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Our Ref: miscT390
File Ref: G-0146A

22nd December 2016

Environment and Planning Review Tribunal,
P.O. Box 172,
Marsa.

Cranta
Attn: Ms. Dorianne Cutajar
Board Secretary

Dear Ms. Cutajar,

Ref: PA/01906/16
Location: 21/22/23, Triq il-Madonna Tas-Sacra Cuor, Sliema
Proposal: Demolition of existing buildings and construction of a 6-storey block of 12 flats, 2 overlying penthouses and 3 underlying basement parking floors

I am in receipt of a refusal for the development permission for the above mentioned application, the contents of which I have carefully noted.

The refusal is based on three reasons, which are being listed hereunder with our comments, stating as to why we are not in agreement therewith, following immediately after.

- **The demolition of three townhouses is being objected to by the Superintendent of Cultural Heritage due to their historical and architectural value. The proposal runs counter to Thematic Objective 8 and Urban Objective 2 of the Strategic Plan for Environment and Development, which seek to preserve buildings of cultural heritage.**

I am attaching herewith the Superintendent of Cultural Heritage's e-mail dated 26th May 2016, stating his objection to the development as then submitted with a recommendation that the buildings be given a Grade 2 scheduling. A meeting was held at the Planning Authority with the Director of Planning and SCH representative, wherein we were also verbally informed about this and the implications of what a Grade 2 Scheduling of the properties would entail and namely that the facades would have to be retained but that the internal part of the building could be completely demolished - what is, in fact, envisaged by a Grade 2 Scheduling as opposed to a Grade 1 scheduling.

While awaiting such an official communication regarding the verbal recommendation for scheduling from the Planning Authority, inexplicably, instead, we received the DPA report recommending an outright refusal for this application.

Immediately I received this, I requested a meeting, which was held, with the Superintendent of Cultural Heritage, who confirmed that in their opinion the facades should be retained and the internal part could be demolished.

Based on this meeting, I amended the drawings accordingly and uploaded them onto the E-Apps system.

Despite this, the EPC did not consider these evolving facts after the DPA report had been submitted and opted for a refusal.

- **The proposed replacement building does not satisfy the criteria of G1 and G3 of the Development Control Design Policy, Guidance and Standards 2015 which require that any development respects and enriches its context, and that where a uniform design prevails in the streetscape, the emphasis will be on respecting, and possibly as far as practical reproducing, such parameters.**

Triq il-Madonna tas-Sacra Cuor is quite short but within its short length, development permits for buildings to replace similar houses have been granted even recently; which a cursory inspection of the submitted photos and DPA's Map server for the area would clearly show.

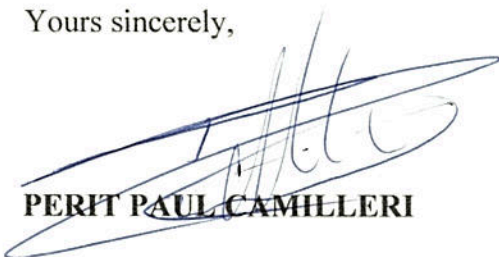
- **The proposal does not conform to sanitary laws and regulations in that the height of the dividing wall between rear balconies is not to exceed 4 courses and the width of the internal yards is to be at least 1.83m.**

This third reason for refusal may easily be addressed, even though the revised sanitary laws and regulations allow internal yards to be at least 1.5mtrs wide and not 1.83 mtrs wide.

The other minor issue of whether the wall dividing the balconies of the two apartments on the same floor should be 4 or 8 courses, could easily have been addressed both while the application was still being processed, as well as had a deferral been granted by the EPC.

I trust that the above is to your satisfaction.

Yours sincerely,



PERIT PAUL CAMILLERI

Encls. As stated above

cc. Dr. George Hyzler
Dr. Ian Stafrace
Dr. Karl Hyzler