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Our Ref. 33/15

Your Ref. PA 04539/16

24<sup>th</sup> February, 2017



The Planning Authority,  
Environment and Planning Review Tribunal,  
St. Francis Ditch  
Floriana

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PA Case File: PA 04539/16

Location: 166, Triq il-Qadi, Zejtun.

Proposal: Proposed extension to existing garage to form a Class 3C (leisure children's club) at first floor and access to roof.

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**Request for Appeal to decision of Refusal**

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To whom it may concern,

I the undersigned architect and civil engineer would like to request an appeal as required by Article 13 of the Environment and Planning Review Tribunal Act, 2016 for the following reasons.

*The proposed development runs counter to the provisions of Guidance G22, policies P41 and P45 of the Development Control Design Policy, Guidance and Standards 2015 which specify that all developments will be designed with high amenity and accommodation standards and that both the built and unbuilt fabric should be designed so as to help create a safe and secure environment. The proposal therefore also runs counter to the Urban Objective 3 of the Strategic Plan for Environment and Development which aims to protect and enhance the character and amenity of urban areas.*

I think that there are no security and safety issues in question because in my last correspondence I eliminated access to the roof. Also in the case officer's report these were never mentioned.

*The proposed development runs counter to the provisions of policy SMHO02 of the SMLP in that this 3C (leisure children's club) would create adverse impacts on the residential amenity of the area. The proposal therefore also runs counter to the SPED Urban Objective 3 which aims to protect and enhance the character and amenity of urban areas.*

*The proposed development will create a deleterious impact on the amenity of the residential area and of the existing adjoining uses and therefore constitutes bad neighbour development. It is therefore in conflict with SPED objectives TO 6.1, UO 3.5 and UO 4.2.*

My reply is a quote from the case officer's report:

**Policy SMHO02 of the SMLP permits Class 3C (previously Class 9) leisure clubs in Residential Areas subject that the facility is of a small scale and does not create adverse impacts on the residential amenity of the area. Hence, considering the small size of the premises, the proposed construction of the club may be deemed acceptable.**

Trusting that the above arguments are considered favorably by the Environment and Planning Review Tribunal.

Regards



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**Perit Jonathan Schembri**