

DATE: 05/05/2022

REFERENCE NUMBER: 4231-18-MCC

PA5482/21 - Minor internal alterations and changes to elements in facade.

SITE LOCATION: 74, Triq San Frangisk, Floriana

SUBMISSION OF APPEAL



To Whom It May Concern:

I refer to the Refusal of Development Permission dated 23rd March 2022 with decision published on the 6th of April 2022.

The permit was refused on the grounds that:

- 1) *The proposal does not comply with the provisions of Legal Notice 227 of 2016: Development Planning (Health and Sanitary) Regulations, 2016, since no bathroom is indicated on drawings.*
- 2) *The proposed development runs counter to the provisions of policies:*
 - *P32 of the Development Control Design Policy, Guidance and Standards 2015 which specifies that to provide a reasonable quality of residential amenity and living space standards one-bedroom units shall have minimum Gross Floor Areas of 55 sqm.*
 - *P45 of the Development Control Design Policy, Guidance and Standards 2015 which specifies that all residential developments are to be designed with high amenity and accommodation standards whilst providing a satisfactory layout, indoor and outdoor living space for the intended level of occupation.*

Regarding the **first reason for refusal** please find updating drawing showing a mechanically ventilated shower area in the basement level.

Regarding the **second reason for refusal** please note that:

- 1) The gross floor area of the property is 53m² which although very small it is very close to the limit requested by DC 15.
- 2) The property in itself is a pre 1968 structure and was always used for a residential purpose. This can be proved by a copy of the 1964 electoral register showing that from no.9 Mr. Anthony Attard was registered to vote from this premises. Since 1964 the numbering of the doors have changed but we have confirmation from the notary of the applicant that door no 9 was changed to no 74 in 2005.

LXVII 1964

FLORIANA — II — IL-FURJANS.

St. Anne Street.	St Francis Ravellin Barracks.	St Francis Street.
Zammit Joseph M. Flat 3, 55	Borg Giocondo Taker	Bruno Ugo Flat 7, 85
Zammit Pauline Flat 3, 35	Borg Maria Taker	Bugeja Carmela Flat 1, 36
Zarb Augustine Flat 2, 36		Bugeja Joseph D. Flat 1, 36
Zarb Margaret Flat 2, 36		Buhagiar Doris 57
Zarb Rose Flat 2, 36		Buhagiar Paul 57
Zarb Winifred Flat 2, 36		Busuttill Anna 52
		Busuttill Carmelina 52
		Busuttill Edward 52
		Busuttill Josepa 52
		Busuttill Josephine 18
		Busuttill Saviour of Edward 52
		Busuttill Saviour of Joseph 18
		Buttigieg Carmela Flat 2, 4
		Calleja Doris Flat 5, 22
		Calleja Joseph Flat 5, 56
		Calleja Lawrence Flat 5, 22
		Calleja Vincenza 85
		Camilleri Agnes sive Inea 86
		Camilleri Joseph of Carmelo 86
		Flat 8, 22
		Camilleri Joseph of John Flat 1, 64
		Camilleri Lucia Flat 8, 22
		Camilleri Mary Flat 1, 64
		Camilleri Salvino 86
		Cassar Carmel 46
		Cassar Carmela 46
		Cassar Elena Flat 6, 95
		Cassar Joseph Flat 7, 22
		Cassar Patricia Flat 7, 22
		Cilia Filomena 56
		Coleiro Giuseppa Flat 3, 50
		Coleiro Mary Flat 3, 50
		Conti Anthony of Carmelo Flat 2, 1
		Conti Antonio of Anthony Flat 2, 1
		Conti Gaetana Flat 2, 1
		Conti Joseph Flat 2, 1
		Conti Mary Flat 2, 1
		Cortis Ersilia Flat 8, 95
		Cortis Giulio, Prof. B.Litt., LL.D. Flat 8, 95
		Dalton Mary 82
		Darmanin Adelaide 82
		Darmanin Antoinette 82
		Darmanin Dorothy 82
		Debattista Angelo Flat 6, 22
		Debattista Anthony Flat 3, 36
		Debattista Giovanna Flat 3, 36
		Debattista Maria Flat 6, 22
		Debono Ersilia Flat 3, 22
		Debono Joseph, D.P.A. Flat 3, 22
		Demarco Carmela 42
		Dimech Carmela Flat 2, 79
		Dimech John Flat 2, 79
		Dimech Mary 14
		Dimech Thomas 14
		Ellul Grace Flat 4, 56
		Farrugia Carmela Room 2, 33

St Calcedonius' Square.	St Francis Street.
Balkan Adelina 9	Abela Giuseppa 35
Buttigieg Mary 18	Agus Carmela 84
Buttigieg Michael 18	Agus Doores Flat 10, 1
Cordina Melita 7	Agus Gerald 5
Cordina Paul 7	Agus Joseph Flat 10, 1
Fenech Lucy Flat 1, 16	Agus Josephine Flat 10, 1
Fenech Vincent Flat 1, 16	Agus Maria 5
Fero Doris 11	Agus Natale 5
Flatley Giorgio 4	Aquilina Antonia 49
Flatley James 4	Aquilina Beatrice Flat 1, 95
Flatley Mary Anne 13	Aquilina Carmela Flat 5, 64
Friggieri Charles 8	Aquilina Emanuel 40
Friggieri Mary 8	Aquilina Guze, Prof. B.A., LL.D., Ph.D. (Lond.) Flat 1, 95
Haber Emmanuela Flat 2, 16	Aquilina Joseph 40
Haber Joseph Flat 2, 16	Aquilina Michael Flat 5, 64
Keler Deji 15	Arpa Alfred of Alfred Flat 1, 90
Marmara Eleonora sive Nora 12	Arpa Alfred of Lewis Flat 1, 90
Marmara Joseph 12	Arpa Domemca Flat 1, 90
Olivieri Mary 3	Arpa Emanuel Flat 1, 90
Pace Anthony 11	Arpa Joseph Flat 1, 90
Sammut Thomas, L.P. 9	Attard Anthony Room 7, 13
Schembri Joseph Flat 3, 16	Attard Filomena Room 11, 33
Schembri Josephine Flat 3, 16	Attard Rita Room 10, 47
	Azopardi Francis Flat 12, 56
	Barbara Carmen Flat 2, 90
	Barbara Edmond Flat 2, 90
	Barry Emmanuela Flat 3, 74
	Barry Joseph W. Flat 3, 74
	Bartolo Andrea 16
	Bartolo Giorgina 16
	Bianco Mary Flat 6, 2
	Boudin Ludovico Flat 11, 56
	Bonello Carmela Flat 3, 64
	Bonello Catherine Flat 5, 1
	Bonello John Flat 3, 64
	Bonello Mary née Pisani Flat 5, 1
	Bonello Mary née Redman Flat 5, 1
	Bonello Saviour Flat 5, 1
	Bonello William Flat 5, 1
	Bonnici Adelina 85
	Bonnici Joseph 85
	Borg Alfred Flat 2, 64
	Borg Carmel 80
	Borg Carmela 80
	Borg Elena Flat 9, 33
	Borg Emanuel Flat 9, 1

Central Hospital
Axiak Ottavia, Sister —
Casla Salesin, Sister —
Cassar Joseph —
Heston Giuseppina, Sister —
Moore Enrichetta, Sister —
Saveri Leonina, Sister —
Vella Lorenzina, Sister —

Figure 1: Electoral Register 1964

St Francis Street, Floriana

1 message

Notary Michael J. Galea <notarymjgalea@gmail.com>
To: leo de Vries <la.de.vries@gmail.com>

12 February 2021 at 18:45

Hi Leo

It appears that:

No 74 used to be No. 9
No.72 used to be No. 10

The numbers were changed in 2005

Before that:

No. 9 used to be No. 8
No. 10 used to be No. 9

This change was made in 1957

Hope this helps

Regards

Michael

Figure 2: Confirmation of door numbering from Notary Michael Galea

Furthermore the properties 72 and 74 have separate water and electricity meters.

When it comes to the previous permit on site PA3985/20 it is important to note that the permit was never utilised as confirmed by the undersigned in doc 69A. This application sought to amalgamate property 72 and property 74 into one residential unit but the applicant decided to sell the properties separately. The applicant would be ready to declare that he has no intention of utilising this permit.

Regarding the issue of high accommodation standard this will solely depend on the internal design that one proposes and is not related to planning since it is not a planning issue. Furthermore the Design Advisory Committee found no objection to the proposal. Regarding the issue of heritage SCH found no objection.

Attached photographic evidence shows that no interventions were carried out.



Figure 3: Separate meter for each unit

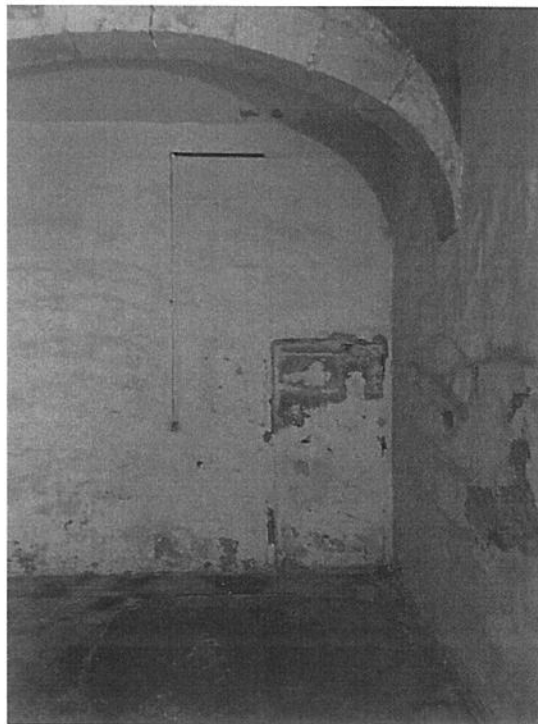


Figure 4: original walls

From the issues discussed above it is the opinion of the undersigned that all reasons for refusal were satisfactorily addressed and I request the Environment Reviews Tribunal Board to review the decision of refusal.

I hope the above will suffice but please do not hesitate to contact the undersigned should you require additional information.

Perit David Mifsud Parker

