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The Chairman,
Environment & Planning Review Tribunal
St Francis Ditch, Floriana, FRN 123



Application Number: PA/05120/17

Location: 8, Unit 4, Triq Felic, Belt Valletta, Malta

Proposal: Re-construction of collapsed ceiling in lightweight materials and internal alterations consisting of new stairs and bathroom

Reference is made to the decision by the Planning Authority refusing the development described above, for the following two reasons:

1. The proposed development runs counter to the provisions of policy P45 of the Development Control Design Policy, Guidance and Standards 2015 since the ground floor residential unit does not have an adequate outlook onto the street and therefore has poor residential amenity.
2. The proposed development runs counter to the provisions of policy P32 of the Development Control Design Policy, Guidance and Standards 2015 which specifies that the minimum dwelling area for a one-bedroom housing unit is 55 sq. m. The proposal therefore also runs counter to the Urban Objective 3 of the Strategic Plan for Environment and Development which aims to protect and enhance the character and amenity of urban areas.

Reason of Refusal 1:

It has to be made clear that the application does not propose any change of use to a residential unit. The use of the premises is already residential and this is evidenced by the 1967 electoral registry, attached, showing that Mr. Lawrence Micallef used this premises as his main residence. The proposed application seeks to make a number of internal alterations in order to improve on the existing conditions of the place.

During the second deferred sitting, the Board referred to the lack of light and ventilation for the proposed unit. However, it became apparent that the drawings did not highlight the actual presence of an internal yard, which is in fact allowing light and ventilation into the proposed unit. In addition to the door leading to this internal yard, which the applicant is prepared to alter to allow more light into the place, there are two grills leading to the basement level.

Furthermore, the proposed glass floor and the proposed new internal staircase shall allow increased light and ventilation to flow from the ground level to the lower level. We believe that the proposed layout shall enhance the conditions of the present residence.

Reason of Refusal 2:

We would like to note that the proposed unit has 15 sqm at ground floor and 27 sqm at basement level, totalling 42sqm.

The site in question lies in a Valletta and is considered an Urban Conservation Area. Thus in line with P32 of DC 2015,

In the case of rehabilitated palazzini located within Urban Conservaton Areas, while the above areas will be encouraged, the Gross Floor Area for a one-bedroom housing unit may be relaxed to a lower limit of 36 sqm...

We therefore feel that the second for refusal is also unjustified since the square metres of the proposed one-bedroom unit exceeds this lower limit.

For this reason, my client would like to Appeal the Decision of the Planning Commission Board. Attached please find updated drawings to clarify the presence of the internal yard.

I look forward to your positive reply.

Regards,


Joseph Saliba a & ce