

## First Report to the Environment and Planning Review Tribunal

Case Number	PA/03377/20
Merits of Appeal	Against Refusal
Location of Site	Site at, Hofra Ta' Ritz, Limiti tar-Rabat
Appellant Name	Mr. Disma Attard
Architect Name	Perit Roderick Camilleri
Proposal	Construction of sheep farm

### 1.0 The Proposal, Site Location, and Constraints

Received 04/01/21

1.1 This is an appeal against the refusal of PA/03377/22 for the construction of a sheep farm. of

1.2 The site is located at Site at, Hofra Ta' Ritz, Limiti tar-Rabat.

### 2.0 Reasons for Refusal

2.1 The proposed construction of sheep farm on vacant land located within a Category 3 Rural Settlement runs counter to the provisions in Local Plan policy NWRS 4 since the proposal will result in the take up of fresh land.

2.2 The proposed development would have an adverse impact on an important archaeological and ecological of the area and would conflict with criteria (2) of Policy 2.3B of the Rural Policy and Design Guidance 2014 and to Thematic Objective 8 of the Strategic Plan for Environment and Development which aims for the safeguarding and enhancement of cultural heritage.

### 3.0 Comments on Appellant's Arguments

3.1 The Appellant has the following comments to make:

#### 3.1.1 *Re: Reason for Refusal no. 1*

The nature of the application of Mr Disma Attard is one that can be executed only in rural land and not residential land, due to this being the construction of a sheep farm. For this reason, the application of Disma Attard can only be proposed and constructed on new land. In this respect, the applicant makes reference to the fact that he is eligible to have a sheep farm as approved by the Agricultural Advisory Committee (AAC) who approved the building of such sheep farm by the Applicant on the basis that he fulfils all criteria. The only remaining item to build this farm is the land to build on.

#### 3.1.2 *Re: Reason for Refusal no. 2*

The Applicant states that should the approval on his proposal be given, he will undertake all considerations necessary as provided by the Superintendent of Cultural

Heritage (SCH) when building the sheep farm, as well as ensure that a representant of the SCH is present throughout the process of excavation and building of the sheep farm to ensure that no damage is done to the cultural heritage.

#### **4.0 Request**

4.1 For the above-mentioned reasons, the appellant respectfully requests that the Environment and Planning Review Tribunal to refuse the decision as issued with the refusal notice and to accept this appeal.



**Av. Graziella Deguara Attard**

Witnesses:

1. Objectors/residents
2. SCH
3. ERA
4. All relevant witnesses during procedure of appeal



**Av. Graziella Deguara Attard**