



7th March 2023

Submission of Appeal

The Secretary,
Environment and Planning Review Tribunal,
Floriana.



Sir,

Application No. : PA/03021/22
Location : Arienne, 158 and 159, Triq il-Madonna tal-Gebla, Triq Mikiel Anton Vassalli, Gzira
Proposal : Outline application – Addition of one level comprising of two new residential units over existing apartment block.

I am writing on behalf of the applicant, Mrs. Mary Seychell to submit an appeal against the refusal issued by the Planning Authority in relation to the above-mentioned application.

A copy of this refusal, dated 25th January 2023, which was published on 8th February 2023, is attached.

This development application is requesting proposed construction of an additional floor over an existing apartment block.

The reason given for the refusal was:

“The proposed development would intensify the existing residential development within a Residential Priority Area and exceeds the maximum allowable height for the area, and thus runs counter to the provisions of policy P28 and P35 of the Development Control Design Policy, Guidance and Standards 2015 which specify that a building should not exceed the permissible height limitation established in the Local Plans, as interpreted in Annex 2 of DC15. 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.”

With regards to the issue regarding zoning and height limitation, as can be clearly seen from the streetscape photo survey submitted with this appeal, our site abuts also onto Triq Mikiel Anton Vassalli, and most of the plots adjacent to ours are already constructed up to our proposed maximum level (one floor above the road level). This can be clearly seen in photos 5,6 and 7 in doc. 16b. We are setback around 6m, over and above the front garden depth, from Triq il-Madonna tal-Gebla, hence the visual impact on that street is minimal, less than the neighbouring plot on the right-hand side of our property.



In the DPA report it was noted that the dwellings visible in photos 5 and 6 have their frontage along Triq Reggie Miller which is located at a higher level than Triq il-Madonna tal-Gebla.

However, the building adjacent to our site, which consists of a church, and also has a frontage both onto Triq Mikiel Anton Vassalli and Triq il-Madonna tal-Gebla, exceeds the permissible height limitation, as established in the Local Plans. There is also an apartment block slightly further down from our site (visible in photo 7 of the attached photo survey), which also has a frontage onto Triq Mikiel Anton Vassalli and is constructed with multiple floors above street level.

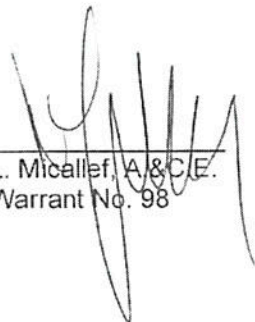
The additional floor we are proposing will be of the same height (or even slightly lower) than these existing streetscape commitments, one of which is directly adjacent to our site.

In view of the above, the applicant is hereby requesting that the Environmental & Planning Review Tribunal to rescind the decision and issue the relative development permit.

Further documentation will be submitted during the course of the hearing of this appeal.

Whilst thanking you for your attention, I remain

Yours faithfully



L. Micallef, A.&C.E.
Warrant No. 98