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Our ref: VIP/G/RG/APP1

Your ref: RG2624/18

Date: 27th November, 2019

The Environment and Planning Review Tribunal
PO Box 172
MARSA



REF: ~~RG3913748~~ – To regularise agricultural stores as built
Bajada Stores, Triq ta' Xamghan, Sannat

Request for appeal

I refer to the refusal of this application for regularisation. I kindly request that the Tribunal revoke this decision for the following reasons.

The only reason of refusal given the Planning Commission was the following:

"The existing agricultural stores cannot be regularised since such development does not conform with policy GZ-HOS-1 of the Gozo Local Plan which does not permit class 7 agricultural uses within designated residential areas. Furthermore the existing development does not conform with regulation 4(5A)(5B) of LN 285/16."

Article 4 5 (a) (b) of LN285/2016 specifies that:

The development specified in these regulations can be regularised if:

- (a) in the opinion of the Authority, the development does not constitute an injury to amenity
- (b) the use of the development is in conformity with current planning policies and regulations;



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Award in Urban Design 2017
Special Commendation in Innovative Design, Rehabilitation and Conservation 2017
Double Special Commendation in Public Open Spaces 2018



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Although the stores being applied for regularisation are being specified as being of an agricultural use, they are located within a relatively undeveloped area which has only recently been identified, through PC50/12 for residential use. The site has been used for agricultural purposes at least since the 1970s. They do not have any intensive agricultural use, such as animal husbandry, but only for the storage of agricultural implements and related articles, such as agricultural produce. The use of the development does not give any nuisance to neighbours.

It must also be pointed out that the regularisation legal notice has a clear proviso in its fee schedule for agricultural buildings. This schedule has a proviso for buildings even in excess of 10,000 sq.mts. If the regularisation of such buildings was not possible through this scheme, then there would not have been this proviso. As already pointed out, the building being proposed for regularisation is clearly not an injury to amenity in view that it is not used for the rearing of animals and we are willing to have this condition included in the permit.

I therefore kindly ask the Tribunal to revoke the refusal decision.

Yours truly,


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