

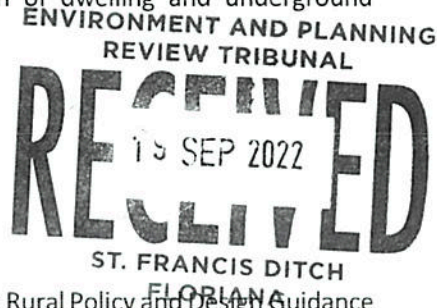
First Report to the Environment and Planning Review Tribunal

Case Number	PA/7901/20
Merits of Appeal	Against Refusal
Location of Site	Alessi Farmhouse, Sqaq ta' Alessi, Xghajra
Appellant Name	Mr. Joseph Attard
Architect Name	Perit Roderick Camilleri
Proposal	Demolition of existing dilapidated dwelling and excavation and construction of dwelling and underground reservoir

1.0 The Proposal, Site Location, and Constraints

1.1 This is an appeal against the refusal of PA/7901/20 for the Demolition of existing dilapidated dwelling and excavation and construction of dwelling and underground reservoir

1.2 The site is located in Sqaq Alessi, Xghajra.



2.0 Reasons for Refusal

2.1 The proposal runs counter criterion 2(a) of policy 6.2A of the Rural Policy and Design Guidance (2014) since it fails to provide sufficient evidence that the residential use of the original building is legally established and/or covered by development permission. Hence, the proposal runs counter to Thematic Objective 1.10 and to Rural Objective 3 of the Strategic Plan for Environment & Development which only allow for rural development which is legitimate or necessary.

2.2 The proposed additions run counter to criterion 3 of policy 6.2A of the Rural Policy and Design Guidance (2014) since the extension is considered substantial.

3.0 Comments on Appellant's Arguments

3.1 The Appellant has the following comments to make:

3.1.1 *Re: Reason for Refusal no. 1*

The Authority reiterates that no sufficient proof was provided during the procedure of the application to prove that the building in the site in question was used for residential purposes, but the appellant is hereby submitting this appeal to make clear this justification. In which it includes several documents, that is notarial deeds, electoral registry, electricity bills and more proof will be submitted during the course of the appeal.

3.1.2 *Re: Reason for Refusal no. 2*

The Authority considers this proposal as a substantial extension to the one existing but drawings submitted were all in line with the Policy.

Further arguments and reasons will be brought forward during the appeal.

4.0 Request

4.1 For the above-mentioned reasons, the appellant respectfully requests that the Environment and Planning Review Tribunal to refuse the decision as issued with the refusal notice and to accept this appeal.

List of Witnesses

1. Case officers involved in the relevant application;
2. Representative Public Registry and Notarial Registry
3. Authority members who may be relevant during the appeal;
4. Any other person/s who may be relevant during the course of appeal procedure.
5. All entities listed in the DPA report for clarification.

Av. Graziella Deguara Attard

18th September, 2022