

## **Application Form to Extend the Appropriate Period.**

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING

*Please ensure that each section of this application form is fully completed and signed. The applicant should enter N/A (not applicable) where appropriate.*

*Please ensure that all necessary documentation is attached to your application form.*

Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information will lead to the application not being processed until the necessary information has been furnished.

As the planning process is an open and public one all applications to extend or extend further the appropriate period and accompanying documentation, with the exception of certain contact details, are made available for public inspection and will be made available on the Council's website. Weekly Lists of planning applications, including applications to extend or further extend the appropriate period received as well as weekly lists of decisions are also published on the website.

The publication of applications to extend or further extend the appropriate period can lead to applicants being targeted by persons in the business sector engaged in direct marketing. In response to a request from the Data Protection Commissioner, you are hereby given an opportunity to indicate a preference with regard to the receipt of direct marketing arising from the lodging of an application to extend or further extend the appropriate period. **If you are satisfied to receive direct marketing please tick the box which is at the end of the application form.**

In as far as possible when an application is being submitted it should be sent directly to Donegal County Council, County House, Lifford sending applications to other offices can lead to delays in applications being processed

 <b>Donegal County Council</b>	<b>For Office use only</b>	
	Ref No	
	Date Received	
	DED	
	Land Use Code	

## Application for Extension of Duration

1.	<b>Name of Applicant:</b>  <i>Address must be supplied at the end of this form (Q.17)</i>	
2.	<b>Name of Person acting on behalf of the applicant (if any):</b>  <i>Address must be supplied at the end of this form (Q.18)</i>	
3.	<b>Location, townland or postal address Of the land or structure concerned, as may be appropriate:</b>	
4.	<b>Type of development to which permission relates</b>	
5.	<b>State the legal interest in the land or structure held by the applicant:</b>	
6.	<b>The reference number of permission sought to be extended:</b>	
7.	<b>The date on which the permission will cease, to have affect:</b>	
8.	<b>Provide particulars of either:-</b>  (a) substantial works carried out or which will be carried out pursuant to the permission before the expiration of the appropriate period.  <b>OR (b) 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.</b>	

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:	

I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning & Development Act 2000 (as amended) and the regulations made thereunder.

Signed: \_\_\_\_\_ Applicant/Agent (*Delete as appropriate*)

Dated: \_\_\_\_\_

16. If you are satisfied to receive direct marketing please tick this box

**ADDITIONAL CONTACT INFORMATION**  
**NOT TO BE MADE AVAILABLE WITH THE APPLICATION**

Please note:

- The address, telephone number and e-mail address, if any, of the applicant and of the person, if any, acting on behalf of the applicant must be submitted on this page.
- This page will not be published as part of the application file.

17.	<i>Applicant's Address</i>	
	<i>Eircode</i>	
	<i>Telephone No.</i>	
	<i>Email Address (if any)</i>	

18.	<b>Address of Person/Agent acting on behalf of the Applicant (if any)</b>	
	<i>Eircode</i>	
	<i>Telephone No.</i>	
	<i>Email Address (if any)</i>	

19.	<b>Address to which any correspondence relating to the application should be sent</b>	
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## DONEGAL 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 is 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 any 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 19<sup>th</sup> 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.

**Applications 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 of, 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.**