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The Chairman,
Environmental & Planning Revision Tribunal
P.O. Box 172
Valetta CMR 02

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL



ST. FRANCIS DITCH
FLORIANA

Sir,

RE: PA 08444/20 St Pauls Bay

On behalf of my client, Edelweis Ltd, I wish to lodge an appeal against the refusal issued by the EPC on the 3rd May 2021 and published on the 12th May 2021 with respect to a request to 'Carry out internal alterations to allow the construction of one additional unit and an overlying duplex over an existing block of 2 duplexes plus a garage at Ground level'

The reasons given for refusal are that the width of the plot is less than the minimum of 4m indicated in Policy P26 of DCG 2015 and passage to reach the common stairwell is unsafe as it passes through a garage.

With regards to reason 1 (Restricted street frontage),

We wish to draw attention to the fact that this is not the result of a voluntary reduction but of the fact that this is a reality that is present in many of the older places dedicated to seasonal uses, such as here in St Paul's Bay, St Julians, and Mellieha in the North and Xghajra, Marsascala and Marsaxlokk in the South, together with Marsalforn and Xlendi in Gozo. And where PA has issued innumerable permits for their redevelopment. We could present an endless list but perhaps, the two issued in the vicinity PA 2361/17 and PA 6760/18 are good enough to prove the point.

This Policy was clearly evolved to ensure standards of good habitable environments but , here, we call on PA to take a holistic look at how our proposal manages to achieve this since , besides the fact that in the present 4 floors there are only 2 dwelling units and not 4, the request will take this count up to only 4 (ie an additional one bedroomed flat and another duplex). Had the plot been the regular 6m wide, we could have fitted in 8 units. This effectively means that our proposal will be retaining the same density of units/sm with units maintaining a reasonable level of accommodation standards.

With regards to reason 2 (the alleged unsafe access)

The present access is through a carport which can take 2 cars but which with its 3m width definitely allows safe passage to the very limited number of families using the block (presently just 2 and potentially going up to 4) Yet, this claim does seem to bother the Directorate when assessing practically all the small to medium sized developments with a semi or class 2 basements, catering for something between 5 - 8 cars, and where the access ramp is generally somewhere between 2.4-2.7m wide and where, therefore, the

passage of people and cars is tighter, and possibly not related. On the agenda of the day when this application was decided, (13th April 2021) there was PA 3687/20 with a basement ramp 2.5m wide, serving 3 spaces and also with a ground floor carport through which 2 doors leading to the 2 apartment stairwells open outwards onto it. There was also PA 7089/20 where 7 cars use a 2.8m ramp, as well as PA 8302/20 using a 2.8m ramp for 5 cars or PA 8407/20 with a garage for 8 cars with ramp of 3.4m but exiting through a 2.5m door on the splay of the corner between 2 roads.

Considering that in a densely populated on street parking situation, this block has this amenity, besides also freeing up a space in front of it which could be occupied by the same residents with a little bit of co-ordination for allowing those inside to move in and out easily.

Conclusion

Stifling the full potential development of this property would also mean that when, eventually, the neighbouring plots are built, it would remain stilted leaving blank party walls exposed on either side which is contrary both to the Structure Plans Main Goal No2 and to the streetscape uniformity established by PA itself.

Finally we wish to draw attention to the fact that, fully acknowledging that we have a different site from the norm, we opted for an Outline application to explore the guidelines acceptable for its development and hence were not looking at details but at principles based on holistic overviews of the issues involved.

We also retain the right to present further argumentation and proof, if found necessary.

In view of the reasons given above, kindly overturn the refusal and issue an approval.

Thank you



Anthony Fenech Vella A&CE

~~Encl. Copy of Refusal/ Levy Payment/Site Plan/ Copy of Plans~~ /SITE PHOTOS/