

File With _____

SECTION 131 FORM

Appeal NO: ACP 323171

Defer Re O/H

Having considered the contents of the submission dated/ received 22-09-25
from

John Callaghan 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.: Rosa O

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 32371

M S McDonnell

Please treat correspondence received on 22-09-25 by email 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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Amendments/Comments
<u>invited party response to S. BI notice.</u>

4. Attach to file (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"/>	RETURN TO EO <input checked="" type="checkbox"/> <u>J. Sweeney</u>
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	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Lita Clarke</u>	AA: <u>[Signature]</u>
Date: <u>23-09-25</u>	Date: <u>25/9/25</u>

323171

Karen Byrne

From: j c <johnnycee66@gmail.com>
Sent: Monday 22 September 2025 10:26
To: Appeals2
Subject: Re: Your case number: ACP-323171-25, Development Address: Reenroe, Emlaghmore West, Ballinskelligs, Co. Kerry

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,

I am writing to you regarding the above case following receipt on the 10/09/2025 of your invitation to make a submission or observations on the appeal currently before you.

John Callaghan is my name, and I live full time on the boundary of the proposed development, the refusal of permission for which by Kerry County Council is currently being appealed to you. As I live in such close proximity, any decision in relation to the site has a direct impact on my wellbeing.

My first observation is that the description of the development submitted to you in both the covering letter and the formal appeal appears to be erroneous. Whereas this particular description of the plan of development was the original and posted as a site notice, it was subsequently revised and resubmitted following Kerry County Council's request for further information. The initial description contained reference to the development of the hotel as "the partial demolition, extension and redevelopment of the existing derelict hotel...", but the revised and submitted description contains the following addition omitted from the original "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. 2 beds self catering apartments.....". It is my opinion that this substantial addition to the original description changes the proposed function of the 'hotel'.

It is my opinion that highlighting this discrepancy is important, as it was the initial plan for the rejuvenation of the hotel that created a positive reception in the community for the development. I was present with many of my neighbours at the information meeting organised by the developers, and which they claim had a broadly positive reaction to their plans. At this presentation, they spoke about the redevelopment and refurbishment of the hotel aspect of the development, amongst other aspects.

It is my understanding that my neighbours who supported the development did so primarily because of this plan to redevelop the hotel, that there would be somewhere nearby to go to in the winter, and that there would be jobs for their children, given the commonly understood definition of a hotel and the amount of staff and roles necessary for its continuous operation. I can recall having a conversation at that meeting with one of the presenters, where she discussed that they were at the stage of designing the hotel rooms. So it was with surprise, when the second and revised site notice went up, that the plans for the old hotel building had changed to a motel of self catering apartments, a huge step down from the original plan and the requirement for staff to operate same.

I am puzzled at the omission of the revised plans for the hotel in the appeal submitted to An Bord Pleanala, and i would be grateful for clarification regarding this.

My second observation is that the site has been derelict since 1987, 38 years, and it should be treated as a greenfield site, as no activity has taken place in those years, the land is used for sheep.

In the appeal, the developers question Kerry County Council's focus on the scale of the development. However, I have estimated that, during full occupancy, the proposed development will cater for a population of 1200 plus people, in a development placed in a dispersed rural community on a prominent promontory jutting out into Ballinskelligs Bay. For comparison, the nearest big town, Caherciveen, has a population of 1600 odd people according to the last census. This development is the equivalent of a town of similar size being created from scratch in a pristine seaside location, along with all the infrastructural requirements necessary to maintain such a population.

In my opinion, the opinion put forward by the developers to counteract Kerry County Council's findings regarding the potential for pollution of groundwater and surface areas fails to mention the unsuitability of the chosen location for the treatment plant and associated percolation areas. The area assigned for the treatment plant is at sea level and approximately 250 metres from the shoreline, an area that floods regularly in winter and is vulnerable to storm-related inundation. Likewise, the proposed useage of the existing adjacent wetlands is prone to inundation is similarly unsuitable for the same reasons of vulnerability to flood and surge.

The developers state that they plan to address the visual intrusion of the proposed development by means of a network of native hedgerows as screening. I personally find this a very simplistic and tokenistic response , as the type and height of vegetation that grows here is low scrub, hugely limited by the effect of sea and wind. It is an exposed, sea-blasted landscape. It is my opinion that it will be impossible to screen the proposed development in any way that would affect and diminish its intrusion on the existing landscape.

The developers have failed to mention in their appeal that the proposed development is situated in the middle of the Kerry Dark Skies Reserve, the only gold tier Reserve in the northern hemisphere, awarded because of its exceptional darkness and natural shielding from light pollution. It is my opinion that the failure to address the detrimental effect on the Reserve of such a development and its attendant light pollution is a serious omission to this appeal, and the light pollution generated would seriously affect the quality of the existing Reserve. It is my opinion that this should be taken into account when assessing the merits of this appeal.

In their concluding statements, the appeal states that the proposed development will "...positively contribute to the local economy". However the local economic model determines that hospitality based services close from late October to March, as there is not enough footfall to sustain activity during this period. This includes the business in all the towns surrounding the proposed development. It is my opinion that, if established businesses find it necessary to close, it is difficult to see how a new development will be any different, and therefore its contribution to the local economy, like all others, will be limited to the short summer season of June to September.

It is my overall opinion that the appeal submitted by the developers has no merit, and significantly fails to address the reasons for the refusal of the development. It is my opinion that this appeal should be rejected. I would be grateful if my above observations were taken into consideration when deciding same.

Many thanks,

Yours sincerely,

John Callaghan