Prim Alle tel-Quiti Grili. Alli tes-Subate 37/20.
MCHINEGO PETTINS. COM.

Referenza ta' l-ufficciu

Referenza tagħkom:

Atti tas-Subasta Nru 39/2020 - Malcolm Jones et vc Francis Debattista et

Data: 14/6/2021

Post in kwistjoni:

Suggett:

Valutazzjoni tal – propjeta li tinsab Numru 5, Sqaq 4, Triq Santa Lucija, Naxxar

L-esponenti intalab mill- Onorabbli Prim'Awla tal-Qorti Civili sa biex jirredigi opinjoni professjonali dwar il-valutażżioni tal-propjeta in kwistioni.

Introduzzjoni

ls-sit in kwistjoni jinsab fi żona UCA – Urban Conservation Area jigifieri fejn ma jistax issir żvilup iktar min żewó sulari jew daqs kemm hemm ezistenti min qabel 1968. Il-propjeta qeda tiģi murija markata fil-pjanta Annetti A.

ls-sit gie mkejjel fuq is-sit kif ukoll b'referenza mal-pjanti tal-permess maħruġa mill-Awtorita' tal-Ipjanar Annetti B.

Il-kejl tal-propjeta kollha jitwettaq skont il-kodići tal-prattika tal-kejl kif maħruġ mill-Kamra tal-Periti Valaution Standards 2012.



Rapport ta'valutazzjoni:

- (a) Id-data tal-valutazzjoni;
 L-Erbghatax ta' Gunju, Elfejn u wiehed u ghoxrin (14/06/2021)
- (b) Id-data li saret referenza ghaliha meta ģiet valutata l-propjeta; L-Ewwel ta' Gunju, Elfejn u wiehed u ghoxrin (01/06/2021)
- (c) L-istat li jiği kkalkulat li l-propjeta kienet fih fid-data li saret referenza ghaliha meta ğiet valutata l-propjeta;
 Din il-propjeta tikonsisti f'dar antika li qed mifruxa fuq tlett sulari. Kif tidhol go fiha fil-pjan terran issib bitha tin-nofs u bil-kmamar imdawrin maghha. Tarag mal-genb tal-bitha jiehdok fl-ewwel sular fejn hemm il-kmamar ukoll imdawrin mal-bitha. Fittieni tinsab karma kbira bi swit il-bitha u thares fuq il-faccata tal-propjeta.
- L-użu li kien qed isir mill-propjeta fid-data li saret referenza ghaliha meta ģiet valutata lpropjeta inkluża l-informazzjoni dwar jekk il-propjeta kienitx fl-istess żmien suġġetta
 ghal drittijiet ta' terżi bhalma huma enfitewsi, użu, użufrutt jew kera;
 Din il-propjeta qed innabitabli f'dan l-istadju. Il-perit inkarigat minn din l-stima ma
 giex infurmat jekk hemmx drittijiet ta' terzi bhalma huma enfitewsi, użu, użufrutt
 jew kera u ghalhekk gie mehud bhala post liberu u frank.
- (e) L-operazzjonijiet paragunabbli, jekk ikun hemm, li l-propjeta tkun giet valutata b'riferenza għalihom;
 Ġew iparagunati rati tal-begħ fil-qrib u ta'propjetajiet simili fid-daqs u tip bħal din in kwistjoni. Din kienet tikonsisti min ričerka tat-Times of Malta, kif ukoll minn siti elettroniči ta' 'real estate agents'.

(f) Ir-restrizzjonijiet li joħorgu mill-iskemar skont il-pjani lokali u, jew raġunijiet pertinenti oħra;

Peres li din il-propjeta qeda fil-parti 'Urban Conservation Area' tan-Naxxar u ghanda permess ricenti, ma hemmx lok ghal aktar zvilupp, ghal hekk ma tigiex affetwata mil-pjan lokali tal-Planning Authority.

- (g) Il-metodu ta' kif waslu għall-valutazzjoni tagħhom;
 Intuza I-metodu komparabli tax-xiri ta' propjetajiet simili ghal din in kwistjoni .
- (h) Dikjarazzjoni tal-Periti kif ukoll tal-esperti l-oħra involuti fil-valutazzjoni, skont issubartikolu preċedenti, li ma kellhom l-ebda kunflitt ta' interess fid-data talvalutazzjoni;

Hawn taht iffirmat tikkonferma li ma hemm l-ebda kunflitt ta' interess li naghti parir tal-opinjoni tal-valur tal-propjeta, peress li s-sottoskritt jew l-asocjati tieghu ma jibbenefikawx mill-istruzzjoni tal-valutazzjoni, ghajr il-miżata tal-valutazzjoni.

Id-dokumentazzjoni u l-kirjiet ta' titoli ma ģewx ipprovduti lili. Sa kemm ma jiģix innotifikat bil-kontra, nassumu li kull propjeta għandha titolu tajjeb. Nassumu wkoll li d-dokumentazzjoni kollha tinģibed b'mod sodisfaċenti u li sa kemm ma jkunx żvelat lilna, m'hemmx restrizzjonijiet, servituijiet skont il-kuntratt tal-bejh. Nirrakkomandaw li d-dipendenza m'ghandhiex titqiegħed fuq l-interpretazzjoni tiegħi mingħajr il-verifika min qabel mill-konsulenti legali tiegħek.

Fatti fuq I-art in kwistjoni

Is-sit huwa dar antika li tinsab go sqaq fejn ma jistawx jidhlu karozzi u ghanda kejl ta' circa 167.15m² skont kif inhu indikat f'Annetti B.

Metodologija ta' valutazzjoni qhas-sena 2021

Dan isir skont l-istandards ta' valutazzjoni tal-Kamra tal-Periti kif maħruġa fl-2012 ġħal valutazzjoni tal-bini bbażat fuq il-metodu komparattiv.

Din iż-żona fil-UCA tar-raħal ta' Naxxar fiż-żona UCA ta' Naxxar il-propjeta simili għal din in kwistjoni għanda valur kummerċjali fi 2021 ta' €3,600.00/m².

Konklużjonijiet u rakkomandazzjoniet

Ghaldaqtant qed tigi rakomandata li l-valur tal-propjeta in kwistjoni ikolla valur ta' €600,000.00 (Sitt mitt elf euro).

Din hija bbażata fuq proporzion tal-valur tal-art fil-vicinanzi.

Emelaniespiteri Perit Melanie Spiters 7953 9511 · melanie@perilms.com Triq L Sant, M'Scala - Malta (ـعـB.E.& A.(Horls)

3 0 JUN 2021

Ipprezentata mill-legit Melanie Spłemi B/bla dok wated (1) dokumenti

Qrati tal-Gustizzja (Malta)

ILLUM 06 to Sottomber, 21

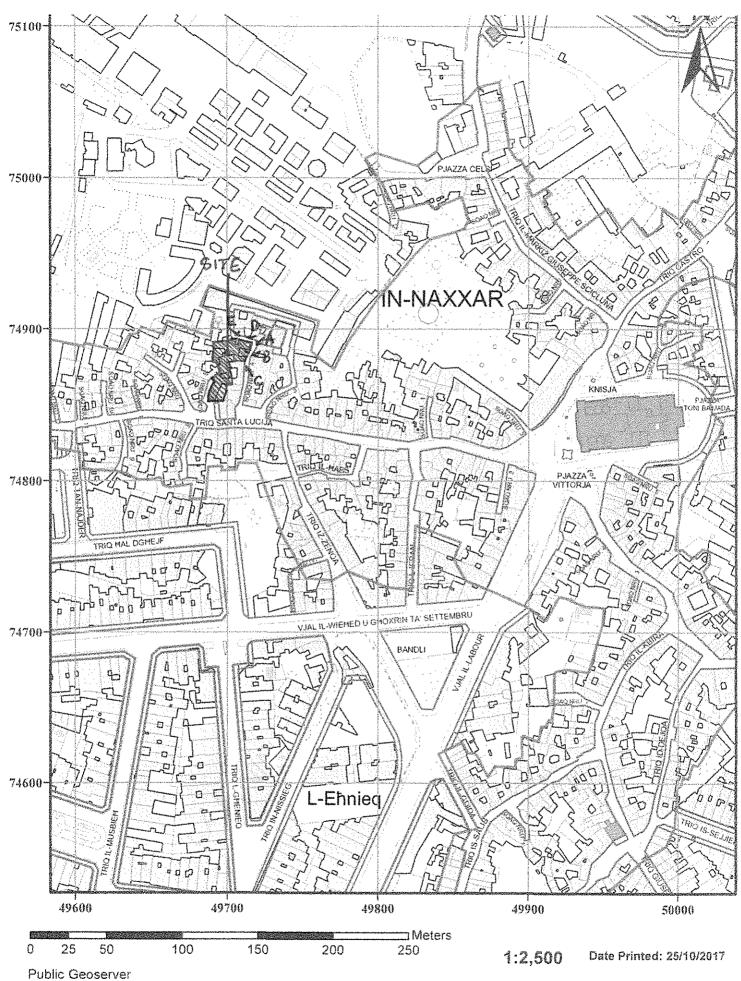
DEHER IL-PERIT LEGALITEKNIKU MELCAIR Spiteci 486381M LI HALEF LI QEDA FEDELMENT U ONESTAMENT L-INKARIGU MOGHTI LILU

EGISTRATUR

Gaetana Aquilina Deputat Registratur Deputy Registrar Qrati tal-Gustizzia (Malta) Law Courts (Malta)

Page 4 | 8

Annetti A – Site Plan



Compiled and published by the Mapping Unit, Planning Authority ©PA.

Reproduction in whole or in part by any means is prohibited without the prior permission of the Mapping unit.

Data Captured from: 1988-1994-1998, 2004 & 2008 aerial photography and undates from 2012 adhophotos.

PLANNING AUTHORITY

Annetti B – Pjanti tal-permess u pjanta ta' gewwa

Mr Malcolm Jones

Date: 4 January 2021 Our Ref: PA/07544/20

Application Number:

PA/07544/20

Application Type:

Full development permission

Date Received:

14 October 2020

Approved Documents:

PA 7544/20/1N/1H/58C/58E/58G/58H/58i/58J

Location:

5, Triq Santa Lucija, Sqaq Nru. 4, Naxxar

Proposal:

Minor internal and external alterations to existing Class 3A (guest house) including relocation of Class 4C area within same property.

Development Planning Act, 2016 Full Development Permission

The Planning Authority hereby grants development permission in accordance with the application and documents described above, subject to the following conditions:

- a) This development permission is valid for a period of FIVE YEARS from the date of publication of the decision in the press but will cease to be valid if the development is not completed by the end of this validity period.
 - b) This permission relates only to the development as specifically indicated on the approved drawings. This permission does not sanction any other illegal development that may exist on the site.
 - c) A Commencement Notice is to be submitted to the Planning Authority, by the perit on behalf of the applicant, at least FIVE DAYS prior to the date of commencement of works or utilisation of the permission. Failure to submit the Commencement Notice (with all fields correctly completed) or failure to submit it within the required timeframe shall invalidate the Notice and shall result in the imposition of fines according to Schedule D of Legal Notice 277 of 2012, or its amendments, or its replacements. In addition, if the applicant fails to submit the Commencement Notice or the Commencement Notice submitted is invalid, the relative permission shall be considered as never having been utilised Article 72(4) of the Development Planning Act (2016).
 - d) Copies of all approved drawings and documents shall be available for inspection on site by Planning Authority officers at all reasonable times.
 - e) The development shall be carried out in complete accordance with the approved drawings, documents and conditions of this permission. Where a matter is not specified, then the conditions of this permission and of Development Control Design Policy,

PA/07544/20

Guidance and Standards 2015 shall apply.

- f) Before any part of the development hereby permitted commences, the enclosed green copy of this development permission shall be displayed on the site. This must be mounted on a notice board, suitably protected from the weather and located not more than 2 metres above ground level at a point on the site boundary where it is clearly visible and can be easily read from the street. The copy of the permission must be maintained in a good condition and it shall remain displayed on the site until the works are completed.
- g) All building works shall be erected in accordance with the official alignment and official/existing finished road levels as set out on site by the Planning Authority's Land Surveyor. A Setting Out Request must be submitted to the Land Survey Unit of the Planning Authority, prior to the commencement of works on site, when the setting out of the alignment and levels is required.
- h) Where an officially schemed street, within the development zone, bordering the site is unopened or unformed, it shall be opened up and brought up to its proper, approved and official formation levels prior to the commencement of any development hereby being permitted.
- i) It is the responsibility of the permit holder to ensure that development is carried out in accordance with the provisions of the Environmental Management Construction Site Regulations, Legal Notice 295 of 2007 (or subsequent amendments). Any hoarding shall be erected in accordance with Schedule 2 of the same Regulations.
- j) New development on vacant or redeveloped sites shall be provided with a water cistern to store rainwater run-off as required by the Energy Performance of Buildings Regulations (2012) [published through Legal Notice 376 of 2012 and any amendments thereto].
- k) No steps, ramps or street furniture are to be constructed on or encroached onto the public pavement or road.
- I) Any doors and windows, the lower edge of which is less than 2m above road level, and any gates shall not open outwards onto a public pavement or road.
- m) Where present, window grilles (including 'pregnant' windows), sills, planters and other similar elements which are part of or fixed to the facade of buildings, the lower edge of which is less than 2 metres above road level, shall not project more than 0.15 metres from the facade over a public pavement or street.
- n) Air conditioning units shall not be located on the facades of the building which are visible from the street or a public space.
- o) There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street or public space.
- p) Any garages shall only be used for the parking of private cars and shall be kept available at all times for this purpose.
- q) Any approved stores shall be used for domestic storage only and shall not be segregated from the rest of the building.
- 2 a) Where applicable, prior to any demolition of buildings/boundary walls abutting streets, PA/07544/20

the Setting Out Request Notice must be submitted to the Land Survey Unit of the Planning Authority. Demolition works shall not be undertaken before setting out is made by Planning Authority officials.

- b) Original internal and external walls shall not be hacked (mbaqqna) or grit-blasted. New stone on the façade is to be fair faced without any attrition or marking, unless otherwise specified in approved drawings or supporting documents.
- c) Unless otherwise indicated on the approved drawings, the facade of the building, all roof structures, rear garden/yard walls, (but excluding internal shafts), and back elevation shall be retained/constructed in local stone. The stone shall remain unrendered and unpainted, and it shall be allowed to weather naturally. Such components of a building indicated to be rendered/finished other than in local stone, are to be painted in local stone colour, unless other colours are indicated on the approved drawings.
- d) Unless otherwise indicated on the approved drawings, all external apertures visible from a public space, shall be constructed in timber. Open balcony railings and all other metalwork, visible from a public space, shall be in wrought iron.
- e) All services located on the roof of the uppermost roof structures shall not extend beyond the height of the approved parapet wall.
- The approved premises shall be used as indicated on the approved drawings or as limited by any condition of this permission. If a change of use is permitted through the Development Planning (Use Classes) Order, 2014 (or its subsequent amendments), and it is not restricted by a condition of this permission, approval from the Commission for the Rights of Persons with Disability may still be required. Reference needs to be made to PA Circular 3/10 (with the exception of Appendix A), PA Circular 2/14 and their subsequent amendments.

The premises shall be used only as a Guest House and for no other purpose, including any use falling within Class 3A of the Development Planning (Use Classes) Order, 2014 (or its subsequent amendments).

The catering establishment approved with this development permission shall be ancillary to the overall use of the building as a Class 3A Boutique Hotel. The catering use shall not be segregated from the approved Class 3A.

- 4 No approval is hereby granted for the display of any sign or advertisement. This must be subject of a separate application.
- The development hereby permitted shall be subject to Final Compliance (Completion) Certification, verifying that the development has been carried out in full accordance with the approved drawings, documents and conditions imposed in this development permission, except where such conditions are enforced by other entities. Prior to the issue of any compliance certificate on any part of this development, the applicant shall submit to the Planning Authority, in relation to that part of the building a clearance from the Commission for the Rights of Persons with Disability verifying that the development fully satisfies the accessibility standards and/or any conditions imposed by the Commission in minute PA7544/20/63.

Note: Should a partial compliance certificate be requested, a Bank Guarantee of EUR10,000 shall apply to ensure that CRPD clearance is obtained.

6 Conditions imposed and enforced by other entities

- A. Where construction activity is involved:
- (a) the applicant shall:
- (i) Appoint a Project Supervisor for the Design Stage and a Project Supervisor for the Construction Stage and any such appointment shall be terminated, changed or renewed as necessary. The same person may be appointed to act as project supervisor for both the design and construction stage, if that person is competent to undertake the duties involved and
- (ii) Keep a health and safety file prepared by the Project Supervisor for the Design Stage.
- (b) When the construction works related to this application are scheduled to last longer than thirty working days and on which more than twenty workers are occupied simultaneously, or on which the volume of work is scheduled to exceed five hundred person-days, the project supervisor shall communicate a prior notice to the Occupational Health and Safety Authority (OHSA) at least four calendar weeks before commencement of works.
- (c) The Project Supervisor for the Design Stage shall **draw up a health and safety plan** which sets out the occupational health and safety rules applicable to the construction activities concerned, outlining the measures to ensure cooperation between different contractors and shall also include specific measures concerning occupational risks that may be present at this site.
- **B**. Where the development concerns a change of use to a place of work, the applicant shall obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.
- **C**. Where the development concerns a place of work:

The applicant shall:

- (i) obtain a Perit's declaration that the necessary requirements arising out of LN 44 of 2002 have been included in the plans and drawings; and
- (ii) obtain a Perit's declaration that the building conforms to the requirements of LN 44 of 2002.
- **D**. The development is to strictly adhere to the 'Design Guidelines on fire safety for buildings in Malta' to ensure that all Fire Safety measures and provisions are addressed as indicated in the Design Guidelines on Fire Safety for Buildings in Malta, published by the DCID in 2004, (or other relevant standard, provided it is approved by the Civil Protection Department), Policies, and the Laws and Regulations of Malta.
- **E**. Prior to laying of water and wastewater services in the road, the development shall comply with the requirements of Legal Notice 29/10 Part III (Roads in inhabited Areas) Clause 12.

- **F.** In the event of an accidental discovery in the course of approved works, any cultural heritage feature discovered should not be damaged or disturbed and the Superintendence is to be immediately informed of such discovery. Any cultural heritage features discovered are to be investigated, evaluated and protected in line with the Cultural Heritage Act 2019 (CAP 445). The discovery of cultural heritage features may require the amendment of approved plans.
- **G.** For new development, the following condition, imposed and enforced by Enemalta, applies:

A culvert measuring 0.8m wide by 0.75m deep should be prepared along the façade of the development in order that any overhead lines may be substituted by underground cables. The culvert is to be interconnected to an adequate space consisting of a **small room or recess** located near the **entrance**, provided for the purpose of housing the electricity meters. Another adequate space for the purpose of housing the electricity meters, consisting of a **small room or recess** located in the basement near the **entrance**, also interconnected to the culvert, is to be provided. The architect/applicant is required to contact Enemalta, throughout the implementation of the development hereby approved, to ensure conformity with the imposed conditions. A copy of the relative correspondence issued by Enemalta shall be submitted to the Planning Authority accordingly.

- H. Where the development includes a swimming pool:
- (a) Any effluent, if discharged in the sewers, shall meet the specifications listed in L.N.139 of 2002 as amended by L.N.378 of 2005.
- (b) Adequate sampling points should be installed as directed by WSC Discharge Permit Unit officials.
- (c) Chlorine concentration of the effluent should not exceed 100 mg/L Cl₂.

In terms of Article 72(3) of the Development Planning Act, 2016, the execution and validity of this permission is automatically temporarily **suspended** and no works as approved by the said development permission may commence before the lapse of the time period established in Article 13 of the Environment and Planning Review Tribunal Act. In the event that an application is submitted before the Environment and Planning Review Tribunal requesting the suspension of the execution of the permission, this permission will remain so suspended until the Tribunal otherwise decides in accordance with the Environment and Planning Review Tribunal Act.

Where the approved drawings and/or documents are dimensioned, then the declared dimensions shall prevail over the actual size as depicted on the approved drawings and/or documents.

Developers are advised to check the invert level to the sewer main with the Water Services Corporation as they would have to make their own arrangements where a gravity service connection is not possible. In these cases, the architect has to indicate the solutions envisaged and to indicate on the plan what needs to be carried out and obtain approval from WSC. Developers are further reminded that connection of storm water into main sewers is not allowed.

If the declaration of ownership, as contained in the application form, is determined as incorrect by a Court of Law, then the said Court of Law can declare this development permission as null and void. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that

consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.

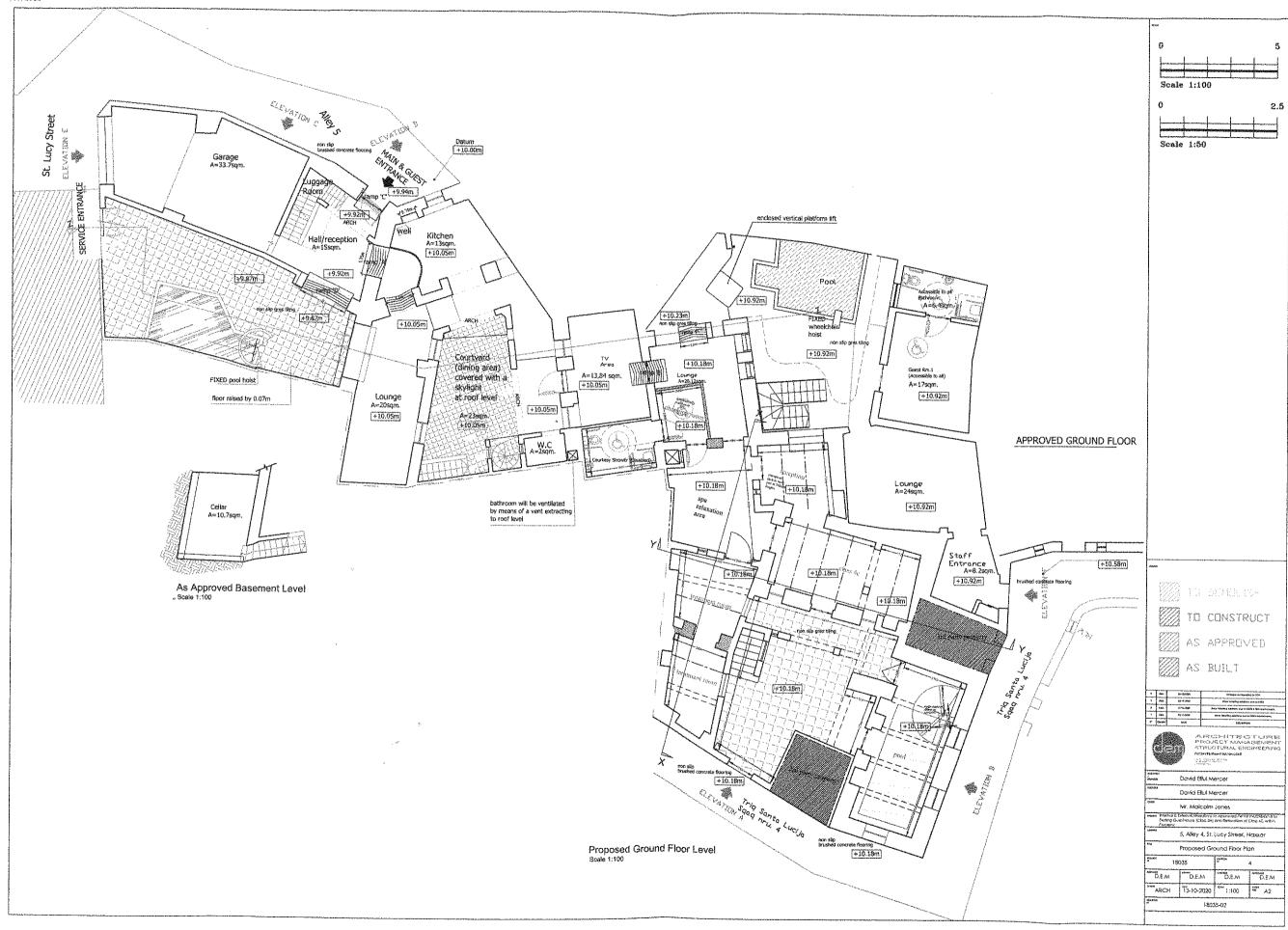
This development permission is granted saving third party rights. This permission does not exonerate the applicant from obtaining any other necessary permission, license, clearance or approval required from any Government department, local council, agency or authority, as required by any law or regulation.

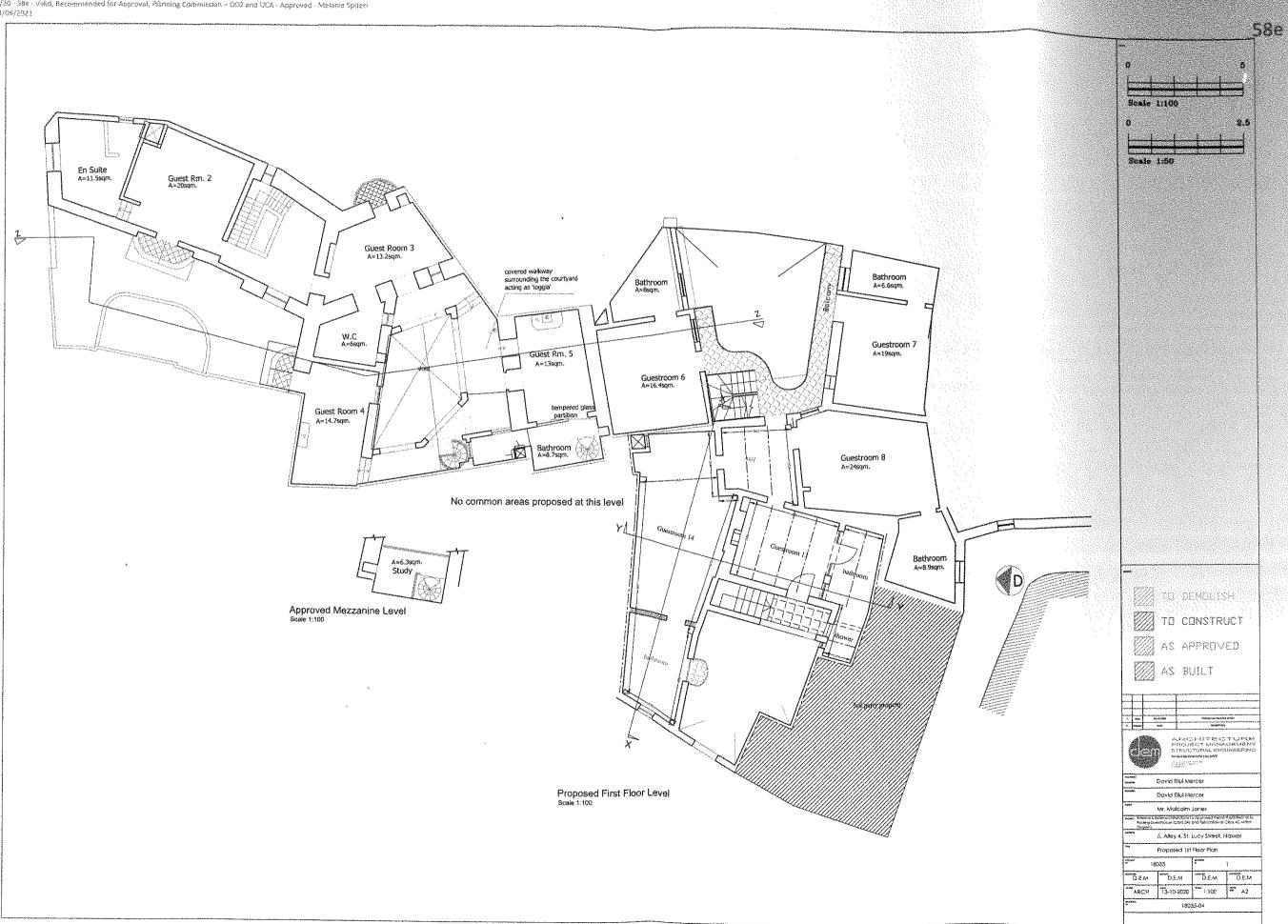
This development permit does not authorise any storage of substances listed in Occupational Health and Safety Authority Act (Cap. 424) - Control of Major Accident Hazards Regulations, 2003, as amended, in quantities that would render this site an establishment within scope of these regulations. The storage and handling of said substances may require a new or amended development permission in line with current policies and regulations.

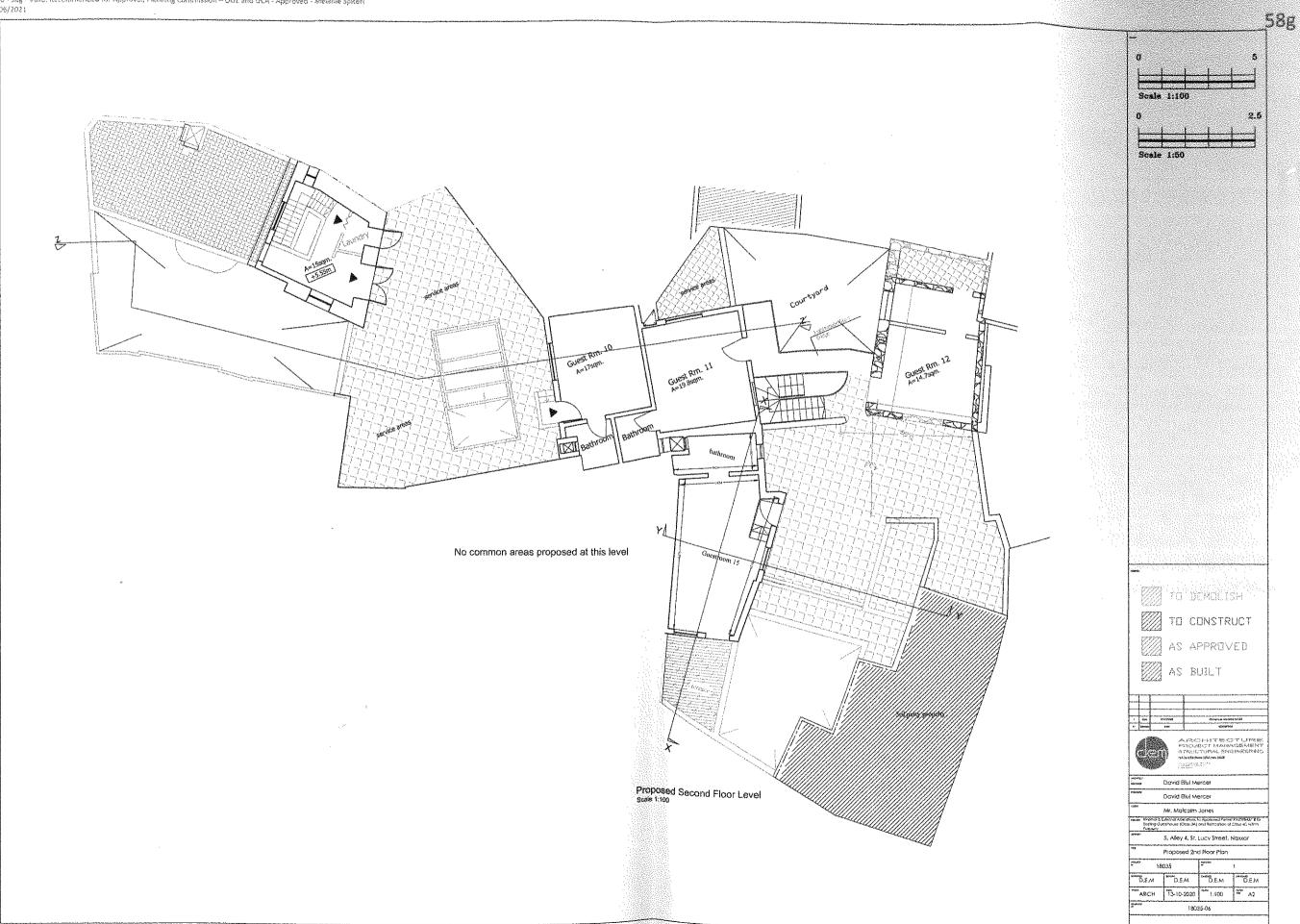
For any non-residential uses hereby being approved, prior to commencement of any works on site or any eventual permitted change of use, the applicant shall be required to contact the Environment and Resources Authority to obtain any necessary operational permit or registration. This requirement does not apply to Class 2B, 2C, 4A and 4B uses as listed in the Development Planning (Use Classes) Order 2014, or its subsequent amendments.

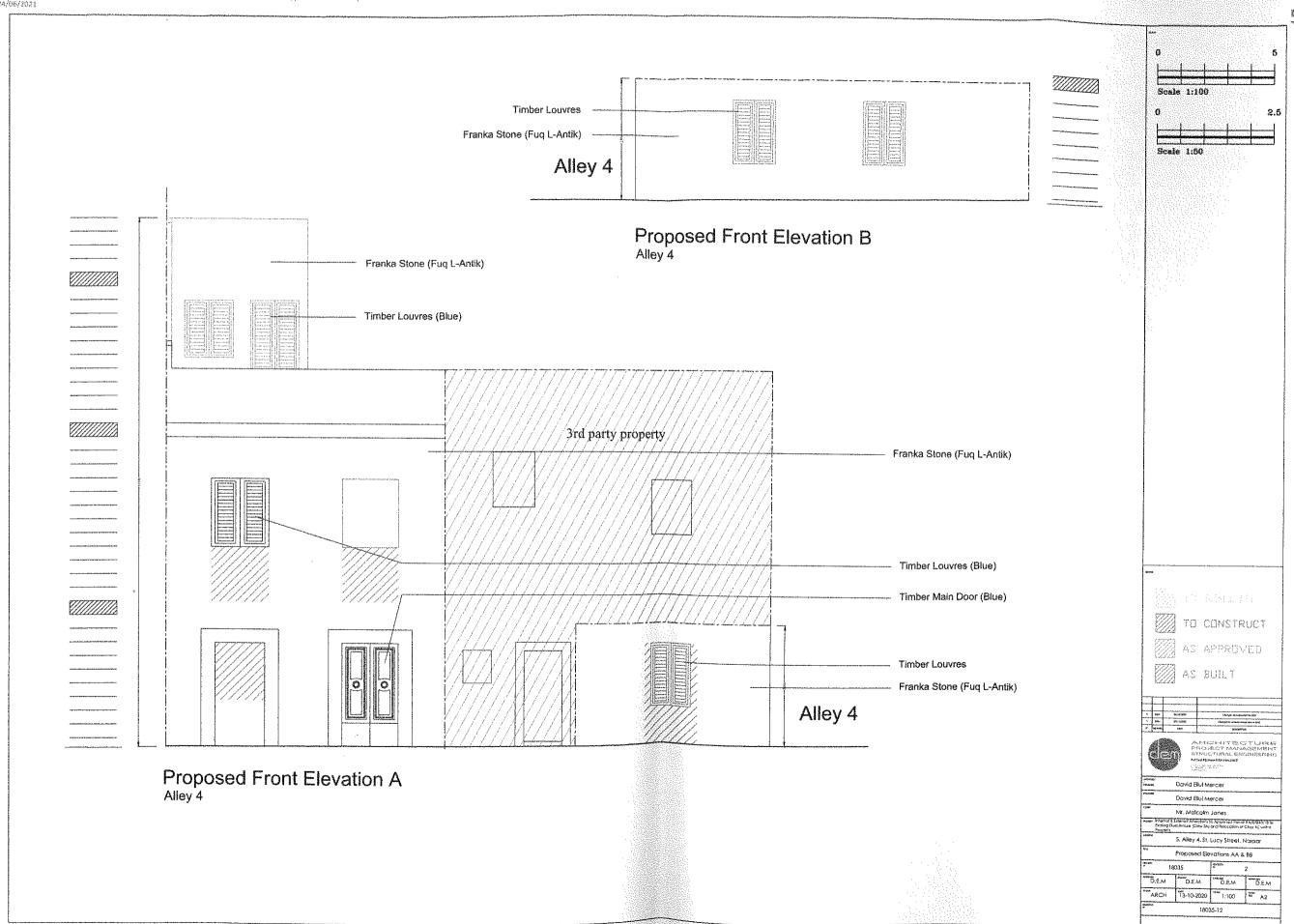
This decision is being published on 13 January 2021.

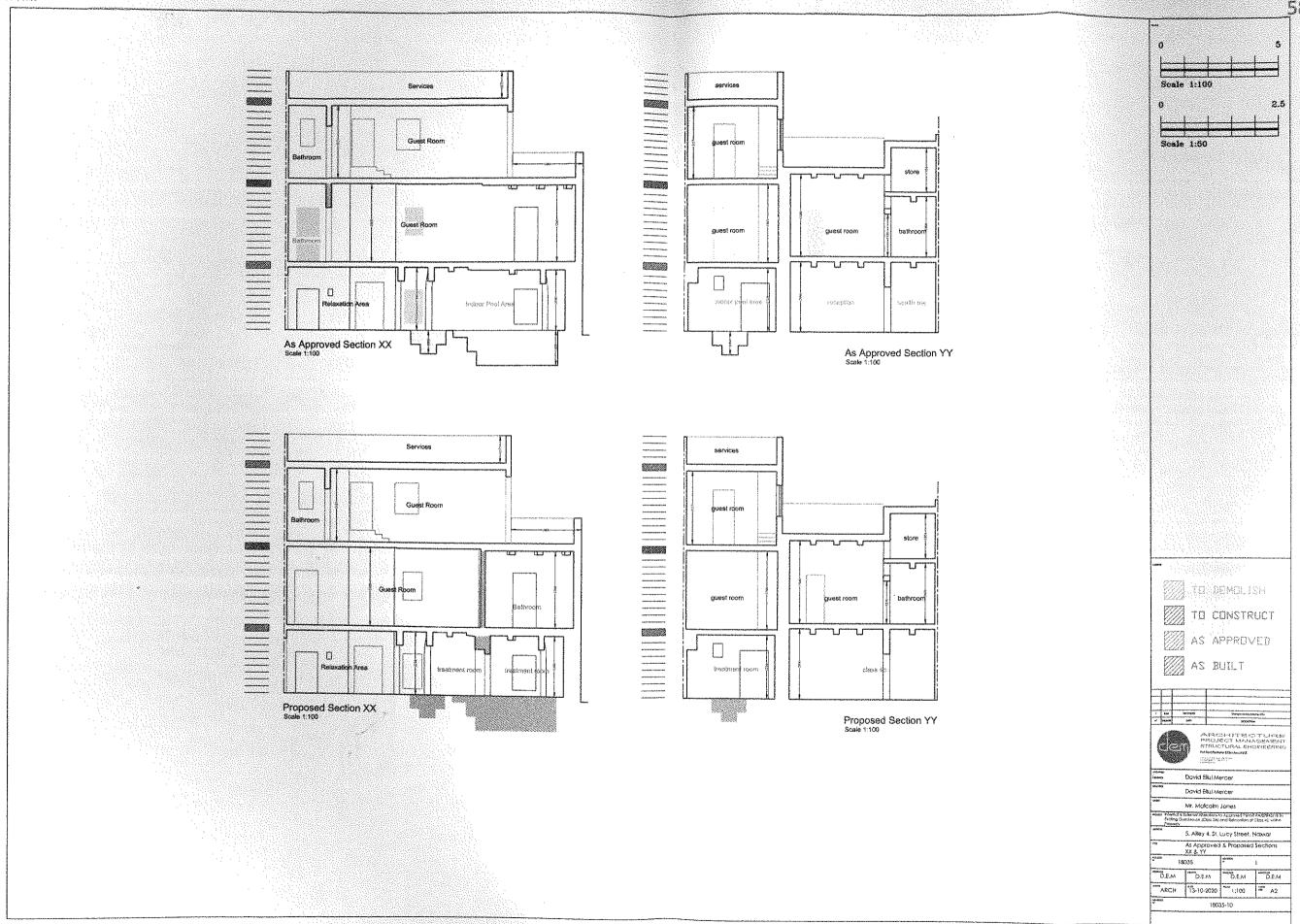
Monica Gauci Secretary Planning Commission Outside Development Zone and Urban Conservation Areas

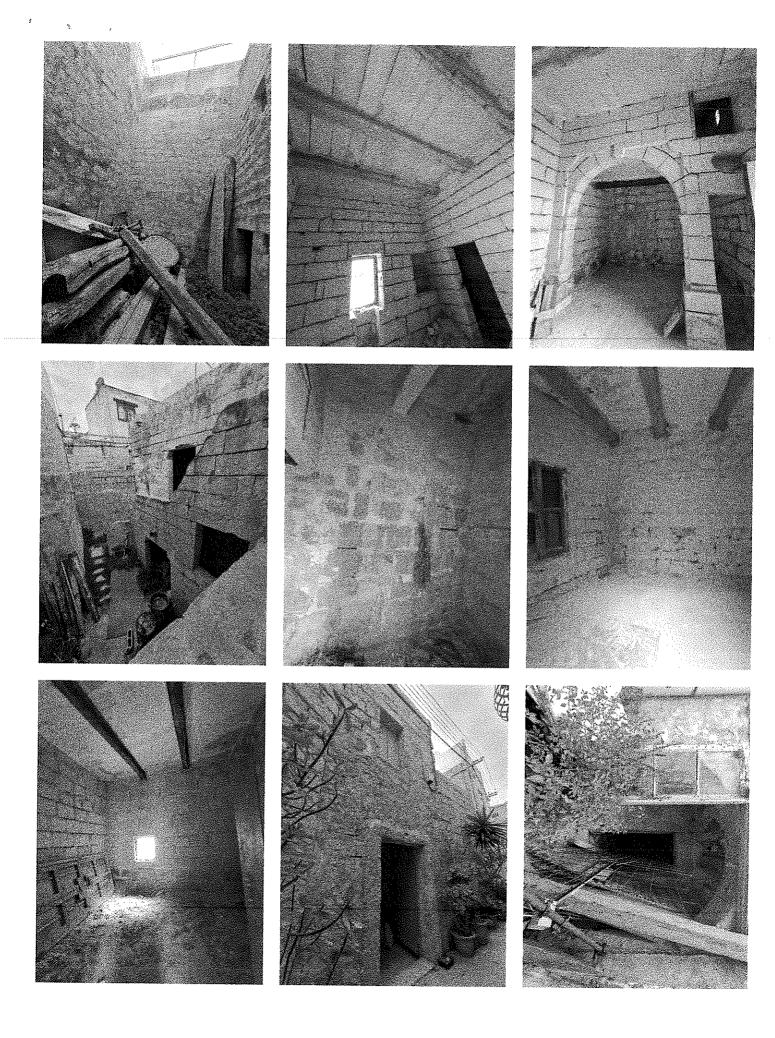


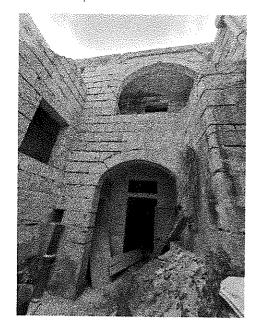


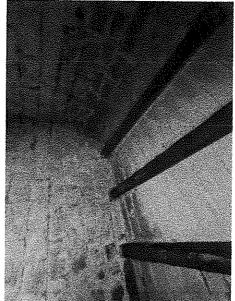
















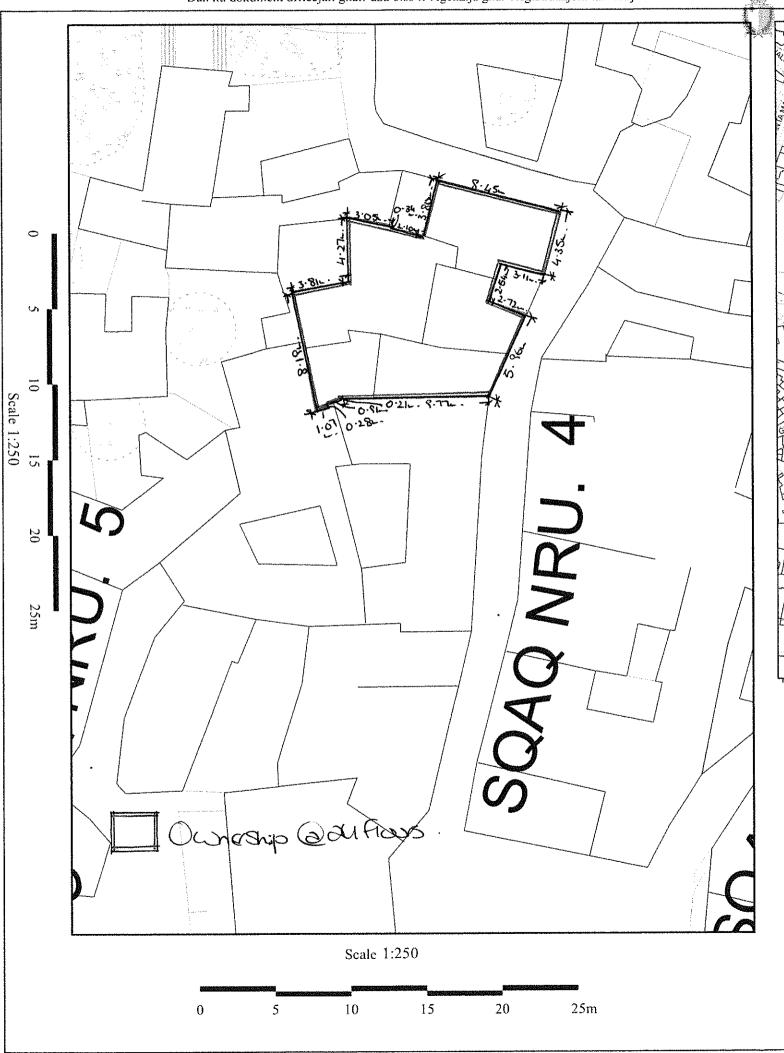
Page **8 | 8**

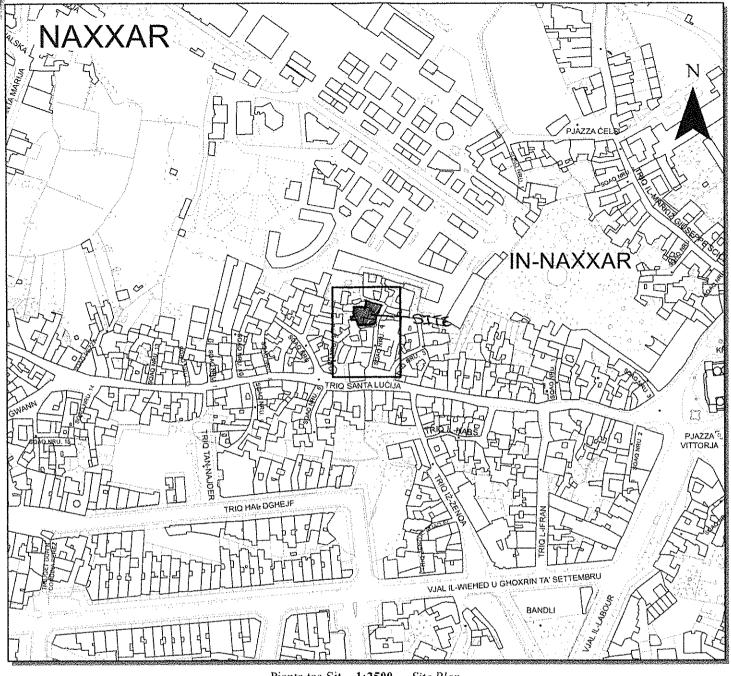
PART III EIGHTH SCHEDULE

Physical Attributes of Immovable Property

Locality	DOXXION.	Addres	5 DOS AIKY	1
Total Footprint of Area Transferred *	CNC6 167:55 sq.mt			
Tick where applicable (Tick one box in each case except where indicated otherwise)				
			neuteu otherwise,	
Type of Property	Villa Penthouse	Semi-Detached Mezzanine	Bungalow Maisonette	Flat/Apartment Farmhouse
	Terraced House	Ground Floor Tenement	Maisonette	Latismouse
Age of Premises	0-20 years	Over 20 years	Pre WW2	
Surroundings	Sea View	Country View	Utrban	
Environment	Quiet	Traffic	Entertainment	Industrial
State of Construction	Shell	Semi-finished **	Finished ***	
Level of Finishes	Good	Adequate	Poor	
Amenities Tick as many as	With Garden No Garage	With Pool One Car Garage	With Lift Two Car Garage	With Basement Multi Car Garage
<i>appropriate</i> Airspace	Ownership of	No Ownership of	Shared Ownership	
* Includes all lands and gardens but excludes additional floors, roofs and washrooms ** Includes plastering, electricity, plumbing and floor tiles *** Includes ** plus bathrooms and apertures				
Date: "	31199995T	Perit's Signature:	MONEY	
		Warrant Number:	$(-6.30\cdot)$.
Rubber Stamp.				
		Imela	anlespiter	
		+356 7953 95	511 • melanie@peritms.coc.	

Trig L Sant, M'Scala - Maita





Pjanta tas-Sit 1:2500 Site Plan

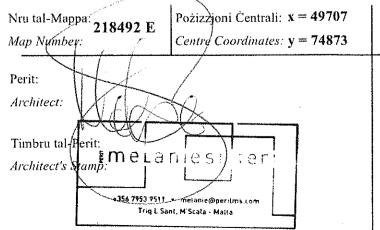
Aģenzija għar-Reģistrazzjoni tal-Artijiet

116, Casa Bolino, Triq il-Punent, Il-Belt Valletta



Land Registration Agency

116, Casa Bolino, Triq il-Punent, Il-Belt Valletta



Extracted from S.S:

Parti min S.S.:

Data: 15/06/2021 Date:

Qies (metri kwadri):

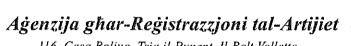
Area (square metres): CiVG 167-55m2 -

Firma ta' l-Applikant:

Applicant's Signature:

LR 215284

Dritt imhallas Fee Paid



Nru tal-Mappa: 218492 E Map Number: Perit: Architect: Timbru tal Perit:

Architect's Stamp: me La [1] @ 5 : Triq L Sant, M'Scala - Malla

LR 215284

Dritt imhallas Fee Paid

Registratur Tal-Qorti Fil-Prim Awla Tal-Qorti Civili

NOTA KORRETTORIA/ADDIZZIONALI DWAR NRU 48/2019

No: 2686

2 6 AUG 2021

PAID

Atti tas-Subasta Nru 39 Malcolm Jones et vc Francis Debattista et

> Fl-Atti tas-Subbasta Nru 39/2020 fl-ismijiet Malcolm Jones et

> > ٧S

Francis Debattista

B'Referenza mar-rapport tieghi bid-data ta' l-Erbghatax ta' Gunju 2021, nixtieg naghmel it-tibdila li gejja:

NOTI ADDIZIONALI:

F'pagna no 4, il-frazi "Għaldaqtant qed tiġi rakomandata li l-valur tal-propjeta in kwistjoni ikolla valur ta' €600,000.00 (Sitt mitt elf euro)" ghanda tigi mibdula hekk:

"Għaldaqtant qed tiġi rakomandata li l-valur tal-propjeta in kwistjoni ikolla valur ta' €500,000.00 (Hames mitt elf euro)"

Perit/Melanie Spiteri

Perit Tekniku

ILLUM 06 to Settember DEHER IL-PERIT LEGALITEKNIKU MELCINE Sp. 484 381M LI HALEF LI QEDA FEDELMENT U ONESTAMENT L-INKARIGU MOGHTI LILU

> Gaetana Aquilina Deputare para de GISTRATUR Deputy Registrar Qrati tel-Gustizza (Malta)

Law Courts (Malta)

2 6 AUG 2021

ipprezentata mill-legit V

سر B/bla dok.....

Otali Fam (Conte (Meya) Nebnia (Sente (Meya) Nebnia (Meya) Nebnia (Meya)