



GODWIN
SULTANA

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL

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29 OCT 2021

ST. FRANCIS DITCH
FLORIANA

30, Garden Street
Ghajnsielem, Gozo
Malta. GSM 1805

28th October, 2021.

The Environment and planning Review Tribunal

Application Number: PA/02895/20
Location: Belveder Court, Triq l-Arcisqof Pietru Pace, Rabat (Gozo).
Proposed Description: To sanction minor alterations at rear facade, construction of elevator and set back floor.

Elvin Vassallo
Vs
The Planning Authority

The Appellant respectfully submits:-

- I. The applicant made the submission of this application in 2020.
- II. This application was refused by the commission and the decision was published on the 12th October 2021.
- III. The appellant feels aggrieved by this decision and is hereby submitting this appeal.

Together with this appeal, the appellant is submitting:-

- A copy of the decision notice (ref)
- Receipt of payment(ref)

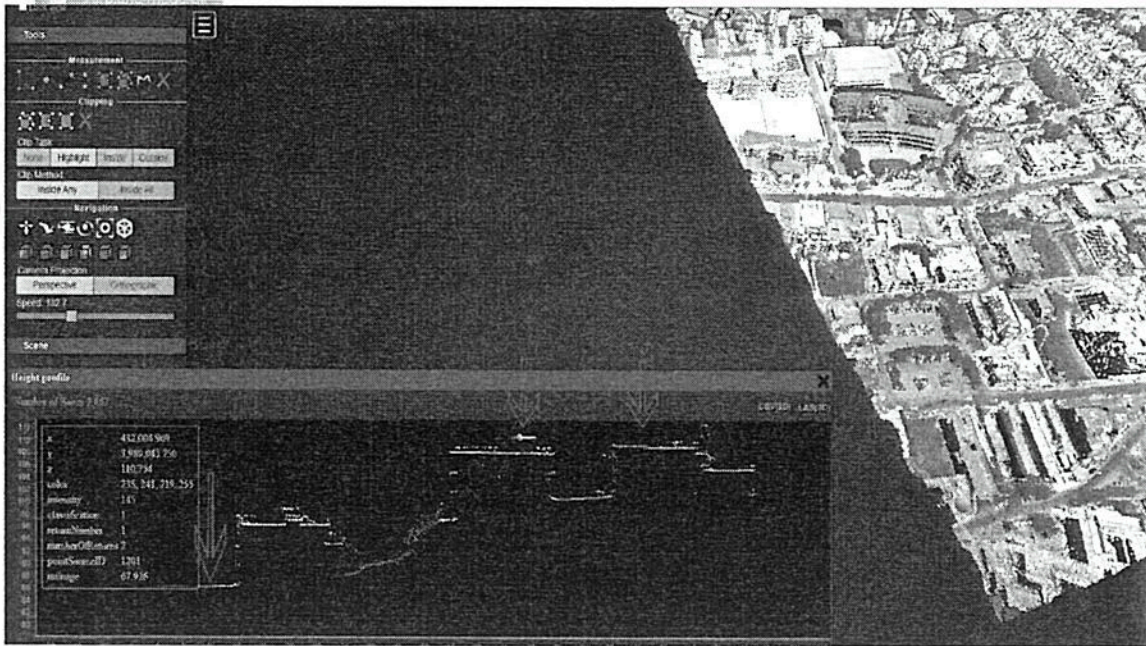
The appellant respectfully submits the flowing

1. The authority wrongly applied the provision of the law and policy regulating the site.
2. The authority failed to apply the provision of article 72(2) of chapter 552 of the Laws of Malta and also failed to apply other provisions of Sped which mitigate the favor of the proposal
3. The proposed development is in line with the local plan policies regulation the site, and is not contrary to the provisions of the applicable policies..
4. Identical proposals where given the necessary permit in similar circumstances.



In view of negative decision we would like to take the opportunity to present our proposal and the rigorous process undertaken to find the best solution befitting the site in question. From the onset it has been appreciated that the utmost care must be taken to safeguard the continuity of the street whilst providing value residences in a challenging urban environment, and therefore we methodologically addressed the site lines in reducing the footprint size to achieve a solution that we believe would be a positive attribute to the community.

The building height in the proposal is a direct result of the existing streetscape and as approved in previous permit as seen on lidar data. The proposal seeks to expand the footprint of the existing roof structure but limits itself to acute setbacks both at front and rear to further blend in the existing context. Although these setbacks are excessive given the distance from the lower road at rear and the higher ground at the opposite side of the street at façade, it is understood the importance as a mitigation measure.



As can be seen from the extraction from LiDAR Data, the structures at the lower road are approved at 51 courses (PA 00548/20), whilst on the opposite side of the road at façade there are applications of setback floors and the ground severely slopes upward PA 06674/20). This creates a backdrop of structures when looking from any point from the North and blocked from site from the South. The LiDar extraction also clearly shows the existing building height which will not be surpassed.



As is evident in the amendments and correspondence, together with the case officers, we methodologically addressed the issues and any suggestions for the benefit of the proposal and its surroundings. If any further information or amendments are required to clarify any of the above, we would appreciate the opportunity to present. In view of the above, and further submissions the appellant reserves to make, the appellant request the Tribunal to revoke the decision of the Commission , and consequently order the Authority to issue the relative approval, and this under those terms and conditions that the Tribunal may deem appropriate ,

Kind Regards,

Perit Godwin F. Sultana

Assoc. AIA B.Sc Arch. (Cum Laude)MSc(Bath)