

GUIDANCE NOTES APPLICATION TO EXTEND DURATION OF PLANNING PERMISSION UNDER SECTION 42(1)

(1) In accordance with the Planning and Development Regulations 2001, as amended, the following requirements apply:-

(a) An application to extend the Duration of a Permission may not be made earlier than one year before that Permission is due to expire.

(b) An application for an Extension of Duration can be entertained only where the application is made before the expiry date of the Permission.

(c) Where a proper and complete application is received, a decision must be conveyed to the applicant within eight (8) weeks except where additional necessary information is required.

(d) The Planning Authority may only extend the appropriate period under Section 42(1) where the authority is satisfied that each of the following requirements is complied with:

- (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) an environmental impact assessment or an appropriate assessment, or both of those assessments, were not required before the permission was granted, and are not required in relation to the proposed extension concerned.

(2) A decision to extend the appropriate period of permission shall be made not more than twice under Section 42(1) 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.

(3) All queries on the form must be completed and the form must be accompanied by the relevant fee

GUIDANCE NOTIS APPLICATION TO EXTEND DURATION OF PLANNING PERMISSION UNDER SECTION 42(1B)

(1) In accordance with the Planning and Development Regulations 2001, as amended, the following requirements apply:-

(a) An application to extend the Duration of a Permission may not be made earlier than one year before that Permission is due to expire.

(b) Where an application is being made under this section and the expiry of the appropriate period as extended or further extended occurred during the period beginning on 8th January 2021 and ending on 8 September 2021, the application must be made by 8th March 2022.

(c) Where a proper and complete application is received, a decision must be conveyed to the applicant within eight (8) weeks except where additional necessary information is required.

(d) The Planning Authority may only extend the appropriate period under this Section where the authority;

- (i) is satisfied that an environmental impact assessment or an appropriate assessment would not be required in relation to the proposed extension of the appropriate period,
- (ii) considers that the extension is required to enable the development to which the permission relates to be completed,
- (iii) is satisfied that the application is in accordance with such regulations under the Planning and Development Acts 2000 to 2021 as apply to the application, and is satisfied that any requirements of, or made under, those regulations are complied with as regards the application,
- (iv) is satisfied that the development to which the permission relates was—
 - (I) commenced, and
 - (II) substantial works were carried out, before the expiration of the appropriate period, as extended or further extended,

(2) The additional period provided under Section 42(1B) of the Planning and Development Act 2000, as amended, cannot exceed 2 years or extend beyond 31/12/2023 whichever first occurs.

(3) All queries on the form must be completed and the form must be accompanied by the relevant fee