

In the Environment and Planning Review Tribunal

- 6 NOV 2020

Today, 4th November, 2020

Application to suspend execution of permit PA 05455/17 (as per Article 33 of Chapter 551 of the Laws of Malta.) *Proposal: To sanction change of use of licenced wedding hall to Class 4A offices and internal and external alterations and addition of floor Class 4A. Site: NetEnt Business Centre, Mdina Road c/w Triq Nikol Montebello, Qormi, Malta. Applicant: Mr Tony Bileci; Architect: C and K Architects Published: 7th October, 2020*

We write on behalf of objector **Mr Rosario Apap (0754554 M)** in order to formally request the suspension of the execution of the above-captioned permit, pending a decision on an appeal filed by Mr Apap.

Concurrently with this application, Mr Apap has lodged a third-party appeal from the above-captioned decision to grant the permit subject of planning application PA 05455/17. The appeal is being filed in terms of Chapter 552 of the Laws of Malta and in line with the procedure set out in Chapter 551.

The application in question proposes, *inter alia*, internal and external alterations and the addition of a floor to an existing Class 4A development, consisting of the offices of an i-gaming company. Although the site of the development lies within a "Commercial Area" (as per Central Malta Local Plan QOM 1), it is situated right at the border of the said area, next to a residential zone. In fact, appellant Rosario Apap resides in a house which is contiguous to the proposed development, sharing around 23 metres of common party wall.

As explained in the appeal, the development as it currently stands and its operation as i-gaming offices is already causing appellant undue disturbances and stress and, should the works as envisaged in the permit be executed, the nuisance for appellant will only increase.

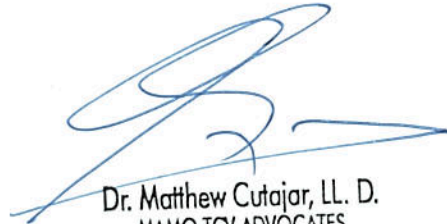
Moreover, appellant is concerned that if the development is carried out pending the appeal and the appeal is eventually decided in favour of appellant Rosario Apap, it would then be difficult, if not practically impossible, to demolish the additional floor, without giving rise to danger and damages to appellant's contiguous property.

Request

In the light of the above, and whilst reserving to provide further submissions and evidence during the appeal hearings, appellant respectfully requests the suspension of the execution of permit PA 05455/17 in terms of Article 33 of Chapter 551 of the Laws of Malta, pending a decision by the Tribunal on Rosario Apap's appeal.

Joseph Camilleri

joseph.camilleri@mamotcv.com
Mamo TCV Advocates – 103
Strait Street, Valletta VLT 1436



Dr. Matthew Cutajar, LL. D.
MAMO TCV ADVOCATES
Palazzo Pietro Stiges
103, Strait Street,
Valletta VLT 1436 Malta