. Individual significant trees have been avoided by design and infrastructure proposals as well as in construction methodologies.*

*5.4.8 Tree removal has been minimised and where essential is informed by the Arboricultural Survey and Constraints information prepared by Linnane Arboriculture Ltd. Within the Arboricultural survey 125 trees are proposed to be felled however due to the value of standing deadwood and some of the locations being remote from the public only 62 are proposed to be felled as part of this project (26 removed for health or safety reasons, 16 due to significant decay, dying or being dead and 20 removed due to structural issues)*

*5.4.9 A further 111 trees of various sizes are to be felled to accommodate essential design and infrastructure elements and allow their construction and safe use. A further 28 trees are required to be felled for safe construction access etc. and 10 trees will be impacted by proposed works but are proposed to be retained and managed on site as standing deadwood if they do not survive.*

*5.4.10 The above is considered a balanced approach based on significant ecological value being given to existing trees and it is hoped that during the detailed design and construction process there will be the opportunity to minimise construction footprint even further and retain some of the above trees noted to be felled.*

### **Test 3 – Favourable Conservation Status**

In order to ensure the protection of bats under Regulation 54 (2) (a) of the Birds and Natural Habitats Directive, we are applying for the licence, in the interest of protecting wild fauna. To ensure no significant effects on bats occurs, a number of additional mitigation measures will be in place, as outlined in the BN. The licence has been applied for to ensure that, in the event that bats are found to be roosting in the structures or trees during works, that they are appropriately cared for, and no potential for detrimental impacts on the local bat population exists. In addition, mitigation measures have been proposed to ensure that the roost resource across the estate is maintained and potentially enhanced by the provision of new bat roosting areas within newly renovated roofs and the provision of bat boxes across the site. The lighting plan provided within the application was also designed to limit impacts on bat species using the site.

It is not anticipated that the works will impact the favourable conservation status of bat species present within the site.

I hope that this is satisfactory for you to consider the grant of a derogation licence for these works. Please do not hesitate to contact me if you have any further questions.

*Sara Fissolo*

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Project Ecologist

