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ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL



12th November 2021

The Chairperson
Environment and Planning Review Tribunal
Block B, St. Francis Ditch,
Floriana

Re: Proposed demolition of existing building, uprooting of vegetation, excavation and construction of basement domestic store, 2 ground floor maisonettes, overlying 4 apartments and washroom. Building height proposed so as to mitigate exposed adjacent party wall approved by PA 2767/19 at Zebbug – PA/06600/20

Reference is made to the refusal issued in connection with the above-mentioned application.

With reference to reason for refusal 1 we would like to make the following arguments;

Our site partly lies partly within the Category 1 Settlement Boundary and partly outside the development zone.

The part which is situated within the Category 1 Settlement Boundary is never exceeding the 25m plot depth when taken from Triq is-Siggiewi. I would like to point out that our site does not have any frontages on Triq Ganni Cilia.

Policy SMSE 06 clearly states that attention must be given to ensure that there are no adverse impacts, especially through the creation of new party walls. PA 2767/19 which lies adjacent to our site was approved in 2019 and it resulted in the creation of a 12m high and more than 30m long blank party wall abutting the category settlement and ODZ boundary in complete disregard to paragraph 1 of SMSE 06.

Our proposal has been presented in order to try to achieve some form of mitigation to the unsightly blank wall resulting as a consequence of the approval of the above-mentioned application. PA 2767/19 has been approved just over two years ago (when all conditions and mainly policy SMSE 06 applicable to our application where already in place).

Should the proposal be accepted in principle, then any other issues may be tackled through the redesign of the façade to create a more rural character as necessary, the introduction of more landscaping in the area fronting the development and the introduction of soft mitigation measures.

With regards to reason for refusal 2, the creation of the lay-by in question was created to ensure a safe vehicular access into and out of the site, considering the fact that the only access (which already exists) through the site is from Triq is-Siggiewi. Lay-by in question was approved by TM in view that both swept-path and visibility analysis were adequate.

When it comes to reason for refusal 3 we are simply adopting the same approach as was taken in PA 2767/19 were we are keeping a building height of 8.9m up to slab level, however we can also slightly recess the parapet wall and change the material into glass railing if deemed necessary.

With reference to reason for refusal 4, we can clearly provide a block plan were it shows that the site next to this application is also owned by the same owner.

In view of the above, we respectfully ask the EPRT to consider our arguments and overturn the refusal decision. We also hereby request the right to produce further submissions from myself and our legal representative throughout the course of the appeal.

Regards,



Julian Thompson A&CE