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Our Ref: 17008

20<sup>th</sup> February, 2018

The Secretary  
Environment and Planning Review Tribunal  
St. Francis Ravelin  
Floriana

ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL  
**RECEIVED**  
27 FEB 2018  
ST. FRANCIS RITCHE  
FLORIANA

Dear Sir,

**Appeal against refusal of PA 7364/17 - Birzebbugia**

Please refer to the refusal given to the application submitted by my client Mr. Andrew Briffa to carry out works at Birzebbugia.

Two reasons were given to justify this decision namely:-

1. Proposal runs counter to policy MV01 of the Marsaxlokk Local Plan and to SPED policy 1.10 since it is being alleged that proposal is not considered legitimate or necessary within the rural area.

We disagree with this reason of refusal because the Marsaxlokk Local Plan zones this area for future industrial use. Our proposal would not prejudice such use. On the other hand this site cannot be defined as a rural area since it is bounded on one side by the Freeport road (vide photos) and a permitted industrial estate on the other side. Indeed this site is a disturbed site as can be verified from the attached aerial photo.

Attached please find block plan of the existing industrial estate. As you may note from this block plan a development permit PA 3042/17 has been issued to construct an industrial garage instead of the parking area of the industrial estate. As a consequence the persons working in this estate have no parking provision. In this estate work forty one persons broken down as follows:-

a. Techserv and Total Logistics	11 employees
b. SGS Ltd.	16 employees
c. Andre Escave Ltd	14 employees
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TOTAL	41 employees


Furthermore firms (a) and (c) require parking for trucks and containers.

Thus contrary to what has been stated there is a real need for such parking facilities.

2. Reason 2 of the refusal states that it runs counter to the promotion of soil conservation. This is not correct since we are not proposing any surfacing but the surface will be maintained as beaten earth.

In view of the above we consider our proposal as conforming with SPED and Rural Policy and Design Guidance 2015 and would therefore like to respectfully request that you review our application and approve our proposal.

Yours faithfully,



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**Charles Buhagiar A&CE.**

Encl: Bank Receipt, site Plan, Copy of refusal, block plan, aerial photo, photos

c.c.: Mr. Andrew Briffa