

2nd August 2021

**Tribunal ta' Revizjoni
tal-Ambjent u l-Ippjanar
Floriana**



Nru. ta' l-Aplikazzjoni: RG 2003/20

Lokazzjoni: 83, Manwel Dimech Street, Sliema

Proposta: To regularise common parts as built

Ref. Taghna:

Ref. Tribunal:

G&M Construction Limited

vs

L-Awtorita' ta' l-Ippjanar

The Appellant respectfully submits:-

- I) This application was submitted in 2020.
- II) Through a decision taken by the Authority, and which decision was published on the 7th July 2021, the Authority refused the application of the Appellant.

The Appellant feels agrieved by the decision and ins hereby submitting this appeal to the Tribunal.

Attached please find:-

- A copy of the decision of the Authority.
- Payment Receipt.

The Appellant hereby submits:

- 1.1 The reason for refusal is incorrect.
- 1.2 The development has been erected in this manner since the building was originally built and the said roof structure includes the entrance/exit onto the roof of the building and also houses the mechanism of the common lift servicing the whole building.
- 1.3 The development does not constitute an injury to amenity since it fits well within the context of the surrounding development and is only visible from specific view points, all of which extend beyond the road in question.
- 1.4 Furthermore, since the stairwell in question serves as a stairwell for residences, it can never constitute an injury to amenity since according to the Regulations, *“For the purpose of these regulations, uses falling within any of the uses defined in classes 1, 4A or 4B of the Development Planning (Use Classes) Order are not deemed to constitute an injury to an amenity”*.

Hence, the Tribunal is being requested to annul the decision of the Authority and issue the relative permit as requested and this under such terms and conditions that the Tribunal may deem appropriate

Witnesses: Officers and consultants (of the Authority and the Appellant) to give evidence on the facts of the case.

With Respect



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