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Our Ref. 32/18

Your Ref. PA 1420/16

January 10, 2020

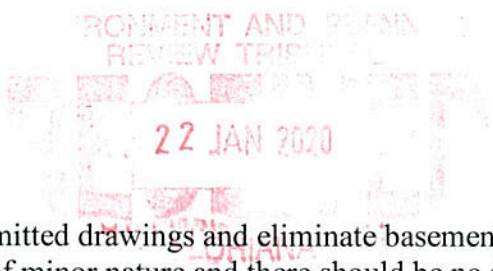
The Chairman,

EPRT
Floriana

Applicant: Mr. Jason Mifsud
Location: Site at Trejzet Inzul Ix-Xemx, Dingli Malta
Proposal: To demolish existing pre 1978

Att. the secretary EPRT

The Planning commission refused the proposal on two main reasons, namely objection for SCH re proposed excavation of basement and proof of residential use prior to 1994.



Re issues raised by SCH:

We are willing to revise submitted drawings and eliminate basement to address SCH concerns. Proposed modifications are of minor nature and there should be no issues as proposed changes consist of closing a door and opening a window and two one meter doors.

Re proof of residence:

I would like to draw the attention of the planning commission of Policy 6.2C- 5d, which states that “any other use that would result in a wider environmental benefit, provided the site is already serviced by a road network that would adequately cater for the proposed new use”.

The proposal would satisfy policy 6.2C- 4: “the replacement building is of a high quality rural design and shall fully respect the wider context in which it is located”.

Besides, doc 127b is proof of use (1948 electoral registry) showing that a certain Salvatore Abela resided in a FH in Buskett L/O Dingli.

This is also verified in the 1936 contract submitted in doc 101b confirming that Salvatore Abela bought the property from Paolo Micallef.

Salvatore Abela transferred the property to Francesco Farrugia and in 1974 Francesco Farrugia Transferred the property to Michael Farrugia.

Carmen Buhagiar, Maria Farrugia and A Farrugia Acquired the property from Micahel Farrugia.

Jason Mifsud (applicant is on a promise of sale with Carmen Buhagiar, Maria Farrugia and A Farrugia.

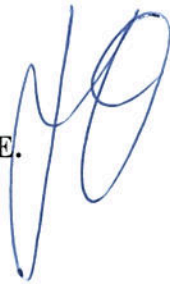
The above is a contractual proof of use as a residence of property under this application.

Besides, the proposal, could serve to mitigate the existing situation, fit with the rural context, and Planning has the opportunity to find a balance with applicant so that the replacement building, would fit well in the rural setting. Note that we are willing, without prejudice to final decision, to amend drawings, and propose a reduced size of the replacement building to address the directorate's concern.

Trusting that the above will address reasons for refusal and consider favorably the application,

Yours truly

Perit Tancred Mifsud A&C.E.



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