



MED
DESIGN ASSOCIATES LTD

Hercules House, Second Floor, St. Mark Street, Valletta VLT 1084, Malta
Tel: (356) 21 232 957
Fax: (356) 21 247 573
e-mail: info@medesign.com.mt
site: www.medesign.com.mt

Our Ref: 17193

29th September, 2022

The Secretary
Environment and Planning Review Tribunal
St. Francis Ravelin
Floriana

Dear Sir,

Appeal against refusal PA 1463/22 - Naxxar

Please refer to the refusal given to the application submitted by my client Mr. Luke Galea to carry out works at Naxxar.

The works proposed by my client consists in the placing of two tables and chairs on a pavement built out in front of his permitted and licensed class 4D outlet (restaurant). Our proposal has been approved by all consultees including MTA and Transport Malta.

Two reasons were given to substantiate the refusal namely:-

1. Our proposal would have a negative impact on the amenity and character of the urban area. We strongly disagree with this argument. This argument may have made sense if we are proposing a new class 4D outlet within a residential area but the existing class 4D outlet is already a permitted building

Furthermore, although our site is located within a residential area, some weeks ago a development permit had been issued for a massive mixed use development on the parking area of the ex Trade Fair grounds. Hence, this permit has effectively changed the zoning of the area to a mixed use.

2. The proposed outdoor seating area does not provide an accessible environment to all. This is a design issue and can be only addressed by an amendment to the design proposal. Furthermore, this issue has already been addressed in our fresh drawings which have been submitted (doc 147 a, b)

I would also like to point out that similar applications have been approved in other residential areas of Naxxar as shown in the attached block plan. The block plan also indicates the site of the approved mixed use development.



Hence, since other similar applications have already been approved, I fail to understand why our application is being considered objectionable.

Furthermore, I would like to point out that a previous application for the same works on this site (PA 1517/18) was refused solely because Transport Malta clearance was not obtained. Now that TM have given their no objection there should be no other reasons why this application be refused.

In view of the above we consider our proposal as fully compliant with policy and would like to respectfully request that you review this decision and approve our application.

Yours faithfully,



Charles Buhagiar A&CE.

Encl: Bank receipt, copy of refusal, site plan, block plan, block plan of street

c.c.: Mr. Luke Galea