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245  
ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL  
**RECEIVED**  
28 SEP 2022  
ST. FRANCIS DITCH  
FLORIANA  
our ref : 06038-M3

12<sup>th</sup> September 2022

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

Sir,

ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL  
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28 SEP 2022  
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**RE: PA 1219/22 SWIEQI**

On behalf of my client, Frankee lee Mifsud (Id Card no 514378m), I wish to lodge an appeal against the refusal issued by the EPC on the 31<sup>st</sup> August 2022 but published on the 14 September 2022 with respect to an application proposing an extension at level 4 in a block of existing flats consisting of a glass box to house the safety space needed over the last stop of the lift in order to allow to arrive to the receded floor level where he lives.

The site is Belair Court , 44A, Triq I Mizura, Swieqi.

The reason given for the refusal are that the proposed extension exceeds the allowable height limitation and, as a result, it is claimed to detract from the character and the amenity of the area.

The box which is being proposed is a complete glazed, totally transparent structure , measuring only 2.3sm and about 1m high above existing roof and, as explained is a requirement by the Lift Safety Standards to protect a workman above the intended last stop in case of accidental movement of the lift. It will only have a safety escape window and will, in no way serve as an access to the roof as this is totally devoid of any protective walls. In fact, all services have been transferred to a lower level in compliance with PA .

Even though we acknowledge that, physically, the structure, per se, does exceed the height limitation, we still contend the claim of being counter to Urban Objective 3 of the Strategic Plan for Environment & Development, is incorrect for the following reasons :

1. For anything to have a negative impact of the Character and amenity of an urban area, it has to be seen and jar with its surroundings. Not only is the 'box' fully transparent, and also contains no hard opaque features of mechanisms, and so will tend to mimic absolutely its surroundings.
2. It is also set back from the sight lines from the street (vide

3. The fact that it is **solely** an emergency requirement, means that it will not serve to have people running around on the roof and so will remain, for hopefully long periods, unused. Since it does not either serve as a connection for the residents to get there, the roof skyline will be and will be seen to be clear and intact continuously.

In view of the above, I, therefore respectfully ask your tribunal to revoke the refusal and recommend a granting of the development requested. Thank You.



Anthony Fenech Vella A&CE

Encl: Copy of Refusal/ Levy Payment/Site Plan/ Copy of Plans/