

LUDOVICO MICALLEF A&CE

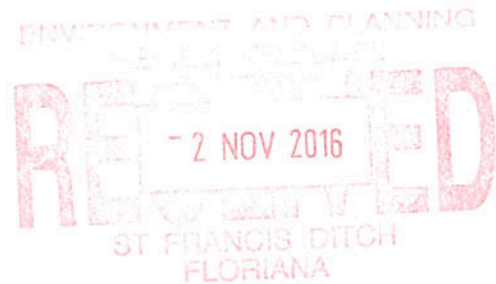
72 'Villanelle' Triq ta' Mellu, Mosta

1st November 2016

The Secretary,
Environment & Planning Review Tribunal,
Floriana.

Madam,

Application No.: PA/02573/13
Location : Site at Triq il-Għargħur, Naxxar
Proposal : Construction of a building comprising 3 residential units and a semi-basement garage



I am writing on behalf of Messrs. Mark Anthony, Maria & Cristiana Azzopardi, to submit an appeal against the refusal issued by the Planning Commission in respect of the above-mentioned development application. A copy of this refusal, which was published on the 12th October 2016, is attached.

The proposed development consists in the construction of a building comprising 3 residential units (one on each floor) and a semi-basement garage.

The reasons given for the refusal are the following: –

- 1) The proposal is not considered justified since the creation of a new dwelling outside the development zone runs counter to the Thematic Objective 1.10 and Rural Objective 3 of the SPED.
- 2) The proposed development will have direct access on to a main road and would give rise to potential traffic hazards and adversely affect the free and safe flow of traffic. This goes against policy P14 of the Development Control Design Policy, Guidance and Standards 2015 and was also objected to be Transport Malta.
- 3) The scale and appearance of the proposed development, particularly the creation of an exposed blank party wall and therefore runs counter to Rural Objective Policy RO 4.3a of SPED.
- 4) The proposal does not comply with the provisions of Legal Notice 227 of 2016: Development Planning (Health and Sanitary) Regulations 2016, in terms of the backyard.

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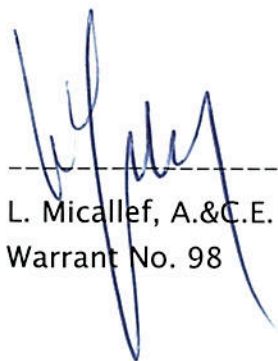
Regarding the above-mentioned reasons given for the refusal of this application, it has to be pointed out that:

- 1) The proposed development abuts onto an existing building and the area in question is quite developed, as can be seen from the submitted site plan.
- 2) The site on which the proposed building is going to be developed is quite long, over 33 mts., and the proposed building can be put back from the road alignment, so that entrance/exit to the semi-basement garage will not be directly onto the main road.
- 3) The proposed building will abut onto an existing building which also has an exposed blank wall. Mitigating measures can be incorporated to lessen the effect of the blank wall.
- 4) Regarding the back yard, it has to be mentioned that the site can accommodate quite easily a back-yard, as required by LN227 of 2016, since the land at the back is also the property of the applicant's family.

Further documentation including photographs, etc., will be submitted when this appeal is being heard by the Environment and Planning Review Tribunal.

Whilst thanking you for your attention, I remain,

Yours faithfully,



L. Micallef, A.&C.E.
Warrant No. 98