

Environment and Planning Review Tribunal
Block B
St. Francis Ditch
Floriana

16.02.2023

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL
RECEIVED
20 FEB 2023
ST. FRANCIS DITCH
FLORIANA

RE: PA/4151/22

Location: Airspace at, Alcin Atrium, Triq it-Telegrafu, Nadur

Description: To demolish existing washrooms and to construct a penthouse on existing airspace.

Applicant: Paul Cini

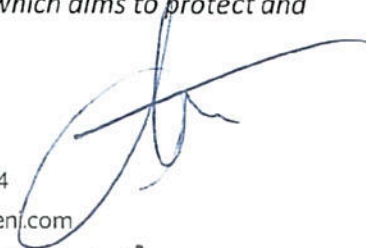
I am writing on behalf of Mr. Paul Cini, applicant to the above-mentioned development permit application. I would like to lodge an appeal to the decision taken by the Planning Authority in view of the following reasons.

The proposal was refused for the following reasons:

The proposed development runs counter to the provisions of policy P35 of the Development Control Design Policy, Guidance and Standards 2015 which specifies that a building shall not exceed the permissible height as established in the Local Plans, which shall be interpreted according to Annex 2 of DC15. Such height shall be measured from the pavement level along the frontage of the building at the highest street level and will include the provision for any setback floors and services, as well as an obligatory 1-metre parapet wall on the exposed facades at the uppermost roof level. 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.

Perit Alex Bigeni
B.E.&A. (Hons). Warrant 593
Managing Architect

Phone: 0035621561134
@: alex@alexbigeni.com
74-2, Borg Olivier Street, Victoria, Gozo



The proposed development runs counter to the provisions of policy P39 of the Development Control Design Policy, Guidance and Standards 2015 which specifies that the setback floor will not intrude into important long-range or short range-views.

In relation to the first reason for refusal, EPRT may wish to note that it is normal praxis for the EPC boards to approve the removal of the 1m parapet wall at roof level when an extension is being proposed on a building approved and constructed prior DC2015.

The proposal is also situated in an area where there are similar commitments (vide attached photos).

One may also wish to refer to PA 1844/18, which entailed a proposal very similar to PA 4151/22 subject to his appeal. This proposal entailed the construction of a penthouse on an existing airspace.

The proposed penthouse is set back from the edge at the back of the site by approximately 25m from the back façade of the site (from where the EDGE transition should be sought), this in line with the local plan interpretation document which clearly states that:

The aim behind DZ-EDGE policies was to achieve a smooth transition between the Development Zone and the picturesque countryside in Gozo. Unless the public consultation exercise or other evidence indicated otherwise, a depth of around 1 plot lying perpendicular to the Development Zone was assumed. However, there are cases where plots lie parallel to the development zone. In such cases, only the plot immediately adjacent to the Development Zone should qualify in terms of DZ-EDGE policies. It is important to note the proviso on the Maps which allows for a degree of qualified interpretation. However, in all cases, the case officer should consult with Forward Planning to obtain an opinion on interpretation.

With the depth of one plot being considered 25m.

Perit Alex Bigeni
B.E.&A. (Hons). Warrant 593
Managing Architect



Phone: 0035621561134
@: alex@alexbigeni.com
74-2, Borg Olivier Street, Victoria, Gozo

On a final note EPRT may also wish to note that existing development already included approved roof structures, in the form of washrooms.

In view of the above, I would like to ask the EPRT to overturn this decision.

Regards



PERIT ALEX BIGENI
74-2
BORG OLIVIER STREET
VICTORIA, GOZO

Perit Alex Bigeni
B.E.&A. (Hons). Warrant 593
Managing Architect



Phone: 0035621561134
@: alex@alexbigeni.com
74-2, Borg Olivier Street, Victoria, Gozo