



LAOIS COUNTY COUNCIL
COMHAIRLE CHONTAE LAOISE

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APPLICATION FOR EXTENSION OF DURATION OF PERMISSION

1. Name of Applicant: _____
2. Name of Agent: _____
3. 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. Type of development to which the permission
relates: _____

6. Planning Reference number of permission
Sought to be extended: _____

7. Date permission will cease to have effect: _____

8. Where the application is made on the basis of compliance with Section 42(1)(a)(i) particulars of the substantial works pursuant to the permission before the expiration of the appropriate period:

OR

Where the application is made pursuant to Section 42(1)(a)(ii), information regarding the considerations of a commercial, economic or technical nature beyond the control of the applicant, which substantially militated against the commencement of the development or the carrying out of substantial works:

9. The date or projected date of commencement of the development to which the permission relates: _____

10. Additional Period by which the permission is sought to be extended: _____

11. Date on which development is expected to be completed: _____

LIMITED PROVISION TO FURTHER EXTEND THE APPROPRIATE PERIOD

Where the appropriate period has previously been extended, prior to the 19th August 2010, an application to further extend it may be made and the following questions must be answered along with questions 1-7 above

12. Particulars of the works (if any) carried out since the permission was previously extended or further extended: _____

13. The period by which the permission is sought to be extended further: _____

14. The expected completion date : _____

15. The circumstances beyond the control of the person carrying out the development, due to which the development has not been completed:

16. Amount of fee enclosed (NOTE: fee payable is €62): _____

17. Signature of applicant (or Agent): _____

Application for Extension of Duration of Permission

CONTACT DETAILS

OFFICE USE ONLY Reference No

Applicant Address/Contact Details

<u>Name:</u>	
<u>Address:</u>	
<u>Telephone:</u>	<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 phone 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 details will **not** be made available to any third party.

LAOIS COUNTY COUNCIL
Application for Extension of Duration of Permission
Guidance Notes

The “appropriate period” is often referred to as the “life” of a permission and it may be extended in particular circumstances on application to a Planning Authority. The Planning & Development Amendment Act 2010 has introduced changes that extend the grounds on the basis of which the duration of a planning permission may be extended. It allows a planning authority to extend an appropriate period **once and once only** and by such additional period, not exceeding 5 years, as the authority considers requisite to enable the development to be completed.

An application to extend the appropriate period must be made prior to the end of the appropriate period, but not earlier than one year before it expires and must be made in accordance with the corresponding regulations made under the Act. A planning authority shall extend a permission, as appropriate, provided the Authority is satisfied in relation to the permission that either:-

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

OR

1. There were considerations of a commercial, economic or technical nature beyond the control of the applicant which substantially militated against either the commencement of development or the carrying out of substantial works pursuant to the planning permission, and
2. There have been no significant changes in the development objectives in the development plan, or in 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, and
3. 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, notwithstanding that they were so issued after the date of the grant of permission in relation to which an application made under this section, and

4. Where the development has not commenced, that an environmental impact assessment, or an appropriate assessment, or both of those assessments, if required, was or were carried out before the permission was granted.

In relation to considerations of a commercial or economic nature, it is generally not considered necessary to submit evidence to the planning authority as to the personal financial or commercial situation of the applicant. The planning authority may base its decision on matters such as relevant national and local conditions affecting the property and development market or available credit, having regard to, for example,

- Data published by official agencies or independent research bodies such as the ESRI relating to economic growth, employment rates, availability of credit etc., at national level, and/or
- Local property market data, such as the existence of a high level of vacant or unsold property comparable to the type of development for which the permission was granted.

Accordingly, it may be appropriate to include a supporting statement with the application that draws upon any such matters that are considered relevant.

Where considerations of a technical nature are advanced, the applicant should provide sufficient evidence to the planning authority as to the nature and extent of such technical considerations that are specific to the development proposal.

The Planning Authority may attach new conditions and/or may add or vary and conditions previously attached in relation to the giving of security/bonds for the satisfactory completion of the proposed development.

LIMITED PROVISION TO FURTHER EXTEND THE APPROPRIATE PERIOD

Where the appropriate period has previously been extended, prior to the 19th August, 2010, a Planning Authority may further extend it, provided that 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.

Application for an extension of the appropriate period must –

1. Be made in accordance with regulations made under Section 43 of the Act, and
2. Comply with any requirements or, or made under, the regulations, and
3. Be accompanied by the appropriate fee of €62.00

N.B. These notes are intended for the guidance of applicants only and do not purport to be a legal interpretation of the various acts and regulations referred to.

