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21st June, 2017.

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



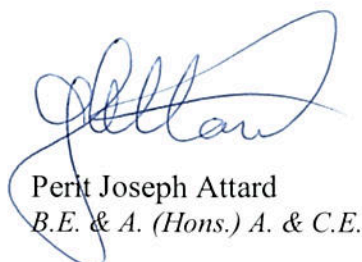
PA Ref: PA 2029/17 – Proposed placing of tables and chairs (including umbrellas) placed on a timber platform as ancillary facility to approved commercial outlet. (Mr. Paul Mifsud - Mellieha).
My Ref: 1065-14B-L4

Reference is made to the above captioned development application and to PA's letter dated 26th May 2016, whereby my client was asked to settle a planning gain, together with the non-executable permit published on 6th June, 2017. Whilst attaching a copy of the condition letter and non-executable permit, a site plan and a copy of the payment receipt, I would like to forward his **request to appeal this case** in terms of the imposed planning gain.

We are of the opinion that the planning gain condition has been mistakenly imposed in view that similar developments – consisting in the placing of tables of chairs on public land – have been approved within the same piazza, without the imposition of the planning gain condition. Thus we would like to make reference to approved development permits bearing reference PA 3866/14 and PA 0126/16, case details of which are being attached at Annex I for ease of reference.

Kindly acknowledge receipt of this correspondence.

Yours Sincerely,



Perit Joseph Attard
 B.E. & A. (Hons.) A. & C.E.

Annex I