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27<sup>th</sup> April 2017

Your Ref: PA/03089/08

Our Ref: 06197

Secretary Appeals Board  
MEPA  
St. Francis Ravelin  
Floriana



Dear Sir,

**Re: PA/03089/08 - To sanction construction of rubble wall and installation of timber gates.**

I am writing on behalf of my client, Mr. Chris Brincat, to request the Appeals Board to reconsider the decision taken by the EPC on 29<sup>th</sup> April 2017 to refuse permission for the aforementioned application. My client and myself would like to be present during the deliberation of this application.

The reasons for refusal are the following:

- *The application is dismissed in line with Article 97 of the Development Planning Act (2016) in view that further illegalities took place on site (which do not form part of the application) in breach of the Enforcement Notice ECF 1096/05.*
- *The proposal cannot be considered further unless the following illegal development is first sanctioned or removed and this in terms of regulation 17 of Legal Notice 162 of 2016. The illegal development consists of further works to boundary walls, new rooms and engineering works.*
- *The boundary wall proposed for sanctioning runs counter to the provisions of L.N.160/97 and to policy 2.9 of the Rural Policy and Design Guidance 2014, which stipulate that such walls should not be higher than 1.2m and be constructed using traditional methods and irregularly shaped, rough dressed stone.*
- *The height, material and construction methodology of the wall to be sanctioned is not considered aesthetically compatible with the rural environment and thus it runs counter to Policy 1.2H of the RPDG (2014) and Rural Objective 4 of the SPED which prohibit developments in rural areas that will adversely affect the character and scenic value of the rural landscape*

- *The proposal is in conflict with policy 2.9 of the Rural Policy & Design Guidance (RPDG) 2014 since the gate exceeds the stipulated height of 1.2m and the legally-established height of the boundary wall.*
- *There is no justification for the proposal as proposed in terms of agriculture or environment gain; hence it runs counter to Rural Objective 1 and 3 of the SPED which seek to protect the character and distinctiveness of the Rural Area by limiting development within to that required to sustain agriculture or is in the interest of the rural area.*



Regards,

PERIT

Dr. Edwin Mintoff

**DR. EDWIN MINTOFF**

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