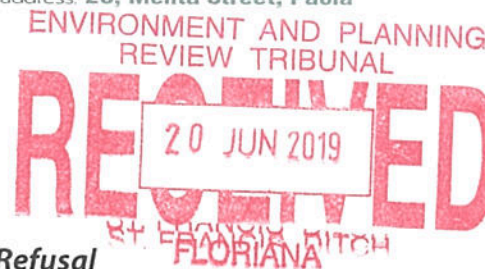


20th June, 2019

The Chairman
Environment & Planning Review Tribunal
Floriana



PA 11457/18 – Appeal From Refusal

Reference is being made to the below reasons for refusal for the above mentioned PA Application:

1. The proposed agricultural store and reservoir run counter to Policies 2.5a and 2.7 respectively of the Rural Policy and Design Guidance 2014, due to the site being scheduled for its ecological importance and since it is not considered as eligible agricultural land. The proposal thus runs counter to Thematic Objectives 1.10 and 8.2 of the Strategic Plan for Environment & Development, which only allow for rural development which is legitimate or necessary and also seek to safeguard protected areas; respectively.
2. The applicant is already in possession of other structures within the registered land parcels, thus the proposal exceeds the maximum storage entitlement as specified by criterion 6 of Policy 2.5A of the Rural Policy & Design Guidance (RPDG) 2014. It therefore also runs counter to the Thematic Objective 1.10 of the Strategic Plan for Environment & Development which only allows for rural development which is legitimate or necessary.
3. The proposal cannot be considered further unless the following illegal development is first sanctioned or removed and this in terms of regulation 7 of Legal Notice 162 of 2016. The illegal development consists of additions to pre-1967 structures as well as the construction of other new structures within the applicant's registered agricultural holdings.

The undersigned architect and civil engineer would like to point out the following documentation for each reason of refusal:

Reason for refusal 1:

Affidavit 1 (submitted with this document) shows that the land where the agricultural store is being proposed is a land eligible for agricultural purposes. Parcel id 695067

Reason for refusal 2:

Affidavit 2 (submitted with this document) shows that the agricultural store shown in doc 43a does not form part of my client's eligible land. Parcel id 137041

Affidavit 3 & 4 (submitted with this document) show that the agricultural stores within the lands are not my client's property but he only has the right to use its surrounding land for agricultural purposes only.

Reason for refusal 3:

Affidavit 2, 3 & 4 (submitted with this document) show that the buildings subject to enforcement are not my client's properties.



Perit Roderick Spiteri
B.E.&A.(Hons) A.&C.E.

Attached with this letter:

- 4 Affidavits
- Planning Authority document 43a