

PA

PERIT EMANUEL VELLA*ARCHITECT & CIVIL ENGINEER*ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL

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OUR REF: 5273

PA REF: RG/00541/16

DATE: 30 March 2017

The Chairman
 Environment & Planning Review Tribunal
 Floriana

Application No.	RG/00541/16
Location:	Garage 2, Ta Mewg il-Bahar Court, Triq is-Salini, Marsalforn, Zebbug (Gozo)
Proposal:	To regularise Garage no. 2 (second one from the left hand side)

APPEAL AGAINST REFUSAL

I write on behalf of Martin Attard of 'Merhba', Triq il-Mithna, Xaghra, Gozo, in order to file an appeal from the decision dated 14 March 2017 whereby my client's application was refused. The application is in respect of the above mentioned development.

The application was refused for the following reasons:

1. *The existing development cannot be regularised since in the opinion of the Planning Authority, the development constitutes an injury to amenity since garage is blocking a projected road. For this reason, the existing development does not comply with Article 4 (5)(a) of the Legal Notice 285 of 2016.*

Applicant kindly submits that the existing development can be regularised for the following reasons:

- a) The reason given for this refusal is incorrect since the existing garage is not blocking the projected road because it is one metre below the formation street levels of the projected road.

- b) As proof I am submitting the Planning Authority official survey, marked as Doc A with reference no. GF 46/15/44a, which indicates the existing spot levels, street alignment and formation street levels of this projected road. I am also submitting a longitudinal section W:W, marked as Doc B, along this street showing the ceiling height of the garage in relation to the existing and formation level of this street above the garage.
- c) Furthermore, it is to be noted that all the infrastructural services, such as drainage, water and electricity already exist and hence all the buildings are served with these services.

In view of the above submissions, the existing development is not constituting an injury to amenity and the Tribunal is requested to overturn the refusal and grant the permit requested by my client.

A copy of the relative decision and of the site plan are being herewith attached together with the form attesting payment of the fee.



Perit Emanuel Vella