

19<sup>th</sup> June 2020

The Secretary  
Environment and Planning Review Tribunal  
Block B, St. Francis Ditch,  
Floriana



**Re: PA 1128/20 – Change of Use of Part of Garage from Private Car Parking to Car Detailing - Gudja**

Reference is made to the refusal dated 5<sup>th</sup> May 2020 and issued in connection with the above-mentioned application; against which we would like to lodge our appeal.

The refusal is based on the fact that uses relating to car valeting and car detailing are not allowed in residential priority areas. We intend to argue against this decision on two counts, namely:

Car valeting and car detailing activities have been classified by the directorate as falling under Class 5B – General Industry. PA Circular 4/18 Section 2.2 outlines which car-related operations are to be classified as falling under 5B – valeting and detailing are not included in this list. By default, valeting and detailing activities should thus fall under Class 5A – Light Industry as has been the case when permits PA 9064/18 and PA 9243/19 were issued.

When the PA issued these permits, it has automatically accepted the fact that such activities:

- do not use heavy duty and/or noisy equipment and/or equipment which requires 3 phase electricity supply
- do not entail extensive and prolonged use of percussion hand tools
- do not entail the generation of combustion, chemical or particulate by-products.

and hence there would be no adverse impacts on the residential amenity of the area.

During the course of this appeal we would present the respective specifications and data sheets together with relevant certifications that equipment used can in fact be classified as residential hardware.

The refusal also states that valeting and detailing are not allowed in Residential Priority Areas, and the above was based on Policy SMHO 02 of the South Malta Local Plan. However, RPA's are classified as specific residential areas characterised by distinct dwelling types or clusters of buildings exhibiting special characteristics. Triq Dun Pietru Farrugia incorporates quite some different building typologies as we will explain in further detail during the appeal hearings. Hence one should question whether this street is purely an RPA zone or a mixture of RPA's and RA's.

Further to the above, we reserve the right to present further arguments together with our legal representative during the course of this appeal.



**J Grech A&CE**