



Planning Authority
The Environment and Planning Review Tribunal
P.O. Box 172
Marsa MRS1000



24th February 2017

Our Ref	DT0301
PA Ref	PA/06069/16
Location	Palazzo Mater Buon Consil and Casa Ellul 54 (and 48, 50, and 52), 58 and 35, Triq il-Kbira c/w, Triq Rokku Buhagiar, Qrendi, Malta
Proposal	Restoration and modernisation of a palazzo including the removal of later additions and accretions, joining of abutting dwellings to re-establish property as a single state and addition of pool.

To whom it may concern,

Re.: Appeal from Refusal PA/06069/16

We would like to appeal the decision to refuse Planning Permission for the Application PA/06069/16, which was taken by the EPC Board on the 8th February 2017 and published on the 22nd February 2017, for the following reasons.

The application was recommended for refusal by the Planning Directorate on Grounds which were beyond our control and we were advised that the sole outstanding issue could and should be addressed with the EPC Board during the Hearing.

Whereas the DPAR was generally appreciative and positive about the application in general and even highlights our throughout cooperative approach, the reason for the recommendation for refusal by the Planning Directorate was issued solely based on the fact that the garage opening on Triq Rokku Buhagiar is wider than permitted by Policy.

The width of the garage, however, is shown exactly as requested by the DAC on the 11th January 2017 and we are therefore made responsible for a conflict of interest within the Planning Authority itself.

We had addressed this and explained the course of events in detail in our response to the DPAR (document attached) and assured our complete readiness to comply with whatever would be requested by the EPC Board members to address this issue, outlining all versions which had been approached regarding this vehicular access and assuring full cooperation.

During the actual Board hearing on the 8th of February 2017, we believe that we were not given a fair chance to present our case.

Furthermore, the EPC Board brought up superseded documents during the hearing, particularly the elevation with the drawing number 63C was ignored and the superseded elevation 49j was brought up on screen and addressed instead. All attempts by the Architect to make the board aware of this fact were dismissed.

The EPC Board solely referred to the Points 4.8 (Communication with the Architect/Applicant), 4.9 (Conclusion) and 5 (Recommendation) and insisted that the requests by the Directorate listed there had not been addressed by the Architect/Applicant.

Despite being requested by the Architect, the EPC Board refused to bring up the DPAR on screen, obliterating the opportunity to point out the sections of the Report which would state his compliance. With particular reference to Point 4.7 (Discussion), this clearly states that all requests had been met by the Architect/Applicant and that the Architect/Applicant had been cooperative and compliant throughout.

The EPC Board also refused to acknowledge the existence of the Architects response to the DPAR.

The EPC Board claimed that there were too many issues unresolved, whilst the DPAR Report is clear about the fact that the only reason for the recommendation for refusal is the width of the garage opening. Over and above to the false claim with regards to the unresolved issues, the EPC Board also accused the Architect of not having cooperated with the Planning Directorate and not used the time which was available to resolve these issues although the DPAR Report states the exact opposite.

We therefore call at the Planning Review Tribunal to kindly review this case and, should the Tribunal conclude that our position is justified, to overturn the decision of the EPC Board.

We renew our previous position and willingness to adjust the design aspect in question in any way the Tribunal might find appropriate. We trust in the good and fair judgement of the Tribunal and hope that it will share our view that the importance of this Restoration and Revitalisation Project should not be tainted by a minor issue such as that in question.

Yours faithfully,

Perit Alan Galea