



Pierre Poulton
architect and civil
engineer

Mob: 79066256
Email: archppoulton@gmail.com

22nd March 2023

Planning Authority – The EPRT
St Francis Ravelin
Floriana
FRN 1230

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL

RECEIVED
23 MAR 2023

ST. FRANCIS DITCH
FLORIANA

Appeal from Refusal

Applicant: Jesmond Zammit
Application Number: **PA/05882/22**
Location: 50, 52, Triq il-Gdida, Paola
Proposal: Alterations to existing maisonette, replacement of timber balcony like with like, formation of entrance from adjacent property, and change of use of kitchen/living room to Class 4B shop and internal alterations.

EPC refusal decision taken on the 17th of February 2023

Decision published on the 1st of March 2023

Attached to this report:

Decision Notice and Proof of Payment required for appeal

An appeal is being filed against refusal

Reason For Refusal

1 The proposed development is incompatible with the urban design and environmental characteristics of the Urban Conservation Area. It would not maintain the visual integrity of the area and so does not comply with DC15 Guidance G43, and Urban Objectives 2 and 4 of the Strategic Plan for Environment and Development. The Superintendence of Cultural Heritage has also objected to the proposed opening.

Appeal considerations

The appellant wishes to point out that the refusal decision is baseless and is very unjust and discriminatory.

The reason for refusal is based on a very generic guidance G43 included in the DC 15. This guidance refers to the formation of horizontally oriented openings in existing elevations. As one may note from the proposed opening in the elevation, it is reflecting the existing apertures onsite. A max width of 2.4m allowed in UCA areas has been respected. Moreover it should be emphasised that the viability of a shop is based on the design of the elevation. One is mostly attracted to a shop after looking at the items displayed in its shop window. Given that the proposal includes a local shop, the client who lives in the property at the back and over the shop will have the facility to earn a living from his small family business. This is being encouraged in such UCA zones.

My client feels deeply deprived of his basic rights since other permits have been approved with a similar nature in other UCA areas. These shall be listed in later submissions.

List of witnesses:

Appellant, consultants, Government entities, Any required thirdparties.

Perit Pierre Poulton