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david psaila B. E. & A. (Hons.) A. & C. E.

Office: 98, D. Peak, Office I, Balzan Valley, Balzan. BZN 1405

Tel: 21412908 Fax: 21470870 Mob: 99495847

email: dpeak@maltanet.net website: www.dpeaklimited.com

Your Reference

Our Reference

Date

PA 7924/18

240/98

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

ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL
RECEIVED
13 MAY 2021
ST. FRANCIS DITCH
ST. FRANCIS RAVELIN, SWIEQOL

Re: CLASS 4B SHOP AT TRIQ IS-SWIEQOL c/w TRIQ IS-SWIEQOL

I would like to submit an appeal to the permit PA 1157/21 which was refused on the 30th April 2021. This application was for a change of use from Class 4B retail shop to a Class 4C Cafeteria.

This application was refused because "The proposed development 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.

Although Policy NHHO 02 of the North Harbours Local Plan specifies this area as a priority Residential area, it is very clear that from what actually exists in this area, that this street cannot be classified as a priority residential area since there are a large number of commercial outlets which are not permissible in a priority residential area.

A large number of permits were approved for commercial activities, even though this area is zoned as a priority residential area since it was concluded that this area was already committed due to the large number of commercial outlets situated along the same street.

Considering what actually exists in this zone, the large number of commercial outlets, then this area cannot be classified as a priority residential area but falls under the classification of a residential area.



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Referring to Policy NHHO01, Class 4 (use Class Order 1994) are permissible developments within a residential area. This application is in conformity with the local plans as a Cafeteria (Class 4C) is a permissible development within a residential area.

This cafeteria will be of a local scale and serving local needs. This proposal will also enhance the surrounding area since it is more pleasant to see a cafeteria than as was approved a garage at the corner. This outlet can also help to create a meeting area for the neighbours and people visiting the existing commercial outlets, something that is missing in this zone. In fact there were no objections from the neighbours, some of which also said that this would be much better than garages underneath and adjacent their properties.

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 if approved this outlet will enhance the area and provide an outlet which is in request by the residents of the area, as well as by passers-by in this particular area which has numerous commercial outlets.

David Psaila A&CE

David Psaila B.E & A (Hons) A. & C.E.
Architect & Civil Engineer

Office: 98, D. Peak, Balzan Valley, Balzan

Tel: 2141 2908 Mob: 9949 5847

Email: dpeakltd@gmail.com