

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

Rory Fellows 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 O

Date: 3/10/15

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 323141

M _____

Please treat correspondence received on 19/9/25 *Reg Post* 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"/>
---	---

Amendments/Comments

Copy follows response to S131

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"/> <i>James Sweeney</i>
---	---

	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <i>Lisa O</i>	AA: <i>SD</i>
Date: <u>19/9/25</u>	Date: <u>22/9/25</u>

From
RORY FELLOWES
2, EMLAGHMORE WEST
BAILE AN SCEILG
CO. KERRY V23 WV72

To
AN COIMISIÚN PLEANÁLA
64 MARLBOROUGH STREET
DUBLIN 1
D01 V902

AN COIMISIÚN PLEANÁLA	
LDG-	_____
ACP-	_____
19 SEP 2025	
Fee: €	_____ Type: Reg Post 82
Time: 9:15	By: _____

Ref. CO/21513

RE: FIRST PARTY APPEAL ON KERRY COUNTY COUNCIL'S PLANNING DECISION IN
RELATION TO PLANNING REFERENCE 24/60322

OBSERVATIONS

Appeal point 1: VISUAL IMPACT

The scale of the development cannot help but have an impact on the visual nature of the site. Though the old hotel is no beauty, it is limited in size and sits amid an open field with a path around its perimeter. The replacement with an enlarged and taller building, with car and coach parking, and the installation of 144 mobile homes as well as the 20 campervan stands, 25 holiday homes, the glamping pods and hobbit huts and 0.8ha tent camping area will be noticeable and change the peace of the whole area, regardless of any attempts to hide these elements with hedgerows.

Appeal point 2: WASTEWATER

There is a natural seasonal cycle for the fields that the developer proposes to alter with a wastewater system of reed ponds. The sea regularly floods this area every winter, and the ensuing flood will disturb the ponds and release the bacteria in the ponds and spread them over the whole field. The insects and small birds that breed there in the spring and summer already maintain the life of the field and they will not benefit from the new ponds. The coastline, which constitutes Rin Rua is swept clean of its sand cover every winter by incoming storms. In the event of any overflow the wastewater system will contaminate the Bay. The appeal does not mention the seal colony on Horse Island which brings breeding pairs every year. There is mention of porpoises but no mention of the dolphins that are frequently seen to visit the Bay to teach their children to hunt for fish. There is also no mention of other fish species, such as mackerel and bass that are regular visitors to the Bay. All of these would be affected by any waste discharge into the sea and despite the best efforts of the developers, there will always be a risk of discharge. Paragraph 6 refers to Reenroe Beach. This is not a beach, it is a foreshore, subject to constant change from sandy to pebble and rock strewn, suitable only for the walkers who enjoy its uncrowded peace.

Appeal point 3: WATER SUPPLY

The refusal given by Kerry County Council addressed this and there is nothing in the appeal to suggest that the affect on the water supply to this whole area during the high season would not occur, as it occurs now every year, with reduced water pressure and some instances of discolouration and a tint of chemicals in the water that makes tap water undrinkable. This situation can only be worsened by the additional demand made by the upwards of a thousand extra people at the holiday park during the high season.

Appeal point 4: ECOLOGY

It could be noted that this development is in the Gold Tier Kerry International Dark Sky Reserve, the only Gold Tier Dark Sky Reserve in the Northern Hemisphere, a status that should be protected to the utmost degree.

I contest the assertion that the development will not have any effect on the Chough that nest around the Bay. These are highly sensitive birds that will not tolerate the noise and light pollution of the development. The appeal only refers to the Chough, Manx Shearwater and Storm Petrel who regularly nest here. However, I would add the Brent Geese and the Northern Divers, also as shy of the presence of night time artificial light. The appeal suggests that the lighting scheme will make use of special light fittings to minimise light spill, but that does not take into account the light spill from the apartment building, the holiday homes, glamping pods, hobbit huts, mobile homes, campervans and the to and fro of cars and coaches.

With regard to the wild life of the area, apart from the light pollution, there will be the noise of all the tourists and others staying there or using the facilities during the high season. I should add to this that the whole development is likely to be only operational during the high season, which at a stretch lasts from June to September. Any use available to the local population will be restricted by the tourists taking precedence in the high season and the closure of the development in the rest of the year.

SUBMISSION

There is a very good blue flag beach at Baile an Sceilg suitable for families, walkers and swimmers, where there is a cafe, and a pub with a large parking area and a playground for children. There is also a summer surfing school and a year round local teaching facility for learning Gaelic. These are more than adequate for the annual influx of tourists.

The R567 that runs across the top of the short road down to the Leisure Park is so narrow in parts of its continuation to the N70 that if two cars meet one of them must pull into the short laybys provided to allow the other to pass. Two coaches meeting there would be unable to pass. In the opposite direction, any traffic must approach on the R566 before turning onto the R567. The R566 coming down from the N70 is also too narrow in parts, in particular the bridge over the River Derreen, the bridge being hardly wide enough to allow a coach to cross it, not to mention the possible obstruction of approaching traffic. Both the R566 and the R567 would require extensive widening to make the traffic to the Leisure Park safe or even possible for the coaches and camper vans, let alone the trucks that will be using those roads during construction.

The appeal refers throughout to a hotel development at the centre of the proposed Integrated Tourism/Leisure Park. This is misleading; the original application is to convert the hotel to self-catering apartments, which will be offered for sale. There is no additional hotel accommodation offered.

CONCLUSION

Nothing in the appeal takes away from the excellent reasons given for the refusal by Kerry County Council. I request An Coimisiún Pleanála to reject this appeal.

Signed by my hand,

RORY FELLOWES
18/09/2025