

File With _____

SECTION 131 FORM

Appeal NO: ACP 323171

Defer Re O/H

Having considered the contents of the submission dated/ received 19-09-25

from

Richard Marshall

I recommend that section 131 of the Planning and Development Act, 2000

be not invoked at this stage for the following reason(s): No new planning

issues

E.O.: Rusa

Date: 3/10/21

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

M & McDonnell

Please treat correspondence received on 19-09-25 as follows:

1. Update database with new agent for Applicant/Appellant <u>Foley Turnbull Solc.</u>	1. RETURN TO SENDER with BP _____
2. Acknowledge with BP <u>23 + adhoc</u>	2. Keep Envelope: <input type="checkbox"/>
3. Keep copy of Commission's Letter <input checked="" type="checkbox"/>	3. Keep Copy of Commission's letter <input type="checkbox"/>
<u>Task - 452428-25.</u>	

Amendments/Comments
<u>Richard Marshall - response to sec. 131</u>

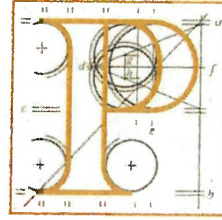
4. Attach to file (a) R/S <input type="checkbox"/> (d) Screening <input type="checkbox"/> (b) GIS Processing <input type="checkbox"/> (e) Inspectorate <input type="checkbox"/> (c) Processing <input type="checkbox"/>	RETURN TO EO <input checked="" type="checkbox"/> <u>James Sweeney</u>
---	---

	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Litz Cleve</u>	AA: <u>[Signature]</u>
Date: <u>24-09-25.</u>	Date: <u>24/9/25.</u>

Our Case Number: ACP-323171-25

Planning Authority Reference Number: 2460322

Your Reference: Richard Marshall



**An
Coimisiún
Pleanála**

Val Turnbull
Foley Turnbull Solicitors LLP
Joyce House
Barrack Square
Ballincollig
Co. Cork
P31 K065

Date: 24 September 2025

Re: An Integrated Tourism/Leisure Park. An Environmental Impact Assessment Report (EIAR) has been prepared in respect of the proposed development. NIS submitted with FI Reenroe, Emlaghmore West, Ballinskelligs, Co. Kerry

Dear Sir / Madam,

An Coimisiún Pleanála has received your e-mail submission on 19 September 2025 in relation to the above mentioned appeal and will take it into consideration in its determination of the appeal.

As was discussed on our phone conversation this appeal was initially deemed invalid when it was lodged on 29 July 2025. However, after further review an administrative error was corrected and the appeal made by the applicant Rinn Rua Holiday Park Ltd was validated.

An Coimisiún Pleanála apologises for any confusion our clerical error may have caused.

Yours faithfully,

Lita Clarke
Executive Officer
Direct Line: 01-8737158

BP23

Teil (01) 858 8100
Glaó Áitiúil LoCall 1800 275 175
Facs (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email communications@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

Lita Clarke

323171

From: Val Turnbull <valturnbull@foleyturnbull.ie>
Sent: Friday 19 September 2025 10:55
To: Lita Clarke
Subject: MIS001-14015 Miscellaneous Val 2025
Attachments: emails 28 Aug and 8 Sept_1_.pdf; LETTER TO AN COIMISI_N PLEAN_LA_2_.docx

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.

Please see attached correspondence.

Foley Turnbull Solicitors LLP

Joyce House
Barrack Square
Ballincollig
Co. Cork

Tel: 021-4877170

Fax: 021-4877172

Web: <http://www.foleyturnbull.ie/>

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Foley Turnbull

SOLICITORS LLP

Joyce House,
Barrack Square,
Ballincollig, Cork, P31 K065
DX 2131 CORK
Phone: 021 4877170
Fax: 021 4877172

info@foleyturnbull.ie
www.foleyturnbull.ie

VT/MMM/MIS001-14015

ACP-323171-25

18th September 2025

By email; l.clarke@pleanala.ie

Ms Lita Clarke
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1.

Dear Ms Clarke,

**Re: *Planning Authority Reference Number 2460322.
Proposed development at Reenroe, Emlaghmore West
Ballinskellings, Co. Kerry.***

We confirm we act on behalf of Richard Marshall, Fermoy, Ballinskelligs, Co. Kerry and your letter of the 10th September 2025 has been handed to us for our attention.

We previously wrote to you by email on the 28th August 2025 and you subsequently replied on the 8th September 2025. We attach a copy of both emails.

The first and most important aspect about this appeal is that in our opinion it is an invalid appeal. You will see we have questioned how the Board can take a month to assess the validity of an application or not.

With all due respects your email of the 8th September 2025 in which you refer “your comments are under consideration and a further reply will issue shortly”, has not been received. We have received no explanation as to the reason or cause of the delay.

It is of serious concern to our client and other objectors that the Board are now processing an appeal which may be void ab initio and illegal and is being incorrectly processed by the Board.

In relation to your request for submissions and observations our client has made an extensive objection to this planning application to Kerry County Council in the first instance. He confirms that his objection is exactly the same. The fact that the Appellants have attempted to rehash or reorganise their submission is totally inappropriate and should not be considered at all as part of the appeal process by the Board.

Lest there be any doubt our clients’ objection still stands.



We also await a comprehensive explanation from the Board as to how this application can now be deemed valid.

Yours faithfully,

Val Turnbull
FOLEY TURNBULL SOLICITORS LLP

Val Turnbull

From: Lita Clarke <l.clarke@pleanala.ie>
Sent: Monday 8 September 2025 15:59
To: Val Turnbull
Subject: RE: Planning appeal reference: 323171

Dear Val Turnbull,

Thank you for your email and apologies for the delay with my reply.

The matters you raise below have been highlighted and are being considered.

The Commission has received the application documentation from Kerry County Council which includes the objections made on the application and these documents are being added to our file.

Your comments are under consideration and a further reply will issue shortly.

Kind regards,

Lita Clarke
Executive Officer
Appeals Processing Section
An Coimisiún Pleanála
01 8737158

From: Appeals2 <appeals@pleanala.ie>
Sent: Thursday 28 August 2025 13:06
To: Lita Clarke <l.clarke@pleanala.ie>; Lisa Quinn <L.Quinn@pleanala.ie>
Subject: FW: Planning appeal reference: 323171

From: Val Turnbull <valturnbull@foleyturnbull.ie>
Sent: Thursday, August 28, 2025 1:02 PM
To: Appeals2 <appeals@pleanala.ie>
Subject: Planning appeal reference: 323171

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VT/CC/OLD002-14330

appeals@pleanala.ie

ATTN: Lisa Quinn, Case Officer/

Dear M/s. Quinn,

**Re: Reenroe, Ballinskelligs, Co. Kerry.
Planning appeal reference: 323171**

We confirm we act on behalf of a number of objectors who lodged an objection to the original planning application.

We note as of Monday last it was inconclusive of whether this was a valid application or not.

It now transpires from a phone call with your office on today's date that it has been validated. It is highly unusual in my opinion and my experience with An Bord Pleanála that they would take a month to decide whether a planning application was valid or not.

With all due respect, I believe there is a legal obligation on the Bord to make the decision prior to the expiry time. I await clarification as to what happened here and for explanation to my clients who are still not on notice of whether this matter has been appealed or not. It is still showing in Kerry County Council site as not appealed.

The situation, with respect is far from satisfactory.

I await a prompt reply.

Yours sincerely,

Val Turnbull

Foley Turnbull Solicitors LLP

Joyce House

Barrack Square

Ballincollig

Co. Cork

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Fax: 021-4877172

Web: <http://www.foleyturnbull.ie/>

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