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Environmental and Planning Review Tribunal  
St Francis Ditch  
Floriana

Mr Chairman,

Please note that an appeal is being made with regards a decision regarding PA/07061/16 as per Article 13 of the Environmental and Planning Review Tribunal Act of the year 2016.

As a preliminary plea it is being contested that the fundamental right for fair hearing was not offered to my client Mr Noel Camilleri during the above mentioned sitting whereby my client was not allowed to put forward his arguments and counter arguments to the DPAR report .

The appeal is being based on the main points which were mentioned in the DPAR and elaborated in the counterarguments presented by Architect Jevon Vella as per the attached document marked as Document A , which document consist of ten pages . These three main points are the following:

- Eligibility

With regards to the eligibility or otherwise of the case put forward by my client is to be stated that DPAR report makes reference to a store situated on thirds party property , which despite being adjacent to my client's property is by no means owned by my client. It is to be stated that the land whereby the property in question is situated has always been owned by my client's family for various generations who never applied or were granted development on the area in question



- Design / Layout

The authority is contesting the fact that the design and layout of the store is akin to recreational areas and thus cannot be accepted under the pretext of agriculture. The applicant would like to express his views on why he does not agree and also with regards to the fact that whilst basing it's arguments the authority noted that applicant is not a farmer by profession, something which actually is not a requisite as can be explained. It is to be noted that the present application has put forward the demolition of walls which make the development more akin to an agricultural store. The authority is contesting the footprint of the store , comparing the store which existed pre the year 1957 , whilst not stating the size such footprint should in actual fact be .

- Illegalities

The authority mentions various illegalities. My client is stating that these illegalities, such as for example the concrete ramp, fall outside his property as already explained by evidence presented by architect Jeoven Vella as in the attached Document marked A. My client states that he neither has nor ever had any water tanks on his property. My client has already explained why the rubble walls have concrete topping and also explained that he was ready to remove such topping once the development in adjacent property ceases or is completed and this in order to preserve the same walls.

In view of the above mentioned reasons it is being requested that the decision is revoked and a favourable decision with regards to the issuing of the permit is granted .

List of attached Documents:

Document A : Architect's comments to the DPAR

Document B: payment to the Environment and Planning Review Tribunal.

Document C : Site Plan

Document D : Decision Notice

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke.

**Dr. Clifton Grima**