

FOR OFFICE USE ONLY

PLANNING REF NO: /

EXT REF NO: /7

Limerick County Council

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APPLICATION TO EXTEND THE APPROPRIATE PERIOD OF A PLANNING PERMISSION

**SECTIONS 42 AND 42A OF THE PLANNING AND DEVELOPMENT ACT 2000 AS
AMENDED BY SECTIONS 28 AND 29 OF THE PLANNING AND DEVELOPMENT
(AMENDMENT) ACT 2010**

PLANNING AND DEVELOPMENT REGULATIONS 2001 - 2011

FEE OF €62 MUST BE SUBMITTED WITH THIS APPLICATION

Please see guidance notes at the back of this form.

A. Applicant:

<i>Name(s)</i>	
<i>Address(es)</i>	

Person/Agent acting on behalf of the Applicant (if any):

<i>Name:</i>	
<i>Address:</i>	

Please complete the additional contact details at the end of this form.

B. Address to which any correspondence relating to the application should be sent:

C. Location, townland or postal address of the land or structure concerned:

D. Legal interest in the land or structure held by the applicant: (e.g. Owner, leasee, prospective purchaser)

E. Description of the development to which the permission relates:

F. The reference number of the planning permission in the Planning Register

G. The date on which the planning permission will cease to have effect:

H. If works have commenced, the date of commencement of the development to which the permission relates:

Please consult paragraphs C(i) and C(ii) in the attached guidance notes prior to completing either section I OR J below.

- I. If substantial works have commenced, particulars of the substantial works carried out pursuant to the permission before the expiration of the appropriate period:**

OR

- J. If development has not commenced OR if substantial works pursuant to the permission have not been carried out, please state reason(s) for not commencing the works or carrying out substantial works within the permitted period including the circumstances beyond the control of the person carrying out the development i.e. economic, technical and/or commercial considerations:
(Please see C(ii) in the attached guidance notes for criteria regarding applications where works have either not commenced or have not been substantially completed)**

K. The additional period by which the permission is sought to be extended:

L. The date on which the development is expected to be completed:

I/We hereby apply to extend the appropriate period of the planning permissions as detailed above in accordance with particulars described in this application pursuant to the provisions of Section 42 of the Planning and Development Act 2000 as amended by Sections 28 and 29 of the Planning and Development (Amendment) Act 2010. I/We hereby declare that the statutory fee of €62 is enclosed.

Signed: _____

Date: _____

Please complete the contact details on the next page.

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This page will NOT be published as part of the file.

ADDITIONAL CONTACT DETAILS

Please complete the additional contact details below. These details are required under the Planning & Development Regulations 2010 but will not be made available to any third party. They will be used only to contact you should it be necessary for the purposes of administering the application.

Applicant's telephone number _____

Applicant's email address: _____

Agent's (if any) telephone number _____

Agent's email address: _____

Limerick County Council

Application for Extension of Duration of Planning Permission

Notes for the Guidance of Applicants

An application to **EXTEND** a planning permission must be made prior to the end of the appropriate period i.e. before the permission expires but may **not** be made earlier than one year before the expiration of the appropriate period sought to be extended.

A fee shall be paid to the Planning Authority by an applicant in respect of an application for an **EXTENSION**. The fee is **€62.00**.

The Planning Authority may extend the appropriate period of the planning permission by such additional period **not exceeding five years** as the authority considers requisite to enable the development to which the permission relates to be completed provided that the requirement of Section 42(1) or 42A(1) (where applicable) of the Planning & Development Acts 2000 - 2011 are complied with.

An extension of permission can be granted **only once** by the planning authority subject to section 28 (7) of the Planning & Development (Amendment) Act 2010 which applies in the case of extensions of permission granted before 19th of August 2010 .

In addition to above, your attention is directed to Section 42 (as amended) of the Planning and Development Acts 2000 - 2011 which sets out the requirements relating to applications for extensions of planning permissions.

The requirements are as follows:

A That a proper application is made in accordance with such regulations as apply to it.

B That any requirements of, or made under, the Regulations are complied with.

C(i) The authority is satisfied that -

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

OR

C (ii) the authority is satisfied that –

- There were considerations of a commercial, economic or technical nature beyond the control of the applicant that substantially militated either against the commencement of the development or the carrying out of substantial works pursuant to the planning permission;
- That there have been no significant changes in the development objectives in the development plan or in the regional development objectives in the regional planning guidelines for the area of the planning authority since the date of the permission such that the development would no longer be consistent with the proper planning and sustainable development of the area;

- That the development would not be inconsistent with the proper planning and sustainable development of the area having regard to any guidelines issued by the Minister under Section 28 of the Planning & Development Acts 2000 - 2011, notwithstanding that these were so issued after the date of the grant of permission in relation to which an application is made under Section 42 of the Planning Acts as amended and
- In the case of an application for extension of permission for a development which has not commenced and where an Environmental Impact Assessment or an appropriate assessment or both of these assessments if required was or were carried out.

Where an application for an extension of permission is made on the basis of commercial, economic or technical reasons, information must be submitted as part of the application. However it is not necessary when lodging the application to supply personal evidence such as personal bank statements.

Article 42 (3) of the Planning & Development Acts (as amended) makes it an objective of the planning authority to make its decision in respect of an application for an extension of planning permission within the relevant eight-week period.

Note: These notes are not the definitive legal interpretation of planning law. Please refer to the Planning and Development Acts and the relevant regulations.