

PLANNING DEPARTMENT

Planning Report



26/49

Name of Applicant

Mark Greene and Sarah Coughlan

Address of Development

77 Elton Court, Leixlip, Co. Kildare W23 W2N0

Development

Extension of Duration - 201504 - sub division of site, erection of a two storey dwelling, improvements to existing entrance/driveway, provision of additional off street parking, boundary wall to the west and south, connection to existing services and associated works. Revised by Significant Further Information which consists of revised site layout and revised house design

Type of Permission

Extension of Duration

Date Inspected

02/06/2026

Due Date

09/06/2026

Description of Proposed Development

The initial application is described in the application form as follows:

sub division of site, erection of a two storey dwelling, improvements to existing entrance/driveway, provision of additional off street parking, boundary wall to the west and south, connection to existing services and associated works. Revised by Significant Further Information which consists of revised site layout and revised house design

Site Location

The proposed development site of 0.021 ha is located on the site of No.77 Elton Court, Leixlip, Co. Kildare, approximately 1100 metres west of the centre of Celbridge Town.

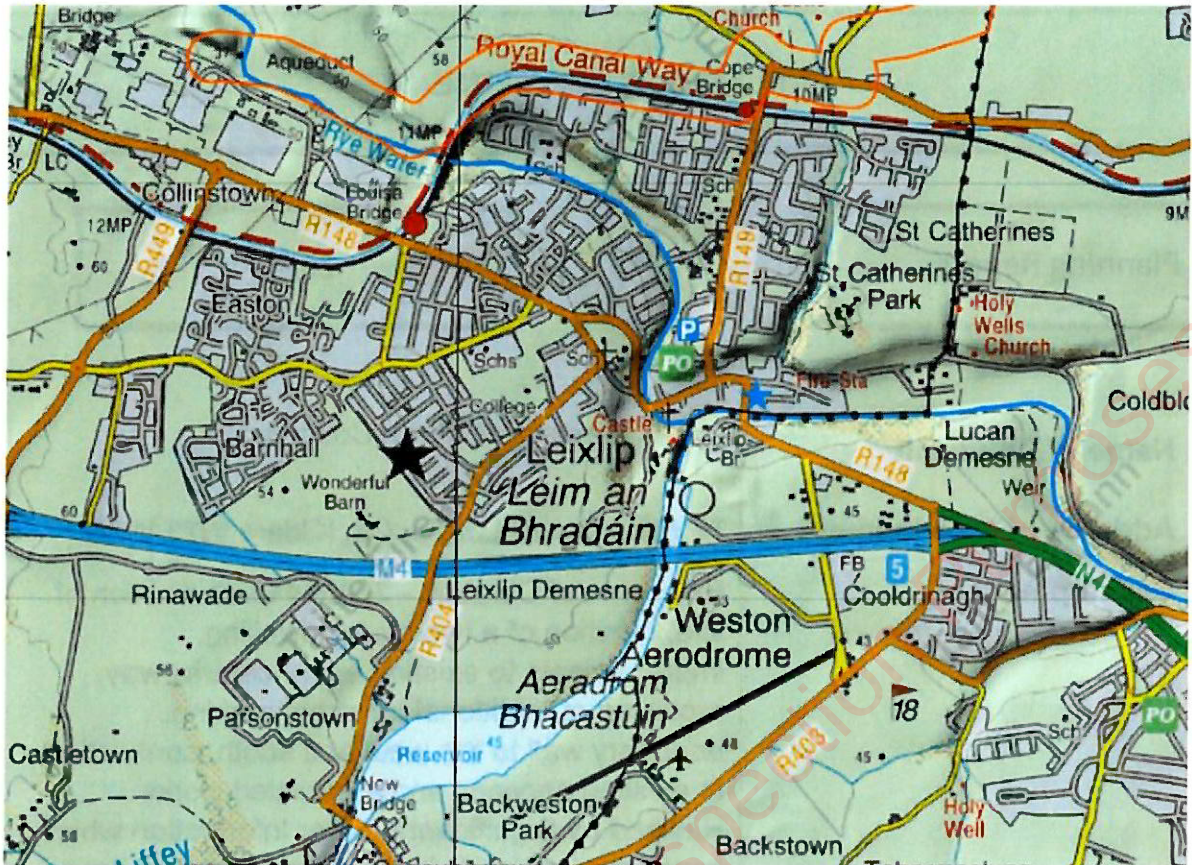


Figure 1: Site Location (subject site identified with a black star)



Figure 2: Aerial view of site (subject site outlined in yellow)

Referrals

The file was not referred to any internal departments or external bodies.

Relevant Planning History

20/1504 Permission **granted** for subdivision of site, erection of a two storey dwelling, improvements to existing entrance/driveway, provision of additional off street parking, boundary wall to the west and south, connection to existing services and associated works. Revised by Significant Further Information which consists of revised site layout and revised house design

Relevant Statutory Provisions

The Planning and Development (Extension of Duration – Planning and Development Act 2000) Regulations 2025 (S.I. No. 378/2025)

Section 42 – power to extend appropriate period.

Section 42 (1A) Where development consisting of, or including, one or more than one house in respect of which permission was granted has not commenced within the appropriate period, a planning authority shall, subject to subsection (8), extend the appropriate period by such additional period (not exceeding 3 years) as the planning authority considers requisite to enable the development concerned to be completed, provided that:

(a) an application is made (in accordance with such regulations under this Act as apply to such an application)—

(i) before, but not earlier than 2 years before, the end of the appropriate period, and

(ii) not later than 6 months after the date on which section 28 of the Planning and Development (Amendment) Act 2025 comes into operation, to the planning authority for an extension of the appropriate period, and

(b) the authority is satisfied that the development will be completed within a reasonable time.

Assessment: The application comprises an Extension of Duration of Pl. Ref. 20/1504 which consisted of the 'subdivision of site, erection of a two storey dwelling, improvements to existing entrance/driveway, provision of additional off street parking, boundary wall to the west and south, connection to existing services and associated works. Revised by Significant Further Information which consists of revised site layout and revised house design.' **No development has commenced (please see appendix A below) .**

The date of commencement of this section of the Act is 1st August 2025.

The date upon which permission Reg. Ref. 20/1504 will cease to have effect when including the 45 days over the Christmas period is the 04/11/2026.

The application has been made on 15/04/2026. The date of the application (15/04/2026) is within a period of before but not earlier than 2 years before the end of the appropriate period (04/11/2026).

However, Section 28 of the Planning and Development (Amendment) Act 2025 came into operation on the 1st of August 2025. The subject application was submitted on the 16/02/2026, which is outside the 6-month period as required (see above).

42 (2) In extending the appropriate period under subsection (1A) a planning authority may attach conditions requiring the giving of adequate security for the satisfactory completion of the proposed development, and/or may add to or vary any conditions to which the permission is already subject under section 34(4)(g).

Assessment: No additional conditions required.

42 (3) (a) Where an application is duly made under this section to a planning authority and any requirements of, or made under, regulations under section 43 are complied with as regards the application, the planning authority shall make its decision on the application as expeditiously as possible.

(b) Without prejudice to the generality of paragraph (a), it shall be the objective of the planning authority to ensure that it shall give notice of its decision on an application under this section within the period of 8 weeks beginning on— (i) in case all of the requirements referred to in paragraph (a) 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.

Assessment: An application form is submitted with the application and advises the Planning Authority with details regarding specifics of the development as required under Section 43 including date of permission, date permission will cease to have effect, additional period by which permission is sought to be extended and date on which the development is expected to be completed. This application is being assessed within 8 weeks of receipt of the application.

42 (8) A planning authority shall not extend the appropriate period under this section in relation to a permission if an environmental impact assessment or an appropriate assessment would be required in relation to the proposed extension concerned.

Assessment: EIA/AA In accordance with legislation, the planning authority must be satisfied that an EIA or AA was or were not required before the original planning permission was granted, prior to extending an appropriate period of a permission. There was no requirement for EIA for the proposed development. An AA Screening Assessment for the original development did not require Stage 2 AA.

The subject development did not and does not necessitate an Environmental Impact Assessment (EIA) as it does not constitute a class of development set out in Part 1 of Schedule 5 in the Planning and Development Regulations 2001 (as amended), and likewise it does not exceed the specified threshold of any class of development set out in Part 2 of Schedule 5. No likely significant environmental impacts are

predicted and therefore the development is screened out for the purposes of a sub-threshold environmental impact assessment in accordance with Schedule 7 of the Planning and Development Regulations 2001 (as amended).

42 (9) An extension of the appropriate period under subsection (1A) shall cease to have effect if the development to which the extension relates is not commenced before the expiration of the period of 18 months from the date on which section 28 of the Planning and Development (Amendment) Act 2025 comes into operation.

Assessment: The development, if approved, will need to be commenced within 18 months of 4th November 2026 i.e. by 4th May 2028.

Conclusion

This application for an extension of duration was originally permitted under Pl. ref. 20/1504 and consisted of the following *'sub division of site, erection of a two storey dwelling, improvements to existing entrance/driveway, provision of additional off street parking, boundary wall to the west and south, connection to existing services and associated works. Revised by Significant Further Information which consists of revised site layout and revised house design.'* The proposed has not commenced and therefore comes under the remit of Section 42(1A) of the Planning and Development Act 2000 (as amended) providing for residential permissions which have not yet commenced to apply for an extension of the appropriate period.

Section 28 of the Planning and Development (Amendment) Act 2025 came into operation on the 1st of August 2025. The subject application was submitted on the 15/04/2026, which is outside the 6-month period as required under Section 42(1A) of the Planning and Development Act 2000 (as amended).

Having regard to the foregoing, it is recommended that the proposed Extension of Duration be refused as the proposal is non-compliant with Section 42(1A) (a) (ii) of the Planning and Development Act 2000 (as amended).

Recommendation

1. Section 42(1A)(a)(ii) of the Planning and Development Act 2000 (as amended) states that in order to extend the duration of the appropriate period of *'one or more than one house in respect of which permission was granted and has not commenced within the appropriate period'*, an application shall be submitted *'not later than 6 months after the date on which section 28 of the Planning and Development (Amendment) Act 2025 comes into operation.'* Section 28 of the Planning and Development (Amendment) Act 2025 came into operation on the 1st August 2025 and the subject application was submitted on the 15/04/2026, which is outside the 6-month period as required. The Planning Authority is therefore precluded from granting an extension of duration, having regard to Section 42(1A)(a)(ii) of the Planning and Development Act 2000 (as amended).

26/49



James Kelly
Assistant Planner
03/06/2026



Martin Ryan
Senior Executive Planner
03/06/2026



J. O'Reilly
A/Senior Planner
05/06/2026

Appendix A (Photo)



Figure 1: Site photo on the day of site inspection

	APPROPRIATE ASSESSMENT SCREENING REPORT AND CONCLUSION STATEMENT
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(A) Project Details	
Planning File Ref	2649
Applicant name	Mark Greene and Sarah Coughlan,
Development Location	No.77 Elton Court, Leixlip, Co. Kildare
Site size	0.021 ha
Application accompanied by an EIS (Yes/NO)	No
Distance from Natura 2000 site in km	Rye Water Valley/Carton is located approx.. 0.858 kilometres north of the application site
Description of the project/proposed development Extension of Duration - 201504 - sub division of site, erection of a two storey dwelling, improvements to existing entrance/driveway, provision of additional off street parking, boundary wall to the west and south, connection to existing services and associated works. Revised by Significant Further Information which consists of revised site layout and revised house design	

(B) Identification of Natura 2000 sites which may be impacted by the proposed development			
			Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?	No
2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?	Yes but no likely significant negative impact by nature of development
3	Impacts on designated terrestrial habitats.	Is the development within a Special Area of Conservation whose qualifying interests include woodlands,	No

	<u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake	dunes or grasslands, or within 100m of same?	
4	Impacts on birds in SPAs <u>Sites to consider:</u> Poulaphouca Reservoir	Is the development within a Special Protection Area, or within 5 km of same?	No

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

(G) SCREENING CONCLUSION STATEMENT		
Selected relevant category for project assessed by ticking box.		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
Justify why it falls into relevant category above (based on information in above tables)		
Scale of proposal, existing development on site, distance from Natura 2000.		
Name:	James Kelly	
Position:	Assistant Planner	
Date:	03/06/2026	