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Our Ref: 16065

21st November, 2017

The Secretary
Environment and Planning Review Tribunal
St. Francis Ravelin
Floriana



Dear Sir,

Appeal against refusal of PA 2574/17 - Dingli

Please refer to the refusal given to the application submitted by my client Mr. Alex Caffari to carry out works at Dingli.

In our opinion this decision is unfair because contrary to what is stated in the refusal our application fully conforms with the Rural Policy and Design Guidance 2014.

My clients are the only local experts who teach dressage in Malta. As you know dressage is the coordinated movement of horses as instructed by their jockeys. Thus dressage qualifies as a horse riding activity and hence is regulated by policy 5.2 Horse stables and Horse Riding Facilities / Establishments'.

My client's site is already covered by a development permit PA 218/14 which permitted the demolition of the existing structures and construction of stables and passageway. The works approved in this permit have been completed as per approved plans (copy attached).

We are now requesting the sanctioning of a basement under the approved stables, construction of a manure clamp, (which was not included in the original permit but which is required as per Department of Agriculture regulations), a cesspit which is also a Department of Agriculture requirement and amendments to approved landscaping including passageway, rubble walls and gate.

All the above mentioned works relate to the original permit.

In our opinion these works fully conform with the rural policies and hence should be considered acceptable.

Our new (additional) requests are the following:-

- The approved stables block is to be converted into an educational (dressage) facility by including a room for teaching of students and ancillary facilities. Because my clients are very well known internationally and they have foreign students we have included the conversion of two of the stables into guestrooms for these students.
- Since the approved stables are to be changed into an educational facility we have requested that we are permitted to construct four new stables with their paddocks. These stables are to be made with lightweight material and are desmountable. They are only placed on the soil and hence all works are reversible. We have also requested that part of the field be used for training purposes. Once again this does **not** involve the removal of any soil from site.

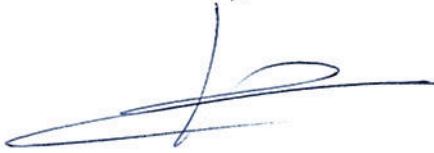
Taking into consideration the above explanation we consider the reasons of refusal as being unfair or incorrect for the following reasons:-

- Reason 1 states that the proposed development is excessive and does not safeguard the use and management of chemicals by controlling the location, design and operation of development and does not protect the area from sources of pollution. Furthermore it is stated that our proposal would lead to the formulisation of the site and is not considered sustainable rural development.
- These arguments are totally wrong since the only permanent structures being proposed are the ex stables block which is covered by a permit, a manure clamp and cesspit. **All other structures are desmountable and may be easily removed.** Hence it is not correct to state that our proposal would lead to formulisation of site. Furthermore I cannot understand how our proposal may be considered a source of chemical pollution!
- Reason 2 states that the proposed building exceeds the permitted height since its external height is of 4.1 meters. Again this is not correct since the building height conforms with policy except in one area where the levels of the fields is different i.e. one field is lower thus exposing part of the basement wall.
- Reason 3 argues that our proposal is against policy NWAG01 because it is not considered essential for agriculture. With all due respect the Rural Policy and Design Guidance 2014 specifically permits such development since it is very obvious that such development can only be situated in rural areas.
- Reason 4 states that our proposal does not conform with policy since it does not promote soil conservation. Again this argument is wrong since the development being proposed has either been already approved

or else is of a desmountable nature. Thus all the soil present on site is being retained.

For these reasons we consider our proposal as being fully compliant with the Rural Policy and Design Guidance 2014 and would therefore like to respectfully request that you review our proposal and approve our application.

Yours faithfully,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke.

Charles Buhagiar A&CE.

Encl; Bank receipt, copy of refusal, Site Plan, Plans PA 218/14 and minor amendment (17/12/14, Mediterranean Academy of Dressage Business Plan.

c.c.: Mr. Alex Caffari