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ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL

RECEIVED  
27 SEP 2022

ST. FRANCIS DITCH  
FLORIANA

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The Hon Chairman,  
Environment and Planning Review Tribunal  
Block B, St. Francis Ditch,  
Floriana

**Application Number: PA/03275/21**

**Location: Dommar, Triq is-Sajf ta' San Martin, Rabat**

**Proposal: To sanction the construction of a private car garage annexed to an existing dwelling and with independent access through a country lane**

In terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016, we hereby submit our plea for appeals for the following reasons:

The Planning Directorate has listed one reason for refusal in the decision notice dated 26 August 2022 as follows:-

**Reason for Refusal**

The sanctioning of the garage and concrete paved area, outside the site curtilage of an existing dwelling within the Bahrija Development Zone, accessible from an illegal independent access have resulted in unjustified take up of rural land. Hence, the proposal runs counter to the Thematic Objective 1.10 and Rural Objective 3 of the Strategic Plan for Environment & Development which only allow for rural development which is legitimate

or necessary. Proposal also runs counter to policy 1.2D of the Rural Policy and Design Guidance, 2014 as it resulted in soil uptake.

Counter Arguments:-

1. The Planning Application revolves around a request for sanctioning of a garage accessible through a private lane off Triq il-Girna in Bahrija, the garage was built some time between 1998 & 2004 and it is directly linked to a dwelling built under the conditions and plans of PA/6830/95, it is of notice that the backboard extension of the back garden was carried out on the adjacent row of houses as shown on the attached block plan.
2. The plans submitted at DOC 73C clearly show that the garage is interconnected to the dwelling and as such should be treated as an extension of the same dwelling even though it extends beyond the 30m from elevation, however it is to be noted that DC15 policy P27 is not applicable
3. There is a clear commitment in the area towards granting permissions for the construction and re-construction and extension to dwellings (see attached block plan) where and over a period of years during which there were many changes to the Planning Policy permission for the construction of dwellings was granted extended and altered all the PA numbers are being listed on the block plan for reference

Finally we respectfully as the following Planning Applications to be made available by the Planning Directorate to all interested parties

- PA/3639/98
- PA/3984/94
- DN/01682/15
- PA/00617/95
- PA/2459/01
- PA/1089/11
- PA/3663/14
- PA/10180/17

List of Witnesses:-

- PA representative (re-zoning and scheme boundary)
- All parties to confirm the facts stated in the plea