

Environment and Planning Review Tribunal
 Block B, St. Francis Ditch,
 Floriana
 (P.O. Box. 172 Marsa; info@eprt.org.mt)

7th January 2022

APPEAL



Permit No: **PA/07633/21**
Location: Vacant Plot, Triq it-Torri, Triq it-Torri, Sqaq Nru.1 Sqaq ta' San Lawrenz, San Lawrenz
Description of works: Construction of flats with a different layouts from that approved in PA/07356/20; including reduction of units from 15 to 12, construction of a communal pool, alterations to facades, and reduction of basement garage for private cars.

Chairperson,

On behalf of third parties, the following issue was noted:

According to the Policy P36 the approved building exceeds the height limitation from the lower end of the site (Sqaq No.1 Sqaq ta San Lawrenz).

During the PA application process this issue was raised by means of a Representation at Doc 37a. Perit Busuttill responded that the exceeded height is being compensated as per that shown hatched in Blue on DOC 38G (Fig 1). However, the area shown hatched in blue on Doc 38G is not as per Policy P36. Hence the Permit was erroneously approved.

As per policy, the correct area for compensation should be as shown on Figure 2. The part hatched in green can be developed, so it should not have been included in the compensation area. The area shown in blue in Fig 2, compensates for the area shown in red. Hence, the built-up area in the area hatched in blue and above it, must be eliminated.

In the meantime, the suspension of the execution of this permission is requested.

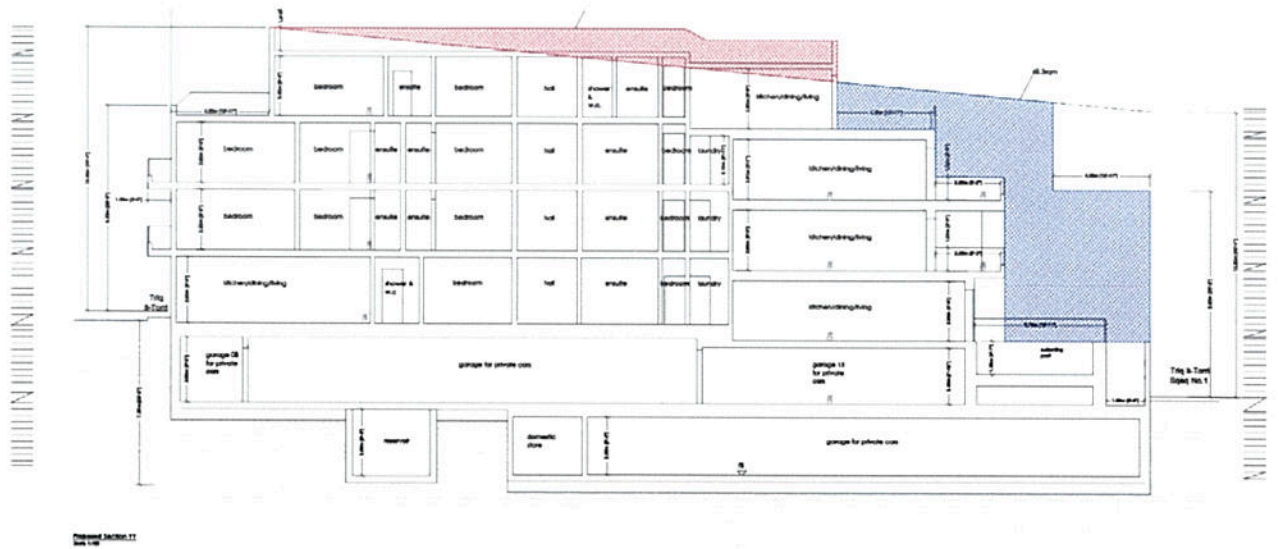


Figure 1: Section showing Compensation Area as approved (PA/7633/21 Doc 38g).

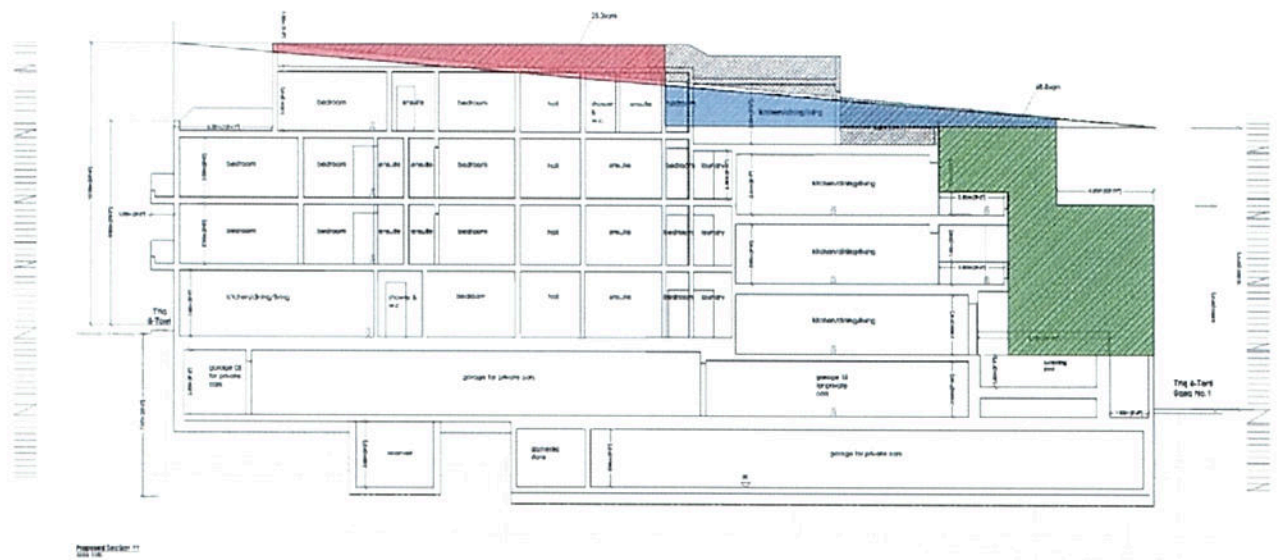


Figure 2: Section showing correct Compensation Area. The Green Area can be developed, so it should **not** have been included in the compensation area. The Blue area is compensating for the Red area. So there should be no construction in the blue area and above.

Perit Christina Said
 Architect and Civil Engineer
B.E. & A.(Hons)(Melit.), M.Sc.(Melit.), A.&C.E.