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The Environment and Planning Review Tribunal
Block B, St. Francis Ditch,
Floriana

Application Number: PA/00114/22

Location: Down The Lane Farmhouse, Triq il-Belveder, Qala

Proposal: To sanction the internal demolition and reconstruction of one farmhouse and pool and the construction of two additional farmhouse on the grounds of the original farmhouse.

01 May 2023

In terms of Article 13 of the Environment and Planning Review Tribunal Act, 2016, we hereby submit our plea for Appeals on the refusal published on the 26th April 2023 for the following reasons:

Reason 1

The aerial photo doc 1 lists a number of dwellings permitted without having frontage on an official street/road which is technically an internal development within a radius of 100m from the appellant's site. Within this radius 11 cases between 1998 & 2022 have been identified where a permit or amended permits have been issued on each site. The sites are within the UCA, partly within the UCA and adjacent to the UCA

Reason 2

The SPED and in particular the Urban Objective 2 - has introduce the concept contextual approval to planing and this concept is particularly important in this case, since in the radius of the immediate area there are a number of applications that were approved and having the same issues as the application under consideration these are (a) none of the sites has

frontage on a schemed road (2) multiple dwellings were constructed to replace a single unit (3) all the site have access through a common passage (4) none of these applications are within the 30m as stipulated in policy P27 of the Development Control Design Policy, Guidance and Standards 2015.

Reason 3

The blank party wall created on the west and north sides of the building is not fronting or is it close to the Development Zone boundary. Policy P42 of the Development Control Design Policy, Guidance and Standards 2015 specifies that due regard must be given to the design of the side and back elevations in terms of architectural quality when site lies close to a Development Zone boundary and does not treat cases which are ODZ and further away from the development zone boundary, Policy P42 is not applicable in this instance

Reason 4

The timber roof shading is a traditional Maltese "Hasira" spread over a timber frame which is being earmarked for "demolition" on the submitted plans and theft reason for refusal 4 is not applicable

Reason 5

A 1m screening wall for the services at roof level has been included in the plans and therefore reason for refusal 5 is not applicable

In conclusion we respectfully ask the ask the Environment and Planning Review Tribunal to favourably consider this application in view of the multiple similar commitments in the area and also the reasons 5 & 6 have already been addressed

Regards,

Simon Spiteri