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BSc (Hons), M. Eng. (Civil Engineering), MELIT.
MRCD Building, Level 2, Triq Karmenu Camilleri,
Qormi, QRM 4631, Malta

03rd March 2023

PA Ref	PA/06149/22
Project Location	Realco Building, Triq Achille Ferris c/w, Triq il-Punent, Msida
Project Description	Proposed relocation and material change of LED advertisement screens from 3x internally located screens to 1x externally located screen, proposed changes to lift shaft and amendments to facade configuration and signage.
Perit Ref.	2022.43



**Architects Letter (Rikors)
Appeal to PA/06149/22 Decision Notice**

Letter to the Chair of the Environment & Planning Review Tribunal (EPRT),

We are writing this letter today to appeal the decision of the Planning Commission to refuse the application in caption. In determining its judgement, the Planning Commission makes reference to the proposal's "scale and design with its surroundings", claiming this runs contrary to the provisions of Legal Notice 36 of 2018.

We find this claim to be unfounded, with the scale and design of the proposal complying to the provisions laid out within **Legal Notice 36 of 2018, Item 2: General Principles for Locating Advertisements** and **Item 3: Advertisement on Buildings**.

In line with these provisions, the proposal is setback from the arterial road / junction by a short distance ensuring that the advertisement does not interfere with or obstruct the view of pedestrians and vehicular traffic or the interaction between them, nor may it obstruct or detract from any traffic signage or be confused with a traffic sign.

Moreover, the proposal is completely integrated into the building's design language, in parallel with the plane on which it is located such that it is not dominant in the streetscape. The proposal does not obscure any architectural features, while it may also be argued that it is improving the visual presence of the façade through the removal of unsightly aluminium square apertures, streamlining the materials used on the buildings' façade.

The proposal is also in line with the provision laid out in **Legal Notice 36 of 2018, Item 8: Large-Scale Advertising** where it is understood that in predominantly commercial surroundings such as the streetscape found within the surroundings of this proposal, large-scale advertising larger than 18sqm are acceptable provided that they are "so designed and positioned as to be seen as an integral feature of the building" as has been established in the paragraphs above.

Finally, the proposal must also consider the fact that similar existing third-party commitments within the same streetscape have been approved, namely PA/08762/17 & PA/08463/19 which presents the same scale and design language as the proposal presented in the PA in caption.

Road Safety

The Planning Commission has also stated that the proposal runs counter to Section 6.3 of Schedule II of Legal Notice 36 of 2018 which requires clearance from Transport Malta for the “proposed billboard.”

Primarily, this office would like to clarify that the proposal is not for an “billboard” but for an “illuminated advertisement”, which have two (2) separate definitions in Legal Notice 36 of 2018. Section 6.3 exists to demonstrate a few conditions which the advertisement display should satisfy to be considered, however at no point in time did the Authority request such information, demonstrating intent to refuse this application without due consideration. It must be noted that this section is required ONLY for “electronic billboards”, which again, this proposal is not as previously stated.

Nonetheless, this office has engaged an expert in this field to assess the proposal in line with the recommendations of Section 6.3 such that the EPRT may obtain a clear understanding of the proposals key aspects. We reserve the right to present this report as evidence at a later stage when it becomes available.

Additionally, the proposal cannot be considered as a safety hazard on the basis that the drivers’ visibility of road conditions never shares the same line of sight as the advertisement. This office has engaged an expert in this field to assess the proposal with reference to Visibility Sight Lines as determined in the Design Manual for Roads and Bridges.

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Finally, to consider your assessment, this office has prepared visuals of the proposal, being annexed with this report, illustrating the advertisement screen’s scale, design and context within its surroundings.

We reserve the right to provide further submissions, whether written or verbal.

Through this report, we therefore ask the EPRT to review this appeal, and overturn the decision to refuse the application handed down by the Planning Commission.

This document has been prepared by the Project Architect on behalf of the Applicant:

Project Architect

Perit Malcolm Cachia, A & C.E.

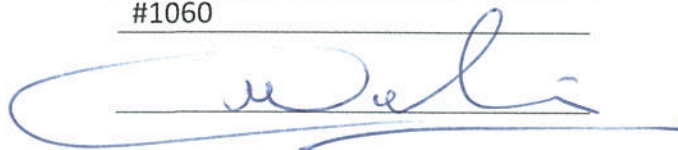
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Signature



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