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Meath County Council

Planning Report

To:	Sandra Carrie, A/Senior Executive Planner
From:	Matthew Tully, Executive Planner
File Number:	26/168
Applicant:	Brenda Smith.
Development Address:	Pudden Hill, Moore Park, Garristown, County Meath.
Application Type:	Extension of Duration
Date of Report:	19 August 2026
Date Decision Due:	24 August 2026
Development Description:	EXTENSION OF DURATION - File Ref: 211295 - Construct dwelling & garage, new entrance, Waste treatment system & associated works.

1.0 Site Location & Description

The application site is located within the townland of Moorepark, approximately 8Km north of Ashbourne. The site can be considered agricultural in nature, comprising a greenfield site. The site is bounded generally by agricultural lands to the north, the L-50091 local road to the east with dwellings and agricultural lands beyond, the south by the former Puddenhill activity centre and to the west by a neighbouring dwelling. The site is to be accessed via a new entrance off the L-50091 to the east.

The site is located within the Central Lowlands landscape character area, which is of high value and moderate sensitivity. The application site is not located within a flood zone nor is it proximate to any SEVESO sites. The subject site is not located within an ACA and is not adjacent or proximate to any Protected Structures.

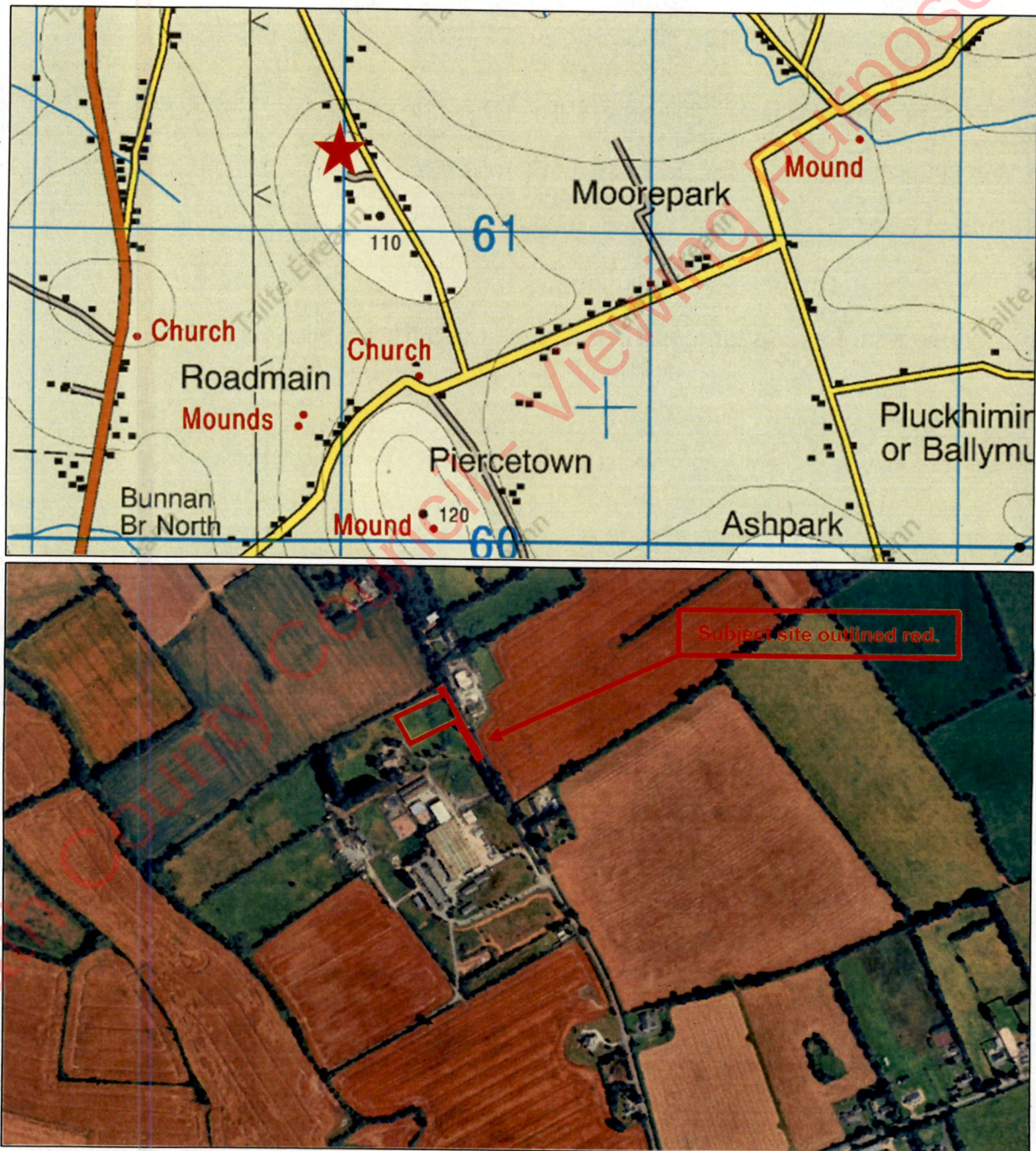


Figure 1 & 2: Extract from Google Images and MyPlan with site location overlay.

2.0 Proposed Development

This application seeks planning permission for the Extension of Duration of planning application Pl. Ref. 21/1295 pursuant to Section 42 of the Planning & Development Act 2000 (as amended by the Planning and Development (Extension of Duration – Planning and Development Act 2000) Regulations 2025 (S.I. No. 378/2025).

3.0 Planning History

A review of Meath County Council's planning register indicates the following planning history associated with the subject site: -

21/1295	Brenda Smith	Granted with Conditions
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- To construct a single storey style dwelling and detached domestic garage, form new entrance from public road, install waste water treatment system and percolation area, together with all associated site works.

4.0 Application Timeframe

The parent permission, Pl. Ref. 21/1295, received a final grant of permission dated 06th December 2021. Planning permission is due to expire on 05th December 2026.

5.0 Period of Extension Sought

The Applicant has sought an extension of permission for a further 5 years, until December 2031.

As per Subsection (b)(1A) of Section 42 of the Planning and Development Amendment Act (2025), as below, the appropriate period of a permission shall be extended by a period not exceeding 3 years.

The permission, therefore, cannot be extended beyond **05th December 2029**.

6.0 Legislative Context

Planning and Development Act 2000-2024

Section 42 – Power to extend appropriate period:

(1) On application a planning authority shall, as regards a particular permission, extend the appropriate period, by such additional period as the authority considers requisite to enable the development to which the permission relates to be completed, if each of the following requirements is complied with—

(a) the application is in accordance with such regulations under this Act as apply to it;

(b) any requirements of, or made under, those regulations are complied with as regards the application;

(c) the authority is satisfied in relation to the permission that—

(i) the development to which the permission relates 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;

(d) the application is made prior to the end of the appropriate period.

(2) Where—

- (a) an application is duly made under this section to a planning authority,
 - (b) any requirements of, or made under, regulations under section 43 are complied with as regards the application, and
 - (c) the planning authority does not give notice to the applicant of its decision as regards the application within the period of 8 weeks beginning on—
 - (i) in case all of the requirements referred to in paragraph (b) are complied with on or before the day of receipt by the planning authority of the application, that day, and
 - (ii) in any other case, the day on which all of those requirements stand complied with, subject to section 246 (3), a decision by the planning authority to extend, or to further extend, as may be appropriate, the period, which in relation to the relevant permission is the appropriate period, by such additional period as is specified in the application, shall be deemed to have been given by the planning authority on the last day of the 8 week period.
- (3) (a) Where a decision to extend an appropriate period is given under subsection (1), or, pursuant to subsection (2), such a decision is deemed to have been given, the planning authority shall not further extend the appropriate period, unless each of the following requirements is complied with—
- (i) an application in that behalf is made to it in accordance with the regulations under section 43 ;
 - (ii) any requirements of, or made under, the regulations are complied with as regards the application;
 - (iii) 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.
- (b) An appropriate period shall be further extended under this subsection only for such period as the planning authority considers requisite to enable the relevant development to be completed.

(4) Particulars of any application made to a planning authority under this section and of the decision of the planning authority in respect of the application shall be recorded on the relevant entry in the register.

(5) Where a decision to extend, or further to extend, is given under this section, or, pursuant to subsection (2), such a decision is deemed to have been given, section 40 shall, in relation to the permission to which the decision relates, be construed and have effect subject to and in accordance with the terms of the decision.

Section 43 – Regulations regarding sections 40, 41 and 42.

(1) The Minister may make regulations providing for any matter of procedure in relation to applications under section 42 and making such incidental, consequential or supplementary

provision as may appear to him or her to be necessary or proper to give full effect to any of the provisions of section 40, 41 or 42.

(2) Without prejudice to the generality of subsection (1), regulations under this section may—

(a) specify the time at which applications under section 42 may be made, the manner in which those applications shall be made and the particulars they shall contain,

(b) require applicants to furnish to the planning authority any specified information with respect to their applications (including any information regarding any estate or interest in or right over land),

(c) require applicants to submit to a planning authority any further information relevant to their applications (including any information as to any such estate, interest or right),

(d) require the production of any evidence to verify any particulars or information given by any applicant, and

(e) require the notification (in a prescribed manner) by planning authorities of decisions on applications.

Planning and Development Regulations 2001-2026

Section 43 – Content of application to further extend appropriate period.

An application under section 42(1) or (4A) of the Act to extend further 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 particulars referred to at paragraphs (a) to (h) inclusive of article 42 and the following additional particulars—

(a) particulars of the substantial works carried out pursuant to the permission since the permission was extended,

(aa) particulars of the works which are proposed to be carried out pursuant to the permission during the additional period by which the permission is sought to be further extended,

(b) the period by which the permission is sought to be extended further, and

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

Section 44 (A)(1) – Information requirement for deciding if an application to extend or extend further the appropriate period requires an environmental impact assessment

(1) Where an applicant is submitting to the planning authority the information specified in Schedule 7A, the information shall be accompanied by any further relevant information on the characteristics of the proposed extension of the appropriate period and its likely significant effects on the environment, including, where relevant, information on how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.

(2) Where an applicant is submitting to the planning authority the information specified in Schedule 7A, the information may be accompanied by a description of the features, if any, of the development which is the subject of the extension application and the measures, if any,

envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development which is the subject of the extension application.

44(B) (1) – Screening determination of whether application to extend or extend further the appropriate period requires environmental impact assessment

Where –

(a) an application to extend or extend further the appropriate period as respects a particular permission for development of a class specified in Part 2 of Schedule 5, which proposed extension of the appropriate period does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule, is received by a planning authority, and

(b) is accompanied by the information specified in Schedule 7A and article 44A or where an applicant submits to the planning authority such information pursuant to a notice issued under article 44(2)(b), the planning authority shall carry out an examination of, at the least, the nature, size or location of the proposed extension of the appropriate period for the purposes of a screening determination.

(2) The planning authority shall make a screening determination and—

(a) if such determination is that there is no real likelihood of significant effects on the environment arising from the proposed extension of the appropriate period, it shall determine that an EIA would not be required, or

(b) if such determination is that there is a real likelihood of significant effects on the environment arising from the proposed extension, it shall determine that the proposed extension of the appropriate period would be likely to have such effects and that an EIA would be required

44(D) (1) – Matters which must be regarded

44D. (1) The planning authority shall, in making its screening determination on an application to extend or extend further the appropriate period as regards a particular permission under this Chapter whether there is no real likelihood of significant effects on the environment arising from the proposed extension or there is a real likelihood of significant effects on the environment arising from the proposed extension, have regard to—

(a) the criteria set out in Schedule 7,

(b) the information submitted pursuant to Schedule 7A,

(c) the further relevant information, if any, referred to in article 44A(1) and the description, if any, referred to in article 44A(2),

(d) the available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive, and

(e) in respect of relevant development which is or would be located on, or in, or have the potential to impact on—

(i) a European site,

(ii) an area the subject of a notice under section 16 (2)(b) of the Wildlife (Amendment) Act 2000 (No. 38 of 2000),

(iii) an area designated as a natural heritage area under section 18 of the Wildlife (Amendment) Act 2000,

(iv) land established or recognised as a nature reserve within the meaning of section 15 or 16 of the Wildlife Act 1976 (No. 39 of 1976),

(v) land designated as a refuge for flora or as a refuge for fauna under section 17 of the Wildlife Act 1976,

(vi) a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan, draft development plan or draft local area plan, or proposed variation of a development plan, for the area in which the development is proposed, or

(vii) a place or site which has been included by the Minister in a list of proposed Natural Heritage Areas published on the National Parks and Wildlife Service website, the likely significant effects of such development on such site, area, land, place or feature, as appropriate.

(2) The planning authority shall include, or refer to, in its screening determination made on an application to extend or extend further the appropriate period as regards a particular permission, the main reasons and considerations, with reference to the relevant criteria listed in Schedule 7, on which the determination is based.

44(E) (1) – Features or measures incorporated or envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

44E. (1) Sub-article (2) applies where the screening determination made on an application to extend or extend further the appropriate period as regards a particular permission is that the proposed extension would not be likely to have significant effects on the environment and the applicant has provided, under article 44A, a description of the features, if any, of such development which is the subject of the extension application and the measures, if any, incorporated or envisaged in the particular permission to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development which is the subject of the extension application.

(2) The planning authority shall specify such features, if any, and such measures, if any, in its screening determination made on an application to extend or extend further the appropriate period as regards a particular permission.

Section 44 (F) – Screening for appropriate assessment

44F. (1) As soon as may be following receipt of an application to extend or extend further the appropriate period as regards a particular permission, in order to ascertain whether an appropriate assessment is required in respect of the proposed extension of the appropriate period, the planning authority shall carry out a screening for appropriate assessment of the proposed extension of the appropriate period to assess, in view of best scientific knowledge, if the proposed extension of the appropriate period, individually or in combination with other plans or projects, would be likely to have a significant effect on a European site.

(2) If on the basis of a screening under sub- article (1) it cannot be excluded, on the basis of objective information, that the proposed extension, individually or in combination with other

plans or projects, would have a significant effect on a European site, the planning authority shall determine that an appropriate assessment of the proposed extension would be required.

(3) In carrying out screening for appropriate assessment of a proposed extension, the planning authority may request such information from the applicant as it may consider necessary to enable it to carry out that screening, and may consult with such persons as it considers appropriate and where the applicant does not provide the information within the period specified, or any further period as may be specified by the authority, the application to extend or extend further the appropriate period as regards a particular permission shall be deemed to be withdrawn.

7.0 External Referrals

Not referred.

8.0 Internal Referrals

Not referred.

9.0 Submissions

No submissions or representations were made on this application.

10.0 Planning Assessment

Assessment under Section 42 of the Planning and Development Act 2000 – 2024.

The Applicant has indicated within the Application documents that development has not yet commenced on site due to a number of ongoing personal and financial matters.

During the site inspection carried out on 19 August 2026, I observed the site, which remains a greenfield in agricultural use. Accordingly, and with reference to section 42(a)(ii) of the Planning and Development Act 2000–2024, the Planning Authority is of the opinion that substantial works have not been carried out, as required, and the lifetime of the planning permission can therefore not be extended.

Having regard to the foregoing, the Planning Authority is minded to refuse this application to extend the appropriate period of Pl. Ref. 21/1295.

11.0 Appropriate Assessment:

Article 6(3) of Council Directive 92/43/EEC (the Habitats Directive) compels competent authorities to undertake an appropriate assessment of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects.

'Appropriate Assessment of Plans and Projects, Guidance for Planning Authorities' (2009) provide advice to planning authorities on their obligations under the Habitats Directive. The document, "Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities", states that where, from the nature, size and location of the development, it is unclear if the proposal will have a significant effect on a Natura 2000 site(s), a Natura Impact Statement will be required. The application site is not within or directly adjoining any designated Natura 2000 site. The nearest sites located within 15km of the subject site are as follows:

- River Boyne and River Blackwater SAC (Site Code 002299),
- River Boyne and River Blackwater SPA (Site Code 004232).

The Planning Authority considered the nature, scale and location of the proposed development and other plans and projects (where there could be potential for cumulative or in-combination effects), the conservation objectives/ qualifying interests of European Sites within the vicinity of the site and the distance to European Sites, any protected habitats or species, the WFD catchment location, the underlying aquifer type and vulnerability and the excavation works, emissions, transportation requirements and duration of construction and operation and cumulative impacts associated with the proposal.

The Planning Authority's Screening for Appropriate Assessment has considered the potential effects including direct, indirect and in-combination effects of the proposed development, individually or in combination with the permitted developments and cumulatively with other plans or projects on European Sites. The Planning Authority concludes that the proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European Site(s). In light of this, it is considered that a Stage 2 Appropriate Assessment (Natura Impact Statement) is not required in this instance.

12.0 Environmental Impact Assessment:

Council Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment ('the EIA Directive') is designed to ensure that projects likely to have significant effects on the environment are subject to a comprehensive assessment of their environmental effects prior to development consent being given. The latest amendments to the EIA Directive are provided for under Directive 2014/52/EU and Circular letter PL 1/2017. The proposed development is not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations 2001 (as amended) nor is it considered a sub-threshold development for the purposes of Schedule 7 PDR. The parent permission was accompanied by an Ecological Impact Assessment. Based on information provided and having considered the nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such as EIS/EIAR is not required.

13.0 Flooding

The site is not within any identified flood risk zone.

14.0 Conclusion

The proposed extension of duration development is not considered to be in accordance with Section 42 (1) of the Planning & Development Act 2000-2024 (as amended) nor is it in accordance with the Planning and Development (Extension of Duration – Planning and Development Act 2000) Regulations 2026 and should therefore be refused.

15.0 Recommendation

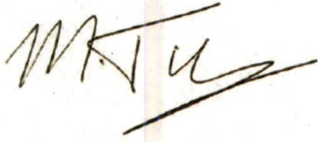
In light of the foregoing, it is recommended that the application to extend the appropriate period be **REFUSED** for the following reason(s):

Reason(s):

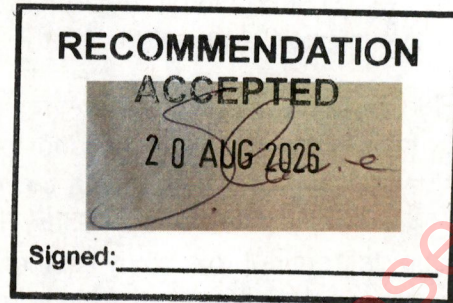
1. The relevant legislation, Section 42 of the Planning and Development Act 2000-2024 in this instance, requires that a number of requirements be complied with to allow a Planning Authority to extend an appropriate period. One such requirement specified

under Section 42(1)(c)(ii) required that 'substantial works were carried out pursuant to the permission during that period'.

The development permitted under Pl. Ref. 21/1295 has yet to commence; as such, the Planning Authority is precluded from extending the appropriate period of same



Matthew Tully
Executive Planner



Sandra Carrie
A/Senior Executive Planner
19/08/2026

REFUSAL