

# FARRUGIA, GATT & FALZON

Advocates

[www.fgflegal.com](http://www.fgflegal.com)

VINCENT FALZON LL.D.  
PIO M. VALLETTA LL.D.  
STEFAN MEILAK LL.D.  
JOSEPH P. BONNICI LL.D., Adv. Trib. Eccl. Melit.  
ERROL CUTAJAR B.A., LL.D.

254, REGENCY HOUSE,  
(1<sup>ST</sup> FLOOR), REPUBLIC STREET,  
VALLETTA, VLT 1114. MALTA.  
Tel: (356) 21237329/21245706.  
Fax: (356) 21235358  
E-mail: [info@fgflegal.com](mailto:info@fgflegal.com)

27th November 2017

The Environment and Planning Review Tribunal  
St Francis Ditch  
Floriana, Malta

**Re: PA/07754/17, Application by Reuben Abdilla of, 21, Hever Court Flat 9, Triq il-Molletta, Swieqi SWQ 3532, - Diamond Flats, Triq is-Swieqi, Swieqi, Malta, - To Sanction penthouse as built and to propose alterations to PA 4494/15.**

**Appeal is hereby being filed by Mr Abdelrahman Fathi (ID Card No 0172032A), of Flat 2, Diamond Flats, Triq is-Swieqi, Swieqi.**

We write on behalf of the Appellant, who is hereby submitting that the decision by the Planning Authority published on the 8th of November 2017; (Decided on the 30th October 2017) whereby it granted development permission in accordance with the application and all the documents prescribed, subject to the conditions established in the decision, for the following ground;

1. That as an owner of an undivided share of the common parts of the same block of buildings, and this because the applicant is owner of the entire flat, numbered 2, Diamond Flats, in triq is-Swieqi, Swieqi, he has already objected, by letter dated the 5th of October 2017, limited to the installation of the lift, since the proposal in question, consists of alterations and changes in the common parts of the same, and this prejudices the right of the appellant, as being a part owner of the same property, upon which the applicant, has made this application.

Consequently the appellant is hereby asking the Tribunal, to reverse the decision taken by the Planning Authority, published on the 8th November 2017, for the above-mentioned reason, and to consequently refuse the Permit in question.

The applicant wishes to bring as a witness at appellate stage, Architect and Civil Engineer, Maria Savona, of 52, Turretta Court, Flat 7, Triq Patri Mattew Sultana, Kalkara.

Yours truly

  
Adv Errol Cutajar

