

S.I. No. 406/2010 — Planning and Development Regulations 2010.

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Notice of the making of this Statutory Instrument was published in

“Iris Oifigiúil” of 27th August, 2010.

The Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on him by section 43 of the Planning and Development Act 2000 hereby makes the following Regulations—

PART 1

Preliminary and General

Citation

1. These Regulations shall be cited as the Planning and Development Regulations 2010.

Commencement

2. These Regulations shall come into operation on 19 August 2010.

Interpretation

3. In these Regulations, unless otherwise stated, “the Regulations” means the Planning and Development Regulations 2001, as amended.

PART 11

Amendment of Article 40

4. Article 40 of the Regulations is substituted by the following article-

“ 40. In this Chapter, the “appropriate period” has the same meaning assigned to it by section 40(3) of the Act.”

Amendment of Article 41

5. Article 41 of the Regulations is amended by the insertion of the words “or section 42A” after “section 42”.

Amendment of Article 42

6. Article 42 of the Regulations is substituted by the following subsection.

“42. (1) An application under section 42 or section 42A of the Act to extend the appropriate period as regards a particular permission shall be made in writing, shall be

accompanied by the appropriate fee as prescribed by Article 170 of these Regulations and shall contain the following information—

(a) the name and address of the applicant and of the person, if any, acting on behalf of the applicant,

(b) on a separate page, the telephone number and e-mail address, if any, of the applicant and of the person, if any, acting on behalf of the applicant,

(c) the address to which any correspondence relating to the application should be sent,

(d) the location, townland or postal address of the land or structure concerned, as may be appropriate,

(e) the legal interest in the land or structure held by the applicant,

(f) the development to which the permission relates,

(g) the date of the permission and its reference number in the register,

(h) the date on which the permission will cease to have effect,

(i) where the application is made on the basis of compliance with subparagraph (i) of section 42(1)(a) or subparagraph (i) of section 42A(1)(a), particulars of the substantial works carried out or which will be carried out pursuant to the permission before the expiration of the appropriate period,

(j) where the application is made pursuant to subparagraph (ii)(I) of section 42(1)(a) or subparagraph (ii)(I) of section 42A(1)(a), 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,

(k) the date or projected date of commencement of the development to which the permission relates,

(l) the additional period by which the permission is sought to be extended, and

(m) the date on which the development is expected to be completed.”

Amendment of Article 43

7. Article 43 of the Regulations is amended by the insertion of the words “or section 42A” after “section 42”.

Amendment of Article 47

8. Article 47 of the Regulations is amended, in sub-articles (1) and (3), by the insertion of the words “or section 42A” after “section 42”.

GIVEN under my Official Seal,

30 July 2010.

John Gormley T.D.,

Minister for the Environment, Heritage and Local Government.

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