



Wildlife Licencing Unit
NPWS
By email
wildlifelicence@npws.gov.ie

Our Ref: 240533a
Your Ref:

7th October 2024

Re: 240533a – Wildlands

Dear Sir/Madam,

I am applying for a bat derogation licence, on behalf of Wildlands, Moycullen, in relation to the demolition of 2no. structures (M 25373 25411; M 22308 31547) contained within the Wildlands landholding.

Background

MKO have been commissioned by Wildlands to carry out ecological surveys as part of a recreational cabin development on a site located within Wildlands indoor and outdoor activity centre, in the townlands of Ballyquirke, Moycullen, Co. Galway. MKO has been carrying out bat surveys at the site throughout 2024.

List of accompanying documents:

- Derogation Licence Application Form
- Arborist Report and Drawings
- Current and Previous Development Layouts

Survey Effort and Results

The bat surveys conducted in 2024 included static bat detector deployments in May, June, July, and August, one night-time bat walkover in June, a bat habitat appraisal and two dusk emergence surveys in July and August. Within the proposed development site boundary, two wooden structures were identified: a wooden storage shed with an adjacent weather shelter (IG Ref: M 25373 25411) (Plate 1) and a standalone weather shelter (IG Ref: M 22308 31547) (Plate 2). Both weather shelters feature felt underlining, and the metal trim around their roofs is lifting in places, potentially providing access points for individual bats.

A dusk emergence survey conducted in July 2024 focused on the wooden shed and its adjoining weather shelter, where 3no. Soprano pipistrelles were observed emerging. In a similar survey in August 2024, 1no. Soprano pipistrelle was observed emerging from the standalone weather shelter.

Overall, the majority of trees present on-site have negligible suitability for roosting bats. A small number of trees were identified as having some potential and are being retained where possible. Further details on tree suitability are outlined in the bat report included as part of the further information request.

The proposed development plans have been carefully designed to minimise any potential for impacts on bats, including their commuting corridors or any other ecological receptors. The proposed development includes landscape and lighting plans designed with ecological receptors in mind and focuses on the retention of linear habitat features recorded being used by bats.





Plate 1 Wooden shed and adjoining weather shelter



Plate 2 Stand alone weather shelter

A derogation licence is being sought for the proposed removal of roost resources within the site boundary, i.e. 2no. structures.

The following recommendations to safeguard bats will be included in the Baseline Report:

- *As bats were observed emerging from the structures, a bat derogation licence will be obtained from NPWS for their demolition.*
- *As 4no. Soprano pipistrelle bats were identified emerging from the two structures (3no. and 1no. individual(s)) during the dusk emergence surveys carried out, a pre-commencement survey is recommended to ensure there are no roosting bats present in the buildings prior to any works. The requirement for a pre-commencement survey does not represent a lacuna in the survey assessment but is fully in line with industry best practice. The function of this survey will be to assess any changes in baseline environment since the time of undertaking the survey in July and August 2024.*
- *Demolition works are proposed to take place outside the main bat activity season (April-September).*
- *Any potential felling of trees with suitable roosting features (further details outlined in accompanying bat report) will be carried out with the assumption that bats may be present:*
 - *Trees with suitable potential roost features proposed for felling will be checked by a suitably qualified ecologist at the time of felling.*
 - *Any tree felling will be undertaken at an appropriate time of year, as deemed by the project ecologist.*
- *As part of the proposed works, new purpose-built roosting locations will be provided. The trees within the site are semi-mature and slender, making them less suitable for bat boxes. Therefore, two bat boxes will be mounted on metal poles within the site to offer additional roosting opportunities. An example of this can be seen in Plate 3. Additionally, a third 2FN Woodcrete bat box will be placed in the mature woodland adjacent to the site, which is being retained and will remain undisturbed by the proposed works. Bat boxes should have a southerly orientation and be positioned at least 2m from the ground (ideally 3m), away from artificial lighting. They will be placed adjacent to retained vegetation features such as treelines and hedgerows to ensure they are close to existing flight paths and can avoid wide open spaces (Collins, 2023). The exact model and location of the bat boxes will be determined by a qualified ecologist.*
- *The lighting plan for the operational phase of the proposed works, has been designed with consideration of the following guidelines: Bat Conservation Ireland guidelines; Bat Conservation Ireland (Bats and Lighting: Guidance Notes for Planners, Engineers, Architects and Developers, BCI, 2010) and the Bat Conservation Trust (Guidance Note 08/23 Bats and Artificial Lighting at Night (ILP, 2023), to minimise light spillage, thus reducing any potential disturbance to bats. The proposed light fitting/scheme has been designed to help mitigate the effect of the artificial lighting on the local bat populations by incorporating:*
 - *Bollards shall have a lamp flux/colour of Warm White LED light source ($\leq 2700K$).*



- *Light sources should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats (Stone, 2012)*
- *Lighting to be used only where necessary (must be justifiable) in line with Dark Sky Ireland recommendations.*
- *A lighting control regime will be designed to limit light spill during peak bat activity including reduced illuminance during hours of lower human activity or turned off after hours/motion sensed.*
- *Landscaping that is favourable to bats has been designed to prioritize the retention and enhancement of linear features, such as hedgerows and treelines, as well as existing woodland habitats. To protect these important bat foraging and commuting routes, artificial lighting directed towards these features will either be avoided entirely or minimized to prevent light spill. As detailed in the accompanying arborist report, large portions of the proposed development area are composed of semi-mature ash trees infected with ash dieback disease. A ground-level assessment of these trees was carried out and only one of the affected trees contain a PRF. This tree will be included in the pre-commencement survey outlined above.*
- *Tree felling will predominantly take place in these infected areas, with a focus on preserving the more ecologically valuable sections as identified by the arborist.*



Plate 3 Sample bat box mounted on a metal pole.



Preconditions Test

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 any of the 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.

The weather shelter and storage structures support a small number of roosting bats (3no. and 1no. Soprano pipistrelles, respectively) and are located within the boundary of the proposed 15-cabin recreational development, requiring removal to facilitate the development. The project aims to enhance local tourism and recreational offerings, providing significant social and economic benefits. A licence is requested to demolish the small wooden shed, adjoining weather shelter, and standalone weather shelter, which will result in the removal of the identified roosting resource, allowing the development to proceed while ensuring appropriate mitigation measures are implemented.

Test 2 - There is no Satisfactory Alternative

There are no satisfactory alternatives to the demolition of the wooden shed and adjoining weather shelter, and the standalone weather shelter to facilitate the construction of the 15-cabin recreational development. Retaining these structures is not feasible as they are located within the core development area, which is essential for an efficient layout and cabin access.

Do nothing scenario: If the development were to not go ahead, the structures would remain in place and likely continue to be used as a low suitability roosts. These sheds were constructed as temporary structures and were not designed for prolonged use, which diminishes their value as long-term roosting sites. The retention of these structures would prevent the proposed development from proceeding, hindering the social and economic benefits outlined in Test 1.

Structure retention: Retaining the existing structures onsite would prevent the proposed development from proceeding. The proposed development comprises the provision of additional visitor accommodation at the Wildlands, Moycullen, Co. Galway (GCC Ref: 24/74). This accommodation will facilitate the provision of extended and enhanced facilities at Wildlands which would accord in general terms with national, regional and local planning policy as summarised below.

- The National Planning Framework (NPF) Project Ireland 2040 which is the overarching planning policy document in Ireland supports tourism development and promotion. There is an emphasis on tourism



development in the NPF especially in the rural. The NPF is comprised of a number of National Policy Objectives (NPO) and there are a few that supports tourism development. These NPO's discuss 'Facilitate tourism development' (NPO 22) and 'maintaining and protecting the natural landscape and built heritage which are vital to rural tourism' (NPO 23).

- The Regional Spatial and Economic Strategy 2020-2032 (RSES) for the Northern and Western Regional Assembly (NWRA) is the regional planning policy document to which this development is subject to. This document supports the promotion and development of tourism in the west and in county Galway. Chapter 4 provides a number of Regional Policy Objectives (RPO) that discuss supporting tourism, tourism benefits, improvements to attractions, enhancing access to tourist assets and expansion in accommodation and facilities.
- Our Rural Future: Rural Development Policy 2021 – 2025 provides the framework to achieve the vision of transforming the quality of life and opportunity for people living in rural areas. This policy document supports the promotion of tourism development in rural Ireland and there are a number of policy measures within this document that relate to tourism. Policy Measure 36 relates to recreational tourism 'Invest in greenways, blueways, walking trails and other outdoor recreation infrastructure to support the growth in outdoor recreational tourism.'
- Chapter 8 of the Galway County Development Plan 2022-2028 identifies the main tourism priorities that are pertinent to the county. There are a high number of tourism Policy Objectives within Chapter 8 that are of importance to this development and supporting and promoting tourism development. TI 2 Visitor Accommodation states 'Encourage and facilitate visitor accommodation facilities at appropriate locations within the county where there is a justifiable requirement for such facilities. These proposals are required to comply with environmental considerations and the relevant DM Standards.'
- Within the GCDP the subject site is zoned 'T' Tourism. This zoning type is described as 'To facilitate the development and improvement of tourism facilities that exist in some of the SGTs. Encourage new tourism development and investment where appropriate' and has a zoning objective of 'To promote and encourage cultural, historic and tourism potential for each of the SGTs'. The following are a few examples of what is permitted on Tourism zoned lands: B&B, Hotel, Hostel, Guesthouse, Short term holiday accommodation and recreational building.

Chosen Option: The site does not provide high-quality roosting habitat due to the semi-mature nature of many of the existing trees and the presence of a mini-jeep track at its centre. The project has been designed to minimize impacts on bat habitats by retaining and enhancing key commuting and foraging areas. The original plan of 19no. cabins was first reduced to 18no. and then to 15no. to protect these habitats, demonstrating a commitment to preserving ecological value.

The landscape and lighting plans were developed in collaboration with project ecologists to prevent the potential for significant effects on wildlife and mitigate unavoidable impacts. Treelines and woodland areas recommended for retention by the arborist have largely been preserved to maintain commuting corridors for bats. A total of 928m² of vegetation is planned for removal, along with 1,339m² of ash dieback-affected woodland, which the arborist has recommended for removal. To compensate for these losses and enhance habitat quality, a replanting scheme has been designed to improve commuting and foraging opportunities for bats. This includes the planting of approximately 1,095m² of native species within the Wildlands landholding. The loss of small roosts will be addressed through the installation of bat boxes. Additionally, lighting has been limited and directed away from suitable bat habitats wherever possible.

The proposed landscaping scheme sensitively responds to the site's environmental and ecological constraints. Options to mitigate impacts on biodiversity beyond the do-nothing scenario have been thoroughly explored and implemented where feasible, in line with safety, lighting, and residential development standards.



Test 3 - Favourable Conservation Status

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.

Surveys conducted between May and August 2024 identified a small number of Soprano pipistrelles (3no. and 1no.) within the aforementioned structures. These findings suggest that the structures are used opportunistically by a small number of bats which are common and widespread in Ireland. The structures do not contain a significant roost i.e. maternity. A pre-commencement survey will be carried out, to identify any potential changes in the baseline since the surveys were completed. This will include the inspection of all structures proposed for demolition. Demolition works will commence at an appropriate time of year, as agreed with a suitably licenced ecologist. Implementation of the recommended mitigation within this letter will ensure that there will be no negative impacts to potential roosting bats when works will be undertaken. Alternative roosting locations will be provided which gives roosting opportunity to other bats species also. No significant impacts are anticipated on the local population of Soprano pipistrelle or their favourable conservation status.

I hope that this is satisfactory for you to consider the grant of a derogation licence for these works. Please do not hesitate to contact me if you have any further questions.

Ryan Connors

Ryan Connors (BSc., MSc.)
Bat Ecologist

