

MWP

**Derogation Licence Application under
the European Communities (Birds and
Natural Habitats) Regulations
2011 - 2021
Supporting Information**

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Appendix 1 – Curriculum Vitae of Applicant

MWP, Engineering and Environmental Consultants

Address: Reen Point, Blennerville, Tralee, Co. Kerry, V92 X2TK,

www.mwp.ie



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1. Introduction

This document provides supporting information which has been compiled by the Applicant (Hazel Dalton) to accompany an application for a Derogation Licence under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations, 2011.

The Applicant is a Principal Ecologist (BSc., BBus.) working with Malachy Walsh and Partners (MWP), Engineering and Environmental Consultants (MWP) for almost ten years. She is experienced in ecological surveying and impact assessment and has a diverse ecological survey profile including habitats and flora, mammals, bats and birds. A copy of the Applicant's current Curriculum Vitae, specifically in relation to experience with bat surveys and bat impact assessment, is included for information in **Appendix 1** of this document.

The purpose of this document is to provide sufficient information to the National Parks and Wildlife Service (NPWS) and the Department of Housing, Local Government and Heritage (DHLGH) to allow them to make an informed decision regarding the granting of a Derogation Licence to the Applicant to carry out certain bat surveys, where disturbance of bats and/or roosts will/may occur.

As per Section 11 of the 'Application for Derogation Licence' form which is available on the NPWS website and is required to be completed, this supporting document details relevant information in response to the four criteria which are set out, in relation to the level of supporting information required. These are discussed under the following sub-headings.

Note: The Applicant previously received a Derogation Licence for bat surveys (DER/BAT 2024-51) on the 22nd February 2024 which covered the period until 31st December 2024. As this licence has now expired, the Applicant has submitted a licence return report to the Wildlife Licensing Unit of NPWS on the 14th January 2025, in advance of applying for renewal of the licence for 2025.

2. 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.

The Applicant wishes to apply for a Derogation Licence to facilitate certain bat surveys (in essence a licence to undertake surveys which may potentially disturb bats and/or a roost).

The specified reason for the Derogation Licence application, as listed in Regulation 54 of the 2011 Regulations, is:

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 Derogation Licence is being applied for to allow the Applicant to undertake surveys where a bat roost is either confirmed present or may be present, and where such surveys would/or potentially could, cause disturbance of bats, particularly during the period of breeding, rearing, hibernation and migration (as per Regulation 51 of the 2011 Regulations). Such surveys which could cause disturbance, where a roost is confirmed or suspected, could comprise inspections of structures and/or trees, including use of endoscope, mirrors etc, presence/absence surveys, roost characterisation surveys or other standard best-practice bat survey methods, in line with Collins (2023), Marnell *et al.*, (2022), SNH (2021), Collins (2016) and Kelleher & Marnell (2006). Such surveys may typically, but not exclusively, be undertaken by the Applicant as part of baseline ecological surveys required to inform an ecological assessment to support a planning application for development. Surveys would be undertaken within the remit of the role of professional Ecological Consultant/Specialist, comprising the Applicant. Where such

a Derogation Licence as is being applied for is granted, this will negate the requirement for the services of an external, licenced surveyor to be sought, for situations where a licenced surveyor is deemed required.

With regard to alternatives, in the absence of this Derogation Licence, the Applicant would be unable to appropriately survey for bats in line with industry best-practice guidance as part of their professional ecologist role. The alternative scenario is therefore that improper or inadequate surveys could potentially be undertaken, resulting in the capture of incomplete data with regards to bats. This could result in inadequate or incomplete impact assessment and mitigation strategy development and implementation, potentially resulting in detrimental impacts to the maintenance of the populations of bat species in Ireland.

Thus, it is considered by the Applicant that there are no suitable alternatives, and the derogation licence sought is the only viable option with regard to the undertaking of bat surveys as a professional ecologist.

3. 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.

As discussed above, the Derogation Licence is being applied for to facilitate general bat survey work carried out as part of the normal role of a professional ecologist (the Applicant), who is adequately qualified and experienced.

There will be no:

- killing, injuring, taking/capturing of any bats
- wilful interference with any breeding/resting places of bats
- damage or destruction of any breeding/resting places of bats
- retaining, selling, transport or exchange of any bats taken in the wild.

The licence is intended to allow for bat surveys to be undertaken where surveys could potentially cause disturbance of bats or their roosts, and/or allow for more comprehensive bat surveys to be undertaken, where roosts are confirmed present.

There will be no physical interference with any bats or roost-sites. All survey work will be undertaken in accordance with current best-practice guidance, as outlined in **Section 2** above, and with any best-practice guidance which may be published within the licence period.

Bearing the above factors in mind, the actions permitted by the Derogation Licence being applied for will not be detrimental to the maintenance of the populations of any bat species at their respective favourable conservation status in their natural ranges, as required under Section 54(2) of the 2011 Regulations.

4. 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.

With regard to survey methods, equipment etc, all survey work will be undertaken in accordance with best-practice guidance, as outlined in **Section 2** above.

All surveys will be carried out in as short a time as possible to allow for the capture of adequate information, while minimising disturbance to bats and roosts.

No specific mitigation measures, over and above what is in line with standard survey methods, are deemed required with regard to any bat species which may be affected.

5. Other Relevant Information

A copy of the Applicant's Curriculum Vitae, specifically in relation to relevant experience with bat surveys and bat impact assessment, is included for information in **Appendix 1** of this document. Further information in relation to the Applicant's general professional ecological experience can be supplied, if required.

6. References

Collins, J. (ed.) (2023). *Bat Surveys for Professional Ecologists: Good Practice Guidelines*, (4th edn). The Bat Conservation Trust, London.

Marnell, F., Kelleher, C. & Mullen, E. (2022). Bat mitigation guidelines for Ireland v2. *Irish Wildlife Manuals*, No. 134. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland.

SNH, (2021). *Bats and On-shore Wind Turbines: Survey, Assessment and Mitigation*. Version: August 2021. Published by Scottish Natural Heritage.

Collins, J. (ed.) (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines*, (3rd edn). The Bat Conservation Trust, London.

Kelleher, C. & Marnell, F. (2006) Bat Mitigation Guidelines for Ireland. *Irish Wildlife Manuals*, No. 25. National Parks and Wildlife Service, Department of Environment, Heritage and Local Government, Dublin, Ireland.

Appendix 1

Curriculum Vitae of Applicant



Hazel Dalton
Principal Ecologist/Team Lead (BSc., BBus.)

2015 Bachelor of Science (Hons.) Wildlife Biology, *Institute of Technology, Tralee*

2005 Bachelor of Business (Ord.) Business Management, *Institute of Technology, Tralee*

Particular Expertise Hazel is a Principal Ecologist with almost ten years full-time experience with MWP since graduating in 2015. Prior to this, she worked with the company on a periodic part-time basis both before and throughout her Bachelor of Science degree. She is experienced in ecological surveying and impact assessment and has authored and contributed to numerous screening reports for Appropriate Assessment, Natura Impact Statements (NIS) and Ecological Impact Assessments (EclA/EIA). She has completed assessments for a wide variety of projects including for renewable energy, infrastructure, coastal and various other development projects. She is an experienced field ecologist and has a diverse ecological survey profile including for habitats and flora, mammals, bats and birds.

- Key Skills**
- Report-writing including EIA, EclA and AA.
 - Particular field survey skills include habitats and flora, mammals including bats, otter and badger, birds, and invasive species.
 - Survey design, licencing, stakeholder consultation, constraints, environmental design, data collation and analysis, impact assessment and ecological mitigation/enhancement.

Employment History 2015 - to date, MWP

Relevant Experience – Bat Surveys and Impact Assessment

Project Description	Reenroe Hotel Development, Reenroe, Ballinskelligs, Co. Kerry (2023 – ongoing) Proposed redevelopment of the derelict Rinn Rua Hotel and the development of surrounding lands as a holiday and leisure park. Project Ecologist, including ecological survey design. A suite of bat surveys has been undertaken to date, including Bat Roost Inspection surveys (structures and trees), Presence/Absence surveys, Passive Automated Bat surveys, Winter Hibernation surveys, and Bat Foraging and Commuting Habitat Suitability surveys. Author of the EIAR Biodiversity chapter, Biodiversity Enhancement Plan and Bat Impact Assessment Report. Application for Derogation Licence in relation to bats. Consultation with NPWS. Derogation licence in relation to bats, including roost disturbance, granted 27 th June 2024 (DER/BAT 2024-134). Status: planning application submitted (KCC Planning Ref: 24/60322). Currently at RFI stage.
Project Description	Lisloose Large Residential Development (LRD), Lisloose, Tralee, Co. Kerry (2023) Proposed LRD development, consisting of 235 residential units, creche, retail unit and other elements, on a greenfield site at the edge of Tralee town. The site comprises intensive farmland with mature hedgerows and treelines. Project Ecologist – ecological survey design, author of the EclA and co-author of the Bat Survey Report. A suite of bat surveys was undertaken, including Bat Roost Inspection surveys (structures and trees), Presence/Absence surveys, Passive Automated Bat surveys, and Bat Foraging and Commuting Habitat Suitability surveys. Status: Planning granted by Kerry County Council 24 th November 2023 (KCC Planning Ref: 2360201). Appealed to ABP (ABP Case Ref No: 318753), decision Refusal (non-ecology related).
Project Description	Proposed Renovation Works to Existing Dwellings at Ardgroom Inward, Beara, Co. Cork (2023 – 2024) Proposed renovation works to two adjacent dwellings (submitted to Cork County Council as two separate planning applications). Project Ecologist - ecological survey design and author of the EclA, AA Screening and NIS reports, completed for both projects separately. Undertook initial multi-disciplinary ecological walkover surveys, after which the services of Bat Eco Services were employed. Status: Planning Application for farmhouse (CCC Plan Ref No: 2377) – planning granted. Planning Application for the modern bungalow (CCC Plan Ref: 2427) – planning granted.
Project Description	Broomhill Road Strategic Housing Development, Tallaght, Co. Dublin (2021 – 2022) Residential and mixed-use SHD development at Broomhill Road, Tallaght, Dublin 24, including 242 No. apartment units, childcare facility/creche, café, reception area, resident lounge, letting office, rentable room/studio space, public gym and a public co-working space. Project Ecologist – General ecological survey design, preparation of EclA and AA Screening report. Bat surveys and reporting not part of MWP scope (undertaken separately by Bat Eco Services). Status: ABP Refusal (ABP Case Ref No: 313591) (non-ecology related).

Project Description	Bective House Luxury Hotel Development, Bective, Co. Meath (2021-2022) Redevelopment of derelict country manor house into luxury 5* hotel. Highly sensitive site on the banks of the River Boyne. Project Ecologist – General ecological survey design and lead surveyor (excl. bats), ecological constraints/project design input, preparation of Biodiversity chapter of EIAR, AA Screening and NIS reports. Bat surveys and reporting not part of MWP scope (undertaken separately by Bat Eco Services). Status: Planning granted by Meath County Council 9 th September 2021 (MCC Plan ref No: 21395).
Project Description	Bat Surveys, Georgian Buildings, O’Connell Street and Thomas Street, Limerick, Co. Limerick (2021) Commissioned by an Architects firm to undertake Preliminary Roost Habitat Assessment surveys at two Georgian buildings located in Limerick City centre to establish whether either building supported or had the potential to support roosting bats and record any evidence of bat usage. Assisted with surveys and bat survey report.
Project Description	Proposed Ballycar Wind Farm, Ballycar, Co. Clare (2021 – 2024) Proposed 12 turbine wind energy development on a greenfield site in rural southeast County Clare, comprising mainly agricultural grassland (intensive and rough grazing) and commercial forestry plantation. A suite of bat surveys was undertaken, including Bat Roost Inspection surveys (structures and trees), Presence/Absence surveys, Passive Automated Bat surveys, and Bat Foraging and Commuting Habitat Suitability surveys. Field surveyor and co-author of the Biodiversity chapter of the EIAR and the accompanying Bat Survey Report. Status: Submitted to ABP (Case Ref No: 318943) on 26 th January 2024, decision outstanding.
Project Description	Supermac’s M18 Motorway Services Area, Ennis, Co. Clare (2020 – 2021) Development of Motorways Services and rest area off the M18 with rising main under the River Fergus to Ennis town. Sensitive site for bats. Project Ecologist - ecological surveys for habitats, and fauna, with a particular focus on bats (Bat Roost Inspection surveys (structures and trees), Presence/Absence surveys, Passive Automated Bat surveys, and Bat Foraging and Commuting Habitat Suitability surveys). Author of the AA Screening, NIS and EclIA reports. Status: Planning granted by Clare County Council 16 th December 2020 (CCC Plan Ref: 20781). Appealed to ABP (Case Ref No: 309207), granted subject to revised conditions 21 st October 2022.
Project Description	Cavan Bridges Remedial Works (2018) Repair and/or replacement of 3 No. bridges, including dry-blast steel cleaning and full bridge encapsulation, abutment masonry repair and repointing, installation of concrete scour apron and in-situ pouring of new replacement concrete deck. Project Ecologist - Preliminary Bat Roost suitability assessments, and surveys for other fauna (otter, kingfisher etc). Preparation of AA Screening reports.
Project Description	Musheramore Wind Farm Bat Surveys, Musheramore, Co. Cork (2018) MWP were commissioned by Coillte to undertake bat surveys for a proposed wind farm on a parcel of lands located at Musheramore in the Boggeragh Mountains. Assisted with Passive Automated Bat surveys at the site.
Project Description	Cork County Bridge Rehabilitations (2017) Works to 8 No. masonry bridges including bridge replacement. Project Ecologist – Bat surveys (bat roost suitability assessment and dawn activity survey). Author of multiple AA Screening reports and an overall Ecological Evaluation report for all structures. Applicant in relation to NPWS Derogation Licence for bats at one bridge location (Kilcounty Bridge), where a bat was determined roosting during baseline surveys. Derogation Licence (DER/BAT 2017-107) granted 4 th September 2017. A programme of exclusion, using bubble wrap, was implemented to exclude bats from the bridge so as to facilitate works. Preparation of post-mitigation report in relation to this licence submitted to NPWS 19 th January 2018, as per licence conditions.
Project Description	Blackcross Bridge Rehabilitation Works, Inishshannon, Co. Cork (2017) Rehabilitation works to repair collapsed approach wall. Assisted with daytime visual inspection of structure to assess potential suitability as bat roosting habitat, and co-author of the bat survey report.
Project Description	Old Bridge Rehabilitation Works, Carrick-on-Suir, Co. Tipperary (2017) Rehabilitation works to repair and stabilise the structure. Assisted with daytime visual inspection of structure to assess potential suitability as bat roosting habitat, as well as dusk and dawn activity surveys. Co-author of the ecological survey report.

Project Description	Kilbogget Park Trash Screen and Flood Storage Scheme, Kilbogget, Co. Dublin (2017) Proposed flood alleviation scheme within a suburban park. Project Ecologist - Ecological surveys, including bats, stakeholder consultation and preparation of AA Screening, NIS and EclA reports.
Project Description	Knockranny Wind Farm Extension, Knockranny, Co. Galway (2016) Proposed extension to wind farm. Assisted with various bat surveys, including Bat Roost Inspection surveys (structures and trees), Passive Automated Bat surveys, Walked and Driven Bat Activity Transects, and Bat Foraging and Commuting Habitat Suitability surveys.
Project Description	Pre-production Hall, IDA Industrial Estate, Killarney, Co. Kerry (2016) Undertook a suite of mammal surveys at a greenfield site in an industrial estate to inform a mammal impact assessment. Bat surveys undertaken included a daytime visual roost suitability survey and Passive Automated Bat surveys. Author of the accompanying Mammal Impact Assessment report.
Project Description	Knockacummer 110kV Underground Grid Connection (2015) Assisted with baseline bat surveys of a proposed underground cable route connecting Ballynahulla sub-station in County Kerry with the Glenlara sub-station in County Cork. Daytime visual roost suitability surveys of all affected built structures and trees were carried out.

Relevant Training

2024

- Bat Training Course – Bat Eco Services (1st & 2nd Feb 2024)
In-house training delivered by Tina Aughney over two days. Modules covered included:
 1. Irish Bat Species and their Ecology
 2. What is a Bat Survey?
 3. Bat Detectors, Sonogram Analysis and Bat Species Audio Profiles
 4. Night-vision Aids and Survey Tools

2023

- ‘AA and the Habitats Directive’ – CMG Training online one-day course (1st March 2023)
- ‘Using night-vision aids to enhance bat surveys’ – CIEEM Webinar (27th April 2023)
- ‘Environment Impact and Appropriate Assessment’ CMG training online one-day course (25th October 2023)

2022

- ‘Guidelines on Information to be contained in Environmental Impact Assessment Reports (EIARs)’ EPA Webinar (6th July 2022)

2017

- ‘Professional Bat Survey Methods and Mitigation’ - Bat Conservation Ireland, July 2017.
One day course delivered by Tina Aughney in conjunction with BCIreland. Modules covered included:
 1. Introduction to Bats in Ireland
 2. Bats and the Law – an Introduction
 3. Bat Surveys
 4. Bat Survey Technology – an Introduction
 5. Bat Mitigation
 6. Identification of Irish Bat Species using a Heterodyne Bat Detector
 7. Bats in Ireland and the use of Bat Detectors

2016

- ‘Anabat Basic and Intermediate: Anabat SD2 Bat detector use and sonogram analysis’ - Dr. Sandie Sowler.
Intensive 3-day course delivered in-house on Anabat detectors and sonogram analysis.

Relevant Licences Previously held by Applicant

- Derogation Licence (DER/BAT 2024-51) (granted 22nd February 2024)
- Derogation Licence (DER/BAT 2017-107) (granted 4th September 2017)

Other Licences for other Fauna (on which the Applicant was named)

- Wildlife Act Sections 9 and 23 - Licence to Photograph/film Wild Animals (Licence No. 007/2025), expires 31st December 2025
- Wildlife Act Sections 9 and 23 - Licence to Photograph/film Wild Animals (Licence No. 227/2023), expired 26th October 2024
- Wildlife Act Sections 9 and 23 - Licence to Photograph/film Wild Animals (Licence No. 215/2022), expired 27th September 2023
- Wildlife Act Sections 9 and 23 - Licence to Photograph/film Wild Animals (Licence No. 55/2020), expired 11th September 2022
- Wildlife Act Section 35 Licence (tape lure and endoscope bird surveys) (Licence No. 018/2018), expired 31st October 2018
- Wildlife Act Section 23 and 34 Licence (Kerry slug surveys) (Licence No. C207/2018), expired 31st March 2019
- Wildlife Act Section 23 and 34 Licence (small mammal trapping) (Licence No. C116/2016), expired 30th September 2016
- Wildlife Act Section 35 Licence (tape lure and endoscope bird surveys) (Licence No. 043/2016)