



MED
DESIGN ASSOCIATES LTD.

Hercules House, Second Floor, St. Mark Street, Valletta VLT 01364 Malta.
Tel: (356) 21 232 957
Fax: (356) 21 247 573
e-mail: info@medesign.com.mt
site: www.medesign.com.mt

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL
RECEIVED
30 JAN 2018
ST. FRANCIS DITCH
FLORIANA

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL
RECEIVED
50 JAN 2018
ST. FRANCIS DITCH
FLORIANA

Our Ref: 17079

25th January, 2018

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

Dear Sir,

PA 5865/17 – Appeal against refusal - Rabat

Please refer to the refusal given to the application submitted by my client Mr. Charles Dimech for work at Rabat.

We consider their decision as unfair for the following reasons:-

My client’s site falls within a category 3 rural settlement. If one examines the 1994 aerial photo (attached) one would note that at that time there was a garage with a backyard. The garage has been sanctioned as per PA 7666/07. Subsequently my client built a room in the back yard to house his animals. Today my client is the owner of four ovines (see attached certificate from VRD dated 13/2/17). My client has always used these rooms for agricultural purposes and for the keeping of animals.

The reasons given to justify this decision are two, namely:-

The building cannot be considered as a commercial farm as well as “it is unclear whether the structures exceed or otherwise the minimum size required. Surely one cannot argue that one may only construct structures for his sheep only if he has a commercial farm. Whether a farm is commercial or otherwise is irrelevant since in both cases structures need to be built to house the sheep. Indeed policy 5.1B of the Rural Policy and Design Guidance 2014 does not make any distinction on the status of the farm building in terms of number of sheep.

On the other hand it is true that the animal enclosures are not constructed in lightweight material but this criteria is applicable to sites strictly ODZ sites and not to sites within rural settlements and on committed land.

Reason 2 states our proposal does not conform with Thematic Objectives 1 of SPED because our proposal does not qualify as a legitimate one in rural areas. We strongly disagree with this assertion. One cannot keep sheep within an urban area, it is even not permissible - and hence one needs to keep them within a rural area. Indeed the keeping of sheep is considered as rural activity and surely then needs to be considered acceptable within a rural area.

For the above mentioned reasons we consider their decision as being unfair and would therefore like to respectfully request that you review this decision and approve our application.

Yours faithfully,

A handwritten signature in blue ink, appearing to be 'Charles Buhagiar', written over a horizontal dashed line.

Charles Buhagiar A&CE.

Encl: Copy of Refusal, Bank Receipt, Site Plan, 1994 Aerial Photo, VRD letter
13/2/17

c.c.: Mr. Charles Dimech