



Application for Extension of Duration of Permission

FOR OFFICE USE ONLY:

Reference Number:

A Planning Authority shall extend a permission as appropriate provided that the application is made in accordance with regulations made under the Planning & Development Act 2000 (as amended) and the Authority is satisfied in relation to the permission that:-

- The development to which such permission relates commenced before the expiration of the appropriate period sought to be extended, and
- Substantial works were carried out pursuant to such permission during such period.
- The development will be completed within a reasonable time.

Important Notes:

- An application to extend the appropriate period must be made not earlier than 2 years before the expiration of the appropriate period.
- Section 42(1)(a)(ii) of the Planning & Development Act 2000 has been deleted therefore there is no possibility of an extension of duration for un-commenced development or development where substantial works have not been carried out
- AA & EIA Screening are required for ALL extension of duration applications (including further extension applications).
- Extension of Duration of Permission shall not be granted if AA or EIA would be required in relation to the proposed extension.

1. Name of Applicant: _____

2. Name of Agent: _____

3. Address/Location of structure or land to which the permission relates: _____

4. Particulars of the **legal interest in the land or structure held by the applicant** to which the permission relates:

5. The development to which **the permission relates**: _____

6. Planning **Reference number**:

7. Date development **commenced**:

8. Date permission will **cease to have effect**:

9. Date Permission **sought to be extended to**:

10. Particulars of the **substantial works carried out** pursuant to the permission before the expiration of the appropriate period:

11. Particulars of the **circumstances** beyond the control of the person carrying out the development which has caused the development not to be completed:

TO FURTHER EXTEND:

The following additional information must be submitted where an application is being made to **FURTHER EXTEND** the period of a permission.

NOTE: Questions 12 – 15 are only applicable where application is being made to further extend the period of permission.

12. Date Permission was **extended to**:

13. The additional **Period** by which the permission is sought to be **Further Extended**:

14. Date on which the development is **expected to be completed**:

15. Particulars of the **substantial work** carried out pursuant to the permission since the permission was extended or further extended.

Amount of fee enclosed (NOTE: fee payable IS €62):

Signature of Applicant (or Agent):

Application for Extension of Duration of Permission

CONTACT DETAILS

FOR OFFICE USE ONLY:

Reference Number:

Applicant Address/ Contact Details

Name:	
<u>Address:</u>	
Telephone:	<u>Email:</u>

Agent's (if any) Address

<u>Name:</u>	
<u>Address:</u>	
<u>Telephone:</u>	<u>Email:</u>
Should all correspondence be sent to the Agents address? (Please tick appropriate box) (Please note that if the answer is 'No', all correspondence will be sent to the applicant's address) Yes [] No []	

Additional Contact Information

The provision of additional contact information such as email addresses or telephone numbers is voluntary and will only be used by the Planning Authority to contact you should it be deemed necessary for the purposes of administering the application. These additional details will not be made available to any third party.

APPENDIX 1

Section 42 of the Planning & Development Act 2000 (as amended)

Power to extend appropriate period.

42. — (1) On application to it in that behalf, but subject to *subsection (8)* , a planning authority shall, as regards a particular permission, extend the appropriate period by such additional period not exceeding 5 years as the authority considers requisite to enable the development to which the permission relates to be completed provided that each of the following requirements is complied with:

(a) (i) the authority is satisfied that —

(I) the development to which the permission relates was commenced before the expiration of the appropriate period sought to be extended,

(II) Deleted

(III) substantial works were carried out pursuant to the permission during that period, and

(IV) the development will be completed within a reasonable time,

(b) the application is in accordance with such regulations under this Act as apply to it,

(c) any requirements of, or made under those regulations are complied with as regards the application, and

(d) the application is duly made prior to the end of the appropriate period.

(2) In extending the appropriate period under *subsection (1)* a planning authority may attach conditions requiring the giving of adequate security for the satisfactory completion of the proposed development, and/or may add to or vary any conditions to which the permission is already subject under *section 34(4)(g)* .

(3) (a) Where an application is duly made under this section to a planning authority and any requirements of, or made under, regulations under *section 43* are complied with as regards the application, the planning authority shall make its decision on the application as expeditiously as possible.

(b) Without prejudice to the generality of *paragraph (a)* , it shall be the objective of the planning authority to ensure that it shall give notice of its decision on an application under this section within the period of 8 weeks beginning on —

(i) in case all of the requirements referred to in *paragraph (a)* are complied with on or before the day of receipt by the planning authority of the application, that day, and

(ii) in any other case, the day on which all of those requirements stand complied with.

(4) A decision to extend the appropriate period of a permission shall be made not more than twice under this section and a planning authority shall not further extend the appropriate period. Where a second decision to extend an appropriate period is made under this section, the combined duration of the 2 extensions of the appropriate period shall not exceed 5 years.

(5) Particulars of any application made to a planning authority under this section and of the decision of the planning authority in respect of the application shall be recorded on the relevant entry in the register.

(6) Where a decision to extend is made under this section, *section 40* shall, in relation to the permission to which the decision relates, be construed and have effect, subject to, and in accordance with, the terms of the decision.

(7) Notwithstanding *subsection (1)* or *(4)* , where a decision to extend an appropriate period has been made by a planning authority prior to the coming into operation of this section, the planning authority, where an application is made to it in that behalf prior to the expiration of the period by which the appropriate period was extended, may further extend the appropriate period provided that each of the following requirements is complied with —

(i) an application is made in that behalf in accordance with regulations under *section 43* ,

(ii) any requirements of, or made under, the regulations are complied with as regards the application, and

(iii) the authority is satisfied that the relevant development has not been completed due to circumstances beyond the control of the person carrying out the development.

(8) A planning authority shall not extend the appropriate period under this section in relation to a permission if an environmental impact assessment or an appropriate assessment would be required in relation to the proposed extension concerned.