



Wildlife Licencing Unit
Housing Reg 54 Derogations
NPWS
By email
reg54derogations@npws.gov.ie

6th of June 2025

Re: 241132– Bat Derogation Licence - Clúid Housing Association – Cois Na Féile Residential Development

I am applying for a bat derogation licence, on behalf of Clúid Association, in relation to the demolition of two derelict dwelling (grid ref: R 12646 26456) along Cois Na Féile estate, Abbeyfeale, Co. Limerick.

Background

MKO have been commissioned by Clúid Association to carry out ecological surveys as part of a Residential Development to complete Cois Na Féile estate for social housing located in Abbeyfeale, Co. Limerick. MKO has carried out bat surveys at the site in December 2024, March and May 2025. There are twelve derelict houses proposed for demolition and later reconstruction within the site boundary. All buildings were subject to preliminary roost assessments. In December, evidence of roosting bats were discovered within two houses (grid ref: R 12693 26472, R 12700 26472) in the form of urine stains on underfelt in the attic, bat droppings and feeding remains. In March a second inspection where evidence of roosting bats was discovered, was carried to collect the bat droppings for DNA analysis. Two brown long-eared bats were seen roosting in one of the attics. The DNA analysis confirmed the presence of this species within the two buildings at two different locations. In May 2025, an inspection of the two buildings and an emergence survey was carried out. One brown long-eared bat was again observed roosting in the attic. No other species were observed emerging from the house. The roost is suspected to host a small maternity roost.

The application proposes the demolition of the existing unfinished structures (12 no. dwellings) and the erection and development of 12 no. residential units comprising 10 no. two-storey, 3 bed, semi-detached units and 2 no. single-storey, semi-detached pair 1 no. 2 bed and 1 no. 3 bed.

The proposal includes; the completion of the residential access road to service the 12 no. new units, all above and below ground services to link to existing and established services, the integration of the supporting landscaped open space areas and all associated proposed landscape works. In addition, proposed new boundary treatments as incorporate and strengthens existing green infrastructure and enhances biodiversity corridors within and bounding the site. The necessary development plans for social housing have been designed to minimise any impacts on bats, including their commuting corridors.

List of accompanying documents:

- Bat Report
- Derogation Licence Application Form

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 derelict houses are in a serious state of disrepair. They have been exposed to the elements nearly 20 years. A licence is requested to demolish the existing roost building and effectively remove the roost resource, which is proposed to be re-established elsewhere onsite. Alternatives have been considered and are highlighted below. The proposed demolitions will allow for social housing to be rebuilt onsite.

Test 2 - There is no Satisfactory Alternative

There are no satisfactory alternatives to the demolition works to allow for new development structural works.

Do nothing scenario: If the development were to not go ahead, the structure would continue to be a roost. However, with time the structures which are already dilapidated, will fall further into disrepair and its suitability as a roosting resource will be eventually compromised.

This would also result in the lack of provision of 12 social housing units.

Structure retention – no renovation: This option would encompass the retention of the derelict dwelling as is and the development of the remainder of the site. This would result in the lack of provision of 3 adjoining houses proposed to be rebuilt on the existing ruin footprint. This option is not feasible for the following reasons:

- The structure could pose a health and safety risk to residents of the development as it would likely become a location for unsociable activities with severe risk of collapsing even if it were to be fenced off.
- The subject site is zoned 'Residential' in Abbeyfeale Local Area Plan 2023-2029.
- **Abbeyfeale Local Area Plan 2023-2029:** It is an objective (H05) of the Plan to "Promote the provision of social and affordable housing in accordance with Part V of the Planning and Development Act 2000(as amended), Objective HO13 of the Limerick Development Plan and Government housing policy 'Housing for All' (2021), Limerick City and County Council's Housing Delivery Action Plan 2022 – 2026 and any subsequent replacements thereof.". Cois na Feile is listed in the Plan as an unfinished unit needed to be completed to meet the requirements of buildings 48 social units by 2026 by the Housing Delivery Plan for Limerick 2022-2026.
- **Limerick Development Plan 2022 – 2028 :** "The Rural Limerick Housing Development Project is being undertaken through the Rural Regeneration Development Fund. The towns and villages of Abbeyfeale, Ardagh, Askeaton, Bruff and Rathkeale have received funding to address dereliction, provide housing and bring life back to these settlements. The aim of this project is to bring derelict properties in the core of the towns and villages across rural Limerick back into active re- use, with an emphasis on the



provision of housing, based on the delivery of demonstrator housing projects for social and affordable dwellings sold on the open market.”

Therefore, having regard to the above, the retention of the derelict dwelling on site and the development of the remainder of the site is not viable.

Structure demolition and rebuild with integrated roosting space in the attic: The option would encompass the demolition of the derelict house and further reconstruction with an integrated roosting space in the attic. This would generate a temporary loss of roosting habitat during construction. This option was considered as it seems to be the best in term of enabling the development to be constructed and safeguarding a roosting space with only a temporary disturbance. However, this option is not considered viable as it is not in line with future occupants’ wishes, as the site is not being built by its future occupants. This could be problematic as members of the public do not always welcome bats in their property. The roost would need to be occasionally cleaned and monitored. Furthermore, there is a potential for harm or disturbance on the roosting bats.

Chosen option: The best alternative considered is the demolition of the structure out of the maternity season under ecological supervision and build external replacement of roosting structures. This option utilises the site to its full development potential while also providing suitable alternative roosting options for bats.

Prior to the houses’ demolition, “Pole Mounted Maternity Bat Boxes” will be erected. This will retain roosting availability onsite for the duration of the project. The model of the proposed pole will correspond to the one below provided by the Nestbox Company:

- “Pole Mounted Bat Box” which consists of two maternity bat boxes mounted on a 4-6m pole.

As such, the structure will provide bats with a replacement supporting the same capacity as what they are currently using. The pole will be located on the eastern boundary of the site along the hedgerow to limit lighting and tampering to the structure. Additionally, at the end of construction, a set of bat boxes (at least two, Schwegler 1FF and 1FTH) for crevices dwelling species will be installed under the gables of the newly built house corresponding to the lost roost building.

The site does not provide high quality foraging/ 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 mitigate any unavoidable impacts. The existing hedgerow to the northwest of the site, which serves as a commuting feature, will be retained. It would provide connectivity to the newly built roost to the wider landscape.

Lighting will not be directed at suitable bat features. Options to limit impacts on biodiversity beyond the do-nothing scenario have been explored and applied where feasible, in line with safety standards, lighting standards and residential development requirements.

Test 3 - Favourable Conservation Status

We are applying for the licence in order to ensure the protection of bats, in line with Regulation 54 (2) (a) of the Birds and Natural Habitats Directive. To ensure no significant effects on bats occurs, additional mitigation measures will be in place, as outlined above. It is proposed to provide a bespoke brown long-eared bat pole in the vicinity of the structure to be demolished, prior to demolition, and bat boxes on the new builds. It is not anticipated that the works will impact the favourable conservation status of bats using the site. Where temporary disturbance is expected during construction, this is not considered to affect the conservation status of the bats recorded on site, as no significant roosting, commuting or foraging activity was recorded. It is hoped that the measures proposed will eventually provide suitable long-term roosting availability for brown long-eared bats. The current roost resource within the site is of limited value as it is in poor condition and only supports one or a small number of roosting 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.



Nora Szijarto (MSc.)
Bat Ecologist

