



FOR OFFICE USE ONLY	
PLANNING REF NO:	/
EXT REF NO:	/7

Limerick City & County Council

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APPLICATION TO EXTEND THE APPROPRIATE PERIOD OF A PLANNING PERMISSION UNDER SECTION 42(1)

**SECTION 42 OF THE PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED
PLANNING AND DEVELOPMENT REGULATIONS 2001 AS AMENDED**

FEE OF €62 MUST BE SUBMITTED WITH THIS APPLICATION

Please see guidance notes at the back of this form.

1. Applicant:

Name(s)	
Address(es)	

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

Name:	
Address:	

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

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

3. Street name, location, townland or postal address of the land or structure concerned:

4. Eircode (if one has been assigned to the property)

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

6. Reference number in the Planning Register and date of expiry of grant of permission:

Ref. No.:

Expiry Date:

7. Has the permission been previously extended?:

Yes: No: (Please tick as appropriate)

Reference No. of Extension:

Date of Expiry of Extension:

8. Date of commencement of the development to which the permission relates:

Date of Commencement: _____

Please consult paragraph C(i) in the attached guidance notes prior to completing Questions 9-13 below.

9. Particulars of the substantial works carried out pursuant to the permission in Question 6 above, before the expiration of the appropriate period, to be submitted. NOTE: If this application is for a further extension of duration, the applicant is required to outline what substantial works have been carried out in the period since the commencement of the previous extension of duration.

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

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

12. A statement as to whether an environmental impact assessment or appropriate assessment or both of those assessments were required for the permission that is subject to this extension application. Please see advice note at C(iv) below:

13. Where the development to which the permission relates is of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, which proposed extension of the appropriate period does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule the applicant is required to provide the information specified in Schedule 7A for the purposes of a screening determination i.e.

1. A description of the proposed development, including in particular— (a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and (b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

2. A description of the aspects of the environment likely to be significantly affected by the proposed development.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from— (a) the expected residues and emissions and the production of waste, where relevant, and (b) the use of natural resources, in particular soil, land, water and biodiversity.

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

The applicant is also referred to Article 44A of the Planning and Development Regulations 2001, as amended, which requires;

(1) Where an applicant is submitting to the planning authority the information specified in Schedule 7A, the information shall be accompanied by any further relevant information on the characteristics of the proposed extension of the appropriate period and its likely significant effects on the environment, including, where relevant, information on how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.

(2) Where an applicant is submitting to the planning authority the information specified in Schedule 7A, the information may be accompanied by a description of the features, if any, of the development which is the subject of the extension application and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development which is the subject of the extension application.

This information provided under Question 13 to be attached separately.

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. 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 2001 (as amended) 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 City & 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 (as amended) are complied with. Where an application to extend the duration of a planning permission is made under Section 42(1B) the Planning Authority may extend the appropriate period to 31 December, 2023.

In addition to above, your attention is directed to Section 42 (as amended) of the Planning and Development Acts 2000 (as amended) which sets out the requirements relating to applications for extension 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 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) Substantial works were carried out pursuant to the permission during that period; and
 - (iii) The development will be completed within a reasonable time.
 - (iv) Appropriate Assessment Screening and Environmental Impact Assessment Screening are required for all applications for extension of duration of planning permission and further extension of duration of planning permission.

Application for a further Extension of Appropriate Period under Section 42(1B) of the Planning and Development Act 2000 (as amended)

Further to the above, Section 42(1B) of the Planning and Development Act 2000 provides for the further extension of the appropriate period of a planning permission by an additional period of up to 2 years or until 31 December 2023 whichever first occurs, subject to the planning authority being satisfied of a number of matters set out in section 42(1B). These matters include that the relevant planning authority shall be satisfied that:

- the development has commenced;
- substantial works have been carried out; and
- Environmental Impact Assessment (EIA) and appropriate assessment (AA) are not required for the proposed extension.

The provision applies to extant permissions due to expire as well as to permissions which expired between 8 January 2021 and 8 September 2021. For the avoidance of doubt, this provision is for the benefit of developments that have already availed of an extension of duration under section 42, and any further extension under section 42(1A).

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