

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL

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OUR REF: 5051

PA REF: PA/02194/22

DATE: 2 March 2023

The Chairman
Environment & Planning Review Tribunal
Floriana

Application No. PA/02194/22
Location: 46B, Triq Ghajn Qamar, Xaghra.
Proposal: To sanction variations from
PA1924/15. Variations consist in site
configuration and increase in height of
staircase.

APPEAL AGAINST REFUSAL

I write on behalf of Ms Marie Costance Sultana of 46, Triq Ghajn Qamar, Xaghra, in order to file an appeal from the decision dated 17 February 2023 and published on 1 March 2023 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 policy Policy P25 of DC 15 since a 4.8m waiting area is not provided at the entrance/exit to where the car lift is located. The waiting area being provided on the latest drawings situated at the other garage entrance is not considered adequate.

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

1. The proposed car lift is for a single private dwelling house and the size and shape of the site does not allow a normal ramped access to the basement.

2. Being located in a single private dwelling, the car lift will only be used by the inhabitants of the house.
3. I have submitted an engineer's report (see doc. 281a) in which he is verifying that "the car lift serving the basement level of the development is equipped with an automatic safety interlocking mechanism which prevents the main garage door from being opened when the car lift platform is not at ground floor level".

Hence the scope of the waiting area is being reached and the car lift can be safely used.

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