

Fil-Prim Awia Tal-Qorti Civili
Onor. Mhallet Dr. Lorraine Schembri Orland LLD

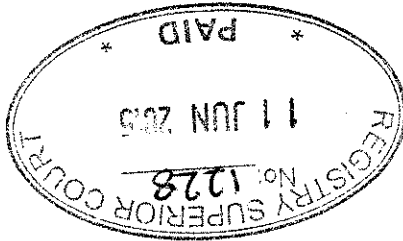
Diret 29/11
127.

Rikors Nru. 244/14 LSO

Malaga Enterprises Ltd.

Vs

Duminku Cutajar et



RELAZZJONI ADDIZZJONALI TAL-PERIT TEKNIKU

AIC GODWIN P. ABELA

22/02/2016
Merku
Dr. Godwin Abela
Deputat Registratur

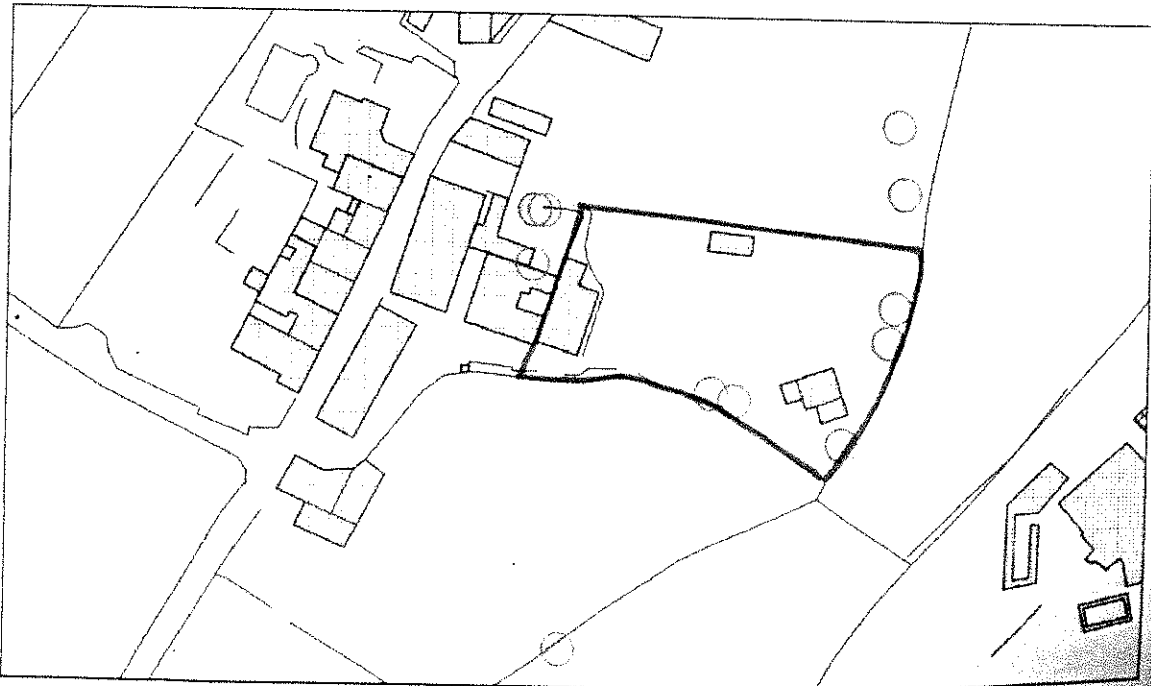
Jesponi bir-rispett:

1. ESTENSJONI TAL-INKARIGU

Permezz ta' digriet moghti fit-28 ta' Mejju 2015 din l-Onorabbli Qorti
estenditli l-inkarigu sabiex jagħmel valutazzjoni tal-propjeta' mertu tal-
kawza.

2. DESKRIZZJONI TAL-ART MERTU TAL-KAWZA

2.01 L-art mertu tal-kawza hija għalqa tal-kejl superficiali ta' cirka 1,400
metri kwadri li tinsab fi-artijiet magħnra bhala Ta'Sdaq Sejduha fi
Triq Gakbu Abela fil-lokalita Hal Mann fil-limiti ta' Hal Lija. L-
għalqa indikata bil-kontini homor fuq is-site plan hawn taht esibita
tinkludi giebla w tlett ikmamar rurali w tinsab adjacenti binja
ezistenti.



2.02 L-art hija accessibbli minn triq rurali w passagg komuni ma'proprietajiet ta' terzi.

2.03 L-art tinsab barra miz-zona ta'zvilupp u b'referenza ghas-Central Malta Local Plan, Lija Area Policy Map LJM1, l-art taqa' taht il-kategorija ta' Strategic Open Gap skond Policy CG25 tal-Istess plan li jispjefika s-segmenti:

Except for areas indicated for inclusion within the Development Zone through the Local Plans Rationalization of Development Boundaries Exercise (2006) as approved by Parliament, MEPA will not permit any urban development in designated Strategic Open Gaps except for essential small scale utility infrastructure provided that such development satisfies the following conditions:

a) It is demonstrated to the satisfaction of MEPA that the developer could not acquire a suitable site for the proposed development that is not located within a Strategic Open Gap;

b) The development is to have a siting, massing, layout and design which least impinges on the scenic value and character of the Strategic Open Gap; and,

c) The development is to be adequately screened by soft landscaping. Within Strategic Open Gaps, MEPA promotes the following uses and activities:

i. Maintaining and enhancing attractive landscapes and the improvement of derelict land through habitat recreation, rural

afforestation and soft landscaping schemes where appropriate in line with Policy CG11;
 ii. Nature conservation and improved presentation of important habitats, where appropriate;
 iii. The promotion of arable agricultural land uses in all areas not scheduled for environmental protection;
 iv. Improved access to the open countryside through the provision of country pathways and cycle routes, where appropriate; and
 v. Providing opportunities for public informal recreation in appropriate locations.

2.04 Bhala art barra miz-zona ta'zvilupp minghajr ebda possibiltà ta'zvilupp urban skond dak ikkwotat fil-paragrafu 7.03, l-art hija effretwata bil-Rural Policy & Design Guidance 2014, Part 6 - Other Forms Of Development Outside Built Up Areas. Dawn il-policies huma applikkabbli għall-uzu possibbli varju tal-kmamar rurali li jinsabu fuq l-art in kwistjoni kif ukoll għal possibbli estensjoni limitata tal-binja ezistenti adjacenti ma' l-istess art, liema binja hi propjeta ta' wiehed mill-kodividenti. Il-policies applikkabbli huma s-segwenti:

Policy 6.2A - Rehabilitation & Change Of Use Of Existing Buildings Of Architectural, Historical (Non Scheduled), Vernacular Or Of Other Significance ODZ.

Policy 6.2C - Redevelopment & Change of Use Of Existing Buildings ODZ.

Policy 6.3 - Extensions To Existing Dwellings ODZ.

3. BAZI TA' VALUTAZZJONI

L-esponent qed jassenja valur ta' art rurali barra miz-zona ta'zvilupp wara li qis dan bhala l-fattur principali għal bazi ta' valutazzjoni pero tenut kont tal-fatt li fuq l-art hemm partijiet li jista' jsir fuqhom xi tip ta' intervent jew zvilupp limitat skond kif deskritt f'paragrafu 2.04 hawn fuq.

4. VALUTAZZJONI

Wara li ha konjizzjoni tal-fatturi kollha li setgħu jincidu fuq il-valur tal-art in kwistjoni, l-esponent hu tal-opinjoni li l-valur attwali tal-art fuq is-sud mitneth hu ta' €185,000 (mija w hamsa w tmenin elf ewro).

In dizimpenn tal-inkarigu addizzjonali lilu moghti, tant ghandu l-esponent
X'jissottometti ghal wisq aktar savju gudizzju ta' din l-Onorabbli Qorti.

Godwin P. Abela A&CE
Perit

Godwin P. Abela

1 1 JUN 2015

Sum
presentata minn akt 6 P. Abela

[Signature]

Bruno Zahra
Deputat Registratur
Deputy Registrar
Qrati tal-Gustizja (Malta)
Law Courts (Malta)

Citazzjoni Numru: 244/14/LSO

Drittijiet Perit Tekniku AIC Godwin P Abela

Valutazzjoni	€185,000 x 0,003	555,00
Total Drittijiet		€555,00
Typing tar-Relazzjoni	4 x €0,70c	2,80
Kopji tar-Relazzjoni	8 x €0,23c	1,84
TOTAL SPEJJEZ		€4,64
TOTAL DRITT U SPEJJEZ		€559,64
+18% VAT		€100,74
TOTAL DOVUT		€660,38