

Derogation Licence Application Checklist

Table 1 provides responses to four key issues which will be considered during the derogation license decision making process.

Table 1 - Derogation License Checklist

<p><i>Explanation as to why the derogation licence sought is the only available option for works and no suitable alternative exists as per Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations.</i></p> <p>Ian Keane intends to redevelop a derelict residence to maintain the property for residential use.</p> <p>The derogation license is sought to facilitate these works (permitted by Clare Co. Co. 23/508) which are required for social reasons to continue the use of the structure as residential and help address the national housing crisis.</p> <p>Alternative solutions were considered, and none are available in this instance. The building is an advance state of dilapidation and renovation is required to preserve the structure. Renovation in a way that does not disturb the bat roosting locations is not possible.</p> <p>Under a 'do-nothing' scenario it is likely that the structure would fall into an advanced state of dereliction and be lost entirely as roosting structures for bat species. The proposed development will see the renovation of structures onsite in order to make them structurally secure and habitable and as such no suitable alternative is available for works to proceed.</p>	<input checked="" type="checkbox"/>
<p><i>Evidence that actions permitted by a derogation licence 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 as is required under Section 54(2) of the European Communities (Birds and Natural Habitats) Regulations.</i></p> <p>An appropriate level of survey was carried out which complies with current best practice standards. Survey data as presented in Natura Impact Statement is considered to be valid and best available information.</p> <p>Provision is made for a permanent blockwork structure adjacent to the existing colony and along their known flight path. Construction is currently ongoing for this structure and will be completed prior to the commencement of works on the existing colony structure.</p>	<input checked="" type="checkbox"/>

The structure design as outlined within the accompanying NIS follows that formulated by VWT within the 'Mulkear EIP Lesser Horseshoe Bat Conservation Project'. This structure is intended to replace the loss of the existing roosting space within the derelict cottage and cater for the maternity colony. The timing and sequencing of works have similarly been formulated such that critical periods of the Lesser Horseshoe Bat lifecycle will be completely avoided such that potential direct impacts will be completely avoided as a result.

It is considered with best available information that the proposal will not be detrimental to the maintenance of the bat populations at a favourable conservation status in their natural range and that the proposal will not have a detrimental effect on the local bat populations.

Details of any mitigation measures planned for the species affected by the derogation at the location, along with evidence that such mitigation has been successful elsewhere.

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A detailed summary of mitigation measures related to this application are outlined in the accompanying Natura Impact Statement document.

The proposed design of the replacement colony structure builds upon best available information for Lesser Horseshoe Bat, and similar structures following this design have been occupied by Lesser Horseshoe Bat. The location of the proposed roost is considered optimal as it is located along the known flightpath of the Lesser Horseshoe Bat colony.

As much information as possible to allow a decision to be made on this application.

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Full information is outlined in the accompanying NIS Report, and this information is considered valid and represents the best available data.