

**Perit A. Fenech Vella** B.Arch, A&CE, ACI Arb

Architect &amp; Civil Engineer (Warrant No 73), Arbitrator

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our ref : 20004-08

The Planning & Environmental Review Tribunal  
Floriana

Sir,

**Re: PA 5544/20-Pieta****ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL****RECEIVED**  
22 NOV 2021ST. FRANCIS DITCH  
FLORIANA

This is an appeal from the Condition No of the permit PA issued on the requesting the payment of a UIF and which was reconfirmed in the refusal published on eth 3<sup>rd</sup> November 2021 ( copy attached)

Our contention is that the EPC calculated this requirement simply on the basis of the proposed development without taking into consideration what it was replacing.

The proposal in fact regards the replacement of a 83sm shop by a 24sm shop and a one bedroomed apartment. The requirement for parking, or the charging of UIF when this is not possible, is related to the size of the development and the need for parking it would generate.

The existing shop with its 83sm area and it's gross area of 96sm definitely exceeds the Local Shop standards and would require 1 car provision whilst the new development will also be requiring a 1 provision as declared by the same EPC in its refusal; they balance out perfectly, even more so in the proposal's favour, as the benefit of the reduction by 66% from the max size of a Class 4B to 24sm by far outweighs 11 % markup of the present.

If, in fact, I had to apply for two similar premises next to each other, they would both qualify for a 1 car space requirement. In view of this, I kindly ask the Tribunal to reverse the EPC's request for a UIF payment and remove the said Condition 5. Thank you

Anthony Fenech Vella