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DEROGATION LICENCE APPLICATION – SUPPORTING INFORMATION

for

PROPOSED MOTOR SALES AND SERVICE BUILDINGS,

CREGGAN UPPER,

DUBLIN ROAD,

ATHLONE, CO. WESTMEATH

On behalf of

Michael Moore Car Sales Ltd.

JULY 2025

TABLE OF CONTENTS

DOCUMENT CONTROL

Revision No.	Date	Note	Author	Signature
F	11/07/2025	Final	Donnacha Woods B.SC. M.Sc. ACIEEM	

1 INTRODUCTION

1.1 Overview

Gannon + Associates were commissioned by Michael Moore Car Sales Ltd. to carry out bat survey works in regards to the proposed motor sales and service development at Creggan Upper, Dublin Road, Athlone, Co. Westmeath (Planning ref. no.: 25/60260).

The proposed development site is located to the south-east of Athlone town, situated along the N62 Dublin Road in the townland of Creggan Upper. The site comprises sections of larger agricultural fields in addition to a derelict/vacant farmhouse and out-buildings.

FIGURE 1. FARM BUILINGS WITHIN PROPOSED DEVELOPMENT SITE.

1.2 Statement of Competency

This report has been prepared by Donnacha Woods M.Sc. B.Sc. Donnacha has over 10 years' experience working as an ecologist in both private consultancy and NGO sectors. Donnacha holds a B.Sc. in Zoology from University College Dublin and a M.Sc. in Biodiversity and Conservation from Trinity College. He has worked on a wide range of projects both at home and overseas and has significant experience carrying out bat surveys and assessments in Ireland. He also holds a Diploma in Environmental Impact Assessments from Portobello Institute and a Certificate in Wild Plant Identification from IT Sligo.

1.3 Legislation

All bat species in Ireland, and their roost sites, are protected under the following national and international legislation:

- Wildlife Act (1976) & Wildlife (Amendment) Act 2000;
- EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Directive 92/43/EEC), i.e. the 'Habitats Directive';
- The Convention on the Conservation of European Wildlife and Natural Habitats, i.e. the 'Berne Convention'; and
- The Convention on the Conservation of Migratory Species of Wild Animals, i.e. the 'Bonn Convention'.

Under Section 23 of the above listed Wildlife Acts (1976-2000) it is offence to wilfully interfere with or destroy the breeding or resting place of any bat species. The provisions of Section 23 state that 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; and
- Wilfully interfere with a bat while it is occupying a structure or place which it uses for that purpose.

In view of their sensitive status across Europe, all species of bat have been listed on Annex IV of the EC 'Habitats Directive' and some, such as the lesser horseshoe bat, are given further protection and listed on Annex II of this Directive. This Directive was transposed into Irish law as the European Communities (Natural Habitats) Regulations, 1997, and combined with the Wildlife Acts (1976-2016), ensures that individual bats and their breeding sites and resting places are fully protected.

A list of bat species known to occur in Ireland is given in Table 1. This includes nine resident species and two vagrant species, which have only been recorded on a single or handful of occasions in Ireland.

TABLE 1. STATUS AND DISTRIBUTION OF BAT SPECIES IN IRELAND.

Species	Conservation Status (NPWS, 2019)	Occurrence in Ireland	Distribution in Ireland (McAney, 2006)
Common Pipistrelle (*Pipistrellus pipistrellus*)	Favourable	Resident	Widespread
Soprano Pipistrelle (*Pipistrellus pygmaeus*)	Favourable	Resident	Widespread
Nathusius' Pipistrelle (*Pipistrellus nathusii*)	Unknown	Resident	Widespread
Leisler's Bat (*Nyctalus leisleri*)	Favourable	Resident	Widespread
Brown Long-eared Bat (*Plecotus auritus*)	Favourable	Resident	Widespread
Brandt's bat (*Myotis brandtii*)	Data deficient	Vagrant	Handful of records from counties Wicklow, Clare and Kerry
Daubenton's Bat (*Myotis daubentonii*)	Favourable	Resident	Widespread
Whiskered Bat (*Myotis mystacinus*)	Favourable	Resident	Widespread
Natterer's Bat (*Myotis nattereri*)	Favourable	Resident	Widespread
Greater Horseshoe Bat (*Rhinolophus ferrumequinum*)	n/a	Vagrant	One existing record from Co. Wexford
Lesser Horseshoe Bat (*Rhinolophus hipposideros*)	Inadequate	Resident	West of Ireland

2 BACKGROUND

The proposed development was granted planning permission by Westmeath County Council on 27th August 2025 (Planning ref. no. 25/60260).

2.1 Site Location and Applicant

The site is located to the northwest of the established commercial site of Michael Moore Car Sales on the old Dublin Road (N62), Creggan Upper, located east of Athlone town, Co. Westmeath. Michael Moore Car Sales has developed in this area since a 1999 application to open a car showroom was approved and has since grown organically towards Athlone town. This application represents another stage in the growth of this successful local business.

The subject site is located to the west of the existing Michael Moore Audi showroom and Auto-service facility. There is an existing uninhabitable derelict dwelling and associated agricultural outbuildings located on site, which will be demolished as part of this proposal. Access to the site is via an existing residential and agricultural access from the N62.

The development is along a 1.3km stretch of the N62 between a roundabout and an exit from the R446 road. Along this stretch there are 10 existing access points, including two other Michael Moore car dealerships directly to the east of the subject site accessed from the L5410. The L5410 is 200 metres to the east of the proposed new road. The site is at the edge of the town, being approximately 400 metres from the commencement of footpaths.

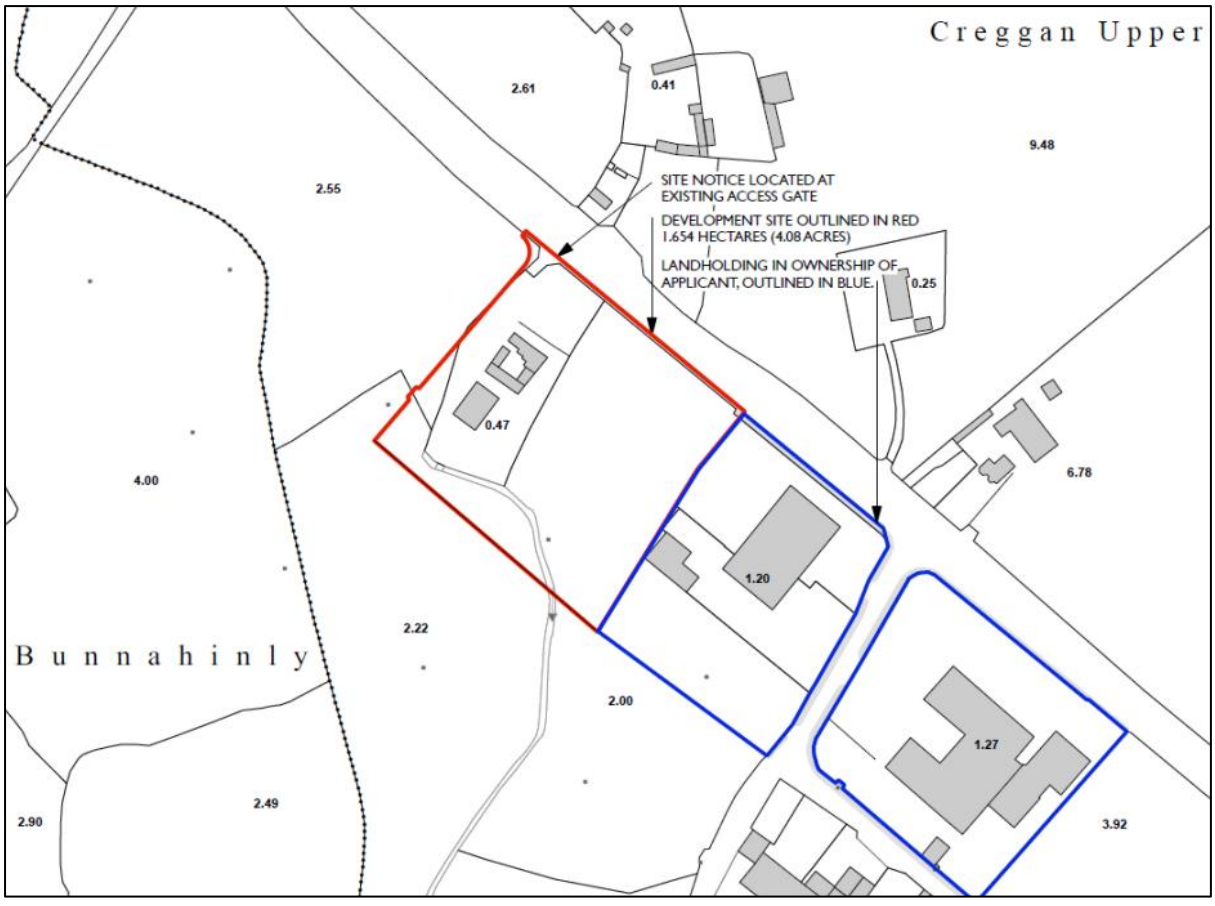


FIGURE 2. EXTRACT OF EMD ARCHITECTURE OS MAP OF THE PROPOSED DEVELOPMENT ALONG WITH LAND IN APPLICANT'S OWNERSHIP IN BLUE. (SOURCE: EMD ARCHITECTS.)

2.2 Development Context

The need for the development arises from the requirement to relocate Mercedes Benz sales from the current Michael Moore Car Sales in the southeast to a standalone facility. The site will comprise two showrooms with Mercedes Benz occupying the eastern building (known as Building 'A' in this application) and another, as yet unidentified, tenant will occupy the western building (known as Building 'B').

The proposed access road will replace the current residential access road and has the potential to unlock lands to the south and west for future development (subject to future planning permission(s)). The site and wider area is zoned as Strategic Gateway in the Creggan Local Area Plan 2010-2015 (extended to 2025), which is intended to "facilitate the development of an enterprise zone with international profile including trading, which will involve inward investment commensurate with the objective of promoting the growth of Athlone as a linked gateway and employment centre."

Notably, Athlone is a designated Regional Growth Centre in the Eastern and Midland Regional Spatial and Economic Strategy, 2019-2031 (as per National Policy Objectives 5 and 15 of the National Planning Framework First Revision) and the redevelopment of the subject site and wider lands would make a contribution towards the ongoing strategic development of the town and the significant subsequent role this would play in strengthening the Region. The development could become a catalyst for delivering an attractive development on a main route into the town, which would be fitting for town's role in the coming years (compared to the dereliction visible on the subject site currently).

Within the zoning matrix of the Creggan Local Area Plan 2010-2015 (extended to 2025), car sales/repairs is defined as being 'Open for Consideration'; we submit that the principle of a 'car sales showroom' on this site to be acceptable as assessed by Westmeath County Council in their Planning Report dated 15th September 2023 for the previous scheme, and having regard to the established Michael Moore Car Sales facility to the east of the site (Reg. Ref. 99/1754), which related to the change of use of a wholesale warehouse to car sales facility, together with showroom. The existing Michael Moore car sales development has evolved in an incremental and planned manner since 1999, including another car sales development to the site adjacent to the subject application site in 2006. As such, the proposed land use is considered appropriate having regard to those existing, established on neighbouring similarly-zoned sites.

2.3 Local Policy

Westmeath County Development Plan 2021-2027

The development would support the delivery of policies outlined in the Westmeath Development Plan 2021-2027 (CDP) to support the continued growth of Athlone (CPO 2.2), facilitate sustainable economic and community development (CPO 4.4), create a viable and favourable economic environment for business and enterprise (CPO 5.2), facilitate the continuation of balanced population and employment growth (CPO 5.3), promote Athlone as a key location for regional economic development supporting the provision of increased employment (CPO 5.12), build resilience within the County's enterprise base (CPO 5.44), and consider the development management standards in terms of employment and enterprise development (CPO 16.49).

Athlone Town and Environs Development Plan 2014-2020

The Athlone Town Development Plan (TDP) was adopted by Athlone Town Council in 2014, which has since been dissolved, and its functions subsumed by Westmeath County Council. A new Joint Urban Area Plan is being prepared by Westmeath County Council and Roscommon County Council for Athlone to replace the TDP. Until such time that the new Joint Plan comes into force, the previous Plan will continue to have effect.

The TDP designates the site with the zoning 'Strategic Gateway Zone' which is defined as providing:

"*for a range of specialist but complementary uses which are permissible within this area. Such uses include flagship enterprise, trade, exhibition, conference facilities and related leisure, cultural, residential and community uses including schools. The vision presented for this area encompasses a vibrant, high quality and sustainable centre of enterprise and employment that creates a positive and lasting image of Athlone to the visitor, investor, and resident alike*."

Table 6.1 of the Plan identifies a Schedule of Road Improvement Schemes in Athlone, including Objective

No. O-TM24:

"*R446 road widening to 4 lanes and improvement to urban standard, including junctions as required by the development of the Creggan Area, over a length of 1.4km from the Creggan roundabout to the N62 junction at Fardrum*."

The above Objective identifies "junctions as required" along the stretch of road where the proposed development is located. This gives a strong policy basis for the proposed access arrangements. Similarly, Objective O-EC2 "to support the implementation of the Creggan Local Area Plan and Strategic Gateway Zone" provides a support for the activation of the zoned lands.

Creggan Local Area Plan 2010-2015 (as extended)

The Creggan Local Area Plan (LAP) was adopted in 2010 and has been extended to November 2025. The LAP designates the site with the zoning 'Strategic Gateway Zone,' defined in Section 4.2.2 above, which encompasses the entirety of Character Area C of the LAP, and is identified "*given the strategic location and extent of this parcel of land (152 ha) on the periphery of Athlone, the accessibility, centrality and opportunities to avail of and enhance public transport facilities, this area represents an opportunity for development of intensive enterprise activity, which would generate significant inward investment and job creation potential*."

3 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development comprises the following:

- Demolition of existing non-habitable dwelling and associated buildings;
- Construction of the following;
    - Building A single storey motor vehicle service and sales facility, 1780 sq.m.
    - Building C a detached single storey ancillary building,(310 sq.m)
    - Building B a partially two storey motor vehicle service and sales facility, (952 sq.m) service and sales building; and
    - Building D a detached single storey ancillary building (326 sq.m.).
    - Both building C and D will be used for valeting and washing vehicles solely in the operation of building A and B.
- The development also includes the construction of an access road off the N62, on-grade car parking, free standing signage and flag poles, boundary treatments, associated drainage and ancillary site works.

Site Drainage Design

Foul waters

Foul waters generated from the development will be treated on-site using a Molloy Environmental System's 24PE Chieftain SBR wastewater treatment system. This unit is EN12566-3 certified and SR66 compliant. The system is capable of treating the design loading of the development. The proposed system in summary consists of the following components:

- 1 no. new precast concrete primary/buffer tank (7,000 litres)
- 1 no. new precast concrete reactor tank (6,000 litres)
- 1 no. tertiary treatment system

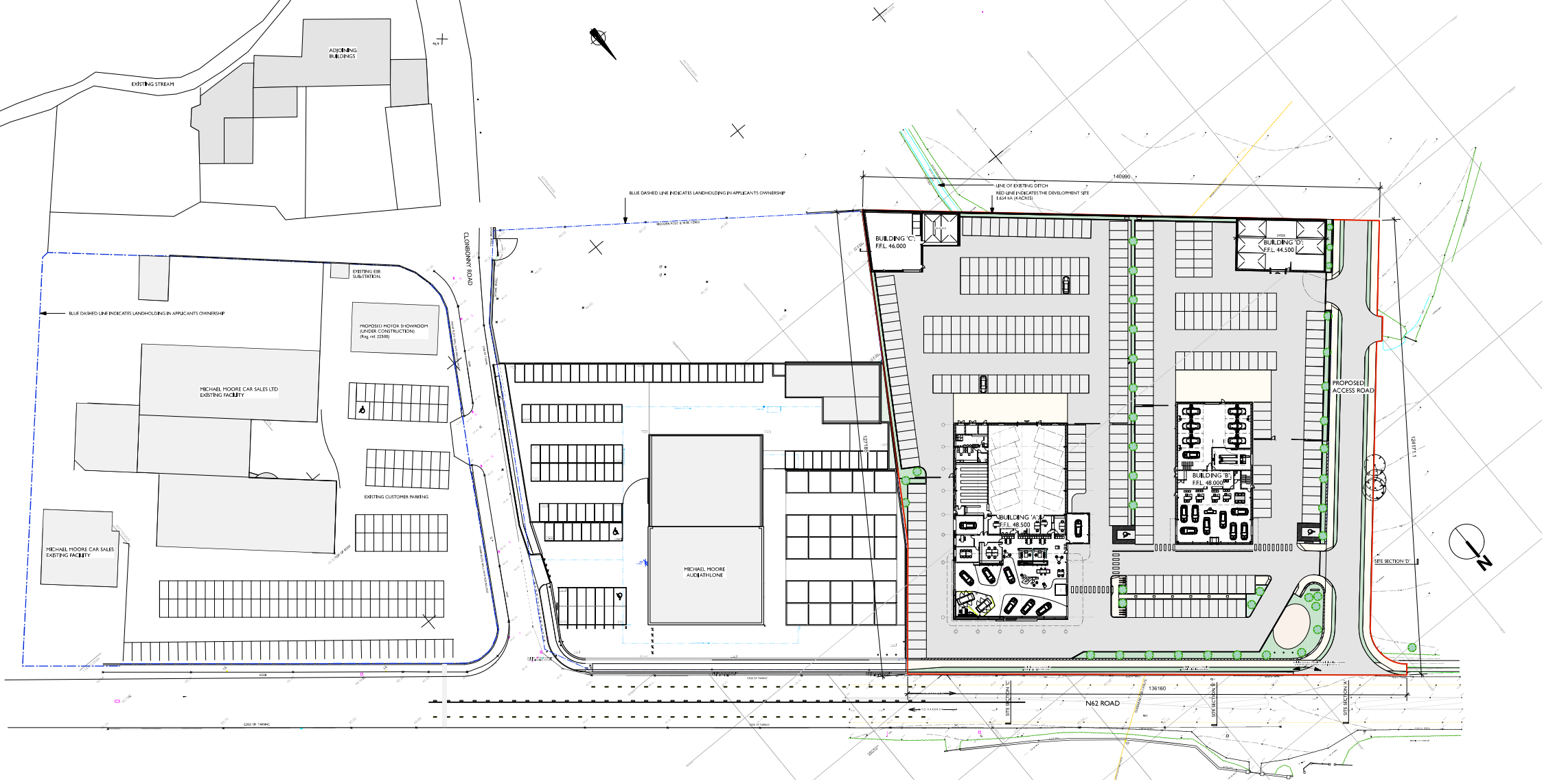
Further details on the treatment system are provided in the submitted wastewater treatment design report (Molloy Environmental Systems). The treated wastewater will ultimately discharge to the open drainage ditch at the south of the proposed development site (see submitted Site Services Layout drawing – Malachi Cullen Consulting Engineers Ltd.).

Foul waters (carwash)

It is proposed to install separate new self-contained internal car washdown systems in each valeting and wash buildings (Buildings C & D). These will consist of a prefabricated package car wash water recycling system designed to recycle 100% of recovered wash water for continuous re-use. The 'all in one' package vehicle wash water recycling system incorporates a dirty water/sludge tank, an aeration tank, a clean water tank and the aeronic water recycling system. There is an underground precast concrete collection tank provided in each building for system drain down and off-site removal of any waste/used water for each valet area by a licensed operator. We can confirm that number of car washes per day will be 10 no. per wash bay x 2 no. wash bays = Total 20 car washes per day. Engine cleaning is not anticipated in the car wash. The wash bays are internal and covered.

Surface waters

Treated surface waters will be directed to an on-site attenuation tank (capacity 623m^3) before similarly discharging to the open drainage ditch at the south of the proposed development site. As part of the surface water drainage design, there is a proposed new petrol/oil interceptor in addition to a hydro-brake to be installed directly outside the attenuation tank. The design also includes a silt-trap manhole to be installed before the attenuation system in order to prevent silt entering the attenuation tank and to facilitate maintenance of the system.



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PLANNING DRAWING; 17.04.2025

REV	DATE:	DESCRIPTION:

PROJECT: PROPOSED MOTOR SALES & SERVICE FACILITIES, CREGGAN UPPER, ATHLONE.

TITLE: PLANNING DRAWING; BLOCK PLAN

CLIENT: MICHAEL MOORE CAR SALES LTD.

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SCALE:	DATE:	DRG. No.
1 : 500 @ A1	Dec. 2022	P-01

4 ECOLOGICAL SURVEY AND SITE ASSESSMENT

4.1 Desk Study

4.1.1 Results of Previous Ecological Assessments

A review of past bat surveys and assessments which were carried out within proximity to the application site was also undertaken to inform this assessment. The results of relevant surveys and assessments are presented below.

Europe China Trading Hub Phase 1, Athlone (Planning ref. no.: 11/1025)

Ecological surveys were carried out across the Masterplan lands of the proposed Europe China Trading Hub site in 2009 and 2010 (RPS, 2010). This area encompassed the proposed development site and extended west to the bog edge west of the railway line and north as far as the Athlone Business Park. Pertinent results from these ecological surveys are outlined below:

- Bat surveys were carried out on suitable structures within the application site – this included the buildings within the proposed development site. A total of three species were recorded – common pipistrelle, soprano pipistrelle and Leisler's bat. **A small common pipistrelle roost was recorded in the farmhouse of the proposed development site**, where approximately four specimens were recorded emerging from the roof at the rear of the farmhouse at dusk during emergence survey.

4.2 Survey Methodology

4.2.1 Roost Inspection Surveys

Roost inspection surveys were carried out of the structures on-site by a qualified ecologist with Gannon + Associates on 9th June 2023, 22nd June 2023 and 29th April 2025. The surveys were carried out in-line with the best practice methods outlined in the Bat Conservation Trusts "*Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition)*" (Collins, 2023).

A thorough search of the structures on-site was conducted during daylight hours and included both the exterior and interior of the buildings. The survey involved a search for evidence of bat presence within the structures, including, but not limited to:

- Droppings;
- Fur-oil stains and scratch marks,
- Dead specimens;
- Urine splashes;
- Prey items (moth/butterfly wings etc.); and
- Audible squeaking.

4.2.2 Emergence Surveys

Dusk emergence surveys were carried out on the structures within the proposed development site by Gannon + Associates on 9th June 2023, 22nd June 2023 and 29th April 2025 using direct observation and handheld bat detectors (both heterodyne and full-spectrum). The purpose of the surveys was to determine the presence of roosting bats in the structures via the direct detection of emerging bats post-sunset. The surveys focussed on potential entry/exit points identified during the roost assessment surveys.

The surveys followed the best practice methods outlined in the Bat Conservation Trusts "*Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition)*" (Collins, 2023). The surveys commenced *c.*15 minutes prior to sunset and concluded *c.*2 hours post-sunset. Temperatures were mild

during both surveys, ranging from *c.*22 - 16°C with light winds and no precipitation. Any bats detected emerging/entering from the structures were recorded on field sheets and maps, as was any general bat activity in the immediate area.

A high-sensitivity thermal imaging camera was also utilised as a survey aid, as per Fawcett Williams (2021), during the April 2025 survey. Thermal imaging significantly improves the detectability of bats emerging/re-entering roost sites, as the camera is not restricted by the available visible light. Cameras were focussed on features identified during the roost inspection survey. Footage was then reviewed following the survey to ensure no potential emergence was missed during the survey.

FIGURE 4. EXAMPLE OF THERMAL IMAGING CAMERA FOOTAGE.

Legend

Site Boundary

Drainage Ditch

Title

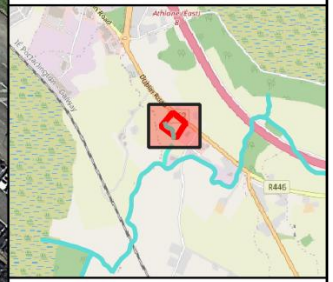
Figure 3: Application site.

Project

Proposed motor sales and services buildings, Dublin Road, Athlone, Co. Westmeath

Client

Michael Moore Car Sales Ltd.



Date: 20/06/2023 Scale: 1:1,500
Imagery: Google Satellite

Notes:
Site boundaries are for demonstrative purposes and do not represent exact legal or planning boundaries.

gannon + associates

4.3 Survey Results

4.3.1 Roost Inspection Survey

The proposed development site encompasses a derelict farmhouse and associated outbuildings & barn. The farmhouse is a two-storey house of stone/brick construction and has some signs of historic renovated works. The windows are replacement timber windows, a number of which have been broken. The guttering, facias and soffits are all PVC replacements. The roof similarly comprises modern replacement slates, and there are a number of holes in the roof and missing slates. The interior of the structure is in complete disrepair, with evidence of extensive fire damage. The attic space within the structure is limited, comprising a small space at the apex of the roof. There is fibreglass insulation present between the rafters.

FIGURE 5. INTERIOR OF DERELICT FARMHOUSE.

The outbuilding is stone-built with a slate roof. The rafters back directly onto the slates and the roof is overall in good repair.

The structures were thoroughly searched for any evidence of roosting bats. This included, but was not limited to, the following areas:

- External bricks, plaster, soffits etc. for grease stains and scratch marks;
- External paving, windowsills and internal attic (where possible[1]), floors, walls and furniture/storage items for bat droppings;
- Where possible in suitable crevices for live bats;
- Walls and corner areas for perching stains and scratch marks;
- In toilets, sinks and other areas of standing water for dead bats; and
- Floors and surfaces for discarded moth and butterfly wings.

A small number of droppings, consistent with pipistrelle bat droppings, were found in the stone outbuilding during the April 2025 roost inspection survey. These droppings, approximately 15-20 in total, were found on the floor in the western end of the outbuilding. No further droppings were recorded within the structure.

[1] Due to the extensive fire damage, much of the attic was not directly accessible during the roost inspection survey.

FIGURE 6. INTERIOR OF STONE OUTBUILDING WITHIN PROPOSED DEVELOPMENT SITE.

A small number of droppings, again consistent with pipistrelle bat droppings, were also found on the ground in the front porch of the farmhouse during the April 2025 roost inspection survey. There are no roosting features present within the interior of the porch. The exterior door of the porch is left open, and it is considered that the droppings recorded here relate to pipistrelle bat(s) foraging in the porch space, which provides a sheltered location likely harbouring insects on the wing for foraging.

FIGURE 7. SMALL NUMBER OF BAT DROPPINGS ON FLOOR OF STONE OUTBUILDING AND PORCH OF FARMHOUSE.

No droppings or evidence of bat roosting was recorded within the main farmhouse, associated shed/lean-to or the hay shed during the roost inspection survey.

4.3.2 Emergence Survey

2023

No bats were recorded emerging from any structure during the emergence surveys on 9th June and 22nd June 2032. Some incidental bat activity was recorded within the surrounding area during the surveys:

9th June 2023 – The first record comprised a common pipistrelle coming from west of the proposed development site approximately 25 minutes after sunset. This was followed by a second common pipistrelle arriving from the west. Both bats then foraged within the scrub at the rear of the farmhouse and along the adjacent hedgerow/mature trees to the east. A Lesiler's bat was recorded travelling south of the site approximately 30 minutes after sunset. Records of soprano pipistrelle foraging were noted approximately 40 minutes after sunset. Two Natterer's bats were noted foraging west of the barn, over scrub and along hedgerows. Foraging activity was noted within the hay barn. This was likely due to the shelter provided here from light winds in addition to horse manure attracting an abundance of flying insects in this area.

22nd June 2023 – Activity was broadly similar to above survey, with first record comprising common pipistrelle approximately 15 minutes after sunset. An estimated three common pipistrelle were noted foraging along trees directly east of the farmhouse. Leisler's bat was also recorded travelling and foraging over trees in surrounding area. Soprano pipistrelle was recorded from approximately 35 minutes after sunset. Natterer's bat was again briefly recorded foraging south of the farmyard.

2025

29th April 2025 – The first records comprised a Leisler's bat foraging over field west of the proposed development site at 21-minutes post-sunset. At 22-minutes post-sunset a common pipistrelle was record foraging in the area between the outbuilding and the hay-shed. **A review of thermal imaging camera footage shows this bat emerged from the open door of the stone outbuilding immediately prior to this**. This bat remained foraging in this general area around the outbuilding and west of the hay-shed. Soprano pipistrelle observations were recorded south and west of the farmyard along the existing hedgerows from 30-minutes post-sunset. At 49-minutes post-sunset a minimum of two common pipistrelle and one soprano pipistrelle were noted to be foraging in the open hay-shed, similar to previous surveys.

4.4 Impact Assessment

Loss of habitat

The development will result in the demolition of the derelict farmhouse, stone outbuilding and hay shed within the site. A small common pipistrelle roost was historically recorded within the farmhouse within the proposed development site (RPS, 2011). The condition of the farmhouse has further deteriorated since this past survey was undertaken, with evidence of fire damage within the building and holes noted in the roof structure. No bats were recorded emerging from the farmhouse during the emergence surveys. However, adopting a precautionary approach, there is potential that the building could still be used intermittently by roosting bats in small numbers.

A small collection of bat droppings was recorded within the stone outbuilding during the roost inspection survey in April 2025. A review of thermal camera footage revealed a single common pipistrelle leaving the building through an open door at approximately 22-minutes post-sunset. While it is possible that this bat was foraging within the sheltered building and entered through an open door, owing to the timing

of the observation and adopting a precautionary approach, it is considered that this bat was roosting in the outbuilding.

As such, the removal of these buildings in the absence of any mitigation measures would comprise a Long-term **Moderate** Negative effect on the local bat assemblage.

The proposed development will result in the loss of some minor areas of potential foraging habitat for bats - namely the scrub and hedgerows on-site. Considering the small area of habitat to be removed, and the availability of suitable, alternative habitat within the wider environment, the loss of foraging habitat is considered to be a Long-term **Not Significant** Negative effect.

Landscape connectivity

Landscape connectivity is an important element in the assessment of developments on local bat populations (Frey-Ehrenbold *et al*., 2013). The site is bordered to the north by the N62 and associated street lighting and to the east by an existing motor sales facility with associated lighting. The lands immediately west and south of the proposed development site comprise open agricultural grassland fields. The proposed development is not considered to form an important landscape connectivity function for bat species. The proposed development will therefore not result in any significant negative effects on local bat populations in terms of impacts to wider landscape connectivity.

5 MITIGATION MEASURES

5.1 Description

The proposed development includes the removal of the existing buildings on-site and construction of proposed motor sales and service buildings. This will result in the loss of the likely common pipistrelle roost within the existing building. A single bat was recorded likely emerging from this roost during the survey on 29th April 2025.

Given the low number of bats recorded emerging, this is not considered to be a maternity roost. However, the loss of this roost, in the absence of mitigation, would constitute a minor negative impact to local common pipistrelle population.

5.2 Mitigation Measures

Removal of roosting habitat during demolition

The existing structure on-site will be removed as part of the proposed development. This includes the likely common pipistrelle bat roost within the stone outbuilding.

A derogation licence is therefore required from the National Parks and Wildlife Service (NPWS) for works to this building.

Mitigation measures are proposed below to minimise the impact of this demolition where possible.

- The demolition of the stone outbuilding and farmhouse should be undertaken outside of the main period for roost usage where possible (i.e. outside of April to September);
- Should works to these structures be undertaken during the active bat season (March/April – September/October) it should be immediately preceded by bat emergence surveys and roost inspection surveys to determine whether any bats are utilising the structures;
- Should bats be recorded emerging they will require exclusion from the structures (i.e. blocking of entry/exit points once bats have emerged). Physical removal by hand by a suitably qualified bat specialist may be required should exclusion not be possible. In this instance bats will be placed in a bat box for release on the evening after capture. Note: Should significant bat roosts be identified in any structure during the emergence surveys (i.e. maternity roosts), in consultation with NPWS, works to the subject structures may be constrained to outside the period of roost usage (i.e. outside of April to September); and
- A qualified ecologist and/or the local NPWS conservation officer will be present to over-see the initial demolition works. It is recommended that for demolition, the roof structures should be removed first, and the building left for a minimum of 24 hours in order to facilitate any potential bats present to exit the structures.

Removal of potential roosting habitat during site clearance

Where possible the felling of the mature trees on-site should be undertaken during the period of April – September, as bats are capable of flight during this time. In such instances, a bat emergence survey should be carried out on these trees on the night preceding felling by a suitably qualified ecologist, aided by the use of bat detectors and thermal/infra-red imaging camera where possible. Should bats be identified emerging from any trees, a derogation licence will need to be obtained from the National Parks and Wildlife Service (NPWS) for the disturbance of these bats prior to the tree removal.

In addition to the above, or should trees need to be felled outside the active bat season, an ecologist will be present on-site during the felling and will investigate any PRFs via endoscope where possible (with aid of cherry picker or similar) immediately prior to felling. This may require the removal of thick ivy growth where possible. Under the guidance of the bat ecologist, some limbs of the subject trees may need to be rigged prior to cutting and lowered to ground to avoid sudden movements (i.e., limbs

containing potential roost features not accessible for direct investigation, or limbs obscured by ivy growth). The subject limbs and truck sections will then be investigated by the bat ecologist prior to removal off-site / mulching. Should bats be present in any feature, they will be removed by a bat ecologist licenced to handle bats and released in the area on the following evening.

Provision of roosting habitat

A total of 4no. bat boxes (Schwegler 2F and 1FF of similar comparable designs) will be erected on the exterior of the existing building directly south-east of the proposed development site within the Michael Moore Audi Athlone development, which is within the applicant's ownership. The boxes should be erected as follows: 2no. (one 2F and one 1FF design) on south-facing elevation and 2no. (one 2F and one 1FF design) on the west-facing elevation, with boxes to be minimum 4m in height, or approximately 1m from apex. The bat boxes will be installed prior to the demolition of the existing structures and under guidance from a suitably qualified ecologist.

6 DEROGATION LICENCE APPLICATION

Surveys undertaken at the proposed development site recorded three soprano bats emerging from the existing bungalow on-site. Gannon + Associates, on behalf of Peter & Niamh McLoughlin, are therefore applying for a bat derogation licence in relation to the demolition of this bungalow.

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 five 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.*

This application for derogation qualifies under Regulation 54(2)(c) of the European Communities (Birds and Natural Habitats) Regulations as the proposed development is required to remove an existing risk to public safety.

The proposed development site encompasses a derelict farmhouse and associated outbuildings & barn. The buildings are in a poor state of repair and there is evidence of previous anti-social behaviour. The farmhouse has evidence of fire damage and previous vandalism. The stairs are and upper floor have collapsed in places and are structurally unsound. There is ongoing deterioration and collapse in the ceilings (see Figure 9 overleaf). The proposed development site is situated close to large population centre of Athlone and there is a high likelihood of further anti-social activity within the buildings on-site, which comprises a significant health and safety risk to the public. Members of the public entering the site and buildings would be at risk of serious injury due to the deteriorated state of the buildings.

FIGURE 8. EXAMPLE OF DAMAGE AND UNSAFE CONDITIONS WITHIN EXISTING BUILDINGS ON-SITE.

Test 2 – There is no Satisfactory Alternative

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

Do nothing scenario: As detailed above, the buildings in their current state comprise a risk to public health and safety. As such, the do-nothing scenario is unsatisfactory.

Demolition of buildings on-site and no new development: The potential for the demolition of the existing buildings on-site with no further development was considered. Under this scenario, the bat roost would similarly be lost and derogation required. This scenario would not allow for new development and is therefore unsatisfactory.

Renovation of existing buildings: The potential for the renovation of the existing buildings on-site was considered. Under this scenario, significant works would be required to the existing buildings, including complete removal/replacement of existing roofs and interior components. These works would result in

the disturbance / loss of the existing bat roost and would themselves require derogation licence. As such, this scenario is unsatisfactory.

Chosen option: Removal of buildings on-site, development of motor sales and service buildings and provision of alternative roosting habitat. This will ensure the provision of suitable, stable roosting habitat at the site into the long-term to the benefit of local bat populations.

Test 3 – Favourable Conservation Status

As stated in the above NPWS document, '*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*'.

A small common pipistrelle roost was recorded in the proposed development site. Evidence of survey results show the structure does not contain a significant roost (i.e. a maternity roost).

The overall trend for the national population of common pipistrelle in Article 17 reporting (NPWS, 2019) is as follows:

- Range = Favourable
- Population = Favourable
- Habitat for species = Favourable
- Overall Assessment of Conservation Status = Favourable
- Overall trend in Conservation Status = Improving

Mitigation measures have been designed in respect to the demolition works to ensure that there will be no negative impacts to potential roosting bats as a result of the proposed development (as detailed in Section 5 above). An alternative roosting habitat will be provided via bat boxes. No significant impacts are anticipated on the local population of common pipistrelle bats.

6.1 Monitoring

A monitoring visit to the installed bat boxes will be undertaken by a suitably qualified ecologist during the first summer post-construction and in fifth year post-construction (during May-August window). Boxes will be investigated via ladder (Schwegler 2F design) or from ground level (Schwegler 1FF design) and records taken on the usage of any boxes by bats. Note: Any handling of bats must only be undertaken by a bat ecologist licenced to handle bats and under appropriate licence from the NPWS. The ecologist will assess the suitability of the bat boxes post-construction and may make recommendations on the relocation or replacement of bat boxes. Any boxes recorded to be utilised by bats will be strictly protected. Any bat boxes noted to be damaged or removed will be replaced by a similar comparative available model.

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