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Wildlife Licence Unit

Department of Culture, Heritage and the Gaeltacht

National Parks and Wildlife Service

Wildlife Licensing Unit, R. 2.03

90 King Street North

Smithfield

Dublin 7 D07 N7CV

16 May 2024

**Re: Bat Derogation License Application for summer day roost of a single Soprano Pipistrelle  
at the former Presentation Convent, Mitchelstown, Co. Cork**

Dear Sir/Madam,

On behalf of the applicant, Jerry O'Sullivan of Appletree Development Limited, I wish to apply for a bat derogation license to allow proposed works to the former Presentation Convent, Mitchelstown, Co. Cork (Protected Structure No. 00109). The works include restoration and conversion of this derelict building (which is in a very advanced state of disrepair) into a number of residential dwelling units. This development received planning permission from Cork County Council in 2019 (Planning Ref. 18/05485).


There is a summer day roost of a single individual of Soprano Pipistrelle (*Pipistrellus pygmaeus*) in the soffit box at the rear of the building, as detailed in the recent bat survey report (attached with this application).

Attached with this letter of application please find;

- NPWS Application Form for a Bat Derogation License.
- Mitchelstown Convent Bat Survey Report by Abbott Ecology, May 2024.
- Appendix A: NPWS checklist of items to be included with a derogation license application including proposed Bat Mitigation Measures.

Please do not hesitate to contact me if you require any further information

Yours Sincerely,



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## Appendix A. NPWS Derogation License Application Form: Checklist of Items to be Included with Applications

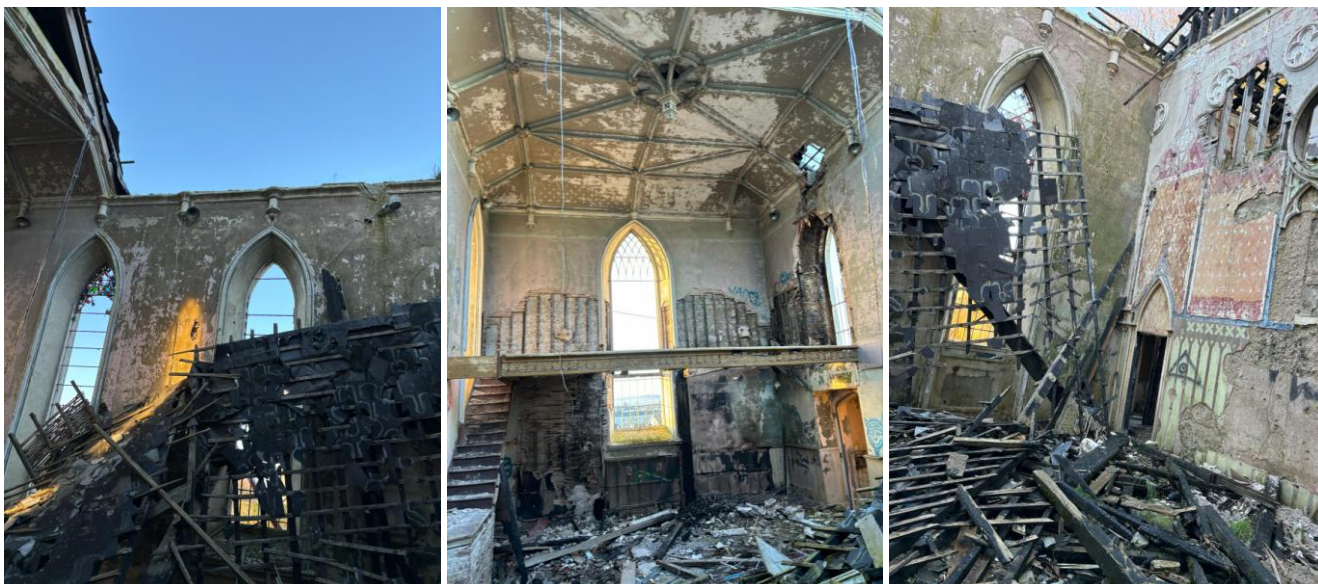
The NPWS Application Form for a Derogation License includes the checklist below of information to be included with applications;

<b>"Please append a detailed report to support this application and ensure that it contains the following information:"</b>		
<b>11.1</b>	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.	<input type="checkbox"/>
<b>11.2</b>	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.	<input type="checkbox"/>
<b>11.3</b>	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.	<input type="checkbox"/>
<b>11.4</b>	As much information as possible to allow a decision to be made on this application.	<input type="checkbox"/>

### Section 11.1 of NPWS Application Form

#### **Consideration of available options and alternatives.**

The former Presentation Convent Mitchelstown is a Protected Structure (00109). It is currently in a very advanced state of disrepair and has been vandalised by a number of fires in recent years (see Plate 1 below and Plate 5 in the attached bat survey report). There is extensive fire damage, and floors, ceilings, and roofs are collapsing throughout.



**Plate 1. Fire damage and collapsing materials in the former Presentation Convent Mitchelstown**

#### **Alternative Option 1. Do nothing scenario, do not restore and convert**

This is not a satisfactory alternative. If the protected building was allowed to fall into further disrepair and dereliction, the site would soon be lost, and the existing bat roosting opportunities would diminish through neglect. It is in the middle of a permitted residential development that is under construction in an urban setting, and represents a major health and safety hazard if it is not restored. The restored building will benefit society by providing homes.

#### **Alternative Option 2. Leave the existing soffit box where the bat roosts unrepaired.**

This is not a satisfactory alternative, as the materials here are rotten and damaged. The building requires continuous sealed soffit boxes in order to remain intact long-term.

### Section 11.2 of NPWS Application Form

The bat roost in question is of a single individual of one of Ireland's most common bat species (Soprano Pipistrelle), and therefore population-level impacts of the development are unlikely. Bat boxes suitable for year-round roosting of bats will be

installed in a dark place underneath the eaves of the restored convent near to where the individual currently roosts (details in bat survey report attached). Along with other mitigation measures (next section) to reduce the risk of injury/death of bats, the bat boxes will facilitate bats to continue to roost at the site. The actions permitted by a derogation license to allow works at the Mitchelstown Convent site will not be detrimental to the maintenance of bat populations 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.

### Section 11.3 of NPWS Application Form: Bat Mitigation Measures

#### Bat Mitigation Measures

In the hierarchy of bat roost conservation significance, and proportionate mitigation, presented in the latest Bat Mitigation Guidelines for Ireland (Marnell, Kelleher & Mullen 2022), a minor roost of a single Soprano Pipistrelle is at the lower end of conservation significance, as shown in Plate 2 below from those guidelines.

Low	Roost status	Mitigation/compensation requirement (depending on impact)
	Feeding perches of common/rarer species	
	Individual bats of common species	Flexibility over provision of bat-boxes, access to new buildings etc. No conditions about timing or monitoring
	Small numbers of common species. Not a maternity site	
	Feeding perches of Annex II species	Provision of new roost facilities where possible. Need not be exactly like-for-like, but should be suitable, based on species' requirements. Minimal timing constraints or monitoring requirements
	Small numbers of rarer species. Not a maternity site	
	Hibernation sites for small numbers of common/rarer species	Timing constraints. More or less like-for-like replacement. Bats not to be left without a roost and must be given time to find the replacement. Monitoring for 2 years preferred.
	Maternity sites of common species	
<b>Conservation significance</b>		
	Maternity sites of rarer species	Timing constraints. Like-for-like replacement as a minimum. No destruction of former roost until replacement completed and usage demonstrated. Monitoring for at least 2 years.
	Significant hibernation sites for rarer/rarest species or all species assemblages	
	Sites meeting SAC guidelines	Oppose interference with existing roosts or seek improved roost provision. Timing constraints. No destruction of former roost until replacement completed and significant usage demonstrated. Monitoring for as long as possible.
	Maternity sites of rarest species	
<b>High</b>		

Plate 2. Guidelines for proportionate mitigation. The definition of common, rare and rarest species requires regional interpretation (Marnell *et al.* 2022). Red boxes indicate where the Soprano Pipistrelle roost fits in this scheme.

The following bat mitigation measures are proposed, and have been agreed with the developer/license applicant;

1. Hand removal of materials in the area near the bat roost location, such as slates, felt, roof timbers and soffit box materials, (Plate 11 and Plate 12) under supervision of a bat specialist licensed to handle bats (IA). There are no conditions about the timing of these works (in line with guidance in Plate 2).

**Evidence of effectiveness of measure:** IA has had direct experiences in two projects where roosting bats did not come to harm during the demolition of buildings because of careful manual demolition of buildings - the bats were handled (under license) and moved to a safe bat box/bat house, or flew away directly from the building themselves. Both instances involved supervised manual demolition in spring outside of the main bat active season of May-September. Normal demolition methods would likely have resulted in death or injury to bats in these cases.

2. Bat boxes on former convent building:  
Erect 1 x "Schwegler Summer Bat Roost 1FQ" and 1 x "Schwegler Bat Winter Roost 1WQ" to remediate for the potential loss of bat roosting opportunities in summer and winter due to the development.
  - Discretion to change the bat box model is recommended, in case there are any delays or shortages in obtaining the boxes from suppliers. Any alternative model to the 1FQ should provide summer bat roosting conditions, and alternatives to the 1WQ should provide conditions suitable to hibernation. Alternative boxes, if necessary, should be selected under the advice of a suitably qualified bat ecologist.
  - Bat boxes to be installed just beneath the eaves of the **south-facing** elevation of the three-storey part of the former convent building, above the roof of the two-storey part of the building, as indicated in Plate 3. This location will be in darkness because it is not near roads or footpaths, and will provide a relatively undisturbed and discreet location for bat boxes. It is also close to the current roost location.

**Evidence of effectiveness of measure:** There have been multiple studies which have shown that bats successfully shelter, and sometimes breed, in bat boxes, with the following including Soprano Pipistrelle roosting in bat boxes for example (Flaquer, Torre & Ruiz-Jarillo 2006; McAney & Hanniffy 2015). In a study of the implementation and effectiveness of bat roost mitigation measures in England and Wales, bat boxes mounted externally on buildings showed the highest occupation rate regardless of bat species (Collins *et al.* 2020). However, the results of bat boxes are variable, and bat boxes are not usually considered suitable alternatives for bat maternity colonies (McAney & Hanniffy 2015; Mackintosh 2016; Marnell *et al.* 2022). The Mitchelstown case however is a minor summer day roost of a single individual.

3. Bat boxes on trees:  
Erect 2 x "ANS-5 Bat Boxes" on the mature trees remaining on site. They should be securely attached facing any direction apart from north, and at c4-5m from the ground. The entrances should not be obscured by branches so that there is some uncluttered flight space around them. Bat boxes should not be hung where there is little or no artificial light spill onto them.

**Evidence of effectiveness of measure:** A range of Irish bat species, including pipistrelles, sometimes use bat boxes hanging on trees (McAney & Hanniffy 2015).

4. Native tree planting:  
Native tree planting has already been included in the landscape plan. As much native tree planting as possible on the site will improve the foraging and shelter resources for bats.

**Evidence of effectiveness of measure:** All bat species in Ireland have an association with roosting and foraging near cover of trees (Roche *et al.* 2014). Native tree species tend to support more insects (and therefore more foraging opportunities) than non-native tree species. Furthermore, increased tree cover in urban areas mitigates the barrier effect of artificial light on bat gap-crossing behaviour (Hale *et al.* 2015).



**Plate 3. Proposed location (red arrow) of bat boxes under eaves of south wall of the three storey part of the former convent building, above the roof of the two storey part.**

### References

- Collins, J.H., Ross, A., Ferguson, J., Williams, C. & Langton, S. (2020) The implementation and effectiveness of bat roost mitigation and compensation measures for *Pipistrellus* and *Myotis* spp. and brown long-eared bat (*Plecotus auritus*) included in building development projects completed between 2006 and 2014 in England and Wal. *Conservation Evidence*, **17**, 19–26.
- Flaquer, C., Torre, I. & Ruiz-Jarillo, R. (2006) The value of bat-boxes in the conservation of *Pipistrellus pygmaeus* in wetland rice paddies. *Biological Conservation*, **128**, 223–230.
- Hale, J.D., Fairbrass, A.J., Matthews, T.J., Davies, G. & Sadler, J.P. (2015) The ecological impact of city lighting scenarios: exploring gap crossing thresholds for urban bats. *Global change biology*, **21**, 2467–2478.
- Mackintosh, M. (2016) *Bats and Licensing: A Report on the Success of Maternity Roost Compensation Measures*. Scottish Natural Heritage Commissioned Report No. 928.
- 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.
- McAney, K. & Hanniffy, R. (2015) *The Vincent Wildlife Trust's Irish Bat Box Schemes*.
- Roche, N., Aughney, T., Marnell, F. & Lundy, M. (2014) *Irish Bats in the 21st Century*, 1st ed. Bat Conservation Ireland.