

PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED) and PLANNING AND DEVELOPMENT REGULATIONS 2001 (AS AMENDED)

APPLICATION TO EXTEND DURATION OF PLANNING PERMISSION UNDER SECTION 42(1A) and 42(4A) OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)

Explanatory Notes

- (i) **Section 42(1A)** allows for extensions of duration of the appropriate period of un-commenced permissions of one or more houses by such additional period (not exceeding 3 years) as the planning authority considers necessary to enable the development concerned to be completed.

An application to extend a permission of one or more houses that has not commenced must be made:

- Before, but not earlier than 2 years before, the end of the appropriate period, and
- Not later than 6 months after 1st August 2025 (i.e. date on which Section 28 of the Planning and Development (Amendment) Act 2025 came into operation).

The extension of duration under 1(A) ceases to have effect if the development is not commenced within 18 months of 1st August 2025.

- (ii) **Section 42(4A)** allows for housing development permissions already extended under subsection 42(1A) above to be further extended by an additional period as the planning authority considers requisite to enable the development concerned to be completed, provided that –

- An application is made before, but not earlier than 2 years before, the end of the appropriate period and the planning authority is satisfied that –
 - Development commenced before the expiry of the permissions appropriate period,
 - Substantial works were carried out and the development will be completed within a reasonable time.

This further extension under subsection 42(4A) can only be availed of once and the combined duration of the extensions of the appropriate period under subsections 42(1A) and 42(4A) shall not exceed 5 years.

Note:

- A person who avails of an extension of duration under the new subsection 42(1A) for an un-commenced housing development cannot subsequently seek a further extension under subsection 42(1) which applies to commenced development with substantial works carried out.
- Applicants should note that the Planning Authority will make a decision as expeditiously as possible and will give notice of its decision within 8 weeks. However, should further information or clarification of further information be first required, your response must be received within 4 weeks of such requirement. The Planning Authority shall not extend the application if this requirement is not adhered to.

The above notes are intended for guidance purposes only and do not purport to be a legal interpretation of the Planning and Development Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended).

**APPLICATION FORM: APPLICATION TO EXTEND DURATION OF PLANNING
PERMISSION UNDER SECTION 42(1A) and 42(4A)**

1. Name of Applicant(s):

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Address to be supplied at the end of this form separately at Question 10.

(Note: When Applicant is a Company, name of Company Directors and Registered Address of Company should be given.)

2. Name of Agent to whom correspondence is to be sent:

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Address to be supplied at the end of this form separately at Question 10.

(Note: When applicant is a Company, name of Company Directors and Registered Address of Company should be given.)

3. Location, townland, or postal address of the land or structure concerned, as may be appropriate:

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4. The legal interest in the land or structure held by the applicant:

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5. Details of Permission to be extended:

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|-------------------------|--|
| Permission Reference No | |
| Date of Final Grant | |
| Expiry Date | |

6. Where the application is for one or more than one house and development has not commenced (Section 42(1A)), detail the time period by which the development will be undertaken and is expected to be completed?:

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7. Where the application is to further extend a permission pursuant to Section 42(4A):

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|-------------------------------------------------------------------------------------------------------|--|
| Date of commencement of development. | |
| Details of the works carried out since the permission was extended Under Section 42(1A) | |
| Details of proposed works to be carried out during the additional period sought. | |
| Additional time period being sought to complete development (refer to item no (ii) Explanatory Notes) | |
| Date Works expected to be completed. | |

Note to Applicant on Environmental Impact Assessment and Appropriate Assessment

As per Section 42(8) of the Planning and Development Act 2000 (as amended), the Planning Authority shall not extend the appropriate period under this section in relation to a permission if an Environmental Impact Assessment (EIA) or an Appropriate Assessment (AA) would be required in relation to the proposed extension concerned.

Please also note in this regard that should the development, the subject of the planning permission, comprise a sub-threshold EIA development coming within the scope of one of the project classes listed in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended), the requirements of Article 42(ff) of the Regulations will apply (i.e. the Applicant will be required to submit the information specified in Schedule 7A of the Regulations, for the purposes of informing the Planning Authority's EIA Screening Determination).

8. Fee of **€62.00** enclosed: Yes ____

I hereby certify that the information given in this form is correct:

Signature of Applicant(s): _____

Date: _____

9. CONTACT DETAILS (TO BE COMPLETED AND SUBMITTED ON SEPARATE PAGE):

| | |
|----------------------|--|
| Applicant | |
| Address | |
| Telephone No. | |
| | |
| E-Mail | |

AGENT DETAILS (IF ANY):

| | |
|----------------------------------------------------------------------------------------------|-----------|
| Agent | |
| Address | |
| Telephone No. | |
| E-Mail | |
| <i>Please advise where all correspondence in relation to this application is to be sent.</i> | |
| Applicant [] | Agent [] |

| | |
|----------------------|------------------|
| OFFICE USE ONLY | |
| Fee Received € _____ | DATE STAMP _____ |
| Receipt No. _____ | |
| Date _____ | |
| Received by _____ | |

This Application Form and relevant fee should be submitted to:

**Planning Department,
County Buildings,
Athy Road,
Carlow.**

Enquiries:

Telephone: (059) 91 70346 / Email: planningdevman@carlowcoco.ie

Note: The Application Form and relevant fee must be submitted in paper format. Forms cannot be submitted by email or any other electronic means.