

TANCRED MIFSUD

**B.E.&A.(Hons.) A.& C.E.
architect & civil engineer**

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**"Ralmant", Flat No. 1, B.Bontadini street, Balzan BZN 07
Tel. 21-444293 Mob. 79 444293 Fax 21-446571**

Our Ref.

Your Ref. PA 3900/15

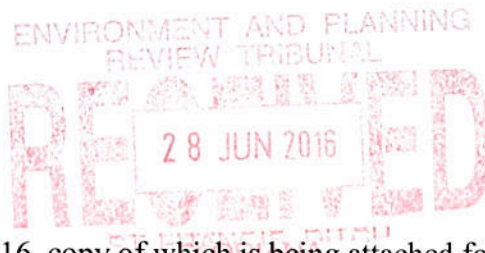
June 27, 2016

**The Secretary,
EPRT
St. Francis Ravellin
Floriana**

**PA 3900/15
Location: Field at Ix-Xaghra ta' bla Hajt, Rabat Malta
Development: to sanction construction of rubble wall, rural room and propose gate**

Appeal against refusal

Dear Sir,



I refer to the refusal dated 22nd June 2016, copy of which is being attached for ease of reference.

As stated in the DPAr reply, applicant is willing to remove the rural room, but would like to appeal against the reasons for refusal on the rubble wall and proposed gate.

Please note that three walls out of the 4 walls are covered by a building permit, since one wall existed pre '94 (and pre 67), whilst the back wall is covered by a building permit and the front wall always existed too. So PA is being requested to consider only the construction of one wall.

For clarification, the party wall and the front wall have been restored. That's the reason for showing walls in blue (as constructed).

Applicant is only requesting the permit to enclose the property owned by him, and his concern is that the wall on the back of his property was approved by MEPA, whilst his wall is not being considered. The Policies did not change since the approval of the wall at the back.

I will be presenting further evidence to support out arguments, in the next appeal sitting.

On the above facts, I kindly

Request the EPRT to allow us to amend drawings, by removing the rural room (without roof), and grant us permission to retain the low rubble wall as built and propose gate.

Yours Truly

Tancred Mifsud A&C.E.

architect, civil & structural consultant

Appeal

**BORD TA' L-APPELL DWAR L-IPPJANAR
PLANNING APPEALS BOARD**

PLANNING APPEALS BOARD FAX: 21223596
P.O. BOX 172 TEL: 21222278
VALLETTA CMR 01

№ 003972

**PAYMENT TO THE
PLANNING APPEALS BOARD**

PA PA 3900 / 15
ECF /

Name/Address of Applicant

David Camilleri

1, Sunset Trig id- Maddieca, Naxxos, NXX 2570.

Development

To sanction construction of rubble
wall & road fence & propose
crete

Location

Field @
1x - Xajra Ta' Bla, Hajt,
Pabul, Malta.

Appeal from Refusal/Condition

Appeal from Enforcement Notice

Third Party Appeal

Payment of Fine

Others

Total Fee Submitted

Amount

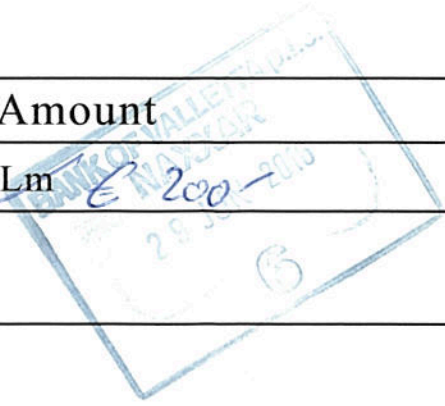
PAYMENT

Lm € 200

Bank of Valletta Ltd., A/C 186 0307 2236

H.S.B.C., A/C 089-037246-050

Total Lm € 200

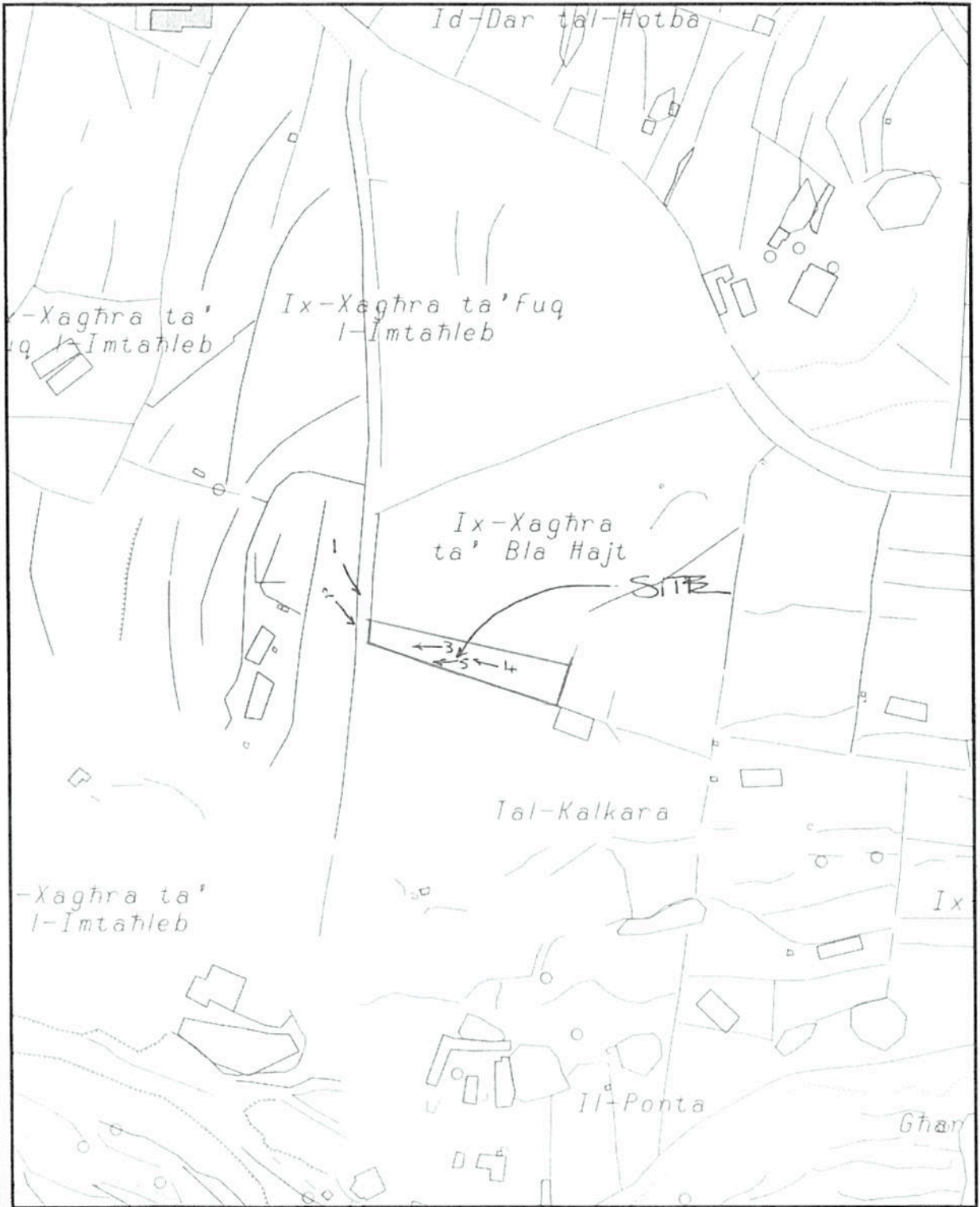


White: This form should be submitted on the Secretary, Planning Appeals Board, duly stamped by the Bank

Green: PAB Accounts

Yellow: Customer's Copy

500m



0m

Min Easting 41897.62, Min Northing 70740.32, Max Easting 42297.62, Max Northing 71240.32

0m

REF: 75/14.

400m

MEPA - www.mepa.org.mt

St. Francis Ravelin
 Floriana FRN 1230, Malta
 PO Box 200, Marsa MRS 1000, Malta
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Site Plan, Scale 1:2500

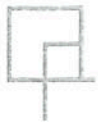
Printed on: Wednesday, January 21, 2015

Not to be used for interpretation or scaling of scheme alignments
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TANCRED HIFSU D
 REG. NO. 1085 PERIT
 ARCHITECT & CIVIL ENG.
 ☎ 79444293



Copy of Original Decision Notice



PLANNING AUTHORITY

Mr David Camilleri
1 Sunset
Triq il-Haddieda
Naxxar NXR 2570

Date: 22 June 2016
Our Ref: PA/03900/15

Application Number: PA/03900/15
Application Type: Full development permission
Date Received: 21 January 2015
Location: Field at, Ix- Xaghra Ta' Bla Hajt, Rabat, Malta
Proposal: To sanction construction of rubble wall & rural room and propose timber gate.

Development Planning Act, 2016 Refusal of Development Permission

The Planning Authority hereby refuses permission for the development described above, for the following reasons:

- 1 The proposed sanctioning of the store (20sqm) runs counter to policy 2.5A of the Rural Policy & Design Guidance (RPDG) 2014 in that applicant does not till the required minimum arable land area of 10 tumoli to be eligible for an agricultural store. The Thematic Objective 1.10 of the Strategic Plan for Environment & Development which only allows for rural development which is legitimate or necessary. The proposal also runs counter to Rural Objective 4 of the Strategic Plan for Environment & Development which seeks to protect the landscape by controlling the location and design of rural development.
- 2 The proposal for the sanctioning of a rubble wall runs counter to Policy 2.9 of the Rural Policy and Design Guidance in view that the applicant's land is not a legally-established arable land. Moreover, the proposal runs counter to Policies 1.2G and 1.2H which seek to conserve protected areas.
- 3 The proposal cannot be considered further unless the following illegal development is first sanctioned or removed and this in terms of Regulation 14 of Legal Notice 514 of 2010. The illegal development consists of other structure which is not being proposed for sanctioning.

Your rights to appeal to the Environment and Planning Review Tribunal, is described in the attached notes.

PA/03900/15

Print Date: 22/06/2016

This decision is being published on 6 July 2016.

A handwritten signature in black ink, consisting of a series of connected loops and curves, positioned above the printed name.

Claudine Faure
Head of Secretariat
Planning Commission (Development Permissions)

-PADCNCopy-