

9th November 2022

The Environment Planning Review Tribunal
PO Box 172
Marsa, Malta

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL

RECEIVED
10 NOV 2022

ST. FRANCIS DITCH
FLORIANA

Application number : PA/02425/22

Applicant : Matthew Buttigieg

Description : Alterations and additions to existing farmhouse, to subdivide it and create a new residential unit with pool and a plot for future development

I write on behalf of **Matthew Buttigieg**, holder of Maltese identity card number 31191(G) of 7, "Tal-Furnar", Triq ta' Hanaq, Nadur, Gozo, and hereby make reference to the Planning Authority's decision to refuse the afore-mentioned development application.

The said decision was published on the 12th October 2022 and the relative refusal was based on the following ground:

"1. The proposed development will result in the subdivision of the site and the creation of a vacant plot of land with a frontage of less than three metres, and thus runs counter to the provisions of policy P26 of the Development Control Design Policy, Guidance and Standards 2015 which specifies that in the parceling in the case of terraced residential developments, the site frontage will not be less than 6 metres. Moreover, the proposed subdivision will also have a direct negative impact on the distinct character and setting of the existing traditional farmhouse. The proposal therefore also runs counter to the Urban Objective 3 of the Strategic Plan for Environment and Development which aims to protect and enhance the character and amenity of urban areas."

On behalf of my client, the applicant in the said development application, I am hereby submitting an appeal against the said refusal.

This appeal is being lodged on the following grounds:

1. The Authority was incorrect in its interpretation and application of the relative policies, including without limitation policy P26; and this as will clearly result during the course of this appeal. Indeed, policy P26 itself states, expressly, that in the case of a redevelopment, frontages of less than 4m will be allowed for an additional single dwelling - as is the case at hand.
2. This decision is also in stark contrast to several other decisions handed down by the Authority between 2019 and 2021 whereby terraced houses were clearly approved with façades of less than 6m.

For these reasons my client respectfully asks the Environment and Planning Review Tribunal to overturn the decision, above-mentioned, and to approve the relative proposed development.

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With regards to witnesses, the appellant reserves his rights to summon the following:

(a) Past and present owners of the property in question.

The fee for the present appeal has been duly paid as per document "A" attached herewith.

Sincerely,



Dr. Damian Bigeni LL.D.
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Service: Planning Authority - St Francis Ravelin, Floriana.