



3rd June 2020

The Environment and Planning Review Tribunal

Nru. ta' l-Applikazzjoni: PA/2532/20

Lokazzjoni: Site at Triq l-Imblokk tal-Francizi, Rabat Ghawdex

Proposta: Correction of Site Plan of PA 8943/18 – partial displacement of site

Ref. Taghna:

Ref. Tribunal:

Rachel Azzopardi and Martin Grech

vs

L-Awtorita' ta' l-Ippjanar u Frank Formosa

The appellant respectfully submits:-

- I) The applicant made the submission of this application in 2020.
- II) This application was approved by the Commission and the decision was published on the 20th May 2020.
- III) The appellant feels agrieved by this decision and is hereby submitting this appeal.

Together with this appeal, the appellant is submitting:-

- o A copy of the decision notice (Dok JA1).
- o Receipt of Payment (Dok JA2).

The appellant respectfully submits the following:

- 1.1 The Authority wrongly applied the provisions of the law regulating the Summary procedure since the application could not have been decided summarily and this on the basis of the decisions of this tribunal in appeal numbers 280/17 and 436/17 and 344/19;
- 1.2 The appellants had made a representation and clearly noted that this application confirms that the previously approved permit was wrongly assessed, since in the previous permit, namely PA 8943/18, was assessed on the basis of a site assessment and the commitments and the streetscape.
- 1.3 It is certainly inconceivable that the location of the site is simply “corrected” through this latter application without an adequate assessment of the same matters that lead to the favourable determination of the previous permit.
- 1.4 It is abundantly clear that the Authority was bound to assess this current application through a full development process and not through a summary procedure.

In view of the above, and further submissions that the appellant reserves to make, the appellant requests the Tribunal to revoke the decision of the Commission, and this under those terms and conditions that the Tribunal may deem appropriate.

With Respect

Av. Ian J. Stafrace

Witnesses:

1. Appellants, and consultants and consultees and officers of the Authority to confirm the facts.