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

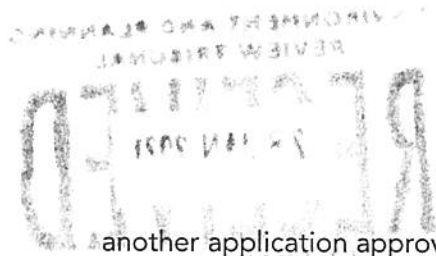
Application Number: PA/03517/20
Location: 379, Triq il-Merhba, Fgura
Proposal: To sanction the use of the garage as a Class 6A.

27 January 2021

In terms of of the Development Planning ACT VII of 2016 chapter 552 we hereby submit our request for appeals on the refusal decided today the 27th January 2021. From the onset of our arguments we express our disappointment with the Planning Commission's disregard for our request for deferral which was requested to allow for the applicant to be legally represented.

Argument 1

The Planning Directorate is arguing that the application is unacceptable since Policy SMHO 02 of the South Malta Local Plan which does not include Class 6A storage, the purposed of this application is to park/store/refill for bowser in conjunction to a licensed borehole on site. This is identical to



another application approved in PA 06431/18, it is of note that the Planning Directorate is taking two very different approaches to the same development. Furthermore the existing garage was approved in PA 973/94 and the use of the garage was always that of a store.

Argument 2

The CRPD did not object to the proposed development but rather asked for further clarifications, the only issue is the request for provision of accessible for all sanitary facilities, this is not usually requested in such developments since the garage is used solely for the storage/refill/parking of a water bowser and the use is not intended for any form of public to visit the garage. The toilet on site is covered by PA 973/94 and no alterations to the same is being proposed in this application

For these reasons we respectfully request the Hon Tribunal to favourably consider this request for appeal since the refusal is in clear breach of the applicant's rights.

Regards,

Simon Spiteri



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