

MFF/dem/900/26/80

27<sup>th</sup> October 2021

The Secretary  
Environment and Planning Tribunal  
P O Box 172  
Marsa



Dear Sir,

**Re: PA/1460/22 – Summer Breeze Stables, Triq ta' Hal Mann, Lija**

On behalf of our client, Mr. Ivan Stivala (0352278M), we are herewith submitting an appeal against the decision taken by the Planning Authority to refuse the Planning Application PA/04160/22 that proposes the shifting of manure clamp and cesspit approved by PA/07114/20, paving of circulation space with grass blocks and installation of lightweight canopy covering the horse treadmill and jacuzzi, together with other additions and alteration. This refusal was communicated to our client as per letter dated 16<sup>th</sup> September 2022 (copy of which is enclosed).

The reasons for refusal published on the 28<sup>th</sup> September 2022 are as follows:

1. *The proposed grass blocks runs counter to the provisions of policy 1.2D of the Rural Policy & Design Guidance (RPDG) 2014 in that such would result in excessive formalization of the rural land at the expense of good agricultural soil*
2. *The proposed lightweight structure conflicts with Thematic Objective 1 of the Strategic Plan for Environment & Development for limiting the land take up for uses which are not necessary of legitimate in rural areas. Hence, the proposal also runs counter to Rural Objectives 1, 3 and 4 to facilitate sustainable rural development by controlling the location and design of rural development, as well as the cumulative effect of such development.*

In this regard, we have to submit as follows:

1<sup>st</sup> Reason for Refusal

Policy 1.2D refers to agricultural soil in an agricultural holding. The small area of ground being proposed to be paved with grass blocks is not an arable area within an agricultural holding but in front of approved stables. Moreover, considering the size and location of the area in question, it cannot be considered as an agricultural holding. The grass block area is necessary not only for the hygiene of the horses, since a clean area is required before their entering into the stables but also as an area where machinery and vehicles may be parked within the holding.

#### 2<sup>nd</sup> Reason for Refusal

The Strategic Plan for the Environment and Development is an essential document for strategic guidance. The DPAR alleges that the proposal contradicts Thematic Objective 1 viz:

**Thematic Objective 1: To manage the available potential space and environmental resources on land and sea sustainably to ensure that socio-economic development needs are met whilst protecting the environment and limiting land taken up within the Rural Area by:**

- 1. Guiding the location of the bulk of the new jobs and homes within the urban area.**
- 2. Safeguarding prime tourism sites.**
- 3. Facilitate the setting up of creativity hubs for culture**
- 4. Identifying degraded areas within the Urban Area for integrated regeneration, particularly declining coastal resorts such as Marsascalea, Qawra and Bugibba**
- 5. Achieving a wider mix of compatible uses on land and sea**
- 6. Reducing development densities of urban settlements**
- 7. Increasing green open spaces**
- 8. Facilitate the implementation of an integrated transport strategy**
- 9. Providing a framework for the spatial planning of the Coastal Zone and the Marine Area, which supports land reclamation to further socio-economic development.**
- 10. Socio-Economic development should ensure that rural areas are not exploited for uses which are not legitimate.**

The development proposal is certainly not in conflict with any of the provisions of Thematic Objective 1.

- (i) The proposal is, in fact in line with Rural Objective 1, viz:

**To facilitate sustainable rural development and the diversification of activities within the Rural Area to sustain agriculture and safeguard its distinctiveness by:**

**2. Supporting the modernisation of existing animal and arable farms located away from sensitive areas.**

(ii) The proposal is also in line with Rural Objective 4 viz.

**To protect and enhance the positive qualities of the landscape and the traditional components of the rural landscape by:**

**1. Promoting integrated countryside management**

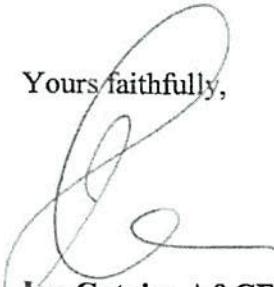
**5. Encouraging the re-use of existing structures worthy of conservation in a manner which is compatible with the rural character and prevents formalisation of the countryside.**

Considering the area in front of the existing stables and within a residential holding, the proposed grass blocks should, in fact, be acceptable as an amenity to the existing facility. We wish to put forward the following approved Planning Permits namely PA/07829/17 and PA/00437/16. Both these approved permits have been approved with grass blocks. Both the quoted approved Planning Permits and the development subject to this appeal lie within the ODZ. In terms of manoeuvrability and cleanliness, the grass blocks are considered an improved amenity to these stables.

Applicant reserves the right to make further written and oral submissions during the course of the hearing of this appeal.

The following documents are being attached – copy of the Planning Authority's Decision, copy of Site Plan, Copy of Receipt

Yours faithfully,



**Ian Cutajar A&CE**  
FALZON & CUTAJAR  
Architects and Civil Engineers