

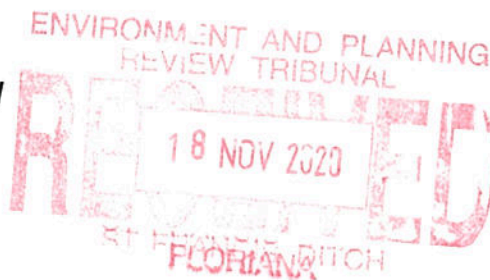


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Our Ref: 59/19

Date: 10-11-2020

*The Secretary  
The Environment and Planning Review Tribunal  
St. Francis Ravelin  
Floriana*



**Application number:** PA/00398/20

**Applicant:** Anthony Sammut

**Location:** Farmhouse Pwales, Triq tal-Mizieb, San Pawl il-Bahar

**Proposal:** Restoration of an existing cave to convert it into a livable space to be used as extension to approved dwelling PA/4377/07

Please refer to the above mentioned application in which a refusal was given on the grounds that:

- (i) Proposed use of habitation would result in additional dwelling in ODZ;
- (ii) Due to its location the cave cannot be considered as an extension to the present dwelling.

On behalf of our client we wish to appeal from this decision.

We wish to strongly emphasize that our client has no intention of creating a separate dwelling. We have made this amply clear to the Planning Board. We have also indicated to the Board that this eventuality can be countered by the imposition of the appropriate condition on any eventual permit. Unfortunately this was to no avail.

Our client's intention is to restore the existing cave and adapt the said room to a sensible use. In this way this unique space will be fully appreciated and easily maintained. In contrast, the cave is currently used as a domestic store making the maintenance difficult to execute with the result that dilapidation will occur.

Re. the location of the cave, we wish to point out that the siting of the cave is existing. The fact that this cave is not connected to the existing dwelling does not mean that it cannot be used as an extension to the said dwelling.

The above reasoning was appreciated both by the Directorate and the Superintendence of Cultural Heritage. In fact the Directorate had originally recommended a grant to the proposal and SCH had given a green light to this application.

To conclude, we strongly believe that the Planning Commission should have considered the application as it was originally submitted, bearing in mind that the preoccupation stated by the Board in its evaluation could, as stated earlier, have been countered by the imposition of the appropriate conditions the eventual permit issued.

We insist that an extension to the existing approved residence is the most suitable use for such a structure as a cave as it will allow our client to convert the otherwise dilapidating room into a space of a great cultural and aesthetical value whilst keeping the cave well maintained and preserved for years to come.

We strongly believe that such interventions shall be encouraged by the Authorities as they pose absolutely no threat to natural or cultural heritage but instead they allow restoration and conservation of otherwise dilapidating structures.

Trusting that my client's request is favorably considered,  
Yours faithfully,

**JOE CASSAR A&CE**