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Our ref: VIPIQ/A1

Your ref: PA7782/21

Date: 9th March, 2023

The Secretary
Environment and Planning Review Tribunal
P.O. Box 172
Marsa



REF: To extend existing penthouse to form two apartments and to construct penthouse above

Site at Penthouse, Merhba Apartments, Triq Habel it-Twil, Zebbug (Gozo)

Request for appeal

I am writing obo the applicant to submit a request for appeal in connection with the above application for development which has been refused by the Planning Commission. I am submitting this request for appeal for the following valid reasons:

Singular reason for refusal

The only reason for refusal quoted by the Planning Commission with respect to this application states as follows:



Malta Architect Awards:
Award in Urban Design 2017
Special Commendation in Innovative Design, Rehabilitation and Conservation 2017
Double Special Commendation in Public Open Spaces 2018



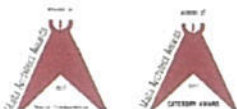
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The proposed development fails to provide an adequate transition design solution at the side facing the countryside, and thus runs counter to the provisions of policy P6 and policy P35 of the Development Control Design Policy, Guidance and Standards 2015 which specifies that when buildings face the countryside, a setback of at least 4.25 metres will be required. 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.

The issue in question relates to the fact that the Planning Authority, during the processing of the application, requested that the penthouse be recessed 4.25m from the southwest ODZ side. However, we had submitted to the attention of the Planning Commission two permits nearly adjacent to our site where penthouses had been approved with an approximately 1.5m recess from the southwest ODZ side. Instead of giving due consideration to these commitments on the same street side, practically adjacent to our site, the Planning Commission decided to refuse the application. This was done in my absence, even though I had requested a deferral of the sitting for a very valid reason.

The details of the development permits having penthouses approved with a back recess of approximately 1.5m were submitted at docs 121 a to d. The permit numbers are PA3419/17 and PA5574/09.



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We reserve the right to make further submissions throughout the course of this request for appeal.

We therefore kindly request that the refusal decision on this application be revoked and the request for appeal respectfully upheld.

Yours truly,


EDWARD SCERRI
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Perit Edward Scerri obo Mr Perry Vella



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