

20th April 2022Submission of Appeal

The Secretary,
Environment and Planning Review Tribunal,
Floriana.



Sir,

Application No. : PA/05666/21
Location : 'New York', Ix-Xagħra tal-Għattuqa Nadur, l/o Rabat
Proposal : Outline application – Proposed construction of a new residential farmhouse.
Construction includes a one storey farmhouse, an exterior pool, basement level private garage and access to roof level.

I am writing on behalf of the applicant, Ms Carmelita Farrugia, to submit an appeal against the refusal issued by the Planning Authority in respect to the above-mentioned application.

A copy of this refusal, dated 9th March 2022, which was published on 23rd March 2022, is attached.

This development application is requesting the sanctioning of an existing pre-1997 agricultural store and the proposed construction of a water reservoir.

The reason given for the refusal of this application is that – “The proposed development runs counter to the provisions of the Local Plan Policy NWRS 4 for Category 3 settlements, which prohibits new development which takes up fresh land, notwithstanding the location of the site in relation to existing buildings. The proposal also goes against Local Plan Policy NWAG 01, which aims for the protection of agricultural land. Hence the proposal also runs counter to the Thematic Objective 1.10 and Rural Objective

It must be said that since 2015 three development permits were issued for development in the same area as that of this proposal, just 50mts away. These were for permits no. – PA/2334/13, PA/5382/16 and PA/2121/18. These permits were basically for the carrying out of additions and alterations to farmhouse but all entailed the taking up of fresh land.

A site plan showing the location of these developments in relation to the site of this application is also attached.

It is worth noting that applicant has a holding of over 10 tumoli of agricultural land which are located not far from this proposed development.



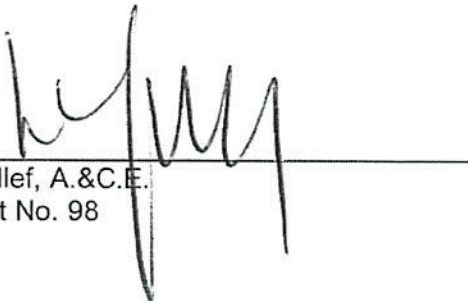
In the DPA report mention was made of a previous application – PA 1513/01, which was submitted for the same site, over 20 years ago and was refused. However, since that time the above-mentioned three development permits for a nearby site were approved.

In view of the above, the applicant is hereby respectfully requesting the Environmental and Planning Review Tribunal to rescind the decision and issue the relative development permit.

Further documentation, including photos, will be submitted during the course of the hearing of this appeal.

Whilst thanking you for your attention, I remain

Yours faithfully



L. Micallef, A.&C.E.
Warrant No. 98