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Our Ref: 12033

26th October 2016

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



Dear Sir / Madam,

Appeal against amount of amount imposed on PA 00002/16 - Rabat

Please refer to the refusal given to the reconsideration request made by my client Mr Terence Azzopardi against the amount of Planning Gain imposed on his application PA 0002/16 regarding works at Rabat.

The amount of Planning Gain imposed by the Planning Authority amount to €10,000.00 besides an additional fee of €2,040.00.

In our opinion the amount of Planning Gain is grossly exaggerated in relation to the size of project. The Planning Gain has to be related to the benefit the client obtained as a result of doing things differently than approved.

In this particular case my client modified slightly the alignment of his building within his own property. Thus he increased the ground floor area from 85.7 square metres as approved to 96.5 square metres. On the other hand he reduced the roofed area at first floor from 64.3 square metres to 53.5 square metres. Thus the overall roofed area remained the same.

The reason only my client had to amend the configuration of his property is substantiated by a report prepared by our architect dated 26th June 2013. My client was faced to carry out these charges due to the structural condition of the existing building.

In view of the above i.e. total amount of roofed area remained unchanged whilst the existing building had to be demolished due to its structural condition then we feel there is no justified reason the Planning Authority should have imposed such a hefty planning gain and for this reason we would respectfully request that you review this amount of planning gain to a more reasonable amount.

Yours faithfully,

Charles Buhagiar A&CE, MP.

Encl: Copy of refusal, site plan, bank receipt

c.c.: Mr. Terence Azzopardi
Planning Authority