

18th May 2021

The Environment and Planning Review Tribunal

Nru. ta' l-Applikazzjoni: PA/3557/15

Lokazzjoni: Villa Aurora, Triq il-Wardija, Burmarrad, San Pawl il-Bahar, Malta

Proposta: To construct additional courses and roof to structure approved in PAPB384/63/9A. Alterations (internal & External) included, pool to be constructed. Filling of basement to eliminate level and render it inaccessible as per drawings. Surrounding area with landscaping to screen and embellish development.

Ref. Taghna:

Ref. Tribunal:



Ipomoea

vs

L-Awtorita' ta' l-Ippjanar

The appellant respectfully submits:-

- I) The applicant made the submission of this application in 2015.
- II) This application was refused by the Commission and the decision was published on the 21st April 2021.
- III) The appellant feels agrieved by this decision and is hereby submitting this appeal.

Together with this appeal, the appellant is submitting:-

- o A copy of the decision notice (Dok JA1).

- Receipt of Payment (Dok JA2).

The appellant respectfully submits the following:

1.1 The Authority wrongly applied the provisions of the law and policy regulating this site, especially since the appellant downscaled the proposed development in line with the direction of the Case Officer Report and the direction of the Commission. In any case the appellant declared and is currently likewise declaring that it is ready to further amend the plans to an acceptable level

○ *1.2* The details of the said development must also be read in the light of the development originally approved on the site through PAPB 384/63, and any extension to the current built volume must also be analysed in the light of the vested right resultant from the said permit and the development already executed on site.

1.3 The proposed development is thus in line with the applicable policies regulating the site, and is not contrary to the provisions of the applicable policies.

○ *1.4* The proposed development satisfies all other applicable criteria and requirements that are necessary for this development to be favourably considered and approved.

In view of the above, and further submissions that the appellant reserves to make, the appellant requests the Tribunal to revoke the decision of the Commission, and consequently order the Authority to issue the relative permit, and this under those terms and conditions that the Tribunal may deem appropriate.

With Respect



Av. Ian J. Stafrace

Witnesses:

1. Appellants, and consultants and consultees and officers of the Authority to confirm the facts.



**Av. Ian J. Stafrace
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