

Test of Reasonableness Board (TORB)

As per the Equal Opportunities (Persons with Disability) Act I of 2000 Cap. 413 of the Laws of Malta

20th December 2019

Our Ref: DecTORB_04

Mr. Alex Nandwani
Villa Shalimar
Valley Road
Msida MSD 9021

PA/02476/19 – Birkirkara – To sanction change of use from Class 4B Showroom as per approved PB/1737/90 to Class 4B Retail at ground floor and Class 4A Offices at first and second floor.

On Tuesday 17th December 2019, the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit. Mr. Martin Conrad and Perit Jean Pierre Attard were present on behalf of the applicant.

CRPD objected on the following non-conforming elements:

- With reference to proposed development and fresh drawings provided, ramp leading in does not conform to AADG2011 in regards to it's landing. Landing should accommodate a turning circle of 1.5mtrs diameter where there is a change in direction (Refer to AADG2011 point 1.7.13)
- Internal lift cabin dimensions as provided do not conform to the AADG2011
- Lift landings do not conform to the AADG2011 (Refer to AADG2011 point 1.8.07)
- No accessible for all sanitary facilities in accordance to the AADG2011 has been provided at proposed second floor level.
- With reference to roof floor level, Spot levels on both inside and outside areas should also be provided where lines could also refer to as steps.
- All external paving material should also be non-slip and clearly indicated on plan drawings in accordance to AADG2011

Exemption was requested on the existing lift and landings since the circulation space of the building does not allow modifications to conform with AADG 2011. Applicants said that the only possibility to render lift and landings accessible would be to demolish the back part of the building and reconstruct. This would however mean that all access to upper floors would be eliminated since the only access is through the back part of the building and thus all upper floor offices would need to be closed for the whole duration of the works.

Taking all arguments in consideration, the TORB concluded that it is **REASONABLE** to exempt lift dimensions and lift landings. Should there however be a fresh application or amendment, case should be reconsidered. All other matters indicated in CRPD's report should however be tackled immediately.

**Exempted elements marked in 'X' above.*



Rita Vella
Chairperson
Test of Reasonableness Board