



5th April 2021

The Secretary,
Environment & Planning Review Tribunal,
Floriana.



SUBMISSION OF APPEAL FLORIANA

Madam,

Application No.: PA/08188/20
Location : Garage at Plot 10, Triq Hal-Kirkop, Mqabba
Proposal : Change of use from Garage to Class 6A store: Sanctioning also include
additional partitions for offices which were not included in PA/1652/00

I am writing on behalf of Mr. Saviour Grech of 78, Silver Pebbles, Triq il-Konvoj ta' Sta. Marija, Mqabba, to submit an appeal against the refusal issued by the Planning Commission, regarding the above-mentioned development application. This refusal was published on the 10th March 2021 and a copy of this refusal is attached.

The proposed development consisted in the change in use of a garage into a Class 6A store and included also the sanctioning of the formation by means of partitions of two offices and a toilet.

The reasons given for the refusal were three, namely:

- 1 The proposed Class 6A store runs counter to the provisions of Policy SMHO 02 of the South Malta Local Plan and SPED Urban Objective 3.5 which aims to protect and enhance the character and amenity of urban areas.
- 2 The proposed development will remove the existing parking spaces for the building and so it would be in conflict with Thematic Objective 10.6 of the Strategic Plan for Environment and Development Policy, and runs counter to the Vehicle Parking Standards of the development Control Design Policy, Guidance and Standards 2015 (Annex 1).
- 3 The proposed development does not ensure an accessible environment for all its users and visitors. The proposal therefore runs counter to policy P11 of the Development Control Design Policy, Guidance and Standards 2015 and to Urban Objective 4.6 of the Strategic Plan for Environment and Development, which aim for the integration of the requirement of people with special needs in the design of building and facilities.

With regards to 1 above, it has to be stated that in the same stretch of road where the proposed development is located there are other commercial activities which are being carried out. A site-plan and photos indicating these commercial properties are attached.



With regards to 2 above, it must also be stated that the garage in question is quite large and at least two parking spaces can be provided for use by the residents of the overlying apartments. The resulting shortfall in parking provisions can be made good by a contribution towards the U.I.F. fund.

The proposed Class 6A store will be used for the storage of goods (not food) for pets – namely toys, gadgets, cages etc. No selling of individual articles to the general public will be carried out on site.

The existing garage is large enough, as existing and approved by development permit no. PA/1652/00, to enable the unloading/loading of the merchandise to be carried out within the premises and not encumber the road. In fact, an unloading/loading bay will be provided inside the premises, as indicated on the plans submitted. Similarly the requirements of people with special needs, with regards to access and facilities will be taken care of.

For these reasons and other which may result during the hearing of this appeal, the appellant is humbly requesting this honourable Tribunal to annul the decision taken by the Planning Commission in this case and order the issue of the permit.

Whilst thanking you for your attention, I remain,

Yours faithfully,

L. Micallef, A.&C.E.
Warrant No. 98

Attachments: