

Our Ref: 20128
Your Ref: PA 01834/21

16th June 2022

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL

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Project: No.16, Triq Santa Tereza, Zabbar
Subject: To propose the restoration of facade, internal alterations at ground floor level to form a garage and a separate entrance for a duplex maisonette at first and second floor level (receded). Proposal also includes the shifting of slabs at first floor level.

Dear Sirs,

We are kindly applying for an appeal in relation to the decision for PA1834/21. The reasons for the appeal are the following (in bold):

a) This appeal is with regards to the Planning Authority's decision giving three reasons, listed below;

1)The proposed development runs counter to the provisions of policy P5 of the Development Control Design Policy, Guidance and Standards 2015 which specifies that the Planning Authority encourages the restoration and rehabilitation of heritage buildings. The proposed development will negatively impact the character of the site and building in question both internally and externally. The Superintendence of Cultural Heritage also objected to the proposed development. The proposal therefore also runs counter to the Urban Objective 3 of the Strategic Plan for Environment and Development which aims to protect and enhance the character and amenity of urban areas.

The adjacent development which has been approved by the same board (PA2622/20), was recommended for refusal by the directorate for practically the same reasons that is those of P5 and that it does not comply with the Urban Objectives 2 and 4 and

Thematic Objectives 6.1 and 8.7 of the Strategic Plan for Environment and Development.

2)The proposed shared access will give rise to safety issues for both resident and pedestrians and therefore the proposal runs counter to the provisions of policy P13 of the Development Control Design Policy, Guidance and Standards 2015, which specifies that all developments and redevelopments shall be provided with a suitable access from an existing road, with safety and convenience of all road users being a prime consideration. Moreover, as per DC15 Policy P45 all developments should be designed with the highest possible amenity and accommodation.

Once again, adjacent to the property in question, a similar permit in 2021 (PA2622/20) has been issued with the same reason for refusal listed by the directorate.

3)The proposed development is incompatible with the urban design and environmental characteristics of the Urban Conservation Area. It would not maintain the visual integrity of the area and so does not comply with Urban Objectives 2 and 4 of the Strategic Plan for Environment and Development. The proposed garage will further disrupt the aesthetic module the building has with the abutting one (approved in PA/5893/19). Furthermore, the proposed development will also establish a legal precedent which can lead to the PA/01834/21 - 211a - Valid, Available To Public - Melanie Spiteri (Perit) - 16/06/2022 211a Page 1 of 3 PA/01834/21 proliferation of garages (shared access for both vehicle and residents). The consultation with the Design Advisory Committee was also not conclusively determined.

Once again, adjacent to the property in question, a similar permit in 2021 (PA2622/20) has been issued with the same reason for refusal listed by the directorate.

Moreover, in view that it has been discussed by the board that the proposed garage was not seen as favourable due to the limited width of the plot, thus limiting access to the first-floor dwelling, the undersigned came across examples such as PA7274/20, where due to limited access, a car port has been approved directly in front of a bedroom at ground floor level. Whilst

in the case in question, we are still offering separate access to both the ground and first floor levels.

In view of the above very similar situations, the undesignated is appealing the planning decision so as to have this decision overturned and propose a garage similar to the one approved adjacent to the property in question.

Thank you

Perit Melanie Spiteri
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