

2<sup>nd</sup> November 2021

ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL

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ST. FRANCIS DITCH  
FLORIANA

**The Environment and Planning Review Tribunal**

*Nru. ta' l-Applikazzjoni:* PA/119/21

*Lokazzjoni:* 18, Wind Haven, Triq l-Arznu, San Gwann

*Proposta:* To sanction variations to permit PB1620/82 including variations in existing floor levels and overall height of property due to road being formed following construction, access to roof, balcony, changes to facade. Site area to be increased by additional footprint to satisfy percentage of built up areas and to include the removal of party wall, rebuild along extension to side curtilage, increase landscaping in front garden, excavate for pool, construct lift and minor alterations.

*Ref. Taghna:*

*Ref. Tribunal:*

**Attard George**

**vs**

**L-Awtorita' ta' l-Ippjanar**

The appellant respectfully submits:-

- I) The applicant made the submission of this application in 2021.
- II) This application was refused by the Commission and the decision was published on the 6<sup>th</sup> October 2021.
- III) The appellant feels agrieved by this decision and is hereby submitting this appeal.

Together with this appeal, the appellant is submitting:-

- A copy of the decision notice (Dok JA1).
- Receipt of Payment:

The appellant respectfully submits the following:

- 1.1* The Authority wrongly applied the provisions of the applicable policies.
- 1.2* It is incorrect to state that the proposed increase in the site area will disrupt the parcelling/plot sub-division of the area which will result in a residual plot.
- 1.3* This because the applicant is already, and has been the owner of the adjacent parcel of land. Hence the said application has nothing to do with plot sub-division or parcelling, since the plot which neighbors the vacant plot belonging to my client is already owned by third parties.
- 1.4* Hence this matter could have never been used as a reason to refuse the appellants application since at no stage did the current proposal propose any parcelling. The current application simply reflected a state of fact which has been established a number of years ago.
- 1.5* The rest of the reasons for refusal are matters that materially do not change or prejudice the property in question which has been built years ago and on the basis of the provisions of DC 15 and Article 72 of the Act, be deemed as acceptable.

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 approve his request, 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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