

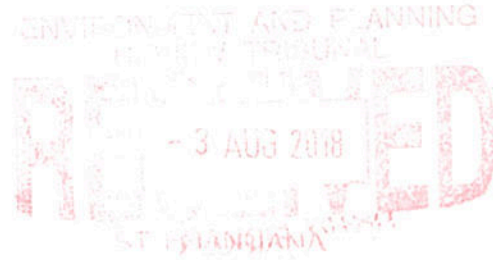
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Environment and Planning Review Tribunal
 Block B, St. Francis Ditch,
 Floriana



Application Number: PA/01485/18

Location: Site at, Triq il-Lunzjata, Mosta,

Proposal: To sanction the reconstruction of a random rubble wall and a pigeon loft
 Appeal against the decision

In terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016 we hereby submit our appeal against the decision published on 4 July 2018 in PA/01485/18

Reason for Refusal 1

The pigeon loft proposed for sanctioning runs counter to Policy 5.1b of the Rural Policy and Design Guidance 2014 since the site is positioned within a Level 2 scheduled area and any development will compromise the site scheduling characteristics. In addition the pigeon does not conform with all the criteria as established in the Policy.

Counter Argument for reason 1

The proposed development is to sanction a 2m by 4m, 8sqm pigeon loft which is mostly constructed of wire mesh and timber it is highly unlikely that such development which is totally reversible and demountable to be considered as a threat to the scheduling of the area given the number of other stone constructions that exists on the site abutting to the site under consideration.

Reason for Refusal 2

The proposal has resulted in the demolition of the original rubble walls and so runs counter to Legal Notice 160 of 1997 - Rubble Walls and Rural Structures (Conservation and Maintenance) Regulations and, Legal Notice 169 of 2004 - Rubble Walls and Rural Structures, Conservation

of the external walls and garage door. 6 The concrete flooring runs counter to Policies 1.2D, 1.2H and 2.10 of the RPDG 2014 since this is not considered to be suitable material respecting the rural character. This has resulted in the loss of agricultural land, has created an adverse impact within the rural area and is not considered to be a suitable material respecting the rural character. The proposal is also counter to Rural Objective 1 of the Strategic Plan for Environment and development which seeks to ensure the protection of good quality agricultural land from development.

Counter Argument for reason 5

All illegal development is to be removed or sanctioned through this application

For the reasons outlined above we respectfully request the Environment and Planning Review Tribunal to overturn the Planning Authority's decision and allow my client to continue to care and improve the Level 2 scheduled area, it is with the invaluable work and dedication of people like my client that such areas are maintained and improved for the enjoyment of all.

Regards,

Simon Spiteri

OBO Perit Giorgio Schembri

