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Our Ref: 16147

8th June, 2021

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



Dear Sir,

Appeal against refusal of PA 4388/20 - Birzebbugia

Please refer to the refusal given to the application of my client Mr. Andrew Briffa to carry out works at Birzebbugia.

My client had proposed works within his permitted Industrial yard which mainly consisted of construction an industrial garage and roofing area as parking area (both committed sites) and the installation of PV panels on the roof.

Two reasons were given to justify this decision namely:-

- i. Our proposal is objected to by AAC and on the basis that our proposal would take up agricultural land, sealing of soil and formalisation of site.
- ii. Proposal is not evident acceptable within a rural area and not in line with Marsaxlokk bay Local Plan.

These decisions are very unfair because it does not reflect the fact that there is a committed Industrial site in which various permits have already been issued for industrial development.

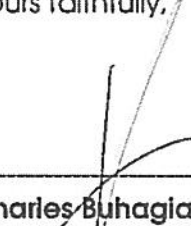
This site was committed for industrial use as per PA 1758/99. This permit was issued on the basis that my clients originally had an Industrial site which was taken over by Freeport Development. Then they were permitted to develop another site in lieu of their original site. Subsequently various other permits were issued as shown in the attached block plan.

Hence this area cannot be considered as agricultural land since it is all committed with Industrial development. Hence the opinion of AAC is not applicable to the site it means it is incorrect because no development is being proposed on agriculture land and would lead to sealing of soil and formalisation of site.

Likewise with regards to reason of refusal 2 although this industrial zone is located within a rural area we are not proposing any more extension outside the committed area.

In view of the above we consider that this application has not been processed and adjudicated in a proper manner since no consideration was given to the fact that it is already a permitted industrial yard and for this reason we would like to respectfully request that you review this decision and approve our application.

Yours faithfully,



Charles Buhagiar A&CE.

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

c.c.: Mr. Andrew Briffa