

66, Triq il-Palma, Tarxien TXN 2246

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HAYMAN

The Environment and Planning review Tribunal
Floriana14th December '21
Ref: IR_2021_09

Dear Sir/Madam,

Appeal against Planning Commissions approval of PA08458/17

Proposal: Amended application to PA2823/16 including alterations at level 6, and to construct five units at level 7, five units at level 8, four units at level 9 and two units at penthouse level, for a total of sixteen new units

Once again, I write on behalf of a number of residents of Navarino Flats who reside or who own property in the block underlying the above proposed development.

Following is a list of residents making this Appeal:

Judge Carmel Agius	carmel_agius@hotmail.com
Ms Antonia Agius	carmel_agius@hotmail.com
Mr Charles Falzon	charles.falzon@gmail.com
Ms Josephine Falzon	charles.falzon@gmail.com
Architect Patrick Calleja	patrick@architects-studio.net
Mr Joe Azzopardi	joeazzop@gmail.com
Architect Godwin Borg	peritgab@gmail.com
Mr Louis Farrugia	loufarrugia.associates@gmail.com
Mr Carmel Apap	Carmel@cameattrading.com
Mr Kevin Doublet	kevindoublet1@gmail.com
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Ms Tanya Bartolo	tanyabartolo@gmail.com
Mr Robert Papps (2 Apartments)	edward.papps@mt.fcm.travel
Mr Andre' Gatt	gattandre@gmail.com
Notary Malcolm Licari	licari.malcolm@gmail.com
Ms Dorothy Leone Ganado	dorothy.leoneganado@gmail.com
Mr Stephen Borg	borgstephen@gmail.com
Mr Kevin Valenzia	kevinjvalenzia@gmail.com
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Ms Valerie Anne Chetcuti	valannchet@gmail.com
Ms Melanie Mifsud	melaniemifsud@gmail.com
Mr & Mrs Sarah Falzon	markfalzon@gmail.com

Sanitary Requirements

One reason to submit this appeal is related to **sanitary issues** within the internal yards whereby the appellants' residences shall be negatively affected with the new development.

Most apartments in this block have habitable rooms onto the internal yards. The development approved does not consider and represent these existing habitable rooms in the submitted plans and neither does it cater for any recesses required in the proposed floors to safeguard the sanitary issues of the existing apartments.

Common areas

Another reason for appealing is the incorporation of part of the **common parts** including the **roof**. The existing apartments enjoy the right of uninterrupted use of the common areas, which include the staircases and lifts together with the use of the roof, which includes but is not limited to the placing of water tanks and aerials.

This point raises two main issues:

- (a) the landing is common (as opposed to right of use only) and as such the developer has no right to usurp the area and
- (b) the declaration on the application form that the applicant is "sole owner of the site" is incorrect.

Safety Concerns

Since the number of residential units has increased once again, the residents are concerned about the capacity of the existing lift and staircase to evacuate the occupiers in case of an emergency. We look forward to see an engineer's report assessing the capacity of one lift in relation to the increased number of residential units and the capacity of the staircase. There is a safety issue and danger to lives if the proposed development does not satisfy regulations.

The residents are concerned and still have no proof that the existing building can support the extension.

Parking requirements

The block has no underground parking and the proposal must cater for a suitable number of parking. Reference is made to Policy P18 of DC 15 stating that onsite parking requirement will be particularly enforced in residential areas. This area is faced with severe parking problems and we wish to emphasise this point as this development will increase the inconvenience of these residents and the surrounding community.

Incorrect information

Another reason for appealing is the **incorrect submission** of width of Sqaq Luzju which in reality is 2.4 meters and not 3.18 meters as measured in the drawings submitted by applicants - and this has an effect on the permissible height according to L.N. 227 of 2016.

Restrictions to CPD

There are serious constraints pertaining to the narrow streets surrounding the building on three sides. Trejjet Luzju is just under 4 meters at the corner with Triq Stella Maris; and

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Sqaq Luzju is only 2.4 meters wide – definitely a restriction on the passage of fire-fighting vehicles, particularly if the building is ten storeys high.

For the abovementioned reasons we ask the Tribunal to revoke the abovementioned permit.

Yours truly,



Robert Borg Hayman B.E. & A (Hons) A&CE
Obo. The above-mentioned residents

List of witnesses, PA officials past and present, The appellants and their experts,
Representatives of the EHD, SEO