

PA

PERIT EMANUEL VELLA

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL

ARCHITECT & CIVIL ENGINEER

REFUSED
23 JAN 2018
ST FRANCIS DITCH
FLORIANA

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OUR REF: 4508
PA REF: PA/05567/17

DATE: 22 January 2018

The Chairman
Environment & Planning Review Tribunal
Floriana

Application No.	PA/05567/17
Location:	No. 2 Triq il-Kappillan Guzepp Hili, Fontana
Proposal:	Proposed ventilation grids beneath pavement.

APPEAL AGAINST REFUSAL

I write on behalf of Mr George Sacco in order to file an appeal from the decision dated 19 December 2017 and published on 10 January 2018, 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:

1. *Transport Malta has objected to the proposal in view of encroachment onto the public road and accordingly, proposal is considered to run counter to SPED Thematic Objective 10 and 11 since the proposal may limit the authority's ability to undertake road improvement schemes.*
2. *The proposed grids may pose risk hazard to pedestrians, running counter to SPED Urban Objective 4.5.*

Applicant kindly submits that the proposed development is justified for the following reasons:

- 1) **First reason for refusal:** It is kindly submitted that the proposed culvert in front of applicant's property

can also serve as a service culvert for public infrastructural services such as the passage of electricity cables. In fact Enemalta sometimes imposes a condition for the construction of such a culvert.

- 2) **Second reason for refusal:** A detail of the proposed grids is shown on Doc 83b of the application. As can be seen from this drawing, the spacing between the bars forming the grids is only 8mm and hence these present no risk hazard to pedestrians.

Furthermore, grids on pavements can be found in all towns and villages, even in new developments.

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. PA