

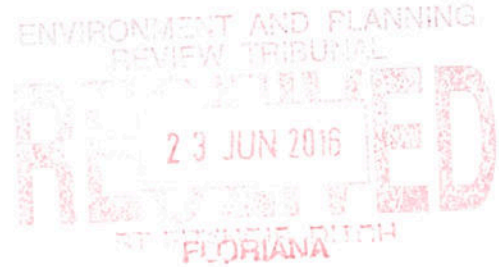
Jesmond Mugliett BE & A (Hons) MSc (Bath) A & CE

ARCHITECT & CIVIL ENGINEER
DESIGN CONSULTANTS
89, ST. MARY STREET,
TARXIEN TXN 7101

Our Ref: 1192
Your Ref: PA4511/15

23rd June 2016

The Environment and Planning Tribunal
Floriana



cc.

Application No: PA4511/15

Location: Joedi, Graziella Apartments, Level 1, Triq l-Iskola c/w, Triq Victor
Denaro, Msida, Malta

Appeal from condition

I refer to application PA4511/15. On the 23rd of May 2016, the Planning Authority approve this application. With its approval decision the PA decided to impose a payment for 3 unprovided car parking spaces. On behalf of the applicant I am hereby appealing from this condition for the reasons outlined below.

The approved development in PA/05406/98 & PA/02235/01 consists in the development of 8 apartments & a penthouse. The total parking requirement would be of 10 parking spaces. These were provided in PA/05406/98 as 5 car parking spaces at Basement Level & 5 car parking spaces at Lower Basement Level.

Subsequently in PA/02235/01, the Lower Basement Level was approved enlarged, with an extension below the Front Yard. Given the layout of the Lower Basement Garage Space, the extension creates a further 3 parking spaces within the extension area. These have been marked in red in Diagram 01 hereunder.

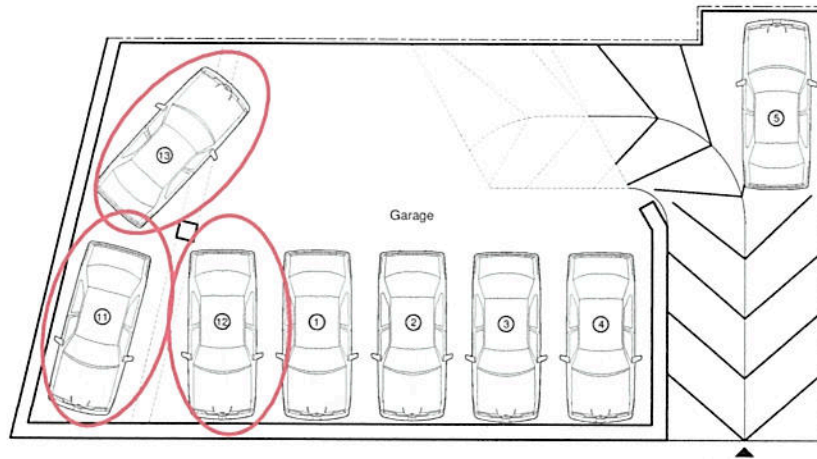


Diagram 01 – Lower Basement Level Sketch

Indication of possible additional parking spaces in excess of the original 10 parking spaces due to extension below Front Yard. Additional parking spaces labelled 11-13 and circled in red.

The approved Basement Level indicated a total of 5 parking spaces as shown in Diagram 02. After taking into consideration the parking requirements and limitations to the office floorspace, the proposed layout was designed to integrate part of the garage for the use of parking two vehicles as shown in Diagram 03.

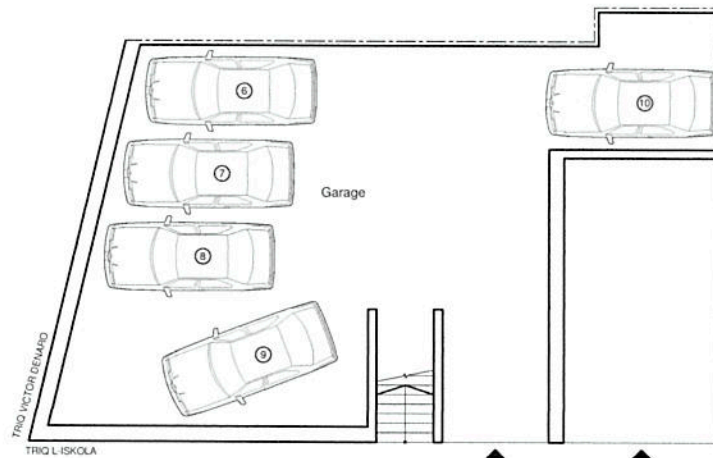


Diagram 02 – Approved Basement Level Sketch

Indication of approved parking spaces.

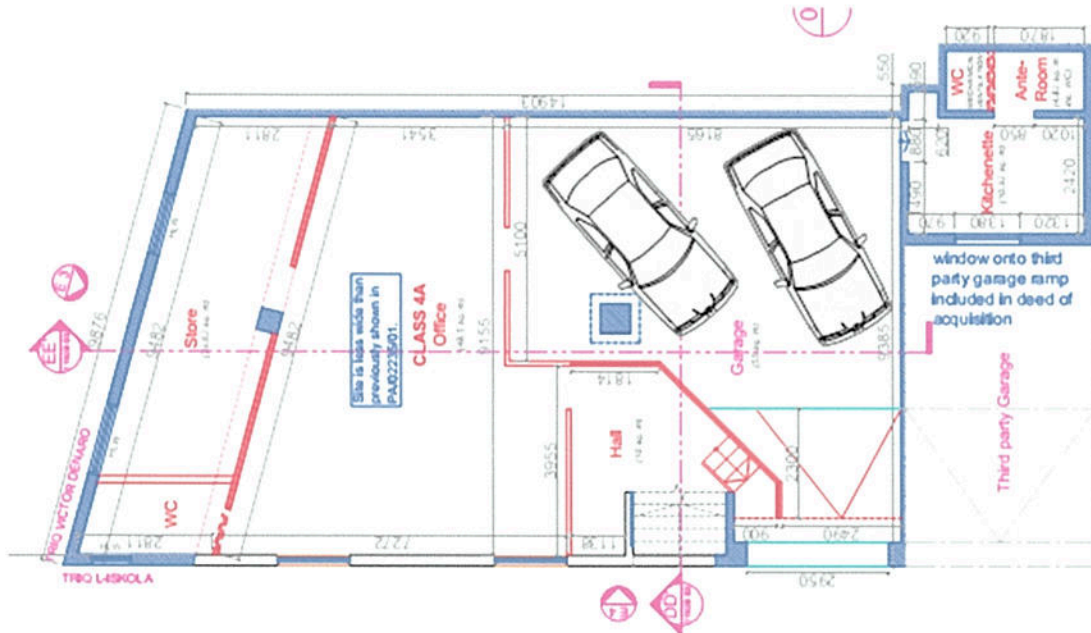


Diagram 03 – Proposed Basement Level Sketch
Indication of proposed parking spaces.

Furthermore, the proposed office has an area of 48.5 square meters. As per the requirements in *Structure Plan Policy TRA 4*, for Offices, 1 parking space per 50 square meters is required. Although there are ancillary rooms to the office, eg store, these do not intensify the activity and therefore do not generate additional parking needs, it is hereby felt that 1 parking space shall be required.

To summarise, in total the approved development required and indicated a total of 10 parking spaces, but the extension of the lower basement level garage allows for a further 3 on site parking spaces within the development. The proposal at Basement Level reduces on site parking by 3 parking spaces, and requires an additional one parking space.

Thus the total provision of parking spaces for the development as approved in PA/02235/01 and as per the proposal shall be of 10 on site parking spaces. The 11th parking space being a single parking space required for the office, shall make use of the space in front of the garage subject of this application for parking.

CONCLUSION

Parking for the developed shall not be affected. Effectively the approved development (prior to the change of use application) is considered to have a provision of 13 on site parking spaces. The proposal reduces three parking spaces and requires one parking space. The parking space being a single parking space required for the office shall make use of the space in front of the garage subject of this application for parking. Thus the proposal is deemed to provide the parking required as per *Structure Plan Policy TRA 4*.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Jesmond Mugliett", is positioned above the printed name.

Jesmond Mugliett

TRIBUNAL TA' REVIZJONI TA' L-AMBIJENT U L-IPPJANAR
ENVIRONMENT & PLANNING REVIEW TRIBUNAL

P.O. BOX 172
 MARSA

TEL: 21222278
 FAX: 21223596

PAYMENT TO THE
ENVIRONMENT & PLANNING REVIEW TRIBUNAL

Appeal No. _____ / _____
 PA 4511 / 15
 ECF _____ / _____

Name/Address of Appellant

Emanuel Scorti

142/144 Matarich Triq Nazju Ellen Msida

Development

Change of use of Garage into part
office part Garage Sanctioning of entrance
below front yard & minor internal part
alterations

Location

Toedli, Grayella Apartments
Level 1.
School Str c/w Victor Demas Str
Marsa.

- Appeal from Refusal
 Appeal from Condition
 Appeal from Enforcement Notice
 Third Party Appeal

- Payment of Fine
 Payment for Site Inspection
 Others



Total Fee Submitted

Amount

PAYMENT

€ 200.00

Bank of Valletta Ltd., A/C 186 0307 2236

H.S.B.C., 089-037246-050

Total € 200.00