SUBMISSION

TO AN BORD PLEANALA

ORAL HEARING

NEWCASTLEWEST

27-29 SEPTEMBER 2022

by

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on

CASE N. NA04.310286

My thanks to Inspector Haverty and to An Bord Pleanala for this opportunity to comment in the public sphere on case number NA04.31026 specifically as it relates to proposed development at level crossing XC212 located at Ballycoskery (Ballyhea Village). I would like to comment on the presence of bats, a protected species.

1. All species of bats are protected by law in the Republic of Ireland. However, it is generally agreed that bats are under researched in Ireland. As a consequence there is no adequate national map indicating bat-species presence, concentration and distribution throughout the country. The same is true at regional level and, with some exceptions, of local levels.
2. Although Ballyhea Village is located between and in close proximity to two Special Conservation Areas little research has been conducted on bat presence and distribution in Ballyhea. The need for extensive research into bats in the area is further underlined by the prospect of two major proposed structural developments in Ballyhea: the proposed route for the M20 and the proposed development at Ballycoskery by CIE. In the absence of scientific research into bat presence and distribution in Ballyhea it is difficult to assess the combined effects of both proposed developments on bat incidence, species present and habitat in Ballyhea. In light of the above, and specifically in relation to Ballycoskery, the Bord may wish to note that there is no scientific evidence is currently available to exclude the presence of horseshoe bats at or in proximity to Ballycoskery.

3. I am aware of three restricted surveys that have recently been conducted: the first by CIE and included in the present application consisting of two outings of what one might call bat watching, the results of which are less than entirely satisfactory; a second that was recently conducted on bat presence in the vicinity of the lake at Dromin, just to the west of the village, the results of which have not been published; and thirdly, a focused study conducted over a week in June 2021 on a bat colony roosting in the attic of the parochial house (a copy of I attach).
4. If agreeable to the Bord, I will submit copies of the full report and abbreviate its findings in this oral presentation.

Bats – XC212 Crossing Ballycoskery

The Biodiversity Chapter of the EIAR for the proposed rail development includes a methodology which states that attention was given to Potential Roost Features (PRFs) for bats within a minimum of 100m from each red-line application area. As part of the assessment of the bat usage and occurrence in the vicinity of the proposed works on the Ballycoskery XC212 Rail Crossing, Chapter 7 of the EIAR describes a visual assessment of all PRFs within the study area and a roost emergence (dusk) and roost return (dawn) survey in these areas, which was carried out over two nights: 24th July 2019 and 14th August 2019.

The assessment of trees and buildings, it is stated, involved a visual inspection of trees and buildings in the study area (i.e. within 100m of the red-line boundary). It is acknowledged that no internal surveys were carried out of buildings in the area. The surveys were limited in duration and extent and did not involve, it would appear, the use of passive detectors. Instead, the assessment of the bat usage and roost occurrence in the study area was limited to a visual assessment and the two nights of active surveys around dusk and dawn. Given the extent of treeline (c. 350m) and hedgerow (>100m) that it is stated that will be removed as part of the proposed the works it is difficult to see how the bat surveys could have adequately assessed potential roost occurrence, even if there were multiple observers. Significantly, the only structure noted as having any roost potential for bats is the abandoned Irish Rail crossing-master's house (7C, Photo 13). Within the study area there are a considerable number of properties and it is not clear if all of these were individually evaluated during the visual assessment.

The Parochial House is located c. 32m from the red-line boundary and is therefore well within the stated study area. At the rear of the property (Plate 1) there is a well-established access and egress point for bats. The staining and droppings are very obvious and no access to the building is required to confirm the presence of a significant roost site. Bat activity has been noted consistently at this structure, particularly in the summer months, for many years.

A passive bat detector (Wildlife Acoustics SM4BAT) deployed close to the roost access/egress point at this location from June 19th to June 24th 2021 recorded the following activity. All species identified using Kaleidoscope Pro software with identification confirmed manually. As was indicated by the presence of droppings that were 'Pipistrelle type' in shape, recorded on the windows and cills at the property, the analysis confirmed that the roost is occupied by Soprano Pipistrelle, *Pipistrellus pygmaeus*. Table 1 below summarises the number of registrations of each bat species recorded at the site over the six-night period.

The level of Soprano Pipistrelle activity recorded (almost 6,000 separate registrations) is highly significant. It indicates strongly that there is a sizeable maternity colony of bats present in the roof-space of the Parochial House. Table 2 presents the activity by night and by hour to show the consistent and high-levels of activity recorded in the area across 6 nights of quite variable weather conditions. Earliest activity recorded was at 21:30 with the latest returning bat recorded at 04:12 on the morning of June 21st.

Table 1. Results of analysis of passive detector recordings at Ballyhea Parochial House, June 2021.

Common Name	Scientific Name	Number of Registrations (June 19th – 24th 2021)
Soprano Pipistrelle	*Pipistrellus pygmaeus*	5,856
Common Pipistrelle	*Pipistrellus pipistrellus*	257
Leisler's Bat	*Nyctalus leisleri*	108
Myotis sp.	*Myotis* sp.	15

Table 2. Nightly and hourly breakdown of Soprano Pipistrelle activity at Ballyhea Parochial House.

Hour	Night 1 (19 June)	Night 2	Night 3	Night 4	Night 5	Night 6 (24 June)
21	21	37	31	39	37	17
22	191	158	204	203	144	191
23	207	209	189	187	207	202
0	180	184	107	142	206	207
1	175	166	44	70	143	177
2	161	161	57	58	118	201
3	145	148	123	135	145	121
4	0	1	0	2	5	0

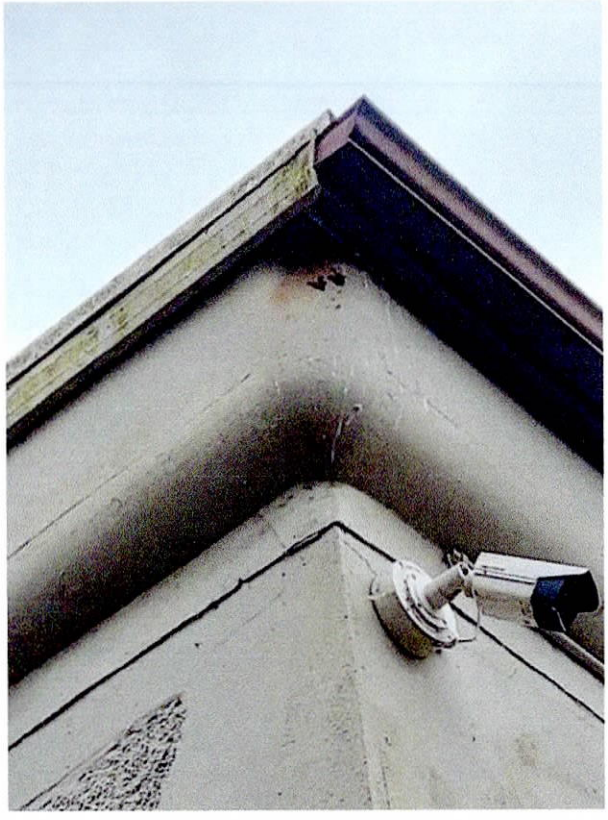

Plate 1. Bat signs around access/egress point of active roost at Ballyhea Parochial House – note dark staining and droppings.

Conclusion

All bat species that occur in Ireland are legally protected under the Irish Wildlife Acts (1976 – 2012), where it is an offence to hunt or interfere with or destroy their breeding or resting places (unless under statutory licence / permission). They are also listed on the EU Habitats Directive. Bat roosts, particularly well-established maternity roosts are of critical importance in the conservation of bat populations.

The bat surveys carried out as part of the EIAR assessment failed to identify the location of a long-established and significant roost. In failing to record an obvious and actual roost, there is reasonable concern that the surveyors may also have failed to adequately catalogue and assess other PRFs within the study area. The potential impact on bats arising from the removal of trees and hedgerows has not been adequately considered. The mitigation proffered is some landscaping that does not appear in any way to have been designed to offset the loss of treeline/hedgerow that may contain PRFs, but most certainly have a function in maintaining habitat connectivity for foraging and commuting bats.

There is no serious consideration of the impact of the construction and operation of the new crossing layout, and the associated light and disturbance impacts on bats that occur within the study area. Overall, the bat surveys as described were inadequate and poorly scoped to properly consider all of the PRFs within 100m of the application boundary. The surveys did not record any signs of a roost site and also did not record the presence of *Myotis* sp. (most likely Daubenton's Bat, *Myotis daubentonii* and Whiskered Bat, *Myotis mystacinus*) that were also recorded during a short-term and single deployment of a passive detector at Ballyhea Parochial House in June 2021.