



Wildlife Licencing Unit  
NPWS  
By email  
[reg54derogations@npws.gov.ie](mailto:reg54derogations@npws.gov.ie)

Our Ref: 240142

23<sup>rd</sup> May 2025

**Re: Knocknacarra LRD**

Dear Sir/Madam,

I am applying for a bat derogation licence on behalf of Walter King of King Construction in relation to the modification of 2 no. farm buildings with evidence of roosting bats, as part of a planning application for the construction of a large-scale residential development at Knocknacarra, Co. Galway (Grid reference: M 26656 24673).

**Background**

MKO have been commissioned by King Construction to carry out ecological surveys as part of a large scale-residential development. MKO has been carrying out ecological surveys at the site since 2023, including dedicated bat surveys. Nine structures occur within the site. All have been surveyed and 2no. proposed for modification have been identified as roosts. Further survey info in section below.

Six of these structures are proposed for demolition, and two, Stone Shed 1 and Stone Shed 2, are proposed for significant modification. Modifications of existing structures will consist of the removal of roofs and the likely repointing of stonework in order to create new dwellings within the current structures.

The necessary development plans have been designed to minimise any impacts on bats, including their commuting corridors or any other ecological receptors. The proposed development will contain landscape and lighting plans designed with ecological receptors in mind to prevent long-term detrimental effects on local bat populations.

**2024 Survey Results Summary**

Interior inspections of all structures were undertaken on 20<sup>th</sup> March 2024. Evidence of bat use in the form of feeding remains were found within Stone Shed 1 and Stone Shed 2. No evidence of roosting bats or emerging bats were observed in any of the other structures. Four dusk emergence surveys were undertaken in 2024 at four of the structures within the site. No dusk emergence surveys were carried out on other structures as they were considered of having *Negligible* roosting potential and no suitable features were identified during inspections.

The results of these emergence surveys are presented below.

*Table 1 Inspection and Dusk Emergence surveys in 2024.*

PRF	IG Ref.	Proposed Works	Suitability	Date	Survey Type	Results
Stone Shed 1		Modification	Moderate	2 <sup>nd</sup> May 2024	Dusk Emergence	No roost



	M 26647 24686	Modification		4 <sup>th</sup> September 2024	Dusk Emergence	4 Soprano pipistrelles observed emerging.
Stone Shed 2	M 26630 24667	Demolition	Moderate	20 <sup>th</sup> May 2024	Dusk Emergence	1 Soprano pipistrelle observed emerging
				3 <sup>rd</sup> July 2024	Dusk Emergence	No roost
Lean-to shed	M 26658 24665	Demolition	Negligible	3 <sup>rd</sup> July 2024	Dusk Emergence	No roost
Stone Shed 3	M 26656 24677	Demolition	Low	2 <sup>nd</sup> May 2024	Dusk Emergence	No roost
				4 <sup>th</sup> September 2024	Dusk Emergence	No roost
Large Shed	M 26678 24684	Demolition	Negligible	20 <sup>th</sup> March 2024	Interior Inspection	No evidence of roosting bats.
Shed	M 26679 24671	Demolition	Negligible	20 <sup>th</sup> March 2024	Interior Inspection	No evidence of roosting bats.
Stables	M 26673 24695	Demolition	Negligible	20 <sup>th</sup> March 2024	Interior Inspection	No evidence of roosting bats.
Small Steel Shed	M 26656 24659	Demolition	Negligible	20 <sup>th</sup> March 2024	Interior Inspection	No evidence of roosting bats.
Occupied House	M 26663 24634	Demolition	Negligible	20 <sup>th</sup> March 2024	Interior Inspection	No evidence of roosting bats.

Following these surveys, a derogation licence is being sought for the proposed removal of the 2no. identified roosts identified within the site boundary.

Recommendations in place to safeguard bats (included in Baseline Report also submitted):

- *Two buildings which require works as part of the proposed development were found to be active bat roosts. As such, a derogation licence from the NPWS will be required in order to restore/demolish buildings where evidence of bats was identified.*
- *Works will not be carried out during the bat activity season (April-September) within buildings where evidence of roosting bats was found (i.e. Stone Shed 1 and Stone Shed 2).*
- *Alternative new roosting locations will be provided as part of the proposed development site. Six no. 2FN Woodcrete bat boxes will be erected on mature trees throughout the site to provide additional roosting opportunities. At least two of these will be installed prior to building demolitions commencing.*
- *Bat boxes will have a southerly orientation and be positioned at least 2m from the ground (ideally 3m), away from artificial lighting. They will be placed adjacent to retained vegetation features such as treelines and hedgerows to ensure they are close to existing flight paths and can avoid wide open spaces (Collins, 2023). The boxes are proposed to be installed in proximity to the current location of the two small roosts identified, however, their exact location will be determined by a qualified ecologist prior to works commencing.*
- *The new bat boxes will be inspected annually under licence to monitor uptake and their condition.*
- *The lighting plan for the operational phase of the proposed development site has been designed with consideration of the following guidelines: Bat Conservation Ireland guidelines; Bat Conservation*



*Ireland (Bats and Lighting: Guidance Notes for Planners, Engineers, Architects and Developers, BCI, 2010) and the Guidance Note 08/23: Bats and Artificial Lighting at Night (ILP, 2023), to minimise light spillage, thus reducing any potential disturbance to bats.*

- *The landscape and lighting plan have both been designed in collaboration with project ecologists to avoid significant effects on wildlife by design and to mitigate any unavoidable impacts. A dark corridor has been incorporated into the design of the proposed development to maintain suitable foraging and commuting habitat. Artificial lighting towards these features will be avoided or kept to a minimum, with unavoidable light spill topping at 1Lux. It has been recommended that the treeline to the southwest of the site is kept free of artificial lighting due to the number of Brown-long eared bats utilising this feature.*

Provided that the above mitigations are followed in full, no significant effects on bats are anticipated.

### **Preconditions Test**

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 site comprises ten structures located on a large urban site. Planning permission is sought to allow for new large-scale residential development. Of the nine structures, two were identified as small soprano pipistrelle roosts. No evidence of roosting bats were found within any other structures, and no bats were observed emerging during multiple dusk emergence surveys.

The two structures confirmed as roosts are both in poor condition and are at risk of falling further into disrepair. It is proposed to refurbish/modify the structures to reinstate them as residential properties. A derogation licence is requested to demolish/modify the two existing buildings to allow for higher density residential development, which will remove the existing roosts. It is not proposed to reinstate the roosts within the refurbished buildings as these will be in residential use.

### **Test 2 – There is no Satisfactory Alternative**

There is no satisfactory alternative to the modification or demolition works that would allow for new residential development.



**Do nothing scenario:** If the modification and demolition works are not completed, Stone Shed 1 and Stone Shed 2 will remain in place and, while they're likely to continue to be used as bat roosts, they will continue to deteriorate in condition.

The subject site is zoned for residential use under the current Development Plan and is therefore considered to be permitted in principle for residential development, subject to compliance with relevant planning policies, design standards, and development management guidelines

This scenario would result in 518 residential units no longer being developed in Galway. Galway City is experiencing a significant housing shortage, driven by rapid population growth, high demand for affordable housing, and limited supply. The Galway City Development Plan 2023–2029 projects that the city's population will increase from approximately 79,900 in 2016 to 115,000 by 2031. The Galway City Development Plan aims to address these challenges by promoting sustainable, compact growth, enhancing urban density, and facilitating the development of mixed-use communities. By aligning with national policies, the plan seeks to deliver high-quality housing solutions that cater to the city's diverse and growing population. Chapter 3 of the Galway City Development Plan 2023–2029 identifies the main housing policies that are pertinent to the city. There are a high number of housing Policy Objectives within Chapter 3 that are of importance to this development and supporting residential development. Policy 3.1 Housing Strategy states *'Support the development of sustainable communities and ensure that all new housing developments – private, public and voluntary are carried out in accordance with the DECLG guidelines Sustainable Residential Developments in Urban Areas (2009) and where applicable to apartments, Section 28 Ministerial guidelines – Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, (2020).'*' The subject site is zoned as the Knocknacarra District centre (South) Opportunity Site. This zoning type is described as *'A key element of the overall vision for the Knocknacarra District Centre is that it functions as a mixed-use urban village creating an attractive, liveable, well designed urban centre integrated into the community where placemaking and sustainable mobility is prioritised and where the idea of the neighbourhood concept is strengthened. Having regard to the population growth targets for the city and reflecting the core strategy, a significant proportion of the development capacity of the site shall deliver housing.'* The southern portion of the site is zoned 'R – Residential'. The GCDP 2023–2029 states the zoning objective for Residential zoned land is as follows *'To provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.'* The subject site is zoned for residential use under the current Development Plan and is therefore considered to be permitted in principle for residential development, subject to compliance with relevant planning policies, design standards, and development management guidelines.

**Structures retention:** This option would encompass the retention of the existing structures on the site under the above recommended guidelines. This option is not feasible for the following reasons:

- Due to the layout of the proposed development, and the shape of the site, the existing structures would obstruct new road layouts and the construction of new housing. Their retention would also result in health and safety hazards in the centre of the residential development.

Having regard to the above, the retention of the existing structures is considered not viable as the site would not be in compliance with the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities. If the structures are retained as is, they will likely fall into further disrepair and eventually be of no use to bats.

**Structure refurbishment & roost reinstatement:** As the two structures identified as containing roosts are proposed to be refurbished or replaced by new residential structures, the option to integrate roosting habitat within the new structures (i.e. in the roof spaces, under roof tiles or within the stone walls either by leaving open crevices or by integrating bat roosting space within the new walls) was considered. The option is not considered feasible due to the lack of control on the potential roost spaces once the development is operational, as new owners may



not be in favour of roosting bats on their property. It was decided that the best option is to recreate roosting space in public areas within the proposed development, in the form of bat boxes, considering that these can be a suitable replacement for small roosts like the ones identified. These roosts can be monitored more easily and will be located along retained commuting habitat.

**Chosen option:** The current proposed development complies with the National and Regional Planning Policy and the relevant planning policy and standards contained in the Galway City Development Plan. The proposed development is located on lands that are currently zoned for residential development in close proximity to services in Knocknacarra.

The two buildings containing small soprano pipistrelle roost will be refurbished, and the roosts removed in like with the mitigations outlines above. The roost resource will be recreated within the site in the form of woodcrete bat boxes, of which at least two can be installed prior to demolition in areas to be retained and which will remain available to bats during the development construction.

The site does not provide high quality foraging and commuting habitat as it is located within an urban location. However, the landscape and lighting plan have both been designed in collaboration with project ecologists to avoid significant effects on wildlife by design and to mitigate any unavoidable impacts. A dark corridor has been incorporated into the design of the proposed development to maintain suitable foraging and commuting habitat. The site currently consists of agricultural grassland, recolonising bare ground and scrub, with no areas of woodland present. In addition, the planting of linear hedgerows and treelines throughout the site will create quality habitat for commuting and foraging bats, in addition to retaining the current hedgerows bordering the site.

### Test 3 – Favourable Conservation Status

*Annex IV species must be maintained at Favourable Conservation Status or restored to favourable status if this is not the case at present. The net result of granting a derogation licence must be neutral or positive for the species in question.*

Small soprano pipistrelle roosts are present within Stone Shed 1 and Stone Shed 2. The structures do not contain significant roosts (i.e maternity). A pre-commencement survey will be carried out to identify any potential changes in the baseline since these surveys were undertaken in June 2024. This will include the inspection of all structures proposed for demolition/modification. Demolition works will commence at an appropriate time of year, as agreed with a suitably licenced ecologist. Implementation of the recommended mitigation within this letter will ensure that there will be no negative impacts to potential roosting bats when works will be undertaken. Alternative roosting locations will be provided which gives roosting opportunity to other bats species also. No significant impacts are anticipated on the local population of Soprano pipistrelle bats.

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.



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David Culleton (BSc., M.Sc.)  
Bat Ecologist

