

23rd May 2023



The Environment and Planning Review Tribunal

Nru. ta' l-Applikazzjoni: PA/323/22

Lokazzjoni: Villa Trevline, 20, Triq l-Isturjun, Qawra, San Pawl il-Bahar

Proposta: To sanction differences from approved permit PB 477/91 including construction of pool and garage, demolition of front room at first floor, internal alterations and proposed increase in area of washroom.

Ref. Taghna:

Ref. Tribunal:

Malcolm Cassar

vs

L-Awtorita' ta' l-Ippjanar

The appellant respectfully submits:-

- I) The applicant made the submission of this application in 2023.
- II) This application was refused by the Commission and the decision was published on the 3rd May 2023.
- III) The appellant feels aggrieved by this decision and is hereby submitting this appeal.

Together with this appeal, the appellant is submitting:-

- o A copy of the decision notice (Dok JA1).
- o Receipt of Payment (Dok JA2).

The appellant respectfully submits the following:

1.1 The Authority wrongly applied the provisions of the law and policy regulating this site.

1.2 In refusing this application on the basis of a wrong interpretation and application of the policy, the authority failed to apply the provisions of article 72(2) of Chapter 552 of the Laws of Malta.

1.3 The proposed development is an alteration to a property that was built years ago and is clearly visible on the 1978 aerial photos and the 1967 survey sheets. The current footprint is identical to the footprint as originally built and confirmed through PB 477/91. No alterations in the footprint of the garage or the front portico or front garden were made and hence same are to be considered as legitimate.

1.4 The proposed development satisfies all other applicable criteria and requirements that are necessary for this development to be favourably considered and approved.

In view of the above, and further submissions that the appellant reserves to make, the appellant requests the Tribunal to revoke the decision of the Commission, and consequently order the Authority to issue the relative permit, and this under those terms and conditions that the Tribunal may deem appropriate.

With Respect

A handwritten signature in blue ink, appearing to read 'Av. Ian J. Stafrace', written over a light blue grid background.

Av. Ian J. Stafrace

Witnesses:

1. Appellants, and consultants and consultees and officers of the Authority to confirm the facts.

A handwritten signature in blue ink, appearing to read 'Av. Ian J. Stafrace', written over a faint, light-colored signature line.

**Av. Ian J. Stafrace
9/4 Britannia House
Old Bakery Street
Valletta**