

File With \_\_\_\_\_

**SECTION 131 FORM**

Appeal NO: ACP 323141

Defer Re O/H

Having considered the contents of the submission dated/ received 26-08-25  
from

MSE I recommend that section 131 of the Planning and Development Act, 2000  
be/not be invoked at this stage for the following reason(s): No new planning  
issues

E.O.: [Signature]

Date: 3/10/25

**For further consideration by SEO/SAO**

Section 131 not to be invoked at this stage.

Section 131 to be invoked – allow 2/4 weeks for reply.

S.E.O.: \_\_\_\_\_

Date: \_\_\_\_\_

S.A.O.: \_\_\_\_\_

Date: \_\_\_\_\_

M \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached submission

to: \_\_\_\_\_ Task No: \_\_\_\_\_

Allow 2/3/4weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

File With \_\_\_\_\_

**CORRESPONDENCE FORM**

Appeal No: ACP 323171-25

M \_\_\_\_\_

Please treat correspondence received on 26/9/25 as follows:

1. Update database with new agent for Applicant/Appellant _____ 2. Acknowledge with BP <u>23</u> 3. Keep copy of Commission's Letter <input type="checkbox"/>	1. RETURN TO SENDER with BP _____ 2. Keep Envelope: <input type="checkbox"/> 3. Keep Copy of Commission's letter <input type="checkbox"/>
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<b>Amendments/Comments</b>
<u>National Environmental Health</u>
<u>Service response to S131</u>

<b>4. Attach to file</b> (a) R/S <input type="checkbox"/> (d) Screening <input type="checkbox"/> (b) GIS Processing <input type="checkbox"/> (e) Inspectorate <input type="checkbox"/> (c) Processing <input type="checkbox"/>	<b>RETURN TO EO</b> <input checked="" type="checkbox"/>
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	Plans Date Stamped <input type="checkbox"/> Date Stamped Filled in <input type="checkbox"/>
EO: <u>[Signature]</u>	AA: <u>[Signature]</u>
Date: <u>26/9/25</u>	Date: <u>26/9/25</u>

**Cathy Carleton**

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**From:** Arlene Ward <arlene.ward@hse.ie>  
**Sent:** Friday 26 September 2025 12:12  
**To:** Appeals2  
**Subject:** An Coimisiún Pleanála - Case reference: ACP-323171-25  
**Attachments:** HSE\_Draft\_Kerry\_5261.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Caution:** This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sir/Madam,

Please find the attached response from the National Environmental Health Service.

Many Thanks  
Arlene Ward

**Arlene Ward**  
**Sláinte Chomhshaoil | FSS Seirbhís Náisiúnta Sláinte Comhshaoil**  
**Environmental Health Officer | HSE National Environmental Health Service**

**FSS Seirbhís Náisiúnta Sláinte Comhshaoil, Halla Ashbourne, Páirc Gnó Ashbourne, Bóthar an Duga, Luimneach V94 NPEO**  
**HSE National Environmental Health Service, Ashbourne Hall, Ashbourne Business Park, Dock Road, Limerick V94 NPEO**

061 461502 | 087 388 2910 | [arlene.ward@hse.ie](mailto:arlene.ward@hse.ie)



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"Tá an fhaisnéis sa ríomhphost seo (ceangaltáin san áireamh) faoi rún. Baineann sé leis an té ar seoladh chuige amháin agus tá sé ar intinn go bhfaighfidh siadsan amháin é agus gurb iadsan amháin a dhéanfaidh breithniú air. Más rud é nach tusa an duine ar leis é, tá cosc iomlán ar aon fhaisnéis atá ann, a úsáid, a chraobhscaoileadh, a scaipeadh, a nochtadh, a fhoilsiú, ná a chóipeáil. Seans gurb iad tuairimí pearsanta an údar atá san ríomhphost agus nach tuairimí FSS iad.

Má fuair tú an ríomhphost seo trí dhearmad, bheadh muid buíoch dá gcuirfeá in iúil don Deasc Seirbhísí ECT ar an nguthán ag [+353 818 300300](tel:+353818300300) nó ar an ríomhphost chuig [service.desk@hse.ie](mailto:service.desk@hse.ie) agus ansin glan an ríomhphost seo ded' chóras."

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An tOifig Náisiúnta um Sláinte Chomhshaoil  
Feidhmeannacht na Seirbhíse Sláinte  
Uirlár 2, Teach na Darach, Ascaill na Teille  
Páirc na Milaoise, An Nás, Co. Chill Dara.  
National Office for Environmental Health Services  
2nd Floor, Oak House, Lime Tree Avenue  
Millennium Park, Naas, Co. Kildare  
Eircode: W91KDC2  
T: 045 880 442 ehnationaloffice@hse.ie

**Date:** 25/09/2025

**Type of consultation:** EIAR  
**Planning reference:** ACP-323171-25  
**EHIS Reference:** 5261

Dear Sir/Madam

Please find enclosed the HSE consultation Report in relation to the above proposal. The following HSE departments were made aware of the consultation request for the proposed development on 12<sup>th</sup> September 2025

- HSE South Emergency Management – David O’Sullivan
- National Capital Estates Office – Regional AND
- Director of National Health Protection – Eamonn O’Moore / Ina Kelly
- REO South West – Andy Phillips

If you have, any queries regarding this report please contact, Mr. John Moynihan Principal Environmental Health Officer in the first instance.

Yours Sincerely

*Arlene Ward*

Arlene Ward  
Environmental Health Officer

**HSE Submission Report Environmental Health Service Consultation Report (as a Statutory Consultee (Planning and Development Acts 2000) and Regulations made thereunder)**

**Date:** 25.09.2025

**Report to:** An Coimisiún Pleanála

**Type of consultation:** EIAR

**EIAR Planning reference:** ACP-323171-25

**Applicant:** Rínn Rua Holiday Park Limited,

**Address of proposed Development:** Reenroe, Emlaghmore West, Ballinskelligs, Co. Kerry

**EHIS reference:** 5261

**Proposed Development:** DEVELOPMENT AT A 22.6HA SITE AT REENROE, EMLAGHMORE WEST, BALLINSKELLIGS, CO. KERRY. 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; 4 NO. SELF-CATERING STUDIO APARTMENTS; 3 NO. ONE BED SELF-CATERING APARTMENT; 15 NO. 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: 6 NO. HOBBIT HUTS, 21 NO. GLAMPING PODS, 25 NO. HOLIDAY HOMES, 144 NO. MOBILE HOMES, 20 NO. CAMPERVAN STANDS, 0.8HA TENT CAMPING AREA, WASHROOM AND TOILET FACILITIES 58M<sup>2</sup>, MAINTENANCE BUILDING 618M<sup>2</sup>, LEISURE COMPLEX (WITH A SWIMMING POOL) 1,339.5M<sup>2</sup>, SURF SHOP 191.7M<sup>2</sup>/CAFÉ 126.5M<sup>2</sup>, NATURAL PLAY AREA, CENTRAL PARK AREA, 151 NO. CAR PARKING SPACES, INCLUDING COACH PARKING, 40 NO. BICYCLE SPACES, EV CHARGING POINTS, INTERNAL ROADS, FOOTPATHS, WASTE STORAGE AREAS, WIDENING OF BEACH ACCESS ROAD TO 6M 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 SOUTHWEST OF THE DEVELOPMENT SITE, NEW WASTEWATER TREATMENT SYSTEM WITH CLEAR WATER PUMP STATION AND UV SYSTEM, DRAINAGE AND PERCOLATION AREAS, 2 NO. STANDBY GENERATORS, WATER SERVICES AND LANDSCAPING. THE PROJECT INCLUDES ALL ANCILLARY AND ASSOCIATED WORKS NECESSARY TO FACILITATE THE DEVELOPMENT. AN ENVIRONMENTAL IMPACT ASSESSMENT REPORT HAS BEEN PREPARED IN RESPECT OF THE PROPOSED DEVELOPMENT AND ACCOMPANIES THIS APPLICATION.

The NEHS has reviewed the correspondence received from An Coimisiún Pleanála and the decision correspondence on Kerry County Council Planning Portal date stamped 28<sup>th</sup> August 2025.

The NEHS makes the following comments on the four grounds of refusal.

### **1.) Visual Amenity**

1. Having regard to the scale of the proposed development on this coastal site located in an area zoned 'Visually Sensitive' in the Kerry County Development Plan 2022-2028, it is considered that the proposed development would contravene Objectives KCDP 10-31 and KCDP 10-32 of the said Plan in relation to Visitor Accommodation. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The NEHS has no observations to make.

### **2.) Design and complexity of the proposed effluent treatment system**

2. Having regard to the scale of the proposed development and the design and complexity of the proposed effluent treatment system, the Planning Authority is not satisfied that the proposed development would not cause pollution of groundwater and surface waters. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Design specification capacity to meet requirements is a technical assessment by the Planning Authority. The NEHS do not have any further observations.**

### **3.) Public Water Supply**

3. Having regard to the scale of the proposed development and concerns raised by Uisce Eireann in relation to the impact of the development on the public water supply, the Planning Authority 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.

**Public water supply may be impacted due to industrial demand. The NEHS does have not have any further observations to make.**

### **4. Biodiversity Impact**

4. Based on the information submitted and having regard to the nature, scale and location of the proposal, the Planning Authority is not satisfied, that it would not seriously injure biodiversity interests by way of light pollution and water quality deterioration. Increased lighting / sky glow at a coastal location such as this, has potential to impact avian SCI species for the 'Puffin Island SPA' and 'Deenish Island and Scariff Island SPA'. The proposal would therefore conflict with Development Objectives KCDP 11-2, KCDP 11-42 and KCDP 13-1 of the Kerry County Development Plan 2022-2024, would be contrary to the protection of the environment, biodiversity and natural heritage and the proper planning and sustainable development of the area.

The NEHS has no observations to make.

The NEHS has enclosed a copy of the NEHS submission below as requested.

## **Introduction**

The following HSE Departments were notified of the consultation request for the Planning EIAR Application on 29<sup>th</sup> May 2024

- HSE South Emergency Management – David O’Sullivan
- Estates – Helen Maher / Stephen Murphy
- Director of National Health Protection – Eamonn O’ Moore/ Ina Kelly
- CHO – Michael Fitzgerald

This report only comments on Environmental Health impacts of the proposed development as outlined in the EIAR (reference 21513 dated May 2024) and the adequacy of the EIAR from the Environmental Health viewpoint. The Environmental Health Service (EHS) has made observations and submissions on the following specific environmental health areas.

All commitments to future actions, including mitigation and further testing, have been taken as read and all data has been accepted as accurate. No additional investigations/measurements were undertaken in the review of this application.

The EHS has made observations and submissions on the following specific environmental health areas.

### **1. Proposed development:**

The applicant has proposed restoration of an existing derelict hotel to include mobile homes, holiday lodges, touring campervans pitches, tent/caravan pitches, glamping pods and hobbit huts and all associated services, along with sensitive landscaping of the entire development area. The development proposal also proposes visitor services including a shop, bar, restaurant, reception area, leisure centre, surf/water sports school and beach café. A separate habitat enhancement area is also proposed on the lands to the east of the site boundary which are also in the ownership of the applicant.

### **2. Assessment of the principle and description of the project**

The National Environmental Health Service (NEHS) is satisfied that the EIAR provides an adequate description of the proposed project. The proposed Hotel and Leisure Park will occupy approximately 40% (22.6ha) of the 55.85ha of land owned by the developers. The proposed Hotel and Leisure Park will provide self-catering accommodation and facilities with a maximum of 972 beds or 507 bedrooms.

The proposed development will be located on the west side of the Reenroe beach access road. The only component of the project which will be located on the east side of the beach road is the Waste Water Treatment Plant (WWTP). The applicant has advised that the development will be operational for at least 10 months of each year from February to November – with peak periods expected between May and September. The applicants intention is for these facilities to remain open all year round, but this will depend on demand. The applicant has advised camping, hobbit huts/glamping pods and holiday lodges will be open for 5 months from May to September.

### **3. Assessment of Public Consultation and the Non-Technical Summary**

It is the experience of the NEHS that early and meaningful public consultation minimises the likelihood of future complaints relating to the activity, which is the subject of this application.

It has been noted that a Public Information Event was held in Ballinskelligs Community Centre on the 8<sup>th</sup> June 2023. Furthermore, the public had option of written submissions regarding their concerns which Environmental Health Welcome.

**There should be on-going engagement with sensitive receptors and the local community during the course of the proposed development. A system should be put in place for dealing with enquiries and/or complaints from members of the public.**

### **4. Assessment of the Physical Environment**

#### **1. Population and Human Health**

The NEHS notes the publications and data sources referred to in preparing the Chapter on Population and Human Health. (Chapter 4) The EIAR has outlined that the only potential negative temporary cumulative effect of concern during the construction phase is potential traffic congestion during the peak holiday season in the first (18 month) phase of construction. Furthermore, the EIAR stipulates once it becomes operational, the proposed development will result in a significant increase in the amount of self-catering accommodation offerings on the Iveragh peninsula.

**The NEHS recommends that should planning consent be granted, the mitigation measures outlined and detailed in of the main EIAR Report and within Chapter 4 of the EIAR are included as conditions of planning permission.**

#### **2. Water**

The NEHS has reviewed Chapter 7 'Water' that includes an assessment 'of the potential impacts of the proposed development primarily on the quality and quantity of both surface and groundwater.'

An AA Screening Report was completed for the proposed development and concluded following examination of the relevant information, "that the proposed development will not adversely affect, either directly or indirectly, the integrity of any European site, either alone or in combination with other plans or project."

The applicant has stated that there are no records of groundwater wells and springs within the site boundary according to the GSI Map Viewer. Furthermore there are no groundwater monitoring and abstraction wells within the site locality.

The applicant has stated that there are no Group Scheme and Public Supply Source Protection Areas or Ground Water Scheme Abstraction Points Located on or adjacent to the proposed development site according to data available on the GSI Map Viewer.

The applicant has stated that there will be "no significant negative effect on water associated with the proposed development no cumulative effects are anticipated during the construction or operational phases."

## **Recommendations**

- I. **The EHS recommends that compliance monitoring of groundwater levels and discharge quality shall be undertaken in accordance with the requirements of the relevant local authorities. If exceedances are identified mitigation measures are implemented, monitored and verified. This is for the protection of public health.**
- II. **The EHS would outline where discharge to surface water is proposed, you the applicant must obtain a Discharge Licence from Kerry County Council.**
- III. **The EHS recommends that should planning consent be granted, the mitigation measures outlined and detailed in Chapter 7 should be included as conditions of planning permission**
- IV. **The EHS would recommend that the Construction Environmental Management Plan (CEMP) and Environmental Operating Plan (EOP)) shall include provision for the monitoring of construction related activities concerning Water/Wastewater to include Water Quality monitoring, assessment of the integrity of the storage tanks on an annual basis etc.**

### **3. Land, Soils and Geology**

The NEHS has reviewed Chapter 6 'Lands, Soils and Geology', which includes an assessment 'of the potential impacts of the proposed development primarily on the land and geological Environment' (Chapter 6).

The geology of County Kerry is described within the Kerry County Development Plan (CDP) as varying in age and rock type across the county. The oldest geological formations date to the Ordovician period (490-450 million years ago (Ma)) and outcrop on the Dingle Peninsula

- I. **The NEHS recommends that the mitigation measures included in Chapter 6 should be implemented. The NEHS recommends that these measures should be included as conditions of planning permission, if granted, and are monitored to ensure the effectiveness of mitigation.**
- II. **In the event that unexpected contamination is encountered, the NEHS recommends that the nature of this contamination and its management must be submitted to the planning service. The investigation, risk assessment and if necessary remediation work must be undertaken and verified in accordance with current best practice.**

### **4. Noise**

The potential significant impacts from noise from the proposal are described in Chapter 11 'Noise'. The EHS notes the legislation and guidance referred to in the preparation of this chapter.

## **Construction Phase**

The EIAR outlines that "the theoretical worst case predicted noise levels thresholds are in exceedance within 40m of an existing noise sensitive receptor at the construction phase .NSR3 is the only permanently occupied receptor within the 45m zone. . The EHS would

recommend that the Construction-related noise levels comply must with the established criteria BS 5228-1:2009+A1: 2014 for all phases.

- I. **This EHS would necessitate that an appointed contractor will liaise with all residential owners to ensure that works are carried out at suitable times.**
- II. **Construction work should be restricted to the hours below 08:00 – 18:00 Mon-Fri, 08.00 – 14.00 Sat. There should be no works on site on Sundays and Bank Holidays.**
- III. **However should planning consent be granted all noise mitigation measures identified in of the EIAR and set out in the CEMP should be included as a condition of planning permission.**

### **Operational Phase**

A noise management plan should be devised and implemented as part of the development, including hours of operation, training for staff and signage to notify the public of the potential effect their activities, patron noise particularly at night. As part of the detailed design of the development, plant items with appropriate noise ratings should be detailed and, where necessary, remedial measures appropriately selected (e.g. enclosures, silencers etc.). Thereby achieving the appropriate noise level at the facades of sensitive properties, including those within the development itself.

**The EHS recommends that in addition to the mitigation measures outlined in Chapter 11 the following measures should be implemented.**

- **A noise management plan should be devised and implemented as part of the development, including hours of operation, training for staff and signage to notify the public of the potential effect their activities, patron noise particularly at night.**
- **It is noted there is an outdoor pool and seating area. There EHS recommend that these facilities shall not be operational and guess access shall pre prohibited to these areas between the hours of 23:00 and 07:00 hours.**
- **All mechanical plant and ventilation inlets and outlets should be sound insulated and/or fitted with sound attenuators as per documented in the EIAR.**
- **Noise monitoring in line with Bs4142:2014 +A1:2019. If the results of the noise survey exceed the WHO levels and the rated levels, the approved development should the mitigation measures should be reviewed and additional measures for noise control implemented**
- **All noise mitigation measures identified in of the EIAR and CEMP should be implemented in full.**

## **5. Air, Dust & Climate**

Monitoring of dust deposition should be carried out using the TA Luft 2002 air quality standards as applied in the EPA document Environmental Management in the extractive industry (non scheduled minerals) using the Bergerhoff method at nearest sensitive receptors. Dust deposition not greater than 350mg/m<sup>2</sup>/day averaged over 30 days. Mitigation measures should include wheel washes on exits, spraying of exposed earthworks and site haul roads and sufficient mobile bowser units.

The applicant states that a full traffic management plan and dust management plan will be incorporated into the Environmental Management System in order to minimise such emissions as a result of the operational phase of the development. This will be generated specifically for the proposed development when detailed design is completed. In order to ensure that no dust nuisance occurs at sensitive receptors during dry and windy spells, a series of measures will be implemented through the CEMP:

**Dust mitigation measures outlined in Chapter 13 and CEMP are noted by the EHS and it recommends that these measures are included as conditions of planning permission (if granted); are implemented in full and are monitored to ensure the effectiveness of the mitigation. This is for the protection of public health.**

## **6. Welfare Facilities (construction phase)**

It is noted that the proposal will be connected to mains water and sewerage Welfare facilities provided on site during construction must comply with the following:

- a) Any drinking water must comply with S.I. No. 122/2014 - European Union (Drinking Water) Regulations 2014
- b) All waste water must either discharge directly to a public sewer or be trapped and contained and taken off site for treatment at an authorised treatment plant. No discharges directly to ground water. It is noted that the applicant intends to connect to existing public sewerage for welfare facilities
- c) Any temporary canteen to meet requirements

## **7. Lighting**

Consideration should be given to the guidance below to ensure lighting on the site does not cause disturbance to nearby residents. <https://www.gov.uk/guidance/light-pollution>

## **Conclusions**

**The Environmental Health Service makes the following general observations and recommendations in respect of this application**

- **Engagement with sensitive receptors and the local community should be undertaken. A system should be put in place by the developer for dealing with enquiries and/or complaints from members of the public.**
- **The EHS recommends that mitigation measures included in Chapter 14 'Water' should be included as conditions of planning permission, if granted, and are monitored to ensure their effectiveness.**

- **The above noise mitigation measures in addition to those in Chapter 11 should be included as conditions of planning permission, if granted and should be monitored to ensure effectiveness**
- **Dust mitigation measures outlined in Chapter 13 are included as conditions of planning permission (if granted); are implemented in full and are monitored to ensure the effectiveness of the mitigation.**

All correspondence or any queries with regard to this report including acknowledgement of this report should be forwarded to John Moynihan, Principal Environmental Health Officer, Cloon More, Tralee, Co. Kerry