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5 DEC 2022ST. FRANCIS DITCH
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OUR REF: 6016

PA REF: PA/01702/22

DATE: 3 December 2022

The Chairman
Environment & Planning Review Tribunal
Floriana

Application No.	PA/01702/22
Location:	Nostro Nido, Triq il-Mithna, Xewkija.
Proposal:	Proposed extension to dwelling house at roof level approved in PA9527/19

APPEAL AGAINST REFUSAL

I write on behalf of Ms Christopher Cassar of 4, Vjal il-Labour, Xewkija, Gozo, in order to file an appeal from the decision dated 8 November 2022 and published on 23 November 2022 whereby my client's application was refused. The application is in respect of the above mentioned development.

The application was refused for the following reasons:

The proposed development runs counter to the provisions of policies P35 and P39 of the Development Control Design Policy, Guidance and Standards 2015 which specify that in all cases and where they can be considered, the massing and setback of the setback floor should reflect that of the committed adjacent properties. 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.

Applicant kindly submits that the above reasons for refusing his application are unjustified for the following reasons:

- The proposed development has been approved by the Superintendence of the Cultural Heritage. In doc. 55a the SCH stated:

“The amended proposal submitted at docs 52a-c addresses the request made by this office at doc. 46a. The roof structure as proposed does not appear to have an impact on the windmill”.

- Furthermore, as illustrated in fig. 1 below, the building fronting applicant’s site, which is nearer to the windmill, is higher than the proposed roof structures. Hence, in view of the existing commitments, the proposed roof structure shall have no adverse impact on the character and amenity of the area.

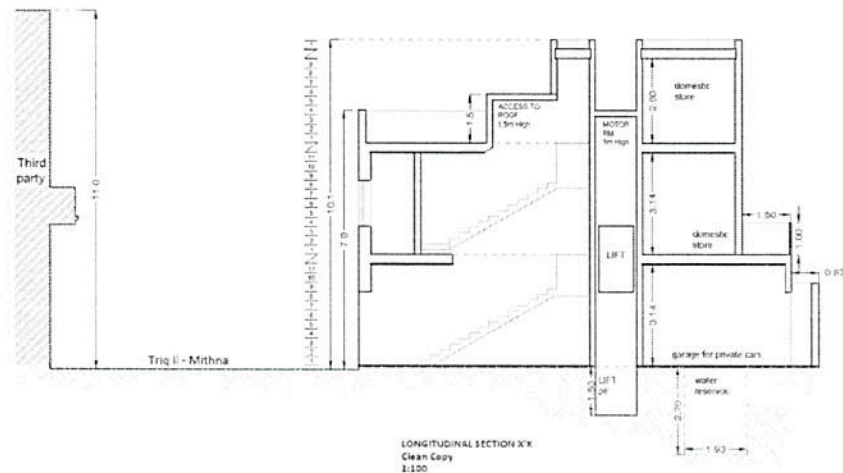


Fig. 1

In view of the above submissions, the Tribunal is requested to overturn the refusal and grant the permit requested by my client.

A copy of the relative decision and of the site plan are being herewith attached together with the form attesting payment of the fee.


 Perit Emanuel Vella
 c.c. Planning Authority