



NPWS

An tSeirbhís Páirceanna
Náisiúnta agus Fiadhúlra
National Parks and Wildlife
Service

Application for Derogation Under Regulation 54 & 54A of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended

Revision 2.0 – July 2025

- This form can be used by any individual or Company applying for a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011 (“the Regulations”) or any individual applying on behalf of the Minister for Housing, Local Government and Heritage under Regulation 54(A) of the Regulations.
- Note this application form is not for Domestic Dwelling Derogations (bats within private homes) which can be found here > ([3D Application Form](#))
- Please ensure that you answer questions fully in order to avoid delays and/or your application being rejected on the basis that it does not contain sufficient information and detail for the application to be considered further.
- Please read and familiarise yourself with the [NPWS Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)
- Please read and familiarise yourself with the [European Commission's Guidance document on the strict protection of animal species of Community interest under the Habitats Directive](#)
- Please also note that the responses to these questions are supplementary to the documentation required for the NPWS to be in a position to consider your application. A complete application should include both the application form and an associated report. Failure to supply either will result in your application being returned and/or refused.
- In circumstances in which a derogation is given on foot of this application, the Applicant is responsible for ensuring compliance with the conditions of any such derogation, even though they may employ another person to act on their behalf. To carry out any activity without, or not in accordance with, a derogation granted under regulation 54 or 54A of the Regulations constitutes a criminal offence, subject to prosecution.
- If you experience any problems filling in this form, please contact the Wildlife Licensing Unit: reg54derogations@npws.gov.ie
- Please note – applications, associated reports and derogations will be published on the NPWS website and/or the Department’s Open Data website.
- Where any applicant is applying for a derogation to carry out surveys, please ensure to list all qualified ecologists and trainees under their supervision. See section 1(c) of Part A.

Part A: The Applicant - Personal Details

These questions relate to the person responsible for any proposed works and who will be the **Applicant**. **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
Ms	Ann	Fitzpatrick
(b) Company Name, if applicable	Building Surveyors & Fire Engineers (PLBS)	
(c) Address Line 1	Wicklow Mountains National Park, Kilafin, Laragh, Co. Wicklow,	
Address Line 2		
Town		
County		
Eircode	A98 K286	
(d) Contact number	086 3874147	
(e) Email address	Ann.Fitzpatrick@npws.gov.ie	
(f) Address where works are to be carried out if different from (b) above.		
Address Line 1	Gamekeeper's Lodge, Ballnabrock, WMNP, Co. Wicklow	
Address Line 2		
Town		
County	Co. Wicklow	
Eircode		

Details of Person Submitting Application on Behalf of Applicant/Derogation Holder

Information relating to the person (e.g. ecologist) responsible for submitting the application on behalf of the applicant should be entered below:

1. (b) Name of Person/Ecologist

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
Dr	Tina	Aughney
(b) Company Name	Bat Eco Services Limited	
Address Line 1	Ulex House, Drumheel	
Address Line 2	Lisduff	
Town	Virginia	
County	Cavan	
Eircode	A82XW62	
(c) Contact number	086 4049468	
(d) Email address	tina@batecoservices.com	
(e) Relationship to Applicant	Contracted bat ecologist	

For Survey Derogations Only

**1. (c) Please Indicate the Names to Appear on the Derogation Along with the Position Held
e.g. Supervisor/Trainee**

Forename(s)	Surname	Supervisor or Trainee
Shaun	Boyle	Supervisor

Part B: Species covered by the Derogation

1. **Species of Animal:** Please indicate which species is/are the subject of the application:

- Bat ☒
- Otter ☐
- Kerry Slug ☐
- Natterjack Toad ☐
- Dolphin ☐
- Whale ☐
- Turtle ☐
- Porpoise ☐

2. Please detail the exact species (scientific name): []: *Brown long-eared bat Plecotus auritus* , common pipistrelle *pipistrellus pipistrellus*, soprano pipistrelle *P. pygmaeus* and Natterer's bat *Myotis nattereri*]

3. Please provide the maximum number of individuals affected* [approx. 10-20 individuals affected]

4. Please provide the maximum number of breeding or resting sites affected* [1 maternity roost, 3 day/night roosts]

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.

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7. **Species of Plant:** Please indicate which species is/are the subject of the application:

- Killarney Fern ☐
- Slender Naiad ☐
- Marsh Saxifrage ☐

8. If you previously received a derogation for any species of animal or plant, please state derogation number and confirm that you have made a return to NPWS on the numbers actually affected by that derogation.

[Yes – returns have been made for bat Eco Services Ltd. all licences finished and received to-date.]

9. **Proposed Dates for Activities:** Please indicate the timeframe that you propose to carry out the activities. Dates set by NPWS may differ from dates proposed here. *A derogation will only be issued with a start and end date within a calendar year.*

Start Date:
End Date:

Part C: Nature of the Derogation.

1. Please tick which prohibition(s) the application for a derogation relates to:

Regulation 51	
Deliberately capture or kill any specimen of the relevant species in the wild	☐
Deliberately disturb these species particularly during the period of breeding, rearing, hibernation and migration	☒
Deliberately take or destroy eggs of the relevant species in the wild	☐
Damage or destroy a breeding or resting place of such an animal, or	☐
Keep, transport, sell, exchange, offer for sale or offer for exchange any specimen of the relevant species taken in the wild, other than those taken legally as referred to in Article 12(2) of the Habitats Directive.	☐
Regulation 52	
Deliberately pick, collect, cut, uproot or destroy any specimen of these species in the wild, or	☐
Keep, transport, sell, exchange, offer for sale or offer for exchange any specimen of these species taken in the wild, other than those taken legally as referred to in Article 13(1)(b) of the Habitats Directive.	☐

Further information should be provided in the format set out in Part E: Template for Supporting Information

Part D: Derogation Tests

Note: The following summary information must be provided by the applicant in all cases, and will be used to determine if a derogation can be provided. Further information must be provided in the format set out in Part E: Template for Supporting Information

Test 1: Reason for the Derogation

1. Please tick which reason(s) below explains how this application qualifies under Regulation 54(2)(a-e) or Regulation 54A(2)(a-e) of the European Communities (Birds and Natural Habitats) Regulations: Please provide a summary of how the application meets the 3 conditions required to provide a derogation. Note that in all cases additional information must be provided (see Part E).

a.	In the interests of protecting wild flora and fauna and conserving natural habitats (proceed to 2a)	☐
b.	To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property (proceed to 2b)	☐
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 (proceed to 2c)	☒
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 (proceed to 2d)	☐

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 (proceed to 2e)	☐
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2a. In the interests of protecting wild flora and fauna and conserving natural habitats:

i) Please state the wild flora, fauna or habitats that require protection and /or conservation.

ii) Please summarise how the interests of protection and conservation of the species/habitat concerned justify affecting another species under strict protection.

2b) To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property:

i) Please summarise the nature of the potential damage, why it is considered “serious” and how this outweighs the conservation interest of the species under strict protection.

2c) 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:

i) Where the reason is for public health and public safety, summarise the evidence provided to support this reason (e.g. documentary evidence of the risk from a chartered structural engineer, tree surgeon, Garda Síochána, qualified health professional etc.)

The purpose of the proposed works are as follows:

- To preserve Gamekeeper’s Lodge and to bring it back into use;
- To provide accommodation for NPWS regional staff;
- To increase the biodiversity gains of the lodge.

These works will result in a temporary disturbance of brown long-eared bat colony roosting in the Lodge.

The proposed works will result in the following:

- Conservation and protection of Gamekeeper's Lodge for social gains as an example of built heritage;
- Increased biodiversity conservation through the construction of a 'Bat Shed' and conservation of existing attic space as a bat roost, which will benefit the environment;
- Increased social benefit by providing much needed accommodation for NPWS staff within the WMNP.

The proposed works will not result in the loss of the bat roost. Therefore it is considered that the Social, Economical and Biodiversity gains as a result of the proposed plans for Gamekeeper's Lodge are deemed important and out-weight the temporary disturbance of the existing bat roost.

To support the above statement, the following information was provided:

The following was provided by the architect team:

"A fundamental principle of good conservation is to keep a building in use. The continued dereliction of this historic structure will only lead to further decay and its eventual loss. This will also mean that there is less habitat for bats.

Hunting and gamekeeper's lodges are found across Ireland and Britain on large landed estates. What is special about this lodge is that it belongs to the Devonshire estate belonging to the Earl of Blessington, where much of the built heritage has been lost. While at first glance it appears to be a traditional Irish or vernacular dwelling, closer inspection reveals finely dressed stone and an unusual corbelled chimney structure. The building is almost two hundred years old when traced through the Ordnance survey map series, but it is possibly older.

This historic dwelling requires conservation to prevent it from falling into further disrepair and needs refurbishment to make it habitable once more for the enjoyment of future generations.

The following letter was provided by NPWS in relation to the rationale for the proposed works:

"Rationale for Gamekeepers Lodge project

The Gamekeeper's Lodge is situated in the Coronation Plantation, a Scot's Pine woodland, within the Wicklow Mountains National Park. The lodge was constructed as a dwelling house as part of extensive improvements to the expansive Downshire Estate in the late 18th or early 19th century. The building is annotated as the "Game Keeper's Lodge" on the 1st edition Ordnance Survey Ireland map. While we do not know who originally resided in the lodge, given the building's scale and formal entrance, visible from archival photographs, it would have been a building of some import. The Gamekeeper's Lodge is situated adjacent to the Coronation Plantation monument, a Protected Structure and distinctive granite obelisk, erected to commemorate the creation of the plantation in 1831.

The National Park is interested in protecting and celebrating its buildings of cultural and historical significance. Although the purpose of our National Parks is primarily to protect nature, in this instance, the physical and historical legacy of the estate lands are an integral part of the context and story of the Wicklow Uplands and the National Park.

While the main focus of the NPWS is on the natural heritage, the service also has responsibility for a large number of buildings, structures, gardens and sites, many of which are of historic interest and architectural heritage value. Some of these structures were previously associated with historic estates, a number of which have been incorporated into our National Parks. The buildings and structures are often located in areas of high ecological and scenic value and as such it is critically important that any repair or adaptation works on these places, or new structures emplaced at these sites, should be carried out to the highest conservation and design standards. Given the natural heritage focused work of the NPWS it is essential that all built heritage and new construction projects in the National Parks ensure that all aspects of the built and natural heritage are identified and sustained properly throughout every project.

It is the ambition of the NPWS that the refurbishment of its historic buildings should be carried out to the highest architectural conservation standards and will demonstrate how the conservation, adaptation and enhancement of our built heritage may be achieved with enhanced energy performance, carefully designed

in the context of historic fabric. In tandem with realising ambitious climate action objectives, the NPWS is keen to demonstrate the role which high quality conservation-centred architectural design can have in transforming the condition, appearance, quality and living experience of these modestly scaled historic buildings, whilst simultaneously protecting the habitats of resident wildlife.

The State acquired the estate lands from the McEnery estate in the 1990's, this included several Lodges in various state of ruin. One of the Lodges, Joseph's Lodge, was restored by the OPW in the early 2000's. The Gamekeeper's Lodge was permanently inhabited until the mid-1980's and has since been maintained as a base for use by work crews and occasional overnight basic accommodation for Park staff. The architectural heritage value and quality of the building has been diminished by a series of poorly conceived alterations over many years. The current accommodation is of a very rudimentary standard, and the NPWS is concerned that leaving it in its current state will allow for further deterioration, impact adversely on the existing bat roost, eventually rendering it unusable. It is proposed therefore to refurbish and upgrade this building, making it fit for purpose, and in so doing conserve an important part of the Park's cultural heritage.

The desire to refurbish Gamekeepers lodge is primarily to protect it from further decline, however the building will be restored and adapted as a residence, primarily for much needed Ranger accommodation. NPWS has an urgent need for additional staff accommodation within the National Park. NPWS have several staff members who have joined in the last 18 months who are in tenuous rental agreements, some in sub-standard living conditions. NPWS has lost staff in the last year directly due to the lack of affordable housing in the area. Wicklow, by virtue of its location is in a prime city commuter location. Rents here are extremely high, accommodation options are limited and mostly out of reach for NPWS staff on their current salaries. Having additional accommodation options in the Park would relieve some of the pressure, providing security to both staff and managers. Additionally having staff live in the Park is of extra benefit from a perspective of security and protection of the site.

The aspiration of this project is to sensitively restore a historic building to allow for comfortable, modern use whilst accommodating other species. It is intended that the repair and reimagining of the former Gamekeeper's Lodge should be a high quality model of how buildings such as these can be upgraded for contemporary living, while appropriately addressing the needs of resident wildlife including bats, thus allowing the space to be shared. The project will demonstrate that it is possible to live alongside nature without compromising the health and safety of the individuals residing there. The project is also intended to demonstrate the commitment of the NPWS to the sustainable management of its finite historic building stock. The objective of this project is to conserve, repair and upgrade the historic Gamekeeper's Lodge using appropriate conservation repair techniques and materials, and applying appropriately considered environmentally sound technologies to improve its energy efficiency. A core ambition for the project is to develop a conservation-centred best practice case study for the conservation, thermal upgrade and sustainable adaptation of a modestly scaled vernacular type building. It is intended that the process of the design and specification of the works together with the implementation of the works on site, could be creatively utilised for educational purposes and dissemination."

- ii) Where the reason is 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", summarise the nature of the public interest and how this outweighs the conservation interest of the species under strict protection.

- 2d)** 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:

- i) Please summarise the objective(s) of the proposed activities making reference to those listed above and how the the purpose of such activities overrides the interests of strict protection of the species. ¹

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- 2e)** 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

- i) Please clearly state the objective of the activity and verify that this reason is being chosen as the objective of the activity does not match reasons a-d listed above.

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- ii) Please summarise how the activity will result in the taking or keeping of limited numbers of specimens of the species, how it will be applied on a selective basis and to a limited extent, and how it will be done under strictly supervised conditions.

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Test 2: Absence of Alternative solutions

- 2.** Please summarise the alternative solutions that have been considered and why these solutions are deemed unsatisfactory. This must include the option of the “do-nothing” alternative and evidence should be objective and robust. Note that in all cases further information must be provided in the format set out in Part E: Template for Supporting Information.

Alternative Solution	Reasons for “Unsatisfactory”
Do-Nothing	This will cause the Lodge continuing to deteriorate, which will increase the health and safety concerns, reduce the suitability of the Lodge as a place of work support and reduce the suitability of the roof space as a bat roosting site.
Temporary Patch-up work	Patch-up works are not an economically viable option or appropriate for the lodge.

¹ Note that this reason may be appropriate for when research involves surveys that may cause disturbance of species under strict protection. But the sole purpose of the surveys should be for research and education or the other reasons listed above under 1d.

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* Please insert additional rows above if needed

Test 3: Impact of a Derogation on Conservation Status

2. Please summarise the possible impacts on the population of the species that is subject to this application, taking into account all the mitigation and/or compensation measures that are to be undertaken. Evidence that such mitigation has been successful elsewhere should be provided where relevant. Mitigation measures being relied upon must ensure that the derogation 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. Note that in all cases further information must be provided in the format set out in Part E: Template for Supporting Information.

Summary

Gamekeeper's Lodge was identified as a Maternity Roost for brown long-eared bats. The number of bats roosting in the Lodge is variable and therefore it is likely that the maternity status of the colony varies seasonally and maybe supported by the shed at St. Joseph's Cottage (please see supporting information report on bat survey results to show this).

The proposed works may cause disturbance to roosting bats but it will not result in the loss of suitable roosting sites for bats as one of the primary considerations by NPWS is to ensure the bat roosting status of the lodge. Therefore, in consultation with the architect team and NPWS, an alternative roost will be constructed prior to renovation works, supervision of demolition of the porches and walls will be undertaken and new bat access will be provided into the new roof space of the original section of the lodge post-works. In addition, the new slate roof coupled with bituminous felt, will provide a more stable roosting space in the attic for the local bat population.

The proposed works will be undertaken in three phases which will ensure that the alternative roost is constructed prior to roof works of the original footprint of the Lodge:

Phase 1 – construction of the New Shed, aka. “Bat Shed”, which will provide a roosting space for bats. The total volume of the “Bat Shed” is 48.7m³ (roof space 19.2m³ + ground space 29.5m³). This phase will also include the demolition of the porches and walls.

Phase 2 - refurbishment of existing Lodge/lodge which will include a new slate roof, felt and attic space with bat access (Total Volume = 15m³)

Phase 3 - extension to existing Lodge/lodge. This will not have alternative roosting space for bats as there will be no attic. The proposed works will be timed to only cause a temporary disturbance for the brown long-eared bat colony and this disturbance will be during the autumn and spring months which are months when bats are moving from maternity sites to hibernation sites. Therefore, it is an ideal time of the bat annual season to undertake works when numbers roosting will be greatly reduced.

Conservation Status

The conservation status of this bat species is elaborated in Section 3.2. This species of bat is associated with woodland and treelined landscapes. It is a widespread bat species (Roche *et al.*, 2014). Therefore, the brown long-eared bat population is stable and widely distributed across County Wicklow.

The proposed works will ensure the long-term suitability of the building as a maternity colony for this species of bat and provide an alternative roosting space. The proposed works are temporary and therefore will have minimal disturbance for the bat colony. Therefore the proposed works will not impact on the national Conservation Status of this bat species.

Bat Mitigation Measures

Bat mitigation measures have been designed in accordance with Marnell et al. (2022) and will ensure that there are alternative roosting sites before and during the Phased Works.

The following work plan, with bat mitigation measures incorporated, will be followed under the supervision of Bat Eco Services Limited.

Phase 1 – Alternative Roosts

The Bat Shed will be constructed as part of Phase 1. This shed will incorporate a loft space suitable for brown long-eared bats and additional alternative roosting in the external walls in the form of bat tubes. The following drawing is a sketch of the proposed shed detailing the dimensions and loft space designed to provide a bat roost.

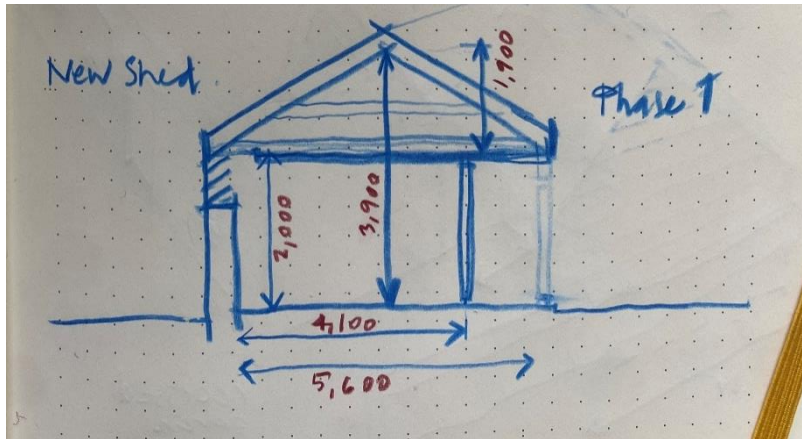


Figure 4: Architects sketch of proposed Bat Shed.

The Bat Shed will consist of a bat loft with bat access points. The Iron roof will be lined, underneath, with two layer of sarking board to ensure a stable temperature within the loft space. A open hatch (500mm x 500mm) will be provided in the loft floor to allow bats to move between the loft and ground floor of the Bat Shed. The total volume of the “Bat Shed” is 48.7m³ (roof space 19.2m³ + ground space 29.5m³) and this meets the recommended volume required by this species. Collins *et al.* (2020) investigated the implementation and effectiveness of bat roost mitigation in building developments completed between 2006 and 2014 in England and Wales. The bat species studied were: common and soprano pipistrelle, brown long-eared bat and *Myotis* species, all of which are present in Ireland. A summary of the main points relating to the construction of bat roosts was that the internal height and internal volume was important for bat occupancy. Lintott & Mathews (2018) reported that median internal volume of bat roosts used by brown long-eared bats was 37m³, which the volume of the Bat Shed will meet. Once works are completed on the original footprint of the cottage, a further 15m³ of attic space will also be available for the bat colony.

Evidence: Bat Eco Services Ltd. designed a bat house for whiskered bats and brown long-eared bats (i.e. Bective Bat House). Monitoring of this structure has shown that both species successfully roost in the structure. Please see Appendices for more details.

Additional roosting will be built into the external walls of the Bat Shed. These will be in the form of bat tubes with a total of eight bat tubes, four at the front and four to the rear of the shed.

Evidence: Bat Eco Services Ltd. has undertaken monitoring of bat houses (designed by Bat Eco Services Ltd.) with bat tubes inserted into the external walls and shown that such are successfully used by a number of bat species. Please see Appendices for more details.

A bat box scheme will also be erected and a total of 8 bat boxes (Schwegler woodcrete bat boxes, 4x 1FF and 4x 2F units). These will be erected by the Bat Eco Services Ltd. and will be undertaken 6 months prior to Phase 1 works.

Evidence: Bat Eco Services Ltd. has undertaken monitoring of bat box schemes and shown that such are successfully used by a number of bat species. Please see Appendices for more details.

Phase 1 - Demolition

The demolition of the front porch will result in the removal of existing exit point for bats. Therefore, an alternative exit point will be created by providing an opening, similar to what the bat currently use, in a rear ground floor window of the lodge.



Plate 1b: View of rear of Gamekeeper's Lodge, Co. Wicklow – rear window will be opened to provide an alternative access for bats during Phase 1 Works,

The following steps will also be undertaken:

- The current window used by the bats as an access point will be removed (i.e. the window, timber shutter and window frame will be removed) under supervision by a bat specialist.
- Bat access to the front porch will be blocked internally by erecting a sheet of plywood across the entrance from the main room of the house to the porch. This will also insulate any roosting bats, from noise disturbance, during demolition works.
- Plywood will also be erected, internally, at the entrance point to the rear porch to allow safe demolition of this structure.
- The corrugated roof will be removed in the presence of a bat specialist and any bats found roosting will be safely removed to the bat boxes.
- The bat specialist will check exposed walls with a high power torch and endoscope for any roosting bats prior to demolition. Any bats encountered will be safely removed to the bat boxes.

Phase 2 – New Roof

Prior to Phase 2, a full bat survey will be conducted of the lodge to determine if there are any roosting bats. The new roof will be constructed to provide a more suitable roosting space for the local bat colony. This will be achieved by:

- Natural slate roof;
- Bituminous felt;
- Bat access slates (x4);
- Lining of attic floor insulation with plywood to allow easy management of bat droppings within the space;
- Removal of water tanks etc. to ensure that the attic is retained only as a bat roost space.

EVIDENCE:

A) Oldstreet Bat House

A purpose-built bat house for Common pipistrelles as part of bat mitigation work for the Oldstreet Substation. This bat house has two Bat Slates incorporated into the roof and, during monitoring surveys, have been documented to be used by roosting bats as an exit point. See Appendices for more information.

B) Coole Park Visitor Centre, Gort, Co. Galway

Derogation Licence (DER-BAT-2025-105)

The roof space of this building was identified as a maternity roost for brown long-eared bats. A new roof was installed in April 2025 with bat slates inserted as shown in the series of photographs below. These have provided new exit points for the brown long-eared bat colony. See Appendices for more information.

The following steps will also be undertaken:

- The corrugated roof will be removed in the presence of a bat specialist and any bats found roosting will be safely removed to the bat boxes.
- The bat specialist will check exposed walls, window frames etc. with a high power torch and endoscope for any roosting bats prior to demolition. Any bats encountered will be safely removed to the bat boxes.

Part E: Template for Supporting Information

This application form should provide a summary of the evidence that the applicant has provided. In all cases, it is necessary to provide separate supporting information so that the assessment of the application can be undertaken in a robust and comprehensive manner. Applicants should refer to guidance provided by the NPWS and the European Commission whilst preparing this application form and the supporting information.

It is essential that supporting information is prepared in a consistent manner using the template below so that NPWS officials assessing the application can locate the relevant evidence to determine if the three Tests can be met. Failure to provide sufficient evidence will result in the application being refused.

The structure of the Supporting Information should be as follows:

- 1) Table of Contents
- 2) Introduction
 - a. Objective of the proposed works (for example, as part of construction of a national road, repair of roofing, undertaking surveys etc.)
 - b. Name, qualifications and relevant experience of scientific staff, including trainees, (e.g. ecologist) involved in the preparation of the application and those responsible for carrying out the proposed activity.
 - c. If this application is for the carrying out of surveys that may cause disturbance, qualifications of all involved must be provided and trainees must be clearly identified.
- 3) Background to proposed activity including location, ownership, type of and need for the proposed activity, planning history, policy context, zoning in relevant Development plan (or equivalent), etc.
- 4) Full details of proposed activity to be covered by the derogation (including a site plan). The site may be inspected by an NPWS representative, so the details given should clearly reflect the extent of the project. This information will be used to compare site conditions with the Method Statement.
- 5) Ecological Survey and site assessment (Not required for applications to carry out surveys)
 - a. Pre-existing information on species at location and environs.
 - b. Status of the species in the local/regional area (relevant to the consideration of the impact on the population at the relevant geographic scale (Test 3))
 - c. Objective(s) of survey
 - d. Description of Surveys Area
 - e. Survey methodology (including evidence as to how the methodology represents best practice and is appropriate to the Objective). Methodology should include survey maps, details of timing, climate, equipment used and identify any uncertainties or difficulties encountered.
 - f. Survey results including raw data, any processed or aggregated data, and negative results as appropriate. Photographs and maps must be provided where site-specific features are referred.
 - g. Population size class assessment.
- 6) Evidence to support the Derogation Tests

- a. Test 1 - Reason for Derogation:
 - i. There should be a clear explanation as to why a specific reason(s) has been selected in the application form.
 - ii. Applicants are advised to read the guidance published by the NPWS '[Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)' with specific reference to Section 3.1.
- b. Test 2 - Absence of Alternative Solutions
 - i. Applicants must list the alternatives to the proposed activity that have been considered, including the do-nothing alternatives in a clear and objective manner. A basic requirement is that these alternatives should be compared in terms of their impact on the species subject to strict protection. It should be clear to NPWS officials as to why the chosen approach has been selected.
 - ii. Applicants are advised to read the guidance published by '[Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)' with specific reference to Section 3.2.
- c. Test 3 - Impact of a derogation on Conservation Status
 - i. Applicants should include details of the population at the appropriate geographic scale and an evaluation of how the proposed activity will affect the conservation status both before and after mitigation measures have been applied.
 - ii. Full and detailed descriptions of proposed mitigation measures that are relevant to the potential impact on the target species. Evidence that such mitigation has been successful elsewhere should be provided, where available.
 - iii. Applicants are advised to read the guidance published '[Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)' with specific reference to Section 3.3.

7) Monitoring the impacts of the derogations

- a. Applicants must include details of how they propose to verify whether the derogations have been implemented correctly and whether they achieved their objective, using scientifically based evidence, and, if necessary, how the applicant will take corrective measures where required.
- b. Applicants should provide details of proposed reports to be submitted to the NPWS including the results of monitoring.
- c. Applicants are advised to read the guidance published by the European Commission "[Guidance document on the strict protection of animal species of Community interest under the Habitats Directive](#)" with specific reference to Section 3.4.

Part F. 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 derogation and that it is a legal requirement to comply with the conditions of any derogation I may be granted following this application. I understand that NPWS may visit to check compliance with a derogation.

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 their functions under these Regulations or for obtaining any information which they may require for such purposes.

Signature of the Applicant

Dr Tina Aughney

Date

18th
October
2025

Name in BLOCK LETTERS

Dr Tina Aughney

PRIVACY STATEMENT

See Privacy Statement at www.npws.ie/licences

npws.ie

Department of Housing, Local Government and Heritage



An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage