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Our Ref: 18156

28th May, 2019

The Secretary
Environment and Planning Review Tribunal
Saint Francis Ravelin
Floriana



Dear Sir,

Appeal against refusal of PA 10389/18 - Rabat

Please refer to the refusal given to the application submitted by my client Mr. Wilson Mifsud to carry out works at Rabat.

Our application requested permission to park refuse trucks within my client's property with ancillary facilities including an office, tool room and canopy. He also requested permission to construct an underground reservoir, landscaping and fixing of gate.

Whilst the latter works are considered acceptable the other proposed works were considered objectionable because our site lies outside the development zone (ODZ).

Although technically this assertion is correct in actual fact, the reality on the ground is very different.

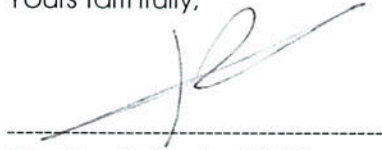
Attached please find block plan which show the legally and approved uses adjoining my client's site. These also include one permit for large structures for the sale of building material. The amount of commitment can also be viewed from the 2016 aerial photograph as well as from the google photograph of the area (attached).

My client is a bona fide refuse collector (copies of logbooks of vehicles attached). It is not possible to be given permission to park such vehicles within residential areas due to the nuisance they cause in particular because of odour. It is also difficult to park these in industrial areas for the same reason. Indeed most waste collectors' facilities are located outside the development boundaries. It is therefore for this reason i.e. the nature of my client's business which requires that they are parked in open areas.

Our site adjoins many others which are committed with large structures, some of which are not for agricultural use and thus after considering the nature of my client's business in our opinion this site is suitable for the proposed use.

For this reason we would like to respectfully request that you review this decision and approve our application.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'CB', written over a horizontal dashed line.

Charles Buhagiar A&CE.

Encl: copy of refusal, bank payment, site plan, block plan, 2016 aerial photo, google photo

c.c.: Mr. Wilson Mifsud