

Your Reference PA 7924/18

Our Reference 240/98

Date 5th December 2018

The Director  
Environment & Planning Review Tribunal  
St. Francis Ravelin  
Floriana

**Re: GARAGE AT TRIQ IS-SWIEQI c/w TRIQ IS-SIDRA, SWIEQI,**

I would like to submit an appeal to the permit PA 7724/18 which was refused on the 16<sup>th</sup> November 2018. This application was for a change of use from a garage to a Class 4B retail and to fix a sign.

This application was refused because this proposal runs counter to the provisions of Policy NHHO 02 of the North Harbour Local Plans. The Policy states that this area is zoned as a priority residential area and the commercial use of premises at ground floor level is not permissible.

I refer to my application on the same site, PA4172/18. This application was recommended for a refusal, however it was approved by the board on the grounds that there already exists similar commercial commitments in the same area and therefore in the opinion of the Board, the proposal is in line with Planning Act VII of 2016 article 72(2d) and SPED UO3.5 in view of the local use of the proposed shop.

I also refer to permit PA 7183/17 approved on the 24<sup>th</sup> January 2018. This application included the construction of Class 4B commercial premises at ground floor level. This application was also recommended for a refusal; however, the same Board members that refused this application approved it. These premises had a floor area of 74.0 sm. as a Class 4B outlet and an adjoining store of 27.0 sm.

As regards parking provisions, since the existing development requires eight car parking spaces and there already exists nine garages at basement level, so there are enough parking spaces. Besides the proposed Class 4B shop has an area of 60 sm., is considered as a local shop, and therefore does not require additional parking spaces.

Attached please find a block plan showing the existing situation along this main road that leads to the heart of Paceville, indicating the existing commercial outlets. It is quite amazing how this street qualifies as a priority Residential area.

DAVID PSAILA B.E.&A.(Hons.) A. & C.E.  
ARCHITECT & CIVIL ENGINEER  
Office: D. Peak, Balzan Valley, Balzan.  
Tel: 2141 2908 Fax: 2147 0870 Mob: 9949 5847  
email: dpeak@maltanet.net

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I kindly ask you to reconsider this application, in view of the fact that there already exist a large number of commercial outlets, as well as the fact that permits were issued in the recent months for identical developments and approved by the same board members.

**David Psaila A&CE**



DAVID PSAILA B.E.&A.(Hons.) A. & C.E.  
ARCHITECT & CIVIL ENGINEER  
Office: D. Peak, Balzan Valley, Balzan.  
Tel: 2141 2908 Fax: 2147 0870 Mob: 9949 5847  
email: dpeak@maltanet.net