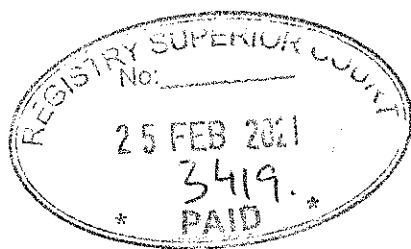


Fil-Prim Awla' tal-Qorti Ċivili



Subbasta Nru. 15/19

Bank of Valletta p.l.c.

vs

S.D. Vella Company Limited

Relazzjoni tal-Perit Tekniku

Perit Philip Mifsud

Relazzjoni tal-Perit Philip Mifsud.

Jesponi bir-rispett: -

Illi permess ta' digriet ta' din l-Onorabbli Qorti mogħti nhar l-10 ta' Diċembru 2020, huwa ġie nnominat sabiex jagħmel deskrizzjoni u valutazzjoni tal-fond mingħajr numru uffiċjali, u cioè ħanut bl-isem "Xin Qi Massage Salon", ġia "*Cork and Screw*" li jinsab fi Triq il-Mimosa, Pieta.

Illi huwa ġabar il-proċess relattiv mill-Onorabbli Qorti Ċivili u ħa konjezzjoni tad-dokumenti fl-istess proċess.

Illi sabiex jaqdi l-inkarigu lilu mogħti, il-perit sottofirmat żamm aċċess fuq il-post nhar il-Ħamis 11 ta' Frar 2021, dan wara komunikazzjoni permezz ta' posta reġistrata (kopja annessa – Dok PM1a).

Deskrizzjoni tal-Proprietà Immobili

Il-proprietà su riferuta tiffirma parti minn blokka bini b'diversi użi. L-istess blokka għandha kostruzzjoni li tmur lura ftit għexieren ta' snin. Il-proprietà eżaminata tikkonsisti f'ħanut li jinsab fil-livell tat-triq, adjaċenti għal ħanut ieħor formanti parti mill-istess blokka kif ukoll sottopost għal binjiet residenzjali, ilkoll ta' terzi. Għaldaqstant il-proprietà ma' tinkludix partijiet li huma komuni ma' terzi u lanqas għandha l-arja tagħha.



Pjanta tas-sit li turi l-proprjetà in diżamina qed tigi annessa (Dok PM1b). Ritratti 1 u 2 annessi juru l-ħanut in diżamina filwaqt li ritratti 3 u 4 juru l-istess ħanut fil-kuntest ta' Triq il-Mimosa. (Ir-ritratti kollha riferuti f'dan ir-rapport jinsabu annessi f'Dok PM2a – PM2għ).

Dan il-ħanut jinsab fil-livell *ground floor* u accessibli b'mod faċli mit-triq pubblika. Fil-preżent qed jintuża bħala ħanut tal-massaġġi. Il-pjanta tal-istess ħanut hi annessa f'Dok PM3. Prattikament dan il-ħanut jikkonsisti minn kamra waħda rettangolari u pjuttost tawwalija. Fuq in-naħa ta' wara, wieħed isib faċilita sanitarja zgħira u bitha, ukoll ta' forma rettangolari. Irid jingħad illi sabiex il-fond jaqdi l-funzjoni preżenti, saru xi taqsimiet tal-aluminjum (*aluminium partitions*) u dan sabiex gie iffurmat spazju fejn jintlaqgħu in-nies (eżatt kif wieħed jidħol) kif ukoll żewġ ikmamar zgħar għal massaġġi. Indikazzjoni ta' dawn l-ispazji hi murija fuq il-pjanta annessa (Dok PM3) b'linji anqas grassi. Ritratti 5 – 11 jagħtu indikazzjoni tal-proprjeta in diżamina.

Kobor tal-Proprietà

Il-propjetà għandha *area gross (footprint)* ta' ċirka 82 metru kwadru li huma mqassmin kif gej:

Front Garden - ċirka 14-il metru kwadru.

Binja (il-ħanut) - ċirka 60 metru kwadru.

Bitha fuq wara - ċirka 8 metri kwadri.



L-għoli tal-binja hu ta' ċirka 3.1m. Dan il-kejl gie meħud mill-faċċatta, dan għaliex fuq gewwa hemm is-suffett. Irid jingħad illi l-għoli fuq gewwa hu ta' 2.90m sal-livell tas-suffett.

Approssimazzjoni ta' kemm għandha żmien il-propjeta

Il-blokka bini li tinkludi il-propjeta in diżamina hi viżibbli fuq is-survey sheet tas-sena 1968. Għaldaqstant qed jingħad li din il-propjeta ilha mibnija għal aktar minn 50 sena.

Titlu

Mill-inkartament disponibbli, jirrizulta li din il-propjeta giet akkwistata minn S.D. Vella Ltd. nhar it-28 ta' Ġunju 1995 skont kuntratt fl-atti tan-Nutar Dottor Pierre Cassar.

Hekk kif jirrizulta mill-att tal-akkwist, din il-propjeta hi eżenti mill-obbligu ta' ħlas ta' ċens annwu u perpetwu.

Servitujiet favur il-binja

Waqt l-ispezzjoni ma irriżultaw l-ebda servitujiet favur din il-binja.

Servitujiet kontra l-binja

Waqt l-ispezzjoni gie nnutat illi fil-bitħa li tiġi fuq wara tal-propjeta hemm tieqa ta' proprjeta ta' terzi fil-livell *ground floor*, (ara ritratt Numru 11). Gie nnutat ukoll li hemm diversi aperturi oħra ta' proprjetajiet ta' terzi li mill-għoli jagħtu għal fuq din l-istess bitħa. Ta' min jinnota illi hemm diversi servizzi li jagħddu minn din l-istess bitħa.



Servizzi

Il-ħanut jinkludi l-installazzjonijiet kemm tal-elettriku kif ukoll tal-ilma.

Kunsiderazzjonijiet ta' ippjanar

Il-propjeta' in dizamina tiffirma parti minn blokka residenzjali li nbriet qabel is-sena 1968 u għaldaqstant hi meqjusa bħala binja legali. Aktar minn hekk, tul is-snin kien hemm żewġ permessi tal-bini li speċifikament jikkorrispondu mal-ħanut in dizamina. Dawn huma:

- PA/01718/99 – *Change of use of existing garage into a drapery shop.*
- PA/00878/09 – *To sanction shop sign and shop sign on side of the front garden.*

Kopja taż-żewġ permessi hi annessa f'Dok. 4a – 4g u f'Dok 5a – 5e rispettivament. B'mod ġenerali, il-binja hi konformi ma' dawn il-permessi tal-bini kif ukoll mal-ligijiet sanitarji.

Skont in-North Harbour Local Plan (Ara Dok PM6 Anness), il-proprjeta in dizamina tinsab f'żona residenzjali, u għalhekk minbarra l-użu preżenti għandha potenzjal għal diversi użi oħra hekk kif indikat f'*policy*



NHHO 01 tan- *North Harbour Local Plan* (kopja riprodotta f' Dok. PM7a-7b)

Użu Preżenti

Fil-preżent il-propjeta hi mikrija lil terzi, kif ġa ntqal, dawn jużaw il-propjeta bħala ħanut tal-massaġġi. Kien hemm diffikultà ta' lingwa meta is-sottofirmat għamel l-ispezzjoni u għaldaqstant is-sottofirmat ma' setax jikkomunika ma' min kien qed imexxi l-ħanut. Ma' hux ċar jekk il-persuna li kien hemm preżenti hiex il-kerrej jew inkella persuna impjegata mill-kerrej.

Minkejja dan, waqt l-ispezzjoni kien hemm rappreżentant ta' S.D. Vella Company Ltd. (is-Sur Saviour Vella) li ntalab kopja tal-kuntratt tal-kirja. Minkejja li s-Sur Vella ikkommetta ruħu li se jipprovdi kopja ta' dan il-kuntratt, din il-kopja baqgħet ma' waslet qatt u dan minkejja diversi tentattivi oħra mis-sottofirmat inkluż l-aħħar tentattiv li sar fid-data ta' dan ir-rapport.

Dokumenti pertinenti addizzjonali

L-esponent jissottometti illi flimkien ma' din il-valutazzjoni qed jiġi annessi wkoll:

- Pjanta tar-Reġistru Tal-Artijiet – Dok PM8
- It-tmien Skeda – Dok PM9



- Kopja tal-irċevuta – Spejjez ta' riċerka Awtorità tal-Ippjanar – Dok PM10.

Valutazzjoni

Wara li l-perit ħa nota tal-informazzjoni disponibbli, li tinkludi informazzjoni migbura fl-aċċess flimkien ma' informazzjoni oħra relevanti, u wara kunsiderazzjonijiet ta' daqs, lokazzjoni, kundizzjoni u fatturi oħra li għandhom effett fuq il-propjeta', il-perit sottofirmat jistma l-valur fis-suq għal din il-propjeta' ta' **€125,000 (mija u ħamsa u għoxrin elf ewro)**.

Daqstant l-esponent għandu l-unur jissottometti għal interpretazzjoni u l-għudizzju ta' din l-Onorabbli Qorti Ċivili u jiddikjara li fedelment qeda' l-inkarigu lili mgħoti bl-aħjar abbilità tiegħu u mingħajr konflitt ta' interess.


Perit Philip Mifsud

Illum it-Tnejn 24 ta' Frar 2019

25 FEB 2021

Illum.....

Ippreżentata mill- Perit Philip Mifsud
B/bla-dok Helin (30) Dokumenti

Annessi:

Dok PM1a

Kopja ta' posta registrata

Dok PM 1b


Pjanta tas-sit

Dok PM 2a-2għ

Ritratti

Dok PM 3

Pjanta tal-propjeta'


Annaliese Spiteri
Deputat Registratur
Qorti tal-Gustizzja (Malta)

Illum 30 ta' Marzu 2021
Deher li-Perit Legali / Tekniku:
Philip Mifsud (KI)
Li wara li ddikjara li thallas l-ammont lillu dovut, halef/halef li qeda/qdlet fedelment u onestament l-inkarigu mogħti lillu/ha.

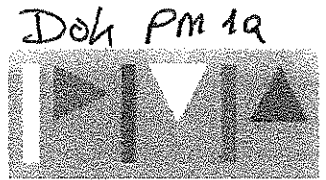
2930714
Pagina 6 minn 7
Gaelana Aquilina
Deputat Registratur
Deputy Registrar
Gustizzja (Malta)

Dok PM 4a-ġ	Kopja tal-permess numru PA/01718/99
Dok PM 5a-e	Kopja tal-permess numru PA/00878/09
Dok PM 6	<i>North Harbour Local Plan – MAP MP1</i>
Dok PM 7a-b	<i>North Harbour Local Plan – Policy NHHO 01</i>
Dok PM 8	Pjanta tar-Registrazzjoni tal-Artijiet
Dok PM 9	It-Tmien Skeda
Dok PM 10	Irċevuta tar-Riċerki



4 February 2021

S.D. Vella Company Limited
47 Meadowsweet
Triq Kananea
Attard



PMA ARCHITECTS

Corner Plot No. 2
Triq 12-Zgħirfan
Attard, Malta

(+356) 2146 2304
(+356) 7916 2304
info@pmaperiti.com
www.pmaperiti.com

Valuation Report – Xin Qi Massage Salon, Cork & Screw, Mimosa Street, Pieta

To whom it may concern:

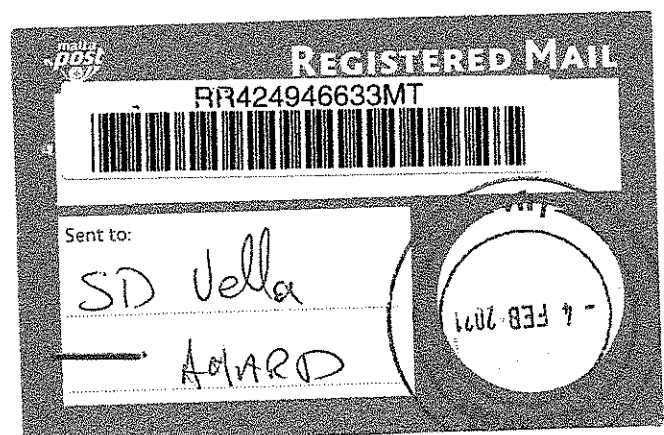
Please be informed that the undersigned has been appointed by the Honourable First Hall of the Civil Court to conduct a valuation report for Xin Qi Massage Salon (Cork & Screw) Mimosa Street Pieta. (Reference Subbasta No. 15/19).

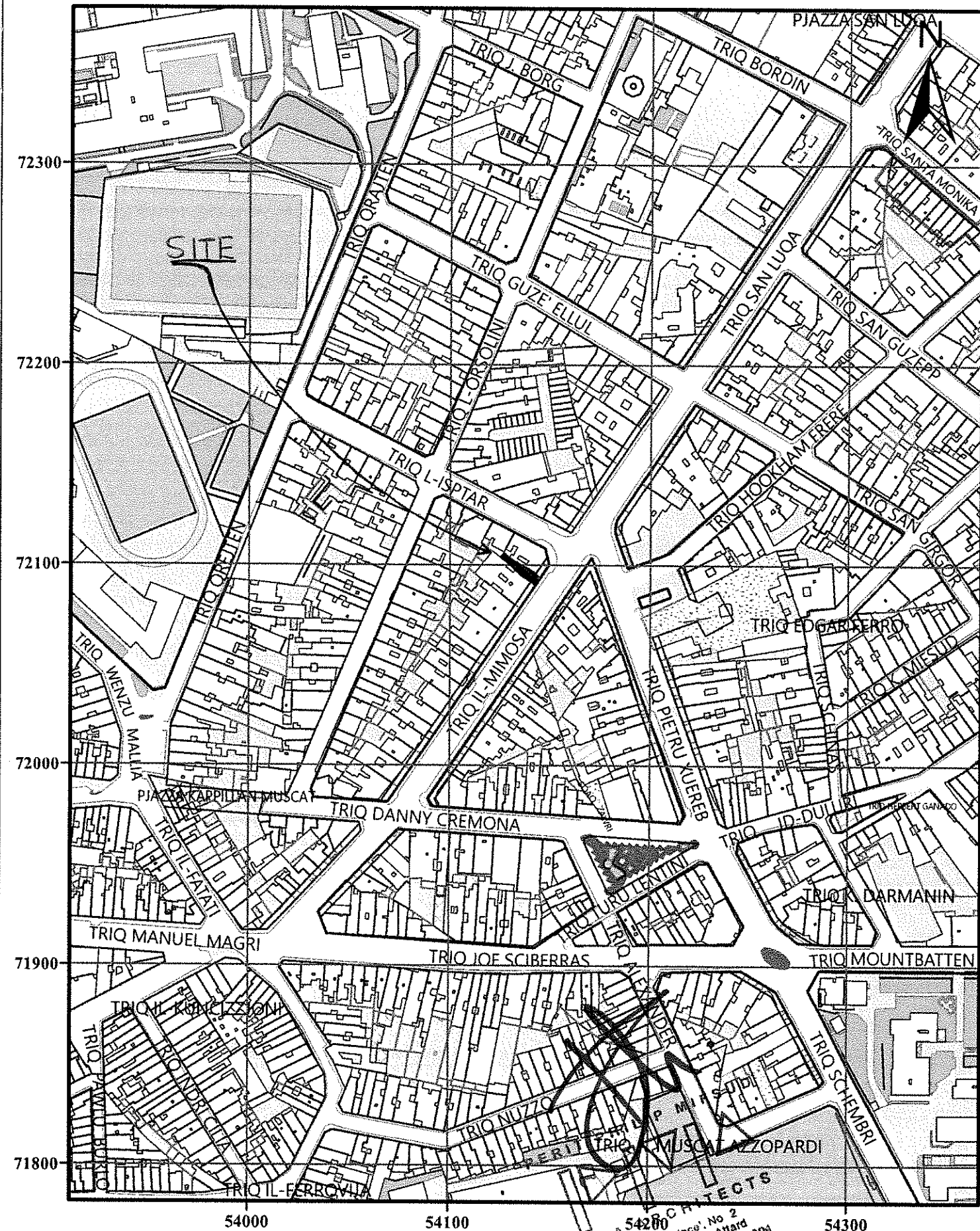
For this purpose, a site inspection by the undersigned has been set for Thursday 11th February 2021 at 10:30am.

You are kindly being asked to be present, and to be in possession of all keys that are needed for the inspection of the whole property.

Thanks and Regards,

f/Perit Philip Mifsud
PMA ARCHITECTS





MA 54280
'Corner Place', No 2
Triq iz-Zaghiran, Attard
Tel 2146 2304 Mob 7946 2304
1:2.500

1:2,500

Date Printed: 24/02/2021

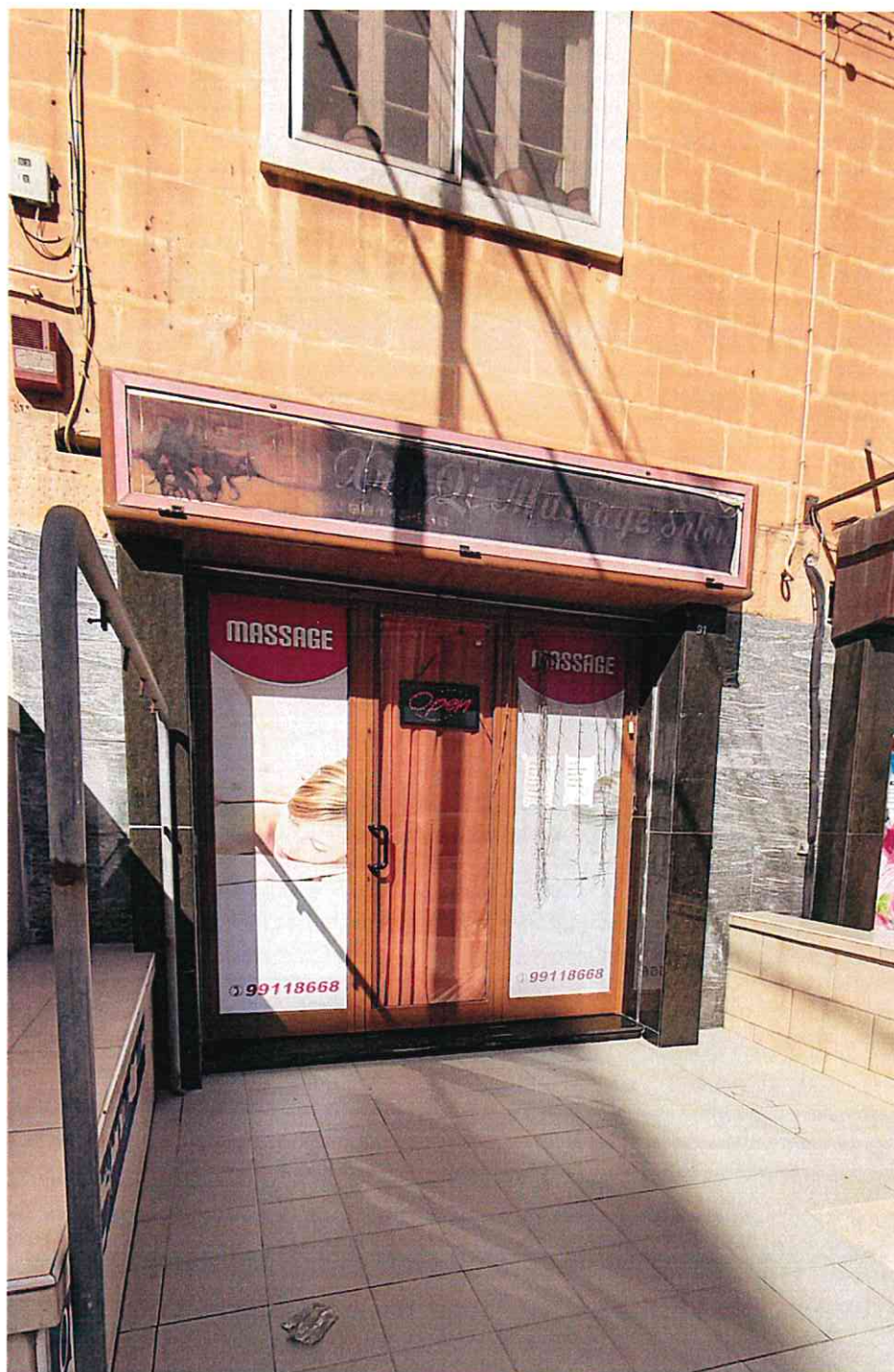
Public Geoserver

Compiled for and published by the Mapping Unit, Planning Authority ©PA.
Not for resale. Reproduction in whole or in part by any means is prohibited without
prior permission of the Mapping Unit. ERDF.02.030 - IntegraM data, (2018),
Developing Spatial Data Integration for the Maltese Islands, Planning Authority.
Data captured from: 2018 aerial photography. Truncated U.T.M. Coordinates.
Levelling Datum M.S.L. (Mean Sea Level).
Not to be used for interpretation or scaling of scheme alignments.

PA

PLANNING AUTHORITY

St. Francis Ravelin, Floriana.
Tel: +356 2290 0000, Fax: +356 2290 2295
www.pa.org.mt, mappingshop@pa.org.mt



Ritratt 1

Th



Ritratt 2

th

Dok Pm 2:



Ritratt 3

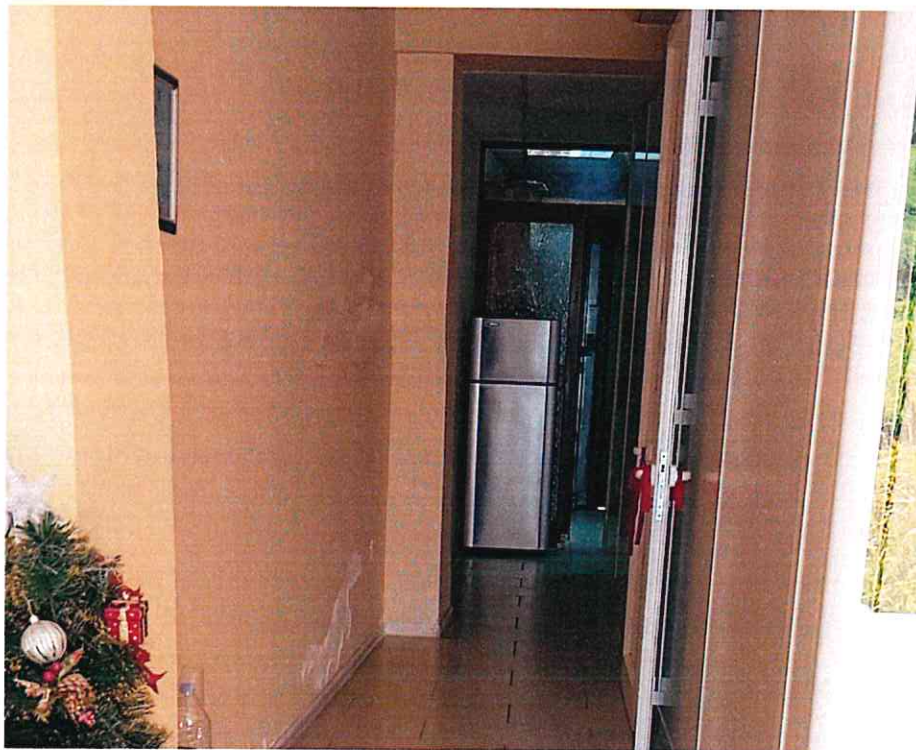


Ritratt 4

th.



Ritratt 5



Ritratt 6

th.



Ritratt 7

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Ritratt 8

th.



Ritratt 9

Th.



Ritratt 10

th.

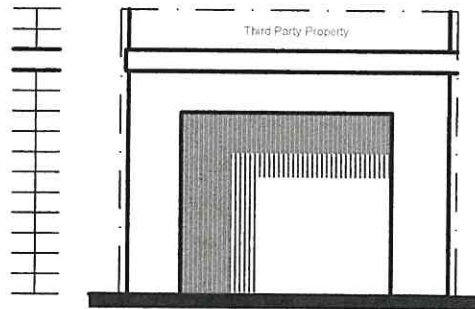
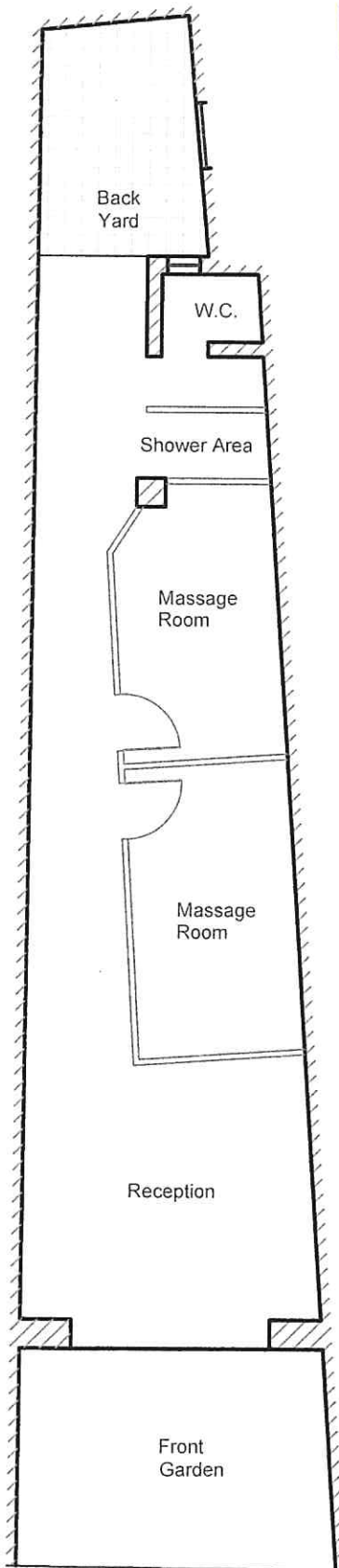


Ritratt 11

[Handwritten signature]

Ground Floor Plan

Scale 1:100



Front Elevation

Scale 1:100

Client
Qorti Civili

Commission
Valuation
Xin Qi Massage Salon
Triq il-Mimosa
Pietà

Drawing Title
Ground Floor Plan
and Front Elevation

File No.
2020/141

Drawing No.
2020/141-01

Scale
A4 Sheet - 1:100

Drawn By
TT

Checked By
Philip Mifsud A&CE

PMA ARCHITECTS
Corner Place No 2
Triq il-Mimosa
Pietà
(+356) 2146 2304
(+356) 7946 2304
info@pmaperiti.com
www.pmaperiti.com

Triq il-Mimosa



To: Mr Salvu Vella
34, Meadow
Triq il-Blanzun
Attard

Date: 20 May, 2010
Our Ref: PA 00878/09

Application Number: PA 00878/09
Application Type: Full Development Permission / 05
Date Received: 6 March, 2009
Approved
Documents : PA 878/09/1C/24A/24B

Location: Be Independent, Triq Il-Mimosa, Guardamangia
Proposal: To sanction shop sign and fix shop sign on side of the front garden.

Development Planning Act 1992 Section 33 Full Development Permission

The Malta Environment & Planning Authority hereby grants advertisement consent in accordance with the application and plans described above, subject to the following conditions :

- 1
 - a) The advertisement hereby permitted shall be on full display within 12 months of the date of this consent. If the advertisement is not so displayed, this consent shall cease to be valid at the end of the 12 month period.
 - b) This consent is subject to review with regard to any development plans and any other material considerations, and the Malta Environment & Planning Authority may at any time, serve a notice requiring the advertisement to be removed and the site returned to its condition prior to the display of the advertisement.
 - c) The advertisement hereby permitted shall be displayed strictly in accordance with the approved plans and drawings. and the conditions of this permission. Where a matter is not specified on the plans then the conditions of this permission and of Development Control Policy and Design Guidance shall take precedence and modify the plans accordingly.
 - d) This consent does not remove or replace the need to obtain the consent of the land/building owner to the display of this advertisement before it is displayed. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to the display of this advertisement. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.
 - e) It should be noted that a third party may have the right of appeal against this

consent. Any display of advertisements which is carried out when such an appeal has been made, or until the time limit for the submission of such an appeal has expired, is undertaken at the risk that this consent may be revoked by the Planning Appeals Board or quashed by the Court of Appeal.

f) The advertisement hereby permitted, and the site used for its display, shall, at all times, be maintained in a clean and tidy condition to the reasonable satisfaction of the Malta Environment & Planning Authority.

g) Any structure or hoarding erected or used for the purpose of displaying the advertisement hereby permitted shall be maintained in a safe condition.

h) Where an advertisement is required to be removed, the removal shall be carried out to the reasonable satisfaction of the Malta Environment & Planning Authority.

i) The advertisement hereby permitted shall not be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign or aid to navigation by water or air, or so as to create a danger to pedestrians or otherwise render hazardous the use of any means of travel.

Should the site fall within areas designated as HOS and property originating from the Housing Authority, this permit does not exonerate the applicant from obtaining the necessary clearances from the same Authority.

This permit is granted saving third party rights. The applicant is not excused from obtaining any other permission required by law. The applicant should contact the following regarding the location and provision of services prior to commencing development:- Enemalta, Water Services Corporation and Cable Network Operators.

Marlene Attard
Head DCC Secretariat
Development Control Commission

Notes To Applicant

Right of Appeal

You have a right to Appeal under Section 37 of the Development Planning Act 1992 if you feel aggrieved about the decision. You may either :

- (i) Request the Malta Environment & Planning Authority to reconsider the decision; or
- (ii) Appeal to the Appeals Board against the decision.

Time Limits

- (i) Requests for reconsideration MUST be made within 30 days of the receipt of the decision by the applicant;
- (ii) Appeals to the Appeals Board MUST be made within 30 days of the receipt of the decision by the applicant;

Where a request for a reconsideration of a decision by the Malta Environment & Planning Authority has been made within the time limit set above, the 30 day period for making an appeal starts when the Authority's reply on the reconsideration is received, and if no reply is received within 30 days, the period for making an appeal commences on the date on which the Authority should have determined the reconsideration, ie 30 days from the date on which the request for reconsideration was received by the Authority.

Fees for Requests for Reconsiderations and Appeals

In either case there is a fee to be paid, which should accompany the request for Reconsideration or the Appeal. The fees are :

- for a Reconsideration 3% of the Development Permit Fee paid in respect of the original application subject to a minimum of EUR 69.88.
- for an Appeal 5% of the Development Permit Fee paid in respect of the original application subject to a minimum of EUR 186.35.

Form of Requests for Reconsiderations and Appeals

Requests for Reconsideration and Appeals should be submitted on the appropriate form, and accompanied by the fee. In addition a statement setting out the reasons for the request for reconsideration should be submitted. This statement should be detailed and directed towards the reasons or for the imposition of condition(s) as appropriate. It MUST contain the reasons for requesting reconsideration. The appeal must be accompanied by an application containing grounds for the appeal and the request of the appellant.

The request for reconsideration should be either submitted by hand directly to the Planning Shop, Block 1, St. Francis Ravelin, Floriana or sent by post to the Secretary, Development Control Commission, The Malta Environment & Planning Authority, St. Francis Ravelin, Floriana, PO Box 200, Valletta CMR 02. The Appeal should be either submitted by hand directly to the Planning Appeals Board Secretary, Block 2, St. Francis Ravelin, Floriana, or sent by post to Malta Environment & Planning Authority Appeals Board, PO Box 172, Marsa.

Requests for Reconsideration and Appeals must also be accompanied by the receipts showing that the Building Levy due in respect of the application has been paid.

Mr. Samuel Formosa
No.18, 'Corona'
Triq Turu Lentini
Hamrun HMR 02

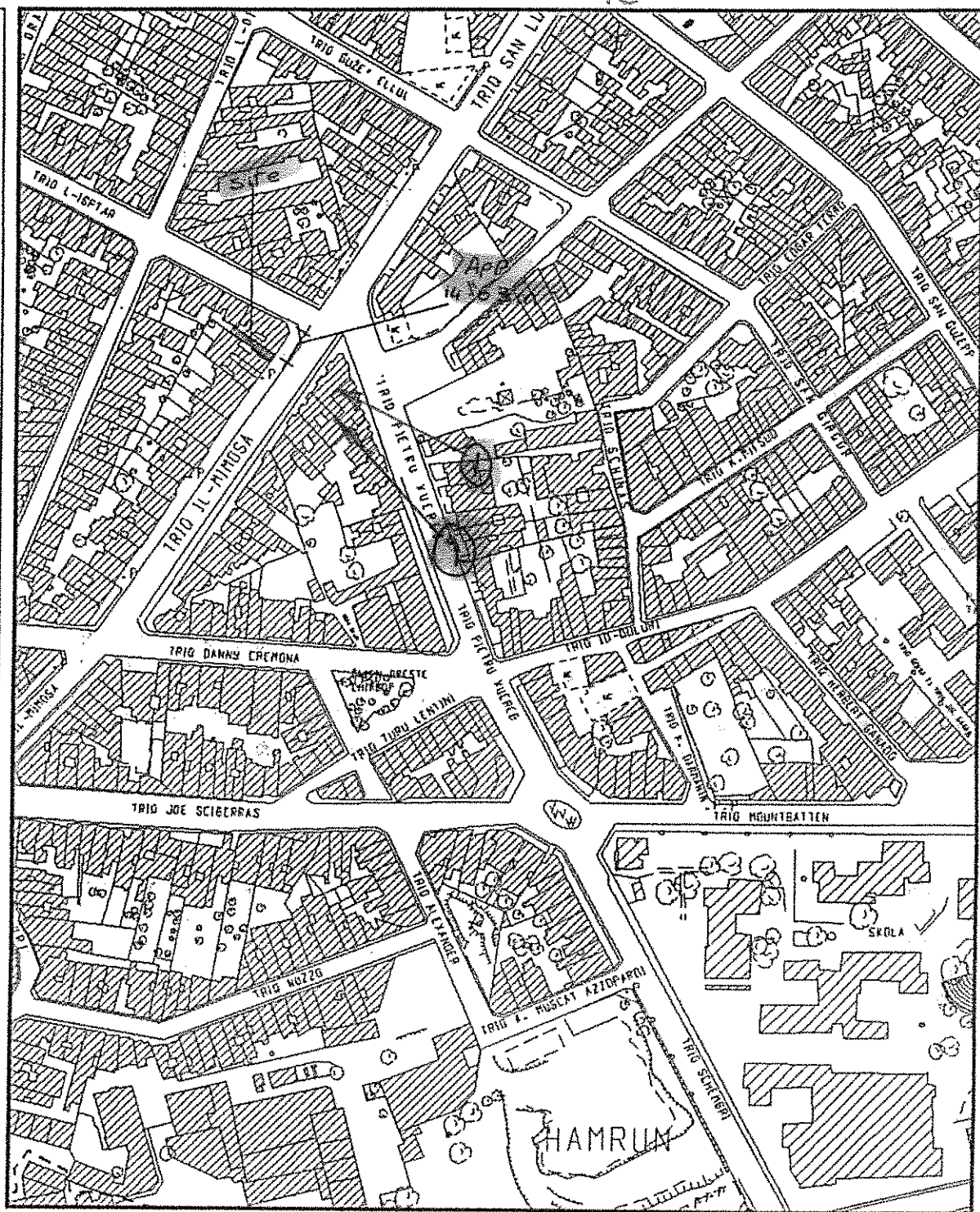
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Min Easting = 54036.1, Min Northing = 71737.97, Max Easting = 54436.1, Max Northing = 72237.85

Only

400m

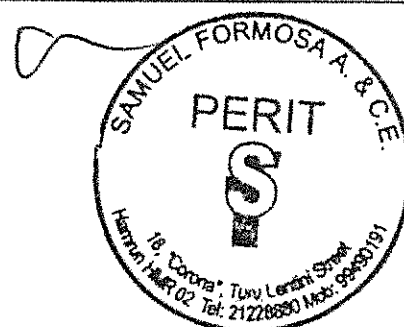
MEPA

**St. Francis Ravelin
Floriana
PO Box 200, Valletta, Malta
Tel: +356 240976 Fax: +356 224846**

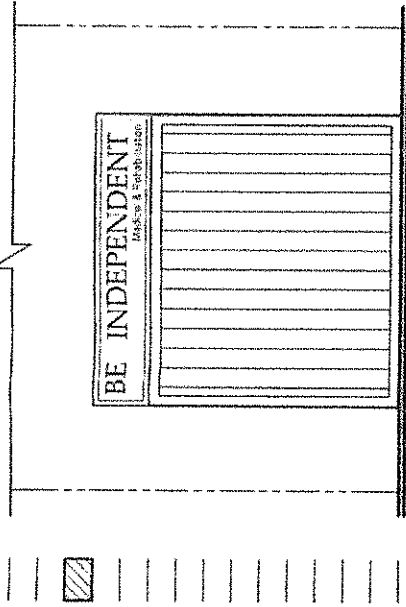
www.mepa.org.mt

Site Plan, Scale 1:2500 Printed on: Friday, May 12, 2006

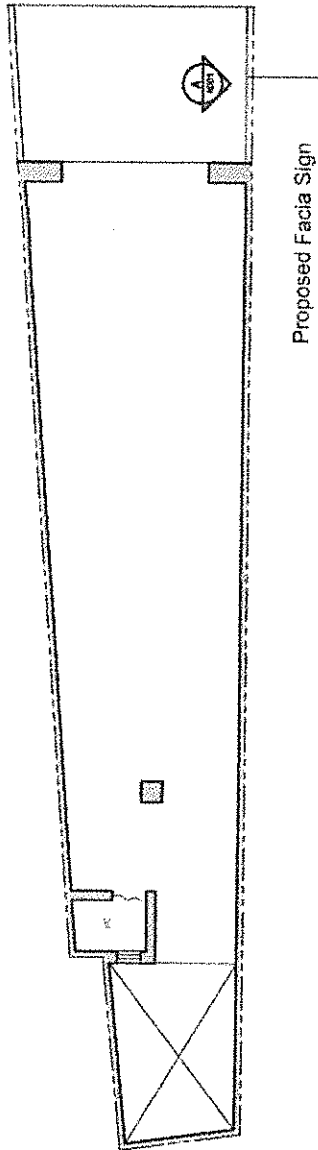
Not to be used for interpretation or scaling of scheme alignments



721131



TO SANCTION EXISTING SIGN
Scale 1:100



EXISTING / PROPOSED PLAN
Scale 1:100

BE INDEPENDENT

Medical & Rehabilitation

TO SANCTION EXISTING SIGN
Scale 1:20



Samuel Formosa
B.E.S.A. (Hons), M.Sc. (Arch), M.Sc. (Env. Eng.), A.C.C.E.
Architect, Interior Designer, Planning Consultant, Civil Engineer.
13, "Covens" Two-Linden Dr.
HMPR M21 02, IALTA.
Tel: (246) 2127 3460 - mob: (944) 0101
email: sam@formosa.net

client:

Mr. SALVU VELLA

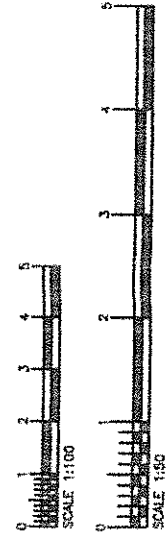
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CONSTRUCTION OF
SHOP SIGNS

job ref: 0893
date: AUG 09

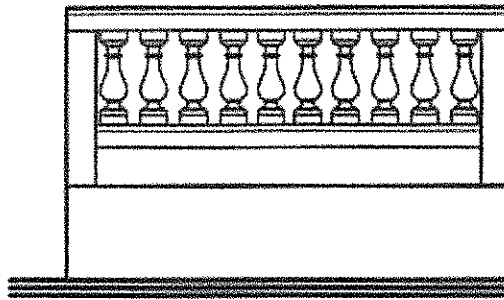
code: A001
scale: AS SHOWN

drawn by: B. VELLA
checked by: S. FORMOSA



204 PM 4g
24b

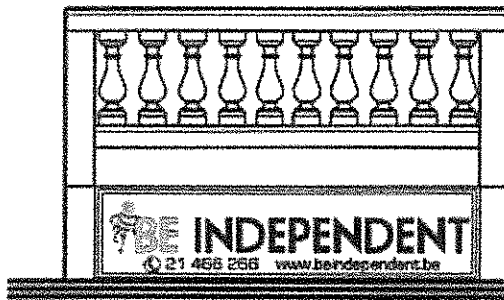
721132



EXISTING SIDE

Scale 1:50

ELEVATION A



PROPOSED SIDE

Scale 1:50

ELEVATION A



PROPOSED SIDE SIGN

Scale 1:20

h



Samuel Formosa

B.E. & A. (Hons), M.Sc. Arch. (Lond), M.Sc. (Env. Pln. & Mgt.), A.S. C.E.

Architect, Interior Designer, Planning Consultant, Civil Engineer.

18, "Corona" Tunz Lenti Str.
Hamrun HMR 02, MALTA

tel: (356) 2122 8880, mob: 99490191
email: samfor@malta.net.net

job title:

CONSTRUCTION OF
SHOP SIGNS

job no:

0893

code:

A001

drawn by:

B. VELLA

client:

Mr. SALVU VELLA

date:

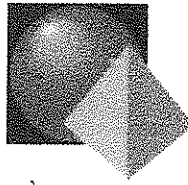
AUG 09

scale:

AS SHOWN

checked by:

S.FORMOSA



AWTORITÀ TA' L-IPPJANAR
PLANNING AUTHORITY

To: Mr Saviour Vella
Medsweat
Triq Il-Blanzuni
Attard

Date: 30 January, 2001
Our Ref: PA 01718/99

Application Number: PA 01718/99
Application Type: Full Development Permission / 01
Date Received: 7 April, 1999
Approved
Documents : PA 1718/99/1a as per Planning Appeals Board decision dated 30/10/2000.

Location: Site at, Triq Il-Mimosa, Guardamangia
Proposal: Change of use of existing garage into a drapery shop.

**Development Planning Act 1992 Section 33
Full Development Permission**

The Planning Authority hereby grants development permission in accordance with the application and plans described above, subject to the following conditions:

1. Introductory notes and general conditions (A) on form DC 1/88 apply.
2. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.
3. This permission for change of use is subject to Trading Licence approval from the Police Department and to any other approval or clearance which may be required from other Government Departments.
4. The following group of conditions apply to all development:
 - a) All works shall be carried out strictly in accordance with the approved plans. However, where ambiguities or discrepancies arise between the approved plans and the conditions on this decision notice, the conditions shall take precedence over the approved plans.

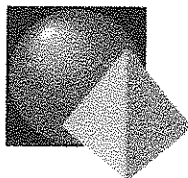
- b) Before work begins, the enclosed green copy of the Building Permit must be displayed on site. This must be mounted on a notice board, suitably protected from the weather, and easily legible from the street. The permit must be maintained in good condition until works on site are complete.
- c) No building material, waste, machinery or plant shall be allowed to obstruct the pavement or the smooth flow of traffic in the vicinity of the site. Deposit of materials or placing of equipment in the street must be authorised by the Police.
- d) Copies of all approved plans and elevations must be available for inspection on site by Planning Directorate staff at all reasonable times.
- e) Where applicable, all building works must be in accordance with the official alignment and proposed/existing finished road levels as set out on site by the Planning Directorate's Land Surveyor. The Land Survey Unit of the Planning Directorate must be informed when the setting out of the alignment and levels is required.
- f) Before building operations start, where applicable, the street is to be opened up and brought up to its proper and approved formation levels by the applicant.
- g) This development permission is valid for a period of three years from the date of the permission. If, upon the lapse of this three year period, the site has NOT BEEN COMMITTED in accordance with the permit a new application must be submitted to the Planning Authority. If, however, the site has been committed and works HAVE COMMENCED the validity of the permit shall be extended for a period of a further twelve months. In this case of the latter, you should inform the Planning Authority of your intention to utilise your right to extend the permission for a further period of twelve months and the authority shall issue a formal notification of this extension.
- h) The enclosed Commencement Notice shall be returned to the Planning Authority so that it is received at least five days prior to the commencement of the development hereby permitted.
- (i) This permit is being issued saving the right of any third party to appeal from such permit. If the applicant wants to avail himself of this permit immediately or pending any third party appeal, the development will be at the risk of the applicant in case the permit is revoked by the Appeals Board or the Court of Appeal respectively.

This permit is granted saving third party rights. The applicant is not excused from obtaining any other permission required by law. The applicant should contact the following regarding the location and provision of services prior to commencing development:- Enemalta, Water Services Corporation, Maltacom, Drainage Department and Melita Cable.

This permit has been acceded to as per Planning Appeals Board sitting held on 30 October, 2000 (PAB 447/99)



Frances Galea
Secretary
Development Control Commission



A W T O R I T À T A' L - I P P J A N A R
P L A N N I N G A U T H O R I T Y

To: Mr Saviour Vella
Medsweat
Triq Il-Blanzuni
Attard

Date: 30 January, 2001
Our Ref: PA 01718/99

Application Number: PA 01718/99
Application Type: Full Development Permission / 01
Date Received: 7 April, 1999
Approved
Documents : PA 1718/99/1a as per Planning Appeals Board decision dated 30/10/2000.

Location: Site at, Triq Il-Mimosa, Guardamangia
Proposal: Change of use of existing garage into a drapery shop.

Development Planning Act 1992 Section 33
Full Development Permission

The Planning Authority hereby grants development permission in accordance with the application and plans described above, subject to the following conditions:

1. Introductory notes and general conditions (A) on form DC 1/88 apply.
2. This development permission does not remove or replace the need to obtain the consent of the land/building owner to this development before it is carried out. Furthermore, it does not imply that consent will necessarily be forthcoming nor does it bind the land/building owner to agree to this development. Where the land/building is owned or administered by the Government of Malta a specific clearance and agreement must be obtained for this development from the Land and/or Estate Management Departments.
3. This permission for change of use is subject to Trading Licence approval from the Police Department and to any other approval or clearance which may be required from other Government Departments.
4. The following group of conditions apply to all development:
 - a) All works shall be carried out strictly in accordance with the approved plans. However, where ambiguities or discrepancies arise between the approved plans and the conditions on this decision notice, the conditions shall take precedence over the approved plans.
 - b) Before work begins, the enclosed green copy of the Building Permit must be

displayed on site. This must be mounted on a notice board, suitably protected from the weather, and easily legible from the street. The permit must be maintained in good condition until works on site are complete.

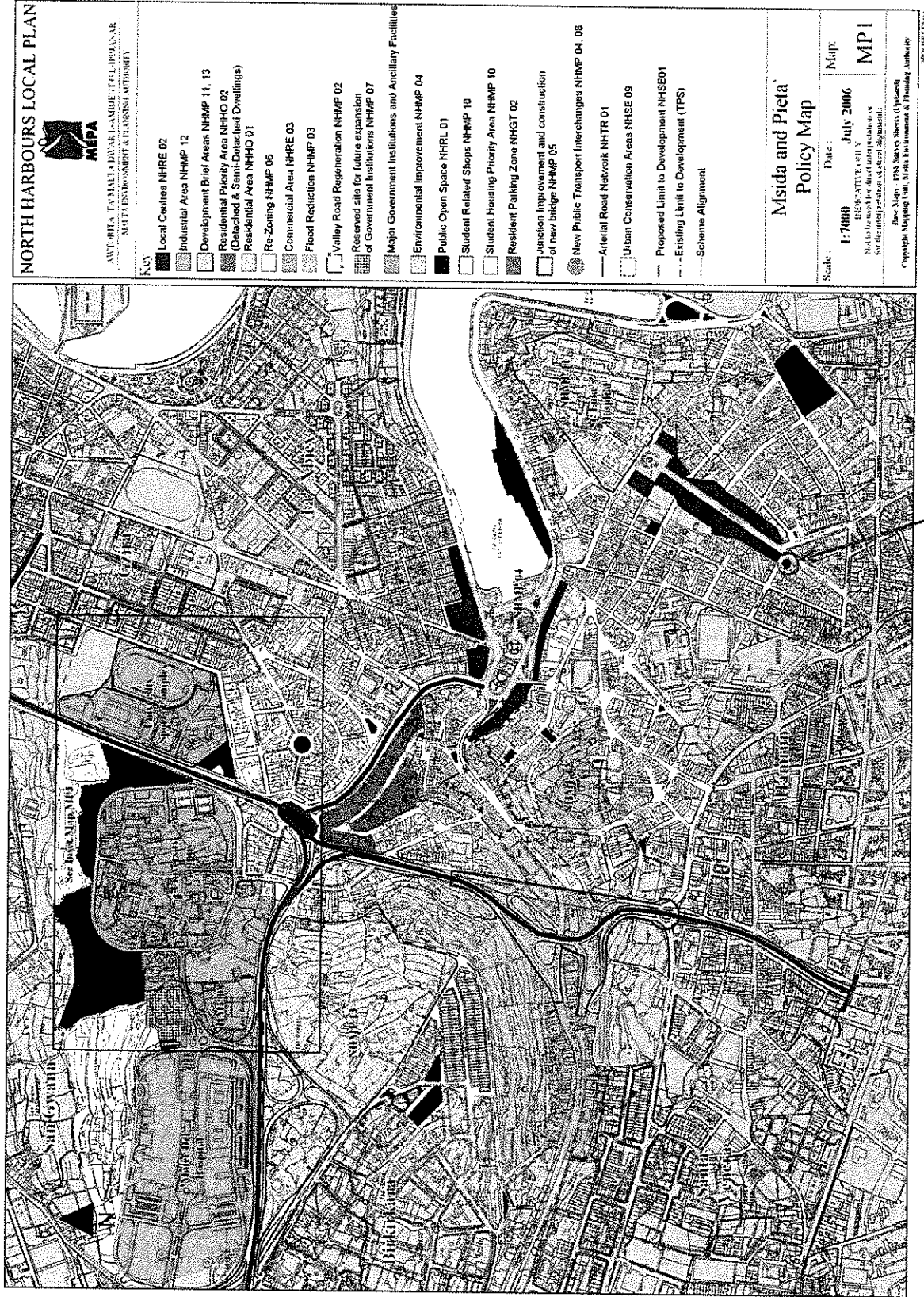
- c) No building material, waste, machinery or plant shall be allowed to obstruct the pavement or the smooth flow of traffic in the vicinity of the site. Deposit of materials or placing of equipment in the street must be authorised by the Police.
- d) Copies of all approved plans and elevations must be available for inspection on site by Planning Directorate staff at all reasonable times.
- e) Where applicable, all building works must be in accordance with the official alignment and proposed/existing finished road levels as set out on site by the Planning Directorate's Land Surveyor. The Land Survey Unit of the Planning Directorate must be informed when the setting out of the alignment and levels is required.
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This permit has been acceded to as per Planning Appeals Board sitting held on 30 October, 2000 (PAB 447/99)



Frances Galea
Secretary
Development Control Commission



SITE

4.4 Policies

NHHO01

Residential Areas

The Local Plan designates Residential Areas (RAs) within the Urban Development Boundaries of the following settlements as indicated in the relative Area Policy Maps:

Gzira, Ta'Xbiex, Msida, Pieta', Pembroke, Paceville, San Gwann, Sliema and St. Julian's.

The following is a list of acceptable land-uses (new uses, extensions to existing uses, and change of uses) within all frontages located within the RAs.

- i. A mix of Class 1 (Use Classes Order, 1994) terraced residential development as detailed in the DC 2005, Part 3, and in accordance with the specific zoning conditions indicated in the same guidance, unless otherwise stated by a policy in this Local Plan;
- ii. Class 2 (Use Classes Order, 1994) residential institutions, provided that:
 - they are of a small scale and do not create adverse impacts on the residential amenity of the area;
 - Class 2 (a) institutions are located in close proximity to a town or local centre; and,
 - Class 2 (b) nursing homes and clinics are easily accessible from the arterial and distributor road network.
- iii. Class 3 (Use Classes Order, 1994) hostels provided that these uses are in accordance with all other relevant Local Plan policies.
- iv. Class 4 (Use Classes Order, 1994) small shops provided that:
 - the small shops (of any nature) are not to exceed a total floor area of 50 sqm each, and convenience shops are not to exceed a total floor area of 75 sqm each;
 - they comply with all the provisions of paras. 1.4.16 to 1.4.18 of the Interim Retail Planning Guidelines (2003); and
 - they comply with any relevant section of the DC2005 (design, access, amenity, etc.).
- v. Supermarkets provided that they comply with all the provisions of Policy NHRE04.
- vi. Class 5 (Use Classes Order, 1994) offices provided that:
 - the floorspace does not exceed 75 sqm;
 - they do not unacceptably exacerbate parking problems in a residential street that already has an acute under provision of parking spaces for residents; and,
 - they comply with any relevant section of the DC 2005(design, access, amenity, etc.).
- vii. Classes 7 and 9 (Use Classes Order, 1994) non-residential institutions, swimming bath or pool, skating rink, health club, sauna, sports hall, other indoor or outdoor land based sports or recreation uses not involving motorised vehicles or firearms, and interpretation centres, provided the facility:
 - is of a small scale and does not create adverse impacts on the residential amenity of the area;
 - is located on land already occupied by buildings and will replace these buildings provided they are not worthy of retention due to their historic/architectural merit and/or their contribution to the character of the area, unless land is specifically allocated for the facility by this Local Plan; and,
 - the immediate surroundings of the site are already of a mixed use character.
- viii. Class 8 (Use Classes Order, 1994) educational facilities, provided that access and the character of the area are taken into account and are deemed adequate by MEPA to allow the safe and neighbour compatible use of such facilities.
- ix. Class 11 (Use Classes Order, 1994) business and light industry provided that:
 - The gross floor area of the premises does not exceed 50 sqm (including storage of materials and/or finished products);

- The activity conducted within the premises does not use heavy duty and/or noisy electrical/mechanical (including pneumatic) equipment, and equipment which requires a 3 phase electricity supply;
- The activity conducted within the premises does not entail extensive and/or prolonged use of percussion hand tools (eg. hammers, mallets etc);
- The activity employs less than 5 people; and
- The activity conducted within the premises does not inherently entail the generation of combustion, chemical or particulate by products.

Examples of acceptable uses considered by MEPA include tailor, cobbler, lace making and computer and electronic repair. Moreover, examples of unacceptable uses include carpentry, panel beating, mechanic, mechanical plant servicing, spray painting and bakery.

Proposals to convert from existing Class 12 (Use Classes Order, 1994) general industry to Class 11 (Use Classes Order, 1994) business and light industry within designated Residential Areas shall only be considered acceptable by MEPA if all the conditions listed above are adhered to, and provided that it can be proven that the Class 12 Use (general industry) operation is a permitted one and the Class 11 Use (business and light industry) operation is actually more neighbourhood compatible than the Class 12 Use operation it intends to replace.

- x. Taxi Business or for the hire of motor vehicles as per para. 6.15 of DC2005.

Land-uses falling outside those mentioned above will not be considered favourably within the designated RAs, unless there are overriding reasons to locate such uses within these areas.

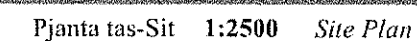
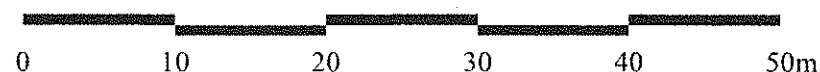
- 4.4.1 Residential Areas are the predominant land use in the urban areas especially on levels above ground floor. The range of non-residential activities, especially at ground floor level, tends to be a mix of uses and includes shops and offices, mostly of a local scale and serving local need, spread throughout the predominantly residential area. Garage businesses, schools, showrooms, bars and other uses can also be found in some residential areas, but the range and scale of the mix of uses is greatly influenced by the locality itself.
- 4.4.2 This policy seeks to guide the future growth of Residential Areas primarily by encouraging the location of more dwelling units within them. It is not the intention of MEPA to create "dormitory towns" through a rigid zoning policy, but it is important that these areas remain primarily an attractive place to live in and remain predominantly residential in use. This policy applies to all sites within the Residential Areas, unless a specific site is controlled by other policies in this Local Plan, in which case the site-specific policy should take precedence.
- 4.4.3 This policy also identifies those non-residential uses that can be located within the Residential Areas because they support and enhance community amenity (such as very small shops, old people's homes or kindergartens) and/or do not create adverse environmental impacts (such as small offices and small health facilities or visitor attractions). The policy specifically excludes land-uses that are deemed to be incompatible with Residential Areas due to their nature and scale of activity, such as bad neighbour industrial uses. In this regard, acceptable light industrial uses in residential areas shall only include very low impact industrial activities such as electronic repair, servicing and maintenance as well as handcrafts that do not inherently require the use of electrical machinery, especially those related to textiles. Activities which require the extensive use of manual percussive tools (eg. hammers, mallets etc) are not deemed compatible with residential areas.

NHHO02

Residential Priority Areas

The Local Plan designates Residential Priority Areas (RPAs) within the Urban Development Boundaries of the following settlements as indicated in the relative Area Policy Maps:

Gzira, Ta' Xbiex, Msida, Pembroke, Paceville, San Gwann, St. Julian's, and Swieqi.



116, Casa Bolino, Triq il-Punent, Il-Belt Valletta

Dritt imhallas
Fee Paid



KARATTERISTIĊI FIŻIĊI TAL-PROPJETA' IMMOBBLI

Lokalita'	Pieta'
Indirizz	XIN Q. Massage Salon Triq il-Mimosa Pieta'
Qies tal-Binja kollha trasferita *	circa 82 metru kwadru.

IMMARKA FEJN APPLIKABBLI (Imla kaxxa wahda f'kull każ minbarra fejn indikat mod ieħor)

Tip ta' Propjeta'	<input type="checkbox"/> Villa	<input type="checkbox"/> Semi-Detached	<input type="checkbox"/> Bungalow	<input type="checkbox"/> Flat/Appartment
	<input type="checkbox"/> Penthouse	<input type="checkbox"/> Mezzanin	<input type="checkbox"/> Maisonette	<input type="checkbox"/> Farmhouse
	<input type="checkbox"/> Terraced House	<input type="checkbox"/> Terran	<input checked="" type="checkbox"/> #anot	
Kemm ilha milbnija	<input type="checkbox"/> 0-20 sena	<input checked="" type="checkbox"/> Aktar minn 20 sena	<input type="checkbox"/> Qabel it-Tieni Gwerro	
Il-Madwar	<input type="checkbox"/> Veduta tal-bahar	<input type="checkbox"/> Veduta tal-kampanja	<input checked="" type="checkbox"/> Urbana	
Ambjent	<input type="checkbox"/> Żona kwieta	<input checked="" type="checkbox"/> Żona Traffikuża	<input type="checkbox"/> Żona ta' divertiment	<input type="checkbox"/> Żona Industrijali
Stat ta' Kostruzzjoni	<input type="checkbox"/> Gebel u saqaf	<input type="checkbox"/> Nofs Lest**	<input checked="" type="checkbox"/> Lest***	
Kundizzjoni	<input type="checkbox"/> Tajjeb	<input checked="" type="checkbox"/> Adekwat	<input type="checkbox"/> Hażin	
Facilitajiet <small>Tista' timmarka aktar minn wahda</small>	<input type="checkbox"/> Bil-Gnien	<input type="checkbox"/> Bil-Pool	<input type="checkbox"/> Bil-lift	<input type="checkbox"/> Bil-Basement
	<input checked="" type="checkbox"/> Bla Garaxx	<input type="checkbox"/> Garaxx karożza wahda	<input type="checkbox"/> Garaxx żewġ karożzi	<input type="checkbox"/> Garaxx ta' aktar karożzi
Arja	<input type="checkbox"/> Bi-arja tiegħu	<input checked="" type="checkbox"/> Mingħajr l-arja	<input type="checkbox"/> Bi-arja ma' terzi	

- * Jinkludi l-artijiet kollha u għonja imma jinkludi sulari addizzjonali, soqfa u washrooms
 *** Jinkludi tikkil, elettriku, ilma u madum
 ** Jinkludi ** kif ukoll kmamar tal-banju u aperturi

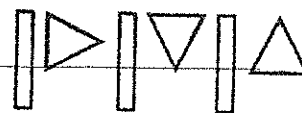
Data: 24 ta' Frar 2021

Firma tal-Perit:

PERIT PHILIP MIFSUD

Numru tal-Warrant: 373

Timbru:



PMA ARCHITECTS

'Corner Place', No. 2
Triq iż-Żagħirani, Attard
Tel 2146 2304 Mob 7946 2304