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ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL  
**RECEIVED**  
17 NOV 2022  
ST. FRANCIS DITCH  
FLORIANA

17<sup>th</sup> November 2022

To whom it may concern,

**Re: Appeal for the Refusal of Development Permission as published on the 19<sup>th</sup> October 2022; To change of use from outdoor terrace to class 4D.**

I write on behalf of our client, Mr. Clive Simpson and refer to the refusal on the proposed works in caption. On behalf of my client, I am contesting the refusal for the following reasons:

Although the proposed Class 4D use runs counter to the provisions of Policy SMHO 02 of the South Malta Local Plan, (Residential Areas), we have found that the Planning Authority has granted a Class 4D permit to properties which are located within the designated Residential Area

On behalf of the client Mr. Clive Simpson hence I strongly feel that the refusal cannot be justifiably acceptable.

Regards

**Perit Duncan Muscat**