

The Chairman
Environment & Planning Review Tribunal
Floriana, Malta
P.O. Box 172,

17th April 2020
ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL
RECEIVED
21 APR 2021
ST. FRANCIS DITCH
FLORIANA

Office's ref: 103/18
PA Ref: RG/1457/20
Development: To regularize maisonette as built including building over terrace in front garden
Location: 45 'Rosebud', Triq Ignazio Saverio Mifsud, Birkirkara

Appeal Application

Dear Sir/Madam,

Reference is being made to the below reasons for refusal for the above mentioned PA application:

1. The existing development cannot be regularised since it significantly encroaches the official building alignment and is thus construed as creating an injury to amenity. The proposal is therefore in breach of regulation 4(5a) of LN 285/16.

The undersigned Architect and Civil Engineer would like to point out the following for the refusal.

The existing building was approved by PA5258/93 by an appeal decision to have a large open balcony over all the front garden and having a column at the corner.

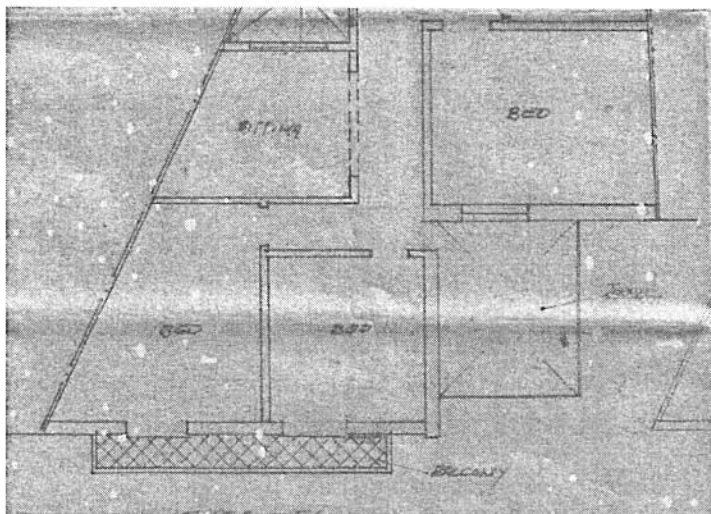


Photo 01 – Plan of approved First Floor in PA5258/93 showing a large terrace at the corner supported by a column at ground floor.

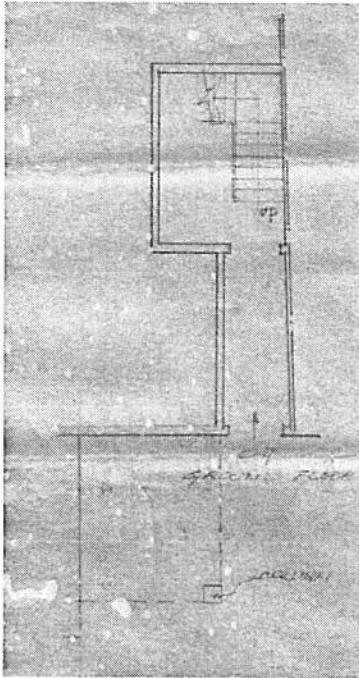


Photo 02 – Plan of ground floor showing a column at the corner of the approved open balcony over the front garden

The regularization application is to regularize the conversion of the terrace at ground floor into a closed room.

With PA5258/93, there is already a commitment of a building which is significantly encroaching the official building alignment and therefore does not construe as creating an injury to amenity, not breaching of regulation 4(5a) of LN 285/16.

In light of the above, the undersigned requests EPRT to overturn the decision of refusal by the Planning Authority and approve the regularization application RG/1457/20.

Kind regards,

A handwritten signature in black ink, appearing to read 'Perit Stanley Cortis'.

Perit Stanley Cortis
B.E & A.(Hons.), A. & C.E

Encl: Payment €200.00
Siteplan
Refusal

Appendix:

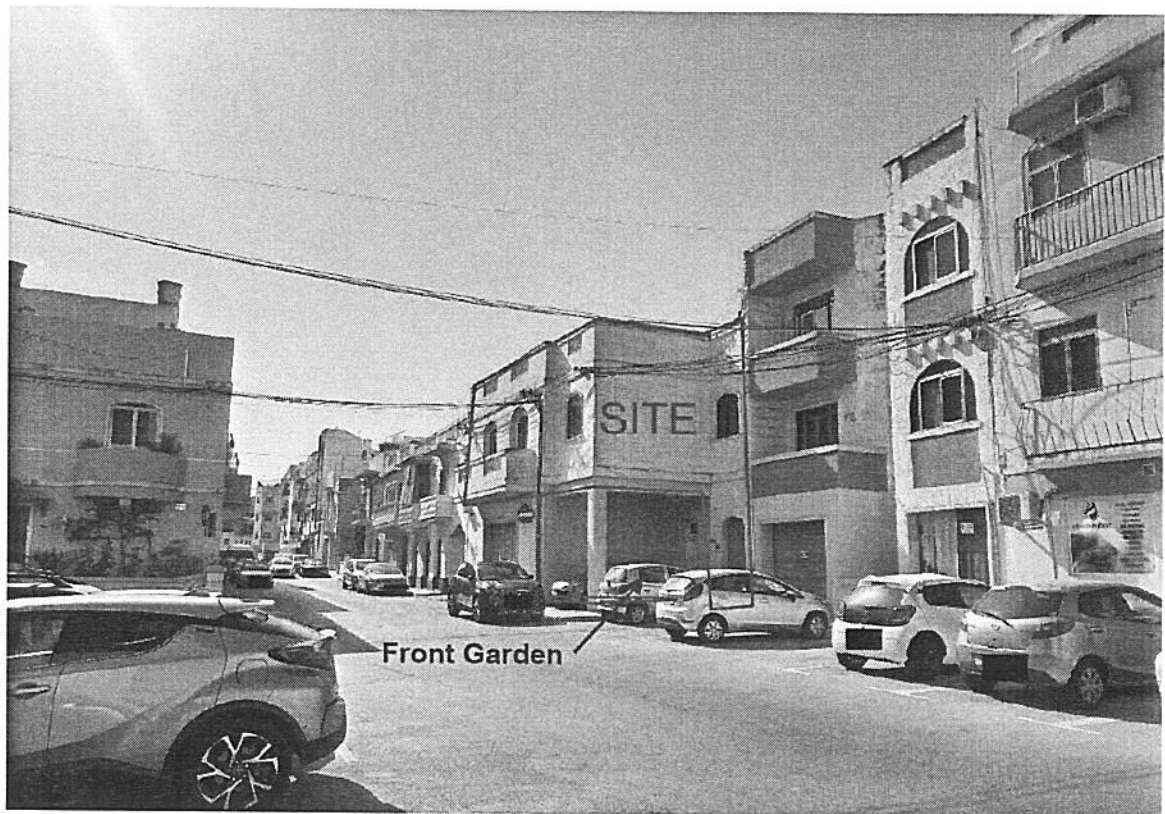


Photo 03 – Photo showing room being regularized in RG/1457/20 built over a large open terrace covered by PA5258/93

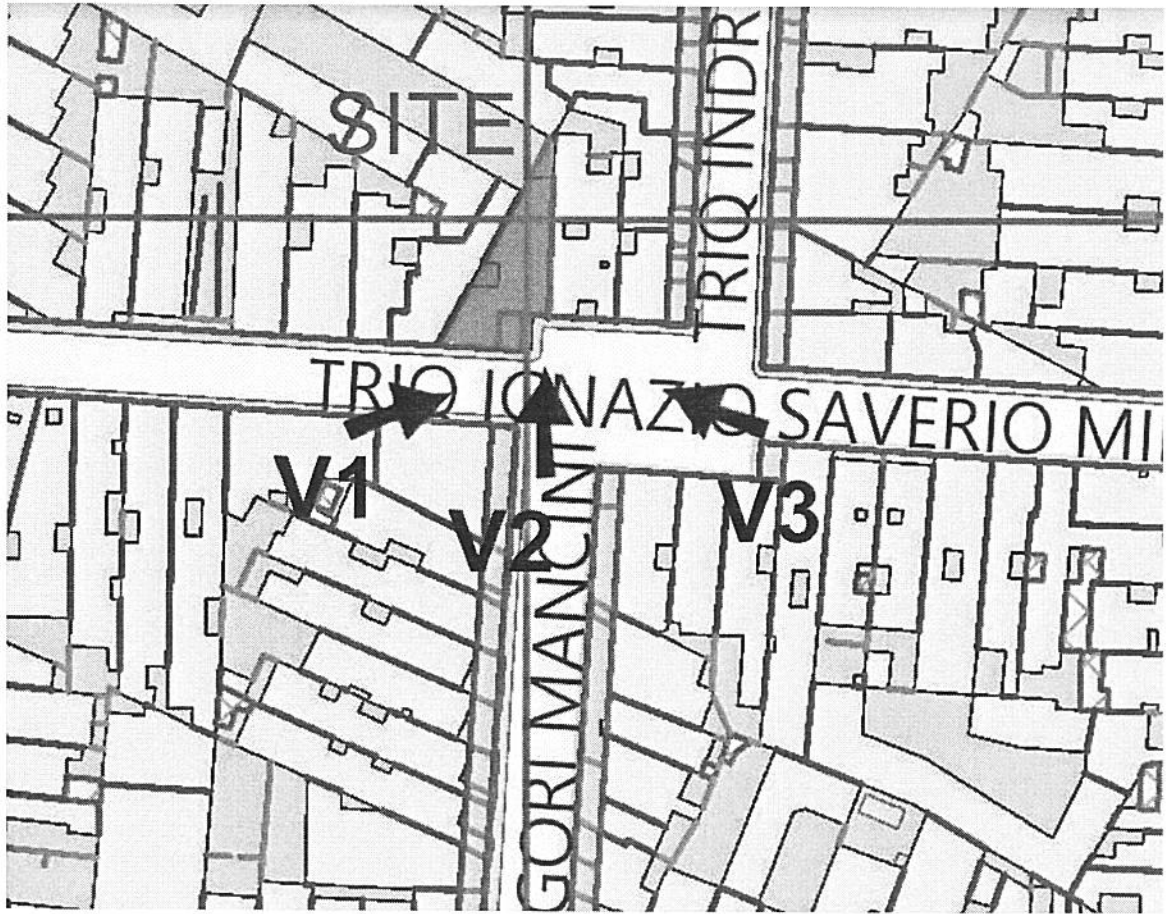


Photo 04 - Terrace at first floor approved in PA5258/93 built over the front garden. Room being regularized in RG/1457/20 built over a large open terrace covered by PA5258/93.