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ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL
RECEIVED
30 APR 2021
ST. FRANCIS DITCH
FLORIANA

Our Ref: 25022-02

22nd April, 2021

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

Dear Sir / Madam,

Appeal application against refusal of PA 7000/20 - Dingli

Please refer to the refusal given to the application submitted by my client Mr. Chris Gaffarena to sanction works at Dingli.

Two reasons were given to substantiate this decision namely:-

- i. Our proposal would create a building with a floor space exceeding 200 square meters and also results in a significant amount of massing
- ii. The hard landscaping runs counter to policy

My client would like to appeal this decision because in our opinion in the processing of this application no attention was given to chronological events of this application.

With regards to the hard landscaping this issue had been addressed in the fresh drawings submitted on the 18th February, 2021 (doc 68a-h). In these drawings the additional hard landscaping has been removed but apparently the planning commission failed to take into consideration this information.

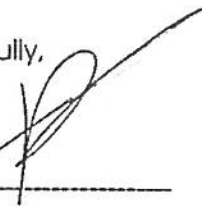
With regards to the area of our proposal I would like to point out that the original permit was issued subject to the demolition of the existing farmhouse and ancillary buildings. The floor area of the building demolished as per PA 2722/05 is much larger than what has been approved. This can be seen from the attached block plan. The reduction of the area from that existing to what was approved was a decision of my client but according to policy he could build a structure with a larger floor area.

Thus since the proposed floor area whilst being larger than that approved in PA 2772/05 but is much smaller than that existing originally the increase in floor area should be considered permissible.

With regards to the massing of the building I am assuming that what is being referred to here are the extension at first floor. On this issue I would like you to note that there are already approved structures at first floor and in our proposal and we are extending these structures. Furthermore in this area there are various buildings which are two floor high. Hence we see no reason why our proposal for structures at first floor should be considered unacceptable.

In view of the above we consider our application as not having been processed correctly and would like to respectfully request that you review this recommendation and approve our application.

Yours faithfully,



Charles Buhagiar A&CE.

Encl: Copy of refusal, site plan, bank receipt, block plan

c.c.: Mr. Chris Gaffarena