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ARCHITECTURE

01.11.2021

The Secretary
Environment and Planning Review Tribunal
Block B
St. Francis Ditch
Floriana



I am on behalf of the applicant, Mr. Joshua Grech, and would like to submit an appeal to the decisions taken by the EPC board on the 20th October 2021.

The application was refused for the following reasons:

1 The proposed agricultural store runs counter to Policy 2.5A of the Rural Policy & Design Guidance (RPDG) 2014 since the applicant does not till the required minimum arable land area of 4 tumoli. Additionally, the proposal has not been endorsed by the Agriculture Advisory Committee (AAC) since no proof of arable farming was submitted, hence also running counter to Thematic Objective 1.10 and to Rural Objective 4 of the Strategic Plan for Environment and Development in terms of land-use in that the proposal is not considered legitimate or necessary within the rural area.

2 Proposal would also have an adverse visual impact on the proposed Area of High Landscape Value and Scheduled Area of Ecological Importance, featuring the valley sides of Mgarr ix-Xini. The proposal therefore runs counter to the provisions of Policies 1.2G and 1.2H of the Rural Policy & Design Guidance (RPDG) 2014 which seek to protect special areas, conserve, maintain & enhance important landscape features. The proposal is also in conflict with SPED Policies RO1, which seeks to protect good quality agricultural land from development and policy RO4 which seeks to protect and enhance the positive qualities of the landscape and the traditional components of the

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rural landscape by protecting the most sensitive landscapes of cultural importance and natural beauty.

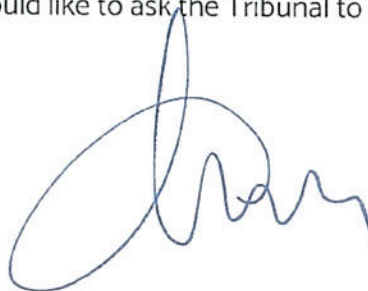
With regards to the first reason for refusal, the undersigned submits that since the application was processed over summer, it was difficult to provide proof of agricultural activity/crop production. In fact, as per AAC minute attached to this appeal, AAC commented that there was no crop production indicated in the photographs submitted (also being attached). The photos clearly indicated that the land is tilled and not abandoned, and the fact that there were no crops present was a temporary situation related to the seasonality of any agricultural enterprise. Moreover, LPIS maps were submitted with the application and are being attached as well.

With regards to the second reason for refusal, we are extracting an aerial photo from the PA application stream, which clearly indicates similar, if not larger commitments in close proximity to the site in question. Such approved structures include agricultural stores, greenhouses as well as stables. The latter two are much larger and much more visually intrusive than the proposal. Moreover, all such structures are situated at higher ground, and it follows that their visual impact ought to be more critical, than the impact, if any, of the proposal.

We would also like to summon the chairman of the AAC during proceedings.

In view of the above, we would like to ask the Tribunal to overturn the decision by the Authority.

You may wish to consider.



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