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22-Oct-04



The Feast of the Dying Sun

Waveform Studios are thrilled with the airing of 'The Feast of the Dying Sun' this Halloween. Composers Giles Packham & Karl Burke worked extensively on the documentary weaving their music into it's very fabric; they tell IFTN about the project.

'The Feast of the Dying Sun' is a Tyrone Productions documentary that traces the development of the ancient rituals of Samhain in pagan times to the current day feast of Halloween. The project has been in development for many years and is the first feature documentary about the history and meaning of Halloween. The programme was shot on location over a one-year period in Ireland, the US and UK and will be released in Irish and Welsh language versions as well as the English international version.

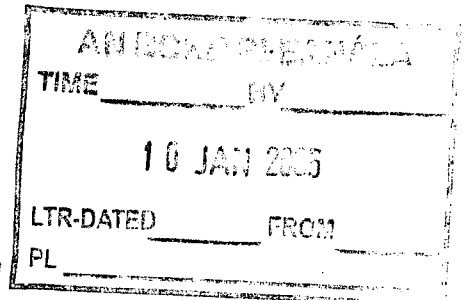
Composers Giles Packham and Karl Burke were involved in the project from the pre-production stage and worked closely with Piranha Bar head editor Paul Giles. The trio had previously worked together on an 8-part series about disability, 'Three60' (Animo TV), which was aired on RTE 1 last summer and has been nominated for an Irish Film & Television Award. Over a number of projects they have developed a strong working relationship resulting in tight music/picture integration.

'Both the director and producer felt that the music should convey a sense of otherworldliness as well as possessing a sinister quality', says Packham. 'We created haunting soundscapes from source material as diverse as buckets of sea pebbles to broken trumpets and married the results with the latest synthesiser and studio technology to shape the right feel for the music.'

In the documentary, a sequence concerning Leap Castle, the location of untold grisly deaths and reputedly the most haunted house in Europe, the composers manipulated recordings of exorcisms and incantations to portray the feeling of dread invoked by the footage. Elsewhere, six hundred different breath noises were edited together to form a sound collage to accompany a scene where a maiden is visited in her dreams by an apparition of a future lover. For another scene, the sound of barking stones had to be created for a witches' ritual - this was achieved by morphing elements from the production sound with foley sound created in studio.

For this project the composers used new sound production technologies. Making extensive use of the new sampler MachFive and their own in-house custom sound library they had instant access to over 100,000 separate sounds; a great advance on previous hardware-based systems.

'The Feast of the Dying Sun' is produced by Tyrone Productions and directed by Lavinia Darby and will be broadcast on the 31st of October



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phantoms of the isles - im reich der geister

Leap Castle County Offaly, Southern Ireland

Known universally as the most haunted castle in all Ireland, Leap Castle is without a shadow of doubt the most sinister and frightening building I have ever photographed.



Leap Castle, County Offaly, Southern Ireland
(MA-C-704)

Once the principal seat of the powerful and warlike O'Carrolls, Princes of Ely, it stands on a vast, ancient rock guarding a strategic pass through the wild Slieve Bloom mountains. My first visit was for a book that I was compiling called *In Ruins - The Once Great Houses of Ireland*, and I can distinctly remember my initial feelings of fear and fascination: nowhere before had ever held so many suggestions of the supernatural.

The O'Carrolls were the last sept to surrender to the British in the seventeenth century and their fearsome reputation has left behind a legacy of intrigue and murder as brother fought brother for control of their empire. Local people are still in awe of the castle and are fearful of the many ghosts that are still said to haunt this ruin. Above the main hall of the great fourteenth-century tower is what is known as the 'Bloody Chapel' where 'one-eyed' Teige O'Carroll slew his brother at the altar and, late at night, passers-by on the main road have seen a window of the room suddenly illuminated by a strange light. In one corner of this chamber was a spiked oubliette, a secret dungeon into which unsuspecting prisoners were thrown down through a trap door and conveniently forgotten. It is said that three cartloads of bones were extracted from here after the house was destroyed by fire in 1922. Below the keep, it's said, stretches a network of deep dungeons hewn into the rock, containing bricked-up passages and secret chambers. Several human skeletons and spearheads were found here

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too. It is interesting to note that the last owners of the house before the fire, who added the Gothic wings, were said to have been unaware of the existence of these cavernous tombs.

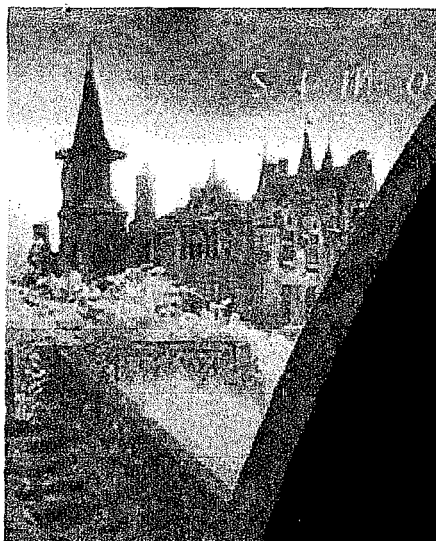
During the period of the Darby's residence overnight guests frequently experienced the terrifying spectre of a tall female figure, dressed in what seemed to be a red gown, with her right hand raised menacingly above her head, seemingly illuminated from within. The unfortunate visitor always awoke suddenly in the middle of the night, prior to this nightmarish vision, with an extraordinary and violent cold feeling in the region of their heart. Whether this ghost is connected with the murder of a princess of the royal O'Carroll household many centuries ago is not known, but this State Bedroom was always shunned by the Darby's servants. The strangest and most demonic spectre in the castle is a foul smelling elemental, half-human, half-beast, that haunts the tower stair and is believed to be the embodiment of all the horrific and evil deeds that have taken place here.

The Darby family obtained the estate when Jonathan Darby married the daughter of an O'Carroll chieftain in the seventeenth century. A staunch Royalist, he was known as the 'Wild Captain', and legend says that he hid a fabulous hoard of treasure in the castle with the help of two servants, who he then murdered, before being imprisoned for treason. When he was released many years later his mind was so deranged that he couldn't remember where he had hidden the hoard, and the mystery remains to the present day.

Lord Rosse, who lives at nearby Birr Castle, built by his ancestors on the site of another former O'Carroll stronghold, told me that he had always been, and still is, frightened by Leap. He said that his father had told him that as a child he would sometimes go to tea there with his governess and that, because of persistent rumours of several skeletons being bricked up behind the wall in one room, the then Lord Darby became enraged by what he considered to be idle gossip and had the wall dismantled, where, to his horror, three upright skeletons were found. He immediately had them bricked up again, saying that if one of his ancestors had killed them then it must have been for a good reason. Lady Rosse, an eminent archaeologist, believes that the castle is situated on a ley line and that the powerful forces these ancient alignments generate can be influenced by both good and evil, unfortunately in this case the latter. She added that she had been present at a recent exorcism attempt by a Mexican medium at the castle, but had found the experience unnerving.

I then visited Peter and Mide Gerrard who had owned the castle from 1973 to 1975. They told me that, after being burnt in 1922 by the IRA while the Darbys were living in England, a mob had ransacked the mansion and macabrely hung the tame peacocks from meat hooks on the tower. The Darbys then gave the castle to an old lady, a family retainer, who later died of a gangrenous leg. After it changed hands once more they had purchased it as an investment. Peter Gerrard told me his mother had been a friend of Cicely O'Carroll-Darby, and she had been invited to spend a night at the castle for a dance. She told him afterwards that she hadn't slept well and continually felt that someone or something was hovering over the end of her bed. He added that he thought the whole area around Leap was evil and that nothing good had befallen anyone who had owned it. He then said that he hoped he had escaped this curse because he had lost money when he sold it - we all laughed nervously.

The next owner, Peter Bartlett, was an Australian and an O'Bannon. His clan had held the castle before the O'Carrolls.



but were secondary chieftains to them. I had dinner with him one night in the summer of 1988 and noticed that his tenancy at the castle was exerting both a mental and physical drain on his resources. He told me that many extraordinary poltergeist phenomena had taken place when he began to renovate the building and he was inclined to support Lady Rosse's theory of the overwhelming powers of the rock. He believed that we are living in an age when the ghosts of all the dead and departed are crying out to warn us not to abuse nature and its abundance. Peter died tragically the following year and the castle is now in the hands of a trust. Lady Rosse told me that she was keen to rid the castle of its ghostly reputation, but I wonder what powerful magic can cleanse this dark fortress of its fiendish past: to me, these supernatural powers are best left alone.

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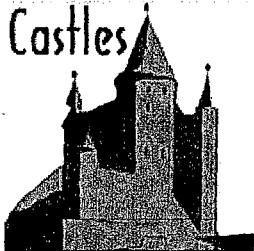
Leap Castle

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Stay overnight in a Castle Fortress!



Name: Leap Castle
Location: County Offaly.
Country: Ireland
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Over 400 years ago in what is now known as the "Bloody Chapel" a shocking murder occurred. Leap Castle was then a stronghold of the O'Carroll family, powerful Irish Princes, Chieftains of the area.

In 1532, on the death of the O'Carroll Chieftain, a fierce rivalry for the leadership erupted within the family. The bitter fight for power turned brother against brother. One of the brothers was a priest. The O'Carroll priest was holding mass for a group of his family (in what is now called the "Bloody Chapel"). While chanting the holy rites, his rival brother burst into the chapel plunging his sword into his brother. Fatally wounding him, the butchered priest fell across the altar and died in front of his family.

The heinous act of brother killing brother and the blasphemy of a sacred mass cut short by such an evil event sent an echo of misery ringing throughout the castle.

Another source of evil was found at Leap Castle that may have compounded and nurtured the spirit of the elemental. A hidden ubliet (a dungeon) was found off the bloody chapel. It was a small room with a drop floor. Those who were forgotten within this room suffered unimaginable pain and misery until their death. Prisoners would be pushed into the room to fall through the floor and land on a spike eight feet below. If you were not lucky enough to die quickly on the spike, you died of starvation in an odorless room while the aroma of food and the sounds of merriment drifted up from the rooms below. A narrow window would let you watch those who came and went in freedom from the castle. Around c.1900 workmen who were hired to clean out the ubliet made a hideous discovery, human skeletons laid piled on top of each other. It took three full cart loads to remove all of the bones. Among the bones workmen found a pocket watch made in the 1840's. It is not certain if the dungeon was still in use then.

Because of its extremely bloody history Leap Castle has always had a reputation of being haunted, a reputation so strong local people avoided it at night. Completely gutted by fire, Leap Castle was boarded up and its gates were pad locked for over 70 years. Locals have described seeing the windows at the top of the castle "light up" for a few seconds as if many candles were brought into the room late at night. The castle laid in ruin for years.

Shortly after Leap's dungeons gruesome discovery, a psychic disturbance may have caused the emergence of the elemental spirit. In 1659 ownership of Leap Castle passed in marriage from the O'Carroll family to an English family, the Darbys. The Darby family turned Leap into their family home, with improvements and additions and landscaped gardens. In the late 19th century descendants Johanthan and Mildred Darby were looking forward to raising their family here. The occult was the fashion of the day, and Mildred Darby did some innocent dabbling, despite the castle's history and reputation for being haunted. Mildred's dabbling with magic awakened the elemental with ferocious velocity.

In 1909, Mildred Darby wrote an article for the Journal Occult Review, describing her terrifying ordeal. "I was standing in the Gallery looking down at the main floor, when I felt somebody put a hand on my shoulder. The thing was about the size of a sheep. Thin guanting shadowy..., it's face was human, to be more accurate inhuman. Its lust in its eyes which seemed half decomposed in black cavities stared into mine. The horrible smell one hundred times intensified came up into my face, giving me a deadly nausea. It was the smell of a decomposing corpse."

The elemental is thought to be a primitive ghost that attaches itself to a particular place. It is often malevolent, terrifying and unpredictable. After Mrs. Darby's experiments in the black arts, Leap Castle has never been the same. Haunting plague Leap leaving a sinister air throughout the castle. The Darbys remained at Leap until 1922. Being the home of an English family, it became the target of the Irish struggle for independence. Destroyed by bombs, completely looted, nothing but a burned out shell remained. The Darby's were driven out.

In the 1970's Leap Castle was purchased by an Australian, who had a white witch brought in from Mexico to exorcise the castle. She spent many hours in the bloody chapel, when she emerged she explained that the spirits at Leap Castle were no longer malevolent, but they wished to remain.

In the 1990's the castle was sold to the current owners. They were aware of the castle's troubled history. Shortly after moving in they began restoration of the castle. During which time a "freak accident" left the owner with a broken kneecap delaying restoration work on the castle for nearly a year. One year after his "accident" the owner was back at work restoring his castle when the ladder he was standing on suddenly tilted backwards away from the wall causing him to jump several stories resulting in a broken ankle. Both were strange accidents.

The owners say they would be happy to share the castle with the spirits as long as there are no more "occurrences".

In 1991, in Leap Castle's Bloody Chapel was the christening of the owner's baby daughter. For the first time in centuries the "Bloody Chapel" was filled with music, dancing, laughter, and most of all love. The day had been a "happy, pleasant, wonderful day". If the troubled spirits of Leap Castle did not leave, maybe they have finally found some peace.

Leap Castle is open year round, there are no accommodations.

The following information was researched by our volunteer team member Carolyn D. Ahrns from Las Vegas, NV.

Thank you very much!

Information obtained from, Castle Ghosts of Ireland, Haunted Britain & Ireland and various other articles.

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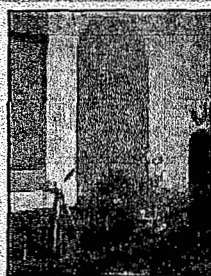
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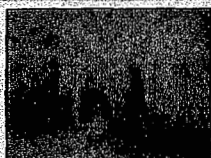
Some of the old world decor of Leap Castle.



An orb upstairs.



The Oublette, where people were thrown down onto spikes.



DCMAG investigators at Leap Castle.

An Evening at Leap Castle

Sit back and listen to the story of Leap. The year was 1532. A Catholic priest with a chapel located on the top floor of Leap Castle. As the Rites were being read by the priest, a man sprang up behind the priest and plunged a dagger deep into his back, causing the priest to bleed to death on the altar. The man was his own brother. The bloodshed over a sacred mass caused the first haunting of Leap. It has since been called the "Bloody Chapel". It is believed this act paved the way to wreak havoc on curious guests at Leap, including American paranormal investigators.

We were invited to investigate the castle to see what the ghosts were up to. In Leap are the master hunters. It's hard to explain, but we knew these guys were of Americans poking around hoping they will show us why Leap is the second most haunted world. They fulfilled our request.

On Saturday night, November 8, 2003 myself, some of my team members, and a banquet at Leap Castle. The experience was one of major contrasts. We were fed food and outstanding hospitality. Later we were treated to the music of Sean R. daughter Kira's harp playing and her exceptional dancing. While all the food and experienced there was an underlying more mysterious feeling in the house...so right.

I personally had to leave the castle and go outside due to intense psychic attack felt so thick I felt unable to breathe and nearly fainted...not too uncommon for it certainly felt like I wasn't wanted there.

Another of our members witnessed a horrible scene in a dark hallway. Two men seen breaking the arm of a woman. The vision was so disturbing she was bare woman who saw this vision wasn't the same the rest of the night, as she experienced difficulty breathing.

In the Bloody Chapel, our host Barry was looking for the head ghost of Leap, the altar 400 years ago. In a small hallway in the corner of the room, the priest was over immediately to take a picture of the priest. In front of three witnesses, I was there and snapped a pic, or attempted to do so. My camera jammed up right away and was jammed for the rest of the evening.

As the night went on, the atmosphere became more intense. All our equipment was not being welcomed (despite the warm hospitality of the owner and his daughter) were now moving close to midnight.

Part of being the leader of a ghost group is knowing when enough is enough, as is in danger. Barry and I knew we had to wrap it up before someone get hurt or getting quite agitated with us, as well as the others. We packed it up and went in Cavan.

At this point you may be asking what makes Leap so different? Why would this ghost and he reputation for being the most haunted place in Europe? Many ingredients for Leap having its reputation for being so haunted, particularly in addition to the slain priest, the Bloody Chapel has a second piece of disturbing, ominous room.

The Oublette is located in the back section of the room behind where the altar was a shaft with spikes located at the bottom and people were mercilessly thrown die from impaling. The lucky ones died instantly, but those who survived died exposure, starvation, and disease while smelling the food of the living and hear chapel above. It's unknown how many people died this way, but three cartload from the shaft.

The third incident to add to the sinister presences of Leap came with a woman Mildred was known to experiment with black magic, and through her rituals a Leap: the fire elemental. Mildred described this creature in her journal:

"I was standing in the Gallery looking down at the main floor, when I felt some shoulder. The thing was about the size of a sheep. Thin gaunt shadowy..., it more accurate inhuman. Its lust in its eyes which seemed half decomposed in mine. The horrible smell one hundred times intensified came up into my face, nausea. It was the smell of a decomposing corpse!"

In addition to the hideous past of death and the dark arts, the castle eventually abandonment and human destruction. Leap was bombed in 1922 by the Irish from England, and since the Darbys were an English family the castle was born.

Leap was sold to an Australian in the 1970s, and a white witch was brought in entities. The ghosts are still there, but nowadays they coexist with the new family Ryan, his wife and twelve-year-old daughter. The Ryan Family have learn to co Leap Castle.

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Some stories say the spirits have been laid to rest. Others say they still want v that the spirits of Leap Castle are still present and made themselves known to bring haunting to a new level. Through several murders, wars, dark rituals and had plenty of practice.

I took some experiences back with me that I'll never forget. I think the main th truly humbled. I realized what I was up against, and knew it was no contest, th hard ball. They don't like attention, and hate attempts to catch them on film. T they do have their limits.

They have my utmost respect as the residences of Leap Castle and the most in dealt with. I think the main thing I have learned is that ghosts have their limits respected.

Thanks again to Sean Ryan and Barry Fitzgerald for such a fantastic, unforgett will never forget.

-Al Tyas

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APPENDIX NO 10

Cultural aspects of Leap Castle and the Darby family

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Weekend

The Deep South strikes back

DM By's

Current Affairs: Those who detest George W. Bush and believe that his presidency is a disaster for the United States and for the rest of the world will be further confirmed in their view by these two books, writes Joe Carroll.

For journalists James Moore and Wayne Slater, Bush would not be where he is today without the political skills of his long-term adviser, Karl Rove.

But one should not forget that Bush did get a degree in Yale and an MBA from Harvard. Rove never graduated, mainly because he was too busy working for politicians.

The TV political satire, Spitting Image, liked to mock Ronald Reagan in a sketch entitled 'The President's Brain is Missing', and there was much fun in the hunt for the peanut-sized brain.

This was before the Berlin Wall came down and the Soviet Empire collapsed. Had this teeny brain had any role in this? Were the millions of Americans who voted for Reagan all morons of some kind? Europeans like to scoff at the perceived intellectual deficiencies of American presidents, but who are we to scoff? Foreign affairs are not George W. Bush's strong point, as the gaffes during his election campaign about "Grecians" and not knowing the name of the president of Pakistan revealed. But describing Karl Rove as "Bush's brain" is stretching it.

Rove played a significant role in the election of Bush as governor of Texas in 1994 and in opening up the way to the White House in 2000, but an adviser, at the end of the day, is just an adviser. The buck did stop with Bush.

Bush despised what he saw as the method of his predecessor, Bill Clinton, of poring over polls and the analysis of focus groups before making decisions. As the authors put it: "Bush understood Rove's genius in analysing the politics of a situation - he needed it - but he insisted that arguments be made on the basis of merit and not the grubby Clintonian business of sticking a finger into the wind to measure public opinion."

Certainly, the decision to go ahead with the invasion of Iraq without UN Security Council approval was not poll-driven. On the other hand, Moore and Slater show that Rove was urging war on Saddam as a perfect issue for Bush and the Republicans to fight the mid-term elections last November.

Bush had laid the ground in a speech to the West Point military academy the previous June which, with hindsight, was not sufficiently noticed.

"I will not stand by as peril grows closer and closer. If we wait for threats to fully materialise, we will have waited too long," he told the graduates.

As an electoral tactic, the promise of war on Saddam paid off. For the first time in decades, Republicans emerged from a mid-term election with control of both houses of Congress as well as the White House.

For political writer Michael Lind there is a more sinister aspect to Bush's electoral success and his plunge into war. The villain here is Texas politics and the reactionary, conservative and fundamentalist brand, now in the ascendant, that is leading the US down dangerous paths and the world with it.

Lind, who is Texan himself, argues that the Lone Star state is divided between "traditionalists" and "modernists", the former symbolised by oil companies, ranches and farms, the latter symbolised by the Johnson Space Centre outside Houston and the computer industry that has grown up in Austin's "Silicon Hills".

Bush, like his father, is part of the southern oligarchy that grew rich originally on cotton plantations worked by slaves, and more recently on oil and cattle. Bush junior has, Lind writes, "used the power of the presidency to promote the economic and foreign policy agenda of the Southern far right: a massive tax cut as the centrepiece of domestic policy, and, in foreign policy, Protestant fundamentalist-inspired support for the Likud Party of Israel, combined with consideration of schemes for an American takeover of the Iraqi and Saudi oilfields".

As Lind sees it, the White House and the Republican Party are now dominated by the most reactionary and fundamentalist brand of southern politics, largely emanating from Texas. Political control of the state, which for more than 100 years was in the hands of racist Democrats, has now passed to the Republicans, many of whom are former Democrats who could not stomach the civil rights policies of their own Lyndon Johnson. Rove, incidentally, is responsible for much of this shift to the Republicans over the past two decades, according to Moore and Slater.

At national level, the ideological thrust for this conservative takeover has been provided by the "neo-cons", former Democrat leftist intellectuals, some of them Jewish, who reacted to flower power and the liberalism of Johnson's Great Society in the 1960s by supporting Reagan and the Likud.

For Lind, George W. Bush is a willing instrument of ideologues of superior intellect and of Texas plutocrats to whom he feels he belongs in spite of his East Coast origins. Lind argues that Texas is more racist Deep South than cowboy Wild West, especially the powerful east Texas. The intolerance of minorities, black and brown, shown by the descendants of the plantation owners he ascribes to their often Ulster-Scots ancestry and tradition of keeping Ulster Catholics in subjection.

He can get carried away by his theories. Another one is that Bush's pro-Israeli policy derives, although he does not know it, from the teaching of a 19th-century Church of Ireland clergyman, John Nelson Darby, who founded a sect called the Brethren. Darby prophesied that Israel would be recreated as a nation-state, which it has been, and that it would survive various attempts to destroy it until an Armageddon led by the anti-Christ. Christian fundamentalists, it seems, feel bound to support Israel until this apocalyptic end-time.

Bush's religion has been an important part of his life since his "born-again" experience following a meeting with Rev Billy Graham, but this does not mean he should be identified with Christian fundamentalism in its cruder versions, including the rejection of evolution. He was reared as an Episcopalian and is now a Methodist like his wife, Laura.

Bill Clinton is a Southern Baptist, but this did not make him a fundamentalist-style Christian as that is understood in the South.

Joe Carroll is a former Washington Correspondent of The Irish Times

Bush's Brain: How Karl Rove Made George W. Bush Presidential. By James Moore and Wayne Slater, Wiley, 305pp, £18.50

Made in Texas: George W. Bush and the Southern Takeover of American

Politics. By Michael Lind, Basic Books, 201pp, \$24

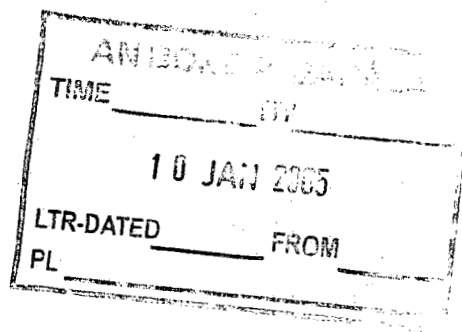
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Admiral Sir Henry Darby



Several of the Darbys of Leap Castle near Birr, Co. Offaly be Admiral Sir Henry D'Esterré Darby (1749-1823), nephew of Admiral Lord Nelson. He commanded the HMS *Bellerophon* at the Battle of the Nile (1798). Here is an interesting letter to him from Nelson:

*'My Dear Darby,
I grieve for your heavy loss of Brave fellows, but look at our g
We will give you every assistance as soon as you join us, till I
You.*

Ever

We shall both I trust

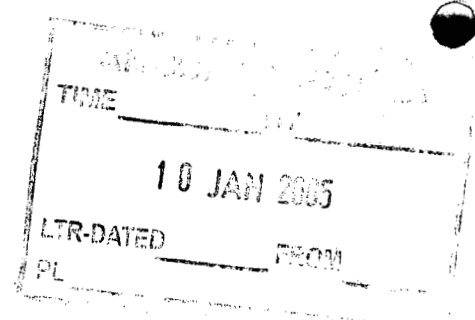
Darby received a knighthood in 1820. He died on March 30th 1823 and was buried in Agha Leap.

His nephew, John Nelson Darby (1800-1882) was the founder of the Plymouth Brethren, justification in Christ, he claimed, from Newman.

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Ballybritt and Leap Castle - A Liar at Leap

Sunday, 1

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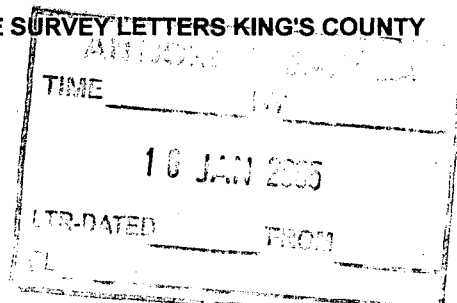
O'Connor in letter no.42 surveys the history of Ballybritt and Leap Castle.

ORDNANCE SURVEY LETTERS KING'S COUNTY

[Letter no. 42 from Thomas O'Connor]

Roscrea,
February 6th 1838.

Sir,

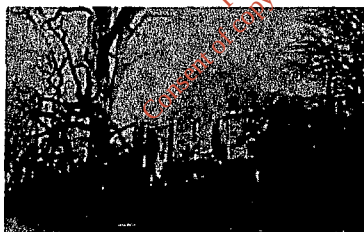


In the Townland of Ballybritt in the Parish of Aghacon there is a castle in ruins, which is said to be O'Carroll's.

A short distance to the south of this castle are some portions of the walls of a Church and to the north the site of a Roman Catholic Chapel.

There is a tradition in the country that a priest of the name of Conell (whether this was his Christian name is not known) who used to officiate in this Chapel, was inhibited from doing duty for some offence or other, inhibited from doing duty for some misconduct on his part. When he found he was on the eve of being requested that the denunciation should be deferred for a few days. In the interim, he turned himself thenceforth in the Church which stood close by the Chapel, so that, as the tradition observes, it was the one man to officiate as Priest in the Chapel and afterwards as Minister in the Church just by it.

If there be any truth in the circumstance related by this tradition, it can be collected from it that Ballybrit was in use at rather a modern period.



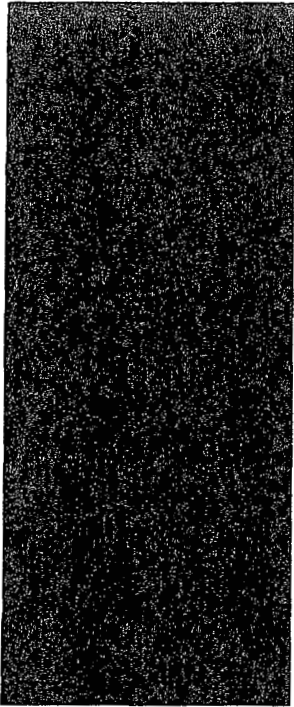
Leap Castle is in the Townland of Leap in this Parish. It is said to have belonged to O'Carroll; it is now occupied by ———— Darby,

The ancient name of it is not remembered by anyone in the country there are not willing to communicate any information about it. I was introduced today to one of the oldest men in Aghacon. He is a perfect oddity and if he were out in the time of the philosophers, might be sure to graduate in their college. With a face indicating duplicity of mind, he made a fabricated answer to my question relative to the original names of places in the Parish and neighbourhood. When I told him that what I related was trifling and evidently made up by some persons who were in the habit of framing stories to swallow to others who had no means of discovering the untruth of them, he was afterwards very negative answers and giving no information whatever about what was enquired after. Returning home, though not at all feeling thankful, I came off. I wished that fate might not furnish me with such a character, and going on I found that the amount of information to be had in general in that part was very little.

Leap is a translation of Leim in the ancient name Leim Ui Bhanain, Leim Ui Bhanain, the castle Ely at the year 1557 by the 4 Masters, where it is recorded that:-

"The Lord Chief Justice marched with an army into Fearaceall to expel the plunderers from it, for they were in the Woods of Fearaceall. He took Theobald O'Molloy and others prisoners and put Fearaceall into Ely, where he took the Castle of Leim Ui Bhanain, and O'Carroll escaped him on the swiftness of his steed."

Leim Ui Bhanain signifies O'Banan's Leap, i.e., Saltus Obanani. This Leap was the name of the place previously to the erection of a castle there, but the spot so called is pointed out by no one in the country. The circumstance that gave origin to the name is not remembered. O'Banan was one of the eight sons of O'Carroll who was the sovereign and we learn from O'Huidhrin's poem, O'Clery MSS. R.I.A., that he was the Deca:- ...



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"Hui Deci the goodly country of hills
The extensive white mansioned land,
A fertile country, closely adhered to by them (the Hy Deki)
The hereditary estate of O'Banan."

In the description of Aghacon Parish in the Down Survey, it is said that upon the lands of Ballib
a Church. See what is said above of Ballybrit Castle and Church in ruins.

Aghacon is in Irish Achadh na gCon, Ager Caenum, that is, "the Field of the Hounds." Let Colg
Four Masters, be searched for any reference to Achadhnag Con and the Inquisitions for Leim U

No local evidence could be obtained to prove that the Leap Castle is the Leim Ui Bhanain of the
Inquisitions will prove their identity.

Y

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TIME	BY
10 JAN 2005	
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John Nelson Darby



J. N. DARBY was the youngest son of John Darby of Leap Castle, King's County. The year of his birth, at Westminster, was 1800; that also of E. B. Pusey, who was to champion Anglo-Catholicism; and the career of each ended in the same year. The name "Nelson" was derived from the connection between his uncle, Henry Darby, commander of the "Bellerophon" in the battle of the Nile, and the famous admiral, Lord Nelson. He was educated at Westminster School, then at Trinity College, Dublin, where he graduated in 1819 as Classical Medallist. He was called to the Irish Chancery Bar, but soon afterwards, in 1825, took Deacon's orders from Archbishop Magee, by whom he was priested the next year. He was appointed to the Wicklow parish of Calary, residing in a peasant's cottage on the bog.

The Viscountess Powerscourt, from attending Drummond's Albury Conferences on Prophecy, started like meetings at her mansion near Bray, through which Darby met A. N. Groves and J. V. Parnell (Lord Congleton), introduced by his friend J. G. Bellett, who was in touch also with Edward Cronin and others like-minded in Dublin. All of these vindicated the functions of the Holy Spirit and the Christian hope, generally neglected. Darby, constrained by the Scriptural view of the Church as independent of the State, relinquished his parochial position in 1827, and in the next year completed his separation from the Establishment by "breaking bread" in Dublin with some of the above-named associates.

He had also become acquainted in Ireland with Francis William, brother of John Henry (Cardinal) Newman. The younger of these, who was a Fellow of Balliol College, had so distinguished himself in the Oxford schools that, when presented in 1826 for the B.A. degree, the whole congregation rose in his honour. He became tutor to the family of Mr. (Chief Justice) Pennefather, Darby's brother-in-law. Thrilled by the personality of J. N. D., Newman persuaded "the Irish clergyman" to visit Oxford in 1830, and then introduced to him a former pupil, Benjamin Wills Newton, another First Classman, who was a Fellow of Exeter; G. V. Wigram of Queen's, Isaacot Brenton of Oriel; and W. E. Gladstone (afterwards British Premier) of Christchurch, also met Darby, but succumbed to the influence of the elder Newman, who just then was select preacher before the University.

Benjamin Wills Newton, who was a native of Plymouth, brought about a visit by Darby to that town, strongly evangelical through the ministry of Dr. Hawker, and influenced by the "separation" principles of John Walker, another Irish ex-clergyman. By the year 1832 a "gathering" of believers to the name of Jesus, the first of its order in England, was definitely formed there. James L. Harris, resigning his local incumbency of Plymstock, united with the brethren, and started their first organ, *The Christian Witness*, to which J. N. D. contributed. S. P. Tregelles, the textual critic, who was Newton's brother-in-law, was "received" in 1836; after R. Chapman, at Barnstaple, and H. Craik with G. Muller, at Bristol, had taken a like position. Great simplicity and devotedness marked the company in those golden days.

In the year 1837 Darby carried the "testimony" to the continent, beginning with Methodists in Switzerland, so that by 1840 several French-speaking congregations had been formed, when his lectures on the hopes of the Church of God were delivered at Geneva. It was from his *Etudes sur la Parole* that the "Synopsis of the Books of the Bible" was produced.

Revisiting Plymouth in 1845, he found considerable departure from the teaching maintained elsewhere in ministry justification, the secret rapture, etc. J. N. D. withdrew from the meeting as dominated by Newton, and the first division amongst those called 'brethren' had happened.

After developing the work in France, from 1853 Darby laboured amongst Baptists in Germany, and assemblies of believers arose at Dusseldorf, Elberfeld, etc., for whose use he produced the "Elberfeld Bible." Amongst others, Fraulein von Bunsen, amanuensis of her father the Chevalier, united with the *Darbisten*, so-called. During meetings of the Evangelical Alliance at Berlin, J. N. D. met Dr. Tholuck (cf. "Autobiography of G. Muller"), to whom he explained his views on gifts. The Halle theologian agreed that such was the primitive system, but queried if it could still be realised. Darby's very pertinent reply was, "Have you ever tried?" He provided his French-speaking associates with the "Pau Bible," and rendered like service to brethren in Great Britain. His English version of the New Testament, which Drs. Field and Weymouth have independently turned to account, was before the revisers in the seventies, and a complete edition of his *English Bible* appeared in 1890.

From 1859, besides the fields of labour already mentioned, J. N. D. ministered in Canada, the States, the West Indies, and New Zealand; also in Holland and Italy.

For fifty years he was strenuously engaged in original exposition of Scripture. The "Synopsis," recommended by Bishop Ellicott to the Gloucester theological students, acquired amongst J. N. D.'s adherents authority like that commanded by

Wesley's "Notes" amongst Methodists. Professor Stokes has described it as "the standard of appeal. Every departure from that model is bitterly resented" ("Expositor's Bible," Acts 1, page 382). But nobody has protested against such use of his writings more than Darby himself, for whom truth was "a growing tree" (C. W., XXIII, page 191). J.N.D.'s ordinary style is repugnant, and in his correspondence reference is made to this as having exercised him. By contrast, his living ministry was matchless and his "spiritual songs" are powerfully beautiful. Weakness in detail was another of his limitations. Nevertheless, in his own generation he singularly served the counsel of God. His criticism of that which he deemed error is usually trenchant and luminous.

The governing idea is the ruin of the Church, or apostasy of the dispensation (C. W., I, p. 192), which was his "burden" ("Correspondence," I, 52); but he could echo words of Calvin (commentary on Ps. 102: 14): "The sadder the desolation into which the Church has been brought, the less ought our affection to be alienated from her" Loof's criticism of Darby's conception of the apostolic Church as "an organised *visible* society" (C. W., XX, 450, cf. "Correspondence," II, 245, 278), that "Church" with him meant "that which the Protestant faith has always made of it" fails, because J.N.D. did not accept Augustine's distinction. He found "the essential principle of unity" ("Correspondence," I, 114) in the operations of the Holy Spirit. The Bishop of Birmingham considers him wholly wrong here; but then Dr. Gore's view of the relation of the Church to the Bible is very different from that of J.N.D. No one, indeed, rightly instructed, pretends that the position—one of *weakness*, as J.N.D. always said—is a logical one; none, for that matter, is to be found, *pace* Bishop Gore, outside Rome, as to which Darby held that the "historical" Church is a caricature of that exhibited in the New Testament. A controversy (1866) over his papers on the sufferings of Christ arose only from the objectors' failure to seize his real position.



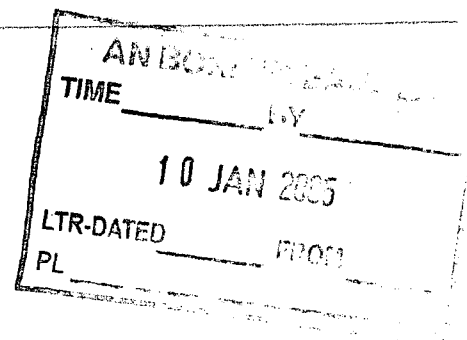
J.N.D. wrote many hymns, including "Hark! ten thousand voices crying," "O Lord, Thy love's unbounded," "Rest of the saints above," "Rise, my soul, thy God directs thee," "This world is a wilderness wide" and others which are sung world-wide. A volume of the poems has been issued.

Of the first little band in Dublin, already Groves, Bellett, and Cronin had passed away—Lord Congleton shortly to do so—when the turn came of J.N.D., on the 29th April, 1882. In his closing days at Bournemouth he recorded that he knew of nothing to recall; that Christ had been his object. Although a born leader, he was nobly simple in habit and manner, equally transparent and trustful. He had nothing petty about him. As occasion arose he would throw off religious conventionality. His ministry was ever in close touch with his pastoral visitation, in which he engaged every afternoon. Even if weakness lurked in it, his strength of judgment came of the predominance that the *moral* aspect of any matter had for him. He lived in the Bible, and recommended "thinking in Scripture". May that similarly ever remain our sole spiritual food, mainstay, and weapon.

- Read an article of J N D The Parables of Luke 15...

Extracted and modified from "Chief Men . . ." Pickering and Inglis.

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Darbys of Leap

By Noel Guerin - 1999

Monday,

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Introduction

This local history project is a study of Leap Castle and the Darby family, from 1880 to 1928 between Birr and Kinnitty and about four and a half miles from Roscrea. It is in the parish of A Ballybritt in Kings County (Offaly since 1920). It was one of the many big houses that were 1922-23. The Darbys were a powerful and influential family in the area. They built the church and they gave employment to the local people.

This study will deal principally with the burning of Leap Castle and the compensation claim. I look at what was happening on the Estate at this time and show some of the changes that the project will examine the development on the estate which led to its sale to the land commission divisions in 1928.

The Darby Estate

Jonathan Charles Darby came into the Leap estate of 4,367 acres after the death of his grandfather. His arrival at Leap Castle on 16 July 1880 Jonathan Darby, his mother and family got a great welcome on the estate. The welcoming committee read an address to Jonathan Darby. In it they were entering into possession of his Estates and hoped that a good sincere relationship would develop between landlord and tenant². In his reply he said:

I owe you my sincerest thanks for this address which reveals to me the kindly feeling and I hope will ever exist, between my family and the tenants of the Leap estate. Now on my duties as a landlord, I hope nothing in the way of legislation may sever that bond. I trust that I shall be able, to the best of my ability, to further your interests in your improvements though you all know the disadvantages, encumbrances, and dilapidations which you inherit with the property³.

There was an indenture by his grandfather William H. Darby made on 1 Sep. 1853 for £10,000 on his death for his two sons and seven daughters and a jointure for £400 per year for his wife for life⁴. There was another indenture made by his father Jonathan Darby on 31 May 1865 for £10,000 to be paid to his remaining four children and a jointure for £400 per year for life for his wife Darby⁵.

In order to pay off these indentures and encumbrances Jonathan Darby had to sell off some estate included the lands in Kilmaine 627 acres and the lands of Castletown 529 acres in Ballyegan on 11 Feb for £14,300. On 13 Feb. 1883 he paid the £10,000 on his grandfather's indenture. He paid the £8,000 on his father's indenture⁶. Because his grandfather was absent from the years Jonathan C. Darby had to repair parts of the castle at considerable cost⁷. These debts he had inherited from his father and an uncle as well as all the money he got from the sale of the dependant on the rental of Leap estate⁸. Shortly after finding himself penniless Darby raised the tenants on the estate by approximately thirty percent⁹. In the years that followed this caused there were many disputes. Like most large landlords of his time he was active in the commission of the peace for Kings Co. in 1883, and later deputy lieutenant for the county¹⁰. He was also active in organisations such as vice president of the North Tipperary and King's Co. Farming Society, committee, steward of the Birr steeplechases, trustee of the King's Co. Protestant Orphan Society.

On the majority of estates throughout the country there were many agrarian problems, one of which was the heralding the end of Ireland's agrarian problems is the Wyndham Act of 1903 which enabled tenants to buy out the land from the landlords. From 1903 to 1920 nearly nine million acres were sold. Jonathan C. Darby was one of the landlords that did not sell¹². At many meetings of tenants on the estate who were unhappy with the high rents on their farms.

30% reduction in their rents. The tenants of the Darby estate attended meetings at Coolderry decided that the unpurchased tenants should stand loyally together¹³. In May, at a meeting to send at least two tenants to the unpurchased tenant county convention in Tullamore, decided that the tenants should demand a 30% reduction in their rent. If the landlords do not be paid¹⁴. This was the start of their troubles according to a letter wrote by Mildred H. D Anderson in Belfast in January 1923¹⁵. Our troubles began when the no rent campaign of the As was the custom around us each farmer was allowed to be one year in arrears with his rent two years ago each now owe us three years rent. There are no courts, any legal way by w farthing from them¹⁶. Since they farmed about four hundred acres of Demesne themselves th they could carry on. Then came a Boycott of the Labour Union, all the servants and workme on would buy or sell from them¹⁷. She claimed that on occasion's shots were fired through gardens were destroyed. In a letter to Sydney Carroll Mrs. Darby said we were forced to leave leaving all our precious belongings behind us¹⁸. Jonathan C. Darby claimed that in all in 1922 and on account of the troubles he paid off his servants and employed Richard Dawkins, (a sc and gardener¹⁹. He was compelled to leave the castle in April or May and went to live Longford and he however returned frequently to Leap²⁰.

Leap and its contents in 1922

It is worthwhile taking a brief look at Leap and its contents before its destruction. The castle story tower house constructed of roughly coursed limestone rubble it was one of the O'Carrolls²¹. It then passed in to the Darby family through the marriage of John Darby an O'Carroll mid sixteenth century. It was enlarged and modernised by Jonathan Darby in the when it was given balancing two story one bay wings with battlements and Georgian gothic w venetian doorway in the manner of Batty Langle²². In the hall it had a cornice of eighteenth c floor of slate and sandstone that was so well polished that it looked like black and white i claims court Jonathan Darby described the interior of the castle he said there were an inner c in the central keep was a gallery that opened in to the wings. The gallery was mahogany, timber throughout was oak and mahogany and the oak was used over the windows. Reco there were 28 rooms being used by the Darby family, seven family members and five s inventory taken just before the burning of Leap in 1922 there were seven bedrooms, a blu room red bedroom and dressing room, a servants rooms, the priest's room and a clock room. room, drawing room, dining room, study, gallery, two pantry's, two kitchen's and other s beautiful mantelpieces one was a Florentino mantelpiece inlaid with the panels of Sienna mar was valued at £400²³. Other items destroyed in the fire and looting were oak and mah collection of Chippendale, mahogany and walnut furniture, stained glass, silver plate, pa collection of portraits of famous family members. Included in the jewelry was a jeweled pin Prince Imperial of France given by him just before he was killed. It was presented to a relati him to her as a wedding present. There was also a fruit table that had once being owned by N:

Mildred H. Darby lost a drawer with over one hundred and fifty printed short stories and an fifty manuscripts and two complete long novels. Most of her manuscripts and books had not she had at that time sold the rights of the book "Paddy Risky" for cinema for \$2,000 and ha others and submit them for film²⁴.

The Burning of Leap Castle

By mid 1922 the civil war raged. Many buildings were destroyed, the roads were blocked, ar were rife. The anti-Treatyites forces had numbered 300 in Birr military barracks and were Leap²⁵. Michael Collins ordered columns from Portlaoise and Roscrea to move on Tullamore of Anti-Treatyite held barracks. Before they arrived at Birr on Thursday 27 July the Anti-Trea town they resorted to gorilla warfare in the midlands and provided many problems for the Free

In the early hours of Sunday morning, 30 July 1922 a party of eleven raiders set fire to the L North and larger wing and its valuable contents²⁷. Giving evidence in the claims court Richard July 1922, he was living in the Castle as caretaker with his wife and baby. They were the only night. Richard Dawkins stated that at 2.20a.m. there was a knock on the door. He opened the and saw men outside who stated that they wanted a night's lodging. The ordered him to open and opened the door and was subsequently held at gunpoint. The raiders then stated that the castle. Dawkins asked for time to get his wife and child out and was given twenty minutes to went into the castle and poured petrol over the rooms, and set them on fire. They kept the a.m. to 5 a.m. Each of the men had a tin of petrol, and all were armed. Some had tre bandoleers over their civilian clothes. The men broke furniture before setting the castle on fire:

After the fire on Sunday 30 July the main part of the building was still intact. Richard Dawkin furniture and stored it in one of the outoffices²⁹. The outoffices were later broken into and lo surrounding neighbourhood who devoted Sunday to making visits to the ruined building

serviceable articles that had escaped the fire³⁰.

On Monday morning 31 July Richard Dawkins and his family (who had gone to live in the gate the door at 4.20 a.m. Men outside asked him for paraffin oil. He stated that he had none. Th down to the castle. When he went down to the castle he found that the Southern part of the l burned in the other fire was now on fire. Richard Dawkins could not get into the castle to s and pictures that had survived, all he managed to save were chairs and a sofa which he store only one who gave him any assistance. Although plenty of people came to see the fire Dawkins asked them for assistance³¹.

Later on Monday morning between 10 and 11 a.m. Dawkins went to Roscrea and reported State troops there but no steps were taken to save the building or to put out the fire. Roscrea did not go there earlier as he had no bicycle and that the roads were blocked so that he coul Thursday Jonathan C. Darby returned to Leap to find a smoldering mass of charred stone castle and home and the looting so complete that even poultry and turf were gone³³.

In a newspaper report Jonathan Darby said that it looked as if there were explosives used castle he had found some dynamite in the cellar where the raiders got so drunk they could that it was the locals who burned the castle. He also claimed that after the burning of Leap t they were grazing their animals with his own herd of pedigree Aberdeen Angus cattle that he the boycott³⁵. He ran them off with the help of the civic guard³⁶. It is not clear who exactly burning of Leap. Richard Dawkins said of the men that burned it, some had trench coats a over there civilian clothes which indicates, some civilians had a good part in it. J.C. Darby cl hungry for his land³⁷. Most of the farmers on the estate were in arrears in rent and they refus they got that 30% reduction. After the Land Commission was finished the farmers had bene reduction and also getting to buy the land. Jonathan Darby lost his house and estate and his c his income was greatly diminished.

The Compensation Claim

After the fire Jonathan C. Darby lodged a claim with Offaly County Council for £35,000. Thi times as much as he had the castle and contents insured for. He had the castle insured with th for £3,500, he also had £2,000 on the outoffices and £1,200 fire insurance on the furni insurance was very old and that he never increased them sensibly, he thought the place was not claim on the insurance because cover was not extended to damage due to civil commotio family and left for England where they lived in a flat until October³⁹. Then they returned to l the home of their daughter in Doory Hall in County Longford and waited for their claim for com January 1923 Mildred H. Darby wrote a letter to her cousin Lady Anderson in Belfast, and she waiting three months for the compensation claim to be heard she wrote,

On the day the case was to be heard we were informed that orders came from Dub were to be heard until the next Quarter Session 10-15 January 1923. Now we are to claims until Dail Eireann has passed a decree on the subject of hearing on such a granted such are to be paid⁴⁰.

Jonathan C. Darby's claim was finally heard at the Birr quarter sessions on 31 May 1924, Dart damage under the 1923 compensation Act. Claims for damage during the civil war were t courts under the terms of the damage to Property (Compensation) Act, 1923⁴¹. The right to c to damage done to property injured, it did not extend to any other loss as a result of such da use of the property nor items such as jewelry or articles described as articles of persona

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for personal effects and manuscripts etc. and Mr. H.C.Darby, son of Mr. Jonathan C. Da clothes and Miss F.C.Darby daughter of Mr. J.C. Darby claimed £150⁴².

Mr. Barry (appearing for the applicants) said after having a discussion with Mr. Rogers (app Finance) the previous night the claim was then reduced to £22,684 19s 5d with reference to the act⁴³. Clause 10 of the act stipulated that compensation in respect of the destruction or da be paid only upon fulfilment of conditions which the courts might impose, required the buildin reinstated. Full reinstatement meant that the old building would have to rebuild or a new buildi Partial reinstatement meant that a new building would have to be erected on a nearby site. the latter, Darby said that he would divide the demesne of five hundred acres into four farms would build a house on the fourth there were outoffices that could easily be converted into a would have four substantial farms for sale, he said that he would not let them to the people them, but he would sell the farms to them⁴⁴. Then evidence was heard from Richard Daw Leap in 1922, in his evidence Dawkins said almost all the contents were destroyed in the fire s of any looting committed by the local people⁴⁵. In the 1923 Compensation to Property Act an furniture had to be proven to be taken by persons 'engaged in or purporting to act or might re:

have been acting in the name or on behalf of any combination or conspiracy for the overthrow of the government, or who belonged to any "unlawful or seditious association". Because of the amount placed by locals who more often than not belonged to no such organisation, big house owners proved the legitimacy of their loss of such chattels.

Judge Fleming K.C. adjourned the case to the Tullamore Quarter sessions of 6 June 1924. In the case (instructed by Mr. Barry) for the applicant stated that Mr. Darby proposed to divide the property on three of these to erect substitute buildings and that would cost £5,100. This scheme pleased everyone. He said that Mr. Darby was entitled to a substantial sum over and above the cost as he had lost his home and he had been driven out of the country⁴⁶. In September 1922 he estimated that the castle was worth £22,684 but he has now valued it at £16,400 and believes in its historical value. Mr. James Adams, examiner stated that he was the senior partner in a Dublin firm of valuers and had forty years experience, he valued the castle on behalf of the finance minister at £2,025 as the value of the castle⁴⁷.

Putting the annual rental value of £150 for the castle and multiplying it by 13.5 arrived at the figure they were not guided by any rules as to arrive at a fair figure but they had some information from the Valuation Act. He suggested that his honour could only go in to the house market value of £2,025 and not the value for £16,400. The applicant would have four economic divisions of the demesne and buildings of value for £6,400. Mr. Shannon asked for a generous sum over and above the £5,100 for substitute buildings. Judge Fleming K.C. in giving judgement said it was a difficult problem to set the value of the castle destroyed an agreed figure of £3,050 was arrived at, he would allow £3,900 in an award as was intended for the partial reinstatement, and said that his decree would be for £12,050⁴⁸.

If the government was not fully happy with the award given by the Co. Court judges it could appeal. On 14 February 1925 the government did appeal the amount of £12,050 awarded to Jonathan Darby. Judge at Tullamore quarter sessions on 6 June 1924. At the outset Mr. Shannon submitted that Jonathan Darby had no right of appeal, that it was a matter for the county council, district council or the ratepayers (instructed by Mr. Rogers) said that if the minister was entitled to a hearing the intention or meaning of the minister had the right to appeal or the whole compensation Act would be rendered worthless.

The figure of £3,050 for contents was agreed by both sides, the only matter in the dispute was the buildings for which £9,000 was awarded of which £5,100 had a reinstatement condition attached. Judge Swayne K.C. said that Judge Fleming was an extremely able lawyer and he saw no reason to set aside the court judge. He left the award at £12,050 with the partial reinstatement condition included⁵⁰. Jonathan Darby built any houses nor did he restore Leap. The land commission took the land a month later it divided the estate into many smaller farms to be divided between the tenant farmers⁵¹. He valued the £35,000 he originally claimed for the burning of Leap.

On 12 October 1928 the land commission completed the purchase of the lands of Jonathan Darby through compulsory acquisition by the Land Commission under the terms of the 1923 Land Act. Jonathan C. Darby received a total of £31,546 in land bonds which was payable all at once, the Land Commission purchased 3,288 acres and divided it between the tenants shown on the map shown the farmers that were there at the time the Land Commission purchased the land. Jonathan C. Darby retained some small pockets of land.

The biggest changes were in the townland of Brownhills, Ballycurragh and Leap, which were the Demesne. There are other differences in names but they are mostly family members of the for

Conclusion

In 1928 after almost three hundred years of control the Darby family lost their hold on the Leap estate. In 1935 Jonathan C. Darby sold a piece of land of just over one acre to the land commission for a piece of land he held belonging to the Leap estate. Jonathan C. Darby died in 1943 and was buried in the Leap graveyard. The castle remained as a burned out shell until 1972 when an Australian of Irish descent, Mr. Bartlett initiated a project of restoring the castle, he became ill and died in 1989.

Mr. Sean Ryan subsequently purchased the castle and is now restoring it.

Footnotes:

1. Thomas Lawlor Cooke, *The early history of the town of Birr or Parsonstown with remarkable events there in the more recent times also the towns of Nenagh, F. Tullamore*
2. *Kings County Chronicle*, 22 July 1880.
3. *ibid.*

4. *Irish land commission*, record no. S. 367.
5. *ibid.*
6. *ibid.*
7. *Midland Tribune*, Feb.14 1925.
8. Mildred H. Darby to Lady Anderson,4 Jan 1923 (P.R.O.N.I.,T.2858/1).
9. *Kings County Chronicle*, 20 Nov. 1884.
10. *Thom's. Directory*,p.1225.
11. John Wright, *The King's County directory, 1890 including a short history together almanac and calendar* (Parsonstown: *King's County Chronicle, 1890*).p.74.*ibid.*
12. William O' Brien, *The Irish land war*,p.265.
13. *Midland Tribune*, 21 Jan.1922. *ibid.*,4 Feb. 1922.
14. *ibid.*, 13 May 1922.
15. Mildred H. G.Dill of Brighton Married Jonathan Charles Darby on Nov.6 1889
16. Mildred H. Darby to Lady Anderson 4 Jan 1923 (P.R.O.N.I.,T.2858/1).
17. *ibid.*
18. Mildred H. Darby to Sydney Carroll(private possession),7 Aug. 1922.
19. *ibid.* *Midland Tribune*, 7 June 1924.
20. *ibid.*
21. T.L. Cooke, *The early history of the town of Birr or Parsonstown*(Dublin,1875), and David Sweetman, *Archaeological inventory of county Offaly* (Dublin, 1997
22. Mark Bence and Jones, *A guide to Irish country houses* (London 1988),p.182
23. Inventory and valuation of furniture, fixtures, fittings, clothes, china etc. at Lea burning of the Castle in 1922(In private possession).
24. *Ibid.*
25. Michael Hopkinson, *Green against Green*, p.156.
26. *ibid.*,p.157
27. *Midland Tribune*, 5 Aug. 1922.
28. *ibid.*, 7 June 1924.
29. *ibid.*
30. *ibid.*, 5 Aug. 1922.
31. *ibid.*, 7 June 1924.
32. *ibid.*
33. Mildred H. Darby to Sydney Carroll, 7 Aug. 1922.
34. *Midland Tribune* (private possession)14 Feb. 1925.
35. *ibid.*, Mildred H. Darby to Lady Anderson 4 Jan 1923 (P.R.O.N.I.,T.2858/1).
36. *Midland Tribune*,14 Feb. 1925.
37. *ibid.*
38. *Midland Tribune*, 14 Feb.1925.
39. *ibid.*, Aug. 1922. Mildred H. Darby to Lady Anderson 4 Jan 1923 (P.R.O.N.I.,T
40. *ibid.*
41. Damage to property (Compensation) Act1923,no.15 1921(12 May 1923).
42. *Midland Tribune*, 7 June 1924.
43. *ibid.*
44. *ibid.*, 14 Feb. 1925.
45. *ibid.*, 7 June 1924.
46. *ibid.*, 14 June 1924.
47. *ibid.*
48. *ibid.*
49. *ibid.*
50. *ibid.*
51. *Irish land commission*, record no S.367.
52. This is an estimated figure made up with calculations from the records given in record no.S.367.

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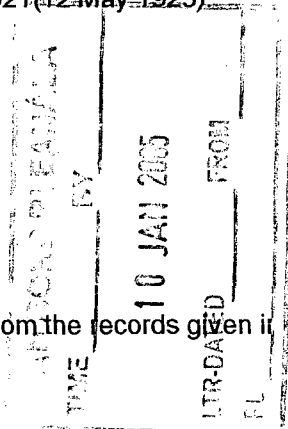
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File, part , containing a letter and newspaper cuttings about the burning of Leap castle in 1922

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Acknowledgements

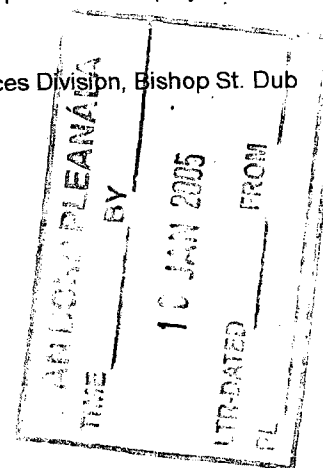
There are a number of people to whom thanks are due for the completion of this project. Firstl staff of the following Repositories.

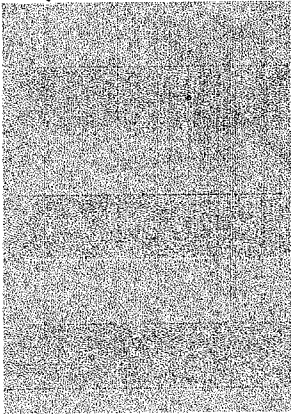
Department of Agriculture and Food, Records Branch, Land Services Division, Bishop St. Dub

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Public Records Office Northern Ireland.
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A special word of thanks to,
Dr. Terence Dooley of Maynooth College, without his help this project would not be possible,

My wife Catherine, and my three children David, Alan and Colm for their patience and unders
this project.

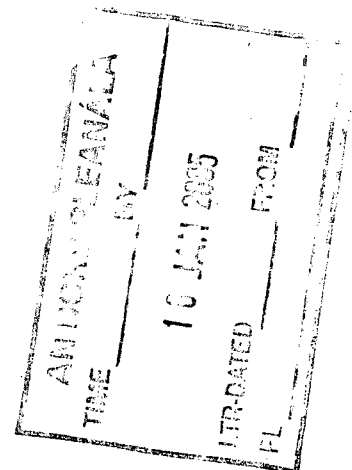
Admiral Henry Darby

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Ireland's most Haunted Castle

Monday,
Print Page

By Gearóid Ó Broin
In *Ireland's Own Summer Annual 1988*

Leap Castle, between Ballybritt and Clareen on the road to Kinnitty is regarded as Ireland's most haunted castle. The O'Carrolls, princes of Ely, built it as their main stronghold in 1250 A.D. It was erected on a hill facing the Great Pass through the Slieve Bloom Mountains to the province of Munster. Its walls nine feet thick. The earliest recorded name of the locality is Léim Uí Bhanáin (O'Bannan's Leap). It was the "secondary chieftains" of the territory, being subject to the ruling O'Carrolls. Gory battles were taken place there - notably at a window high up in the tower.

The Annals of the Four Masters record that the Earl of Kildare tried unsuccessfully to seize Leap Castle. Fiercely attacking it three years later he managed to partially demolish it. But by 1557 it was in English possession. Some years later the Earl of Essex besieged it. But greater misfortunes were yet to come.

Following the death of Mulrooney O'Carroll in 1532, bitter internecine struggles plagued the territory. Fratricide murders took place through bitter rivalry for the chieftainship. Brother treacherously murdered brother. The castle confines. The "Agents of the Crown" were not slow to take full advantage of the O'Carroll weakness and promptly annexed their lands to the "territories of the Crown".

According to local tradition a daughter of the O'Carroll Chieftain fell in love with an English Captain. She was held prisoner in the O'Carroll castle dungeon. She smuggled supplies of food to her lover and arranged his escape.

As the lovers stealthily made their way out her brother chanced to meet them on the narrow path. He raised the alarm. Darby promptly plunged his sword through the body of the youthful O'Carroll. The girl came to freedom from the battlements. Through the death of her brother she became heiress of the castle and came into the possession of the Darby family, following her marriage to the English captain.

Jonathan Darby, their son, who eventually became "Titulado of Leap" in 1659, was an avowed Catholic. In the Civil War he is said to have hidden his precious treasures in the grounds of the castle, aided by his wife. He was subsequently murdered to prevent them revealing the hiding place. From 1674 Darby served the English, and eleven years later he died at Leap. His descendants continued to maintain possession of the castle until the 18th century his great grandson, also named Jonathan Darby, had the castle remodelled, giving it the windows and doorways of the medieval keep. The castle was badly burnt during the turbulent times of the 17th century.

Leap Castle now has a weird reputation for frightening hauntings. An evil-smelling creature, hissing and exuding an abominable stench, is said to roam its lower regions. Curious locals are said to have been unwittingly. Moreover, the gruesome discovery of heaps of human bones on the floor of the oubliette, and of hooks (used for executions or hangings) in an adjacent field, known local legends have given added credence to the tales of these manifestations. There is certainly an extraordinary place which intrudes on the senses as one approaches the tower. Leap Castle now belongs to the National Monuments Service. It is to restore it and so dispel the obnoxious spectre.

It was inevitable that the descendants of the Derby-O'Carroll elopement would find themselves on a more prominent stage than the Slieve Bloom Mountains and so they did. Henry Desterre Derby (above left) part of the original Derby of Leap, became an Admiral in command of H.M.S. Belleophon which fought against Napoleon's fleet in the Battle of the Nile in 1798 where he was wounded. Nelson's personal interest in the Derby family was well known. Henry Desterre Derby's nephew John Nelson, 1800 to 1882, was a deeply religious man and a devotee of Cardinal Newman to such an extent that he joined the Plymouth Brethren.

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Admiral Sir Henry Darby

Monday,

Print Page



Several of the Darbys of Leap Castle near Birr, Co. Offaly became notable. Henry D'Esterré Darby (1749-1823), nephew of Admiral George Darby, C. *Bellerophon* at the Battle of the Nile (1798), and there survives an interesting letter from him to Nelson:

'My Dear Darby,
I grieve for your heavy loss of Brave fellows, but look at our glorious victory. I will give you every assistance as soon as you join us, till then God

Eve

We shall both I trust

Darby received a knighthood in 1820. He died on March 30th 1823 and was buried in Aghanco

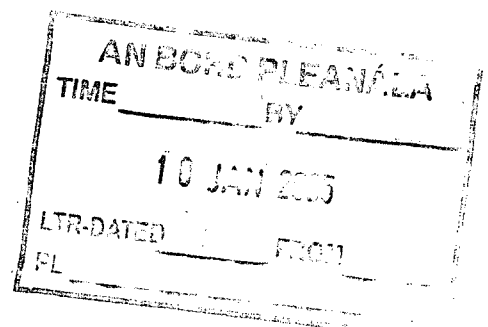
His nephew, John Nelson Darby (1800-1882) was the founder of the Plymouth Brethren. His justification in Christ, he claimed, from Newman. More on Darbys of Leap

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APPENDIX NO 11

Extract from BB programme Excess Baggage aired while
the planning permission was being processed.

TIME	
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wanted to live in a castle and when, in 1991, he saw that Leap Castle was up for sale he bought it. He didn't buy it because it was haunted, but when he found out about its history it didn't bother him. At that stage it was just a shell, having been gutted during the civil war. He and his family moved into the gate lodge in 1992 and have lived in the castle itself for four years. Sean is still renovating it.

Simon Marsden, photographer and author
Simon is a well respected photographer who devotes his life to photographing ancient ruins and landscapes. He attempts to capture in his images the atmosphere of their mysterious past and the eerie presence of the spirits that are still believed to haunt them. He has visited over 5000 reputedly haunted sites.

His photographs can be seen in many prestigious collections, including the Getty Museum in California, the Victoria and Albert Museum and the Bibliotheque Nationale in Paris. He has exhibited his work in New York, Brussels, Milan and Tokyo.

His latest book, the one featuring Leap Castle is called *The Twilight Hour: Celtic Visions from the Past* published by Little Brown ISBN 0-316-64537-0

Simon's photographs can be seen online at **The Marsden Archive**.

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PRESENTER BIOGRAPHIES



Sandi Toksvig:

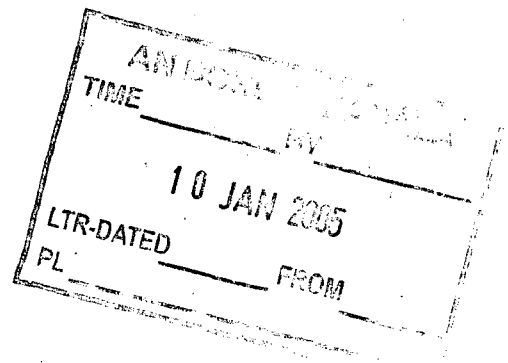
The daughter of a foreign correspondent, Sandi has been travelling all her life **more info**

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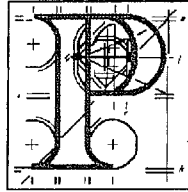
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APPENDIX NO 12

Various An Bord Pleanála decisions relating to rural amenity and protected structures

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An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

Cavan County

Planning Register Reference Number: 04/1046

An Bord Pleanála Reference Number: PL 02.207980

APPEAL by Fred and Lily Martin care of Paul Duignan and Associates of Airfield House, 3 Rathgar Avenue, Dublin against the decision made on the 18th day of June, 2004 by Cavan County Council to grant subject to conditions a permission to Niamh and Maura Smyth care of Pascal Reilly of Mahonstown, Kells, County Meath.

PROPOSED DEVELOPMENT: The construction of a two-storey building for use as an Arts and Cultural Centre and connection to public sewer and watermain at Adelaide Row, Bailieborough, County Cavan. The proposed development is to be constructed on the site of a protected structure.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

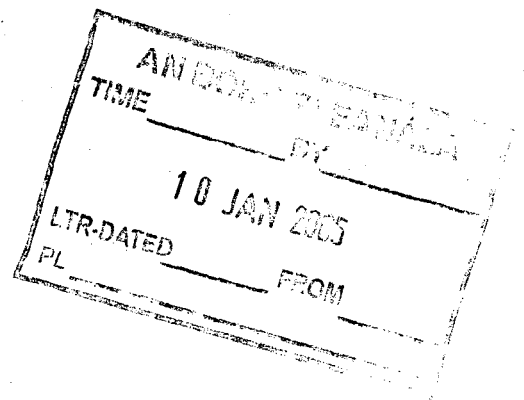
1. The site of the proposed development constitutes the curtilage of the Methodist Chapel, which is on the register of protected structures for County Cavan. It is the policy of the planning authority, as set out in the current County Cavan Development Plan, to conserve listed items of heritage and architectural importance, by respecting the essential architectural value and setting of such buildings. Notwithstanding the reasonable development plan zoning objective (public and/or community use) for the site, it is considered, having regard to the scale and poor design quality of the proposed building, that the proposed development would interfere with the architectural character and contextual setting of the chapel. The proposed development would, therefore, conflict with the development plan policy in respect of protection of the architectural heritage and be contrary to the proper planning and sustainable development of the area.

2. The Methodist Chapel, a protected structure, is prominently located overlooking the public road, in a distinctive setting. It is an objective of the planning authority that the essential architectural value of the building and its setting shall be respected by any development or redevelopment proposal. It is considered that the proposed layout and surface treatment of the car parking areas to the south-west and south-east of the chapel would infringe the building line of the chapel and be visually intrusive in views of the chapel from the public street and would, thereby, detract from the character and setting of the chapel. The proposed development, would, therefore, conflict with the policy of the planning authority and be contrary to the proper planning and sustainable development of the area.

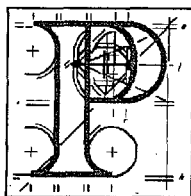
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PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

Westmeath County

Planning Register Reference Number: 04/2127

An Bord Pleanála Reference Number: PL 25C.208235

APPEAL by Rosaleen Mooney care of O'Donnell Solon and Company Solicitors of 167 Lower Kimmage Road, Dublin against the decision made on the 6th day of July, 2004 by Westmeath County Council to refuse permission.

PROPOSED DEVELOPMENT: Relocation of agricultural entrance, construction of dormer bungalow, Envirocare sewage disposal system and percolation area and domestic garage at Cavestown and Rosmead, Delvin, County Westmeath.

DECISION

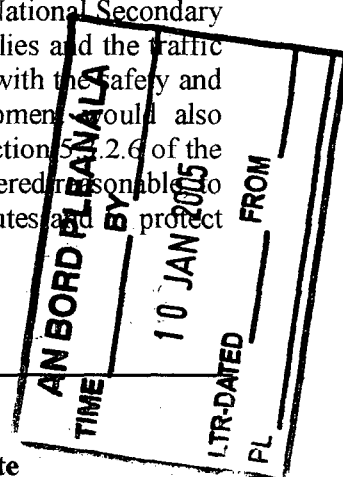
REFUSE permission for the above proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

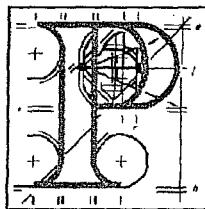
It is considered that the proposed development would endanger public safety by reason of a traffic hazard because the site is located alongside the National Secondary Road N52 at a point where the general speed limit of 60 mph applies and the traffic turning movements generated by the development would interfere with the safety and free flow of traffic on the public road. The proposed development would also contravene the objectives of the planning authority as set out in section 5.2.6 of the current Development Plan for the area, which objectives are considered reasonable to preserve the level of service and carrying capacity of National routes and protect the public investment in these roads.

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PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

Roscommon County

Planning Register Reference Number: 03/1396

An Bord Pleanála Reference Number: PL 20.206037

APPEAL by Roscommon Heritage Group and Castle Street Residents Association care of Martin Dunne of Eagle Lodge, Convent Road, Roscommon and by Roscommon Millennium Trust care of Brian O'Carroll of Eagle Lodge, Roscommon and by Roscommon Building Company care of Kenny Kane Associates of 13 Cumberland Street, Dun Laoghaire County Dublin against the decision made on the 14th day of January, 2004 by Roscommon County Council to grant subject to conditions a permission to the said Roscommon Building Company in accordance with plans and particulars lodged with the said Council.

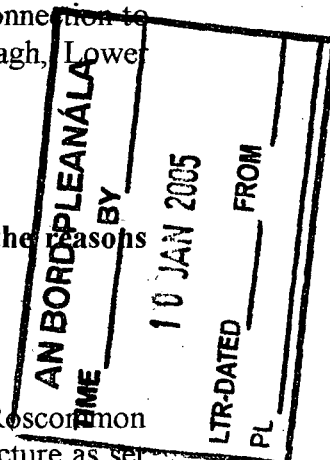
PROPOSED DEVELOPMENT: The demolition of one single storey dwellinghouse, construction of new access road, removal of other buildings on site and the erection of a discount food store (area 1,268 square metres) in a single storey pitched roof structure with associated site development works, signage, connection to public services and car park to serve the development at Cloonbracknagh, Lower Castle Street, Roscommon.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

1. The proposed development is located in close proximity to Roscommon Castle, a National Monument RO 039-04301 and a Protected Structure as set out in Roscommon County Development Plan 2002 (RPS Ref: 03900229) and straddles the Avenue, a Recorded Monument RO 039-044 and includes, within its site, features associated with these monuments and potential archaeological deposits. The proposed development by reason of its form, scale, design, layout and function would materially and adversely effect and significantly detract from the character and integrity of Roscommon Castle and its setting and would be seriously injurious to the amenity of the castle and to the archaeology associated with the castle and would therefore be contrary to the proper planning and sustainable development of the area.



2. The proposed development by reason of its scale and design at this historically sensitive location would detract from the streetscape, seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

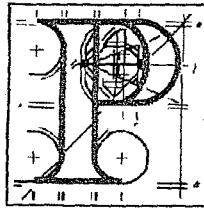
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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999

County Kildare

Planning Register Reference Number: 01/1617

APPEAL by Dúchas care of Neil McDonough of 7 Ely Place, Dublin against the decision made on the 18th day of February, 2002 by the Council of the County of Kildare to grant subject to conditions a permission to Sheena Collins and Philip O'Connor of 9 Raymonds Court, Newbridge, County Kildare for development comprising the construction of one and a half storey dormer and septic tank system and associated works at Churchland East, Suncroft, County Kildare:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, permission is hereby refused for the said development for the reason set out in the Schedule hereto.

SCHEDULE

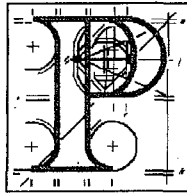
Having regard to the location of the development on an elevated site, in close proximity to a Recorded Monument (RMP No: KD 028:042, Church and Graveyard), it is considered that the proposed development would injure or interfere with a historic monument which stands registered in the Register of Historic Monuments under section 5 of the National Monuments (Amendment) Act, 1987. The proposed development would, therefore, be contrary to the proper planning and development of the area.

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PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

Tullamore Town

Planning Register Reference Number: PD 04/4036

An Bord Pleanála Reference Number: PL 83.207516

APPEAL by Damien and Catherine Sheridan of 6 Emmett Terrace, Tullamore, County Offaly against the decision made on the 25th day of May, 2004 by Tullamore Town Council to refuse permission.

PROPOSED DEVELOPMENT: Extension to existing dwellinghouse (a protected structure) at 6 Emmett Terrace, Tullamore, County Offaly.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

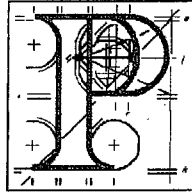
The proposed development is for an extension to an existing dwellinghouse which is designated as a protected structure in the current development plan for the area. The objectives of the development plan relating to protected structures are considered reasonable. It is considered that the proposed extension, in particular the extension to the side incorporating an additional front window, by reason of its form, design and resultant proportions of the dwelling, would be visually obtrusive and out of character with the existing protected structure, would seriously injure the integrity of the terrace of Emmett Terrace and would set an undesirable precedent for other such development in the vicinity. The proposed development would materially affect a protected structure and would, therefore, seriously injure the amenities of property in the vicinity and contravene materially an objective of the development plan for the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

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PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

Drogheda Borough

Planning Register Reference Number: 04/70

An Bord Pleanála Reference Number: PL 54.207449

APPEAL by Jack McPolin care of Mark Rave Associates of Prospect House, 42 Killane View, Edenderry, County Offaly against the decision made on the 5th day of May, 2004 by Drogheda Borough Council to refuse permission.

PROPOSED DEVELOPMENT: The retention of the change of use of medical treatment centre to medical supplies retail outlet and the retention and completion of structural alterations on the ground floor including planning permission for change of use of basement from residential to stores and canteen associated with ground floor proposed use, for permission to carry out decorative plasterwork and improvements to ground floor, the provision of new kitchen and bathroom on the first and second floors respectively, to carry out general minor repairs externally and to affix brass plate to front elevation to protected structure at 29 Fair Street, Drogheda, County Louth.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

1. The development, which it is proposed to retain, entails removal of the dividing and structural walls between the ground floor front and rear rooms and hallway and the loss of original ground floor fixtures and features. It is considered that these works have had a serious and detrimental impact on the internal layout and character of this protected structure and are, therefore, unacceptable. The proposed development would materially and adversely affect a protected structure and taken in conjunction with the proposed change of use at basement level represent an undesirable precedent for further similar developments in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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2. The development, which it is proposed to retain, entails removal of the existing access without provision of a separate, alternative access from the residential unit on the upper floors to the rear private amenity open space. The proposed development would seriously injure the residential amenities of the occupants of the building and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree that the proposed development represented satisfactory rehabilitation of this period Georgian building nor did it address the issue of the retention of the two ground floor rooms. Furthermore, the Board disagreed with the Inspector's assessment that the access to the rear garden could be satisfactorily addressed by way of condition.

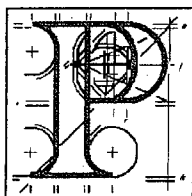
**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2004.

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An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

Kerry County

Planning Register Reference Number: 03/1537

An Bord Pleanála Reference Number: PL 08.204584

APPEAL by Ray Monahan of Castlegregory, County Kerry and by An Taisce Kerry Association of 5 Glenashe, Killorglin, County Kerry against the decision made on the 17th day of September, 2003 by Kerry County Council to grant subject to conditions a permission to Patrick O'Donoghue care of Brendan O'Connell of 11 Gas Terrace, Tralee, County Kerry.

PROPOSED DEVELOPMENT: The retention of existing structure and to reduce the size of the rear window at Kilshannig Village, Castlegregory, County Kerry.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

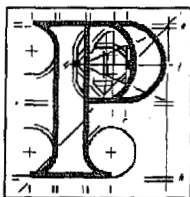
The site of the development is in a Secondary Special Amenity Area as designated in the Kerry County Development Plan, 2003. In such areas any proposal must be designed so as to ensure that it is not unduly obtrusive. Having regard to the design of the proposed development, in particular its roof form and extent of glazing and balcony on the rear elevation in close proximity and directly overlooking a graveyard, it is considered that the development is unduly obtrusive, would give rise to overlooking, and would seriously injure the visual amenities of the area and the amenity of adjoining property. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of

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An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

Monaghan County

Planning Register Reference Number: P.03/500

An Bord Pleanála Reference Number: PL 18.204383

APPEAL by Mark Devlin care of Michael Cummings and Company Limited of 2 Jocelyn Place, Dundalk, County Louth against the decision made on the 25th day of August, 2003 by Monaghan County Council to refuse permission.

PROPOSED DEVELOPMENT: Erection of a grain store with lean-to plant shed, steel clad with an eaves height of eight metres, with 55,000 litre kerosene/diesel combined bunded tank, with concrete hardstand, with oil interceptor and retention of site office, replacement of gate with new entrance and associated site development works at Drumboat, Inniskeen, County Monaghan.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

1. Having regard to the site location on an unimproved section of the heavily trafficked national route, the N53, in close proximity to an existing commercial premises, at a point where westerly sightlines are restricted and where the general speed limit of 60 mph applies, it is considered that the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users due to the traffic turning movement generated.

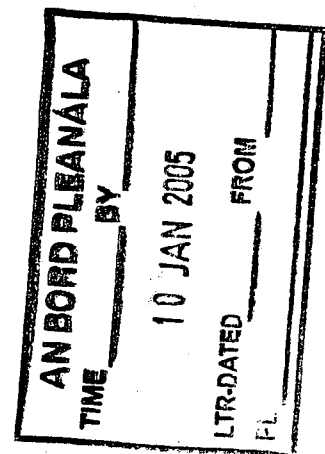
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2. It is considered that the proposed development of a grain store and 55,000 litre kerosene/diesel tank in a rural area would contravene the policies contained in the current Monaghan County Development Plan regarding the siting of commercial development and would be contrary to the proper planning and sustainable development of the area.

Member of An Bord Pleanála
duly authorised to authenticate
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**INSPECTOR'S REPORT
TO
AN BORD PLEANÁLA**

Appeal No: PL 25M.207292

P.A. Reg. Ref.: 03/5429

**PROPOSED DEVELOPMENT:
(As per Newspaper notice)**

Permission to construct an industrial unit consisting of 1445 square metres and a timber recycling facility containing a porta cabin, weighbridge, security barrier and for permission to connect to the existing foul sewer at Ballysallagh, and associated site works including new entrance roadway, sewer, services and ancillary services. A waste permit licence has been applied for, for the proposed site under the waste management permit regulations 1998 by Westmeath County Council all at Ballynacarrigy Industrial Estate, Ballysallagh, Ballynacarrigy, County Westmeath.

APPEAL TYPE:

THIRD PARTY (2) against Notification of Decision to **GRANT** Permission with conditions.

PARTIES

APPLICANT:

Oliver Conroy Pallets Limited

PLANNING AUTHORITY:

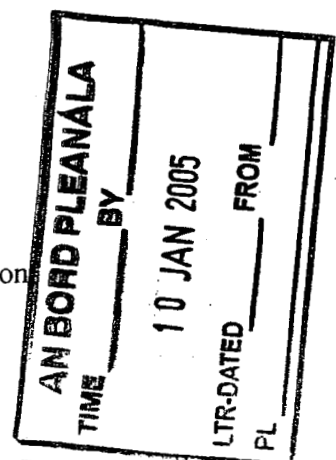
Westmeath County Council

APPELLANT:

1. Ms. Rose McDonnell
2. Thomas and Edel McKeon

OBSERVER:

Ms. Anne Price



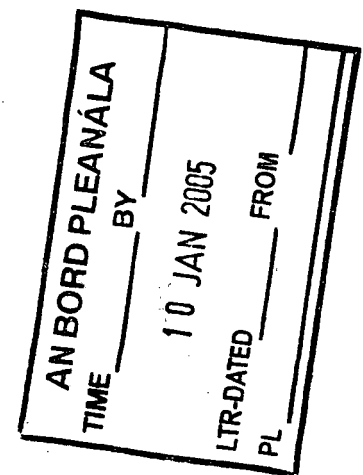
Inspector:

Dermot Kelly

REPORT FORMAT

This report follows my examination of this appeal including reading the documents on file, following a Site Inspection on 12th September 2004, which included the photographs in Appendix B. These photographs were taken using an Olympus OM1 camera with a 50mm fixed focus standard lens which approximates to normal viewing in short distance views.

1. SITE LOCATION
2. SITE DESCRIPTION
3. ~~PROPOSED DEVELOPMENT~~
4. NOTIFICATION OF DECISION OF PLANNING AUTHORITY – Relevant Reports
5. APPEAL GROUNDS
6. APPEAL RESPONSES
7. PLANNING HISTORY
8. DEVELOPMENT PLAN
9. PLANNING ASSESSMENT – Issues and Evaluation
10. CONCLUSIONS AND RECOMMENDATION



APPENDICES

- APPENDIX A - LOCATION MAP
- APPENDIX B - PHOTOGRAPHS (incl. KEY PLAN)
- APPENDIX C - DEVELOPMENT PLAN

1. SITE LOCATION

The appeal site is located in Ballynacarrigy Industrial Estate approximately one kilometre to the south-east of the village of Ballynacarrigy in County Westmeath, as indicated on **APPENDIX A - LOCATION MAP**.

2. SITE DESCRIPTION

The appeal site to an area of approximately 1.79 hectares is located in the townland of Ballysallagh within the Ballynacarrigy Business Park approximately one kilometre to the south-east of the village of Ballynacarrigy in County Westmeath. Access to the appeal site is via a proposed entrance accessway off the Ballynacarrigy - Mullingar Road (R393) opposite the Gaelic Athletic Association Grounds and adjacent to a number of houses which front onto the road in this location. The appeal site is also located within 200 metres of the Natural Heritage Area associated with the Royal Canal to the south which runs alongside Ballynacarrigy Village.

The attached photographs in **APPENDIX B - PHOTOGRAPHS** (including Key Plan which indicates the approximate photograph locations) illustrates the nature of the appeal site and its context. A brief description of each of the Photographs is included in Appendix B of this report.

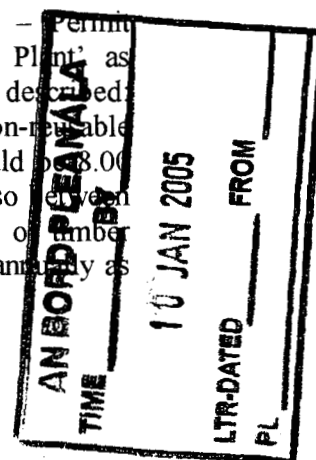
3. PROPOSED DEVELOPMENT

The proposed development was described as stated in the planning application newspaper notice.

The completed planning application form and submitted drawings are noted.

The site area is stated as approximately 1.79 hectares, and the proposed development comprises as specified on a site indicated as Site 4 within Ballynacarrigy Business Park, which site is in the ownership of Westmeath County Council. A letter of consent of the landowner dated 25th September 2003 to the present application is on file.

The submitted 'Waste Management (Permit) Regulations 1998 - Permit Application Form' is noted including the 'Description of the Plant' as indicated in the Process Flow Diagram, and the Processes as described: "Reconditioning timber pallets for reuse/resale and shredding all non-reusable timber waste for further recovery off-site". Operating hours would be 8.00 a.m. - 7.00 p.m., Mondays to Saturdays with timber deliveries also between 6.00 a.m. to 8.00 a.m., and 7.00 p.m. to 8.00 p.m. 10,000 tons of timber pallets and 5,000 tons of mixed timber waste would be processed annually as stated.



Further Information Request

The planning authority by letter dated 28th November 2003 sought further information as specified, including in relation to as follows:

"1. The planning authority has concerns about the visual impact of the building on the setting of the neighbouring NHA, the Royal Canal and the surrounding countryside. You are invited to submit revised drawings showing the proposed building reduced in scale by creating smaller adjoining units."

Landscaping proposals and details of the proposed water supply were also requested.

Further Information Submission

Further information was received on 10th February 2004. The Planning Authority by letter received 15th September 2004 has clarified that Page 1 thereof is not on file. It was proposed "to connect to the existing water main at the main road" as specified.

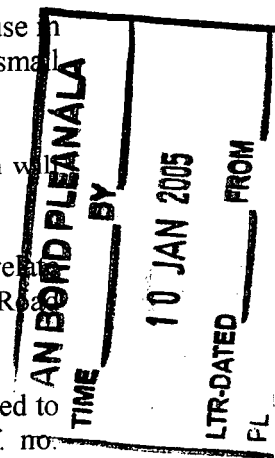
Clarification of Further Information

The planning authority by letter dated 8th March 2004 sought clarification of further information as specified including that it was considered that the revised proposal "will not significantly alter the visual impact." Concern was stated in relation to the visual impact of the outdoor storage area and the timber processing area. It was stated that "drawings of axonometric views of the site should be included since the Royal Canal enjoys a view over this land for a considerable distance and direction". The letter also stated as follows:

"The following items were not raised in our previous request and therefore should you reply to items a) and b) above the application will be determined in the absence of replies to the following.

You are advised that this land is zoned for light industrial/technological use in the Ballynacarrigy Village Plan and is considered suitable for 'small workshop/start up units.'

- (a) You are requested to state in detail the proposed activities which will be carried out on this site and the proposed use.
- (b) You are requested to state how the proposed use of this site will relate to the two other sites being operated by you at the Regional Road junction with County Road L5807 and further along L5807.
- (c) If this application is intended to replace those sites you are requested to state the reasons for not implementing planning permission ref. no. 02/926.
- (d) You are referred to Schedule 1 of that permission which states: 'It is considered that the proposed development is acceptable in terms that it is not a 'good neighbour' use within any urban scenario, and that the



existing operation on the regional road, will be eventually relocated to the new consolidated site, and that this operation is at its limits in terms of space, and are requested to state any reasons you may consider the proposed use of this site, in proximity to existing dwellings, to be considered other than a 'bad neighbour'."

Clarification or Further Information Submission

Clarification of further information was received on 29th March 2004 which included stating as follows:

"Please note that the Oliver Conroy Pallets Limited already got Planning Permission for this Development on the Original Site. As a good employer and neighbour and after discussions with Murt Hanley, Director of Services the Conroy's agreed to set up the Pallet Recycling Business in the Industrial Estate in Ballyincarrigy. The reason for this was that the size of the Building is as shown on the drawings and can't be made any smaller. The Conroy's bought this land from Westmeath County Council in a Zoned Industrial Area for this purpose. It is unfair now to suggest that this type of Development is not suitable at this location."

The submitted 'Environmental Noise Survey' in relation to a timber shredder unit at the existing enterprise is noted as also the submitted 'Proposals on Landscaping Layout'.

The drawings/revised drawings received 9th October 2003, 18th November 2003, 10th February 2004 and 29th March 2004, are noted and indicated the proposed development as revised including in particular the Site Location Maps indicating the location of the appeal site approximately 1 kilometre to the south-east of the village of Ballynacarrigy; and the revised detailed drawings of the proposed Factory Work/Shop building received 10th February 2004 and the revised Site Layout Map received 29th March 2004 as specified. In particular the submitted 'Front Elevation' scale 1:100 of the proposed building towards the Ballynacarrigy - Mullingar Road and 'Rear Elevation' scale 1:100 of the building towards the Royal Canal received 10th February 2004 are noted in relation to the scale of the proposed Industrial Unit building.

4. NOTIFICATION OF DECISION – Relevant Reports

The planning authority, Westmeath County Council, issued a notification of decision to **GRANT** permission for the proposed development subject to conditions, including Condition Nos. 2,3,7 and 8 as follows: -

"2. Prior to commencement of development a landscaping scheme including use of berms, shall be submitted for the written agreement of the Planning Authority, to mitigate the visual impact of the proposed development on the Royal Canal.

Reason: In the interest of visual amenity.

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3. Reorientation

The building shall be reorientated on a north/south axis adjoining the western boundary of the site.

Reason: In the interest of visual amenity.

7. No materials such as pallets or shredded material shall be stored on site to a height exceeding 4 metres.

Reason: To protect the visual amenity of the Royal Canal.

8. On completion of the development the operations located at the junction of the R393 and the L5807 and the recycling facilities located in the townland of Jamestown, Ballynacarrigy shall be fully transferred to the new site and the old site shall cease use for commercial or industrial operations. No storage of materials related to the existing and proposed operation shall take place at the former site, and no material shall be transferred from one site to the other following the completion of the development.

Reason: In the interests of orderly development."

The applicant's letter dated 13th May 2004 and the response letter of the planning authority dated 24th May 2004, in relation to Condition No. 3 above are noted.

Relevant Reports

Relevant reports prior to the above notification of decision included the following reports:

Submissions (4) on Planning Application

These submissions including submissions from the present two third party appellants and observer included stating concerns in relation to traffic safety, the inappropriate location of the proposed pallet recycling development; and concerns in relation to noise and water supply noting existing houses in the area.

Technical Reports

The Report of the Environment Section dated 21st November 2003 and the Report of the Sanitary Services Section dated 11th November 2003 are noted. The Report of the Area Engineer dated 12th November 2003 is noted including that sight distance to the west was hindered by a curve in the road and as stated.

Planning Report

This report, dated 26th November 2003, included stating that "there is a line of existing bungalows to the east of the proposed entrance". A number of local

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objections on stated grounds to the proposed development were noted as stated. Technical reports were noted including that no report was received from Road Design. The proposed Industrial Unit building at 60 metres x 24 metres and to a height of 10 metres was considered particularly large. (The subsequently revised 'Ground Floor Plan' drawing is dimensioned 24 metres x 49.73 metres, and the 'Front Elevation' drawing indicates a height of 9.5 metres). The site zoning in the adopted Ballynacarrigy Village Plan 2003 was 'Light Industrial/Technological', and a recycling plant was 'Open for Consideration on lands zoned 'Light Industrial/Technological' under Westmeath County Development Plan. It was recommended that further information be requested as stated. (Item 16 in relation to 'sightlines from the proposed entrance' was omitted, and 'Road Design Report Outstanding - attach FI as appropriate' was commented on as 'not applicable here').

Technical Reports

The Environment Section Report dated 2nd March 2004 and the Sanitary Services Section Report dated 3rd March 2004 are noted. The Area Engineer's Report dated 24th February 2004 included stating that "120 metre sight distance is available to the west, this is adequate as location of site entrance is within 40 miles per hour speed zone" (but see earlier Area Engineer's Report dated 12th November 2003 above).

Forward Planning and Policy Section Report

This report dated 4th March 2004 included stating as follows under 'Background Policy': -

"The adopted village plan for Ballynacarrigy refers to the zoning of lands outside of the village to provide employment opportunities for the village on the basis of them being small, light industrial, starter/incubator units i.e. of a scale and use appropriate for the fringes of a village with a national heritage designation.

I am concerned that the design, scale and massing of the proposed unit, let alone the use, is inappropriate for the zoning intentions within the Village Plan. There was concern at the village plan community meetings that there should be employment opportunities within the village, however residents raised particular concerns regarding the importance of the village's heritage and visual characteristics and wanted specific reference to be made to the small, light industrial type units, which would not detract from such important locally defined characteristics. Although the site is located some 1 kilometre from the centre of the village the proposed use, scale and massing would undermine the village's attempts to create an attractive tourist location along the Royal Canal.

I would also suggest that the use is not wholly appropriate to the location although there is no evidence on file of vehicle movements or a traffic impact assessment (the file is lacking because of this), it would appear that the use is going to be reliant on the frequent heavy vehicular movements. I would also query whether the use falls under the "light industrial" Class 4 zoning it may

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be considered a special industrial use, which is a separate use and would require a material contravention of the zoning plan.

To consider the proposed scheme appropriate in terms of its use, scale, design and massing allowable would undermine the adopted village plan and require in my view a material contravention. I would not recommend such a 'sensitive' site for such a use as the scale of the operation would appear more appropriate to the higher order settlements (with better infrastructure and more robust industrial areas) within the County's settlement strategy i.e. Athlone and Mullingar in the first instance.

The County Development Plan has several references to design and impact of developments upon amenity, the environment, the importance of the NHAs and the Royal Canal in particular (Paragraphs 2.2.2(v), 2.2.3(i), 2.2.6, 2.5.3(i) (iii) problem uses), 2.9.2.1 iv and v, 2.9.2.8.

The Council in conjunction with the Heritage Council and the Counties of Roscommon and Longford have undertaken Waterway Corridor Studies including the Royal Canal to better inform policy and decision-making in relation to the effects on our important inland waterways and natural heritage areas. The Draft of this document provides guidance on how development should be considered in relation to the Canal. (I attach for your reference). However, the emerging policy is suggesting that any development within 500 metres of the canal, unless it can show that it enhances the landscape in terms of siting, form, scale, design relevance to the landscape there will be a presumption against such development.

Whilst there are definite plan objectives (2.7 vii) to allow for the facilitation and encouragement of business enterprises within and close to villages such as Ballynacarrigy, I do not believe in this instance they outweigh the concerns for the visual setting and overall amenity of the Royal Canal NHA that the proposed building and use will undermine."

The attached extracts from the 'Waterways Corridor Study 2003 - Shannon Navigation and Royal Canal, Final Draft Report' - The Heritage Council are noted, including in particular Paragraph 4.2.5 in relation to 'Waterway Protection Zone'.

Road Design Report

This report dated 4th March 2003 included noting as follows:

"A traffic impact report relating to the development and possible future development adjacent to the site has not been requested or submitted to the Planning Authority to date. An indication of the frequency and type of service vehicles required to service the development and possible future adjacent development has not been submitted either."

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Road Design Report

The report dated 5th March 2004 (later 'superceeded' as stated) recommended refusal of permission noting that "no report was submitted by road design as part of the request for further clarification". There was concern relating to the safety of use of the site entrance by heavy goods vehicles, "particularly those turning right from the proposed development"; and that "the type and frequency of vehicles used to service the development and the loading, unloading and turning manoeuvres of the vehicles" had not been demonstrated as stated.

Road Design Report

This report also dated 5th March 2004 again noted the concerns as stated in the report of 4th March 2003 but also stated that there was no objection to the proposed development subject to specified conditions including Condition No. 6 thereof in relation to provision of a minimum of 22 car parking spaces.

Planning Report

This report, dated 5th March 2004 noted "the history of the use of sites associated within this business" as stated. The planning authority had issued a notification of decision to grant permission (Ref. No. 02/926) for a pallet recycling business on a rural site which permission included a Schedule which included stating: "It is considered that the proposed development is acceptable in terms that it is not a 'good neighbour' use within any urban scenario..." A subsequent first party appeal against conditions was considered by An Bord Pleanála which "had regard to the nature of the existing rural-based business" (as stated in the decision order).

It was noted that the 'Employment Section' of the Ballynacarrigy Village Plan (Paragraph 3.11) indicated that the site should be used for "small workshop/start-up units" and it was considered that the "permitted site affords better scope for expansion". Clarification of further information was recommended as stated. The attached extract from the Ballynacarrigy Village Plan, and the attached part of a Report which sought clarification as to the use class of the proposed development in the context of a potential material contravention of the Development Plan, and also "details of type and frequency of vehicles visiting the site", are noted.

Director of Services' Report

This report dated 8th March 2004 considered that permission should be granted as the proposed development was employment-generating on a site provided by Westmeath County Council for Light Industry. An outstanding issue in relation to roads could be dealt with by means of a 'prior to commencement' condition as specified. A note on the Report included consideration that the proposed site was an improvement on the 'current rural location' as stated.

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Planning Report

This report dated 20th April 2004 (and a similar-type handwritten report dated 14th April 2004 on file) are noted. Site inspections undertaken of the existing pallet recycling enterprise sites were described which included noting stacked pallets and sawdust and chip material to heights of 8 metres as stated. Associated environmental impacts were noted as stated. The Report concluded by stating as follows:

"We subsequently visited the site concerned in the current planning application at Ballysallagh, Ballinacarrigy. The area has been specifically identified in the Local Area Plan for the Village for start up units. Thus it may be assumed to have a light industrial zoning objective. I observed that visibility at the point of access to these undeveloped lands (which are in Council ownership) is substandard and deficient by rear (reason) of vertical alignment of the public road on the north western (village) side. The proposed development would occupy an area of 1.6 hectares which is located at the southern end of these lands and is situated at its nearest point approximately 146 metres from the Royal Canal N.H.A. The subject site and any development thereon including outdoor storage would be clearly visible from the Royal Canal and its environs by virtue of proximity. Lack of natural screening vegetation and difference in elevation (the Canal being at a slightly higher O.D. than the proposed site).

Currently Westmeath County Council in partnership with Counties Roscommon and Longford and the Heritage Council are undertaking Waterway Corridor Study of the Royal Canal which seeks the protection and enhancement of the land and environs through (through) stringent appraisal of development proposal within 500 metres thereof. I am concerned that the subject development will be at variance with this emerging (non-adopted) policy. I note that the basis of decision to grant permission for '2nd site' (ref. 02/526) was that the proposal was not regarded as light industrial rather a use more appropriate to rural stand alone location, i.e. it was considered a bad neighbour type industry. In consequence, the proposal would be inconsistent with zoning objectives for the site.

Having regard to the foregoing and in consideration of impacts of the proposal including the Royal Canal, inconsistency with Development Plan objectives for the site; planning history associated with 02/926, employment generation and potential for expansion, I am of the opinion that the applicant should be encouraged to consolidate his activities at the site concerned in 02/926, in preference to the subject proposal."

Planing Report

This report dated 21st April 2004 included documenting the technical report on file including as stated "Road Design 4th and 5th March 2004; Latest report recommends refusal". The Forward Planning and Policy Section Report was particularly noted which concluded by expressing concern that the proposed building and use would 'undermine' the visual setting and overall amenity of the Royal Canal NHA. The Senior Planner's report "considers use is

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inconsistent with the zoning". Under 'Principle of Development' it was stated as follows:

"The proposal is on lands zoned for a Light Industrial/Technological use in the adopted Ballynacarrigy Village Plan. It is not clear from the information submitted what the level of industry is, the proposed use could fall within one of two uses, i.e. light industry or heavy industry and heavy industry is not permitted in Light Industry/Technological zoned areas, therefore, it could represent a departure from the adopted Development Plan. The Senior Planner undertook a site visit to the applicant's current works and considers the proposal under consideration 'would be inconsistent with the zoning objectives of the site'. See memo attached, paragraph 4.

The previous permission granted to Oliver Conroy in a rural site removed from other private residential properties was on the basis that the proposal was considered a bad neighbour, this gives the impression that the use is not consistent with a light industrial/technological zoning. The Senior Planner on a site visit identified a number of environmental impacts that have been detailed on the attached memo.

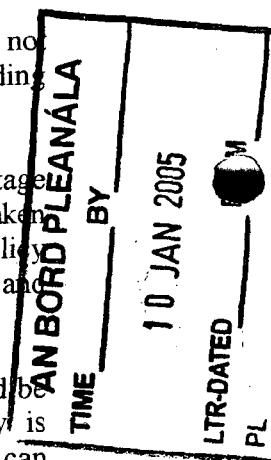
Furthermore, the adopted Village Plan identifies the subject site as coming within an 8.5 acres site that 'has been identified by the County Council to the west (should read east) of the village centre on the Mullingar Road as suitable for employment uses in the form of small workshop/start up units.' The response received from Forward Planning, detailed above, sets out the reasoning behind this zoning objective and raises concerns over the appropriateness of the use on the proposed site.

It is considered that the proposed development is contrary to the zoning objectives of the Village Plan and is contrary to the specific supporting policy detailed in paragraph 3.11 of the Village Plan and as such should be refused."

Under 'Design and Siting', it was considered that the revised proposals did not satisfy concerns regarding the siting, scale, design and massing of the building above the Royal Canal Natural Heritage Area, as stated:

"The Policy Section detail that this Council in conjunction with the Heritage Council and the Counties of Roscommon and Longford has undertaken Waterway Corridor Studies including the Royal Canal to better inform policy and decision-making in relation to the effects on our important inland waterways and natural heritage areas.

The Draft of this document provides guidance on how development should be considered in relation to the Canal. However, the emerging policy is suggesting that any development within 500 metres of the canal, unless it can show that it enhances the landscape in terms of siting, form, scale, design relevance to the landscape there will be a presumption against such development. In light of this Council's commitment and recognition of the sensitivity and importance of the Canal and NHA, the current design proposals cannot be considered acceptable. The Senior Planner states a concern that the subject development will be at variance with this emerging (non-adopted)



policy. It is considered that the siting, scale, design and massing will have a negative visual impact on the rural landscape setting and the setting of the Royal Canal and should be refused on visual amenity grounds."

Under 'Road Design Matters' it was stated as follows:

"The most recent Road Design Report received is dated 5th March and recommends refusal as in its current form the application compromises the safety of road users. It is considered that the applicant has not demonstrated the safety of the 3 metre x 90 metre sightlines, the entrance is considered unsafe for use by heavy goods vehicles, parking provision does not meet Development Plan standards and the applicant has not demonstrated type and frequency of vehicles, loading/unloading etc. The Senior Planner also raises concerns over road safety in the attached memo 'visibility at the point of access to these undeveloped lands is substandard and deficient'."

It was recommended that planning permission be refused for four reasons as stated:

1. The proposed development represents an incompatible land use on lands reserved for light industrial/technological uses in the Ballynacarrigy Village Plan which represents the adopted policy document, as of August 2003, for the orderly co-ordinated and sustainable development of the Village. The proposed development materially contravenes the zoning objectives and as such is contrary to the orderly and sustainable development of the village.
2. The proposed scale and massing of the development is contrary to Village Plan policies that specifically identify the light industrial/technological zoning as suitable for employment uses in the form of small workshop/start-up units as detailed in paragraph 3.11 of the Village Plan. The proposal as such is contrary to adopted policy and is considered contrary to the orderly and sustainable development of the Village.
3. The proposed development would endanger public safety by reason of traffic hazard because it would give rise to traffic movements from a junction where the acceptable achievement of adequate sightlines has not been demonstrated and where the entrance is deemed unsafe for use by heavy goods vehicles, particularly those turning right from the proposed development.
4. The scale, bulk and massing of the proposed development in close proximity to the Royal Canal (Natural Heritage Area), will compromise the rural landscape setting and represents a visual dominant feature presenting a negative visual impact on the setting of the Canal. It is adopted policy to preserve and enhance areas of recognised character, including Canals, along with their attendant settings (policies contained within sections 2.2.2, 2.9.2.1 and 2.9.2.8 of the County Development Plan 2002 all refer), the proposal will not be satisfactorily incorporated in to its landscape setting in the open

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countryside and will visually compromise the Canal setting and as such is contrary to the design objectives detailed in the County Development Plan.”

5. APPEAL GROUNDS

A summary of the submitted first party appeal grounds included as follows:

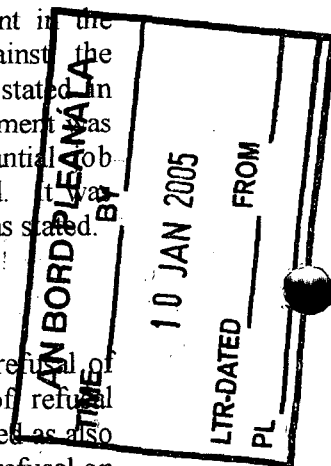
1. Appeal of Ms. Rose McDonnell

The appellant resided close to the appeal site in Ballysallagh as indicated on the attached Map. The proposed development constituted a material contravention of the Ballynacarrigy Village Plan as the zoning provision for the appeal site is “small light industrial/technological use only” as stated. The proposed vehicular entrance to the development opposite the entrance to the GAA grounds would constitute a traffic hazard. “The entrance to the proposed development is located on bottom of a substantial hill on the regional roadway on the village side of same.” Frequent movement of articulated trucks with full cargo to and from the proposed site would give rise to a serious traffic hazard. Noise levels from plant machinery and articulated vehicles would seriously detract from the residential amenities of the appellant. “The visual impact of the proposed development from the Royal Canal would be devastating and the constant noise from operations on the site would seriously impact on the peace and tranquillity of the Royal Council amenity.” In relation to ‘Sewerage’ it was stated that “no detail or specification of this proposed pumping station is submitted”. It was also considered that “the proposed development constitutes heavy industrial use” and it was noted that there was extensive residential development in the vicinity. It was noted that “the decision to grant is against the recommendations of the planners”, and it was not accepted as stated in Schedule 3 of the notification of decision that the proposed development was in accordance with the Ballynacarrigy Village Plan. No substantial objection would occur as the existing operations would be relocated. It was noted that the landowner of the site was Westmeath County Council as stated.

2. Appeal of Thomas and Edel McKeon

The appellants noted that the Planning Reports had recommended refusal of permission for the proposed development. The four reasons of refusal recommended in the Planning Report dated 22nd April 2004 were noted as also the Road Design Report dated 5th March 2004 which recommended refusal on traffic safety grounds. It was also noted that the Waterways Corridor Study 2003 (Shannon Navigation & Royal Canal) included recommending that

“The Planning Authorities (County and Town Councils) should put in place a waterway protection zone as part of their development control process. This would require that any development within 500 metres of the canal is automatically assessed in terms of its potential impact on the canal. There would be a presumption against development unless it can be shown that the project enhances the landscape, based on a character assessment approach.”



It was further noted that: "The proposed development site is only 170 metres from the canal. It would be of a heavy industrial nature and would consist of a large imposing shedlike structure. The attached yard would consist of massive towers of pallets 10 metres high and large mounds of rubble as exists at the developer's current location.

It is therefore quite obvious that there would be a clear negative impact on the canal and the landscape."

It was considered that "Ballynacargy is an agricultural and rural community and any proposed business should be of such a scale as to have no significant impact on the locality." The natural amenity of the area along the Royal Canal was noted as stated. It was noted that the applicant had obtained permission for such development elsewhere as stated.

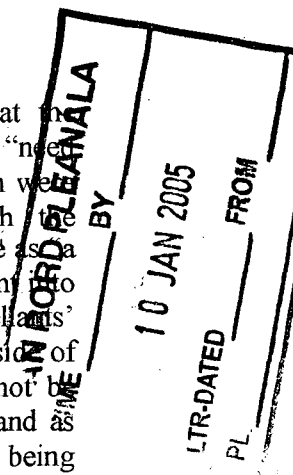
The attached earlier submission to the planning authority stated that the appellant's home and farm were 'directly across the road' from the appeal site. The proposed development would affect traffic safety in this location on the Regional Road, and would detract from the tourism potential of the Royal Canal and Canal Walking Route and the attractive village of Ballynacarrigy.

"We understand that the core raw material of the proposed plant is industrial pallets. Such materials are not produced and are very sparsely used in the Ballynacargy area. We question the practicality of hauling the large quantities of this material from the already established industrial centres in Mullingar all the way out to Ballynacargy. In our opinion it would make a lot more sense to situate such an operation closer to the already expanding industrial estates in Mullingar" as stated.

6. APPEAL RESPONSES

Applicant's Appeal Response.

This appeal response received 22nd June 2004 included stating that the proposed development was a 'small industry' as defined and there was a "need for expansion and a new facility" as stated. The activities undertaken were described as stated. The proposed development complied with Ballynacarrigy Village Plan land use zoning objective for the appeal site as a small, light industry" as stated, which would provide "inward investment to the area and provide employment opportunities locally". The appellants' residences are located almost 400 metres from the site on the opposite side of the R393. The visual and residential amenities of the area would not be affected by reason of location and screening, acceptable noise levels and as "the process in a dry process with no waste to landfill or wastewater being generated." The R393 is a Regional Road approximately 6 metres in width and there would be no "significant increase in traffic volumes through the village". It was stated that "there are usually only 2-6 HGVs entering the site ('current activities') per day, which may increase slightly as the business grows." The visual amenity of the Royal Canal and the amenities of the GAA Grounds would be protected as stated. No traffic hazard would result as the



volume of heavy goods vehicles would be low and at low traffic speeds as within the 40 mph speed limit for the village. Concerns stated in relation to land drainage and run-off from the proposed development are not valid as stated. The proposed development would in fact have "a positive impact on the environment" as stated/

Planning Authority Appeal Response

No appeal response was received.

Appellants' Responses to Other Appeal

These responses received 10th June 2004 and 18th June 2004 are noted.

Appeal Observation of Ms. Anne Price

This observation received 16th June 2004 included stating that the Planning Reports and a Road Design Report had recommended refusal of permission for the proposed development. The observer's farmlands adjoin the appeal site and the boundary drain was used by livestock for water where the water quality could be affected by run-off from the proposed development. Heavy goods vehicular traffic could endanger local children using the local GAA grounds opposite the appeal site.

"I am aware that there is a existing Recycling Plant in a Zoned area of Mullingar Business Park – Wallace Recycling – that already services the applicants needs. I propose that consideration be taken into account for the movement of the development to the zoned area in Mullingar. This would reduce the increase in traffic on the Mullingar – Ballynacargy road and would serve both companies well reducing travelling expenses on both behalfs."

7. PLANNING HISTORY

The following planning history files are attached: PL 25M. 203336 (Reg Ref 02/926):

An Bord Pleanála granted permission on 22nd October 2003 for a proposed development described as including "construction of an industrial and consisting of 276 square metres and a refuelling storage facility and retention of existing timber pallets recycling facility at Jamestown, Ballinacargy, County Westmeath," subject to revised conditions as stated further to a first party appeal by the present applicant in relation to conditions only.

There is no reference to other previous planning applications on the site in the appeal submissions, and the planning authority has not forwarded any history documents.

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AN BORD PLEANÁLA	BY	10 JAN 2005	FROM
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