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**Planning and Development Act 2000, as amended**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 24/60322**

**APPEAL** by Rínn Rua Holiday Park Limited against the decision made on the 2<sup>nd</sup> day of July 2025, by Kerry County Council to refuse permission for the proposed development.

**Proposed Development:** The development will consist of an integrated tourism/leisure park first comprising of the partial demolition, extension and redevelopment of the existing derelict hotel, to include; four number self-catering studio apartments; three number one bed self-catering apartment; 15 number two beds self-catering apartments; a bar; dining room; rooftop restaurant; shop; ESB substation and switch rooms; standby generator room, and bin stores. The remainder of the proposed development will include the following: six number hobbit huts, 21 number glamping pods, 25 number holiday homes, 144 number mobile homes, 20 number campervan stands, 0.8 hectare tent camping area, washroom and toilet facilities 58 square metres, maintenance building 618 square metres, leisure complex (with a swimming pool) 1,339.5 square metres, surf shop 191.7 square metres/café 126.5 square metres, natural play area, central park area, 151 number car parking spaces, including coach parking, 40 number bicycle spaces, EV charging points, internal roads, footpaths, waste storage areas, widening of beach

access road to six metres for two-way traffic including a pedestrian/cycle pathway, upgrading of existing cliff walk, new access road and services lines to two neighbouring dwellings to the south-west of the development site, new wastewater treatment system with clear water pump station, UV system and associated constructed integrated wetland, site drainage, two number standby generators, water services and landscaping. The project includes all ancillary and associated works necessary to facilitate the development, at a 28.5.6 hectare site at Reenroe, Emlaghmore West, Ballinskelligs, County Kerry, as amended by the further public notices received by the planning authority on the 8<sup>th</sup> day of May 2025.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Reasons and Considerations**

1. Having regard to its overall scale, located in an exposed, visually sensitive coastal area removed from existing settlements, established tourism assets or main farmyard complex, it is considered that the proposed development would contravene Objective KCDP 10-31 (Visitor Accommodation) of the Kerry County Development Plan 2022 - 2028. Furthermore, it is considered that the proposed development would contravene sections 1.12.2 (Caravan, Glamping and Camping developments) and 10.3.5.1 (Camping/Glamping/Camper Vans and Caravan parks), as set out in the Development Plan. The proposed development would set an undesirable precedent for further similar development at such locations and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the locational context of the subject site and its proximity to designated sites including Ballinskelligs Bay and Inny Estuary Special Area of Conservation (Site Code: 000335), to the scale of the proposed development and the design and complexity of the proposed effluent treatment system, the Commission is not satisfied that effluent from the proposed development can be satisfactorily treated and/or disposed of on-site, notwithstanding the proposed use of a wastewater treatment system and associated constructed wetland. It has not been adequately demonstrated that the proposed development would not cause pollution of groundwater and surface waters, and accordingly, would be prejudicial to public health. Furthermore, increased lighting/sky glow at a coastal location such as this has the potential to impact nocturnal species including avian Special Conservation Interests (SCI) species for the Puffin Island Special Protection Area (Site Code: 004003) and Deenish Island and Scariff Island Special Protection Area (Site Code: 004175). The proposed development would, therefore, conflict with Objectives KCDP 11-2 and KCDP 11-42 of the Development Plan, would be contrary to the protection of the environment, biodiversity and natural heritage and would, therefore, be contrary to the proper planning and sustainable development of the area.
  
3. On the basis of the information submitted and of the concerns raised by Uisce Éireann in relation to the impact of the proposed development on the public water supply, the Commission is not satisfied that the proposed development would not cause disruption to the public water supply in the Ballinskelligs area during periods of high demand. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. Having regard to the overall scale and spread across the site of the development proposed, together with the increased height and elevational treatment of the proposed hotel element, the Commission considers that the proposed development would be visually intrusive at this location, would significantly detract from the character of this sensitive coastal environment, and would not, therefore, be in accordance with Objective KCDP 10-32 (Visitor Accommodation) of the Kerry County Development Plan 2022 - 2028. Furthermore, the Commission considers that the proposed development would impact on the character, integrity, distinctiveness and scenic value of this visually sensitive landscape by virtue of the scale, height and location of the proposed development within a designated Visually Sensitive area where there are protected views/prospects. It is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape and would set an undesirable precedent for other such prominently located development in the vicinity. Having regard to the above, the proposed development is also considered to contravene Objective KCDP 11-78 (Landscape Sensitivity) of the Kerry County Development Plan 2022 - 2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

5. Section 11.3.3.1 (Kerry International Dark Sky Reserve) of the Development Plan notes that International Dark Sky Reserves are areas recognised as possessing an exceptional or distinguished quality of starry nights and nocturnal environment specifically protected for scientific, natural, educational, cultural, heritage or public enjoyment. The subject site, which is currently devoid of artificial light, is located within the core of the Kerry International Dark-Sky Reserve, which is considered to be of international importance. The Development Plan recognises the potential of the Dark-Sky Reserve as a significant tourism attraction and as a result, the control of light pollution in this area is important. Objective KCDP 11-43 (Light Pollution) seeks to support the Kerry International Dark-Sky Reserve and ensure that all new external lights comply with the objectives of the Kerry International Dark Sky Reserve. Having regard to the scale of the development proposed, together with its associated lighting, it is considered that the proposed development would create a substantial amount of light pollution, the management of which has not been adequately addressed in the submitted documentation. The proposed development would, therefore, have impacts on the integrity and long-term environmental and tourism value of the Reserve. The proposed development would, therefore, be contrary to section 11.3.3.1 and Objective KCDP 11-43 of the Kerry County Development Plan 2022 - 2028 and with the proper planning and sustainable development of the area.

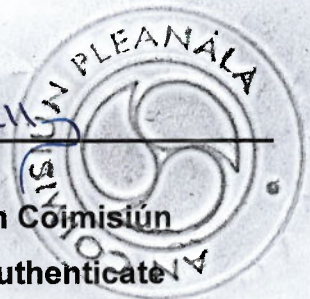
*Eamonn James Kelly*

**Eamonn James Kelly**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**



Dated this *11<sup>th</sup>* day of *March*, 2026.